

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 November, 2013

CARL ASKEW
Chief Executive Officer

28 November 2013

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1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

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

2 DISCLAIMER

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

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Mayor announced that she and Cr Rowell attended a presentation by two students from UWA's Department of Water Conservation in relation to a proposal for a Cottesloe Beach Pool as their thesis. She provided a brief explanation on the presentation. She explained that one student investigated the effect of wind, wave and the elements of that particular area on the groyne of Cottesloe's main beach. The second student investigated the design, size, and how it can be integrated with the beach. The Mayor expressed, on behalf of the Town of Cottesloe, her appreciation of the work that has been done. The beach pool has been previously considered by Council. Going forward the Foreshore Redevelopment Working Group will receive a presentation next year in relation to this proposal.

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

Mr Dougal Mclay, 4 Warnham Road, Cottesloe – Re. Noise Issue at the Cottesloe Beach Hotel

Mr McLay's comments are acknowledged. How the hotel has operated over the years has evolved with the locality.

The current owners have worked with the Town and other parties to create a more sophisticated venue with an emphasis on food and enhanced responsible service of alcohol consistent with today's standards. This represents a significant improvement upon the "beer barn" and "Sunday Session" days of the past, when large crowds of young heavy-drinkers resulted in a high level of anti-social behaviour. The Beach Club outdoor area now caters to a smaller number of patrons and an older demographic, with no live music, whereby anti-social impacts have been substantially reduced.

The present noise situation is being addressed via attenuation works and the regulatory regime, involving the Town and Department of Racing Gaming and Liquor (DRGL), together with discussions between all parties, such as the Town's Hotels Meeting forum. Assessing the noise situation includes measurements by the Town and reports from acoustic consultants. Upon completion of the works and noise reporting, the Town and Hotel will continue to liaise to consider the implications in relation to noise compliance, amelioration measures and operational practices. This will have regard to the complaints made to the Town and DRGL in responding to the matter.

4.2 PUBLIC QUESTIONS

Nil

5 PUBLIC STATEMENT TIME

Mr Anthony Cribb, 3 Congdon Street, Cottesloe – Re. Item 10.3.1 No.1 (Lot 4) Congdon Street - Six Telstra Panel Antennas on Two Mounting Poles on the Existing Telephone Exchange Building – Request for Reconsideration by the State Administrative Tribunal (SAT)

Mr Cribb is a resident and spoke at the June Council meeting when it voted to refuse the application by Telstra. He has not been involved in the subsequent appeal nor been engaged by Council and has only recently become aware of the reconsideration.

Mr Cribb thanked Councillors who provided assistance in the last couple of weeks. He understood the revised proposal involves removal of the false chimneys. His concerns related to the heritage of the building and the impact of the towers on the amenity of Congdon Street and the value of properties. Congdon Street is of high heritage significance, which is why he moved there. He referred to the potential health and safety issues and stated that Telstra does not have a good track record in asbestos removal. He also mentioned the height of the towers in relation to the Town Planning Scheme. He has tried to work with Telstra regarding alternative sites and noted from the officer report that Vodaphone generally avoids heritage sites. He felt there must be alternative locations that minimise impact on the local community.

Ms Kate Moore, 35 Margaret Street, Cottesloe – Re. Item 10.3.1 No.1 (Lot 4) Congdon Street - Six Telstra Panel Antennas on Two Mounting Poles on the Existing Telephone Exchange Building – Request for Reconsideration by the State Administrative Tribunal (SAT)

Ms Moore stated that she supported the Committee recommendation to still refuse the application, based on the WAPC guidelines for the location and design of telecommunications infrastructure. She reinforced the grounds for refusal, including the heritage impact on the building and locality, as the revised proposal failed to satisfy this aspect. Ms Moore believes that the issues raised by the proposal haven't been properly addressed by Telstra. She hoped that the Tribunal would make a sound decision based on examining the facts and merits of the matter including its impacts.

Ms Susan Fleming, 5 Pennefather Lane, Cottesloe – Re. Item 10.3.1 No.1 (Lot 4) Congdon Street - Six Telstra Panel Antennas on Two Mounting Poles on the Existing Telephone Exchange Building – Request for Reconsideration by the State Administrative Tribunal (SAT)

Ms Fleming stated that she supported what has been raised by Mr Cribb and Ms Moore and hoped the situation will be resolved. Ms Fleming mentioned she only found out about the appeal situation in August.

6 ATTENDANCE**Present**

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

Officers Present

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

6.1 APOLOGIES

Nil

6.2 APPROVED LEAVE OF ABSENCE

Nil

6.3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 DECLARATION OF INTERESTS

Mayor and all Councillors declared impartiality interests in item 10.3.1 NO.1 (Lot 4) Congdon Street - Six Telstra Panel Antennas on two Mounting Poles on the Existing Telephone Exchange Building – Request for Reconsideration by the State Administrative Tribunal (SAT), due to having Telstra shares, including through their Superannuation Fund. All considered that the extent of their interests and the number/value of the shares was insignificant, whereby they would consider the matter on its merits and vote accordingly.

Cr Rowell declared an impartiality interest in item 10.4.1 Donation To Lord Mayor's Distress Relief Fund, as he is a board member of the Lord Mayor's Distress Relief Fund.

8 CONFIRMATION OF MINUTES

Moved Cr Downes, seconded Cr Burke

[Minutes November 04 2013 Council.DOCX](#)

The Minutes of the Ordinary meeting of Council held on Monday, 04 November, 2013 be confirmed.

Carried 9/0

9 PRESENTATIONS

9.1 PETITIONS

Nil

9.2 PRESENTATIONS

Nil

9.3 DEPUTATIONS

Nil

For the benefit of the members of public present, the Presiding Member determined to consider: Item 10.3.1 from the Development Services Committee which was withdrawn for consideration.

From the Works & Corporate Services Committee items 10.4.1 and 10.4.3, were withdrawn for consideration. The remaining items were dealt with 'En Bloc'.

10 REPORTS**10.1 REPORTS OF OFFICERS**

Nil

10.2 REPORTS OF COMMITTEES**10.3 DEVELOPMENT SERVICES COMMITTEE MINUTES - 18 NOVEMBER 2013**

In relation to item 10.3.1 Mayor and all Councillors declared impartiality interests due to having Telstra shares, including through their Superannuation Fund. All considered that the extent of their interests and the number/value of the shares was insignificant, whereby they would consider the matter on its merits and vote accordingly.

10.3.1 NO.1 (LOT 4) CONGDON STREET - SIX TELSTRA PANEL ANTENNAS ON TWO MOUNTING POLES ON THE EXISTING TELEPHONE EXCHANGE BUILDING – REQUEST FOR RECONSIDERATION BY THE STATE ADMINISTRATIVE TRIBUNAL (SAT)

File Ref: 2667
Attachments: [Aerial](#)
[Amended Plans](#)
[Alternative Sites](#)
[Original Refused Plans](#)
[Heritage Advice](#)

Responsible Officer: Carl Askew
Chief Executive Officer

Author: Ed Drewett
Senior Planning Officer

Proposed Meeting Date: 18 November 2013

Author Disclosure of Interest: Nil

Property Owner: Australian Telecommunications Commission

Applicant: Planning Solutions (Aust) Pty Ltd

Date of Application: 7 May 2013

Reserve: Part *Local Scheme Reserve – Public Purposes – Commonwealth Government*

Use: Permitted

Lot Area: 890.9m²

M.R.S. Reservation: Part *Primary Road Reservation*

BACKGROUND

An initial application for six Telstra panel antennas on mounting poles contained within two faux brick chimneys on the existing telephone exchange building was refused by Council on 24 June 2013 for the following reasons:

- (1) *The proposal would have a significant detrimental visual impact on the appearance of the Telephone Exchange building, which is listed in the Town's*
-

Municipal Inventory, and on the surrounding heritage-listed and non-heritage listed buildings and the streetscapes in the locality.

- (2) *The proposal does not adequately satisfy the Guiding Principles for Location, Siting and Design of Telecommunications Infrastructure as referred to in the Statement of Planning Policy No. 5.2 (SPP 5.2) and associated Guidelines.*
- (3) *The proposal does not satisfy the requirements of Town Planning Scheme No. 2 in respect to general building heights and appearance of buildings.*
- (4) *The proposal would add to visual clutter of infrastructure in the locality to the detriment of the character and amenity of the area.*
- (5) *Significant objections have been lodged by surrounding property owners and residents concerning the visual, amenity, streetscape, heritage and health impacts that the proposal would have on the character and wellbeing of the locality and its inhabitants.*
- (6) *That Council invite the applicants and other phone carriers to discuss options for local coverage with Council staff and report back to Council if needed*

The applicant has since sought a review by the State Administrative Tribunal (SAT) and that matter is presently in mediation.

On 4 October 2013, following initial mediation between the applicant and the Town on 24 September 2013, the SAT made the following order:

- (1) *Pursuant to s31 (1) of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider its decision at its meeting on 25 November 2013.*
- (2) *The matter is adjourned to a further mediation to commence at 10am on Friday 29 November 2013 for a duration of two hours.*

A potential option for the telecommunications infrastructure to be located on the adjacent Auto Masters site at 443 Stirling Highway to avoid altering a building listed on the Town's Municipal Inventory has been considered by the applicant and a new application pursuant to this option was submitted on 17 October 2013. However, this application was subsequently withdrawn as the owner's consent could not be obtained.

Amended plans were subsequently submitted by the applicant on 6 November 2013 showing the proposed telecommunications infrastructure without the two faux brick chimneys on the telephone exchange building which Council is requested to consider as an alternative to the original submission.

PREVIOUS REPORT TO COUNCIL

The Officer's report detailing the applicant's original submission, planning considerations and nearby neighbours' comments for this proposal that was considered by Council at its meeting on 24 June 2013 is reproduced below:

SUMMARY

This proposal has been submitted by the applicant, Planning Solutions, on behalf of Telstra, to provide additional telecommunications infrastructure to facilitate its highspeed NextG mobile telephone network and wireless broadband.

It has been assessed by the applicant under the provisions of the Telecommunications (Low-impact Facilities) Determination 1997, as amended, to not be 'low-impact' for the purposes of determination and therefore it is not exempt from requiring planning approval.

The applicant advises that the proposed location of the masts on the Telephone Exchange building is the most appropriate solution to facilitate Telstra's mobile telephone network in this locality, with minimum impact on the amenity of the area.

The lot is predominantly reserved under the MRS for 'Primary Regional Road' and therefore it has been referred to Main Roads WA for comment, although in view of the proposed reduction of widening along Stirling Highway it is not anticipated that Main Roads WA will have an objection to the proposal.

Under the Planning and Development Act 2005, Instrument of Delegation (DEL 2011/02) local governments have been given delegation from the WAPC to determine applications for development on land reserved under the MRS for the purpose of a regional road, following referral to Main Roads WA.

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

PROPOSAL

This application is for six panel antennas on mounting poles (3 on each pole) contained within two faux brick chimneys on the roof of the Telstra Telephone Exchange building, together with cabling and associated ancillary equipment between the antenna devices and a proposed equipment room to be located within the building.

The antennas will be 5m apart and have the following dimensions:

Height - 2.494m

Width – 0.353m

Depth – 0.209m

The proposed two faux brick chimneys will be custom-built to shroud the proposed antennas and be 7.5m (approx) in height above the existing ridgeline of the Exchange building and 16m (approx) above Clive Road as measured directly below the proposed structures.

The location of the proposed faux chimneys on the roof will be 28m and 33m (approx) from the frontage of the Exchange building and 18m and 23m (approx) from its rear, on the southern side of its existing ridgeline. They will also be 13m (approx) from the adjoining lot boundary with the residence at No. 3 Congdon Street and between 23m and 28m (approx) from the adjoining lot boundary with the residence at No. 8 Clive Road which is located on the opposite side of Pennefather Lane.

BACKGROUND

Telstra has been requested by the registered proprietor of the Sundowner Hostel (aged care) at 1 Airlie Street, Claremont, to remove its existing telecommunications infrastructure from its building due to the proposed closure of the Hostel. A letter from the General Manager of Amana Living confirms this advice.

The applicant advises that the removal of this infrastructure from the Sundowner Hostel will severely impact on the mobile telephone coverage in the immediate and surrounding area and that it is necessary for Telstra to provide replacement telecommunication facilities to maintain mobile telephone coverage and wireless broadband access within the area. The applicant also advises that detailed analysis of the locality revealed there is no other opportunity to co-locate telecommunications infrastructure which would satisfy coverage objectives for the facility and that the site selection process has been influenced by the objective of avoiding community-sensitive locations.

The Town's Officers have had discussions with the applicant prior to and after the submission of the application and also have had a preliminary meeting with the applicant to express serious concerns regarding the proposed design, its impact on a heritage building and its unsympathetic appearance in the residential area, and it was suggested that an alternative location should be sought. However, the applicant confirmed that it was Telstra's intention to proceed with the application on the Exchange building as this was the most viable option that provided the best outcome for achieving its coverage objectives whilst minimising the impact of visual amenity.

Consideration of locating the proposed antennae on the adjoining Sea View Garage site was discussed with the applicant but advice from Telstra was that this would require either:

- A substantial monopole structure at the rear of the property, together with an equipment shelter at ground level and fenced compound; or*
- Due to structural constraints, two guyed masts of equivalent height as that proposed on the Exchange building, or one mast of greater height (to accommodate two sets of antennas).*

STATUTORY ENVIRONMENT

- Town Planning Scheme No. 2 (TPS 2)*
- Metropolitan Region Scheme (MRS)*
- Telecommunications (Low Impact Facilities) Determination 1997*
- WAPC's Statement of Planning Policy No. 5.2 (SPP 5.2 –Telecommunications Infrastructure)*
- WAPC's Guidelines for the Location, Siting and Design of Telecommunications Infrastructure*

PROPOSED LOCAL PLANNING SCHEME NO 3

It is proposed to re-classify a portion of the lot from Local Scheme Reserve – Commonwealth Government to Local Reserve – Telecommunication. The remainder of the lot will remain MRS Reserve – Primary Regional Road unless otherwise changed by an MRS Amendment. This would still allow the proposed use.

MUNICIPAL INVENTORY

Category 3

Significance: A fine example of early modern architectural design being applied to an industrial building – c. late 1920s.

Extract from Cottesloe – A Town of Distinction (Ruth Marchant James):

In 1929, to provide the required telephone facilities and the extra accommodation needed by staff, a new telephone exchange was completed for the sum of 5000 pounds. A further 35,000 pounds was expended to cover the cost of the equipment needed to upgrade the automatic exchange. Mr E. Kemp, representing the Automatic Telephone Manufacturing Company of Liverpool, England, oversaw the installation of strong reinforced concrete floors, inlaid with bitumen, that were used to support the heavy apparatus. The completed building, situated close to the Perth-Fremantle Road on the corner of Condon and Glyde Streets (now Clive Road), was officially opened in January 1930.

ADVERTISING OF PROPOSAL

The applicant requested that the application not be advertised on the basis that it complies with the Guiding Principles set out in the WAPC's Statement of Planning Policy No. 5.2 (SPP5.2) and was therefore not necessary. However, the application was advertised in accordance with TPS 2 and this consisted of a letter to 7 adjoining property owners. 10 submissions have been received.

The main comments raised are summarised as follows:

Anthony Cribb, 3 Congdon Street

- *Objects to the proposal;*
- *Sets a dangerous precedent for similar height structures to be allowed in residential areas;*
- *Masts of such height are not usually located amongst single and two-storey dwellings. Such structures are generally located in non-residential areas such as on shopping centres and high rise buildings;*
- *Health and safety issues may arise;*
- *The Industry Code for mobile phone base-station deployment should be applied;*
- *Two masts suggests that Telstra intends to install twice as many antenna than normally installed;*
- *Alterations to the building may result in a health risk due to asbestos in the building;*
- *Cumulative radiofrequency electromagnetic energy levels should be assessed showing data before the masts are installed and after, to show that there will be no adverse health and safety issues; and*
- *The two masts appear to have little apparent support and may pose a safety risk if they collapse.*

Adrian and Kate Moore, 8 Clive Road

- Objects to the proposal;
- The masts need a proper risk assessment to ensure that they will be able to withstand very strong winds;
- It will appear extremely ugly, ridiculously high and in no way matching the existing Exchange building;
- It will result in a loss of value to our property;
- Not convinced that the emissions from the antennae are not dangerous;
- There are many more suitable locations in non-residential areas;
- It will far exceed Council height restrictions;
- Disagree that the Telstra exchange is the most suitable and practical location;
- Other neighbours should have been notified of proposal and will likely object;
- Concerned that it is implied that the masts are viewed as a fait accompli, regardless of any objections neighbouring residents may have; and
- We are bringing the proposal to the attention of the Telecommunications Ombudsman.

Katie Pinnick and Nicholas Bath, 9 Congdon Street

- Strongly objects; and
- Reasons are same as that expressed by Anthony Cribb.

G Lazdins, 443 Stirling Highway (Sea View Garage)

- Fake 'chimneys' will appear more visually obtrusive than white covers used elsewhere or bare grey poles;
- Concerned with continuous radiation from antennae on adjoining properties;
- Could site be found that is 'less residential' and at higher level?; and
- Will more towers follow on the exchange building and give a higher cumulative RF EME Level?

Cameron Cooper (on behalf of Gary Johnson, 441 Stirling Highway - old fire station)

- Strongly objects;
- Greatly concerned for the unsightly and imposing effect that the proposal will have on the landscape and our heritage-listed building;
- Decrease value of property; and
- Supports submission from Mr Cribb and the grounds for objection.

JA and CT Smith, 6 Clive Road

- Objects to proposal;
- Masts will be an eyesore;
- Heights are out of proportion to existing building;
- Proposed cladding of the antennas with faux bricks is laughable; and
- How about Telstra dividing the height into 4 or 6 smaller masts to reduce visibility or locating in some 'public' space and not amongst residential homes?

Susan Fleming and Peter Kohlen, 5 Pennefather Lane

- *We were not notified by Council;*
- *Not convinced that emissions are not dangerous particularly to children;*
- *Decrease value of property;*
- *Could towers collapse in strong winds?*
- *Does the roof which the towers are to be attached have asbestos in it?*
- *It will look ugly and industrial; and*
- *It should be located in a non-residential area.*

Danielle Newman, 11 Congdon Street

- *Appalled that such an application would be considered in a residential area;*
- *My house, along with others in Congdon Street, is heritage-listed and these towers would ruin the streetscape and appear out of keeping with the heritage look of the area;*
- *Will be exposed to unacceptable levels of electromagnetic radiation;*
- *Asbestos is present in the building – Telstra has a bad track record dealing with asbestos; and*
- *Only responsible thing to do is propose alternative sites where there are no heritage issues.*

Lorraine Young, 117 Grant Street

- *Objects to proposal;*
- *Will create a visual eyesore in the neighbourhood;*
- *Telstra should be subject to same height rules as everyone else; and*
- *Expresses health concerns with proposed masts in residential area.*

Elizabeth Scott, 30 McNamara Way

- *Proposed installation should not be within close proximity to residents;*
- *Residents have not been given notification of proposal;*
- *Poses health risk;*
- *Height of masts are ugly and poses risk to an old building exposed to strong winds;*
- *If this could be approved following amalgamation of councils there will be a huge community backlash; and*
- *Appropriate options should be considered.*

APPLICANT'S JUSTIFICATION

The applicant has submitted a detailed submission in support of the proposal, a Heritage Assessment prepared by Laura Gray, Heritage and Conservation Consultant, and has addressed comments received from objectors (see attached).

In summary, the applicant has provided the following justification for the proposal:

- *The proposed development is consistent with Scheme provisions of the MRS;*
- *The proposed development is consistent with the Scheme provisions of TPS 2;*
- *The proposal is consistent with the WAPC's SPP 5.2 and Guidelines which encourage siting to minimise potential adverse visual impact on the character and amenity of the local environment;*

- *The infrastructure associated with the telecommunications facility will be contained within the existing site, and will not impact on the heritage significance of the existing building; and*
- *Works associated with the development are minor and not anticipated to detrimentally affect the amenity of the area.*

A summary of the applicant's Heritage Consultant's comments are as follows:

- *This proposal not only seeks to continue an appropriate use for the Telephone Exchange, but it thereby promotes the continued conservation of the heritage place;*
- *The proposed antenna installation will have minimal impact on the physical fabric of the Telephone Exchange;*
- *The Telephone Exchange is in an elevated position in the area required for the services provided by the proposed antennae that will further the telecommunications function of the Exchange;*
- *The only aspect of the proposal that will have any impact on the Telephone Exchange is the physical impact of the installation within the roof space and onto the roof. That is considered to be a minimal impact;*
- *The proposed antennae will be visible in both directions along Stirling Highway. However, the visual impact is negligible when compared to the visual impact of the adjacent corner building and its existing signage;*
- *The visual impact of the antennae has been considered in the context of the adjacent residences in Congdon Street. The immediate neighbour at No. 3 and continuous to No. 15 Congdon Street are all recognised for their heritage value in the Town's Municipal Inventory, all with high levels of significance, except No. 7, that has a low level of significance. All residences (1908-1915) predate the Telephone Exchange (1920);*
- *The dominant height of the Telephone Exchange compared to the residences, and the proposed antennae installation located at the west end (rear) of the roof, negates any visual impact on the residences or their relevant street frontages; and*
- *As Clive Road slopes down to the west and the telephone exchange reveals a lower storey along that side, with the double-storey height along the Pennefather Lane boundary, there is no view of the roof or the antennae installation from that proximity.*

PLANNING CONSIDERATIONS

There are various statutory (and non-statutory) provisions relevant to this application as summarised below:

MRS and TPS 2

The existing Telstra Exchange building is predominantly on land reserved under the MRS for 'Primary Regional Road' and therefore this portion of the lot is not reserved under TPS 2 and the provisions of the MRS shall apply to the proposed development. However, the north-west part of the lot is a Local Scheme Reserve (Public Purposes - Commonwealth Government) and is subject to TPS 2 provisions, albeit that the location of the proposed masts do not appear to be within this part of the site.

Telecommunications (Low-impact Facilities) Determination 1997 (as amended)

This legislation is used to determine whether a mobile phone facility may be considered as 'low-impact' and if so, it authorises a carrier to enter on land and install a facility under the Telecommunications Act 1997.

Under the Act the following cannot be 'low-impact' facilities:

- Designated overhead lines;*
- A tower that is not attached to a building;*
- A tower attached to a building and more than 5m high;*
- An extension to a tower that has previously been extended;*
- An extension to a tower, if the extension is more than 5m high.*

As the proposed application is for two towers that exceed 5m in height (in a predominantly residential area and on a heritage building) it is not deemed to be 'low impact' and therefore requires Council approval.

SPP 5.2

This State Planning Policy provides a framework for the preparation, assessment and determination of applications for telecommunications infrastructure within Western Australia.

It recognises that modern telecommunications are an essential and beneficial element in the life of communities and is rapidly advancing and being developed to meet the growing demand for better communications. However, it also acknowledges that the expansion and installation of telecommunication networks usually involves alterations to the appearance of buildings which may have impacts on the character and amenity of local environments. It therefore advises that it is important that planning policies ensure that facilities are designed and installed in a manner that protects the visual character and amenity of local areas as well being desirable to provide for the effective and efficient roll-out of networks.

The Policy also advises that in areas of high mobile phone use, where there are many small "cells" to meet demand, antennas do not need to be very high and can be installed on building roofs or small poles. In low-usage areas the cells are larger and the antennas are mounted on taller masts and towers.

In respect to possible health issues associated with exposure to electromagnetic emissions the Policy advises that all carriers are required to comply with the Australian Communications Authority's Radiocommunications (Electromagnetic Radiation – Human Exposure) Standard (2003). This incorporates substantial safety margins to address concerns for potentially sensitive groups in the community such as children, pregnant women, the infirm and aged. Furthermore, the Policy advises that research undertaken by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) has reported that environment radiofrequency levels near base stations for digital mobile phone networks are extremely low and it is unlikely that it would cause any adverse health effects, based on current medical research.

Other advice in the Policy includes that where developments are proposed on a road reserve the application should be countersigned by the Department of Planning on behalf of the owner, although this has not been done on this application.

The objectives of SPP 5.2 are to:

- *facilitate the provision of telecommunications infrastructure in an efficient, cost effective and environmentally responsible manner to meet community needs;*
- *facilitate the development of an effective statewide telecommunications network in a manner consistent with the economic, environmental and social objectives of planning in Western Australia as set out in the Town Planning and Development Act 1928 and the State Planning Strategy;*
- *assist community understanding of the issues involved in the design and installation of telecommunications infrastructure and provide opportunities for community input to decision-making;*
- *promote a consistent approach in the preparation, assessment and determination of applications for planning approval of telecommunications infrastructure;*
- *minimise disturbance to the environment and loss of amenity in the provision of telecommunications infrastructure; and*
- *ensure compliance with all relevant health and safety standards in the provision of telecommunications infrastructure.*

The Guiding Principles for the Location, Siting and Design of Telecommunications Infrastructure in SPP 5.2 are as follows:

- *There should be a co-ordinated approach to the planning and development of telecommunications infrastructure, although changes in the location and demand for services require a flexible approach;*
- *Telecommunications infrastructure should be strategically planned and coordinated, similar to planning for other essential infrastructure such as transport networks and energy supplies;*
- *Telecommunication facilities should be located and designed to meet the communication needs of the community;*
- *Telecommunication facilities should be designed and sited to minimise any potential adverse visual impact on the character and amenity of the local environment, in particular, impacts on prominent landscape features, general views in the locality, and individual significant views;*
- *Telecommunication facilities should be designed and sited to minimise adverse impacts on areas of natural conservation value and places of heritage significance or where declared rare flora are located;*
- *Telecommunication facilities should be designed and sited with specific consideration of water catchment protection requirements and the need to minimise land degradation;*
- *Telecommunication facilities should be designed and sited to minimise adverse impacts on the visual character and amenity of residential areas;*
- *Telecommunication cables should be placed underground, unless it is impractical to do so and there would be no significant effect on visual amenity or, in the case of regional areas, it can be demonstrated that there are long term benefits to the community that outweigh the visual impact;*
- *Telecommunication cables that are installed overhead with other infrastructure such as electricity cables should be removed and placed underground where it can be demonstrated and agreed by the carrier that it is technically feasible and practical to do so;*
- *Unless it is impractical to do so telecommunications towers should be located within commercial, business, industrial and rural areas and areas outside conservation areas;*
- *The design and siting of telecommunication towers and ancillary facilities should be integrated with existing buildings and structures, unless it is impractical to do*

so, in which case they should be sited and designed so as to minimise any adverse impact on the amenity of the surrounding area;

- Co-location of telecommunication facilities should generally be sought unless such an arrangement would detract from local amenities or where operation of the facilities would be significantly compromised as a result;*
- Measures such as surface mounting, concealment, colour co-ordination, camouflage and landscaping to screen at least the base of the towers and ancillary structures, and to draw attention away from the tower, should be used, where appropriate, to minimise the visual impact of telecommunication facilities;*
- Design and operation of a telecommunication facility should accord with the licensing requirements of the Australian Communications Authority, with physical isolation and control of public access to emission hazard zones and use of minimum power levels consistent with quality services; and*
- Construction of a telecommunications facility (including access to a facility) should be undertaken so as to minimise adverse effects on the natural environment and the amenity of users or occupiers of adjacent property, and ensure compliance with relevant health and safety standards.*

Matters to be Considered when Determining Planning Applications (from SPP 5.2)

Before determining an application for telecommunications infrastructure Council should consider and have regard to the:

- extent to which the proposal contributes to the social and economic benefits of affordable and convenient access to modern telecommunications services for people and businesses throughout the State;*
- need to ensure continuity of supply of telecommunications services to people and businesses in the local area or region;*
- effect of the proposal on the environment and natural landscape and the extent to which the proposal affords protection of these elements;*
- effect of the proposal on any place of cultural heritage significance on or near the land;*
- extent to which the proposal enhances or maintains visual amenity including streetscape and minimises adverse visual impacts;*
- degree to which the proposal is co-ordinated with other services;*
- extent to which the proposal fulfils the requirements of Section 5.3 of this Policy; and*
- extent to which the proposal adheres to the Guiding Principles for the Location, Siting and Design of Telecommunications Infrastructure set out in Section 5.1 of this Policy.*

WAPC Guidelines for the Location, Siting and Design of Telecommunications Infrastructure

These guidelines are to be considered in conjunction with SPP 5.2 and assist in the assessment of planning applications involving telecommunications facilities.

In brief, the main comments in the guidelines that appear particularly relevant to this application are summarised as follows:

- Telecommunications facilities that have the potential to be visually intrusive should, where possible, be located in industrial, commercial, business or rural*

areas, or otherwise integrated into the design of existing or proposed building development;

- Where there are existing structures such as water towers or base stations, additional facilities can often be accommodated without significantly contributing to the visual impact of the structure. This includes co-location with an existing telecommunications facility and integration with any other structure;
- Visually intrusive facilities should generally not be situated within residential areas; and
- Cultural and heritage sites should be treated with sensitivity, and avoided altogether where a proposed facility is likely to detract from the characteristics for which the site has been identified.

PLANNING COMMENT

This application has been assessed having regard to the legislation for telecommunications facilities, comments from the applicant and their heritage consultant, the submissions received from neighbours following advertising, and Council's planning framework.

The need to relocate the existing telecommunications facilities from the Sundowner Hostel in the Town of Claremont to an alternative location to facilitate Telstra's mobile phone and broadband network is not disputed following the submissions from Telstra and the General Manager of Amana Living regarding the future of the existing Hostel. It is also acknowledged that there is a need to ensure continuity of supply of telecommunication services to people and businesses in the local area.

However, the effect of the proposal on the appearance of the existing Telephone Exchange building that is listed in the Town's Municipal Inventory (Category 3) and on the surrounding heritage-listed dwellings in Congdon Street and also at 441 Stirling Highway (Old Claremont Fire Station), which is a Category 1 building in the Town's Municipal Inventory, as well as on other properties in the locality, is considered to be of high importance. Also, the extent to which the proposal does not appear to enhance or maintain visual amenity, including streetscape, or minimise its adverse visual impact in the locality are significant planning considerations.

Furthermore, the proposal is not co-ordinated with any other telecommunication services and does not appear to fulfil many of the requirements of the Guiding Principles for the Location, Siting and Design of Telecommunications Infrastructure set out in SPP 5.2. In particular, the following comments are made:

- (1) *The proposed telecommunications facility, whilst proposed to be hidden in two 7.5m high faux brick chimneys, does not appear to have been designed and sited so as to minimise any potential adverse visual impact on the character and amenity of the local environment and, in particular, its impact on general views in the locality and individual significant views. It would be very obvious and awkward (looking out of place) from both directions along the highway, as well as from the surrounding properties and local roads.*
- (2) *The proposal does not appear to be designed and sited to minimise adverse impacts on places of heritage significance, especially the Telephone Exchange itself and residential properties in Congdon Street, comprising a character neighbourhood. The applicant's Heritage Consultant's comments in this regard are also queried as she advises that, although the proposal will be visible from*

both directions along Stirling Highway, its visual impact will be negligible when compared to the visual impact of Sea View Garage and its advertising signage. However, the photomontages provided by the applicant (sheet 1 of 2 & sheet 2 of 2) clearly show that the proposed faux chimneys will be very visible along Stirling Highway and are significantly higher than the Sea View Garage and existing signage. She also states that the dominant height of the Telephone Exchange compared to the residences, and the proposed antennae installation at the west end (rear) of the roof, negates any visual impact from the residences or their relevant street frontages and that there will be no views of the antennae installation from along Clive Road. This again is disputed as the proposed chimneys are not at the rear of the roof, but rather 18m and 23m (approx) from its western end, and the photomontages provided by the applicant showing views from Congdon Street, Grant Street, and Clive Road clearly show that the proposed faux chimneys will be very visible from the surrounding residential area. The twin chimneys would be out of proportion with the building, anomalous, and visually dominant.

- (3) The proposal does not appear to have been designed and sited to minimise adverse impacts on the visual character and amenity of residential areas as discussed in (2) above.*
- (4) The proposal should be located within commercial, business or industrial areas, unless impractical to do so. In this regard, although the applicant has advised that the adjoining Sea View Garage is not a suitable alternative location and that this is the best position for the facility, it is still unclear why, in what is presumably an area of high phone mobile use, smaller "cells" could not be used to meet demand so that antennas do not need to be so high. Also, why if tall masts are required cannot these be located on an existing building or structure say in the Claremont, Cottesloe or Peppermint Grove Town Centres that may have less visual impact and be less likely to raise health concerns.*
- (5) The design and siting of the proposed antennae should be integrated with existing buildings and structures, unless it is impractical to do so, in which case they should be sited and designed so as to minimise any adverse impact on the amenity of the surrounding area. In this regard, it is not considered that the proposed two 7.5m high faux chimneys will integrate with the existing building as they will be over double the height of the Telephone Exchange building, above its existing ground floor level.*

Although the majority of the lot is on land reserved under the MRS a small portion of the lot is reserved under TPS 2 and therefore regard can be had to the Scheme. TPS 2 states that Council's general policy for development within the district favours low rise development of no more than two storeys to maintain privacy, views and general amenity, notwithstanding that Council may consider the circumstances and merits of each case in terms of amenity and development control provisions of the Scheme. In this respect, the proposal does not conform with the general policy and would appear significantly higher than the existing residential dwellings in the area compared with TPS 2's two-storey height standard.

TPS 2 also addresses the appearance of buildings stating that no building shall be so designed or constructed that its external appearance would disfigure the locality, lack harmony with the exterior design of neighbouring buildings or tend to depreciate the value of surrounding properties. In this case, for the reasons already discussed, it is

considered that the proposed development would not satisfy this Scheme provision. Furthermore, although the applicant has suggested the proposal constitutes 'infrastructure' rather than a 'building' and therefore need only be considered on its merits, the definition of 'building' referred to in TPS 2 includes any structure whether fixed or moveable, temporary or permanent, placed or erected on land, excluding boundary fencing, pergolas and swimming pools.

CONCLUSION

The proposed two telecommunications masts in faux brick chimneys on the roof of the existing Telephone Exchange building would significantly impact on the visual character and amenity of the surrounding residential area and on the Telephone Exchange building itself which is listed in the Town's Municipal Inventory. The design and siting chosen for the proposed structures also does not appear to integrate with the existing building and would add visual clutter to the streetscape and skyline.

The existence and availability of the Telstra building should not be taken as an opportunity to be exploited, and although this may be the most suitable location for Telstra's mobile phone network following the necessary removal of its antennae from its existing facility, the design and siting of this proposal cannot disregard relevant Statutory legislation, planning considerations and the widespread concerns and objections expressed by both residential and non-residential owners in the area.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee discussed the proposal at some length including seeking clarification from the applicant and representatives regarding the required coverage and technical aspects, the current location becoming redundant, possible alternative sites, and the scale and appearance of antennae. Committee found the officer report very comprehensive and noted the WAPC planning guidance for such proposals, as well as the community consultation and concerns. In response to a question from Committee the Manager Development Services advised that the officers' understanding of the applicable planning controls as verified by the Department of Planning is that the Town is able to determine a refusal on behalf of the WAPC. Committee supported this course of action and informed the attendees that the recommendation would proceed to Council next Monday for a decision on the application.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Walsh, seconded Cr Hart

That Council REFUSE the application to commence development for the proposed six Telstra panel antennas on mounting poles contained within two faux brick chimneys on the Telephone Exchange building at No. 1 (Lot 4) Congdon Street, Cottesloe, as shown in the application and on the plans and photomontages received on 7 May and 5 & 12 June 2013, for the following reasons:

1. The proposal would have a significant detrimental visual impact on the appearance of the Telephone Exchange building, which is listed in the Town's

Municipal Inventory, and on the surrounding heritage-listed and non-heritage listed buildings and the streetscapes in the locality.

2. *The proposal does not adequately satisfy the Guiding Principles for Location, Siting and Design of Telecommunications Infrastructure as referred to in the Statement of Planning Policy No. 5.2 (SPP 5.2) and associated Guidelines.*
3. *The proposal does not satisfy the requirements of Town Planning Scheme No. 2 in respect to general building heights and appearance of buildings.*
4. *The proposal would add to visual clutter of infrastructure in the locality to the detriment of the character and amenity of the area;*
5. *Significant objections have been lodged by surrounding property owners and residents concerning the visual, amenity, streetscape, heritage and health impacts that the proposal would have on the character and well-being of the locality and its inhabitants.*

AMENDMENT

Moved Mayor Morgan, seconded Cr Downes

That a new item 6 be added to read: "That Council invite the applicants and other phone carriers to discuss options for local coverage with Council staff and report back to Council if needed".

Carried 7/0

COUNCIL RESOLUTION

That Council REFUSE the application to commence development for the proposed six Telstra panel antennas on mounting poles contained within two faux brick chimneys on the Telephone Exchange building at No. 1 (Lot 4) Congdon Street, Cottesloe, as shown in the application and on the plans and photomontages received on 7 May and 5 & 12 June 2013, for the following reasons:

1. *The proposal would have a significant detrimental visual impact on the appearance of the Telephone Exchange building, which is listed in the Town's Municipal Inventory, and on the surrounding heritage-listed and non-heritage listed buildings and the streetscapes in the locality.*
2. *The proposal does not adequately satisfy the Guiding Principles for Location, Siting and Design of Telecommunications Infrastructure as referred to in the Statement of Planning Policy No. 5.2 (SPP 5.2) and associated Guidelines.*
3. *The proposal does not satisfy the requirements of Town Planning Scheme No. 2 in respect to general building heights and appearance of buildings.*
4. *The proposal would add to visual clutter of infrastructure in the locality to the detriment of the character and amenity of the area;*
5. *Significant objections have been lodged by surrounding property owners and residents concerning the visual, amenity, streetscape, heritage and health*

impacts that the proposal would have on the character and wellbeing of the locality and its inhabitants.

6. *That Council invite the applicants and other phone carriers to discuss options for local coverage with Council staff and report back to Council if needed.*

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 7/0

PLANNING COMMENT IN RESPONSE TO SAT MEDIATION AND AMENDED PLANS

The amended plans submitted on 6 November 2013 are identical to the plans originally considered by Council on 24 June 2013 with the exception of the two faux brick chimneys which have now been deleted.

Removal of the faux brick chimneys is favoured by the Town's Heritage Consultant, Ian Hocking, as they would increase the size and the detrimental visual impact of the proposed infrastructure. The Burra Charter (the Australian Charter for Places of Significance) also would not support the use of faux brick chimney-like structures, around the telecommunication towers, as they would detract from the heritage value of the existing telephone exchange.

Additional detailed comments have been provided by the Town's Heritage Consultant in response to the mediation process and revised plans and his conclusion is summarised below:

- The use of the Telephone Exchange building for the panel antennas and poles is a contemporary extension of its historical function. According to the submissions provided Telstra have exhausted all alternative sites to the Telephone Exchange.
- SPP 5.2 requires the utility of telecommunications to be balanced against the retention of amenity. My comments have endeavoured to assess whether a satisfactory balance has been achieved.
- The values of the Congdon Street heritage properties would be lessened by the visual intrusiveness of the proposed panel antennas and poles. Similarly the streetscape value of this section of Congdon Street would be partly compromised by the proposal.
- The values of the Clive Road heritage properties would be compromised by the visual intrusiveness of the proposed panel antennas and poles. However, the variable streetscape value of Clive Road mitigates the visual intrusion onto its streetscape.
- The visual impact of the proposed panel antennas and poles on Stirling Highway would not be inappropriate to the immediate visual context of Auto Masters garage, the Telephone Exchange and the former Fire Station.

- The visual impact of the proposed telecommunications antennas and posts is sufficiently removed from upper Grant Street to be considered incidental, rather than intrusive.
- The proposed telecommunications antennas and posts mounted on the roof of the Telephone Exchange would, on balance, cause some loss of amenity and heritage value in order to provide the utility of adequate Telstra telecommunications coverage in the vicinity. Given SPP 5.2, it is a moot point that the impact on amenity and heritage values would be sufficient to uphold a refusal of the Telstra proposal.

Eleven alternative locations for the telecommunications infrastructure have been examined by the applicant and discussed with Council Officers both in Cottesloe and Claremont, but these have all been excluded by the applicant as either not being capable of providing adequate radio frequency coverage or consent of the owners has not been forthcoming, including on the existing Auto Masters site opposite.

Co-location with other telecommunication carriers has also been considered by the applicant and discussions have been held between Council Officers and Vodaphone to determine whether there may be an immediate need for co-location on the exchange building following its similar relocation from the Sundowner Hostel. However, Vodaphone has advised that it is not intending to locate on the exchange building and generally avoids heritage properties.

Previous appeals to the SAT against decisions to refuse applications for telecommunication facilities have tended to be determined in favour of the applicants, on the basis that the benefits that would result from the telecommunications infrastructure to service an area outweighed other local considerations such as visual amenity (ie: Telstra vs City of Wanneroo 2011, Telstra vs Shire of Murray 2009). One notable exception to this was an appeal by Optus against a decision by the Town of Vincent to refuse an application for a telecommunications facility on the rooftop of the Alexander Buildings in Mount Lawley. The appeal was dismissed primarily because the Alexander Buildings has the highest heritage classification in the Town of Vincent and the proposed facility would have had a cumulative adverse effect with other existing telecommunications facilities on the building which would impact adversely on the aesthetics of the heritage building (Optus vs Town of Vincent 2006). This is not the situation in the current Cottesloe case as the existing Telstra exchange building is Category 3 on the Town's Municipal Inventory, which is not the highest category, and there would not be a cumulative adverse impact as no other carriers are proposing to co-locate on the building.

CONCLUSION

Following Council's decision to refuse the application both the applicant and Council Officers have as part of the SAT mediation process examined possible alternative locations and designs.

Whilst no suitable alternative location has been forthcoming, the removal of the faux brick chimneys is considered preferable from a pure heritage perspective.

Health considerations associated with electromagnetic emissions from telecommunications infrastructure appear to have been satisfactorily addressed by

the applicant as all carriers are required to comply with the Australian Communications Authority's Radiocommunications (Electromagnetic Radiation – Human Exposure) Standard 2003, which incorporates substantial safety margins to address concerns for potentially sensitive groups such as children, pregnant women, the infirm and aged. Council would therefore be unlikely to succeed in pursuing aspect.

The proposed location of the telecommunications infrastructure on the existing telephone exchange building, with or without the faux brick chimneys, is apparently the only feasible option for Telstra having examined alternative sites in the locality and in view of the State Government's Policy which facilitates the development of an effective statewide telecommunications network.

The heritage aspect of the proposal is possibly the most contentious issue that Council may wish to pursue on appeal. However, in light of the Town's Heritage Consultant's recent advice this may be difficult to sustain.

SECTION 31 RECONSIDERATION

Council is required to treat SAT's invitation to reconsider its decision seriously and conscientiously. Council may:

- (i) Affirm its decision of 24 June 2013 to refuse the application, with or without the two faux brick chimneys;
- (ii) Vary the decision; or
- (iii) Set aside the decision and substitute a new decision.

If Council decides on option (i) then the matter will likely proceed to a full tribunal hearing for review of the decision and substantial legal costs may be involved.

Alternatively, if Council decides on options (ii) or (iii) then:

- If the applicant is happy with the varied or substituted decision, and withdraws the proceedings, the varied or substituted decision has legal effect; or
- If the applicant is not happy with the varied or substituted decision, the proceedings are deemed to be for the review of the decision as varied or the substituted decision. This may proceed back to mediation or to a hearing.

COMMITTEE COMMENT

Committee discussed the matter at length, including the interests of objecting residents, the changed officer recommendation, alternative sites, the SAT review process, heritage consultant's advice, and telecommunications needs and coverage.

Officers explained that examination of alternative sites and liaison with other carriers had been carried out pursuant to Council's request and the SAT mediation. This was addressed in information attached, including the technicalities of coverage. Officers also explained that the SAT process recognised the original objections as reflected in Council's refusal, sought Council's reconsideration in light of the additional site

investigations and heritage input, and provided for a directions hearing shortly after the Council meeting. The SAT review may revert to further mediation but could proceed to a formal hearing, which would entail legal representation, witnesses and documentation with time and cost implications. Mr Hocking elaborated on his heritage assessment and advice. Officers also referred to the framework of planning policy and principles guiding a decision by Council and the SAT.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Jeanes, seconded Cr Downes

That Council:

1. SET ASIDE its original decision of 24 June 2013 to refuse the application for six Telstra panel antennas on two mounting poles contained within two faux brick chimneys on the existing telephone exchange building at No. 1 (Lot 4) Congdon Street, Cottesloe; and
2. SUBSTITUTE the original decision by APPROVING the amended plans received on 6 November 2013 for six Telstra panels on two unenclosed mounting poles on the existing telephone exchange building, subject to the following conditions:
 - (a) All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.
 - (b) The external profile of the development as shown on the approved plans, not being changed, whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of Council.
 - (c) At Building Permit stage, at the applicant's cost, a fully-detailed and annotated photographic record of the telephone exchange building, internally and externally, shall be prepared and submitted to the Town, to the satisfaction of the Manager Development Services.
 - (d) At Building Permit stage, details of the proposed colour of the mounting poles and antennas, selected to cause the least visual and heritage impact, shall be submitted to the Town for approval, to the satisfaction of the Manager Development Services.

Lost 0/7

NEW MOTION

Moved Cr Wash, seconded Cr Downes

THAT Council:

Affirm its decision of 24 June 2013 to refuse the application, with or without the two faux brick chimneys.

Carried 7/0

COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Jeanes, Seconded Cr Angers

That Council:

Affirm its decision of 24 June 2013 to refuse the application, with or without the two faux brick chimneys.

Carried 8/1

10.4 WORKS AND CORPORATE SERVICES COMMITTEE MINUTES - 19 NOVEMBER 2013

Cr Rowell declared an impartiality interest in item 10.4.1 Donation To Lord Mayor's Distress Relief Fund, as he is a board member of the Lord Mayor's Distress Relief Fund, 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.

10.4.1 DONATION TO LORD MAYOR'S DISTRESS RELIEF FUND

File Ref: SUB/1530
Attachments: [Letter From Lord Mayor Scaffidi](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 19 November 2013
Author Disclosure of Interest: Nil

SUMMARY

The Town has received correspondence from the City of Perth requesting a donation to the Lord Mayor's Distress Relief Fund. The purpose of this report is to consider this request.

BACKGROUND

The Lord Mayor's Distress Relief Fund has been in operation since 1961. It is governed by volunteers and the administration of the fund is provided in kind by the City of Perth. The funds held by this trust are used to assist communities in times of hardship, through the Local Emergency Management Committees established in times of need.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

At present there is no allocation within the operating budget for such a donation. If Council were to opt to provide a donation, then a budget amendment will need to be made. If the recommended donation is adopted by Council, there would be no need for an associated reduction in operating expenditure elsewhere, as this amount could be allowed for in the midyear budget review.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

A donation to this fund will allow the Lord Mayor's Distress Relief Fund to continue to work with communities in their time of need. As mentioned in the letter, this includes West Australian communities that are devastated by natural disaster, and often provides the funds required to deal with immediate aftermath of such events. This fund does not replace any of the obligations of any other level of government – it provides the short term assistance required before the substantive rebuilding operation can get underway, in the event that a disaster occurs.

VOTING

Absolute Majority

COMMITTEE DISCUSSION

Cr Jeanes suggested that Council should wait until the mid year budget review before making a payment that has currently not been budgeted for and foreshadowed a possible amendment to that effect. Mayor Dawkins queried whether authorising the payment would have a significant impact on the current budget. Manager Corporate and Community Services (MCCS) advised that it is anticipated, based upon current projections, that the budget will be in a position to accommodate the proposed amendment by the mid year review.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Jeanes

THAT Council:

- 1. Amend its current operating budget by increasing the Donations amount in the Governance Schedule (account 20029.204.58) by \$10,000; and**
- 2. Authorise the Chief Executive Officer to make a payment to the Lord Mayor's Distress Relief Fund of \$10,000.**

Carried 9/0

10.4.2 COUNCIL MEETING DATES 2014

File Ref: SUB/1542
Attachments: [Committee and Council Meeting Dates 2014](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Carl Askew
Chief Executive Officer
Proposed Meeting Date: 19 November 2013
Author Disclosure of Interest: Nil

SUMMARY

A resolution is required to set Council and Committee Meeting dates and times for 2014.

STRATEGIC IMPLICATIONS**Objective 7: Organisation Development**

To effectively manage Council's resources and work processes.

- Deliver high quality professional governance and administration.

POLICY IMPLICATIONS

None known

STATUTORY ENVIRONMENT

Regulation 12 of the Local Government (Administration) Regulations applies:

Public Notice of Council or Committee meetings –s.5.25(g):

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which –*
- (a) the ordinary council meetings; and*
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.*
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub-regulation (1).*

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

Due to Easter Friday and Monday falling on 18 and 21 April and ANZAC Day 25 April, the ordinary Committee meetings are proposed to be moved to Monday 28 April and Tuesday 29 April (as opposed to the normal schedule on 21 and 22 April) and the Ordinary Council Meeting to be moved to 5 May 2014 (as opposed to 28 April).

For the December round of meetings, it is proposed that Committee meetings will be on 8 and 9 December and Council on 15 December.

Council also has the option to change the start time of the meetings to ensure that there is consistency for each committee. The Development Services Committee currently commence at 6:00pm and other committees at 7:00pm and it is recommended that consideration be given to aligning all meeting times. Council has the option to have all meetings commence at 6pm or 7pm, or at another time to be determined.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Committee discussed the possibility of commencing committee meetings and Council meetings at the same time, in order to create consistency and minimise confusion concerning meeting commencement times.

Committee reached the conclusion that all committee meetings should start at 6.00pm, with Council meetings commencing at 7.00pm, to enable residents to attend.

OFFICER RECOMMENDATION

Moved Mayor Dawkins, seconded Cr Angers

THAT Council adopt the following meeting dates for 2014 and:

1. Observe a recess in January 2014, with no ordinary meeting of Council;
2. Advertise the ordinary Council meeting dates for 2014 as the fourth Monday in the month commencing at 7:00pm;-

January	No meeting
February	Monday 24
March	Monday 24
April	Monday 5 May
May	Monday 26
June	Monday 23
July	Monday 28
August	Monday 25
September	Monday 22
October	Monday 27
November	Monday 24
December	Monday 15

3. Advertise the Development Services Committee meeting dates for 2014 as the third Monday in the month commencing at 6:00pm;-

January	No meeting
February	Monday 17
March	Monday 17
April	Monday 28
May	Monday 19
June	Monday 16
July	Monday 21
August	Monday 18
September	Monday 15
October	Monday 20
November	Monday 17
December	Monday 08

4. Advertise the Works & Corporate Services Committee meeting dates for 2014 as being held on the day after the Development Services Committee meeting commencing at 7:00pm

January	No meeting
February	Tuesday 18
March	Tuesday 18
April	Tuesday 29
May	Tuesday 20
June	Tuesday 17
July	Tuesday 22
August	Tuesday 19
September	Tuesday 16
October	Tuesday 21
November	Tuesday 18
December	Tuesday 09

5. Advertise the Strategic Planning Committee meeting dates for 2014 being held on the day after the Works & Corporate Services Committee meeting in the months of February, May, August & November commencing at 7:00pm as:-

February	Wednesday 19
May	Wednesday 21
August	Wednesday 20
November	Wednesday 19

AMENDMENT

Moved Cr Rowell, seconded Cr Angers

1. That point four be amended to read "Advertise the Works & Corporate Services Committee meeting dates for 2014 as being held on the day after the Development Services Committee meeting commencing at 6:00pm"
2. That point five be amended to read "Advertise the Strategic Planning Committee meeting dates for 2014 being held on the day after the Works & Corporate Services Committee meeting in the months of February, May, August & November commencing at 6:00pm"

Carried 6/0

COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Pyvis

THAT Council adopt the following meeting dates for 2014 and:

1. Observe a recess in January 2014, with no ordinary meeting of Council;
2. Advertise the ordinary Council meeting dates for 2014 as the fourth Monday in the month commencing at 7:00pm;-

January	No meeting
February	Monday 24
March	Monday 24
April	Monday 5 May
May	Monday 26
June	Monday 23
July	Monday 28
August	Monday 25
September	Monday 22
October	Monday 27
November	Monday 24
December	Monday 15

3. Advertise the Development Services Committee meeting dates for 2014 as the third Monday in the month commencing at 6:00pm;-

January	No meeting
February	Monday 17
March	Monday 17
April	Monday 28
May	Monday 19
June	Monday 16
July	Monday 21
August	Monday 18
September	Monday 15
October	Monday 20
November	Monday 17
December	Monday 08

4. Advertise the Works & Corporate Services Committee meeting dates for 2014 as being held on the day after the Development Services Committee meeting commencing at 6:00pm

January	No meeting
February	Tuesday 18
March	Tuesday 18
April	Tuesday 29
May	Tuesday 20
June	Tuesday 17
July	Tuesday 22
August	Tuesday 19
September	Tuesday 16
October	Tuesday 21
November	Tuesday 18

December Tuesday 09

5. Advertise the Strategic Planning Committee meeting dates for 2014 being held on the day after the Works & Corporate Services Committee meeting in the months of February, May, August & November commencing at 6:00pm as:-

February	Wednesday 19
May	Wednesday 21
August	Wednesday 20
November	Wednesday 19

Carried 9/0

10.4.3 NEW POLICY SUSTAINABLE TRAVEL ALLOWANCE (STAFF) OUTCOME OF ADVERTISING

File Ref: SUB/1628
Attachments: [Sustainable Travel Allowance Policy Staff](#)
Responsible Officer: Andrew Jackson
Manager Development Services
Author: Nikki Pursell
Sustainability Officer
Proposed Meeting Date: 19 November 2013
Author Disclosure of Interest: The author has an interest in the matter as it relates to all staff working entitlements.

SUMMARY

On 23 September 2013, Council was presented with a draft policy relating to a Sustainable Travel Allowance for staff. The adopted resolution was:

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

The purpose of this report is to inform Council that the draft policy was released for a public comment period of one month and that no responses were received from the community. As such this report recommends the adoption of the policy on a trial basis for the remainder of the 2013/2014 financial year.

BACKGROUND

The introduction of the policy is driven by the Town's commitment to reducing its environmental footprint and achieving carbon neutrality. The Town's largest source of emissions is currently fleet vehicles and commuting related activities. The policy is therefore designed to provide a financial incentive for staff to leave their car at home and commute to work via more sustainable means. Experience at the City of Subiaco has demonstrated that a Sustainable Transport Allowance can provide adequate motivation to change employee behaviour and thus significantly reduce a council's greenhouse gas emissions.

POLICY IMPLICATIONS

To ensure there is consistency and transparency in the way the allowance is managed and distributed it is recommended that a policy be adopted to guide implementation.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation. An amount of \$20,000 was set aside in the 2013/2014 Budget to fund such initiatives. Running the initiative as a trial for the remainder of 2013/2014 will allow an accurate estimate of potential usage, uptake and costs for future years.

STAFFING IMPLICATIONS

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

SUSTAINABILITY IMPLICATIONS

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

CONSULTATION

Following Council's resolution the draft policy was advertised for public comment. Notices were placed on the Town's website, at the Grove Library and in the local Western Suburbs Weekly and Post newspapers. The community had the opportunity to provide feedback for a period of 25 days. At the close of the consultation period, only one response was received, relating to an earlier newspaper article on the allowance, and not on the policy itself. The absence of submissions is seen as a reflection of the operational nature of the proposed policy which does not affect the community directly.

STAFF COMMENT

While the motivation for the policy is to reduce Council's greenhouse gas emissions specifically related to staff vehicles, there are a number of other benefits of such an initiative. The use of public transport reduces local congestion and frees up parking spaces for use by the public. Regular exercise through active transport has well-documented health benefits for staff and improves productivity, reduces stress and results in fewer sick days. By taking such an initiative, Council benefits from staff attraction and retention as well as positive publicity.

The community was given the opportunity to provide feedback on the proposed policy as is Council procedure. In the absence of any comments, the officer recommends the adoption of the new policy as a trial for the remainder of the 2013/2014 financial year. It will then be reviewed for a further report to Council on the effectiveness and future of the policy.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Committee discussed operational aspects of the policy and clarified with officers how the policy will be implemented.

Cr Jeanes commented that he does not support the intent of the policy with regard to subsidising staff travel and raised concerns with the management and operation of the policy.

Cr Rowell reminded Committee that the officer recommendation is to adopt the policy on a *trial basis* and the policy will reviewed at the end of the financial year.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Pyvis

THAT Council adopt the new policy “Sustainable Travel Allowance (Staff)” on a trial basis for the remainder of the 2013/2014 financial year.

Carried 6/3

10.4.4 GOVERNMENT SUSTAINABILITY CONFERENCE 2013 UPDATE

File Ref: PER/127
Responsible Officer: Andrew Jackson
Manager Development Services
Author: Nikki Pursell
Sustainability Officer
Proposed Meeting Date: 19 November 2013
Author Disclosure of Interest: Nil

SUMMARY

In August 2013 Council approved the Sustainability Officer attending the 2013 Government Sustainability Conference. This is an annual conference held in Melbourne targeting sustainability practitioners in the public sector. As the only Australian-based conference of its kind, it provides valuable insights and advice about embedding environmentally sustainable policies and practices in an organization and the wider community.

This report outlines some of the relevant findings from the conference and thanks Council for providing the officer with this valuable opportunity.

BACKGROUND

The Sustainability Officer's attendance at this year's conference was approved on 20 August 2013 as per the following resolution:

That Council APPROVE the attendance of the Sustainability Officer at the Government Sustainability Conference 2013 in Melbourne on October 7 and 8 2013, and request a report on the conference to be provided within two months of attending the event.

POLICY IMPLICATIONS

The attendance at this conference was in line with the Town's policy on conferences, seminars and training.

FINANCIAL IMPLICATIONS

With a total cost to Council of \$2000 the conference represented good value for money and a great opportunity to gain a vast amount of information in a short amount of time. The cost of the conference was within the Officer's budget allocated for training.

SUSTAINABILITY IMPLICATIONS

Interstate flights have a considerable environmental impact. In this case, the officer included 'carbon offsetting' in the cost of the flight, in order to reduce the impact of travel. While interstate travel is not ideal from a sustainability point of view, being a small local government, the benefits gained from an opportunity such as this are considered to outweigh the impact. The broad wealth of knowledge and experience in other states is invaluable to sustainability officers in Western Australia, and

particularly so for the role at the Town of Cottesloe, which can be isolated from the industry.

STAFF COMMENT

The conference was a very worthwhile experience and provided a number of ideas and practical project examples which could be applied at the Town of Cottesloe.

Over the two days the officer attended 24 presentations and 2 workshops from speakers from various backgrounds. As the Conference is aimed at public sector practitioners, success stories and lessons learnt were shared by Local, State and Federal Government employees, as well as new approaches and technologies from consultants and industry representatives.

With two streams and a full schedule, the speakers covered the following diverse themes:

- Sustainable built environment and infrastructure;
- Community engagement;
- Implementing sustainable practices in organizations;
- Developing sustainability action plans and reporting;
- Climate change adaptation;
- Sustainable waste management;
- Achieving energy efficiency; and
- The future of Carbon Pricing and the post-election carbon landscape.

As well as presentations and workshops a trade show showcased products and services relevant to the sustainability industry. The conference also provided ample opportunities to network with staff from all around Australia.

Some of the key lessons the Sustainability Officer took away from the conference:

Local Governments play an important role in sustainability

The conference highlighted the important role of local governments in sustainability. Their connection with the community and their unique local knowledge mean they are well placed to take significant and positive actions to reduce environmental impacts and prepare for future changes. Local governments can lead by example and engage with the community to encourage positive behavioural change. The need for local governments to take a lead role in sustainability is particular relevant with the changing climate, as they will be at the forefront of climate change impacts. Taking responsibility of their impacts and emissions, as well as planning and preparing for future changes through adaptation, will lessen the costs to councils in the future. Being proactive now is important in the current political environment with a lack of activity at both the State and Federal levels. The actions the Town of Cottesloe is already taking are well received in the community and reflect the community's desire to be an attractive and sustainable coastal community. The Conference reinforced the need to prioritize sustainability and also demonstrated that Cottesloe has already made some significant steps in the right direction.

Sustainability is “booming” in the Local Government sector

The conference highlighted and discussed the current boom in implementation of sustainable technology and practices in the local government sector. Across the country local governments have recognized the importance of reducing their environmental impacts and importantly, the resultant financial savings. The rapid growth in the field has also been driven by Councils' commitments to environmental sustainability through programs such as Carbon Neutral. Investments in energy efficiency, which reduce energy usage and thus electricity bills, are now 'mainstream', undertaken by building managers and engineers rather than just sustainability professionals. Along with investments in energy efficiency is the shift to renewable energy within the local government sector. The mainstreaming of energy efficiency and renewable energy is reflected in the scale and prevalence of actions. Some examples include an investment of almost one million dollars at the City of Greater Geelong to reduce emissions at three council-owned facilities. Their investment has reduced emissions by up to 30%. North Sydney Council saves \$550,000 per year following an investment of \$4.5million on energy efficiency across its building portfolio. Furthermore, mainly councils have invested in renewable energy (particularly solar) to reduce their purchased electricity requirement. One regional organization of councils, equivalent to WESROC, has a plan to switch to 30% renewable energy over the next decade.

There is a high degree of uncertainty in the future Carbon landscape

Despite growing certainty in the science of climate change, the message from the Federal Government on climate change action is unclear. The general consensus amongst legal professionals at the conference was that the Federal Government will move to repeal the carbon tax in mid-2014. This will leave some local governments and businesses, which have made proactive steps to limit their emissions, uncertain about their obligations. Despite the uncertainty, Australia is still committed to reducing its emissions as a nation and will likely have an emissions trading scheme in the future. Therefore there was agreement that local governments should continue taking positive steps to reduce their emissions and preparing for future climate changes.

Coastal adaptation – we need to move beyond risk assessment

Acting on climate change, in particularly adapting to future impacts was a key theme at the conference. A number of councils, including Cottesloe, have now undergone coastal risk or vulnerability assessments. However, speakers highlighted the need to move beyond identifying risks and towards committing to adaptation pathways, for example, protection of assets, accommodating risk and/or managed retreat. A group of Port Phillip Bay councils in Melbourne have worked collaboratively to identify, assess and select the most appropriate adaptation pathway in response to increasing risk of coastal inundation in the urban area. By using economic modelling and cost benefit analysis they determined that a pathway of "moderate protection" was required for flood-prone areas (seawalls, groynes etc). The project identified that a regional approach is the most suitable given the scale of impacts. The lessons learnt at Port Phillip Bay are relevant to Cottesloe as the Town completed an early and innovative vulnerability assessment but has not moved on to determine a future adaptation strategy. The experience also suggests that Cottesloe would benefit from working collaboratively with other metropolitan, coastal councils on a regional approach to coastal adaptation.

Final thoughts - reflection on Cottesloe

Cottesloe is much smaller than many of the metropolitan councils in Sydney and Melbourne and therefore both the financial investments and the outcomes are on a smaller scale. Many councils have aquatic or recreational centres that have huge potential for improvements in energy and water use. Cottesloe's approach is more modest measures than large scale projects or investments. This is, however, no less important, and Cottesloe's small size can be an advantage in our journey to become carbon neutral.

The experiences and actions at other councils often differ to that at Cottesloe; however, the challenges faced by other councils were surprisingly similar. Attendance at conferences such as this one provides an opportunity to learn from mistakes and experiences and reflect on how we can make improvements to processes and priorities.

Reflecting on the conference outcomes, it is clear that despite its small size, Cottesloe is playing a significant role in the sustainability sphere across a range of themes – renewable energy, carbon accounting, action in climate change, integrated water management, sustainable transport, etc. The Town has often taken a proactive approach and leads by example. It seems important to continue this approach in order to encourage the community to do the same. A number of actions would assist in mainstreaming sustainability in the Town, including incorporating sustainability in high level strategic documents and decision-making. Ensuring that future foreshore developments incorporate projected sea level rise and allow for sustainable transport options would be prudent measures. It is also timely to start considering adaptation options to protect coastal infrastructure and ensure that the Town is prepared for the future. Community support for such actions, along with leadership from within the organization will ensure that the Town maintains its positive reputation when it comes to sustainability.

Thank you to Council

The Sustainability Officer found the conference highly informative with many useful and relevant outcomes, and greatly appreciates the opportunity provided by Council to attend.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Pyvis

THAT Council notes this report on the 2013 Government Sustainability Conference.

Carried 9/0

10.4.5 DONATION OF SCULPTURE AND POSSIBLE LOCATION

File Ref: SUB/1420
Attachments: [Photos of Sculpture](#)
[Plan of Possible Location](#)
[Photos of Possible Location](#)
[Background of Sculptor](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Geoff Trigg
Manager Engineering Services
Proposed Meeting Date: 19 November 2013
Author Disclosure of Interest: Nil

SUMMARY

Council has been offered the donation of a large steel sculpture created by a celebrated French sculptor Jean-Pierre Rives.

The suggested site for the sculpture by the donor is just to the north of the Grant Street intersection with Marine Parade, on the west side of Marine Parade.

The officer recommendation is that Council:

1. Accept the generous offer of the donation of a Jean-Pierre Rives sculpture, to be installed at a location on the west of Marine Parade, north of Grant Street, contingent on the completion of a donation agreement with the donor.
2. Authorise the Chief Executive Officer to sign the donation agreement with the donor on behalf of Council.
3. Inform the owners of number 2 Grant Street of this proposal, for their comments.
4. Arrange for the installation of the donated sculpture at the site proposed when a donor agreement is completed.

BACKGROUND

In the past, Council has accepted the donation of several sculptures, as well as purchasing its own growing collection of sculptures. There has also been a template agreement document created for such donations.

In this case, staff have been to the site in middle Swan where the sculpture is currently displayed. It is in good condition and would be easy to relocate to Cottesloe for installation.

The sculpture is by a well known and successful French sculptor and information on his background has been included in the attachments.

The site suggested by the donor is not directly in front of any private home but would be obvious to pedestrians and motorists using Marine Parade and the dual use path.

A concrete foundation could be arranged at the site by staff. The steel structure is also heavy duty and capable of withstanding the weather and salt conditions of the proposed site.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Acquisition of Arts Policy applies.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

The sculpture is valuable and its donation to Council on behalf of the community would be a benefit.

The cost to move the statue to the proposed site and install it on a prepared concrete footing/base with an explanatory plaque, is estimated to cost \$5,000 and can be accommodated within current budget allocations.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Only with the donor and the owner of the site where the sculpture is stored.

STAFF COMMENT

The donor has owned the sculpture for several years. He regularly uses the North Cottesloe beach front, hence his interest in the sculpture being installed in that area.

Discussions have been held with staff about setting up a Registered Charity status with the Australian Taxation Office to make it more attractive for other potential donors of statues and sculptures to the Town of Cottesloe collection. Discussions are still ongoing regarding this proposal.

VOTING

Simple Majority

OFFICER RECOMMENDATION

Moved Cr Rowell, seconded Cr Jeanes

THAT Council:

1. Accept the generous offer of the donation of a Jean-Pierre Rives sculpture, to be installed at a location on the west of Marine Parade, north of Grant Street, contingent on the completion of a donation agreement with the donor.
2. Authorise the Chief Executive Officer to sign the donation agreement with the donor on behalf of Council.
3. Inform the owners of number 2 Grant Street of this proposal, for their comments.
4. Arrange for the installation of the donated sculpture at the site proposed when a donor agreement is completed.

AMENDMENT

Moved Mayor Dawkins, seconded Cr Burke

1. That a new point five be added that reads "On completion of the donor agreement a formal letter of thanks be sent to the donor by the Town of Cottesloe."
2. That a new point six be added that reads "On completion of the donor agreement a plaque with the name of the donor, the name of the sculptor and the date the sculpture was made be installed."

Carried 6/0

COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Pyvis

THAT Council:

1. **Accept the generous offer of the donation of a Jean-Pierre Rives sculpture, to be installed at a location on the west of Marine Parade, north of Grant Street, contingent on the completion of a donation agreement with the donor.**
2. **Authorise the Chief Executive Officer to sign the donation agreement with the donor on behalf of Council.**
3. **Inform the owners of number 2 Grant Street of this proposal, for their comments.**
4. **Arrange for the installation of the donated sculpture at the site proposed when a donor agreement is completed.**
5. **On completion of the donor agreement a formal letter of thanks be sent to the donor by the Town of Cottesloe.**
6. **On completion of the donor agreement a plaque with the name of the donor, the name of the sculptor and the date the sculpture was made be installed.**

Carried 9/0

**10.4.6 STATUTORY FINANCIAL REPORTS FOR THE PERIOD 1 JULY 2013 TO
31 OCTOBER 2013**

File Ref: SUB/137
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 19 November 2013
Author Disclosure of Interest: Nil

SUMMARY

The purpose of this report is to present the Statutory Financial Statements and other supporting financial information for the period 1 July 2013 to 31 October 2013 to Council.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Financial requirements are in accordance with existing budgetary allocation.

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 \$205,753 or 24% as compared to the year to date budget. The main factor contributing to this is increased revenue from operations of \$89,152. All material variances are detailed in the Variance Analysis Report on pages 7 to 10 of the attached Financial Statements. Operating expenditure is \$1,000,084 or 25% less than year to date budget although approximately \$672,000 of this relates to non cash depreciation which is not able to be posted until the 2012-2013 Annual Financial Statements have been finalised and signed off by Council's

auditors. Capital expenditure is reported in detail on pages 29 to 32 of the attached Financial Statements.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Pyvis

THAT Council receive the Statutory Financial Statements including other supporting financial information as submitted to the 19 November 2013 meeting of the Works and Corporate Services Committee.

Carried 9/0

10.4.7 SCHEDULE OF INVESTMENTS AND LOANS AS AT 31 OCTOBER 2013

File Ref: SUB/150 & SUB/151
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 19 November 2013
Author Disclosure of Interest: Nil

SUMMARY

The purpose of this report is to present the Schedule of Investments and the Schedule of Loans as at 31 October 2013, as included in the attached Financial Statements, to Council.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Schedule of Investments on page 23 of the attached Financial Statements shows that \$5,717,767.62 was invested as at 31 October 2013. Approximately 36% of the funds were invested with the National Australia Bank, 26% with Bankwest, 22% with the Commonwealth Bank of Australia and 16% with Westpac Bank.

The Schedule of Loans on page 21 of the attached Financial Statements shows a balance of \$5,694,548.91 as at 31 October 2013. Included in this balance is \$315,070.27 that relates to self supporting loans.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Pyvis

THAT Council receive the Schedule of Investments and the Schedule of Loans as at 31 October 2013. These schedules are included in the attached Financial Statements as submitted to 19 November 2013 meeting of the Works and Corporate Services Committee.

Carried 9/0

10.4.8 LIST OF ACCOUNTS PAID FOR THE MONTH OF OCTOBER 2013

File Ref: SUB/137
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 19 November 2013
Author Disclosure of Interest: Nil

SUMMARY

The purpose of this report is to present the list of accounts paid for the month of October 2013, as included in the attached Financial Statements, to Council.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The list of accounts paid in October 2013 is included in the report on pages 12 to 19 of the attached Financial Statements. The following significant payments are brought to Council's attention;

- \$104,305.51 & \$33,121.95 to WA Treasury Corporation for Loan repayments
 - \$43,323.78 to the Australian Taxation Office for the monthly business activity statement
 - \$93,352.02 to Procott Incorporated being monies raised by way of a differential rate
 - \$36,798.17 to Transpacific Cleanaway for waste collection services
 - \$88,982.72 to Macfield Construction Pty Ltd for construction works at the foreshore
-

- \$26,070.00 to Rodriegues Bodycoat Architects for professional consultancy services
- \$29,181.43 to Surf Life Saving WA for the monthly contract at Cottesloe Beach
- \$31,190.40 to WMRC for waste disposal charges

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Pyvis

THAT Council receive the List of Accounts Paid for the Month of October 2013 as included in the attached Financial Statements, as submitted to the 19 November 2013 meeting of the Works and Corporate Services Committee.

Carried 9/0

10.4.9 RATES AND SUNDRY DEBTORS AS AT 31 OCTOBER 2013

File Ref: SUB/145
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 19 November 2013
Author Disclosure of Interest: Nil

SUMMARY

The purpose of this report is to present the Rates and Sundry Debtors Reports, as included in the attached Financial Statements, to Council.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Sundry Debtors Report on pages 25 to 27 of the attached Financial Statements shows a total balance outstanding of \$95,885.80 of which \$65,833.36 relates to the current period. The balance of aged debtors is \$30,052.44.

The Rates and Charges Analysis on page 28 of the attached Financial Statements shows a total outstanding of \$2,796,427.71 of which \$177,114.03 and \$483,667.83 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 \$2,862,542 as a current asset as compared to \$2,549,730 this time last year.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Pyvis

THAT Council receive the Rates and Charges Analysis Report and the Sundry Debtors Report as at 31 October 2013. This information is presented in the attached Financial Statements as submitted to the 19 November 2013 meeting of the Works and Corporate Services Committee.

Carried 9/0

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

Nil

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

12.1 ELECTED MEMBERS

Nil

12.2 OFFICERS

Nil

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 7:41 PM.

CONFIRMED MINUTES OF 25 November 2013 PAGES 1 – 52 INCLUSIVE.

PRESIDING MEMBER:

POSITION:

.....

DATE: / /