

# **TOWN OF COTTESLOE**



## **FULL COUNCIL MEETING MINUTES**

**ORDINARY MEETING OF COUNCIL,  
HELD IN THE COUNCIL CHAMBERS,  
COTTESLOE CIVIC CENTRE,  
7.00PM, MONDAY, 28 APRIL, 2003**

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**1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS**

Acting Mayor, Cr Ewing announced the meeting opened at 7.03pm.

**2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE  
(PREVIOUSLY APPROVED)**

**Councillors In Attendance**

Cr M Ewing	Acting Mayor
Cr J Birnbrauer	
Cr A Furlong	
Cr P Rattigan	(from 7.08pm)
Cr K Morgan	
Cr J Utting	
Cr J Walsh	
Cr R Whitby	(from 7.08pm)

**Officers in Attendance**

Mr S Tindale	Chief Executive Officer
Mr A Lamb	Manager Corporate Services
Mr S Sullivan	Manager Development Services

**Apologies**

Cr B Miller  
Cr A Sheppard  
Mr M Doig.

**Leave of Absence (previously approved)**

Nil.

**3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**4 PUBLIC QUESTION TIME**

Nil.

**5 APPLICATIONS FOR LEAVE OF ABSENCE**

Cr Birnbrauer reported that if he is re-elected he would not be able to attend meetings between 31 May and 10 June.

Cr Furlong reported that if he is re-elected he would not be able to attend the May Council meeting.

**6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Moved Cr Birnbrauer, seconded Cr Morgan

The Minutes of the Ordinary Meeting of Council held on Monday, 24 March, 2003 be confirmed.

Carried 6/0

**7 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION****7.1 Crs Ewing and Whitby – Final Council Meeting**

Deputy Mayor Cr Ewing noted that this was Cr Whitby's last meeting as a Councillor and that this may be her final meeting also.

Cr Ewing thanked Cr Whitby for his efforts on behalf of the community during his term of office.

Cr Ewing thanked all Councillors and their families who had to contend with their long hours of Council meetings and other works.

Cr Ewing thanked the CEO and staff for their efforts.

Cr Walsh rose to wish Cr Ewing well, noting the many hours of hard work she had put into her role as Councillor and Deputy Mayor.

**8 PUBLIC STATEMENT TIME**

Nil.

**9 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil.

**10 DEVELOPMENT SERVICES COMMITTEE MEETING HELD ON 16 APRIL 2003****10.1 PLANNING****10.1.1 75 HAWKSTONE STREET - CAR PARKING BAY WITHIN THE FRONT SETBACK**

**File No:** 75 Hawkstone Street  
**Attachments:** Location Plan, Site Plan  
Letter from Applicant  
**Author:** Mr Daniel Heymans  
**Author Disclosure of Interest:** Nil  
**Report Date:** 3 April, 2003  
**Senior Officer:** Mr Stephen Sullivan

**Property Owner:** Ellen Robinson

**Applicant:** Ellen Robinson  
**Date of Application:** 3 April, 2003

**Zoning:** Residential  
**Use:** P - A use that is permitted under this Scheme  
**Density:** R20  
**Lot Area:** 526m<sup>2</sup>  
**M.R.S. Reservation:** N/A

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**SUMMARY**

The applicant proposes to create a car bay within the front setback of the subject property.

**STATUTORY ENVIRONMENT**

- Town of Cottesloe Town Planning Scheme No 2
- Residential Design Codes

**POLICY IMPLICATIONS**

N/A

**HERITAGE LISTING**

- State Register of Heritage Places N/A
- TPS No 2 N/A
- Town Planning Scheme Policy No 12 N/A
- Draft Heritage Strategy Report N/A
- Municipal Inventory N/A
- National Trust N/A

**APPLICATION ASSESSMENT**

## AREAS OF NON-COMPLIANCE

**Town of Cottesloe Town Planning Scheme No 2 - Text**

Clause	Required	Provided
5.5.3	N/A	N/A

**Town Planning Scheme Policy/Policies**

Policy	Required	Provided
003	6.0m	0m

**Residential Design Codes**

Design Element	Acceptable Standards	Provided	Performance Criteria Clause
N/A	N/A	N/A	N/A

**STRATEGIC IMPLICATIONS**

N/A.

**FINANCIAL IMPLICATIONS**

N/A.

**CONSULTATION**

## REFERRAL

**Internal**

- Engineering

**External**

N/A.

## ADVERTISING OF PROPOSAL

The application was not required to be advertised.

**BACKGROUND**

Currently the applicant parks their car on the verge of the property. The applicant has stated that a car bay is required in the front setback area so as to enable better access for their disabled child. A development application for the construction of a pool in the rear yard was approved on the 30 April 2002. This application together with an existing shed has negated the possibility of gaining vehicle access from the right of way at the rear of the property. Therefore the only vehicle access possible to this site is from the primary street.

**STAFF COMMENT**

The applicant has requested a car bay within the front setback area. Hawkstone Street between Curtin Avenue and Marmion Street has a variety of parking



structures. There are a number of carports within the front setback areas, a large number of car bays within the front setback areas and a number of paved verges.

Clause 5.5.3 (d) of the Town of Cottesloe's Town Planning Scheme No. 2 states that:

*"The location of the spaces on the site and their affect on the amenity of adjoining development, including the potential effect if spaces should later be roofed or covered."*

This clause gives Council the ability to determine the affect any parking within the front setback would have if at a later stage it was covered. In relation to the affect on the adjoining sites the property at No. 77 Hawkstone Street has a carport on the street setback line. No. 73 has no parking structures in the front setback

Council's Town Planning Scheme Policy No. 003 - Carports and Garages, states that:

*"It is Council's general policy to require carports and garages to be positioned behind the front setback line in accordance with Table 1 of the Residential Planning Codes, that being 6 metres from the street"*

The administration recommends that approval for a car bay within the front setback area be granted as there are no alternatives to locate the car bay behind the setback line and a number of carports and car parking spaces already exist in front of the existing buildings.

## **CONCLUSION**

The proposed development be approved subject to the following conditions.

## **VOTING**

Simple Majority

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

Moved Cr Furlong, seconded Cr Walsh

**That Council GRANT its Approval to Commence Development for a car hardstand parking bay within the front setback at 75 Hawkstone Street, Cottesloe in accordance with the plans submitted on 3 April, 2003, subject to the conditions outlined below.**

- (1) Stormwater runoff from the driveway or any other paved portion of the site not being discharged onto the street reserve, rights-of-way or adjoining properties and the gutters and downpipes used for the disposal of the stormwater runoff from roofed areas being included within the working drawings.**
- (2) The applicant applying to the Town of Cottesloe for approval by the Manager, Engineering Services, to construct a new crossover, where required, in accordance with the local law.**

Carried 6/0

**10.1.2 NO. 104 (LOT 39) MARINE PDE - REPLACEMENT BALUSTRADING TO WESTERN FACADE OF COTTESLOE HOTEL**

**File No:** 104 Marine Parade  
**Attachment(s):** Location Plan  
 Plans & Elevations  
 Letter from R. Bodycoat  
**Author:** Ms Janine McDonald  
**Author Disclosure of Interest:** Nil  
**Report Date:** 27 March, 2003  
**Senior Officer:** Mr Stephen Sullivan  
  
**Property Owner:** Cottesloe Beach Hotel: Rhys Lloyd contact  
**Applicant:** Graham Hutton for Lawrence J Scanlan & Associates Pty Ltd  
**Date of Application:** 12 March, 2003  
  
**Zoning:** Foreshore Centre  
**Use:** P - A use that is permitted under this Scheme  
**Density:** N/A  
**Lot Area:** N/A  
**M.R.S. Reservation:** N/A

**SUMMARY**

The applicant proposes an alteration to the balustrading of the first floor balcony of the Cottesloe Beach Hotel. It is recommended that the application be deferred to allow for comments by the design advisory panel.

**STATUTORY ENVIRONMENT**

- Town of Cottesloe Town Planning Scheme No 2

**POLICY IMPLICATIONS**

N/A.

**HERITAGE LISTING**

- |                                     |            |
|-------------------------------------|------------|
| • State Register of Heritage Places | N/A        |
| • TPS No 2                          | Schedule 1 |
| • Town Planning Scheme Policy No 12 | N/A        |
| • Draft Heritage Strategy Report    | N/A        |
| • Municipal Inventory               | Category 3 |
| • National Trust                    | N/A        |

**APPLICATION ASSESSMENT**

## AREAS OF NON-COMPLIANCE

**Town of Cottesloe Town Planning Scheme No 2 - Text**

Clause	Required	Provided
N/A	N/A	N/A

**Town Planning Scheme Policy/Policies**

<b>Policy</b>	<b>Required</b>	<b>Provided</b>
N/A	N/A	N/A

**Residential Design Codes**

<b>Design Element</b>	<b>Acceptable Standards</b>	<b>Provided</b>	<b>Performance Criteria Clause</b>
N/A	N/A	N/A	N/A

**STRATEGIC IMPLICATIONS**

N/A.

**FINANCIAL IMPLICATIONS**

N/A.

**CONSULTATION**

REFERRAL

**Internal**

N/A.

**External**

N/A.

ADVERTISING OF PROPOSAL

The application was not required to be advertised.

**BACKGROUND**

The application seeks to replace the balustrading to the western function room on the first floor of the Cottesloe Beach Hotel. Essentially the alteration consists of replacing the existing galvanised balustrade with a toughened glass balustrade with a circular stainless steel top rail. The application also proposes to add clear plastic verandah blinds to the south-western corner of the balcony similar to those on the north-eastern corner at the ground level.

The applicant advises that the change to the balustrade will create a safer environment for pedestrians on the Marine Parade footpath as there is the potential problem of glasses and bottles that have been placed on the existing flat balustrade by patrons of the hotel falling onto the footpath below.

**STAFF COMMENT**

The façade of the Cottesloe Hotel is listed in Schedule 1 of the Scheme as it is considered to have historical value. Clause 6.1.1 of the Scheme states that buildings or objects listed in Schedule 1 should be conserved and preserved. The proposed change to the balustrade is considered to de-value the historical elements of the façade of the building through the choice of modern materials and the partial scope of the works. It is considered that a better result will be achieved in the longer term if a conservation plan or development guidelines for the building are adopted. This

would prevent piecemeal redevelopment of this type and conserve the heritage aspect of the building.

**DESIGN ADVISORY PANEL COMMENTS**

The application was referred to the Advisory Panel for comment however, only one member of the panel was available. Since submitting the application the proponent has provided further support for the proposal in the form of a letter from Mr Ronald Bodycoat - architect. In light of the comments made by Mr Bodycoat, it is considered that the proposal should be referred back to the Advisory Panel for further consideration.

**CONCLUSION**

The application represents piecemeal redevelopment of a building with heritage value. The choice of materials and partial scope of the works will undermine the historical elements of the facade of this building which contributes significantly to local identity and character. However in light of the supporting information submitted by the applicant, the proposal should be referred back to the Design Advisory Panel for comment.

**VOTING**

Simple Majority.

Crs Rattigan and Whitby arrived at 7.08 pm.

**OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr Furlong, seconded Cr Walsh

**That Council defer consideration of the application for Approval to Commence Development submitted by Lawrence Scanlan Architects for the balcony alterations at No. 104 (Lot 39) Marine Parade in order for the proposal to be reviewed by the Design Advisory Panel.**

Carried 6/2

**10.1.3 NO 4 (LOT 21) LILLIAN STREET - 2 STOREY DWELLING**

<b>File No:</b>	<b>4 Lillian Street</b>
<b>Attachment:</b>	<b>Location Plan, Site Plan, Floor Plans &amp; Elevations; Submissions</b>
<b>Author:</b>	<b>Mr Daniel Heymans</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>
<b>Report Date:</b>	<b>25 March, 2003</b>
<b>Senior Officer:</b>	<b>Mr Stephen Sullivan</b>

Property Owner: Mr Alex Blain  
 Applicant: Wright Architect  
 Date of Application: 11 March 2003

Zoning: Residential  
 Use: P - A use that is permitted under this Scheme  
 Density: R20  
 Lot Area: 420m<sup>2</sup>  
 M.R.S. Reservation: N/A

## SUMMARY

The purpose of this report is to seek Council approval for the development of a two storey single house. Conditional approval is recommended

## STATUTORY ENVIRONMENT

- Town of Cottesloe Town Planning Scheme No 2
- Residential Design Codes

## POLICY IMPLICATIONS

N/A.

## HERITAGE LISTING

- State Register of Heritage Places N/A
- TPS No 2 N/A
- Town Planning Scheme Policy No 12 N/A
- Draft Heritage Strategy Report N/A
- Municipal Inventory N/A
- National Trust N/A

## APPLICATION ASSESSMENT

### AREAS OF NON-COMPLIANCE

#### Town of Cottesloe Town Planning Scheme No 2 - Text

Clause	Required	Provided
N/A	N/A	N/A

#### Town Planning Scheme Policy/Policies

Policy	Required	Provided
N/A	N/A	N/A

#### Residential Design Codes

Design Element	Acceptable Standards	Provided	Performance Criteria Clause
3	Setback to western boundary from Kitchen wall 1.5m	1.2m	Clause 3.3.1

Design Element	Acceptable Standards	Provided	Performance Criteria Clause
3	Setback to western boundary from Bed 1 wall 1.5m	1.2m	Clause 3.3.1
3	Setback to eastern boundary from entry wall 1.5m	1.5 – 1.08m	Clause 3.3.1
3	Setback to western boundary from garage wall 1.0m	0m	Clause 3.3.2

### STRATEGIC IMPLICATIONS

N/A.

### FINANCIAL IMPLICATIONS

N/A.

### CONSULTATION

REFERRAL

#### Internal

- Engineering

#### External

N/A.

### ADVERTISING OF PROPOSAL

The Application was advertised as per Town of Cottesloe Town Planning Scheme No 2.

The advertising consisted of:

- Letter to adjoining property owners.

### Submissions

There were 4 letters sent out. One submission was received, which was an objection. Details of the submission received is set out below:

#### No. 2 Lillian Street

The owners of 2 Lillian Street said that they were concerned about windows on the western boundary. They stated that they wanted these windows to be either 1650mm above FFL or opaque. In addition they also raised concern about leaves cluttering the gap between the proposed garage on 4 Lillian Street and their garage.

### BACKGROUND

The subject property is located on the northern side of Lillian Street. The applicant consists of a new two storey dwelling with a wall abutting the western boundary. The property slopes down from the front to the rear of the site.

**STAFF COMMENT****Boundary Walls**

The applicant proposes to locate the garage wall on the western boundary. The wall is 7.5m long and has an average height of 2.9m

The codes allow for 1 wall to abut a boundary, up to 9m in length, and with an average height of 2.7m.

However, the proposed boundary wall exceeds the 2.7m average height limit set by the Residential Design Codes and therefore this wall needs to be assessed under the performance criteria (P2) for this clause which states;

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

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

The proposed garage wall on the boundary abuts another boundary wall at 2 Lillian Street. The administration believes that the wall makes effective use of space, has no adverse impact on the amenity of adjoining properties and doesn't restrict sunlight to adjoining properties.

However, Council has resolved to prepare a Streetscape Policy that will enforce boundary setbacks throughout the Scheme Area in order to preserve streetscape character. Boundary walls result in the loss of an open aspect streetscape and increase the amount of building bulk visible from the street.

Notwithstanding, the administration believes that the garage boundary wall, which is setback 6m from the front boundary, will not have a detrimental affect on the streetscape as the adjoining property has a garage abutting the side boundary which is only 3m from the front boundary. In addition the adjoining neighbour has not objected to the boundary wall.

Therefore the administration recommends that the garage wall be approved as outlined on the submitted plans.

**Boundary Setbacks**

The applicant proposes three variations to setbacks as outlined in the application assessment section of the report.

The applicant's submission states that the site has a very narrow frontage, 10 metres, which makes it difficult to construct a liveable and functional house without a variation to the setback requirement. However, this is the standard minimum width for lots coded R20.

Variations are being sought to the setback requirements for the kitchen wall (lower level) and bedroom 1 wall (upper level) on the western side of the house. As per Table 2a of the Residential Design Codes, the required setback in both instances is 1.5 metres. However, the proposed setbacks are 1.2 metres.

In addition a variation is being sought for the entry wall (lower Level) and gym wall (upper level) on the eastern side of the house. As per Table 2a of the Residential Design Codes, the required setbacks are 1.5 metres. However, the proposed setbacks are between 1.5 metres and 1.08 metres.

Therefore the application needs to be assessed against the relevant performance criteria which state:

*“P1 - Buildings setback from boundaries other than street boundaries so as to:*

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

In relation to the setback of the kitchen wall and the bedroom 1 wall on the western side the applicant has stated that the adjoining property only has 1 window on this side and that the building is extremely bulky and high. The administration believes that a reduction in the setback of 300mm will not restrict sunlight and ventilation to the adjoining property, and will not affect privacy.

However the additional building bulk will have an adverse affect on the streetscape. In addition Council has resolved to prepare a Streetscape Policy that will enforce boundary setbacks throughout the Scheme Area in order to preserve streetscape character.

Therefore the administration recommends that the setback be increased for both the kitchen wall and the bedroom 1 wall to 1.5 metres.

In relation to the setback of the entry wall and the gym wall on the eastern side of the building the applicant has stated that the walls comply with the 1.5 metre setback for most of the walls except at the end where they angle towards the boundary to a setback of 1.08 metres.

The applicant would like these walls to be treated as minor projections as only minor parts of the walls don't comply with the setback. In addition the adjoining neighbours have not objected to the walls. The administration believes that the proposed angled wall will not have a major impact on sunlight, privacy or adversely affect the streetscape.



Therefore the administration recommends that the variation to the setback be approved as outlined on the submitted plans.

**Submitter**

The submitter wanted the windows on the western side of the building to be either opaque or 1650 mm above sill height. The submitted plans show that all of these windows are either above 1650 or are opaque. The submitter also raised concern about the joining of the garage roofs on the western side and the possibility of leaves cluttering the gutters. This is an issue that will need to be sorted out between the owners of both properties.

**CONCLUSION**

The proposed development be approved subject to the following conditions.

**VOTING**

Simple Majority

**OFFICER RECOMMENDATION**

- (1) That Council GRANT its Approval to Commence Development for the 2 Storey Dwelling at No 4 (Lot 21) Lillian Street, Cottesloe in accordance with the plans submitted on 11 March 2003, subject to the conditions outlined below.
  - (a) The roof surface being treated to reduce glare if Council considers that the glare adversely affects the amenity of adjoining or nearby neighbours following completion of the development.
  - (b) All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13 - Construction Sites.
  - (c) Any front boundary fencing to the site being of an "Open Aspect" design and the subject of a separate application to Council.
  - (d) Stormwater runoff from the driveway or any other paved portion of the site not being discharged onto the street reserve, rights-of-way or adjoining properties and the gutters and downpipes used for the disposal of the stormwater runoff from roofed areas being included within the working drawings.
  - (e) 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.
  - (f) Revised plans being submitted for approval by the Manager, Development Services, showing the kitchen wall and the bedroom 1 wall being set back 1.5m from the western side boundary in accordance with the provisions of Tables 2A & 2B of the Residential Design Codes.
- (2) Advise the submitters of this decision.

**REASON FOR CHANGE**

Condition (1)(c) to be modified to require the existing front boundary fence to be modified to an open aspect design as per Council's policy.

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The kitchen wall being setback 1.5m from the western side boundary be deleted from condition (1)(f) as this requirement would not adversely affect the amenity of the development site or the property to the west.

### COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Furlong, seconded Cr Walsh

- (1) That Council GRANT its Approval to Commence Development for the 2 Storey Dwelling at No 4 (Lot 21) Lillian Street, Cottesloe in accordance with the plans submitted on 11 March 2003, subject to the conditions outlined below.
  - (a) The roof surface being treated to reduce glare if Council considers that the glare adversely affects the amenity of adjoining or nearby neighbours following completion of the development.
  - (b) All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13 - Construction Sites.
  - (c) The existing front boundary fence to be modified to an "Open Aspect" design and the subject of a separate application to Council as per Council's policy.
  - (d) Stormwater runoff from the driveway or any other paved portion of the site not being discharged onto the street reserve, rights-of-way or adjoining properties and the gutters and downpipes used for the disposal of the stormwater runoff from roofed areas being included within the working drawings.
  - (e) 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.
  - (f) Revised plans being submitted for approval by the Manager, Development Services, showing the bedroom 1 wall being set back 1.5m from the western side boundary in accordance with the provisions of Tables 2A & 2B of the Residential Design Codes.
- (2) Advise the submitters of this decision.

Carried 8/0

#### 10.1.4 NO 43 (LOT 19) ELIZABETH STREET - SUBDIVISION OF EXISTING LOT INTO TWO LOTS OF 481M<sup>2</sup>

File No:	43 Elizabeth Street
Attachment	Location Plan, Subdivision Plan
Author:	Mr Daniel Heymans
Author Disclosure of Interest:	Nil.
Report Date:	2 April, 2003
Senior Officer:	Mr Stephen Sullivan

**Property Owner:** PS & JA Plaisted  
**Applicant:** Rizzo & Associates  
**Date of Application:** 26 March 2003

**Zoning:** Residential  
**Density:** R20  
**Lot Area:** 961m<sup>2</sup>  
**M.R.S. Reservation:** N/A

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## SUMMARY

The purpose of this report is to make a recommendation to the Western Australian Planning Commission with respect to the above subdivision application. Refusal is recommended.

## STRATEGIC IMPLICATIONS

N/A.

## STATUTORY ENVIRONMENT

- Town of Cottesloe Town Planning Scheme No 2
- Residential Design Codes

## POLICY IMPLICATIONS

N/A.

## HERITAGE LISTING

- |                                     |     |
|-------------------------------------|-----|
| • State Register of Heritage Places | N/A |
| • TPS No 2                          | N/A |
| • Town Planning Scheme Policy No 12 | N/A |
| • Draft Heritage Strategy Report    | N/A |
| • Municipal Inventory               | N/A |
| • National Trust                    | N/A |

## CONSULTATION

Neighbour notification is not required for subdivision referrals from the Western Australian Planning Commission.

## BACKGROUND

The subject land is on the western side of Elizabeth Street. Currently there is a single residential dwelling on the site. The adjoining property at 41 Elizabeth Street, which is the same size, was previously approved for subdivision on the 4 December 2000 under the previous Residential Planning Codes. Under the previous codes a 10% variation was allowed on the average lot size, which has been changed to a 5% variation under the current codes. The result of this change is that the subject lot does not meet the required average lot size.

**DISCUSSION**

## PROPOSAL

The proposal seeks to subdivide the land lengthways into two equal green title lots of 481m<sup>2</sup>. The proposed lots both have frontages to Elizabeth Street of 9.55m.

## STATUTORY CONTEXT

The subject land is zoned "Residential R20" under the Town of Cottesloe Town Planning Scheme. The Residential Design Codes specify a minimum lot size of 440m<sup>2</sup>, an average lot size of 500m<sup>2</sup> and a minimum lot frontage of 10m.

Western Australian Planning Commission Policy DC 2.2: Residential Subdivision states that in existing residential areas, the Commission will consider subdivision or survey-strata applications proposing lot sizes for single houses below the minimum and below the average lot sizes prescribed under the Codes where the variation is caused by (in the case of a variation to the average) only one lot in the subdivision and is numerically minor (i.e. less than 5%).

## COMMENT

The proposal is inconsistent with the Residential Design Codes because it seeks to create two lots under the average 500m<sup>2</sup> specified in the Codes. In addition it also does not fall within the 5% variation allowed and both lots have frontages of less than 10m.

Within Elizabeth Street there are a few of grouped dwelling sites. The form of development on these lots is one grouped dwelling at the front of the lot and the other grouped dwelling at the rear of the lot which is accessed via a common property access leg. This approach retains block widths consistent with the single housing lots in the area and hence is not out of keeping with the established character and street rhythm.

However this form of development (i.e. battleaxe lot) is not possible due to the size of the parent lot and lot size requirement of the Residential Design Codes.

Approval of the proposed subdivision will create narrow frontage lots that when developed, will likely be dominated by double garage doors. In addition, it is commonplace for development applications involving narrow lots to incorporate boundary walls in order to maximise development area. This is a form of development not favoured by Council as it is contrary to established character and raises issues of amenity between adjoining properties.

## BUILDING CODES OF AUSTRALIA REQUIREMENT

N/A.

## HERITAGE IMPLICATIONS

N/A.

**CONCLUSION**

The proposed subdivision is not supported as it is inconsistent with the requirements of the Residential Design Codes and will result in development contrary to the established streetscape in this locality.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr Furlong, seconded Cr Walsh

**That Council advise the Western Australian Planning Commission that it objects to the proposed subdivision at No. 43 (Lot 19) Elizabeth Street, Cottesloe (WAPC Ref: 121575) for the following reasons:**

- (1) The proposal is contrary to Commission Policy as both the lots are less than the average lot size specified by the Residential Design Codes.**
- (2) The width of the proposed lots is less than that required by the Residential Design Codes of Western Australia for land coded R20**
- (3) The resultant development on the narrow lots would have a detrimental impact on the established streetscape in this locality.**
- (4) An alternative form of subdivision (i.e. battleaxe lot) is not possible due to the size of the parent lot and lot size requirement of the Residential Design Codes.**
- (5) Approval of the subdivision would create a significant, undesirable precedent for the creation of similarly configured lots in this locality.**

Carried 7/1

**10.1.5 NO 6 (LOT 9) NAILSWORTH STREET - SURVEY STRATA  
SUBDIVISION OF 1 LOT INTO 2 LOTS**

<b>File No:</b>	<b>6 Nailsworth Street</b>
<b>Attachment(s):</b>	<b>Location Plan Subdivision Plan</b>
<b>Author:</b>	<b>Ms Janine McDonald</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>
<b>Report Date:</b>	<b>25 March, 2003</b>
<b>Senior Officer:</b>	<b>Mr Stephen Sullivan</b>
<b>Property Owner:</b>	<b>K &amp; L Kavanagh</b>
<b>Applicant:</b>	<b>As Above</b>
<b>Date of Application:</b>	<b>25 March, 2003</b>

<b>Zoning:</b>	<b>Residential</b>
<b>Density:</b>	<b>R20</b>
<b>Lot Area:</b>	<b>1138m<sup>2</sup></b>
<b>M.R.S. Reservation:</b>	<b>N/A</b>

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## **SUMMARY**

The purpose of this report is to make a recommendation to the Western Australian Planning Commission with respect to the above subdivision application. It is recommended that Council recommends the proposed subdivision be refused.

## **STRATEGIC IMPLICATIONS**

N/A.

## **STATUTORY ENVIRONMENT**

- Town of Cottesloe Town Planning Scheme No 2
- Residential Design Codes

## **POLICY IMPLICATIONS**

N/A.

## **HERITAGE LISTING**

- |                                     |     |
|-------------------------------------|-----|
| • State Register of Heritage Places | N/A |
| • TPS No 2                          | N/A |
| • Town Planning Scheme Policy No 12 | N/A |
| • Draft Heritage Strategy Report    | N/A |
| • Municipal Inventory               | N/A |
| • National Trust                    | N/A |

## **CONSULTATION**

Neighbour notification is not required for subdivision referrals from the Western Australian Planning Commission.

## **BACKGROUND**

The subject land is on the north-eastern side of Nailsworth Street and abuts a Council owned right-of-way on its rear boundary. The site is steeply sloping and has a north-easterly to south-westerly fall of approximately 10 metres. The land is currently developed with a two-storey house which is to be retained and a garage within the front setback area which is to be demolished. The house is not contained on Council's current or draft Municipal Inventory.

Submitted for comment concurrently with this proposal was another subdivision application for the land. That proposal is a green title subdivision that seeks to create 2 lots of 565m<sup>2</sup> and 573m<sup>2</sup> both with frontage to Nailsworth Street. As that proposal accords with the lot size requirements of the Residential Design Codes, a recommendation was forwarded to the Commission in accordance with the powers delegated to the Manager of Development Services advising that Council had no objection to the proposal.

## DISCUSSION

### PROPOSAL

The proposal seeks to subdivide the land into two strata title lots of 262m<sup>2</sup> and 831m<sup>2</sup>. A 45m<sup>2</sup> common property access leg is proposed to provide access to both lots from Nailsworth Street.

### STATUTORY CONTEXT

The subject land is zoned "Residential R20" under the Town of Cottesloe Town Planning Scheme. The Residential Design Codes specify a minimum lot size of 440m<sup>2</sup>, an average lot size of 500m<sup>2</sup> and a battleaxe lot area of 540m<sup>2</sup>.

Clause 3.1.3 of the Design Codes further states that variations to the site areas set out in the Codes may be made in the case of grouped dwellings on land Coded R20 where the average site area can be reduced to 450m<sup>2</sup>. The Codes do not state that because of this variation, no minimum lot size applies and it is considered therefore that a minimum lot size of 440m<sup>2</sup>, an average lot size of 450m<sup>2</sup> and a battleaxe lot area of 540m<sup>2</sup> apply to this application.

### COMMENT

The proposal is inconsistent with the Residential Design Codes because, although it meets the average and battleaxe lot size requirements, the front lot, at 262m<sup>2</sup>, is significantly less than 440m<sup>2</sup>.

In addition to the above, the strata subdivision if approved, will result in the creation of a lot that is considered unsuitable for development by reason of its small size, poor configuration and sloping topography. In the event that the small lot could be developed with a two storey house as permitted under the Scheme, it would be out of context in this locality which is characterized by houses set well back from the street with front lawns/yards that slope down toward Nailsworth Street.

## CONCLUSION

The proposed subdivision is not supported as it is inconsistent with the requirements of the Residential Design Codes and would result in development out of character with that existing in this locality.

## VOTING

Simple Majority

## OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Furlong, seconded Cr Walsh

**That Council advise the Western Australian Planning Commission that it objects to the proposed strata subdivision at No. 6 (Lot 9) Nailsworth Street, Cottesloe (WAPC Ref: 87-03) for the following reasons:**

- (1) The proposal is contrary to the Residential Design Codes as 262m<sup>2</sup> lot is significantly less than the minimum lot area specified by the Residential Design Codes for land coded R20.
- (2) Approval of the application will result in a lot incapable of development due to its small lot area, poor configuration and steep topography.
- (3) Any resultant development on the proposed 262m<sup>2</sup> lot will not be in keeping with the established character of this locality.
- (4) Approval of the subdivision would create an undesirable precedent for the creation of other lots inconsistent with the lot size requirements of the Residential Design Codes.

Carried 7/1

#### **10.1.6 NOS. 3 & 5 (LOTS 53 & 54) STANHOPE STREET - 3 LOT GREEN TITLE SUBDIVISION**

**File No:** 3 & 5 Stanhope Street

**Attachment(s):**

Subdivision Plan

**Author:**

Ms Janine McDonald

**Author Disclosure of Interest:** Nil

**Report Date:**

31 March, 2003

**Senior Officer:**

Mr Stephen Sullivan

**Property Owner:**

R.J. & K.A. Aitken

**Applicant:**

Brown McAllister Pty Ltd

**Date of Application:**

31 March, 2003

**Zoning:**

Residential

**Density:**

R20

**Lot Area:**

846m<sup>2</sup> (No. 3) & 802m<sup>2</sup> (No. 5)

**M.R.S. Reservation:**

N/A

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#### **SUMMARY**

The purpose of this report is to make a recommendation to the Western Australian Planning Commission with respect to the above subdivision application. It is recommended that Council recommends the application be refused.

#### **STRATEGIC IMPLICATIONS**

N/A.

#### **STATUTORY ENVIRONMENT**

- Town of Cottesloe Town Planning Scheme No 2
- Residential Design Codes



**POLICY IMPLICATIONS**

N/A

**HERITAGE LISTING**

- State Register of Heritage Places N/A
- TPS No 2 N/A
- Town Planning Scheme Policy No 12 N/A
- Draft Heritage Strategy Report N/A
- Municipal Inventory N/A
- National Trust N/A

**CONSULTATION**

Neighbour notification is not required for subdivision referrals from the Western Australian Planning Commission.

**BACKGROUND**

The subject land comprises 2 adjacent lots on the southern side of Stanhope Street - numbers 3 and 5. The lots are developed with 2 single houses, the western most lot contains a single storey residence built in 1995 or 1996 which is proposed to be retained. A double garage which straddles the proposed boundary is to be removed. The eastern most lot is developed with a single storey residence which is to be demolished also.

**DISCUSSION****PROPOSAL**

The application seeks to amalgamate and re-subdivide the lots to create 2 green title lots of 440m<sup>2</sup> each and 1 green title lot of 768m<sup>2</sup>. All proposed lots have frontage to Stanhope Street.

**RESIDENTIAL DESIGN CODES**

The subject land is zoned "Residential R20" under the Town of Cottesloe Town Planning Scheme No. 2. The Residential Design Codes specify a minimum lot size of 440m<sup>2</sup>, an average lot size of 500m<sup>2</sup> and a minimum lot frontage of 10m for land coded R20. The proposed lot sizes accord with those specified by the Design Codes however, the minimum lot frontage of proposed lot 54 is only 9.74 metres in width.

The Design Codes also require adequate setback distances to side boundaries. The application proposes a setback of only 480 mm where the setback should be at least 1 metre. There is no scope for providing the adequate setback without correspondingly decreasing the adjacent lot sizes and lot frontage to less than that required by the Codes.

**BUILDING CODES OF AUSTRALIA REQUIREMENT**

The proposed lot configuration is contrary to the requirements of the Building Codes of Australia which require minimum setbacks from boundaries for fire rating purposes. The minimum setback for an opening to a boundary is 900 mm and the minimum setback for eaves is 450 mm. The proposal seeks to create a boundary only 480 mm

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away from an opening. The proposed lot configuration could not be modified to accord with this requirement without reducing the lot sizes of proposed lots 54 and 55 to less than that required by the Codes.

#### POTENTIAL DEVELOPMENT

Approval of the subdivision will create narrow frontage lots that when developed, will likely be dominated by double garage doors. In addition, it is commonplace for development applications involving narrow lots to incorporate boundary walls in order to maximise development area. This is a form of development not favoured by Council as it is contrary to established streetscapes, which in this area is characterized by traditional single residential development with wide frontages and boundary setbacks. Development of this type also raises issues of amenity between adjoining properties.

#### CONCLUSION

The proposed subdivision is contrary to the Residential Design Codes and Building Codes of Australia. The subdivision if approved will result in lot sizes and development inconsistent with the established character of this area.

#### VOTING

Simple Majority

#### OFFICER & COMMITTEE RECOMMENDATION

That Council advise the Western Australian Planning Commission that it objects to the proposed subdivision at Nos. 3 & 5 (Lots 53 & 54) Stanhope Street, Cottesloe (WAPC Ref No. 121584) for the following reasons:

- (1) The proposal is inconsistent with the requirements of the Residential Design Codes which require a minimum street frontage of 10 metres.
- (2) The proposal is inconsistent with Element 3 of the Residential Design Codes which require adequate building setbacks to boundaries.
- (3) The proposal is contrary to the Building Codes of Australia which require adequate fire separation between buildings and lot boundaries.
- (4) The proposed lots cannot be reconfigured to meet the relevant standards without reducing the lot sizes and frontages to under that required by the Residential Design Codes of Australia.
- (5) Proposed lots 53 & 54 and any resultant development thereon will not be in keeping with the established streetscape character of this locality.
- (6) Approval of the proposed subdivision will create an undesirable precedent for the similar subdivision of surrounding lots.

**Note: This recommendation was carried at the Committee Meeting, but was inadvertently left off the Full Council Agenda and was therefore not dealt with at the Full Council Meeting. This matter will be represented to the May Full Council Meeting.**

**10.1.7 SHADE SAILS**

**File No:** X4.11  
**Author:** Mr Daniel Heymans  
**Author Disclosure of Interest:** Nil  
**Report Date:** 8 April, 2003  
**Senior Officer:** Mr Stephen Sullivan

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**SUMMARY**

This report is to notify Council that a number of shade sails have been erected in the District without development approval and to seek direction in relation to this type of development.

**STATUTORY ENVIRONMENT**

Town Planning Scheme No. 2

**POLICY IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

Nil.

**FINANCIAL IMPLICATIONS**

If Council resolves to take legal action, then there will be the costs associated with that action.

**BACKGROUND**

A development application for the erection of a shade sail over an approved parking area was received in 2002 and was considered by Council at its meeting on the 16 December 2002. Council resolved to refuse the application. This matter is now before the Town Planning Appeal Tribunal and is due to be heard on Monday 14 April, 2003.

In the appeal information provided by the applicant, they have shown photographs of a number of shade sails throughout the district. Investigation of these examples has revealed that 10 shade sails have been constructed without development approval from Council – most are located in the front setback or to the side of a development. A couple of examples shown had Council's approval.

**STAFF COMMENT**

The erection of shade sails constitute development under the Town Planning Scheme and require Council's Planning Consent. Because of the nature of the materials used in the construction, they can be erected fairly easily in some instances.

It appears that some of the community or the companies involved in the erection of this structure do not know that development approval for shade sails is required in

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the Town of Cottesloe. To address this, Council could produce an information sheet to advise the public of Council's position in relation to this matter.

These structures could be located either:

- (a) forward of the primary or secondary street set back line;
- (b) to the side of the building (but not forward of a street setback);
- (c) on the building itself; or
- (d) at the rear of the property.

The locations that are probably of the most concern would be those where the structure is visible from the street.

To gauge the extent of the problem and ascertain the issues associated with this type of development, it is recommended that the Administration:

- (i) carry out a survey of the District to determine the extent of the problem;
- (ii) report to council on the findings;
- (iii) investigate how we should inform the public of the need for approval; and
- (iv) include the matter of the location of shade sails in the draft Streetscape policy

Council staff are currently reviewing the draft Streetscape Policy and this will now be widened to give consideration to including how shade sails should be assessed in the front set back area.

#### **VOTING**

Simple Majority

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

Moved Cr Furlong, seconded Cr Walsh

That Council request the Administration to:

- (1) Undertake a survey to determine the extent of the erection of unauthorised shade sails in the District.
- (2) Prepare a report on their findings and report back to Council;
- (3) Consider options for informing the public and the relevant companies of the need for Council's approval for the erection of sail shades; and
- (4) Include in the draft Streetscape Policy, controls relating to the location of shade sail structures.

Carried 6/2

#### **10.1.8 PROPOSED TOWN PLANNING SCHEME AMENDMENT NO. 33 - INCLUSION OF HERITAGE PROVISIONS IN SCHEME TEXT**

<b>File No:</b>	<b>Amendment No. 33</b>
<b>Attachment(s):</b>	<b>Draft Amendment No 33 Document</b>
<b>Author:</b>	<b>Ms Janine McDonald</b>

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**Author Disclosure of Interest:** Nil  
**Report Date:** 3 April, 2003  
**Senior Officer:** Mr Stephen Sullivan

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## **SUMMARY**

Council resolved to proceed with this amendment at its March 2003 meeting. However, the amendment proposed to create two heritage areas as part of the Scheme text. This is not the intent of the Model Scheme Text provisions and therefore, the amendment has been modified accordingly.

## **STATUTORY ENVIRONMENT**

Town Planning Scheme No. 2  
Town Planning Amendment Regulations 1999 (Model Scheme Text).

## **POLICY IMPLICATIONS**

The proposed amendment, if gazetted, will include provisions which will allow Council to prepare and adopt a Town Planning Scheme Policy to formally identify the John Street and Claremont Hill Heritage Area and control development within these areas.

The preparation of a Town Planning Scheme Policy to introduce heritage areas and controls would be the subject of a separate process, as set out in the Town Planning Scheme text. This process has its own consultation process built in.

## **STRATEGIC IMPLICATIONS**

The proposed amendment is in response to Council's August, 2002 resolution to amend the existing deficiencies within the existing Scheme text relating to consideration of heritage conservation matters.

## **FINANCIAL IMPLICATIONS**

Amendment advertising costs.

## **CONSULTATION**

The proposed amendment to Town Planning Scheme No 2 will need to follow the required statutory processes outlined in Town Planning Regulations 1967 (as amended). This necessitates the amendment being open to a statutory public submission period.

The Town Planning Regulations require that the amendment be advertised for a minimum period of 42 days. The advertising should consist of the advertising of the Notice (form No. 3) of the proposed Amendment in the following manner:

- in the Post newspaper, one a week for two consecutive weeks;
- in the West Australian newspaper, one advertisement; and
- public notice boards in the Civic Centre, Town Centre and the library.

The amendment will also be available for inspection at the Council offices.

**BACKGROUND**

Council previously considered this item at its meeting of 24 March, 2003 where it resolved:

That Council:

- (1) *In pursuance of Section 7 of the Town Planning and Development Act (1928 as amended), amend the Town of Cottesloe Town Planning Scheme No. 2, insofar as it will strengthen the heritage provisions of Town Planning Scheme No. 2 so that Council may have greater regard to heritage issues in its consideration of applications for development and introduce the provisions of the Model Scheme Text that relate to the designation, adoption and control of development within heritage areas.*
- (2) *Adopt proposed Scheme Amendment No. 33 of the Town of Cottesloe Town Planning Scheme No. 2, which is attached and forms part of these minutes.*
- (3) *The amendment to be advertised for a period of 42 days and the advertising to consist of:*
  - (a) *notice in the Post newspaper, one a week for two consecutive weeks;*
  - (b) *notice in the West Australian newspaper;*
  - (c) *notice on the public notice boards in the Civic Centre, Town Centre and Library; and*
  - (d) *a copy for viewing at Council offices.*
- (4) *Refer the proposed Scheme Amendment to the Environmental Protection Authority in accordance with section 7A1 of the Town Planning & Development Act (1928 as amended).*
- (5) *Forward to the Western Australian Planning Commission a copy of Council's decision and the proposed Scheme Amendment document.*

**STAFF COMMENT**

The draft amendment considered by Council in March erroneously included specific provisions for the John Street and Claremont Hill heritage areas. This is inconsistent with the intent of the Model Scheme Text provisions which are to provide a broad framework for the identification and adoption of heritage areas only. Specific provisions relating to identifying and controlling development within a heritage area are to be set out in a Town Planning Scheme Policy. The Town Planning Scheme text sets out the process for preparing, advertising and adopting a Town Planning Scheme Policy.

**CONCLUSION**

The specific provisions relating to the John Street and Claremont Hill heritage areas should be removed from the amendment document as this is inconsistent with the Model Scheme Text. A revised amendment document is submitted for Council's adoption.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Cr Furlong, seconded Cr Walsh

That Council:

- (1) In pursuance of Section 7 of the Town Planning and Development Act (1928 as amended), amend the Town of Cottesloe Town Planning Scheme No. 2, insofar as it will strengthen the heritage provisions of Town Planning Scheme No. 2 so that Council may have greater regard to heritage issues in its consideration of applications for development and introduce the provisions of the Model Scheme Text that relate to the designation, adoption and control of development within heritage areas.
- (2) Adopt proposed Scheme Amendment No. 33 of the Town of Cottesloe Town Planning Scheme No. 2, which is attached and forms part of these minutes.
- (3) The amendment to be advertised for a period of 42 days and the advertising to consist of:
  - (a) notice in the Post newspaper, one a week for two consecutive weeks;
  - (b) notice in the West Australian newspaper;
  - (c) notice on the public notice boards in the Civic Centre, Town Centre and Library; and
  - (d) a copy for viewing at Council offices.
- (4) Refer the proposed Scheme Amendment to the Environmental Protection Authority in accordance with section 7A1 of the Town Planning & Development Act (1928 as amended).
- (5) Forward to the Western Australian Planning Commission a copy of Council's decision and the proposed Scheme Amendment document.

**AMENDMENT**

Moved Cr. Utting, seconded Cr. Rattigan

That the matter be deferred to the May meeting of Council due to the pending Council elections.

Carried 5/3

The amended motion was put.

**COUNCIL RESOLUTION**

**That the matter be deferred to the May meeting of Council.**

Carried 5/3

Note: It was felt that following the May elections, a new Council may have a different view on the matter and that it would be best to leave the matter for the new Council's consideration.

**10.1.9 TOWN PLANNING SCHEME - AMENDMENT NO. 30**

**File No:** Amendment No. 30  
**Attachments:** Draft Amendment Document  
**Author:** Mr Daniel Heymans  
**Author Disclosure of Interest:** Nil  
**Report Date:** 8 April, 2003  
**Senior Officer:** Mr Stephen Sullivan

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**SUMMARY**

To adopt the draft Town Planning Scheme Amendment No. 30 and commence the process to advertise the proposed Town Planning Scheme Amendment.

**STATUTORY ENVIRONMENT**

Town Planning Scheme No. 2

**POLICY IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

The proposed amendment is required to update Schedule 1 of the Town of Cottesloe Town Planning Scheme No. 2. The update has resulted from the completion of a number of other heritage related studies, in particular the Draft Heritage Strategy Report.

**FINANCIAL IMPLICATIONS**

Amendment advertising costs.

**CONSULTATION**

The proposed amendment to the existing Town Planning Scheme will need to follow the required statutory processes outlined in Town Planning Regulations 1967 (as amended). This necessitates the amendment being open to a statutory public submission period.

The Town Planning Regulations require that the amendment be advertised for a minimum period of 28 days and a maximum of 90 days. The advertising should consist of the advertising of the Notice (Form No. 3) of the proposed Amendment in the following manner:

- In the Post newspaper, one a week for two consecutive weeks;
- In the West Australian newspaper, one advertisement; and
- Public notice boards in the Civic Centre, Town Centre and the Library.
- Letter to the owner of those properties that are proposed to be included on the schedule.

The amendment will also be available for inspection at the Council offices.



**BACKGROUND**

Council originally resolved to adopt Scheme Amendment No. 30 on the 18 December 2000. The amendment deals with the placement of all buildings listed either as category 1 or 2 on the Municipal Inventory into Schedule 1 of the Town of Cottesloe Town Planning Scheme No. 2. The amendment has been referred to the Department of Environmental Protection and has been cleared.

At a special meeting of Council on the 25 September 2001 Council recommended to defer the progress of the Amendment until the Draft Town Planning Scheme Policy No. 12 and the draft Town of Cottesloe Heritage Strategy Report were considered by Council. These two issues have now been resolved and Amendment No. 30 can now proceed.

Since this time however a number of demolitions, subdivisions and changes to categories have occurred that require the modification of schedule 1 to reflect these changes.

**STAFF COMMENT**

As stated above, a number of changes need to be made to the schedule from the original that was adopted by Council on the 18 December 2000. The reason for the changes are outlined below.

No. 21 Congdon Street and No. 2 Ozone Parade have been demolished since Council originally adopted the amendment.

Also at a special meeting of Council on the 25 September 2001 Council resolved to delete the properties outlined below from Town Planning Scheme No. 12. Town Planning Scheme No. 12 was adopted as an interim measure to conserve those buildings that were in category 1 or 2 on the Municipal Inventory. As Amendment No. 30 is to replace TPSP 12, the administration believes that the inclusion of these properties below is not warranted:

- No. 7–9 Curtin Avenue;
- No. 8 Haining Avenue;
- No. 11 Haining Avenue;
- No. 8 Seaview Street

No. 24 Jarrad Street, which is known as “John Curtin’s house” has been included on the State Register of Heritage Places and classified by the National Trust since the Amendment was originally adopted by Council, it is therefore seen as essential that this building be also included within Schedule 1.

Council can review the listings in this proposed amendment following the completion of the review of the 2001 Municipal Inventory.

The following is a comprehensive list of all the changes.

Deletion of properties from the Schedule:

- No.21 (Lot 16, Pt Lot 15 & 17) Congdon Street – Demolished;
- No. 7–9 (Pt 400) Curtin Avenue – removed from TPS 12;

- No. 8 (Lot 6) Haining Avenue – removed from TPS 12;
- No. 11 (Lot 15) Haining Avenue – removed from TPS 12;
- No. 2 (Lot 12 & 13) Ozone Parade - Demolished
- No. 8 (Lot 9) Seaview Street – removed from TPS 12;

Inclusion of Properties on the Schedule:

- No 24 (Lot 26) Jarrad Street – included on the State Register and classified by the National Trust.

### **VOTING**

Simple Majority

### **COMMITTEE COMMENT**

The Committee noted that the attached Amendment document was incorrect and the Development Services Department to circulate the correct document to Councillors prior to the next Council meeting.

### **OFFICER & COMMITTEE RECOMMENDATION**

That Council:

- (1) In pursuance of Section 7 of the Town Planning and Development Act (1928 as amended), amend the Town of Cottesloe Town Planning Scheme No. 2, insofar as it will strengthen the heritage provisions of Town Planning Scheme No. 2 so that Council may have greater regard to heritage issues in its consideration of applications for.
- (2) Adopt proposed Scheme Amendment No. 30 of the Town of Cottesloe Town Planning Scheme No. 2, which is attached and forms part of these minutes. With the following amendments to Schedule No. 1:
- (3)
  - (a) Delete the following properties:
    - (i) No. 21 (Lot 16, Pt Lot 15 & 17) Congdon Street;
    - (ii) No. 7 – 9 (Pt 400) Curtin Avenue;
    - (iii) No. 8 (Lot 6) Haining Avenue;
    - (iv) No. 11 (Lot 15) Haining Avenue
    - (v) No. 8 (Lot 9) Seaview Terrace;
    - (vi) No. 2 (Lot 12 & 13) Ozone Parade.
  - (a) Include the following properties:
    - (i) No 24 (Lot 26) Jarrad Street.
- (4) The amendment to be advertised for a period of 90 days and the advertising to consist of:
  - (a) notice in the Post newspaper, one a week for two consecutive weeks;
  - (b) notice in the West Australian newspaper;

- (c) notice on the public notice boards in the Civic Centre, Town Centre and Library;
  - (d) letter to the owner of those properties proposed to be listed; and
  - (e) a copy for viewing at Council offices.
- (5) Forward to the Western Australian Planning Commission a copy of Council's decision and the proposed Scheme Amendment document.

**MEMO TO COUNCILLORS ON 17 APRIL, 2003**

An amended recommendation was circulated to elected members the day after the Development Services Committee Meeting which clarified and removed ambiguities in the original recommendation.

**AMENDED RECOMMENDATION**

Moved Cr Furlong, seconded Cr Walsh

That Council:

- (1) Amend proposed Scheme Amendment No. 30 of the Town of Cottesloe Town Planning Scheme No. 2 by:
- (2) (a) Deleting the following properties:
  - (i) No. 21 (Lot 16, Pt Lot 15 & 17) Congdon Street;
  - (ii) No. 7-9 (Pt 400) Curtin Avenue;
  - (iii) No. 8 (Lot 6) Haining Avenue;
  - (iv) No. 11 (Lot 15) Haining Avenue
  - (v) No. 8 (Lot 9) Seaview Terrace;
  - (vi) No. 2 (Lot 12 & 13) Ozone Street.
- (b) Including the property at No 24 (Lot 26) Jarrad Street.
- (3) Adopt the revised version of the proposed Scheme Amendment No. 30 of the Town of Cottesloe Town Planning Scheme No. 2, which is attached and forms part of these minutes.
- (4) The modified amendment be advertised for a period of 90 days and the advertising to consist of:
  - (a) notice in the Post newspaper, one a week for two consecutive weeks;
  - (b) notice in the West Australian newspaper;
  - (c) notice on the public notice boards in the Civic Centre, Town Centre and Library;
  - (d) letter to the owner of those properties proposed to be listed; and
  - (e) a copy for viewing at Council offices.

- (5) Forward to the Western Australian Planning Commission a copy of Council's decision and the modified proposed Scheme Amendment document.

**AMENDMENT**

Moved Cr. Morgan, seconded Cr. Rattigan

That the matter be deferred to the May meeting of Council due to the impending Council elections.

4/5 Lost on Acting Mayor's Casting Vote

The motion was put.

**COUNCIL RESOLUTION**

**That Council:**

- (1) **Amend proposed Scheme Amendment No. 30 of the Town of Cottesloe Town Planning Scheme No. 2 by:**
- (2) (a) **Deleting the following properties:**
- (i) **No. 21 (Lot 16, Pt Lot 15 & 17) Congdon Street;**
  - (ii) **No. 7 – 9 (Pt 400) Curtin Avenue;**
  - (iii) **No. 8 (Lot 6) Haining Avenue;**
  - (iv) **No. 11 (Lot 15) Haining Avenue**
  - (v) **No. 8 (Lot 9) Seaview Terrace;**
  - (vi) **No. 2 (Lot 12 & 13) Ozone Street.**
- (b) **Including the property at No 24 (Lot 26) Jarrad Street.**
- (3) **Adopt the revised version of the proposed Scheme Amendment No. 30 of the Town of Cottesloe Town Planning Scheme No. 2, which is attached and forms part of these minutes.**
- (4) **The modified amendment be advertised for a period of 90 days and the advertising to consist of:**
- (a) **notice in the Post newspaper, one a week for two consecutive weeks;**
  - (b) **notice in the West Australian newspaper;**
  - (c) **notice on the public notice boards in the Civic Centre, Town Centre and Library;**
  - (d) **letter to the owner of those properties proposed to be listed; and**
  - (e) **a copy for viewing at Council offices.**
- (5) **Forward to the Western Australian Planning Commission a copy of Council's decision and the modified proposed Scheme Amendment document.**

Cr. Morgan requested that the votes be recorded.

FOR	AGAINST
Cr Ewing	Cr Furlong
Cr Birnbrauer	Cr Morgan
Cr Walsh	Cr Rattigan
Cr Whitby	Cr Utting

5/4 Carried on Acting Mayor's Casting Vote

## 10.2 HEALTH

### 10.2.1 WESTERN METROPOLITAN REGIONAL COUNCIL

**File No:** D15:14  
**Author:** Ms Ruth Levett  
**Author Disclosure of Interest:** Nil  
**Report Date:** 9 April, 2003  
**Senior Officer:** Mr Stephen Sullivan

#### SUMMARY

The purpose of the report is to seek approval for an amendment to the Establishment Agreement for the Western Metropolitan Regional Council to undertake associated waste disposal activities.

#### STATUTORY ENVIRONMENT

To amend the Establishment Agreement, the Regional Council is required to comply with Section 3.65 of the Local Government Act 1995 as follows:

- “(i) The participants may amend the establishment agreement for a regional local government by agreement made with the Minister's approval, and a reference in this Division to the establishment agreement includes a reference to the establishment agreement as so amended.
- (2) The establishment agreement can be amended under subsection (1) to include another local government as a further participant if that local government is a party to the amending agreement.
- (3) Section 3.61 (2) and (3) apply, with any necessary modifications, to an agreement amending the establishment.”

Section 3.61 92) and (3) read as follows:

“(2) An application for the minister's approval is to be:

- (a) in a form approved for that purpose by the Minister, and
- (b) accompanied by a copy of an agreement between the participants to establish the regional government

(referred to in this Division as the “**establishment agreement**”).

- (3) The participants are to supply the Minister any further information about the application that the Minister asks for.”

### **POLICY IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

The proposed amendment is consistent with the Town of Cottesloe’s Waste Minimisation Strategy which supports on-going community education, particularly when introducing change to the waste management system and the development of emerging waste technologies.

### **FINANCIAL IMPLICATIONS**

Nil

### **BACKGROUND**

The purpose of the establishment of the Western Metropolitan Regional Council (WMRC) was to manage the disposal of putrescible (general) waste. The Brockway Road Transfer Station was constructed and an agreement developed with the Eastern Metropolitan Regional Council with this purpose in mind.

The current clause 6.1 of the Establishment Agreement reads as follows:

*“The purposes for which the Regional Local Government is established are as follows:*

- (a) the collection, treatment and disposal of Waste; and*
- (b) the provision of facilities for the collection, treatment and disposal of Waste.”*

Since the formation of the WMRC, the role has been expanded to reflect the changes to the way Councils now dispose of waste. The Government and the community now demand that waste disposal practices are environmentally sustainable. Greenwaste is separated and reprocessed, metals are extracted for recycling and a recycled materials facility has been set up at the Transfer Station.

With the proposal to move towards secondary waste treatment and the adoption of the Earth Carer Programme, it is essential to amend the Establishment Agreement or the Regional council could be ultra vires with its Agreement.

### **STAFF COMMENT**

With all the Member Councils now participating in the Earth Carer Programme, it is recognised that there are significant cost benefits to all if waste education is undertaken on a regional basis. In order to achieve this step, it is necessary to amend the Establishment Agreement to accommodate this change. The proposed

amendment, outlined as follows, will cover any existing and proposed activities of the WMRC in the foreseeable future:

*“The purpose for which the Regional Local Government is established are as follows:*

- (a) the collection, treatment and disposal of Waste; the recycling or reuse of Waste and other materials including, but not limited, greenwaste and soil;*
- (b) the provision of facilities for the collection, treatment and disposal of Waste and/or for the recycling or reuse of Waste and other materials; and*
- (c) education and promotion regarding processes, industries or activities relating to the collection, treatment and disposal of waste and/or to the recycling or reuse of Waste and other materials.’*

In relation to secondary waste treatment, it is a matter of ‘when’ and not ‘if’ the WMRC proceeds with this technology. A trial of the Organic Resource Technology plant has already been approved for the Brockway Road Transfer Station. It is recommended that the proposed amendment is supported to enable the WMRC to carry out its function in a lawful manner that is beneficial to its Member Councils.

#### **VOTING**

Simple Majority

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

Moved Cr Furlong, seconded Cr Walsh

**That Council advise the Western Metropolitan Regional Council in writing that it supports the following proposed amendment to the Establishment Agreement:**

**“The purposes for which the Regional Local Government is established are as follows:**

- (a) The collection, treatment and disposal of Waste; the recycling or reuse of Waste and other materials including, but not limited, greenwaste and soil;**
- (b) The provision of facilities for the collection, treatment and disposal of Waste and/or for the recycling or reuse of Waste and other materials; and**
- (c) Education and promotion regarding processes, industries or activities relating to the collection, treatment and disposal of waste and/or to the recycling or reuse of Waste and other materials.”**

Carried 8/0

**11 WORKS AND CORPORATE SERVICES COMMITTEE MEETING HELD ON  
23 APRIL 2003****11.1 ADMINISTRATION****11.1.1 JOINT LIBRARY AGREEMENT - DEED OF VARIATION**

**File No:** C11.1  
**Author:** Mr Alan Lamb  
**Author Disclosure of Interest:** Nil  
**Report Date:** 14 April, 2003  
**Senior Officer:** Mr Stephen Tindale

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**SUMMARY**

The purpose of this report is to seek Council's agreement to the Deed of Variation to the existing original Joint Library agreement between the Town of Cottesloe, Shire of Peppermint Grove and the Town of Mosman Park. The recommendation is to accept the terms of the deed and authorise the affixing of the seal.

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

As reported to the September 2002 Council meeting, the change of basis of cost sharing between the three Councils from population to resident members of the library resulted in an increased contribution from Cottesloe of \$4,277 in 2002/03 (from \$257,037 to \$261,314).

**BACKGROUND**

The Deed of Variation primarily adds to the Joint Library Agreement previously agreed changes in respect of the administration fee and the cost sharing arrangement. The administration fee charged by the Shire of Peppermint Grove for managing the library service was increased from 3% of operating expenditure to 5% in 2001 following agreement by the three Councils. The cost sharing arrangement was debated during 2001 and 2002. In September 2002 Council agreed to accept the Library Management Committee's recommendation that the levy on each Council be based on their residential members as of June 30 each year. This replaced the previous cost sharing basis of population of each Council.

The Deed also extends the term of the agreement to 30 June, 2007.

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Other changes could to some extent be classified as “house keeping” and include the following:

- (1) Part of the definition of Capital expenditure has been amended to read *“significantly increases the earning capacity of an existing asset; and includes capital expenditure (buildings) and expenditure on or in relation to the library which improves the delivery of services (for example the acquisition of a computer program and equipment giving borrowers of books access to the stock of all libraries in the WESROC area)”*.
- (2) The following new definition has been added:  
*“capital expenditure (buildings) means capital expenditure which consists of improvements to buildings or the construction of new buildings”*.
- (3) The definition of committee has been amended by adding:  
*“Councillor includes an elected mayor or president”*.
- (4) There is also a new clause relating to capital expenditure (buildings) which states:  
*“Capital expenditure (buildings) shall be budgeted and expended as follows:*
  - (a) The committee must budget to provide for funds to be placed in a reserve fund (“reserve fund”) and*
  - (b) The committee may only expend capital expenditure (buildings) once the total amount to be expended has been paid to the credit of the reserve fund.”*

This ensures that all capital expenditure on the building including alterations and upgrades are planned for and funds are set aside each year in anticipation of a significant cost in a future year. This should regularise the annual contributions and reduce the incidence of spikes for high cost works in any one year.

## **CONSULTATION**

The Deed of Variation has been discussed at length at Library Management Committee meetings and the two significant changes (the administration fee and the cost sharing arrangement) have been before Council previously.

## **STAFF COMMENT**

It is recommended that the terms of the deed be accepted and affixing of the seal be authorised.

## **VOTING**

Simple Majority.

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

Moved Cr Furlong, seconded Cr Morgan

**That Council approve the affixing of the Town’s seal to the Town of Cottesloe Shire of Peppermint Grove Town of Mosman Park Joint Library Variation Deed.**

Carried 7/1

**11.1.2 GREENHOUSE ACTION PLAN - ACTION FOR 2003-2004**

**File No:** X12.2  
**Author:** Ms. Peta Varvell  
**Author Disclosure of Interest:** Nil  
**Report Date:** 14 April, 2003  
**Senior Officer:** Mr Stephen Tindale

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**SUMMARY**

The Town of Cottesloe is a member of Cities for Climate Protection™ Australia. The purpose of this report is for Council to endorse ten strategies for implementation in 2003/2004.

**STATUTORY ENVIRONMENT**

Nil.

**POLICY IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

The Town of Cottesloe's mission statement is *'To preserve and improve the unique village and coastal character of Cottesloe by using sustainable strategies in consultation with the community.'*

The overarching theme of Council's long term planning is the concept of Local MINUTES 21 – sustainable development – or in local terms – “Care for Cottesloe”.

The implementation of ten abatement techniques supports these objectives.

**FINANCIAL IMPLICATIONS**

Most of the proposed actions will simply require a redirection of the efforts of Council staff – albeit at the expense of other works and services. External funding will be sought for major projects, however, some money will need to be set aside in the 2003/2004 budget to implement the initiatives.

One of the 2003/2004 initiatives is to investigate establishing a revolving energy fund. It is envisaged that this fund will consist of external project funding with cost savings from the initiatives being returned to the fund to finance further initiatives. Other local governments have established similar funds with varied success, therefore further investigation is required to ensure that any fund established in Cottesloe will fulfil Council's requirements.

**BACKGROUND**

Following the adoption of the Greenhouse Action Plan as part of the CCP™ Programme in March 2002, ten actions were identified to be implemented in the 2002/2003 financial year. As the completion of the 2002/2003 actions has almost been completed, the purpose of this report is to propose ten further actions to be implemented as part of the programme to abate the main sources of greenhouse gas emissions within the direct control of the Town of Cottesloe in 2003/2004.

**CONSULTATION**

Nil.

**STAFF COMMENT**

The milestones of the Cities for Climate Protection are shown below:

<b>Milestone 1</b>	An inventory and forecast for Council and community emissions.
<b>Milestone 2</b>	Establishment of an emissions reduction goal.
<b>Milestone 3</b>	Development and adoption of a Local Action Plan to achieve the reduction goal.
<b>Milestone 4</b>	Implementation of the Local Action Plan.
<b>Milestone 5</b>	Monitoring and reporting on implementation of Local Action Plan.

The Town of Cottesloe, as a member of Cities for Climate Protection, has achieved Milestones 1, 2 and 3 and is in the process of completing Milestone 4. As part of Milestone 4, ten actions were selected for implementation in 2002/2003, all of which should be completed by the end of the financial year. Once completed, it will then be a case of moving on to ten more actions (as listed above for 2003/2004) and so on until the plan is fully realised.

External funding has already been awarded for one of the projects scheduled for 2003/2004 and funding applications have been submitted for a second project.

Due to the potential long term cost savings and greenhouse gas abatement, it is recommended that Council endorse the above actions for investigation and implementation in 2003/2004.

**VOTING**

Simple Majority

**OFFICER RECOMMENDATION**

That Council endorse the following actions for investigation and implementation in 2003/2004:

<i>Action</i>	<i>Comments</i>
<b>Community Strategies</b>	
Promote Australian Greenhouse Office funding to Local Businesses.	Provides an opportunity to form partnerships with local businesses resulting in quantifiable greenhouse gas reduction measures that will provide ultimate benefit to the business.
Distribute energy efficient literature through Council services.	This action is already being implemented to some extent and could be extended with minimal effort.
Investigate the provision of subsidies for energy services and products.	Cottesloe has applied for joint funding with other Western Suburb Councils for purchasing Aqualocs and energy efficient light globes for on-sale to the community.
Re-evaluate the verge mulching service.	The decomposition of greenwaste produces greenhouse gases and the mulching of greenwaste has the potential to reduce our greenhouse gas emissions.
<b>Corporate Strategies</b>	
Install shielded fixtures on street lamps.	Cottesloe has obtained funding for the purpose of installing shielded fixtures on street lights. This will both reduce greenhouse emissions and energy costs.
Develop a lighting retrofit programme.	Case studies have shown both significant cost benefits and greenhouse gas abatement through lighting retrofit programmes.
Enable energy saving devices on all suitable equipment.	Immediate cost savings, minimal (if any) capital costs.
Investigate the feasibility of purchasing natural power.	A number of metropolitan councils have purchased 'green' power which has resulted in significant greenhouse gas emission reductions.
Investigate the possibility of developing a revolving energy fund or seed fund.	This fund would be formed primarily from external grants with the possibility of some seed funding from Council. Cost savings achieved through energy efficiency initiatives are returned to the fund, from which other energy initiatives can be funded.
Establish an interdepartmental energy team.	An energy team would be formed to generate ideas, contribute to further investigation, relay information back to departments and maintain motivation. The team would also maintain the revolving energy fund.

### COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

- (1) That Council endorse the following actions for investigation and implementation in 2003/2004:

<i>Action</i>	<i>Comments</i>
<b>Community Strategies</b>	
Promote Australian Greenhouse Office funding to Local Businesses.	Provides an opportunity to form partnerships with local businesses resulting in quantifiable greenhouse gas reduction measures that will provide ultimate benefit to the business.
Distribute energy efficient literature through Council services.	This action is already being implemented to some extent and could be extended with minimal effort.
Investigate the provision of subsidies for energy services and products.	Cottesloe has applied for joint funding with other Western Suburb Councils for purchasing Aqualocs and energy efficient light globes for on-sale to the community.
Re-evaluate the verge mulching service.	The decomposition of greenwaste produces greenhouse gases and the mulching of greenwaste has the potential to reduce our greenhouse gas emissions.
<b>Corporate Strategies</b>	
Install shielded fixtures on street lamps where they impact on residents.	Cottesloe has obtained funding for the purpose of installing shielded fixtures on street lights. This will both reduce greenhouse emissions and energy costs.
Develop a lighting retrofit programme.	Case studies have shown both significant cost benefits and greenhouse gas abatement through lighting retrofit programmes.
Enable energy saving devices on all suitable equipment.	Immediate cost savings, minimal (if any) capital costs.
Investigate the feasibility of purchasing natural power.	A number of metropolitan councils have purchased 'green' power which has resulted in significant greenhouse gas emission reductions.
Investigate the possibility of developing a revolving energy fund or seed fund.	This fund would be formed primarily from external grants with the possibility of some seed funding from Council. Cost savings achieved through energy efficiency initiatives are returned to the fund, from which other energy initiatives can be funded.
Establish an interdepartmental energy team.	An energy team would be formed to generate ideas, contribute to further investigation, relay information back to departments and maintain motivation. The team would also maintain the revolving energy fund.

- (2) That Council invite the Care for Cottesloe (LA21) Committee to be involved in the implementation of the identified community strategies.

Carried 6/2

### 11.1.3 POLICY - PROCUREMENT

File No: X12.4  
 Author: Ms. Peta Varvell  
 Author Disclosure of Interest: Nil  
 Report Date: 8 April, 2003

Senior Officer:

Mr Stephen Tindale

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**SUMMARY**

The Expenditure Control Policy has been modified to include the sustainability principles of economic, environmental and social responsibility and the policy has been renamed "Purchasing Policy". The objective of the Purchasing Policy is to *provide guidance to Council Officers when purchasing goods or services.*

**STATUTORY ENVIRONMENT**

Nil.

**POLICY IMPLICATIONS**

Revision of policy, change of policy name.

**STRATEGIC IMPLICATIONS**

The Purchasing Policy supports the principles of sustainability as articulated within Council's Strategic Plan.

**FINANCIAL IMPLICATIONS**

Minor. Potential 5% increase on some of the smaller goods and services that are found to be more sustainable than other products.

**BACKGROUND**

The Expenditure Control Policy was first adopted in 1994 and modified in 1996. It should be amended to incorporate the Sustainable Development Principles as set out in the Strategic Plan. The modifications to the policy were developed so that Cottesloe's procurement of goods and services will be economically, environmentally and socially sustainable. The following principles have now been incorporated into the policy:

- (1) Value for money should be assessed across the life cycle of the product;
- (2) Preference should be given to environmentally and socially responsible products where the price is no more than 5% of other suppliers;
- (3) Preference should be given to local, Western Australian and Australian suppliers and/or products respectively.

**CONSULTATION**

Manager Corporate Services.

**STAFF COMMENT**

The Town of Cottesloe's Purchasing Policy was modified in accordance with the Strategic Plan to support the Town's commitment to sustainable development. The Purchasing Policy will need to be promoted to all Council staff involved in

procurement and it would be desirable that a list of sustainable products be developed for target areas including office equipment and furniture, stationery, landscape materials and vehicles.

As the Purchasing Policy defines our commitment to sustainable development through procurement activities and responsible purchasing it is recommended that this policy is adopted by Council.

## **VOTING**

Simple Majority

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

Moved Cr Furlong, seconded Cr Morgan

**That Council adopt the following Purchasing Policy (currently the Expenditure Control Policy) which has been revised to include sustainability principles:**

### **PURCHASING POLICY**

#### **(1) OBJECTIVE**

- (a) Provide guidance to Council officers when purchasing goods or services.

#### **(2) PRINCIPLE**

- (a) General authority to purchase is provided by the adopted annual budget. Purchases not provided for in the budget must be authorised in advance by an absolute majority of Council (Section 6.8 Local Government Act 1995), unless authorised in advance by the Mayor in an emergency.
- (b) Sustainable development is a focus of both the Council and the community and forms the basis of Council's Strategic Plan. Therefore, the Town of Cottesloe will base procurement decisions on the principle of 'value for money' over the life cycle of products and sustainability rather than 'lowest cost'.

#### **(3) ISSUES**

- (a) While every effort should be made to obtain the lowest price, it is not always appropriate to make purchasing decisions based solely on price. Expenditure policies and practices should:
- ensure that expenditure is cost effective;
  - promote ethical behaviour;
  - seek value for money over the life cycle of the product;
  - promote open competition between suppliers; and

- encourage regional cooperation.

#### **(4) POLICY**

##### **4.1 Sustainability**

Procurement decisions will have due regard for and give preference, where the price is no more than 5% more than other suppliers, where:

- (1) the purchase supports a local business,
- (2) the product is Australian made;
- (3) the supplier is an Australian company; and
- (4) goods and service suppliers can demonstrate, or it can otherwise be determined, that prospective purchases are environmentally and socially responsible in aspects including, but not limited to:
  - (a) production, packaging and distribution.
  - (b) use - preference shall be given to items that are aesthetic and emit less pollutants, noise and odour.
  - (c) content – preference shall be given to products made of recycled materials.
  - (d) disposal options - products that can be refurbished, reused, recycled or reclaimed shall be given priority in that order.
  - (e) eco-labelling - e.g. energy efficiency ratings.
  - (f) product life – preference shall be given to products that are able to sustain more wear and tear.

Price will not necessarily be the determining factor and all purchases should be based on value for money over the life cycle of the product.

##### **4.2 Tendering and Group Purchases**

All purchases will be made in accordance with relevant legislation including, but not limited to, the provisions of the Local Government Act and Local Government (Functions and General) Regulations.

Where practicable, use should be made of the services of the WALGA's Council Purchasing Service and other such group schemes that local governments may access.



#### 4.3 Quotations

In cases where there is no requirement to call tenders and where the services of WALGA's Council Purchasing Services, or a similar group purchasing scheme that Council may access, is not used, then quotations should be obtained. It is recognised that there will be instances where quotations will not be practical due to the value or unique nature of the products to be supplied. However it is expected that at least two quotes will be obtained for most purchases.

A quotations register will be maintained for the purpose of recording goods or services to be procured, the quotations obtained, the supplier selected and the reason for selection.

**RESOLUTION NO:**

**ADOPTION DATE:**

**REVIEW DATE:**

*(Replaces P25, 28/10/96)*

Carried 7/1

#### 11.1.4 SUSTAINABLE DEVELOPMENT PLAN - CARE FOR COTT (LA21) COMMITTEE

**File No:** X12.4  
**Author:** Ms. Peta Varvell  
**Author Disclosure of Interest:** Nil  
**Report Date:** 8 April, 2003  
**Senior Officer:** Mr Stephen Tindale

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#### SUMMARY

The purpose of this report is to put before Council the Sustainable Development Plan prepared by the Care for Cott (LA21) Committee. A recommendation is made to adopt the plan.

#### STATUTORY ENVIRONMENT

Nil.

#### POLICY IMPLICATIONS

Nil.

#### STRATEGIC IMPLICATIONS

The Sustainable Development Plan supports the principles of sustainability as articulated within Council's Strategic Plan.

**FINANCIAL IMPLICATIONS**

Depends on the degree to which the recommendations of the plan are implemented by the Town of Cottesloe. External funding will be sought for major projects, however, some money will need to be set aside in the 2003/2004 budget to implement the plan. Staff time will also be required to coordinate the projects, along with providing administrative and technical support where required.

**BACKGROUND**

The essence of Cottesloe's strategy is to retain all the best features of Cottesloe's natural and built environment whilst gradually improving the overall amenity of the district. This will require sensitive and consistent planning. The Care for Cottesloe (LA21) Committee was formed by Council resolution in 2000 to provide a conduit of community advice to Council on matters relating to the broad application of sustainable strategies in the Cottesloe area in accordance with the Town of Cottesloe Strategic Plan.

Following the LA21 framework, specified by Environment Australia, Cottesloe's LA21 Committee has developed an action plan to improve sustainability within the Town. The key principles guiding the plan were those of:

- integration of environmental, social and economic considerations in decision making;
- community involvement;
- precautionary behaviour;
- equity within and between generations;
- ecological integrity; and
- continual improvement.

The plan was divided into four broad areas; built environment, natural environment, community well-being and transport.

The Committee is currently in the process of determining which actions will be implemented in 2003/2004.

**CONSULTATION**

The Care for Cottesloe (LA21) Committee released the draft Sustainable Development Plan in November 2002 and hosted a community workshop to improve and develop the plan on the 30<sup>th</sup> November which attracted between 50–70 residents. The draft sustainable development plan was also advertised on the Cottesloe internet site and flyers were distributed to every household notifying them of the existence of the plan, how to obtain a copy and how to prepare a submission. Seven written submissions were received.

**STAFF COMMENT**

The Sustainable Development Plan will need to be implemented by the Council, local business and the community. The plan contains actions relevant to all sectors.

Funding constraints and competing priorities may mean that some of the actions in the Sustainable Development Plan are only partially implemented, or will need to be reviewed in the future. The plan was purposefully designed to be a fluid and working document. Due to a high level of community involvement, many of the actions in this plan directly deal with issues raised in the community survey. It contains direct input from the community on how to balance economic, environmental and social issues within the Town, along with supporting the Councils Strategic Plan. It is for these reasons that the Sustainable Development Plan is recommended to Council for adoption.

**VOTING**

Simple Majority.

**OFFICER RECOMMENDATION**

That Council adopt the Sustainable Development Action Plan.

**COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr Furlong, seconded Cr Morgan

**That Council receive the amended Sustainable Action Development Plan which follows:**

**SUSTAINABLE DEVELOPMENT ACTION PLAN**

**ISSUE 1. BUILT ENVIRONMENT**

*In general, the Town of Cottesloe's built environment has the basic infrastructure to make it highly sustainable. It has an efficient street grid and is served by public transport (bus & rail) and established path systems. Cottesloe has close proximity to public and private schools and tertiary education facilities. It has commercial facilities and proximity to employment locations. There are a range of recreational facilities within the Town, which has high quality landscaping. The objective is to build on these advantages to enhance the quality of life in Cottesloe and the well-being of the community in a sustainable manner.*

**OBJECTIVE BE1: Street Systems.** To improve the street systems.

	<b>ACTIONS</b>
BE1.1	Support reductions in maximum vehicle speeds in residential streets.
BE1.2	Incorporate traffic management techniques (for all road users) at intersections considered dangerous, while keeping the intersections as open as possible.
BE1.3	Use traffic management techniques to limit through traffic along Marine Parade and North Street.
BE1.4	Promote distributor roads through the district such as Stirling Highway and Curtin Avenue as seams, which unite communities on either side rather than divide them.
BE1.5	Enhance the lifestyle of residents along Curtin Avenue by promoting the realignment of through traffic as far as possible from housing within a landscaped corridor and providing access to that housing via service roads.
BE1.6	Provide footpaths on both sides of streets to encourage pedestrian activity.
BE1.7	Extend the dual use path system to provide safe linkages inland to important targets

	ACTIONS
	and utilise existing road system to provide cycle lanes.
BE1.8	Work with neighbouring local authorities to create dual use path linkages between sea and river.
BE1.9	Limit non-regulatory street signage.

**OBJECTIVE BE2: Neighbourliness.** Enhance the neighbourliness of Cottesloe.

	ACTIONS
BE2.1	Efforts should be made to retain neighbourhood shops to encourage pedestrian activity in local streets, facilitating neighbourhood interaction and creating a sense of community.
BE2.2	Recognise that escalating residential land values in Cottesloe are jeopardising the viability of neighbourhood and other commercial facilities and respond through the Town Planning Scheme to provide incentives for their retention or incorporation within redevelopments.

**OBJECTIVE BE3: Cottesloe's Character.** Maintain and enhance the landscape character of Cottesloe.

	ACTIONS
BE3.1	Maintain Cottesloe's "heritage of pines" as a recognized Cottesloe landmark by continuing current Norfolk Island Pine streetscapes in Broome, John, Forrest and Grant Streets.
BE3.2	Develop tree streetscape in accordance with Council Policies and Procedures for Street Trees: <ul style="list-style-type: none"> <li>• in conformity with those listed in the Municipal Inventory</li> <li>• by continuing planting of current local/native species where relevant; and</li> <li>• by developing over time, appropriate local/native species to replace inappropriate species as they need to be replaced.</li> </ul>
BE3.3	Develop consistency in tree planting in streetscapes through the planting of native street trees as per Council Species List.
BE3.4	Recognise the regional character of the main beach at Cottesloe and North Cottesloe and retain them as people friendly places by ensuring ease of access to people.
BE3.5	Maintain the quality of public facilities. Investigate need for further sun shelters on the more northern beaches.
BE3.6	Maintain all current public open spaces along the beachfront and support and increase biodiversity by planting local natives on dunes and park surrounds on the Marine Parade Green Corridor.

**OBJECTIVE BE4: Cottesloe's Architecture.** Sustainable development principles in architecture.

	<b>ACTIONS</b>
BE4.1	Encourage a mix of housing to cater for a diverse community – low income, student, family, mature, single and elderly.
BE4.2	Maintain two-storey height limit for single residential housing to ensure equal access to solar energy.
BE4.3	Encourage passive solar design and energy efficiency.
BE4.4	Encourage the recycling of “grey” water on gardens; the collection of water from roof into tanks for house/garden use.
BE4.5	Require site planning to include appropriate space for composting and other garden activities; encourage planting of local shrubs/trees to provide for local fauna and birdlife.
BE4.6	Encourage higher density residential development in the form of “shop-top” housing within the town centre.
BE4.7	Ensure extension/new development limits overlooking and promotes neighbour privacy.
BE4.8	Develop energy efficiency star rating for developments to be included in TPS3 Policy.

**OBJECTIVE BE5 : Heritage**

	<b>ACTIONS</b>
BE5.1	Update and maintain the Municipal Inventory on timelines required by Heritage of Western Australia Act.
BE5.2	Identify heritage places for protection and inclusion on the State Heritage Register.
BE5.3	Identify heritage places and precincts for inclusion in TPS3.
BE5.4	Identify heritage precincts and define architectural character to be maintained within these precincts.
BE5.5	Identify the elements (apart from historic buildings/sites) which define Cottesloe's unique character and develop conservation strategies.
BE5.6	Develop incentives to protect icon sites.
BE5.7	Design a Heritage Pack as a means of educating Cottesloe community on heritage in the suburb.

**ISSUE 2. NATURAL ENVIRONMENT**

Cottesloe’s major natural resources are the Ocean, Beach and Dune systems. With clean water and wide sandy shores the area is recognised as one of the best metropolitan beaches in the world. This marine environment is fragile and requires sensitive management to protect and preserve the natural biodiversity for future generations to enjoy.

**OBJECTIVE NE1: Cottesloe Marine Environment.** Continue to develop means of protecting the Cottesloe marine environment.

<b>ACTIONS</b>	
NE1.1	Formally recognise Cottesloe Coast Care as the lead community organisation for facilitating education, restoration and protection of the marine environment
NE1.2	Expand Council strategies and funding to reduce pollutants entering the marine area by reducing stormwater runoff discharging onto the beach and into the ocean by: Directing stormwater into the ground water system. <ul style="list-style-type: none"> <li>• Installing best practice pollutant traps to prevent contaminants entering the marine system.</li> <li>• Regular Council street sweeping.</li> <li>• Community education.</li> </ul>
NE1.3	Support the strategies contained within the ‘Plan of Management for the Cottesloe Reef Fish Habitat Protection Area’.
NE1.4	Strengthen the protection of our reef system through establishment of a Cottesloe Marine Sanctuary and working towards the establishment of no-take areas within the Sanctuary.

**OBJECTIVE NE2: Sand Dunes.** Regenerate sand dunes through the elimination of weeds on, and improvement of sand dune biodiversity.

The Coastal Dunes of Cottesloe are fragile and require rehabilitation and care to restore them to their natural state. These dunes are recognised as an important “natural corridor” linking the bush-land to the north (Allen Park and Defence land), with Leighton to the south. Vegetation of the dunes plays an essential role in dune stabilization

<b>ACTIONS</b>	
NE2.1	Investigate employment of Coast Care Officer to co-ordinate and manage natural environment initiatives.
NE2.2	Map the existing state of dune and other Marine Parade open spaces for native vegetation and weed infestation.
NE2.3	Devise a comprehensive plan for rehabilitation and management of dunes.
NE2.4	Assist volunteer groups in weed elimination programme using the most effective and environmentally safe measures.
NE2.5	Ensure Council watering does not support weed infestation of dunes.
NE2.6	Educate beachgoers about the importance of keeping to pathways provided.

ACTIONS	
NE2.7	Support APACE to propagate and develop local indigenous plants for use in Cottesloe.
NE2.8	Raise general community awareness of the fragility of the Cottesloe natural environment.
NE2.9	Encourage local primary schools to develop student education programmes of Cottesloe's marine and bush environments.
NE2.10	Consult with traditional owners when working on or near Mudurup. Improve relationships with local indigenous community.
NE2.11	Upgrade old paths over dunes on northern beaches to above ground boardwalks e.g. Sydney Street.

**OBJECTIVE NE3: Greening Plan.** Implement The Greening Plan in conjunction with other member councils of WESROC

The Western Suburbs Greening Plan, commissioned by the Western Suburbs Regional Organisation of Councils (WESROC), provides strategies for communities to address the issues of sustainability in the differing environments which now exist in Cottesloe and other WESROC suburbs.

ACTIONS	
NE3.1	Adopt and implement "Western Suburbs Greening Plan" for Cottesloe.
NE3.2	Develop and maintain greenways to encourage movement of the total animal and plant life of the region.
NE3.3	Develop partnerships with Main Roads WA, Westrail and Western Power to increase the ecological and aesthetic value of their land so they have the capacity to act as greenways.
NE3.4	Encourage individuals, corporate and institution landowners to contribute to the greenway programme through the development of ecological and aesthetic enhancement of their land.
NE3.5	Develop Grant Marine Park and John Black Dune Reserve as bushland restoration demonstration sites.
NE3.6	Investigate possible propagation of the bush-land restoration species (ref NE3.5) for community use and consider providing this service to other local councils.
NE3.7	Include in TPS3 requirements for appropriate landscape plans in future development approvals abutting major greenways.
NE3.8	Establish a demonstration site of water-wise local plants and trees (including alternatives to lawn).
NE3.9	Eliminate the introduced species in the Mary and Eddie Edwards public open space (between the golf course and Broome Street north of the Seaview Kindergarten) and replace with local indigenous plants. Council to take responsibility for the proper management of this public open space.
NE3.10	Devise a strategy for the removal of introduced species of street trees (apart from Norfolk Island pines), and replant with appropriate trees from the Selected Species List in consultation with affected householders.

**OBJECTIVE NE4: Waste.** Reduce the volume of waste generated in the Town of Cottesloe.

	<b>ACTIONS</b>
NE4.1	Adopt strategies contained in the Cottesloe Waste Management Plan.
NE4.1	Educate the community as to the true cost of domestic waste to landfill.
NE4.2	Increase the separation of recyclable materials by the householder by providing on-going education.
NE4.3	Formally recognise the Volunteer Earth Carers as the educational component of the Cottesloe Waste Minimisation Plan by: <ul style="list-style-type: none"> <li>• providing resources for delivering community education in green and organic waste composting</li> <li>• separation of recyclable materials</li> <li>• re-using and recycling of green and organic waste.</li> </ul>
NE4.4	Negotiate with Perth Zoo to direct appropriate green waste from Council controlled areas to the Zoo.
NE4.5	Encourage Westrail to continue their policy of placing recycle bins on the Perth Platform, and to do the same at each of the Cottesloe Railway Stations.
NE4.6	Encourage and support local supermarkets to reduce plastic bag usage.
NE4.7	Encourage residents to limit number of green household garbage bins and increase usage of recycle bins and composting.

**OBJECTIVE NE5: Public Open Space.** To provide shade; improve local biodiversity; maximise passive recreational use; sustainably maintain public open space and to provide a safe environment.

	<b>ACTIONS</b>
NE5.1	Identify all public open space.
NE5.2	Map current usage.
NE5.3	Develop sustainable maintenance programme.
NE5.4	Survey residents to see needs for passive recreation can be maximised in public open spaces.
NE5.5	Provide better lighting by investigating bollard and solar lighting options (Ref. Transport; Community Well-being).
NE5.6	Re-vegetate with water-wise ground cover and trees to encourage local usage, quiet enjoyment and biodiversity.
NE5.7	Encourage local ownership by initiating community re-vegetation projects.
NE5.8	Provide aesthetically pleasing bin enclosures and recycling stations at strategic points.
NE5.9	Bush Care Officer to devise draft plan for all public open spaces in conjunction with the plan for coastal dune systems paying particular attention to: <ul style="list-style-type: none"> <li>• developing greenways as listed in "Western Suburbs Greening Plan,</li> <li>• Council's "Policy Document for Street Trees and Public Open Spaces"(draft Feb 2002; and "Recommended Species for Street Trees (draft) Feb. 2002.</li> </ul>



**OBJECTIVE NE6: Streetscapes.** To encourage the community to develop safe, aesthetically pleasing and environmentally sustainable streetscapes.

<b>ACTIONS</b>	
NE6.1	Promote water-wise planting on verges and in private gardens.
NE6.2	Develop trial verges to demonstrate and educate the community about bio-diverse alternatives to lawns.
NE6.3	Introduce water-wise bio-diverse verge and front garden initiatives such as competitions.
NE6.4	Undertake feasibility study of bollard lighting.
NE6.5	Place aesthetically appropriate rubbish bins at strategic points.

**OBJECTIVE NE7: Education.** To inform, educate and involve wider community on local sustainability issues.

<b>ACTIONS</b>	
NE7.1	<p><b>Schools</b></p> <ul style="list-style-type: none"> <li>• Work with local schools to involve students in local sustainability issues - for example:</li> <li>• knowledge and care of the reef – monitoring</li> <li>• knowledge of the sand dunes – assisting in re-vegetation</li> <li>• streetscapes – planting street trees</li> <li>• Yellow Fish Road – marking storm water drains</li> <li>• waste reduction – improve recycling in schools</li> </ul> <p><b>Community</b></p> <ul style="list-style-type: none"> <li>• Prepare and distribute quarterly Sustainability Newsletter to inform and invite participation from public in local sustainability issues covering –</li> <li>• Contamination of waterways</li> <li>• Streets and Public Open spaces (tree species etc.)</li> <li>• Transport (CottCat/walking bus)</li> <li>• Sand dunes (Grant Marine Park)</li> <li>• Waste management (green waste particularly)</li> <li>• Ocean and reef protection (fisheries monitoring)</li> <li>• Littering</li> <li>• Publicise areas where progress has already been made, and include stories of local personalities.</li> </ul>
NE7.2	Provide opportunities for increased communication/interaction between local volunteer groups.
NE7.3	Improve signage at local 'hotspots' and encourage general State-wide media to promote protection of sand dunes, drawing on campaigns directed at school children such as Constable Care.
NE7.4	Provide information and encouragement to the community in ways in which they can take responsibility and ownership for the local environment, particularly beach and public open spaces.
NE7.5	Enforce Council regulation for illegal parking of boats, trailers, horse floats etc. on median strips.
NE7.6	Circulate information on responsible cat ownership.

**ISSUE 3. COMMUNITY WELL-BEING**

An increase in popularity of Cottesloe as a tourist attraction and beach resort has been accompanied by a decrease in the sense of community and “our village atmosphere”. The objectives may be summarised as reclaiming our streets for socialising and recreation, making existing meeting places more attractive and creating additional ones where needed.

**OBJECTIVE CW 1: Social Interaction.** To Promote Friendly Streetscapes, Meeting Places and Public Open Spaces

	<b>ACTIONS</b>
CW1.1	Encourage shops in residential areas through amendments to town planning scheme; promote mixed-use development within residential areas. [BE 2.3]
CW1.2	Survey ease of access to beaches and other public places for all people.
CW1.3	Conduct audit of availability of shade, picnic facilities, seating and water fountains along footpaths and other gathering places such as children’s play areas, sporting facilities and shops.
CW1.4	Assess demand for a wading pool or other protected water activity area for young children at Cottesloe Beach.
CW 1.5	Assess demand for a similar facility at North Cottesloe Beach.
CW1.6	Invite proposals from groups and individuals for increased use of the Civic Centre and the Marmion Street Community Centre and develop a business plan for their future use and preservation.

**OBJECTIVE CW 2: To Enhance Perception of Safety.**

	<b>ACTIONS</b>
CW 2.1	Encourage new housing and alterations to address the street so that there is greater opportunity for resident-pedestrian interaction.
CW 2.2	Better publicise and ensure compliance with Council’s open aspect fencing policy.
CW2.3	Improve lighting on footpaths carparks and other public areas; investigate solar power and bollards option.
CW 2.4	Encourage reporting of construction and other hazards; educate community of their rights to safe footpaths and crossings.
CW 2.5	Campaign for community bus service to connect train stations, shopping centres, beachfront and residential areas throughout Cottesloe; for a 3 month trial during winter 2003.
CW2.6	Encourage street and neighbourhood co-operation through social and common interest gatherings.

**OBJECTIVE CW 3: To Develop Activities for Young People and Families.**

<b>ACTIONS</b>	
CW 3.1	Consult young people via forums or reference groups to hear their views on issues and needs.
CW 3.2	Recruit young people to serve on council and community committees.
CW 3.3	Survey community organizations offering programs for youth; assist in expanding participation rates through promotion and support if required.
CW 3.4	Following consultation with young people support events that they nominate.

**OBJECTIVE CW 4: To Increase Diversity within the Community to include all Age Ranges and Ethnic Groups.**

<b>ACTIONS</b>	
CW4.1	Promote social housing in TPS3 by permitting higher density and mixed-use zones in appropriate locations such as adjacent to railway and Napoleon Street shopping area (BE check).

**OBJECTIVE CW 5: To Increase Community Knowledge of History, Heritage and Sustainability Principles**

<b>ACTIONS</b>	
CW5.1	Place plaques and other markers at significant historical and cultural locations in Cottesloe to complement Cottesloe Heritage Trails.
CW5.2	Collaborate with Cottesloe Society to Establish a Cottesloe Museum.
CW5.3	Employ an Environmental Officer in collaboration with adjoining Councils to support development and implementation of sustainability initiatives.
CW5.4	Investigate establishing a demonstration garden and nursery; consider as part of, or the first step toward an Environmental Education Centre.
CW5.5	Re-establish Seadragon Festival in Spring 2003/Autumn 2004.

**ISSUE 4. TRANSPORT**

West Australians are one of the most car dependant people per capita, of the world. Evidence is increasingly showing that air pollution is creating health problems and environmental degradation. As the population increases, so will these problems.

During summer months Cottesloe Beach is a highly popular destination for people wishing to take in sun, surf and the restaurant and hotel scene. The beach attracts residents and the wider Perth community. As the beach is easy to access, free and well-known, interstate and overseas visitors also flock to the area. This ongoing demand results in increased vehicular and pedestrian traffic; significant antisocial behaviour and increase in litter. Action is required to reduce the number of non-residential vehicles into and through the suburb and inappropriate parking in residential areas close to the beach.

Benefits would include reduction of air pollution; increased pedestrian/bicycle safety; diminution in anti-social behaviour; reduction to cost of maintenance of the infrastructure in the Town.

**OBJECTIVE T1: Transport Action Plan.** Reduce private and commercial traffic volume into and through Cottesloe.

	<b>ACTIONS</b>
T1.1	Continue to support TravelSmart programme.
T1.2	Consider adopting recommendations with modifications as appropriate for Cottesloe (Cottesloe Transport Action Plan).
T1.3	Assess Cottesloe TAP for funds and goals and timelines.

**OBJECTIVE T2: Oversize and heavy haulage traffic.** Limit oversize and heavy haulage through Cottesloe to and from Fremantle Port.

A large amount of heavy commercial transport travels through Cottesloe bringing excessive noise and having a serious detrimental effect on the air quality and community well-being of the mainly residential community.

	<b>ACTIONS</b>
T2.1	Lobby State Government to ensure heavy commercial transport is diverted to rail.
T2.2	Lobby State Government to ensure oversize commercial vehicles travel the most direct routes to destinations by necessary modifications to Tydeman Road Bridge and Stirling Highway Bridge.

**OBJECTIVE T3: Pedestrian and Bicycle Safety.** To ensure safe pedestrian access and develop safe bicycle ways across Cottesloe.

	<b>ACTIONS</b>
T3.1	Continue to support local Bicycle Users Group.
T3.2	<b>Pedestrians</b> Develop safe public access for pedestrian traffic crossing Curtin Avenue and Railway Street through the development of pedestrian crossings at all four Cottesloe railway stations.
T3.3	Expand the Walking Buses introduced in May 2002.
T3.4	<b>Bicycle Use</b> Continue lobbying Main Roads to make bicycle riding safer in Cottesloe through marking of cycle lanes on key roads in Cottesloe (Marmion, Broome, Napier, Jarrad, Grant Streets).
T3.5	Lobby Government for the extension of Principle Shared Path through Town of Cottesloe.
T3.6	Council to recommend provision of adequate parking and 'kiss and ride' points at all four railway stations.

<b>ACTIONS</b>	
T3.7	Council to recommend Principle Shared Path be located on eastern side of railway line.
T3.8	Council to install 'no-stopping' signs in Broome Street between Forrest and Napier Streets.
T3.9	Council to rework Jarrad Street to improve accessibility.
T3.10	Council to support LA21 Committee to provide more education on safe and effective shared use of dual use path along beachfront, rather than increase infrastructure.
T3.11	Require Council to seek Transperth action to return buses to Eric Street and the south of Cottesloe.
T3.12	Require Council to lobby State Government to re-open Leighton Railway Station.

**OBJECTIVE T4: Improve Public Transport Access to Cottesloe.** Reduce non-residential, private and commercial traffic into and through Cottesloe by improving public transport access in Cottesloe.

<b>ACTIONS</b>	
T4.1	Lobby Transperth and WAGRC to maintain full rail service to all Cottesloe Railway stations.
T4.2	Ensure safe and adequate public parking spaces adjacent to all four Cottesloe railway stations.

**OBJECTIVE T5: Cottesloe Shuttle Bus.** To implement, for the summer of 2002/03, a trial Shuttle Bus Service, free to users, between Cottesloe Railway Stations and beachfront – and relevant parking modifications to support this.

<b>ACTIONS</b>	
T5.1	Provide a shuttle bus free to users from Cottesloe Station to the beach front every weekend from Saturday, 30 November, 2002 until and including Sunday, 25 February.
T5.2	Run the shuttle bus from the Cottesloe Station at half hourly intervals possibly beginning at 7:00am and ceasing at 7:00pm on the designated weekends.
T5.3	Use the following route to deliver beachgoers and surfers and restaurant patrons to preferred areas and return - clockwise from Cottesloe Railway Station into Curtin Avenue, Jarrad Street and north at Marine Parade stopping where flagged.
T5.4	Assess effectiveness of shuttle bus - reduction in non resident vehicular traffic; anti social behaviour in residential areas and use by residents; provide recommendation for ongoing shuttle bus transport.

**OBJECTIVE T6: Shuttle Bus Service for Residents.** Provide a Shuttle Bus Service to enable local residents to safely travel to local shops and services.

The Bureau of Census and Statistics figures show that approximately 47% of Cottesloe residents living west of Curtin Avenue do not hold a driving licence. Many residents shop and access the services provided in the two main shopping areas in the suburb – Eric Street, and the Napoleon Street Shopping precinct.

<b>ACTIONS</b>	
T6.1	Trial a free shuttle bus to serve train stations and commercial centres for residents west of Curtin Avenue and in the north-eastern area of the district for three months in the winter of 2003.

**OBJECTIVE T7: Shuttle Bus – Hotel Patrons.**

Each summer there is an increase in the number of patrons at the beachfront hotels, particularly on weekends, and a significant increase in the number of complaints of some serious incidents in relation to anti-social behaviour towards residents and property.

<b>ACTIONS</b>	
T7.1	Encourage the owners of beachfront hotels to provide a bus service to the train stations.

Carried 6/2

### 11.1.5 WA LOCAL GOVERNMENT ASSOCIATION - REFERENDUM – VOTING FOR PRESIDENCY

**File No:** X11.16  
**Author:** Mr Stephen Tindale  
**Author Disclosure of Interest:** Nil  
**Report Date:** 8 April, 2003  
**Senior Officer:** Mr Stephen Tindale

#### SUMMARY

WALGA seeks Council's view on the method of determining the entitlement to President of WALGA. The recommendation is in favour of the merit principle of '*best person for the job*'.

#### STATUTORY ENVIRONMENT

Nil.

#### POLICY IMPLICATIONS

Nil

#### STRATEGIC IMPLICATIONS

Nil

**FINANCIAL IMPLICATIONS**

Nil.

**BACKGROUND**

WALGA reports that in developing the single association proposal, feedback obtained during consultation supported two alternative methods for determining the entitlement to President of the WA Local Government Association.

The first proposition was that determining the presidency should be based upon the merit principle of *'best person for the job'*, with all representatives to State Council, irrespective of their constituency, eligible to nominate for President. The second proposal was for the adoption of a rotational policy whereby the entitlement to president would alternate every two years between the between the metropolitan and country constituencies.

The architects behind the single association framework reconciled this issue by including a specific provision (sub-clause 30(6) within the Constitution) requiring that a referendum be held prior to August 2003 to allow member Local Governments to determine whether they supported rotation of the presidency.

If the majority were in favour of rotation, the Associations' Constitution would be amended so as to provide a rotational entitlement prospectively between the country and metropolitan constituencies. If a majority preferred determining the President on the merit principle of *'best person for the job'*, the existing provisions of the Constitution would be retained.

A non-exhaustive list of advantages to the two methods of determining the President is outlined below for Council's consideration:

Rotation of President

- Promotes equity between constituencies by ensuring that the entitlement to President of the Association rotates between each constituency every second term; and
- Injects 'new blood' into the leadership of the Association.

Merit-Based Determination

- Accords with the Association's merit-based selection policy and reflects the best practice principles of effective corporate governance;
- Allows a representative to serve consecutive terms as President where he or she retains the confidence of state Council; and
- Improves the stability of leadership and increases the capacity for a President to implement his or her strategic vision for the Association.

The outcome of the referendum will be determined by an absolute majority of member Local Governments. Where an absolute majority is achieved in favour of rotation, the State Council will instigate an amendment to the Association's Constitution to enshrine this principle. This constitutional amendment will then be presented to delegates at the Annual General Meeting in August 2003. Where a majority favours the merit principal in determining the President, the existing

provisions of the constitution will be retained. Voting in the referendum requires a resolution of Council in favour of presidential rotation or the merit principle of '*best person for the job*'.

### **CONSULTATION**

Was done by WALGA.

### **STAFF COMMENT**

As the option in favour of the merit principle of '*best person for the job*' reflects the best practice principles, it is recommended that Council choose this option.

### **VOTING**

Simple majority.

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

Moved Cr Furlong, seconded Cr Morgan

**That Council endorse the merit principle of '*best person for the job*' for the WALGA presidency.**

Carried 8/0

## **11.2 ENGINEERING**

### **11.2.1 RETICULATION – SUSTAINABILITY OF GROUNDWATER SUPPLIES**

<b>File No:</b>	<b>E.11.2</b>
<b>Author:</b>	<b>Mr Malcolm Doig</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>
<b>Report Date:</b>	<b>15 April, 2003</b>
<b>Senior Officer:</b>	<b>Mr Stephen Tindale</b>

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### **SUMMARY**

Consideration of the Hydro-Plan report relating to the sustainability of groundwater supplies in the Cottesloe/Mosman peninsular and recommendations.

### **STATUTORY ENVIRONMENT**

The Waters and Rivers Commission controls the total annual groundwater abstraction by local authorities.

### **POLICY IMPLICATIONS**

A specific policy has not been developed.

### **STRATEGIC IMPLICATIONS**

The quality of groundwater in the whole of the peninsular is of particular concern as it has the potential to impact negatively on the whole area and there will need to be ongoing consideration in terms of sustainability.

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The issue needs to be considered at a strategic planning level as the implications of a depleted water supply are significant.

Surrounding local governments and institutions dependent upon groundwater should also be involved in the management of the problem.

**FINANCIAL IMPLICATIONS**

Unknown at this time.

**BACKGROUND**

Council commissioned this report after being alerted to broader issues relating to groundwater supplies used by the Sea View Golf Club.

**CONSULTATION**

Nil.

**STAFF COMMENT**

The report recommends a range of actions by the Councils, sporting organisations and the owners of residential property that use groundwater. At this stage Council should advise the other authorities and begin address the specific recommendations related to Cottesloe. Council already has in place a monthly salinity testing program, all Council bores are metered and most areas are fully automated.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION**

Moved Cr Furlong, seconded Cr Morgan

That Cottesloe Town Council:

- (1) Receive the Hydro-Plan report of March 2003 and distribute copies to the Sea View Golf Club, Cottesloe Tennis Club, Town of Mosman Park, Shire of Peppermint Grove, Town of Claremont, City of Fremantle, City of Nedlands, City of Subiaco and WESROC (Stormwater Quality Management Strategy);
- (2) Invite technical officers from each organisation to meet and discuss areas common concerns and current watering practices;
- (3) Review the suitability of bore locations in Cottesloe, the current rate extraction and volume drawn from existing groundwater resources;
- (4) Give consideration to the need to provide for interconnectivity between bores in order to provide temporary water supplies in the event of mechanical failure;
- (5) Give consideration to fitting soil moisture sensors at two major locations on a trial basis; document all lawn areas currently irrigated, recreational usage; and

- (6) Prepare a draft for the modification or reduction of existing lawn areas and the progressive introduction of more sustainable species.

**AMENDMENT NO. 1**

Moved Cr. Morgan, seconded Cr. Walsh

That the motion be amended by the addition of the following:

*“(7) Investigate, in consultation with Mr Jack Walsh, obtaining hydrological or hydrogeological studies in connection with sustainable groundwater usage in Cottesloe, and report back on those investigations at next month’s Council Meeting.”*

Carried 8/0

**AMENDMENT NO. 2**

Moved Cr. Walsh, seconded Cr. Utting

That the motion be amended by deleting paragraph (6).

4/5 Lost on Acting Mayor’s Casting Vote.

The amended motion was put.

**COUNCIL RESOLUTION****That Cottesloe Town Council:**

- (1) Receive the Hydro-Plan report of March 2003 and distribute copies to the Sea View Golf Club, Cottesloe Tennis Club, Town of Mosman Park, Shire of Peppermint Grove, Town of Claremont, City of Fremantle, City of Nedlands, City of Subiaco and WESROC (Stormwater Quality Management Strategy);
- (2) Invite technical officers from each organisation to meet and discuss areas common concerns and current watering practices;
- (3) Review the suitability of bore locations in Cottesloe, the current rate extraction and volume drawn from existing groundwater resources;
- (4) Give consideration to the need to provide for interconnectivity between bores in order to provide temporary water supplies in the event of mechanical failure;
- (5) Give consideration to fitting soil moisture sensors at two major locations on a trial basis; document all lawn areas currently irrigated, recreational usage; and
- (6) Prepare a draft for the modification or reduction of existing lawn areas and the progressive introduction of more sustainable species.
- (7) Investigate, in consultation with Mr Jack Walsh, obtaining hydrological or hydrogeological studies in connection with sustainable groundwater usage in Cottesloe, and report back on those investigations at next month’s Council Meeting.

### 11.3 FINANCE

#### 11.3.1 STATUTORY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 28 FEBRUARY, 2003

**File No:** C7.14  
**Author:** Mr Alan Lamb  
**Author Disclosure of Interest:** Nil  
**Period Ending:** 12 March, 2003  
**Senior Officer:** Mr Stephen Tindale

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#### SUMMARY

The purpose of this report is to present the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 28 February, 2003.

#### STATUTORY ENVIRONMENT

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

#### POLICY IMPLICATIONS

Nil

#### STRATEGIC IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

Nil

#### BACKGROUND

The Financial Statements are presented monthly.

#### CONSULTATION

Nil

#### STAFF COMMENT

As will be noted from the Operating Statement (page 3 of the Financial Report) there are a number of variances of actual expenditure and income against year to date estimates. Some of the variances can be attributed to differences in timing of actual expenditure and income to estimates of when these were to occur and the following are brought to Council's attention:

- The statements show expenditure in the area of Health is down by more than \$8,000 overall and indications are that expenditure in this area will be down by \$7,000 at year end.
- Expenditure in the area of Welfare is \$3,373 more than expected at this time and this is mainly due to higher than expected costs associated with playground and

gardening works at the Seaview Kindergarten. It is expected that this area will be over spent by a similar amount at year end.

- Expenditure in the area of Recreation and Culture was \$70,242 lower than expected at the end of February and this is mainly due to a lower level of activity in the area of Beach Parks. It is expected that expenditure will continue to be lower than budgeted to year end.

Income In the area of General Purpose Funding was \$28,670 more than expected at the end of February and this is mainly due to a combination of higher than expected income from interim rates and lower than expected income in the areas of general Purpose Grants and interest on investments. It is expected that this trend will continue to year end.

Income in the area of Administration was \$26,859 higher than expected at the end of February primarily due to unplanned income from sponsors for the community bus (\$5,000), reimbursement of staff long service leave entitlement from another Council (\$3,697) and income from an insurance claim and a premium rebate (\$4,430).

Income in the area of rate enquiries – fees and charges was also \$7,600 higher than expected. It is expected that income will continue to be higher than budgeted at year end.

Income in the area of Welfare Services was \$7,302 higher than expected primarily due to TAPSS lease income being recorded in this area instead of being combined with Civic Centre income as had been the practice in the past. This change was made to show the lease income in the same area as expenditure on the Old Post Office (the TAPSS building) is being recorded.

Income in the area of Recreation and Culture was \$21,777 higher than expected at the end of February. However it is forecast that income in this area will be in the area of \$260,000 lower than budgeted at year end due to the Commonwealth Heritage grant application not being successful (\$250,000 for the Civic Centre project, planned expenditure has been reduced accordingly) and the transfer of TAPSS lease income to Welfare Services.

Income in the area of Transport was \$42,918 more than expected at the end of February due to timing differences. Income in this area is expected to be in the area of \$55,000 lower than budgeted at year end due to lower than expected grant income under the Roads to Recovery scheme (works expenditure plans have been modified accordingly).

## **VOTING**

Simple majority.

## **OFFICER & COMMITTEE RECOMMENDATION**

Moved Cr Furlong, seconded Cr Morgan

**That Council receive the Operating Statement, Statement of Assets and Liabilities and supporting financial information for the period ending 28 February , 2003 as submitted to the 18 March meeting of the Works and Corporate Services Committee.**

Carried 8/0

**11.3.2 SCHEDULE OF INVESTMENTS AND SCHEDULE OF LOANS FOR THE PERIOD ENDING 28 FEBRUARY, 2003**

**File No:** C7.14  
**Author:** Mr Alan Lamb  
**Author Disclosure of Interest:** Nil  
**Period Ending:** 12 March, 2003  
**Senior Officer:** Mr Stephen Tindale

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**SUMMARY**

The purpose of this report is to present the Schedule of Investments and Schedule of Loans for the period ending 28 February, 2003, to Council.

**STATUTORY ENVIRONMENT**

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

**BACKGROUND**

The Schedule of Investments and Schedule of Loans are presented monthly.

**CONSULTATION**

Nil

**STAFF COMMENT**

As will be seen from the Schedule of Investments (page 32 of the 28 February, 2003 Statements) \$1,868,715.76 was invested as at 28 February, 2003. Of this \$584,773.64 was reserved and so were restricted funds, and \$1,283,942.12 was unrestricted. 55.75% of the funds was invested with the National Bank, 33.35% with Home Building Society, and 10.90% with Bankwest.

**VOTING**

Simple majority.

**OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr Furlong, seconded Cr Morgan

**That Council receive the Schedule of Investments and Schedule of Loans for the period ending 28 February, 2003, as submitted to the 18 March meeting of the Works and Corporate Services Committee.**

Carried 8/0

**11.3.3 ACCOUNTS FOR THE PERIOD ENDING 28 FEBRUARY, 2003**

**File No:** C7.8  
**Author:** Mr Alan Lamb  
**Author Disclosure of Interest:** Nil  
**Period Ending:** 28 February, 2003

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Senior Officer:

Mr Stephen Tindale

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**SUMMARY**

The purpose of this report is to present the List of Accounts for the period ending 28 February, 2003, to Council.

**STATUTORY ENVIRONMENT**

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

**POLICY IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

Nil.

**FINANCIAL IMPLICATIONS**

Nil.

**BACKGROUND**

The List of Accounts is presented monthly.

**CONSULTATION**

Nil.

**STAFF COMMENT**

Significant accounts brought to Council's attention include:

- \$31,214 to the WA Local Government Super Plan for staff superannuation contributions
- \$23,390.40 to Boya market garden Equipment for net cost of ride on mower
- \$12,111.25 to K&F Concrete for concrete works
- \$13,066.83 to Town of Mosman Park for roadworks on Marine Parade
- \$10,450 to Surf Life Saving WA for life guard services
- \$12,407.60 to Western Metropolitan Regional Council for transfer station fees
- \$45,869.84 to Wasteless for Waste collection services
- \$14,106.93 to ATO for January BAS
- \$45,488.66 and \$45,085.94 to Council staff for payroll for February.

**VOTING**

Simple Majority.

**OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr Furlong, seconded Cr Morgan

**That Council receive the List of Accounts for the period ending 28 February, 2003, as submitted to the 18 March, 2003 meeting of the Works and Corporate Services Committee.**

Carried 8/0

**11.3.4 PROPERTY AND SUNDRY DEBTORS REPORTS FOR THE PERIOD ENDING 28 FEBRUARY, 2003**

**File No:** C7.9  
**Author:** Mr Alan Lamb  
**Author Disclosure of Interest:** Nil  
**Period Ending:** 28 February, 2003  
**Senior Officer:** Mr Stephen Tindale

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**SUMMARY**

The purpose of this report is to present the Property and Sundry Debtors Reports for the period ending 28 February, 2003, to Council.

**STATUTORY ENVIRONMENT**

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

**POLICY IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

Nil.

**FINANCIAL IMPLICATIONS**

Nil.

**BACKGROUND**

The Property and Sundry Debtors Reports are presented monthly.

**CONSULTATION**

Nil.

**STAFF COMMENT**

The Sundry Debtors Report on page 31 of the February 28, 2003, Financial Statements shows a debtors balance of \$157,890.02 at the end of February. Of this, \$107,377 related to February.

**VOTING**

Simple Majority

**OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION**

Moved Cr Furlong, seconded Cr Morgan

**That Council:**

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- (1) Receive and endorse the Property Debtors Report for the period ending 28 February, 2003; and
- (2) Receive the Sundry Debtors Report for the period ending 28 February, 2003.

Carried 8/0

## 12 REPORTS OF OFFICERS

Nil.

## 13 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

Cr. Furlong left the Chamber at 8.52 pm and returned at 8.54 pm.

### 13.1 ENVIRONMENTAL VANDALISM WEST OF MARINE PARADE – NOTICE OF MOTION 3/2003

**File No:** X4.10, E2.7 & E2.8  
**Author:** Mr Malcolm Doig  
**Author Disclosure of Interest:** Nil  
**Report Date:** 17 April, 2003  
**Senior Officer:** Mr Stephen Tindale

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#### SUMMARY

Cr. Utting has recommended that Council consider two matters as serious acts of vandalism, prosecute the offenders and seek compensation.

#### STATUTORY ENVIRONMENT

Nil.

#### POLICY IMPLICATIONS

Nil.

#### STRATEGIC IMPLICATIONS

Nil.

#### FINANCIAL IMPLICATIONS

Possible legal costs.

#### BACKGROUND

Cr Utting provided the following background information:

Item 1



*Adjacent to the Indiana Tea House was a healthy stand of Casurina trees. The trees were approximately 7m high, or possibly higher. At about 10am on 14<sup>th</sup> inst., a contractor using 3 men with power saws was butchering the trees. The trees were cut off at about half the trunk height. Many branches were also cut off. The contractor told me that the "the tea rooms manager had ordered the job, they owned the land, council had approved."*

*Item 2*

*Adjacent to the North Cottesloe Café, on the west side, was a healthy stand of Rottneest pines with a stand of Victorian Tea trees adjacent. The Rottneest pines have been butchered at about their mid height. The Tea trees have been partly dug out and others have been damaged. This vandalism was apparently carried out some time ago.*

*Conclusion*

*It is considered that the above examples of vandalism should be treated as criminal acts, as apparently without any consultation or approval, persons went ahead and damaged and destroyed trees which they did not own and the trees were growing for the benefit of the public.*

## **CONSULTATION**

Nil.

## **STAFF COMMENT**

Council staff were not consulted in advance of the lopping undertaken at the Indiana Tea House site but did attend at approximately 9:30 am, by which time most of the lopping had been completed.

The Indiana is located on a separate reserve of 2504 m<sup>2</sup> and clause 15.8 which relates to the maintenance of the surrounds provides:

*"The lessee must maintain that part of the Premises surrounding building in a tidy condition including but not limited to providing proper care for any grass, trees or plants on the Premises."*

At this time the lessee has not yet been asked to explain in writing why the lopping was undertaken. Under the circumstances a written explanation will be sought.

At the North Cottesloe site, the trees are on the adjacent recreation reserve and were the subject of a Development Control imposed by Planning. I understand that this issue is being addressed.

## **VOTING**

Simple Majority

## **COUNCILLOR NOTICE OF MOTION**

That Council consider the above matters as serious acts of vandalism, and –  
Prosecute these matters to the full extent of the law, and  
Seek compensation to cover the replanting of the areas affected with mature trees.

**OFFICER RECOMMENDATION**

That administration be requested to prepare a full report on the matter, together with recommendations, if any, for the next meeting of Council.

**COUNCIL RESOLUTION**

Moved Cr Utting, seconded Cr Morgan

**That administration be requested to prepare a full report in relation to the damage/destruction of trees adjacent to the Indiana Tea House and adjacent to the North Cottesloe Café site; the report to include options for prosecution and/or seeking compensation and appropriate consultation with government agencies.**

Carried 8/0

**14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY ELECTED MEMBERS/OFFICERS BY DECISION OF MEETING**

Nil.

**15 MEETING CLOSURE**

The Mayor announced the closure of the meeting at 9.13 pm.

CONFIRMED: MAYOR ..... DATE: ...../...../.....