

TOWN OF COTTESLOE



FULL COUNCIL MEETING MINUTES

ORDINARY MEETING OF COUNCIL
HELD IN THE
Council Chambers, Cottesloe Civic Centre
109 Broome Street, Cottesloe
7.00 PM, Monday, 28 July, 2014

CARL ASKEW
Chief Executive Officer

31 July 2014

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TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS.....	4
2	DISCLAIMER	4
3	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	4
4	PUBLIC QUESTION TIME	4
	4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	4
	4.2 PUBLIC QUESTIONS.....	4
5	PUBLIC STATEMENT TIME	4
6	ATTENDANCE.....	4
	6.1 APOLOGIES.....	5
	6.2 APPROVED LEAVE OF ABSENCE	5
	6.3 APPLICATIONS FOR LEAVE OF ABSENCE.....	5
7	DECLARATION OF INTERESTS.....	5
8	CONFIRMATION OF MINUTES	5
9	PRESENTATIONS.....	6
	9.1 PETITIONS	6
	9.2 PRESENTATIONS.....	6
	9.3 DEPUTATIONS	6
10	REPORTS	7
	10.1 REPORTS OF OFFICERS	7
	10.1.1 BUSINESS PLAN FOR THE DEVELOPMENT / SALE OF LOTS 2, 4, 6 AND 8 STATION STREET COTTESLOE	7
	10.1.2 CBD & TOWN CENTRE DESIGN & REVITALISATION CONFERENCE 2014	8
	10.2 REPORTS OF COMMITTEES.....	11
	10.3 DEVELOPMENT SERVICES COMMITTEE MINUTES - 21 JULY 2014.....	11
	10.3.1 NO. 18 (SURVEY LOT 1) JARRAD STREET - TWO STOREY ADDITION AND ALTERATIONS TO THE REAR OF AN EXISTING STRATA	11

	10.3.2	LOT 18 NO. 29 NAPOLEON STREET - EXTENSION OF SMALL BAR TRADING HOURS	18
	10.3.3	NOS. 42 & 48 (LOTS 301, 31 & 32) JOHN STREET ('PINE LODGE' & 'NOVAS') – ALTERATIONS, ADDITIONS AND ASSOCIATED DEMOLITION	23
10.4		WORKS AND CORPORATE SERVICES COMMITTEE MINUTES - 22 JULY 2014	36
	10.4.1	REVIEW OF SUSTAINABLE TRAVEL ALLOWANCE POLICY (STAFF)	36
	10.4.2	REQUEST FOR SCOREBOARD AT COTTESLOE OVAL	40
	10.4.3	RENEWAL OF THE SHINE COMMUNITY SERVICES (FORMERLY TAPSS) LEASE	42
	10.4.4	ADVERTISING OF DESIGNATED PLACES FOR DOGS	45
	10.4.5	ALCOHOL THINK AGAIN BEACH VOLLEYBALL TOUR ROUND 4	48
	10.4.6	THE COTTESLOE TRIATHLON - 2015	51
	10.4.7	OCEAN RIDE FOR MS - 2014	54
	10.4.8	OPEN WATER SWIMMING RACE - 2014	56
	10.4.9	DELEGATED POWERS	59
	10.4.10	AMENDMENT TO FEES AND CHARGES SCHEDULE	62
	10.4.11	MATERIAL VARIANCES FOR STATEMENTS OF FINANCIAL ACTIVITY	64
	10.4.12	STATUTORY FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2013 TO 30 JUNE 2014	66
	10.4.13	SCHEDULES OF INVESTMENTS AND LOANS AS AT 30 JUNE 2014	68
	10.4.14	LIST OF ACCOUNTS FOR THE MONTH OF JUNE 2014	70
	10.4.15	RATES AND SUNDRY DEBTORS REPORTS AS AT 30 JUNE 2014	72
11		ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	74
12		NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:	74
	12.1	ELECTED MEMBERS.....	74
	12.2	OFFICERS.....	74
13		MEETING CLOSED TO PUBLIC	74

13.1	MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	74
13.2	PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC	74
14	MEETING CLOSURE	74

1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

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

2 DISCLAIMER

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

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Mayor announced that Local Planning Scheme No. 3 should be gazetted later on this week or next week. All planning applications from August 2014 will be required to follow the new scheme. She stated that its been a tortuous journey and she gives credit to the Councillors who have worked through it. Council will now work with what we have in relation to beachfront guidelines.

She also conveyed her thanks to Councillors who have or will be hosting our Music for Pleasure events on Sunday afternoons.

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

Nil

4.2 PUBLIC QUESTIONS

Nil

5 PUBLIC STATEMENT TIME

Mr Rhys Lloyd, 40 Railway Street, Cottesloe - Re 10.3.2 – No. 29 Napoleon Street

Mr Lloyd as the licensee for Elba reaffirmed his comments at the Development Committee meeting and made himself available should there be any questions from the Council.

6 ATTENDANCE**Present**

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

Officers Present

Mr Carl Askew	Chief Executive Officer
Mr Mat Humfrey	Manager Corporate & Community Services
Mr Louise Prospero	A/Manager Engineering Services
Mr Andrew Jackson	Manager Development Services
Mrs Lydia Giles	Executive Officer

6.1 APOLOGIES

Nil

Officer Apologies

Nil

6.2 APPROVED LEAVE OF ABSENCE

Cr Helen Burke

6.3 APPLICATIONS FOR LEAVE OF ABSENCE

Moved Cr Downes, seconded Cr Jeanes

That Cr Downes request for leave of absence from the August round of meetings be granted.

Carried 8/0

7 DECLARATION OF INTERESTS

Cr Downes declared an impartiality interest re item 10.3.3, Nos. 42 & 48 John Street, as her husband is related to the property owner, and stated that as a consequence there may be a perception that her impartiality may be affected and declared that she would consider the matter on its merits and vote accordingly.

8 CONFIRMATION OF MINUTES

The Mayor noted a recording error in her declaration of interest on item 10.4.3 Adoption of the 2014/2015 Budget – on page 51, the word 'impartiality' should be changed to 'financial'. With this amendment to the Minutes the Mayor then moved the June 2014 minutes.

Moved Mayor Dawkins, seconded Cr Rowell

[Minutes June 23 2014 Council.DOCX](#)

The Minutes of the Ordinary meeting of Council held on Monday, 23 June, 2014 be confirmed.

Carried 8/0

9 PRESENTATIONS**9.1 PETITIONS**

Nil

9.2 PRESENTATIONS

Nil

9.3 DEPUTATIONS

Nil

For the benefit of the members of public present, the Presiding Member advised that item 10.1.1 had been withdrawn from the agenda by administration. No item was withdrawn from the Development Services Committee and items 10.4.1, 10.4.2, and 10.4.10 had been withdrawn from the Works and Corporate Services Committee items for consideration and would be determined first. The remainder items were dealt with 'En Bloc.

10 REPORTS**10.1 REPORTS OF OFFICERS**

Prior to the Council meeting a Memo was circulated (and tabled at the meeting) to the Elected Members to inform that item 10.1.1 -Business Plan for the Development / Sale of Lots 2, 4, 6 And 8 Station Street Cottesloe has been withdrawn by administration due to the submissions received not being attached to the Agenda. The item will be presented in the near future.

10.1.1 BUSINESS PLAN FOR THE DEVELOPMENT / SALE OF LOTS 2, 4, 6 AND 8 STATION STREET COTTESLOE

10.1.2 CBD & TOWN CENTRE DESIGN & REVITALISATION CONFERENCE 2014

File Ref: SUB/38
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Andrew Jackson
Manager Development Services

Proposed Meeting Date: 28 July 2014
Author Disclosure of Interest: Nil

SUMMARY

Every year in Australia a range of urban planning related conferences occur in various cities, offering ideal opportunities for professional development and benefits to participating organisations. Such conferences cover current issues, overseas experience, new ideas, technical skills, workshops, field trips, networking, consultancies and so on in keeping abreast of planning matters and practices.

The above conference will be held in Melbourne on 4 September 2014, building on the success of previous years. It is identified as relevant to Cottesloe in connection with Council studies undertaken in recent years and projects being pursued for the Town Centre, foreshore area and open spaces; including dealing with the public domain, private sector proposals and State Government involvement.

This report recommends approval for the Manager Development Services to attend the conference. With the programme just released this report direct to Council is to enable early-bird registration at a saving and for bookings well in advance.

CONFERENCE POLICY

Council's Conferences Policy applies.

Employees who wish to attend a conference/seminar/training shall complete a Request for Training application form and submit it to the Chief Executive Officer through their Supervisor.

Attendance at any interstate or international conference must be the subject of an application to be considered by the Chief Executive Officer and referred to the Works & Corporate Services Committee for recommendation to Council.

Note: The Policy was adopted some years ago and the main reason for items going to the Works & Corporate Services Committee was if they related to that committee or for budgetary consideration. More recently reports on conferences for the Planning staff have been presented to the Development Services Committee as the logical forum before recommending to Council.

The following expenses for approved conferences/seminars/training will be met by Council:

(a) Registration fees;

- (b) Return fares and other necessary transport expenses;*
- (c) Reasonable accommodation and living expenses.*

Where possible expenses are to be pre-paid.

All expenditure is to be accounted for prior to reimbursement.

FINANCIAL IMPLICATIONS

The estimated cost of registration, accommodation, travel and meals for the conference is \$2,000 which is relatively modest and can be met by the current training/conference budget for Planning staff.

CONFERENCE OVERVIEW

The conference is a national event aimed to attract planners, designers, place-makers, urban economists, the development industry and many others associated with town centre vitality. The program elaborates:

The third CBD and Town Centre Design and Revitalisation Conference will provide attendees with practical knowledge and expert advice on how to achieve effective planning, design and revitalisation of CBDs and town centres. With councils, state government planning agencies and developers seeking to ensure CBD and town centre planning and design maximises community amenity and economic activity, this conference will provide delegates with knowledge on how to optimise the centres of cities, suburbs and regional towns. Town planning, urban design, infrastructure development, streetscapes, building design and enhancement of public spaces will be amongst topics examined at this event.

The program features an array of specialist speakers and case studies to provide attendees with the latest information and methods on how to best address the planning, design and management of key community activity centres. Presentations to be delivered include:

- How to improve the design and resilience of the public realm in CBDs and town centres.*
- Better Apartment Design: Setting standards for quality and amenity.*
- Central Business Area Revitalisation.*
- Place DNA: an essential component of CBD competitiveness.*
- A number of contemporary case studies from Australian cities and towns.*

It is apparent that the nature and diversity of speakers and topics forming the conference are relevant and useful to the numerous planning aspects and challenges facing Cottesloe regarding the future of its Town Centre, local centre and beachfront precincts.

While some conferences are intentionally broad and general, the advantage of this particular event is its specific focus and the gathering of like-minded professionals to explore enhanced approaches to the planning, development and wellbeing of Town Centres as the hearts of urban settlements.

VOTING

Simple Majority

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

Moved Mayor Dawkins, seconded Cr Rowell

THAT Council approve attendance of the Manager Development Services at the CBD and Town Centre Design and Revitalisation Conference in Melbourne on 4 September 2014, and request that a report be provided within two months of the event.

Carried 8/0

10.2 REPORTS OF COMMITTEES**10.3 DEVELOPMENT SERVICES COMMITTEE MINUTES - 21 JULY 2014****10.3.1 NO. 18 (SURVEY LOT 1) JARRAD STREET - TWO STOREY ADDITION AND ALTERATIONS TO THE REAR OF AN EXISTING STRATA**

File Ref:	2932
Attachments:	18 Jarrad Aerial 18 Jarrad Plans 18 Jarrad Property Photos
Responsible Officer:	Carl Askew Chief Executive Officer
Author:	Ronald Boswell – Planning Officer Andrew Jackson – Manager Development Services
Proposed Meeting Date:	21 July 2014
Author Disclosure of Interest:	Nil
Property Owner:	Nick & Camilla Rea
Applicant:	Steelehouse Architecture
Date of Application:	8 May 2014
Zoning:	Residential R20
Lot Area:	870m²

SUMMARY

This application is seeking the following variations to the Council's Town Planning Scheme No. 2 (TPS2) and the Residential Design Codes (RDC):

- Reduced secondary street setback to Barsden St;
- Portion of additional height; and
- Visual privacy.

These aspects are discussed in this report and refer to plans received on 8 May 2014. The proposal otherwise complies with TPS2 and the RDC and retains the existing dwelling.

Given the assessment has been undertaken the recommendation is to conditionally approve the application.

PROPOSAL

This application is for a second storey addition and alterations to the rear of a single-storey dwelling, comprising:

- Upper-storey addition of three bedrooms, bathroom and playroom; and
- Partial enclosure of ground floor verandah to enlarge living room.

The second storey addition is a modern and streamlined box-shaped extension that introduces a contrast between the old and the new in terms of form and finish.

BACKGROUND

The existing character dwelling is of modest size and was sensitively extended and upgraded at single-storey level in recent years, making better use of the limited yard area for on-site parking and private open space and improving the presentation to the streets.

The main opportunity to add rooms is now to create a second storey element, which is proposed to the rear where it will not dominate the streetscape.

The traditional limestone plinth and higher ground floor ceilings means that height compliance is difficult to achieve. The architects have proposed a simple low- skillion roofline exceeding of the 7m height standard for flat-type roofs but significantly less than the 8.5m height for pitched roofs.

STATUTORY ENVIRONMENT

- Town Planning Scheme No. 2.
- Residential Design Codes.

PROPOSED LOCAL PLANNING SCHEME NO.3

No changes are proposed to the zoning or density of the lot.

APPLICATION ASSESSMENT

AREAS OF NON-COMPLIANCE

Town Planning Scheme No. 2

<i>Design Element</i>	<i>Permitted</i>	<i>Proposed</i>
5.1.1 Building height	Max. wall/roof height: 7m (RDC standard)	Wall/roof height: 7.56m

Residential Design codes

<i>Design Element</i>	<i>Permitted</i>	<i>Proposed</i>	<i>Performance Criteria</i>
5.1 – Street setback	1.5m from a secondary street.	1m from secondary street.	Clause 5.1.2 – P2.1 and P2.2
5.4. – Visual privacy	6m cone of vision from habitable rooms other than bedrooms and studies.	4.75m cone of vision from ground floor living room windows to eastern boundary.	Clause 5.4.1 – P1.1 and P1.2

ADVERTISING OF PROPOSAL

The application was advertised in accordance with TPS2, undertaken by the architects who wrote and presented plans to four adjacent neighbours; all of whom are satisfied with the proposal and have signed the plans in support.

APPLICANT'S COMMENT

A summary of the architects' justification for the variations sought is as follows.

Building Height

- *In the design there is no distinction between wall and roof as there is no eaves line by which to determine compliance with the 6m wall height standard.*
- *The upper floor is established by the 3.52m ceiling height of the existing house on the ground floor level which is raised above NGL.*
- *TPS2 state that "Variations may be permitted in the case of extension to existing buildings".*
- *The wall height does not impact on privacy, views or the amenity of the area.*
- *The addition is well setback from Jarrad Street and is hidden by street trees on Barsden Street.*
- *The dwelling has the appearance of a two-storey dwelling and does not exceed the maximum height permitted of 8.5m.*

Street Setback

- *A row of established Peppermint trees constricts a much narrower street compared to the property's primary street, Jarrad Street, and screens roofs from view on both sides of the street, therefore the upper floor will be hidden from sight.*
- *One parapet wall on the western boundary already exists.*
- *Setting the upper floor back further from the secondary street would require a portion of roof over the existing kitchen, which would break the expression of the new form and the intended clear separation of old and new.*
- *This contemporary extension will become part of the modern context of Barsden Street, similar in treatment to the house recently built at No. 11, whereby the prominent hard-edged expression is appropriate to an area undergoing change.*

Visual Privacy

- *There is an existing verandah at present occupying the space which is to become the living room and as it is within 7.5m of the lot boundary overlooking currently exists.*
- *Enclosing the space will reduce the openings, therefore improving visual privacy.*
- *Since overlooking currently exists, the neighbouring dwelling has provided screens to help provide privacy.*
- *The affected neighbour has indicated support for the development by signing the plans.*
- *Maintaining the present boundary treatment provision is sufficient to meet the minimum-standard performance criteria in the RDC.*

OFFICER'S COMMENT

The following technical assessment is provided.

Building Height

The calculation of building height is determined in relation to natural ground level (NGL). Variations may be permitted in the case of topography or extensions to existing buildings, recognising the need or desire to match existing levels and built form.

In this case the site survey plan NGL derived from the four corners of the built strata is RL 10.06m. The parapet wall/roof height for the upper-floor at its highest point exceeds the 7m standard by 0.56m. The architects and owners wish to have similar ceiling height on both levels and for the design to be in balance with the dwelling overall.

The height variation may be considered under the Design Principles of the RDC, which state:

Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:

- *adequate direct sun to buildings and appurtenant open spaces;*
- *adequate daylight to major openings to habitable rooms; and*
- *access to views of significance.*

Direct sunlight to open spaces, major openings and habitable rooms is not affected and views of significance are not restricted.

Jarrad and Barsden Streets contain a mix of single and two-storey dwellings with generally open frontages, and those on the western side of Barsden Street are elevated with more presence. In this context the rear of the existing dwelling is the appropriate location for a second storey addition where its height will tend to be absorbed into the streetscape.

Design-wise, it is assessed that although in plan-view the second storey element has a fairly bold mass, in reality it will be seen in perspective, whereby from the front it will be set well back and weighted by the existing dwelling which has a strong roof line, while at the rear it will be legible geometrically. From Jarrad Street the transverse extension will reflect and replace the transverse ridgeline of the adjacent northern strata dwelling.

Although technically the second storey could be designed to the 7m height with a flat roof and lower ceiling, that would result in a rudimentary design and squatter aesthetic. The alternative of a six metre two-storey wall height and 8.5m high pitched roof ridge would have a similar effect in terms of bulk and scale, also arranged transversely with the longer ridgeline visible from Jarrad Street and possibly gabled ends facing Barsden Street and to the eastern elevation.

It is considered that the half a metre of extra height for the low-pitched sloping roof wouldn't cause any significant impact and would afford a sense of relief to the addition in distinguishing it from the original dwelling. This is consistent with an architectural trend for cottage extensions that have a controlled degree of flair in order to contrast the new and old elements, with successful examples dotted around the inner suburbs.

Street Setback

The second storey has a reduced setback of 1m to Barsden Street as the secondary street, rather than the required setback of 1.5m. However, this reduced setback is to

allow a design effectively flush with the existing ground floor setback, which performs satisfactorily in relation to the street and sunken site.

This variation may be considered under the Design Principles of the RDC, which state:

Building setback from street boundaries an appropriate distance to ensure they:

- *contribute to, and are consistent with, an established streetscape;*
- *provide adequate privacy and open space for dwellings;*
- *accommodate site planning requirements such as parking, landscape and utilities; and*
- *allow safety clearances for easements for essential service corridors.*

Buildings mass and form that:

- *uses design features to affect the size and scale of the building;*
- *uses appropriate minor projections that do not detract from the character of the streetscape;*
- *minimises the proportion of the façade at ground level taken up by building services, vehicle entries and parking supply, blank walls, servicing infrastructure access and meters and the like; and*
- *Positively contributes to the prevailing development context and streetscape.*

Although second storeys are often indented, in this instance the upper level is not extensive and presents its narrower dimension of 7.9m to the side street, while the modern design would appear more logical as proposed rather than setback, with the bulk and scale being ameliorated by the adjoining northern property and screened by the dense street trees.

The proposal is compatible with the pattern of rear strata subdivision and development on both corners of Jarrad and Barsden Streets having reduced setbacks, and references other modern dwellings in the street. Also, the addition does not affect private open space provision or vehicular sight lines.

On this basis the side setback can be supported.

Visual Privacy

Overlooking from the ground floor living room extension created by enclosing part of the verandah is because the pre-existing cone of vision is less than the basic standard. However, as the raised verandah currently allows wide overlooking, the room enclosure will actually improve privacy from the new internal space with sections of wall and window.

This visual privacy variation may be considered under the Design Principles of the RDC, which state:

Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:

- *Building layout and location;*
- *Design of major openings;*

- *Landscape screening of outdoor active habitable spaces; and/or*
- *Location of screening devices.*

In this respect the design does not bring the building any closer to the eastern property and the upper level is cantilevered above to shield the lower section; whilst the affected neighbour has raised no objection and supports the application.

The second storey complies with privacy requirements through obscure glazing and direct outlooks only to the streets rather than neighbours.

CONCLUSION

The site and existing dwelling are relatively small and the four strata dwellings on the two corners have a tight-knit character. Renovations and extensions are common in Cottesloe to preserve existing dwellings yet provide more accommodation and facilities. Modern architect-designed additions to older-style dwellings are also common in order to preserve primary streetscapes whilst enhancing the amenity of the dwellings.

At the same time variations can be achieved to suit an existing dwelling and the use of its lot without unduly compromising planning parameters or affecting neighbouring properties.

In this case the setback concession is to a secondary street rather than adjacent to a neighbour and privacy on the ground floor is to be improved. The height proposed is technically non-compliant yet capable of being allowed and would appear reasonable in the streetscape as a rear element.

The proposal otherwise satisfies TPS2 and the RDC and is fully supported by surrounding neighbours. Overall, approval as proposed is recommended.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee being content with the officer report and comments by the architect supported the proposal as recommended.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Downes, seconded Cr Birnbrauer

THAT Council GRANT its Approval to Commence Development for the proposed second storey addition and alterations to the rear of an existing strata at 18 Jarrad Street, Cottesloe in accordance with the plans received 8 May 2014, subject to the following conditions:

- 1. All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. – Construction sites.**

2. The external profile of the development as shown on the approved plans not being changed, whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of Council.
3. Air-conditioning plant and equipment shall be located closer to the dwelling than adjoining dwellings, and suitably housed or treated as may be necessary to ensure that sound levels do not exceed those specified in the Environment Protection (Noise) Regulations 1997.
4. All water draining from roofs and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site where climatic and soil conditions allow for the effective retention of stormwater on-site.
5. 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.
6. The exterior cladding materials, patterns and colours, including window frames and glazing, shall be to the satisfaction of the Manager Development Services, and the details shall be included in the Building Permit application for approval.

Advice Notes:

1. The owner/applicant is responsible to apply to the Town for a Building Permit and to obtain approval prior to undertaking construction of the development.
2. The owner/applicant is reminded of their obligation under the Strata Titles Act which may require consent from the adjoining strata owners or Strata Company before commencing any work on site. This is separate from the planning approval process.

Carried 8/0

10.3.2 LOT 18 NO. 29 NAPOLEON STREET - EXTENSION OF SMALL BAR TRADING HOURS

File Ref: PUB/25
Attachments: [Applicant Justification](#)
[Minutes 2010](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Andrew Jackson
Manager Development Services
Proposed Meeting Date: 21 July 2014
Author Disclosure of Interest: Nil

SUMMARY

A development application has been received to extend certain hours of trading for Elba small bar in Napoleon Street, given that the original planning approval limited the hours of operation. This would apply to both inside the premises and the footpath alfresco licensed area.

The proposal is made in the context of the Liquor Control Act provisions for small bars. Copies of the supporting submissions from the proprietor are attached.

BACKGROUND

Council on 22 February 2010 granted planning approval for a change of use to allow a small bar at 19 Napoleon Street (Minutes attached). Particular conditions related to its operation, including:

- *The proposed development complying with the definition of a 'small bar' in accordance with the Liquor Control Act.*
- *The hours of operation being between 12.00pm to 12.00am, seven days a week only.*
- *No live or other amplified music is to be played from the premises.*
- *Food is to be available to patrons during trading hours.*

Elba has now been trading for four years and is a popular venue for mainly local clientele. The liquor licence permits up to 75 patrons inside and 20 in the alfresco area.

The liquor legislation provides for Extended Trading Permits (ETP) for occasional functions to enable longer trading, which Elba has taken advantage of from time-to-time. Elba now seeks ongoing planning and liquor licence approvals to trade one additional hour from midnight on Fridays and Saturdays only, whether for patrons generally or functions.

The Town has not been opposed *per se* to the extra two hours total of trading sought at weekends, and has raised no specific objection to each temporary ETP in itself, but has pointed out the inconsistency with the limit on hours of operation under the

planning approval, and suggested an amendment development application to address the matter.

STRATEGIC IMPLICATIONS

Council has supported small bar and food-based licensed premises as lower-key drinking establishments with reduced social impacts.

POLICY IMPLICATIONS

Council's Liquor Licence Policy promotes appropriate liquor controls.

STATUTORY ENVIRONMENT

- Metropolitan Region Scheme and Municipal Planning Scheme.
- Liquor Control Act.

FINANCIAL IMPLICATIONS

Nil.

CONSULTATION

In terms of this planning application further consultation has not been undertaken given:

- The consultation when initially assessing the proposed small bar and the positive feedback received.
- The testimonials cited in the current application.
- The limited nature of the change sought.
- The additional trading would occur when businesses are closed.
- The absence of complaints about night-time trading.
- The Department of Racing, Gaming & Liquor (DRGL) process to amend the liquor licence entails consultation with nearby properties and the public, which has apparently occurred with little or no objection.

STAFF COMMENT

Current ETP for Extended Hours

A small bar licence authorises the sale and supply of liquor for consumption on the premises only, ie there is no take-away liquor, and food is to be available at all times. The permitted trading hours are the same as for hotels and taverns, as below. Note that the planning approval for Elba limits opening to noon.

Day	When		General Conditions
	Open	Close	
Monday to Saturday	6.00am	midnight	
Sunday	10.00am	10.00pm	
New Year's Eve (Monday -	6.00am	2.00am New Year's Day	

Saturday)			
New Year's Eve (Sunday)	10.00am	2.00am New Year's Day	
Good Friday	12.00pm	10.00pm	(ancillary to a meal only)
Christmas Day	12.00pm	10.00pm	(ancillary to a meal only)
ANZAC Day	12.00pm	midnight	

The predominant trading hours for Elba are similar to other licensed premises in the Town Centre, including Lamonts and the Albion Hotel, which to date have not had a desire to trade after midnight. The additional hour on Fridays and Saturdays would not be mandatory, with trading until then being dependent on patronage, the weather and bookings for functions. The practical benefit is that it would provide flexibility without the necessity to apply for an individual ETP for each occasion.

Elba has operated essentially satisfactorily as a quality venue. Whilst there was some settling-in in relation to adjacent businesses during the day-time, there have not been complaints associated with night-time trading and the venue has added to the handful of evening licensed food and beverage establishments in the street.

Overall the small bar is well-managed and health requirements are adhered to. Parking is readily available at night in the Town Centre, with convenient access to taxi, bus and train services. There is CCTV in Napoleon Street.

When the applicant commenced the DRGL process for the extra trading, the timeframe for a response did not enable reporting to Council, however, the proposal was discussed informally by the Development Services Committee. Aspects considered included:

- Existing and future residential development in the Town Centre and the need to limit amenity impacts.
- Whether there is a demand for drinking beyond midnight in this local Town Centre, which is not a late-night entertainment precinct.

The Town therefore advised that it did not support the ETP application for the one hour longer trading every Friday and Saturday night, pending determination of a corresponding planning application.

It is now concluded that the development application can be supported by Council, and hence the associated ETP can be unopposed by the Town, as the nature and extent of the additional trading is relatively minor and low-risk.

The other conditions of the existing planning approval remain and compliance with the *Environmental Protection (Noise) Regulations 1997* is a standard requirement. A condition could be added to require clean-up of the public domain and private walkway at the end of every night.

As a safety net, under the liquor controls, should the early morning trading become problematic, complaints lodged by the Town or others may lead to review of the “permanent” ETP by the DRGL and its withdrawal, despite the planning approval.

Prospective ETP for Dining Variation

The applicant’s submission also discusses proposed variation of the separate alfresco ETP to relax the requirement for serving alcohol only with a main meal. That proposal is yet to be formalised via the DRGL and referred to the Town with more information. It is considered premature to support this proposition and the Town’s reservations are that:

- Allowing drinks to be served in a public place without a meal appears at odds with the efforts of the Federal and State Health Departments to reform Australia’s drinking culture and reduce alcohol-related harm.
- The alfresco area could become a make-shift smoking area in a public thoroughfare.
- Potential impacts from patron noise/behaviour and smoking during daytime when businesses are open.

Hence at this juncture the Town should advise the applicant accordingly, whereby if the proposal is pursued it would be subject to further assessment with input from the applicant and the DRGL.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee considered that the marginally extended hours were acceptable and noted that parking was ample at night-time, hence was supportive of the proposal. In relation to the prospective application to relax the provision of meals in the alfresco area, Committee sought clarification about the food service rules, as well as smoking controls, to which the Manager Development Services and applicant responded. In conclusion Committee endorsed the recommendations.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Downes, seconded Cr Birnbrauer

THAT Council, further to its development approval granted on 22 February 2010 for a small bar (trading as Elba) at 29 Napoleon Street, Cottesloe:

- 1. GRANT its planning consent for the hours of operation to be amended to:**
 - (i) between noon to midnight Monday to Thursday and Sunday; and**
 - (ii) between noon on Friday to 1:00am Saturday and noon on Saturday to 1:00am Sunday.**
- 2. Add the following condition to the approval:**

Upon closing time of the small bar each day, the proprietor shall ensure that the adjacent public domain area (ie footpath, roadway and shopfronts) and private walkway are cleaned of any litter, debris or spillages, including cigarette butts, to the satisfaction of the Town.

3. Advise the applicant that at this stage it is not in a position to support the prospective Extended Trading Permit to vary the alfresco dining controls to allow drinks without a main meal or food.

Carried 8/0

Cr Downes declared an impartiality interest re item 10.3.3 Nos. 42 & 48 John Street, as her husband is related to the property owner, and stated that as a consequence there may be a perception that her impartiality may be affected, and declared that she would consider the matter on its merits and vote accordingly.

10.3.3 NOS. 42 & 48 (LOTS 301, 31 & 32) JOHN STREET ('PINE LODGE' & 'NOVAS') – ALTERATIONS, ADDITIONS AND ASSOCIATED DEMOLITION

File Ref:	2721
Attachments:	Property Aerial Confidential Plans 16 July 2014 Heritage Review of Novas Neighbour Consultation by Applicant Property Photos
Responsible Officer:	Carl Askew Chief Executive Officer
Author:	Ed Drewett Senior Planning Officer
Proposed Meeting Date:	21 July 2014
Author Disclosure of Interest:	Nil
Property Owner:	Nicola Forrest
Applicant:	Carrier & Postmus Architects
Date of Application:	19 July 2013 (amended 16/7/14)
Zoning:	Residential
Use:	P – A use that is permitted under this Scheme
Lot Area:	3106m² (following amalgamation)
M.R.S. Reservation:	Not applicable

SUMMARY

This application has been assessed specifically in the context of the heritage significance of both affected properties in addition to relevant statutory planning provisions.

The documentation submitted has evolved following Council's decision to defer the application at its meeting on 26 August 2013 to enable the applicant to liaise with the Town towards a more acceptable design solution taking into account the heritage and planning considerations as outlined in the previous report.

The applicant has significantly amended the proposal and has received preliminary support from the Heritage Council of Western Australia (HCWA) which is required to consider whether the nature, extent and design of the proposal are appropriate for a property of such high heritage significance.

Given the assessment that has been undertaken, the recommendation is to conditionally approve the amended plans received on 16 July 2014.

PROPOSAL

A summary of the proposed works is as follows:

Demolition

- Demolition of a dwelling (excluding the carport) on Lot 32, 48 John Street, also known as 'Novas', which is listed on the Town's Municipal Inventory (Category 3);
- Demolition of the double carport on Lot 301, adjoining Pine Lodge;
- Demolition of the northern (1980s) addition and associated internal walls to Pine Lodge;
- Demolition of a portion of solid wall along the front boundary; and
- Removal of two crossovers.

Proposed construction

- New pavilion and terraces to northern portion of site;
- New covered entry/walkway and screen walls;
- New below-ground accommodation and parking area;
- New pool and deck;
- Reconfiguration of ground floor internal walls to existing kitchen, laundry and bedroom;
- Open-aspect fencing along front boundary;
- New pool pavilion and trellis;
- Extended lawn area on eastern side of dwelling;
- Extension to existing side boundary walls; and
- Landscaping.

STRATEGIC IMPLICATIONS

Heritage is recognised as a cornerstone of the character and amenity of Cottesloe, which Council aims to foster through the planning approvals process and related measures.

POLICY IMPLICATIONS

- WAPC SPP 3.5 Historic Heritage Conservation

STATUTORY ENVIRONMENT

- Heritage of Western Australia Act 1990
- Town Planning Scheme No. 2
- Residential Design Codes
- Fencing Local Law

PROPOSED LOCAL PLANNING SCHEME NO. 3

No change to the existing zoning or density coding is proposed.

HERITAGE LISTING

Pine Lodge

- State Register of Heritage Places
- TPS2 – Schedule 1
- Municipal Inventory (MHI) – Category 1
- Register of the National Estate
- National Trust Classification

Novas

- Municipal Inventory – Category 3

CONSULTATION

The applicant sent letters by registered post to 5 adjoining properties (Nos. 3,5,7,9 Loma Street and 50 John Street) in April 2014 and again in June 2014 for the amended proposal and has provided a summary of responses following the April consultation period.

Advertising closed on 14 July 2014. No written submissions have been received following notification of the current proposal, although the adjoining eastern neighbour has verbally advised that they have no objection to the construction of a new wall on the eastern boundary or to the proposed raised planters, retaining walls and privacy screens.

BACKGROUND

On 24 July 2013 planning approval and written consent for alterations and additions to the side and rear landscaped areas, modifications to the rear basement garage, relocation of the gazebo, new internal screen walls and modifications to the side and rear boundary walls was approved under delegation. These works were generally on the western side of the site, whereas the current application is for works predominantly on the eastern and northern sides.

On 26 August 2013 Council considered a further application for single and two-storey alterations and additions, landscaping, fencing and a pool, and resolved that:

Council DEFER determination of the development application for Pine Lodge at No. 42 (Lots 301 and 31) John Street, Cottesloe, based on plans received on 18 and 26 July and 13 August 2013, to enable the applicant to liaise with the Town towards a more acceptable design solution taking into account the heritage and planning considerations as outlined in the report.

The applicant subsequently purchased the adjoining eastern lot (48 John Street) which has been incorporated into the current proposal.

HERITAGE CONSIDERATIONS

The applicant has submitted an overview of the proposed development and a Heritage Impact Statement prepared by Griffiths Architects in support of the proposal. The latter is a brief statement which:

- summarises the heritage classifications and associated values of the places;
- identifies that the extent of demolition to Pine Lodge is to recent additions of no real heritage worth, with little impact on important heritage fabric; and
- identifies that the inclusion of 'Novas' (48 John Street) on the Town's MHI at Management Category 3 does not preclude demolition and that its removal (excluding carport) allows all of the new accommodation to be made relatively low impact and reveals much more of Pine Lodge in an enhanced setting.

Assessment framework

There is a well-defined planning and heritage framework for assessment of the proposal, which includes the HCWA. This framework guides consideration of the design approach to the heritage place. The Burra Charter is a further guide to the heritage dimension, including consideration of the most appropriate design approach to combining the old with the new.

Together with the planning technical assessment involved (ie development requirements or standards) the heritage values and classification of a property have a significant bearing on the consideration of a proposal and the extent to which it is acceptable or may warrant some design modifications or conditions of approval.

In this instance, there is a strong collection of heritage instruments and classifications relating to the place and they provide guidance on how the assessment of proposals should be approached and the values of the place to take into account.

Western Australian Planning Commission's (WAPC) Heritage Policy

The WAPC State Planning Policy (SPP) 3.5 Historic Heritage Conservation was gazetted in 2007. Its objectives are:

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

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

It also specifies policy measures and the means for their implementation and requires local governments to have regard to specific matters relating to heritage in considering applications for planning approval.

Those matters relevant to the proposed development include:

- the conservation and protection of any place or area that has been registered in the register of heritage places under the Heritage Act or is the subject of a conservation order under the Act, or which is included in the heritage list under a Scheme;
- whether the proposed development will adversely affect the significance of any heritage place or area, including any adverse effect resulting from the location, bulk, form or appearance of the proposed development;
- the level of heritage significance of the place, based on a relevant heritage assessment;

- measures proposed to conserve the heritage significance of the place and its setting; and
- the structural condition of the place, and whether the place is reasonably capable of conservation.

The Policy also requires that the following development control principles should be applied for alterations or extensions affecting a heritage place:

- development should conserve and protect the cultural significance of a heritage place based on respect for the existing building or structure, and should involve the least possible change to the significant fabric;
- alterations and additions to a heritage place should not detract from its significance and should be compatible with the siting, scale, architectural style and form, materials and external finishes of the place. Compatibility requires additions or alterations to sit well with the original fabric rather than simply copying or mimicking it; and
- development should be in accordance with any local planning policies relating to heritage.

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

Proposals should aim to meet this overarching policy guidance, satisfy the heritage values associated with the particular place under its heritage classifications, and address the heritage-related requirements of the local government's planning scheme and policies.

State Heritage Register

Pine Lodge is listed in the HCWA's State Register of Heritage Places, wherein the *Statement of Significance* for the place provides the following description:

Pine Lodge, a single-storey Federation Queen Anne style brick house with cellars and a corrugated iron clad roof, extensive verandahs and a viewing belvedere, has cultural heritage significance for the following reasons:

- *the place is a finely designed and executed substantial single-storey residence with a prominent belvedere in the Federation Queen Anne style, set in expansive grounds, and displaying quality craftsmanship;*
- *the place was designed by eminent architect Edwin Summerhayes for William Zimpel, a prominent furniture merchant and manufacturer. The business he established operated in Hay Street, Perth, from the 1880s to the 1960s;*
- *the place is representative of the residential development of the Peppermint Grove, Cottesloe and Swanbourne areas, in particular the establishment of*

large family homes and grounds following the increase in population and prosperity associated with the gold discoveries of the 1890s; and

- *the place's setting is a well known feature of the suburb of Cottesloe and contributes to this community's sense of place; and, the pine trees in the grounds of Pine Lodge and the associated trees in John Street are representative of the garden suburb movement of the early twentieth century, when the Forestry Department provided a variety of seedlings free of charge for planting in public spaces.*

The clinker brick wall and the 1980s additions are considered to have little cultural heritage significance.

Heritage Council's comment

The HCWA has provided the following findings to the applicant in respect of the plans submitted by the applicant in March and June 2014:

March plans

- *We note that the fabric to be demolished, including the existing living room, carport, sections of boundary wall and swimming pool were built post-1980 and their demolition will have no adverse impact on the cultural significance of the place;*
- *The proposed pavilion to the north is contemporary in style, materials and form, distinguishing it as a new addition. The addition is single storey which identifies it as subservient accommodation to the main house.*
- *Landscaping works including the removal of the existing carport and continuing the permeable fence may enhance the overall setting of the place;*
- *The covered drop-off area and screening walls are at single storey height and significantly set back from the street. The flat roof and walls are at a lower height than the existing carport which is to be demolished. The position, scale and form is considered appropriate in relation to Pine Lodge;*
- *The eastern addition is partially below-ground and will not have an impact on the existing streetscape;*
- *We note that views of the Pine Lodge from along the street will not be compromised by the current proposal;*
- *The Statement of Significance identifies the setting as a well-known feature of the suburb and contributes to the community's sense of place. The proposal will not have an adverse impact on the identified value of the registered place; and*
- *The proposed works, in accordance with the plans submitted, could be supported.*

June plans

- *The drawings provided are a revised version of the scheme submitted to the State Heritage Office in March 2014;*
- *We note that the plans indicate minor changes to the previous scheme only, which will not have further adverse impact to the registered place;*
- *Our previous findings from March 2014 are unchanged; and*
- *The proposed works, in accordance with the plans submitted, could be supported.*

The plans received on 27 June 2014 were also referred to the HCWA by the Town and, in addition to the above advice, the HCWA has confirmed that the plans are supported.

The amended plans received on 16 July 2014 have also been referred to the HCWA and comments are awaited. However, as the amendments are relatively minor it is anticipated that the advice will be unchanged.

Town Planning Scheme No. 2 (TPS 2)

Pine Lodge is included in Schedule 1 of TPS 2, which is the highest heritage listing available in terms of local government heritage control, as a scheme has the force and effect of law, ie affording heritage protection.

The Schedule lists the property as follows:

- *House No. 42 John Street – Large brick and iron house with gazebo constructed circa 1900. Classified by the National Trust.*

This invokes Part 6 of the Scheme: *Conservation and Preservation of Places of Natural Beauty and Historic Buildings and Objects of Historic or Scientific Interest*, requiring Council's written consent to proposals in addition to a planning approval under Part 7. Broadly, Part 6 requires virtually any change to such a place to receive Council's consent, and in practice the making of a development application enables that step to be addressed.

Part 6 states that:

The Council considers that the places of natural beauty, and historic buildings, and objects of historic or scientific interest in Schedule 1 should be conserved and preserved.

The matters covered requiring Council consent include to:

- *clear, excavate or fill any land;*
- *fell, remove, kill or irreparably damage any tree;*
- *erect any fence;*
- *commence or carry out any renovation, modification, refitting, decoration or*

- demolition of any building; and*
- alter or remove any building or object or any part thereof.*

Clause 5.1.2 of TPS 2 requires Council in considering a proposed development in relation to heritage to have regard to:

- the need for preservation of existing trees or areas or buildings of architectural or historical interest;*
- the choice of building materials and finishes where these relate to the preservation of local character and the amenity of the area generally;*
- the need for limitation of height or location of buildings to preserve or enhance views; and*
- the dispersal of building bulk into two or more separate buildings on a lot in order to minimise the effect of building bulk.*

As a further criterion, Clause 5.1.5 of TPS 2 requires that a *building be designed, constructed and finished so that its external appearance does not disfigure the locality, lack harmony with the exterior design of neighbouring buildings or tend to depreciate the value of the surrounding properties.*

Municipal Heritage Inventory (MHI)

Pine Lodge is classified as Category 1 in the Town's MHI, which is defined as:

Highest level of protection: included in the State Register of Heritage Places, provides maximum encouragement to the owner to conserve the significance of the place. Photographically record the place.

The MHI description of the place is as follows:

An elegant Victorian 'Queen Anne' bungalow c. 1896 of tuck pointed brick with an iron roof. Sheltered by wide verandahs with large turned posts of regular square section frieze it has a belvedere to the south-west corner with pressed zinc cladding and candle-snuffer roof. The front sitting room has a bay window with casement windows. The main bedroom and dining room have bay windows with double-hung floor-to-ceiling window/doors with side windows. The front door has exquisite original leaded stained glass of a country scene. The carved mantelpieces came from Zimpel's own factory. The house has had two renovations. One c.1980 when the Georgian windows to the ballroom's north wall and the brick courtyards were added. The second c.1982 by D. Erickson saw the kitchen and cellars enlarged and the easting extensively remodeled adding the poolroom, three bedrooms and the eastern verandah. At this time the library was turned into a walk-in wardrobe and bathroom. The older bathrooms were demolished and two new ones, a guest pantry, sunroom and cloakroom created. Detailing in the old section of the house was copied. Stained glass windows and doors from the old National Mutual House were incorporated into the poolroom which has multi-paned French doors echoing those in the ballroom. Underground garages were created next to the cellar. The old stables were demolished to make way for a tennis court.

Pine Lodge is one of the grandest heritage places in Cottesloe. Together with Kulahea, Belvedere, Tukurua and Le Fanu, it is one of a handful of stately period dwellings/properties around the district that stand out from others, each being of unique historical design with distinctive features and in most cases set in prominent positions and/or on larger sites.

All of these distinctive places have been saved, as well as undergone conservation works and various additions in more recent times. The earlier tendency has been for additions copying the style of the original dwellings, while lately the trend has been for additions of contemporary design. The approach has been to extend the dwellings to the rear and side, whereby the additions are either largely concealed from view or read as logical from the street. Although there have been some upper-level additions, they have tended to be minor. There has been very little by way of forward additions to these places, and none detracting from the dominance of the original dwellings to their streetscapes.

From an analysis of the proposed design the following is observed:

- the portions of the existing dwelling to be demolished or modified are later additions, which will not be detrimental to the heritage of the place;
- the proposed modern rear additions, being single-storey above ground with a basement, are capable of being absorbed by the site and would be mostly hidden from view from the street; and
- The new covered entry/walkway and screen walls are located behind the 6m front setback area and will have a low-profile so as not detract from the heritage and visual significance of Pine Lodge.

Novas (48 John Street) is Category 3 in the Town's MHI, which is defined as:

Retain and conserve if possible: endeavour to conserve the significance of the place through the provisions of the Town Planning Scheme. Photographically record the place prior to any major redevelopment or demolition.

The MI description of the place is:

"Novas", Hipped iron roof with a small gablet to the front, 1913. Verandahs to half the west and all the south face. It has a separate hipped roof to the verandah. The double-hung windows are floor to ceiling window/doors. The front door has a large central light with a pair above and a fanlight but no side lights. The walls are tuck pointed red brick. The gable has a carved wooden finial. The corbelled chimney stack has a holey terracotta pot similar to that in nearby 86 Forrest Street.

The Town engaged another heritage consultant to also consider the proposal for demolition, whose advice concurs with the applicant's justification for the demolition of 'Novas'. The Consultant's conclusion states:

We do not believe the place has sufficient heritage value in its own right to be upgraded to Category 2 in the Municipal Inventory or to warrant retention. It is appropriately assigned as a Category 3 place, a category which generally comprises places of some streetscape value.

Given the existing TPS2 provisions, which do not extend to Category 3 places and the fact that John Street has been subject to change and lacks a homogenous built form character, we consider there are insufficient grounds to refuse the demolition on heritage grounds.

Overall, the Officer conclusion, together with the Town's heritage consultant's advice, is that the revised proposal, including the demolition of 'Novas', satisfactorily addresses the heritage aspects of the site and can be supported.

PLANNING ASSESSMENT

In addition to the heritage requirements, the following comments are made with respect to a technical assessment of the revised proposal under TPS 2 and the RDC:

- The proposed development complies with Council's front setback and building height requirements;
- Building setbacks comply with the RDC;
- The proposed retaining wall adjoining the eastern boundary is up to 1.4m high above the proposed footpath level and will be inaccessible except for garden maintenance. A steel balustrade will be constructed above the retained area with trees planted to provide natural screening. As such, the proposed 1.5m setback to the eastern boundary complies with the deemed-to-comply requirements of the RDC;
- From the eastern boundary, 1.6m high landscaped walls and privacy screens are proposed with setbacks ranging from 1.1m to 3.2m in order to provide adequate visual privacy screening to the eastern property and to comply with setback requirements;
- Any overlooking from the remainder of the terrace will only be possible at an acute angle and restricted to the side of the adjoining dwelling, rather than directly into major openings or active habitable spaces;
- Retaining along the eastern boundary will not exceed 0.5m which complies with the RDC;
- A portion of the existing northern boundary wall adjoining the right-of-way will be raised in two sections behind Lot 32, in order to provide additional privacy to the occupants and neighbours and to match the existing over-height wall at the rear of Pine Lodge;
- A new boundary wall is proposed along the eastern common boundary to replace a section of wall that is currently on the neighbour's lot;
- The new section of wall and sliding gates along the front boundary will be of an open-aspect design to match the existing walls and comply with the Fencing Local Law; and
- Private open space of 52% is proposed on the amalgamated site which complies with the RDC.

CONCLUSION

Council is the authority to determine this planning application under its Scheme and in doing so is required to have regard to the advice of the HCWA, which has been supportive of the previous and the revised proposals.

The amended design submitted on 16 July 2014 is significantly different to the original proposal considered by Council in August 2013. The location of the proposed development behind the front setback area, subtly integrating with Pine Lodge without mimicking it, and with reduced bulk and scale, a large open pool, uncovered terraces, lawn and creative landscaped areas should all contribute to the prevailing streetscape as well as satisfy State and local heritage requirements.

The amended proposal will also have less impact on the amenity of adjoining residents than the original proposal, which is reflected in the absence of any submissions received during consultation on and advertising of the proposal.

In conclusion, taking into account the advice of the Town's heritage consultant raising no objection to the demolition of 'Novas', and the heritage and planning assessment of the proposed development by the HCWA and Officers, it is recommended that the revised proposal be supported.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee noted the request that for privacy the item be considered *in camera*, which the Manager Development Services advised was reasonable.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Downes, seconded Cr Birnbrauer

THAT, subject to support from the Heritage Council of Western Australia of the revised plans, Council GRANT its Written Consent and Approval to Commence Development for the proposed alterations and additions, including below-ground accommodation and parking area, new vehicular entry, raised pavilion and terraces, covered walkways, boundary fencing, landscaping, a pool and demolition works at 42 and 48 John Street (Lots 301, 31 and 32) as shown on the revised plans submitted on 16 July 2014, subject to the following conditions, all to the satisfaction of the Manager Development Services:

- 1. Prior to any demolition, a full photographic and documented record, both internally and externally of the affected areas to be demolished, shall be compiled and submitted to the Town as a heritage record.**
- 2. The external profile of the proposed development as shown on the approved plans shall not be changed, whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of the Council and any approvals as required under the relevant heritage classifications.**
- 3. All boundary walls facing the northern right-of-way shall be properly finished-off.**

4. All water draining from roofs and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site, where climatic and soil conditions allow for the effective retention of stormwater on-site.
5. Wastewater or backwash water from the swimming pool filtration system shall be contained within the property and disposed of into adequate soak-wells. A soak-well system shall be installed to the satisfaction of the Environmental Health Officer, with a minimum capacity of 763 litres and located a minimum of 1.8 metres away from any building or boundary. Wastewater or backwash water shall not be disposed of into the Council's street drainage system or the Water Corporation's sewer.
6. The pool pump and filter shall be located closer to the existing dwelling than the adjoining dwellings, and suitably housed or treated as may be necessary, so as to ensure that environmental nuisance due to noise or vibration from mechanical equipment is satisfactorily minimised to within permissible levels outlined in the Environmental Protection (Noise) Regulations 1997.
7. Any air-conditioning plant and equipment shall be located closer to the existing dwelling than the adjoining dwellings, and suitably housed or treated as may be necessary, so as to ensure that sound levels emitted shall not exceed those outlined in the Environmental Protection (Noise) Regulations 1997.
8. The Building Permit plans shall include details of all external plant, equipment or infrastructure, including all proposed installations to the roof, and shall demonstrate how those fixtures are to be located, housed, screened or treated to achieve visual and acoustic amenity and to respect heritage.
9. A comprehensive Demolition and Construction Management Plan shall be submitted to the satisfaction of the Town prior to the issue of a Demolition Permit or a Building Permit, and shall address (amongst other things): maintaining lane access for residents; traffic management and safety for the streets, lane and site; worker parking, including off-site parking in consultation with and approval by the Town; and verge and tree protection.
10. All construction work shall be carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.
11. All street trees (which comprise heritage-listed Norfolk Island Pine trees) shall be protected at all times from the demolition and construction activities and any stockpiled materials shall be kept clear of the trees and not built up around or leant against their trunks.
12. The existing redundant crossovers shall be removed and the verge, kerb and all surfaces made good at the applicant's expense to the satisfaction of the Manager Engineering Services.

13. The applicant applying to the Town for approval to construct the proposed crossovers, in accordance with the Town's specifications, as approved by the Manager Engineering Services or an authorised officer.
14. Any damage within the road reserve occasioned by the demolition and construction activities shall be rehabilitated to the specification and satisfaction of the Town at the cost of the owner.
15. Lots 301, 31 and 32 shall be amalgamated into one lot prior to occupation of the completed development.
16. The fencing and sliding gates within the front setback area shall be of an open-aspect design as proposed in accordance with the Town's Fencing Local Law to the satisfaction of the Manager Development Services.
17. In order to provide sufficient privacy to the adjoining property to the east, the owner/applicant shall plant semi-mature, dense vegetation along the eastern boundary as shown on the approved plans. This vegetation shall be to the satisfaction of the Manager Development Services and shall be kept and maintained in good condition in perpetuity, including being replaced and re-grown over time if necessary.
18. The owner/applicant shall be responsible for producing a comprehensive dilapidation report, to the satisfaction of the Town, to ascertain and monitor any damage caused to the eastern neighbouring property as a result of the demolition and construction works, with copies being provided to the Town and the neighbour in order to consider any repairs required.

ADVICE NOTES:

1. This approval is to the proposed demolition, development and restoration works as required only. All future proposals for the property are subject to further applications, approvals and consents as required by the Town and any heritage classifications of the property.
2. The owner/applicant is responsible for ensuring that all lot boundaries shown on the approved plans are correct and that the proposed development occurs entirely within the owner's property.
3. It is advised that a written agreement with the neighbour/s should be made before undertaking changes to the dividing fence, as per the Dividing Fence Act 1961.

Carried 8/0

10.4 WORKS AND CORPORATE SERVICES COMMITTEE MINUTES - 22 JULY 2014**10.4.1 REVIEW OF SUSTAINABLE TRAVEL ALLOWANCE POLICY (STAFF)**

File Ref: SUB/1628
Responsible Officer: Andrew Jackson
Manager Development Services
Author: Melissa Rachan
Sustainability Officer
Proposed Meeting Date: 22 July 2014
Author Disclosure of Interest The author has an interest in the matter as it relates to all staff working entitlements.

SUMMARY

In December 2013 Council approved a Sustainable Travel Allowance (STA) policy for staff members with the condition that it is trialled and reviewed in July 2014.

The allowance provides a financial incentive to encourage staff members to commute to work via sustainable means, inclusive of public transport, cycling, walking, car pooling or any other means that do not produce greenhouse gas emissions. The existing allowance is \$5 per one way trip greater than 2km, in line with the current cost of Transperth fares.

The purpose of this report is to provide Council with the findings from the policy's trial period.

BACKGROUND

The Town has committed to becoming Carbon Neutral by 2015 and maintains ongoing efforts to reduce its greenhouse gas emissions. Annual reporting of Council-related emissions reveals that fuel is the largest contributor to the Town's environmental footprint. This can be attributed to commuting via car and private use of Council-owned vehicles. As a result, the STA was introduced as a key initiative to encourage staff to travel to work via sustainable means and consequently decrease the emissions produced by Council operations and activities.

The rates for the 2013/14 financial year were:

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

These amounts are based on the cost of a 4 zone (the average distance staff travel from home to work as per staff survey) Transperth fare. The cost should remain the same for the 2014/15 financial year with rates reviewed annually in line with CPI and/or Transperth rates.

A similar scheme has been successful at the City of Subiaco. Since 2006, when the scheme was implemented, there has been a 61% uptake by staff members of the \$9 per day (after tax) allowance. Other councils/organisations with a STA include the City of Swan; the City of Belmont (currently rolling out); and St John of God hospital.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

The primary objective of the STA policy compliments and assists in achieving the objectives outlined in the Town's Climate Change (Human Enhanced) policy, specifically:

4.3. In order to achieve outcomes and engage in 'best practice' climate change management processes the Town will set, and work towards, internal targets for greenhouse gas emissions reduction.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation. Prior to the trial period the estimated expense to Council was in the range of \$6,000-\$10,000 per year. With the conclusion of the trial period, data reveals that an allocated expense of \$7,000 per year will fund the initiative, sitting well within the estimated range

STAFFING IMPLICATIONS

The allowance has the benefit of potentially increasing staff retention as well as attracting non-management staff, providing positive publicity in staff recruitment advertisements.

Furthermore, the STA assists in alleviating issues of equity relating to commuting methods. At present, staff who drive to work have ample access to parking bays at no cost. Consequently, the STA provides a contribution to lessen the financial burden on staff who choose to utilise public transport and rewards those who adopt sustainable methods of commuting

SUSTAINABILITY IMPLICATIONS

The largest contributor to the Town's overall emissions is fuel use. The STA offers a cost effective and efficient approach to reducing fleet-related emissions while gaining a range of co-benefits for Council and staff. This innovative policy is also successful in fulfilling the Town's ambitions to lead other organisations by example in reducing environmental impact.

CONSULTATION

In ensuring that the allowance is utilised in the manner intended, as set out in the policy, consultation was conducted with frequent users of the allowance (defined as staff who have claimed the allowance over 3 or more pay periods/fortnights). The purpose of this consultation was to determine what staff were claiming the allowance for as well as reiterating what would and what would not be an acceptable commuting method for the purpose of claiming the allowance. Ongoing consultation with frequent users and all eligible staff will ensure that the allowance is appropriately used.

STAFF COMMENT

Council agreed to trialling the STA prior to adoption of the policy with permanent standing. The seven month trial period has been able to determine the expected uptake of the allowance by staff and the overall cost to Council.

Prior to the introduction of the policy, a staff survey revealed that 95% of staff commute to work using a car. Since the introduction of the STA 20% of eligible staff members are now commuting to work via sustainable means. The data from the trial period was averaged to produce the following (calculations are on a fortnightly basis rather than weekly due to payments made in accordance with the fortnightly pay period), revealing that actual uptake sits closely in line with what was predicted:

Number of staff	Trips per fortnight	Working fortnights per year (taking into account leave entitlements)	Total trips	Cost per trip	Total cost per year
6	9	22	1188	\$5	\$5,940

The co-benefits of this policy are several and quantifiable. The following savings and benefits are accrued to Council as well as individual staff:

- Approximately 6 tonnes of greenhouse gases per year are prevented from entering the atmosphere.
- 2,139 L of petrol is saved.
- Greater availability of parking spaces for rate payers and visitors to the Town.
- Positive publicity for the Town.
- Assists in staff retention as well as attracting new staff when vacant positions are advertised.
- Participating staff gain an average of 30 minutes exercise per day, which is likely to result in greater productivity, reduced stress and less sick leave.
- Each participating staff member saves approximately \$545 on petrol per year.

If continued, a budget of \$7,000 would be sufficient for operation of the policy. This amount does not draw heavily on the Town's finances and allows for influencing factors such as seasonal variations (uptake is likely to be greater in the warmer months) and staff turnover (new staff members will have varied commuting habits).

The STA policy sets out clear guidelines and expectations to ensure that it is adhered to by staff in the correct manner. The administrative process of recording the number of trips on staff timesheets has proven to be both efficient and effective, enabling supervisors to monitor use of the allowance without significant impact on their workloads or time.

Consultation with staff who claim the allowance on a frequent basis revealed that the STA policy successfully achieves its key objectives. The allowance provides an incentive for staff to leave their car at home, it rewards sustainable commuting

behaviour and is a cost effective initiative assisting in the Council's overall objectives of reducing its environmental impact and becoming Carbon Neutral.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Birnbrauer

THAT Council endorse the continuation of its Sustainable Travel Allowance Policy with regular monitoring by management and reviewed in 2017.

Carried 5/3

10.4.2 REQUEST FOR SCOREBOARD AT COTTESLOE OVAL

File Ref: SUB/231
Attachments: [Suggested Locations for the Scoreboard](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 22 July 2014
Author Disclosure of Interest: Nil

SUMMARY

Council has been asked to consider granting permission for the Cottesloe Roosters to place a scoreboard at Cottesloe Oval. The request is being presented for Council's consideration.

BACKGROUND

In September 2013, Council granted permission for the Cottesloe Roosters to use Cottesloe Oval for their home games and training. The resolution stated:

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

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

Since this time the Roosters have established their club and have started playing within the WA Amateur Football League competitions. Training occurs at Cottesloe Oval and the Club has had a number of home games.

In recent correspondence, the Roosters have asked to place a scoreboard at the grounds, that would also contain signage of their sponsors. Several locations have been suggested as shown in attachment 1. As the land is Crown Land vested with the Town, WA Planning Commission consent would also be required.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

No consultation appears to have been undertaken with the other two clubs which use this ground. It would be beneficial that before any placement of a scoreboard took place, the other clubs would be consulted.

STAFF COMMENT

In considering this application, the initial permission given to use Cottesloe Oval is the prime consideration. The Roosters were given permission to use the oval on a trial basis for one year. At the end of that year, an assessment of their use would be undertaken and the use of the oval would be reconsidered by Council.

Granting permission at this stage to place a scoreboard in the proposed location would give the impression, rightly or wrongly, that the Roosters would have ongoing use of the oval, when no such decision has been made.

If Council wished to pursue the option of placing the scoreboard at one of the proposed locations, it would be recommended that the south-eastern corner be the preferred location. Further, it would be strongly recommended that the other users of the oval (Cottesloe Junior Football Club and Cottesloe Rugby Club) be consulted to ensure there is no clash of sponsorship arrangements. Lastly, consultation should also be undertaken with adjoining residents on Broome Street. As the recommendation is to decline the application on the basis of the limited permission given to use the oval, none of these consultations have been undertaken to date.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Committee discussed the effect the proposed permanent scoreboard would have on the amenity and were of the view that the needs of all users of the Oval should be taken into consideration.

Committee concluded that the request should be declined, stating that the Roosters should consider a portable scoreboard or sharing a scoreboard with the other two clubs that use the Oval.

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Jeanes

THAT Council decline the request for the placement of scoreboard and sponsor signage at Cottesloe Oval.

Carried 8/0

10.4.3 RENEWAL OF THE SHINE COMMUNITY SERVICES (FORMERLY TAPSS) LEASE

File Ref: SUB/1831
Attachments: [Copy of the Current Lease](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 22 July 2014
Author Disclosure of Interest: Nil

SUMMARY

The lease for the building at 81 Forrest Street Cottesloe expires on 30 June 2016. Shine have requested that Council consider extending the lease to allow them to attain grant funding to implement improvements.

BACKGROUND

Shine Community Services (formerly known as TAPSS) have operated a community based support service from the building on the corner of Forrest Street and Railway Street for many years. The building itself was originally a post office and is heritage listed.

The current lease for the building expires in 2016 and has run for 10 years. In that time there has been an increase in the services and programs that are offered by Shine and the relationship between the Town and Shine has been a positive one.

Recently, Shine have initiated a process of applying for a grant to make improvements to the facilities within the leased building. As a part of the grant process, Shine were required to show that they had a long lease on the building to which the grant funds would be used. At this point, it was discovered that there was just under two years to run on the lease, and this wouldn't be sufficient to attain a grant. As such, Shine have made contact to see if the lease could be extended.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 – s3.58 – Disposition of Local Government Property

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Shine Staff

Under the provisions of section 3.58 of the Act, there is a requirement to advertise Council's intention to dispose of the land and seek submissions from the community before any final decision is made.

STAFF COMMENT

As the Shine building is owned "fee simple" by the Town there is no requirement to gain the endorsement of the Minister for Lands on this lease, as is the case with many other leases. There is also no limitation on the length of the lease that can be offered – as there is with Crown Land, which is limited to 21 years. That being said, it could be considered unwise to lease the building on an indefinite basis.

While the restrictions on Crown Land do not apply, the requirements of the Local Government Act 1995, with respect to the disposition of property (s3.58) do apply. This section stipulates that a local government may only dispose of an interest in a property in three ways, being to the highest bid at a public auction, through a formal tender process, or via private treaty, subject to notice and consideration of submissions. As the land is currently tenanted and used for a community purpose, it is thought the most appropriate method would be via private treaty with the relevant notices and submission period.

Section 3.58 of the Act requires that when disposing of any interest in property, including via a lease, a notice must be published which states who is acquiring the land, what consideration is being given and the details of a valuation not more than 12 months old on that property. The Town is then required to call for submissions, for a period not less than 14 days, and Council is required to consider those submissions before making any sale or lease final.

The Town is already undertaking a valuation on the building in question as a part of the requirements for the adoption of fair value accounting. The valuer has been asked to provide a written valuation of the leasehold value of the Shine building. Once this valuation is obtained the advertising can begin. While the current lease payments are believed to be below the current market value for commercial space in the Town Centre, it is believed that the community use of the building will result in some reduction in that value. More importantly, Council has invested significant funds previously, establishing this building for the purpose that it currently serves. If the building was simply let as a commercial space, it is quite likely that many of these improvements would be lost.

As the relationship between the Town and Shine has been a largely positive and productive one, there is no recommendation to change any of the terms of the current lease. Instead the recommendation is to simply extend the lease on the current terms (including rent payments and indexation) for a further term of ten years, with 2 five year options to follow.

The extension of the lease will also allow Shine to apply for grant funds to make improvements to the building itself. While this will primarily benefit Shine clients and members, it is worth noting that the process was initiated by Shine actively trying to make improvements to the services that they offer. With local government reform still proposed to take place at the time the current lease expires, it would also be beneficial to have any lease arrangements in place to provide security to Shine clients, members and staff.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Mayor Dawkins stressed that she was supportive of the current Shine management, however, she expressed concern that the officer recommendation effectively grants Shine a 20 year lease for 81 Forrest Street. Mayor Dawkins commented that the nature of aged care may change significantly over a 20 year period and this should be taken into consideration.

OFFICER RECOMMENDATION

Moved Cr Birnbrauer, seconded Cr Rowell

THAT Council authorise the Chief Executive Officer to:

1. Obtain a valuation from a licensed valuer for the land and building at 81 Forrest Street, Cottesloe;
2. Cause local public notice be given, in accordance with section 3.58 of the Local Government Act, to Council's intention to extend the lease for a period of 10 years, with two five year options to follow on; and
3. Advertise for submissions for a period of 14 days following the giving of the notice in part two.

AMENDMENT

Moved Mayor Dawkins, seconded Cr Rowell

That the words "with two five year options to follow on" be removed from point two.

Carried 3/1

COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Downes

THAT Council authorise the Chief Executive Officer to:

1. Obtain a valuation from a licensed valuer for the land and building at 81 Forrest Street, Cottesloe;
2. Cause local public notice be given, in accordance with section 3.58 of the Local Government Act, to Council's intention to extend the lease for a period of 10 years; and
3. Advertise for submissions for a period of 14 days following the giving of the notice in part two.

Carried 8/0

10.4.4 ADVERTISING OF DESIGNATED PLACES FOR DOGS

File Ref: SUB/1159
Attachments: [Dogs Local Law 2011](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 22 July 2014
Author Disclosure of Interest: Nil

SUMMARY

A recent change to the Dog Act 1976, allows Councils to create dog exercise areas or areas where dogs are prohibited absolutely, outside of the process of creating a local law. Unfortunately, in the process of implementing this improvement, a situation has been created whereby every local government in the State is now required to undertake this process as the changes come into effect.

As such, Council is being asked to authorise the advertising of the designated areas for dogs as required by the amended Dog Act 1976.

BACKGROUND

Under previous versions of the legislation controlling dogs, local governments have been authorised by the relevant Act, to set aside areas that are dog exercise areas or areas where dogs are prohibited absolutely within their local laws. These local laws were then enforced by the local government.

A dog exercise area is generally an area set aside where dogs are not required to be on leads, although they are still required to be under effective control (i.e. the owner can call them back if needed). Under the latest version of the Town of Cottesloe Dogs Local Law (2011) there are a number of dog exercise areas, such as the dog beaches.

A place where dogs are prohibited absolutely is any place where a dog is not allowed, even if it is on a lead. The exception to this is any trained assistance dog, such as a guide dog, which are exempt from such legislation. Generally speaking areas such as children's playgrounds are examples of areas where dogs are prohibited absolutely.

Outside of these designated areas, dogs are permitted on any Council reserve, subject to it being on a lead and able to be controlled by the person responsible for the dog.

Under the latest version of the Dog Act 1976, a local government is now authorised to designate such areas with two resolutions of Council and a brief advertising period. This change will reduce the need for a formal amendment to a local law to designate such an area, which is a time consuming an expensive process.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Dog Act 1976

Local Government Act 1995

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The intent of this change in legislation is actually quite well founded. In areas where there is a large level of development, the need to amend a local law every time a new dog exercise area (or place where dogs were prohibited) was created, clearly created an administrative burden that wasn't need.

Unfortunately, in developing the regulations that accompany the amended Act, a decision was made to effectively void any part of a local law that designates an area as was previously able to be done under the various acts. What would have been preferable is that the transition arrangements be set such that if a Council was to designate an area under the new method, or amend its local law for any reason, then at that time the change would take effect. In the mean time, no change would be needed. This would have meant that the vast majority of local governments would not have needed to make any change or undertake any advertising. But this is not the case – and the Town, like every other local government in the State, will need to consider the issue and undertake the advertising.

When this situation was raised with the Department, advice was given that as the Town has recently adopted its local law, and that this process involved advertising of the designated areas, then the Town could simply adopt these areas, having already advertised them. However, this hasn't been recommended to Council as it could create a loop hole in the event that we need to undertake a prosecution. Given the advertising referred to was for the whole local law and occurred before the legislation was changed, it is thought to be preferable to simply advertise and follow the process set down in the amended Act.

The recommendation below will authorise the Chief Executive Officer to advertise the Town's intention to designate the areas as currently set within the local law.

Following the mandatory submission period, a further report will be forwarded that will recommend the final adoption of the designated areas, with or without amendment, based on any submissions received.

As these areas were only adopted in 2011, at this stage, the recommendation is to apply the areas as they currently are.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Downes

THAT Council, authorise the Chief Executive Officer to cause relevant public notice be given to the;

- 1. Intention to set aside areas as dog exercise areas as outlined in the Town of Cottesloe Dogs Local Law 2011;**
- 2. Intention to set aside areas where dogs are prohibited absolutely as outlined in the Town of Cottesloe Dogs Local Law 2011; and**
- 3. Time and place that submissions on the above proposals can be received for consideration as per the requirements of the Dog Act 1976.**

Carried 8/0

10.4.5 ALCOHOL THINK AGAIN BEACH VOLLEYBALL TOUR ROUND 4

File Ref: SUB/1743
Attachments: [Event Application](#)
[Example Photograph](#)
[Draft Map](#)
Responsible Officer: **Mat Humfrey**
Manager Corporate & Community Services
Author: **Sherilee Macready**
Community Development Officer
Proposed Meeting Date: **22 July 2014**
Author Disclosure of Interest Nil

SUMMARY

An application has been received from Volleyball Western Australia for a two day beach volleyball event to be held on Saturday, 13 December and Sunday, 14 December 2014, at Cottesloe Beach.

BACKGROUND

The *Alcohol, Think Again Beach Volleyball Tour* is Western Australia's Premier Beach Volleyball competition. The Beach Tour Events season runs from November to March each year, at various local West Australian beach venues. This year organisers have chosen Cottesloe Beach as a potential venue for their Round 4 event.

Participants include Beginners, Juniors and Elite players, competing in a single set double elimination format, with two divisions for each gender. Organisers are expecting approximately 200 competitors over the two day event. Members of the local community are encouraged to participate in the event, either as a competitor or spectator.

The competition beach set up will include four beach volleyball courts to the south of Indiana. A Draft Map of the event space has been provided, together with a photograph example of a typical Beach Tour competition set up.

Brief announcements will be made on a P.A. system at intervals during both event days.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Beach Policy

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

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

CONSULTATION

Cottesloe Surf Life Saving Club have been contacted to confirm their support for the event, however, no response had been received at the time of publishing the agenda. An update will be provided at the Committee meeting.

STAFF COMMENT

A Public Liability Insurance Certificate has been provided, together with a comprehensive Risk Management Plan.

The Town's Beach Policy has provisions for significant beach events to be approved, subject to consideration of how timing, location and activities may affect other beach users and residents. This event's timing is during one of the busiest months at the beach for beach users and residents, and as such is not supported. The location of beach volleyball courts and event marquees and shade structures, south of Indiana, is located in a high traffic location of the beach for beach users and residents, and as such is not supported.

Based on the reasons outlined, the officer recommendation is to decline the application. If Council were to approve the request, it would be best if the following conditions were attached:

1. Adequate arrangements for rubbish collection and removal, including the provision for recycling.
2. Class this event as a "Community" event and charge the fee of \$550 per day, and a bond of \$1,000, to be paid prior to the event commencing.
3. The event complies with the *Environmental Protection (Noise) Regulations 1997*.
4. The event complies with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.
5. Provision of 'certificates of currency' to certify that organisers have adequate public liability and event insurance, provided prior to the event.
6. Compliance with additional relevant sections of the Beach Policy.
7. The event complies with the Town's Beaches and Beach Reserves Local Law 2012.

8. All signage to be approved by the CEO one month prior to the event.

VOTING

Simple Majority

COMMITTEE DISCUSSION

Cr Rowell referred to the officer memorandum of 22 July 2014, advising that the President of Cottesloe Surf Life Saving Club has confirmed that the Club supports Volleyball WA's application to hold a beach volleyball event at Cottesloe Beach on Saturday 13 December and Sunday 14 December 2014. As a result, Cr Rowell proposed to move an alternate motion to approve the event with the conditions outlined in the officer memorandum.

OFFICER RECOMMENDATION

THAT Council decline the application from Volleyball WA.

Motion lapsed for want of a mover or seconder

COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Downes

THAT Council approve the application to hold the Alcohol, Think Again Beach Volleyball Tour Round 4 at Cottesloe Beach on Saturday 13 December and Sunday 14 December 2014 from 6.00am to 5.00pm, subject to the following conditions:

1. Adequate arrangements for rubbish collection and removal, including the provision for recycling.
2. Class this event as a "Community" event and charge the fee of \$550 per day, and a bond of \$1,000, to be paid prior to the event commencing.
3. The event complies with the Environmental Protection (Noise) Regulations 1997.
4. The event complies with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the Health (Public Buildings) Regulations 1992.
5. Provision of 'certificates of currency' to certify that organisers have adequate public liability and event insurance, provided prior to the event.
6. Compliance with additional relevant sections of the Beach Policy.
7. The event complies with the Town's Beaches and Beach Reserves Local Law 2012.
8. All signage to be approved by the CEO one month prior to the event.

Carried 8/0

10.4.6 THE COTTESLOE TRIATHLON - 2015

File Ref: SUB/1843
Attachments: [Detailed Event Application](#)
[Completed Event Application Form](#)
[Triathlon Course Maps](#)
[Notice of Road Closure Letter to Residents](#)
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Sherilee Macready
Community Development Officer
Proposed Meeting Date: 22 July 2014
Author Disclosure of Interest Nil

SUMMARY

W.A. Sports Events is seeking approval to host The Cottesloe Triathlon event on Cottesloe Beachfront from 5.30am to 10.30am on Saturday, 7 February 2015.

BACKGROUND

The event has previously been held on 13 February 2010 (called 'Cottesloe Surf Life Saving Club's 100th Anniversary Adventure Challenge'), and the Cottesloe Ocean Adventure Triathlon in February 2011, 2012, 2013, and the Cottesloe Beach Triathlon in 2014.

The event consists of three sections – a swim, cycle and run. Each section is completed after the other.

Organisers have designed the event to take into account the total community. In doing so, they believe:

- Surf Life Saving Western Australia and Cottesloe Surf Life Saving Club will benefit financially and potentially through growth in numbers.
- Local businesses in the vicinity of the event will benefit financially through significantly added patronage on the day.
- Local community and the Town of Cottesloe will benefit as the event will be recognised as belonging to Western Australia's most popular and well known beach. It will enhance the Town of Cottesloe as a leader in supporting events.

The Town of Cottesloe will be included in all materials associated with the event, local businesses will be advertised to competitors, and the local community will be invited to participate as competitors or as spectators.

The closure of Marine Parade from John Street to Curtin Avenue (all streets in between) is required for this event. Organisers have reduced the length of time the roads are closed by one hour from the 2014 event. In 2012 a dedicated access lane for Overton Gardens and Warnham Road was implemented, and enhanced in 2013 with additional marshals at access points. As per the 2014 event, a specific letter to those affected residents in the two streets will be sent out.

In addition to approval from the Town of Cottesloe, approval for this event will be sought from the West Australian Police, the Department of Planning and Infrastructure, and Main Roads Western Australia.

The event will be conducted with all safety regulations adhered to through the involvement of St John's Ambulance Australia, Surf Life Saving Western Australia and qualified Traffic Management personnel.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

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

CONSULTATION

A specific letter to the affected residents and businesses advising the closure of Marine Parade from John Street to Curtin Avenue (all streets in between), advising them of the Unimpeded Access Plan will be distributed two weeks prior to the event. Residents of Overton Gardens and Warnham Road will receive a separate letter outlining the specifics of their road closure. All distributed letters will include a detailed map showing the road closure plan.

STAFF COMMENT

Staff have reviewed the application and are satisfied with the following information that has been provided:

- Surf Life Saving WA will provide water safety for the event through the Cottesloe Surf Life Saving Club.
- Traffic Management Plan will be in place for the event, similar to the 2014 event.
- The plan will be designed and implemented by West Australian Road Projects (WARP) following Main Roads Event Code of Practice Regulations.

- A Risk Management Plan will be in place for the event similar to the 2014 event, and a Public Liability Insurance will be provided.
- Advisory signage will include signage placed to advise drivers of the road closure. The aim is for drivers to not have to turn back due to lack of prior information.

Due to the success of the organiser's previous events, the officer recommendation is to conditionally approve the application.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Downes

THAT Council approve the application to hold The Cottesloe Beach Triathlon event at Cottesloe Beachfront on Saturday, 7 February 2015 from 5.30am to 10.30am, subject to the following conditions:

1. Adequate arrangements for rubbish removal and collection, including the provision for recycling.
2. The event complies with the *Environmental Protection (Noise) Regulations 1997*.
3. The event complies with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.
4. Evidence of appropriate Public Liability Insurance, with cover no less than \$10 million, provided prior to the event.
5. The event complies with the Town's *Beaches and Beach Reserves Local Law 2012*.
6. Class this event as a "Community" event and charge the fee of \$550 and a bond of \$1,000 to be paid prior to the event commencing.
7. Provision of a transport or parking plan and appropriate access/signage to and from the event, prior to the event.
8. Organisers notify residents affected by road closures which are in place for the event.

Carried 8/0

10.4.7 OCEAN RIDE FOR MS - 2014

File Ref: SUB/1743
Attachments: [Application for Permission to Conduct the Event](#)
[Ocean Ride for MS Course Map](#)
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Sherilee Macready
Community Development Officer
Proposed Meeting Date: 22 July 2014
Author Disclosure of Interest Nil

SUMMARY

Sports Performance & Management is seeking approval for the Ocean Ride for MS, to “ride through” Cottesloe along Marine Parade on Sunday, 19 October 2014. The event, which raises funds and increases awareness for Multiple Sclerosis (MS), will be its fifth year.

BACKGROUND

The annual event involves cyclists from the general public riding from Esplanade Park, Fremantle, with the first riders starting from 6.00am, to Ocean Reef.

The event was first held on Sunday, 30 October 2010, and repeated successfully in 2011, 2012 and 2013. Last year’s event attracted 1400 participants and passed without major incident. Many positive comments were received from the organisers from riders who competed, and thousands of dollars were raised for MS.

Organisers of the event, Sports Performance & Management, have organised many endurance sports events, including the Ocean Adventure Triathlon in Cottesloe (renamed The Cottesloe Triathlon), with much success.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The ride along Curtin Avenue, Marine Parade, and North Street will not be timed, and all riders must follow normal traffic regulations, including traffic lights and signs. Cross walks and main road corners in Cottesloe and other affected suburbs will have official Marshals in place. A course map has been provided. The event is supported by W.A. Police, Main Roads Western Australia, Fremantle Ports, and other Councils along the course.

A Traffic Management Plan will be in place for the event, the same as the 2013 event, and will be designed by West Australian Road Projects (WARP). Traffic Management signage and additional signage will be placed at required points along the course. A comprehensive Risk Management Plan has also been provided.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Downes

THAT Council approve the application from Sports Performance & Management for the Ocean Ride for MS event to “ride through” Cottesloe along Marine Parade on Sunday, 19 October 2014, subject to the following conditions:

1. **Provision of a transport or parking plan and appropriate access/signage to and from the event, prior to the event.**
2. **Adequate arrangements for rubbish removal and collection, including the provision for recycling.**
3. **The event complies with the *Environmental Protection (Noise) Regulations 1997*.**
4. **The event complies with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.**
5. **Evidence of appropriate Public Liability Insurance, with cover no less than \$10 million, provided prior to the event.**
6. **The event complies with the Town’s *Beaches and Beach Reserves Local Law 2012*.**
7. **All signage to be approved by the CEO one month prior to the event.**
8. **Class this event as a “Charitable Event” and charge no fee.**

Carried 8/0

10.4.8 OPEN WATER SWIMMING RACE - 2014

File Ref: SUB/1842
Attachments: [Open Water Swim Event Application](#)
[Map Open Water Swim Race Course](#)
[Letter of Support for CSLSC](#)

Responsible Officer: **Mat Humfrey**
Manager Corporate & Community Services

Author: **Sherilee Macready**
Community Development Officer

Proposed Meeting Date: 22 July 2014
Author Disclosure of Interest Nil

SUMMARY

The Western Australian Swimming Association Inc. (SWA) is seeking approval to host the 2014 Swimming WA Open Water Swim Series Event No. 1 from Cottesloe Beach on Sunday, 2 November 2014, from 8.00am to 12.00pm.

BACKGROUND

As the first event of the season, it is expected to draw a lot of interest, with 300 competitors and surf life saving club members actively involved, as well as many supporters. Races will be held at other Perth beaches over the season, which runs from October to March.

Open Water Swimming Races consist of a number of simultaneous races, with distances ranging from 1.25km – 5km, with a wide range of ages catered for. Races will commence at 8.00am and are open to the public.

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

Last year's event, held on the 26 October 2013, was highly successful, and no major issues were brought to the attention of the Council.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

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

CONSULTATION

Officers sought feedback from Cottesloe Surf Life Saving Club on the previous year's Open Water Swimming event. It was advised, that the 2013 event was overall a positive experience for the club.

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

STAFF COMMENT

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

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

The event organisers have indicated that they are anticipating in excess of 300 paid participants.

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

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Downes

THAT Council approve the application to hold the Open Water Swim Series Events at Cottesloe Beach on Sunday 2 November 2014 from 8:00am to 12:00pm subject to the following conditions:

- 1. Adequate arrangements for rubbish collection and removal, including the provision for recycling.**
 - 2. Class this event as a "Community" event and charge the fee of \$550, and a bond of \$1,000, to be paid prior to the event commencing.**
 - 3. Provision of transport or parking plan and appropriate access/signage to and from the event.**
 - 4. The event complies with the *Environmental Protection (Noise) Regulations 1997*.**
-

5. The event complies with the requirements for sanitary facilities, access and egress, first aid and emergency response as per the *Health (Public Buildings) Regulations 1992*.
6. Provision of 'certificates of currency' to certify that organisers have adequate public liability and event insurance, provided prior to the event.
7. Compliance with additional relevant sections of the Beach Policy.
8. All signage to be approved by the CEO one month prior to the event

Carried 8/0

10.4.9 DELEGATED POWERS

File Ref: SUB/38
Attachments: [Delegations List](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Carl Askew
Chief Executive Officer
Proposed Meeting Date: 22 July 2014
Author Disclosure of Interest: Nil

SUMMARY

In order to expedite decision-making within the Town of Cottesloe, a recommendation is made to delegate a number of powers and duties to the Chief Executive Officer (and specialist officers) as provided for in the Local Government Act (1995) and other related Acts, Regulations and local laws.

BACKGROUND

Delegations allow the CEO (and specialist officers) to make decisions under the authority of Council without having to constantly refer business of a routine nature to Council.

The aim of delegated authority is to assist with improving the time taken to make decisions within the constraints allowed by relevant legislation. This is consistent with the Town's commitment to a strong customer service focus. Delegations are to be reviewed in accordance with the local Government Act 1995 once every financial year.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Sections 5.42, 5.43 and 5.44 of the *Local Government Act (1995)* provide as follows:-

5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.*

** Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on delegations to CEO's

A local government cannot delegate to a CEO any of the following powers or duties:-

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) appointing an auditor;*
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) borrowing money on behalf of the local government;*
- (g) hearing or determining an objection of a kind referred to in section 9.5;*
- (h) any power or duty that requires the approval of the Minister or the Governor; or*
- (i) such other powers or duties as may be prescribed.*

5.44. CEO may delegate powers and duties to other employees

(1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

(3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —

(a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and

(b) the exercise of that power or the discharge of that duty by the CEO's delegate,

are subject to any conditions imposed by the local government on its delegation to the CEO.

(4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.

(5) In subsections (3) and (4) —

conditions includes qualifications, limitations or exceptions.

[Section 5.44 amended by No. 1 of 1998 s. 14(1).]

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The delegations recommended are similar to those approved by Council in 2013 with changes to the delegates related to the Building Act 2011 and associated Uniform Local Provisions Regulations 1996.

Delegations are recommended on the basis of operational efficiency as it is considered more practical for these activities to be delegated, with the responsibility for administration held by the CEO or respective specialist officers who is both "registered" and qualified to administer such delegations, in this case, specifically the Principal Building Surveyor.

Some delegations are "on-delegated" from the CEO to other specialist officers such as Principal Environmental Health Officer, Manager Development Services, Manager Engineering Services, and Manager Corporate and Community Services.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Downes

THAT Council delegate the powers and duties to the Chief Executive Officer and/or respective specialist officers, effective to 30 June, 2014 as submitted in the attachment of the 22 July 2014 Works and Corporate Services Committee.

Carried 8/0

10.4.10 AMENDMENT TO FEES AND CHARGES SCHEDULE

File Ref: SUB/1827
Attachments: [Schedule of Fees and Charges](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 22 July 2014
Author Disclosure of Interest: Nil

SUMMARY

Since the adoption of Council's budget in June 2014, several relatively minor updates have been provided for fees and charges that the Town is required to pass on, which requires an update to the Schedule of Fees and Charges.

BACKGROUND

Each year in its budget, Council adopts its schedule of fees and charges. This sets what the Town charges for all of the services it provides. Some of these fees and charges are able to be set at the Council's complete discretion, whereas others are set within another Act or Regulation and are required to be passed on.

Council endeavours to set its budget as early as it possibly can each year to enable the most efficient planning and investment of funds. From time to time, this may result in the budget being adopted before updated fees and charges for some areas are released.

There are other instances where changes to legislation that occur earlier in the year, however, they are brought to our attention when "Circulars" are published listing the changes. These circulars are also often released as close to the end of the financial year as possible, sometimes resulting in fees and charges being adopted before the circular is released.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

FINANCIAL IMPLICATIONS

While there is a change to the fees and charges schedule, it is not believed that this will have any significant effect on the fees and charges revenue the Town will receive.

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The changes proposed in the amendments to the fees and charges schedule are relatively minor and are not thought to have any significant impact on the Town's revenue base.

Several of the changes relate to amendments to the Dog Act 1976, and one in particular is a new charge that will allow for a dog to be registered once and remain registered for the remainder of its life. The obvious benefit to the Town and the dog owner is that there is no requirement for yearly renewal or for dogs to become unregistered through failure to renew. The other changes are simply to the amounts and are minor in nature.

As a part of the requirements of the Act, the Town will be required to advertise the changes to the fees and charges schedule. A notice must be placed in a paper that circulates generally through the district, as well as being placed on all Council notice boards. While there is a requirement to place notices, there is no submission process involved, or any need for a further Council report.

VOTING

Absolute Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Downes

THAT Council, by Absolute Majority, adopt the amended fees and charges schedule as shown in Attachment 1.

Carried 8/0

10.4.11 MATERIAL VARIANCES FOR STATEMENTS OF FINANCIAL ACTIVITY

File Ref: SUB/1827
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Mat Humfrey
Manager Corporate & Community Services
Proposed Meeting Date: 22 July 2014
Author Disclosure of Interest: Nil

SUMMARY

Council is being asked to consider its level of materiality for statements of financial activity.

BACKGROUND

Under the Australian Accounting Standards an item is considered material if its omission or misstatement could influence the decisions of the users of a financial report. An item may be material its size, nature or both.

Under the *Local Government (Financial Management) Regulations 1996* local governments are required to set their level of materiality or Statements of Financial Activity every financial year. In this sense, the materiality referred to is the difference between the budgeted amount for an item and the actual income or expenditure that occurs.

Council is being asked to consider its level of materiality for the preparation of the 2014/2015 Statements of Financial Activity.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996 (r34(5)).

FINANCIAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

In a local government context, setting a level of materiality sets the level at which any variance to budgeted expenditure must be reported on both the financial statements, as well as a separate list of material variances. While it may be tempting to list every variance, this will result in information overload – and may in fact mean that important information is missed. By only including the significant items on the variance list (i.e. the items that are material) Council is more likely to be aware of and able to act on any items of importance.

The Town has had a level of materiality set at 15% for some time. What this means in a reporting sense is that for any budget line item where actual expenditure varies from budgeted expenditure by 15% or more, it must be listed in a report called “Material Variances” as well as included in the Statements of Financial Activity.

This level is still thought to be appropriate as it eliminates any small variances caused by estimation or timing of expenditure, while still being low enough for Council to be aware of any trends that may be occurring in income or expenditure that will have an impact (positive or negative) on the end of year result.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Downes

THAT Council, in accordance with the *Local Government (Financial Management) Regulations 1996*, set the level of material variance for the 2014 / 2015 financial year at 15%.

Carried 8/0

**10.4.12 STATUTORY FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY
2013 TO 30 JUNE 2014**

File Ref: SUB/1720
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 22 July 2014
Author Disclosure of Interest: Nil

SUMMARY

The purpose of this report is to present the Statutory Financial Statements and other supporting financial information to Council for the period 1 July 2013 to 30 June 2014.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Statement of Financial Activity on page 1 of the Financial Statements shows favourable operating revenue of \$578,316 or 22% more than year to date budget. Operating expenditure is \$740,194 or 6% less than year to date budget however it should be noted that year end expenditure accruals have not yet been brought to account. Capital expenditure is detailed on pages 31 to 35 and all material variances are detailed on the Variance Analysis Report on pages 7 to 10 of the attached Financial Statements.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Downes

THAT Council receive the Statutory Financial Statements including other financial information as submitted to the 22 July 2014 meeting of the Works and Corporate Services Committee.

Carried 8/0

10.4.13 SCHEDULES OF INVESTMENTS AND LOANS AS AT 30 JUNE 2014

File Ref: SUB/1720
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 22 July 2014
Author Disclosure of Interest: Nil

SUMMARY

The purpose of this report is to present to Council the Schedule of Investments and the Schedule of Loans as at 30 June 2014, as included in the attached Financial Statements.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Schedule of Investments on page 24 of the attached Financial Statements shows that \$2,344,672.78 was invested as at 30 June 2014. Approximately 40% of the funds are invested with Bankwest, 23% with Westpac Banking Corporation, 21% with the Commonwealth Bank of Australia and 16% with the National Australia Bank.

The Schedule of Loans on page 25 of the attached Financial Statements shows a balance of loans outstanding of \$5,513,130.24 as at 30 June 2014. Included in this balance is \$291,856.63 that relates to self supporting loans with community organisations.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Downes

THAT Council receive the Schedule of Investments and the Schedule of Loans as at 30 June 2014. These schedules are included in the attached Financial Statements as submitted to the meeting of the Works and Corporate Services Committee on 22 July 2014.

Carried 8/0

10.4.14 LIST OF ACCOUNTS FOR THE MONTH OF JUNE 2014

File Ref: SUB/1720
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 22 July 2014
Author Disclosure of Interest: Nil

SUMMARY

The purpose of this report is to present to Council the list of accounts paid for the month of June 2014, as included in the attached Financial Statements.

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The list of accounts paid for the month of June 2014 is included on pages 12 to 21 of the attached Financial Statements. The following significant payments are brought to Council's attention;

- \$28,380.00 to B & B Waste Contractors Pty Ltd for waste collection services
 - \$42,717.45 & \$39,880.45 to Western Heritage Pty Ltd to reconstruct a boundary wall at the Civic Centre
 - \$53,790.00 to Claremont Asphalt for asphalt works at the junction of Eric Street and Curtin Avenue
 - \$121,877.96 to the Department of Fire and Emergency Services for an instalment of emergency services levies
 - \$40,347.12 to Cobblestone Concrete for various footpath works
-

- \$42,547.78 to Perthwaste Green Recycling for waste collection and disposal charges
- \$83,214.86 & \$82,334.80 to Town of Cottesloe staff for fortnightly payroll
- \$120,000.00 & \$350,000.00 being transfers to the Town's Investment account.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Downes

THAT Council receive the list of accounts paid for the month of June 2014 as included in the attached Financial Statements, as submitted to the Works and Corporate Services Committee.

Carried 8/0

10.4.15 RATES AND SUNDRY DEBTORS REPORTS AS AT 30 JUNE 2014

File Ref: SUB/1720
Responsible Officer: Mat Humfrey
Manager Corporate & Community Services
Author: Wayne Richards
Finance Manager
Proposed Meeting Date: 22 July 2014
Author Disclosure of Interest: Nil

SUMMARY

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

BACKGROUND

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

SUSTAINABILITY IMPLICATIONS

Nil

CONSULTATION

Nil

STAFF COMMENT

The Sundry Debtors Report on pages 26 to 29 of the attached Financial Statements shows a total balance outstanding of \$166,689.77 as at 30 June 2014. Of this, \$144,916.54 relates to the current period and the balance of aged debtors is \$21,773.23.

The Rates and Charges Analysis on page 30 of the attached Financial Statements shows a total balance outstanding of \$260,702.06 of which \$194,998.72 and \$35,563.34 relates to deferred rates and outstanding emergency services levies respectively. The Statement of Financial Position on page 4 of the attached Financial Statements shows total rates outstanding as a current asset of \$65,905 as compared to \$56,450 the same time last year.

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION & COUNCIL RESOLUTION

Moved Cr Rowell, seconded Cr Downes

THAT Council receive the Rates and Charges Analysis Report and Sundry Debtors Report as at 30 June 2014 as submitted to the 22 July 2014 meeting of the Works and Corporate Services Committee.

Carried 8/0

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

Nil

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

12.1 ELECTED MEMBERS

Nil

12.2 OFFICERS

Nil

13 MEETING CLOSED TO PUBLIC

13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC

Nil

14 MEETING CLOSURE

The Mayor announced the closure of the meeting at 7:11 PM.

CONFIRMED MINUTES OF 28 July 2014 PAGES 1 – 74 INCLUSIVE.

PRESIDING MEMBER:

POSITION:

.....

DATE: / /