

# TOWN OF COTTESLOE



## DEVELOPMENT SERVICES COMMITTEE

# MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE  
109 BROOME STREET, COTTESLOE  
6.00 PM, MONDAY, 21 FEBRUARY 2011

**CARL ASKEW**  
Chief Executive Officer

25 February 2011



## DEVELOPMENT SERVICES COMMITTEE

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

The Presiding Member announced the meeting opened at 6.07pm.

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

Cr Walsh	Presiding Member
Cr Dawkins	
Cr Carmichael	
Cr Birnbrauer	
Cr Boland	Arrived 6.09pm

**Officers Present**

Mr Andrew Jackson	Manager Development Services
Mr Ed Drewett	Senior Planning Officer
Mr Will Schaefer	Planning Officer
Mrs Julie Ryan	Development Services Secretary

**Apologies**

Cr Rowell

**Officer Apologies**

Mr Carl Askew	Chief Executive Officer
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**Leave of Absence (previously approved)**

Cr Goldthorpe  
Cr Woodhill  
Cr Strzina

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

Nil

**4 PUBLIC QUESTION TIME**

Nil

**5 PUBLIC STATEMENT TIME**

Ms Marion Ewing re Item 10.1.1 – 13 Rosser Street proposal

Ms Ewing reiterated and emphasised her concerns in line with her submission in terms of amenity considerations and the overall impact of the proposal being a new two-storey dwelling. While recognising technical compliance she

did not agree with the conclusions in support of the proposal as designed, albeit revised.

Mr Bill Elsegood re Item 10.1.1 – 13 Rosser Street proposal

Mr Elsegood summarised the design aspects of the proposed dwelling in relation to the streetscape and Cottesloe styles. He referred to the plans being revised several times towards compliance plus neighbour concerns sought support for the application.

Mr Brett Endersby re Item 10.1.2 – NCSLSC

Mr Endersby outlined the background to the proposal and approach taken in briefing the consultants with the aim of achieving the best solution for the club premises and public domain.

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**Moved Cr Dawkins, seconded Cr Birnbrauer**

[Minutes December 06 2010 Development Services Committee.doc](#)

**The Minutes of the Ordinary meeting of the Development Services Committee held on 6 December 2010 be confirmed.**

**Carried 5/0**

**8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

**9 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil

## 10 REPORTS OF COMMITTEES AND OFFICERS

### 10.1 PLANNING

#### 10.1.1 NO. 13 ROSSER STREET – TWO-STOREY DWELLING WITH UNDERCROFT, POOL AND SPA

<b>File No:</b>	<b>1965</b>
<b>Attachments:</b>	<a href="#">13 Rosser Street.pdf</a>
<b>Responsible Officer:</b>	<b>Carl Askew</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Ed Drewett</b> <b>Senior Planning Officer</b>
<b>Proposed Meeting Date:</b>	<b>21 February 2011</b>
<b>Author Disclosure of Interest</b>	<b>Nil</b>
<b>Property Owner</b>	<b>Mr and Mrs WM Elsegood</b>
<b>Applicant</b>	<b>As above</b>
<b>Date of Application</b>	<b>27 May 2010 (Amended 26/11/10)</b>
<b>Zoning:</b>	<b>Residential</b>
<b>Use:</b>	<b>P - A use that is permitted under this Scheme</b>
<b>Lot Area:</b>	<b>445m<sup>2</sup></b>
<b>M.R.S. Reservation:</b>	<b>Not applicable</b>

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### SUMMARY

This application has been “called-in” by Councillors’ Birnbrauer and Boland following its inclusion on the weekly Delegation List.

The following variations are sought to Town Planning Scheme No. 2 (TPS 2) and the Residential Design Codes (RDC):

- Upper floor side setback to the eastern boundary; and
- Visual privacy from the proposed alfresco and balcony.

Both of these aspects are discussed in this report and refer to plans received on 26 November 2010.

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

### PROPOSAL

This application is for the demolition of an existing dwelling and construction of a two-storey dwelling with pool, spa, undercroft garage, store and workshop. The dwelling will have 3 bedrooms with ensuites, family/dining areas, a separate living area, kitchen, study, theatre and a north-facing alfresco area, pool, spa and upper-floor balcony. Primary vehicle access will be from Rosser Street to an undercroft triple-garage, while a single carport will provide secondary vehicle access from the rear right-of-way.

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## BACKGROUND

The application was received on 7 May 2010 but was subsequently amended by the applicant on 28 September, 15 October, 10 November and 26 November 2010 as it was necessary for TPS 2 and the Residential Design Code requirements to be addressed following a preliminary assessment of each of the revised designs.

It is only the last submitted plans that have been advertised to adjoining neighbours and are the subject of this report.

## STATUTORY ENVIRONMENT

- Town Planning Scheme No. 2
- Residential Design Codes

## PROPOSED LOCAL PLANNING SCHEME NO. 3

No changes are proposed to the zoning of the lot.

## APPLICATION ASSESSMENT

### AREAS OF NON-COMPLIANCE

#### Residential Design Codes

Design Element	Acceptable Standards	Provided	Performance Criteria Clause
6.3 – Boundary setbacks	2.4m to eastern boundary	2.2m	Clause 6.3.1 – P1
6.8 – Privacy requirements	7.5m cone of vision from ground floor alfresco area (where over 0.5m above NGL) and from upper floor balcony.	2.8m & 2m from eastern boundary respectively, and 2.5m to western boundary from balcony.	Clause 6.8.1 – P1

## ADVERTISING OF PROPOSAL

The application was advertised in accordance with TPS 2. The advertising consisted of a letter to four neighbouring properties. Three submissions were received which are summarised below:

#### Peter Ewing, 11 Rosser Street

- The design's bulk and scale is too big for the block, emphasised by its proximity to the adjacent properties and number of concessions being sought. Concessions should only be given when there will be no adverse impact on adjoining properties.



- The severe impact of a 7m high wall with minimal setback to the western boundary, back to 1m from the rear lane will limit sun in our backyard, side verandah and son's bedroom. The staggered setback proposed does not help as it does not line up with our son's only bedroom window and there will be no sunlight to the room. The extreme length of the dwelling means that our backyard and outdoor entertainment area which is only 11.06m wide will be severely compromised.
- The overall height of the building appears to be higher than necessary. For example, the ground floor is 1.51m higher than in the current house and then there is to be another storey. It would seem feasible to lower the garage another 1.5m so as to reduce the impact on the adjoining properties.
- We are extremely mistrustful of the accuracy of the levels submitted and if we had more time would employ our own surveyor to dispute those proposed.
- We are concerned about the effect the garage excavation will have on our fragile 100+ year structure with minimal foundations. We would want our own geotechnical advice before any approval of the design and planned works.
- Noise from the proposed pool pump and the spa next to our boundary will create significant noise disturbance. The pump should be located in the garage and the spa should be located further from the boundary.
- A new fence was installed along our boundary a couple of years ago which caused suffering to our rear garden. We totally reject any proposal to replace the fence.
- The proposed location of the entertaining area at the front of the dwelling will severely compromise our lifestyle as both adjoining properties have their bedrooms at the front and entertaining areas at the rear.
- The location of air-conditioning units and lift machinery is of concern due to potential noise.

Gerard McCann Architect (on behalf of Mr & Mrs Toohey), 13A Rosser Street

- There are discrepancies between the finished ground levels shown on the site plan, floor plan and elevations.
  - The proposed dwelling will appear overwhelming, towering over the modest single-level dwelling at 13A Rosser Street.
  - Its bulk and scale is inconsistent in a streetscape of predominantly single-storey dwellings, with the hillside slope of the land exacerbating the conflict with the adjoining dwelling. Its inappropriate scale is reinforced by an almost total site coverage over two floors above ngl and the minimal side setbacks.
  - Setback concessions appear to be sought to the eastern boundary as it would normally require setbacks of at least 2.4m and up to 2.8m whereas the submitted scheme has upper floor setbacks varying from 1.2m to 3.5m.
  - The front upper floor balcony has a 1.5m setback from the eastern boundary, and although screened to reduce overlooking, it will rear up above the adjoining property and its entry courtyard such as to overwhelm it in every sense. A loss of amenity cannot be avoided in this situation.
  - There will be a loss of afternoon light, western cooling breezes, and an impact on the sitting of the adjoining dwelling. It is these qualities that contribute to amenity.
  - The proposed building height exceeds that stipulated by the R-Codes and as such cannot be supported as this factor contributes to loss of amenity.
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- The ground levels of 13 Rosser Street are already up to 900mm above that of 13A and the proposed development includes a walkway along the boundary that steps up with a 1.8m high wall above. This wall would vary in height between 2.6m and 3.3m which is unacceptable to the adjoining owner.
- The proposed increased height of retaining walls on the boundary will increase the surcharge on the existing condition. Extreme care and diligence will therefore be required and a planning note would be prudent to address this matter.
- The proposed dwelling will have virtually no garden space and hard landscaping for most areas which combined with the bulk and scale of the dwelling will diminish the amenity of the adjoining property.
- The proposed dwelling will change the single-storey character of Rosser Street. The concessions sought will dominate, overpower, crowd-out and overwhelm the house at 13A Rosser Street, such that the sense of purpose of 13A in its streetscape will be critically diminished.
- If approved, a dilapidation report of the adjoining property is requested.

#### Michael Gregson, 14 Webb Street

- Citizens no longer have the right to enjoy the great Australian indoor/outdoor lifestyle and the joy of gardening in suburbs such as Cottesloe.
- New larger homes take up the greater part of the block and reach maximum heights permissible so the immediate neighbours are deprived of the right to enjoy an open, sunny backyard and to maintain a garden of their choice, owing to the shading effects of those buildings for a large portion of the day. They are also left with their windows deprived of sunlight.
- The lifestyle of those neighbours is changed markedly by such monstrous buildings and the hurt seems all the greater when, as in this case, the redevelopment is done for investment purposes by landlords who live elsewhere.

#### **MUNICIPAL INVENTORY**

The existing dwelling is not on the Town's Municipal Inventory.

#### **APPLICANT'S JUSTIFICATION**

A summary of the applicant's comments in response to the submissions is as follows:

##### Bulk & scale

- We are unaware of any concessions being sought for the building's height or size.
- The bulk and scale of the residence is not out-of-character with the other houses in the street.
- The impact of the proposed dwelling's height and size in comparison with the adjoining neighbours is shown on attached drawings dated 1/2/11.
- The dwelling is no larger than the western adjoining property.

##### Streetscape

- The streetscape has a mixture of modern, contemporary and older colonial residences which is very typical of the Cottesloe area.
- There are 16 other houses on our side of Rosser Street and 9 of them are double-storey and 3 are triple-storey with undercroft garages. Of these 7 are of similar height or higher.

### Setbacks

- Due consideration has been taken to setback sections of the upper walls to allow light and ventilation into the adjoining properties.
- Privacy screens and minor windows have been incorporated to all areas that overlook adjoining properties' habitable rooms and outdoor areas.
- The proposed setbacks to the western boundary are not minimal, ranging from 1.2m to 2.8m, whereas No.11 is setback 0.2m from our boundary over a continuous length of 20m. This area is a verandah 1.5m above the ground and looks directly into our property without any provision of privacy screens.
- This unusual setback should not be a basis for a request to increase our setbacks.
- Our proposed dwelling is setback over 13m from the front boundary to the entertaining and living areas which has very little overbearing impact on the streetscape. The eastern dwelling is setback approximately 7.5m and the western dwelling is only setback approximately 2.6m from its front boundary.

### Noise and amenity

- The noise and amenity aspect of the proposed dwelling is no different from that of other similar designed properties that take advantage of a northerly aspect and the seasons' energy flows at the front of the property.
- All due consideration will be taken so as to not impact on the neighbours privacy, peace and quiet. The pool area has privacy screens to minimise any overlooking into adjoining properties.
- The pool, spa and air-conditioning equipment will be positioned behind solid walls and sound-proofed to reduce any noise impacts for our own and neighbours amenity. We will engage consultants to investigate the possibility and cost of locating some of this equipment in the undercroft area.

### Overshadowing

- The bulk of the building is orientated north/south and therefore the main area of the shadow cast by the winter sun from the building falls over the rear laneway. This is shown on the attached drawing dated 1/2/11.

### Earthworks and excavation

- All works for the construction of the undercroft garage, boundary and retaining walls will be carried out with the highest building standards and engineering practices.
- The existing retaining walls and structures on the adjoining boundaries will be surveyed and protected from damage during the construction period.

- The proposed site level along the eastern walkway opposite the alfresco area will be amended to RL: 101.56, as the existing level shown is incorrect.

## PLANNING COMMENT

It is emphasised that only two variations are being sought by the applicant to TPS 2 and the RDC. These are both discussed below:

### Building setback

The proposed upper-floor recessed area to bedroom 1 and the living area has a 2.2m setback from the eastern boundary, in lieu of 2.4m required under the RDC. All other front, rear and side setbacks to the ground and upper floors satisfy the acceptable development standards of the RDC, ie are fully-compliant.

The applicant has requested that this small variation of 200mm be considered under the performance criteria of the RDC, which state:

*Buildings set back from boundaries other than street boundaries so as to:*

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

The applicant has provided the following comments in support of the setback variation:

- The windows on the upper-floor bed 1/living areas are minor openings.
- The visual privacy of the residence on the eastern boundary is not affected. The side boundary of the residence contains no outdoor entertaining areas, most of the windows have obscure glass and are covered by large eaves. The line of sight from these upper floor areas is across the roof of the building and does not look directly into the habitable areas of the eastern residence.
- The walls of the eastern residence are setback 1.5m to 4.2m from the boundary and 3.7m to 6.4m from the walls of the upper floor to the proposed residence, which should allow for ample light and ventilation to the existing eastern residence.
- The ventilation and breezes to the adjoining eastern property should not be affected due to the north/south orientation of the building. The cool summer breezes generally come from the south and south-west direction and should not be restricted by setback of the proposed residence.

The proposed side setback variation is relatively minor and is unlikely to have a significant impact on the adjoining property on the eastern side in terms of restricting direct sun and ventilation or affecting privacy. However, the reduced setback does not appear to assist in ameliorating the impact of building bulk on the adjoining

property, especially as the lots are only 11.06m in width and the proposed development is designed to extend along the length of the lot to compensate for its limited width.

Also, taking account the difference in ground levels between the two properties which is up to 1.5m, albeit already partly retained, and the location of a main entry and windows pertaining to lounge room, kitchen and bedroom areas of the adjoining property (not all shown on the submitted site plan), it is recommended that the setback be increased to 2.4m from the upper floor bedroom 1 and living area to the eastern boundary, in order to conform with the acceptable development standards of the RDC and to satisfy the general provisions of TPS 2. This approval has therefore been conditioned accordingly.

### Visual Privacy

The proposed development complies with the visual privacy requirements of the RDC, with the exception of the raised alfresco area and balcony above which has a north-facing cone-of-vision that extends across the east and west lot boundaries.

The applicant has requested that this variation be considered under the performance criteria of the RDC, which state:

*Direct overlooking of active habitable spaces and outdoor living areas of other dwellings is minimised by building layout, location and design of major openings and outdoor active habitable spaces, screening devices and landscape, or remoteness.*

*Effective location of major openings and outdoor active habitable spaces to avoid overlooking is preferred to the use of screening devices or obscured glass.*

*Where they are used, they should be integrated with the building design and have minimal impact on residents' or neighbours' amenity.*

*Where opposite windows are offset from the edge of another, the distance of the offset should be sufficient to limit views into adjacent windows.*

The applicant has provided the following comments in support of the cone-of-vision variation:

- The ground floor dining/alfresco areas have been amended to show minor openings to the dining room and a privacy screen to the eastern side of the alfresco area to 1.6m above floor level to Council's requirements.
- The privacy screen has not been extended beyond the alfresco because we believe the visual privacy to the eastern property is not affected.
- The submitted drawings 3 & 4 show the position of the eastern side residence. The side boundary of the residence contains no outdoor entertaining areas and all windows to the residence are obscure glass. The line of sight is across the roof of the building and does not look directly into any habitable areas of the residence.

The proposed screening to the eastern and western sides of the alfresco area and front balcony will prevent direct overlooking of significant active habitable spaces or outdoor living areas. Although the proposed outdoor living areas are well setback from Rosser Street, the area of the adjoining property that is overlooked is already visible from the street so there would not have a significant impact on amenity.

#### Other concerns raised by adjoining owners

##### *Bulk and scale*

The proposed dwelling has been designed with generous front setbacks from Rosser Street to ameliorate its impact on the streetscape and for the occupants to enjoy a north-facing outdoor living area that is located behind the 6m front setback area. Fencing within the front setback area shall be of an open-aspect design to comply with Council's requirements.

The side and rear setbacks comply with the acceptable development standards of the RDC, with the exception of the setback from the upper floor to the eastern boundary, which has been addressed above. Council is therefore not required to make any discretionary decisions as a result of neighbour consultation in terms of the setbacks provided. The staggered setbacks on the upper floors will in any event lessen the overall visual impact of the dwelling on adjoining properties and, although it may reduce some morning light from the adjoining western property, the existing raised verandah to that property has itself a significantly reduced side setback and currently overlooks the subject lot. A portion of the adjoining verandah is also screened by shade cloth, presumably to reduce the amount of sunlight to east-facing windows.

There are a number of other contemporary two-storey developments along Rosser Street and the proposed development would not appear out-of-character with the streetscape, especially as it is to have a generous street setback on both ground and upper floors.

##### *Building Height*

The calculation of building height stems from Council's determination of natural ground levels (NGL). Clause 5.1.1 of the Council's Town Planning Scheme No. 2 expresses policy in relation to building height and paragraph (c) of that clause provides a basic formula in relation to measurement of such height.

The Scheme does not specifically address flat or concealed roof designs and so it has been Council's practice to use the RDC as the basis for determining building heights for this form of development. Privacy, views and general amenity also are relevant factors to be considered under the Scheme.

The Town has determined the natural ground level (NGL) at the centre of the lot to be RL: 102. The maximum permitted wall height under the acceptable development standards of the RDC for a concealed or flat roof is RL: 109 (7 metres) for this lot, which is consistent with the proposed development hence Council discretion is sought.

The proposed undercroft area has a ceiling height at RL: 101.2, which is below the natural ground level at the centre of the site and therefore is not regarded as a storey under TPS 2. The proposed development therefore conforms to the maximum two-storey building height.

The proposed undercroft garage is unlikely to be able to be located at a lower depth as it would result in a driveway gradient exceeding the maximum permitted 1:4.

#### *Structural work*

Details showing structural work are not required to be assessed at the planning application stage, but will be required to comply with the Building Code of Australia when submitted at Building Licence stage. However, it would be appropriate to require the applicant to submit a dilapidation report on the two adjoining properties as a condition of planning approval.

#### *Noise from pool and spa*

It is standard practice to condition the Planning approval so that pool/spa pumps and filters are located closer to the proposed dwelling than adjoining dwellings and that these are suitably housed or treated 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.

Whilst there may be some additional noise from the proposed pool equipment this is unlikely to exceed standard health (noise) regulations and is proposed to be screened by a brick wall on the western boundary, and that common boundary fence will require the applicant to liaise with the adjoining owner before commencing works. The applicant has also advised that they will engage a consultant to investigate the possibility of locating some of the equipment into the undercroft area.

#### *Retaining walls*

Existing retaining walls exist along the lot boundaries due to the sloping topography of the site. The applicant proposes to increase the height of the retaining wall on the eastern boundary by up to 0.5m, which complies with the acceptable development standards of the RDC as retaining walls that are provided as part of an existing dwelling are regarded as natural features and excluded from the new site works requirements. A planning condition is recommended to address this and to remove any discrepancies that may have occurred on the submitted plans.

#### *Open space*

The proposed development has 54% open space and therefore it complies with the acceptable development standards of the RDC and no Council discretion is required.

#### *Solar access*

The proposed development shall overshadow approximately 15% of the property to the south which is well below the maximum permitted 25% overshadowing permitted under the acceptable development standards of the RDC.

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**CONCLUSION**

The proposed two-storey dwelling with undercroft, pool and spa is recommended for approval, subject to the setback to the proposed upper floor bedroom 1 and living area being increased to 2.4m from the eastern boundary so as to assist in ameliorating the impact of building bulk on the adjoining property and to satisfy the requirements of the RDC. Otherwise it is a highly-compliant design.

**VOTING**

Simple Majority

**COMMITTEE COMMENT**

Committee acknowledged the points raised by the neighbour and the response provided by the owner, noting that modern design is not uncommon in Cottesloe and the proposal is essentially compliant. There was some discussion about climatic considerations in dwelling designs and the extent of planning guidance plus building controls for such. Officers confirmed the height assessment as correct and pointed-out the constraints of new dwellings on smaller lots in this street and generally. There was some discussion about the dilapidation report standard condition which led to an amendment to enhance it in this instance having regard to neighbour involvement.

**OFFICER RECOMMENDATION**

Moved Cr Walsh, seconded Cr Dawkins

1. That Council GRANT its Approval to Commence Development for the proposed two-storey dwelling with undercroft, pool and spa at No. 13 Rosser Street, Cottesloe, in accordance with the plans submitted on 26 November 2010, subject to the following conditions:
  - (a) All construction work shall be carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13 - Construction Sites.
  - (b) Stormwater runoff from the driveway or any other paved portion of the site shall not be discharged onto the street reserve, right-of-way or adjoining properties, and the gutters and downpipes used for the disposal of stormwater runoff from roofed areas shall be included within the working drawings for a building licence.
  - (c) The external profile of the development as shown on the approved plans shall not be changed, whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of the Council.
  - (d) The existing redundant crossover being removed and the verge, kerb and all surfaces made good at the applicant's expense to the satisfaction of the Manager Engineering Services.
  - (e) Air-conditioning plant and equipment shall be located closer to the proposed 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.

- (f) Any fencing to the site within the front setback area shall be of an open-aspect design in accordance with Council's Fencing Local Law.
- (g) The pool/spa pump and filter shall be located so as not to impact on adjoining properties 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.
- (h) Wastewater or backwash from pool/spa filtration systems shall be contained within the boundary of the property and disposed of into adequate soakwells.
- (i) A soakwell system shall be installed to the satisfaction of the Environmental Health Officer, having a minimum capacity of 763 litres and located a minimum 1.8 metres away from any building or boundary.
- (j) Wastewater or backwash shall not be disposed of into the Council's street drainage system or the Water Corporation's sewer.
- (k) Prior to the issue of a building licence, the landowner shall make a cash contribution towards the upgrade of the adjoining right-of-way, equivalent to 50% of the cost of constructing a portion of a standard right-of-way for an area 4m wide by 20m long, as determined by the Manager Engineering Services.
- (l) The design of the proposed upper-floor bedroom 1 and living area shall be amended to provide a minimum 2.4m setback from the eastern boundary, with the details to be shown in the building licence plans.
- (m) A comprehensive Dilapidation Report addressing the adjoining properties shall be submitted prior to issue of a demolition licence, to the satisfaction of the Manager Development Services.
- (n) The proposed retaining wall along the eastern boundary shall not exceed 0.5m above existing ground levels, with the details to be shown in the building licence plans.

2. Advise the submitters of the decision.

#### **AMENDMENT**

**Moved Cr Boland, seconded Cr Carmichael**

**That condition (m) be amended to read:**

***Prior to the issue of a demolition licence, the applicant shall submit a comprehensive dilapidation report addressing the adjoining properties, to the satisfaction of the Principal Building Surveyor. The applicant shall provide copies of the dilapidation report to the owners of the adjoining properties and any dispute regarding the findings shall be referred to the Manager Development Services to address.***

**Carried 5/0**

**COMMITTEE RECOMMENDATION****Moved Cr Walsh, seconded Cr Dawkins**

1. That Council GRANT its Approval to Commence Development for the proposed two-storey dwelling with undercroft, pool and spa at No. 13 Rosser Street, Cottesloe, in accordance with the plans submitted on 26 November 2010, subject to the following conditions:
  - (a) All construction work shall be carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13 - Construction Sites.
  - (b) Stormwater runoff from the driveway or any other paved portion of the site shall not be discharged onto the street reserve, right-of-way or adjoining properties, and the gutters and downpipes used for the disposal of stormwater runoff from roofed areas shall be included within the working drawings for a building licence.
  - (c) The external profile of the development as shown on the approved plans shall not be changed, whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of the Council.
  - (d) The existing redundant crossover being removed and the verge, kerb and all surfaces made good at the applicant's expense to the satisfaction of the Manager Engineering Services.
  - (e) Air-conditioning plant and equipment shall be located closer to the proposed 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.
  - (f) Any fencing to the site within the front setback area shall be of an open-aspect design in accordance with Council's Fencing Local Law.
  - (g) The pool/spa pump and filter shall be located so as not to impact on adjoining properties 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.
  - (h) Wastewater or backwash from pool/spa filtration systems shall be contained within the boundary of the property and disposed of into adequate soakwells.
  - (i) A soakwell system shall be installed to the satisfaction of the Environmental Health Officer, having a minimum capacity of 763 litres and located a minimum 1.8 metres away from any building or boundary.

- (j) Wastewater or backwash shall not be disposed of into the Council's street drainage system or the Water Corporation's sewer.
  - (k) Prior to the issue of a building licence, the landowner shall make a cash contribution towards the upgrade of the adjoining right-of-way, equivalent to 50% of the cost of constructing a portion of a standard right-of-way for an area 4m wide by 20m long, as determined by the Manager Engineering Services.
  - (l) The design of the proposed upper-floor bedroom 1 and living area shall be amended to provide a minimum 2.4m setback from the eastern boundary, with the details to be shown in the building licence plans.
  - (m) Prior to the issue of a demolition licence, the applicant shall submit a comprehensive dilapidation report addressing the adjoining properties, to the satisfaction of the Principal Building Surveyor. The applicant shall provide copies of the dilapidation report to the owners of the adjoining properties and any dispute regarding the findings shall be referred to the Manager Development Services to address.
  - (n) The proposed retaining wall along the eastern boundary shall not exceed 0.5m above existing ground levels, with the details to be shown in the building licence plans.
2. Advise the submitters of the decision.

Carried 3/2

**10.1.2 NO.151 MARINE PARADE - NORTH COTTESLOE SURF LIFE SAVING CLUB - PROPOSED LANDSCAPING, DUAL-USE PATHWAY AND NEW ACCESS TO BEACH – RECONSIDERATION OF COUNCIL RESOLUTION**

**File No:** 2105  
**Attachments:** [CottesloeSurfLifeSaving.pdf](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Ed Drewett  
Senior Planning Officer

**Proposed Meeting Date:** 21 February 2011

**Author Disclosure of Interest** Nil  
**Property Owner** Crown  
**Applicant** NCSLSC  
**Zoning:** N/A  
**M.R.S. Reservation:** Parks & Recreation

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**PROPOSAL**

To consider a request by the North Cottesloe Surf Life Saving Club (NCSLSC) for Council to reconsider its requirement for a boardwalk adjoining the proposed Clubroom extension and that the proposed works to be carried out at the applicant's cost.

A revised plan (Drawing No. DD01 Rev: E) has also been submitted by the applicant which shows the following additional details:

- The location of the existing dual-use path; and
- A longitudinal section of the existing and proposed pathway gradient;

The original proposed beach access has also been deleted, as requested by Council.

**BACKGROUND**

On 13 December 2010 Council considered this application and resolved:

*With respect to the proposed landscaping, dual-use pathway and new beach access adjoining the North Cottesloe Surf Life Saving Club at 151 Marine Parade, Cottesloe, as shown on the plans (Drawing No: DD01-Rev D) and photographs date-stamped received 24 November 2010, advise the applicant that the application shall first be advertised before being further considered by Council for a recommendation to the WAPC, subject to the following matters being addressed to the satisfaction of the Manager Development Services:*

- (1) *Revised plans shall be submitted showing a boardwalk for a portion of the proposed dual-use path as indicated in 'Option B' of the report submitted by Ecoscape, as that option does not require dune stabilisation measures;*

- (2) *The proposed new beach access shown perpendicular to the Clubrooms shall be deleted from the application and all beach access proposal shall be considered as part of Council's Foreshore Concept Plan process; and*
- (3) *Confirmation that all the proposed works shown on the submitted plan to be carried-out within the public domain shall be at the applicant's cost, as Council has not budgeted for such works.*

This decision was made unanimously by Council. A copy of the previous report to Council is attached for information.

Prior to that application and resolution, on 14 December 2009 Council considered a similar application for alterations and extensions to the NCSLSC (including an extension to the existing lease boundary) but excluding changes to the reserve beyond the proposed development to the north, whereby the Council Officers advised:

*As highlighted in the Environmental Assessment Report submitted by the Club the extension of the building at the lower level will require the realignment of the existing pathway. However, the Club has not indicated that they will fund these works and the detailed design of the new pathway has not been submitted as part of this application so details of levels, gradients and access/openings etc to the building façade remain unclear and would need to be submitted for approval by the Town and WAPC.*

*It may be preferable that the proposed building, if approved, be redesigned to avoid the necessity for the path realignment as repositioning it further westward may be problematic in terms of its effect on the dunes and the likely impact of climate change and increased wave erosion. If the dual use path was to be replaced then, based on advice from the Manager Engineering Services, it would be preferable to consider an alternative route along Marine Parade which is further from the area most prone to coastal erosion and sea level change. Ideally a proposal should not affect land or structures outside its area nor have potential environmental (coastal erosion) impacts.*

It was further recommended by the Council Officers that:

*Should Council be concerned about the proposed expansion of development on the foreshore against the grain of its strategic policy direction (including the most recent Foreshore Concept Plan) and necessitating the realignment of the dual use path and construction of a building in an area potentially vulnerable to coastal erosion and flooding, then the Club could be advised that the proposed additions, including the extension to the lease boundary (particularly to the north of the existing Club boundary), are not supported.*

Council subsequently resolved to advise the Western Australian Planning Commission (WAPC) that the application be supported subject to conditions, including that:

*The proposed development shall be redesigned to ideally avoid any impact on, or at least to minimise the necessity for realignment and reconstruction of, the dual-use path. The details of the redesign shall be shown on revised plans to the satisfaction*

*of the Manager Development Services. Any works affecting the dual-use path shall be done to the specification and satisfaction of the Town of Cottesloe, and completed prior to occupancy of the new development, at the cost of the Club, including any repair or upgrading of the dual-use path generally as a result of the proposed development. In addition, any necessary dune reinstatement or rehabilitation shall be undertaken at the cost of the Club to the specification and satisfaction of the Town of Cottesloe;*

### WAPC Conditions

The WAPC approved the application on 3 May 2010 subject to conditions and advice notes, the most relevant being as follows:

*A landscape and revegetation plan is to be prepared to enhance the visual amenity and contribute to the ecological integrity of the area, to the satisfaction of the WAPC. This should address the following:*

- (i) the grassed area to the north of the existing Club above the proposed addition, being reinstated/planted, reticulated and mulched as required and maintained in good condition thereafter, to the specification of the Town of Cottesloe; and*
- (ii) the surrounding dunal system, with weeds being removed and native dunal species being reinstated, and any necessary dune reinstatement or rehabilitation being undertaken at the cost of the Club to the specification of the Town of Cottesloe;*

*The dual-use path abutting and to the north of the proposed development is to be repaired, upgraded, widened and realigned to ensure adequate sightlines that will reduce the risk of collision between users of the dual-use path and users of the Club's facilities, as illustrated in Option B of the environmental assessment submitted with the application. Such works shall be carried out to the specification of the Town of Cottesloe in conjunction with the Cycling Infrastructure section of the Department of Transport and to the satisfaction of the WAPC, and completed prior to occupancy of the new development, at the cost of the Club;*

*Public access to North Cottesloe Beach is not to be prevented during construction of the proposed development, nor prevented due to the alterations and additions to the Surf Life Saving Club; and*

*An urban water management plan is to be prepared for the development site and the surrounding area to ensure water-sensitive urban design best management practices are upheld.*

### Advice to applicant (from WAPC):

*The applicant shall submit a comprehensive Construction Management Plan to the satisfaction of the Town of Cottesloe's Manager of Development Services prior to the issue of a building licence by the Town. This shall address the impact of construction on the public domain and nearby properties, including but not limited to: public access and safety, the beach (including dunes and vegetation), footpath, dual-use*

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*path, lawn, road reserve, construction vehicle parking, rubbish stockpiling and removal, materials and equipment storage and security, windblown dust/debris, noise and hours/days of construction activity;*

*The WAPC favours 'Option B – Boardwalk' path realignment proposal as presented by Ecoscape, as this option includes a wider area in front of the development and does not require dune stabilisation measures. With respect to this, a railing is required to prevent users falling over the edge, the surface of the boardwalk will need to be non-slip, the actual boardwalk width will need to be a minimum 3.5metres, and the realignment will need to extend to the north sufficient to improve sightlines for cyclists travelling south;*

*The Coastal Infrastructure Business Unit of the Department of Transport advises that the Surf Life Saving Club is considered to be currently vulnerable to coastal processes and this vulnerability will increase over a 100 year timeframe. The Club is advised to consider medium to long term options to manage the risk of damage to their building from coastal processes; and*

*All development must comply with the provisions of the Health Regulations, the Building Code of Australia, Public Building Regulations, and all other relevant Acts, Regulations and Local Laws. This includes the provision of access and facilities for people with disabilities in accordance with the Building Code of Australia.*

## **APPLICANT'S SUBMISSION**

On 1 February 2011 the applicant submitted a letter requesting that Council reconsider its resolution of 21 December 2010.

A summary of the applicant's comments is provided below:

- The boardwalk option was based on a basic concept that was prepared as part of the Cottesloe Natural Areas Management Report. This concept was prepared by Ecoscape without detailed survey level data and without reference to the surf club extension proposal;
- The boardwalk concept was intended to be constructed by Council above existing dune levels and subject to detailed review of existing dune levels and ramp gradient requirements;
- The existing pathway is currently at a gradient of around 1:10 adjacent to the clubroom extensions. The WAPC requires provision of universal access in accordance with AS1428 to the lower floor level of the clubrooms and connection to the pathway to the north. This will necessitate approximately 500mm of excavation below the current path alignment at its deepest point to achieve these grades;
- An additional 500mm (1m in total) of excavation would be required to accommodate the substructure of a boardwalk option involving extensive post hole/footing excavation;

- Intensive dune stabilisation will be required where weeds are removed and where any existing paving is demolished and not replaced;
- The boardwalk option will require excavation of the dune to a depth of approximately 2m (to accommodate its substructure) and extension of this excavation to the west into the dune area to tie into existing grades – thus revegetation works are likely to be extensive below and adjacent to the boardwalk alignment;
- The at-grade alternative replaces the pathway close to the original alignment with a similar paving treatment, providing instant stabilisation measures;
- Low retaining structures on both sides of this new path minimise the need for extended excavation into the dunes west, resulting in less extensive stabilisation strategy;
- Occasional access by Council maintenance vehicles and the Surf Club's vehicles with a boat trailer need to maintain access from the north. The design of the path therefore needs to accommodate design loads for a small truck (4WD) and trailer (3 tonnes is likely to be sufficient). A boardwalk substructure that is robust enough to accommodate such vehicles will require large (deep) bearers and narrow joist spans;
- An at-grade alternative could accommodate heavy traffic loads up to 6 tonnes;
- The visual impact of a boardwalk from the beach is likely to be more significant than an at-grade solution, due to its elevation and need for extensive substructure;
- The at-grade alternative will be hidden from view from the beach area by retained dune vegetation;
- The boardwalk option was originally detailed to be part of the Council's Natural Areas Management Strategy and as such these costs should be included in its implementation;
- Probable cost for a boardwalk including substructure is approximately \$700/m<sup>2</sup> for around 100m<sup>2</sup> of decking (approximately \$70,000) whereas cost for an at-grade alternative is approximately \$40/m<sup>2</sup> for paving and \$300/lin.m for around 85m of low retaining wall (approximately \$30,000);
- We believe the boardwalk option is no longer viable;
- There is little difference in dune stabilisation requirements with either option due to the need to excavate to universal access gradients – vegetation will be lost along the alignment in both cases. The proposed at-grade option will provide instant stabilisation by capping the loose sand with concrete;



**PLANNING COMMENT**

The proposed realignment of the dual-use path shows the existing path having to be relocated up to approximately 3m westwards over the existing dunes to accommodate disability access at a maximum gradient of 1:14. This is a significant variation from Council's original requirement which stated that the proposed development shall be redesigned to ideally avoid any impact on, or at least to minimise the necessity for realignment and reconstruction of, the dual-use path. Furthermore, the report to Council of 13 December 2010 regarding further proposed alterations and additions to the Club (Option J) advised:

*The proposed extension of the below-ground floor westward is of concern, as it would necessitate more significant relocation of the dual-use path and is inconsistent with the changes previously agreed by the applicant and supported by Council as Option B. It would also result in more risk to the building and path due to coastal erosion and may be more disruptive to the dunes.*

Council may recall that the Option B drawing was originally supported by Council following amendments to the location of the proposed extension carried out by John McKenzie & Associates Architects on the basis that:

*The extension under the reserve has been moved eastwards, maintaining the same area, but retaining the existing line of the existing path and creating an external paved area to this path which allows for more flexibility in design to accommodate existing levels and improve traffic circulation at the entrance to the new extension.*

It was this proposal that was approved by the WAPC on 3 May 2010.

It is unfortunate that disability access along the dual-use pathway was not addressed by the applicant in its applications of December 2009 or December 2010 and that the report prepared by Ecoscape for the NCSLSC redevelopment dated September 2009 which indicated that a boardwalk path option would remove the necessity of dune stabilisation measures was conceptual only without detailed survey level data and without reference to the surf club's extension proposal. However, to ensure that the proposed new walkway now satisfies Council's Policy for new Footpath Construction and provides universal access to people with disabilities it is necessary for Council to reconsider its initial recommendation to the WAPC.

**Boardwalk –v- Concrete dual-use pathway**

The Council's consultant on the Foreshore Concept Plan has reviewed the applicant's submission and has advised:

*I don't think this is a situation where there is any merit in using a boardwalk. The only reason we would use a boardwalk anywhere along the promenade is where we traverse reasonably long runs over the natural coastal vegetation. I think their proposal to use concrete with a small wall is the best way to go.*

*On section CC, however, I suspect that edge wall will be undermined during the first winter so they need to think very carefully about that detail. The height of the wall should perhaps be increased to prevent vegetation spilling onto the path.*

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*They should also add notes to their drawing to the effect that "all abutting natural coastal vegetation will be repaired and enhanced following construction of the wall".*

The Manager Engineering Services has advised:

*The proposed new and relocated dual-use path on the west side of the planned expansion of the North Cottesloe Surf Life Saving Club building will have a substantial impact on the narrow width between the expanded building and the drop down the adjacent dune slope.*

*The path is to be moved to the west and the vertical levels dropped, in some sections, by up to 1.6 metres. This is to provide the required improvement in sight distance along the curving path, allow the diversion needed around the new building width and provide the required levels to create the standards for disability access along that section of path.*

*If the boardwalk concept is retained, it will mean an increased excavation depth to allow for the support cross and longitudinal members plus the actual boards. The alternative of a poured concrete surface edged by retaining walls would require less earthworks and reduced damage to the dune.*

*The construction of this path will have to be properly designed by a consultant engineer to minimise damage to the dune slope and ensure that the resultant path can withstand erosion damage from storm surges on the beach and dune.*

*Substantial replanting of the dune slope will be required and rock stabilisation or similar protection may be necessary at the base of the dune due to the earthworks impact for the path.*

*All of the path works will be expensive but would not be required if no extension of the building was undertaken. Therefore, no Council funding of this work is expected.*

The Town's Principle Building Surveyor has recommended that a Structural Engineer advise on the construction of the proposed new dual-use path prior to issue of a building licence.

#### Development Costs

The applicant has advised that the boardwalk option was originally detailed to be part of the Council's Natural Areas Management Strategy (NAMS) and as such these costs should be included in its implementation.

NAMS included a table of probable costs for a Management Strategy for the coastal areas. However, a summary of the Management Strategy for North Cottesloe (Table 23) does not identify costs associated with the dual-use path and the Manager Engineering Services has advised that such works within the public domain are necessary at this time only due to the NCSLSC redevelopment and should therefore be at the applicant's cost as Council has not budgeted for such works.

If the Club wants the benefit of its expanded premises, plus the improved dual-use path and surrounding landscaping, all of which will serve and be enjoyed by its members, then it should be prepared to pay for this.

## CONCLUSION

Council has always been supportive of the proposed alterations and additions to the NCSLSC, including the associated works within the public domain and associated changes to the existing lease boundary.

As the Club has further investigated the scope of the works necessary it has become apparent that a concrete dual-use path would be a more practical solution than a boardwalk, especially as this is more likely to be able to accommodate the weight of vehicles accessing the Club and ultimately require less dune stabilisation in this area which is potentially very vulnerable to coastal erosion. It is also the preferred option recommended by the Manager Engineering Services and the Council's consultant on the Foreshore Concept Plan.

Full details showing the extent of the proposed works required for the dual-use path as determined by a Structural Engineer and a schedule of works required for the dune stabilisation and rehabilitation will be required to be submitted at Building Licence stage to the satisfaction of the Manager Development Services. This can be recommended to the WAPC together with other appropriate conditions, following advertising of the proposal.

As the proposed works within the public domain have not been budgeted for by Council the Manager Engineering Services has recommended that the works should remain at the applicant's cost.

## VOTING

Simple Majority

## COMMITTEE COMMENT

Committee briefly discussed the context of the associated intended building extensions, public domain infrastructure and coastal natural process in noting the previous boardwalk option had been superseded by the concrete path proposal.

## OFFICER & COMMITTEE RECOMMENDATION

**Part 1 rescission:**

**Moved Cr Dawkins, seconded Cr Birnbrauer**

**That Council:**

1. **Rescind its resolution of 13 December 2010 (Item 11.1.3) which stated:**

***With respect to the proposed landscaping, dual-use pathway and new beach access adjoining the North Cottesloe Surf Life Saving Club at 151 Marine Parade, Cottesloe, as shown on the plans (Drawing No: DD01-Rev D) and photographs date-stamped received 24 November 2010, advise the applicant that the application shall first be advertised before***

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*being further considered by Council for a recommendation to the WAPC, subject to the following matters being addressed to the satisfaction of the Manager Development Services:*

- 1. Revised plans shall be submitted showing a boardwalk for a portion of the proposed dual-use path as indicated in 'Option B' of the report submitted by Ecoscape, as that option does not require dune stabilisation measures;*
- 2. The proposed new beach access shown perpendicular to the Clubrooms shall be deleted from the application and all beach access proposal shall be considered as part of Council's Foreshore Concept Plan process; and*
- 3. Confirmation that all the proposed works shown on the submitted plan to be carried-out within the public domain shall be at the applicant's cost, as Council has not budgeted for such works.*

Carried 4/1

Part 2 replacement:

Moved Cr Walsh, Seconded Cr Dawkins

2. Replace the previous resolution with the following:

That Council:

1. With respect to the proposed landscaping and concrete dual-use pathway adjoining the North Cottesloe Surf Life Saving Club at 151 Marine Parade, Cottesloe, as shown on the plan (Drawing No: DD01-Rev E) received 1 February 2011 advise the applicant that the application shall be advertised and any submissions received shall be considered by Council prior to a recommendation to the WAPC;
  2. Reiterate Council's previous advice to the applicant that the proposed works shown on the submitted plan shall be completed entirely at the applicant's cost as Council has not budgeted for such works; and
  3. Reiterate Council's previous advice to the applicant that any proposed new beach access shall be submitted separately for consideration as part of Council's Foreshore Concept Plan process.
3. Advise the WAPC of this interim resolution.

Carried 4/1

**10.1.3 RIGHTS OF WAY / LANEWAYS POLICY & PROPOSED EXEMPTION OF ROW 14 FROM UPGRADING – FURTHER (THIRD) REPORT**

**File No:** E13.1  
**Attachments:** [Right of way Feb.pdf](#)  
[Rights of way comments Feb.pdf](#)  
**Responsible Officer:** Carl Askew  
Chief Executive Officer  
**Author:** Andrew Jackson  
Manager Development Services  
**Proposed Meeting Date:** 21 February 2011  
**Author Disclosure of Interest:** Nil

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**INTRODUCTION**

Council in October and December 2010 considered reports regarding the operation of its Rights of Way / Laneways Policy. The reports covered the policy history, core provisions, proposed exemption of ROW 14 from upgrading and upgrading requirement placed on 41 Grant Street as a condition of planning approval. Council's December resolution below addressed the situation and was to:

1. *Acknowledge the thoroughness of the officer report.*
2. *Defer the request to exempt ROW 14 from sealing and drainage as incomplete and have administration notify the affected landowners that the differential rating requirement must be satisfied prior to their request being considered.*
3. *In respect of the Policy provisions, retain the laneway upgrading exemption clauses 14-16 of the Policy as modified at the 25 October 2010 Council meeting, including the differential rating requirement in clause 16, for the time being.*
4. *Advise in writing the architect for 41 Grant Street of this overall outcome.*

The December report is attached for reference and the matter is finalised by this report.

**SUBSEQUENT ACTIONS**

The Town has written to the key landowner contacts and the architect pursuant to Council's resolution.

The landowners seeking exemption have responded promptly by submitting a signed statement agreeing to the differential rating requirement. This is based on a request for guidance from the Town regarding the wording of the submission, as indicated by the text therein.

A check of the signatories against those who previously supported no upgrading and the land ownerships has verified that at least two-thirds of the current owners have acknowledged the possible future differential rating requirement.

**CONCLUSION**

The policy provision in respect of differential rating in order to allow an upgrading exemption has now been satisfied. This therefore cancels the upgrading condition for 41 Grant Street.

Now that the proper process has been followed and is complete, it is concluded that all things considered Council may agree to the exemption as recommended.

**VOTING**

Simple Majority

Cr Walsh declared a proximity interest and handed the chair to Cr Birnbrauer as deputy, then left the room at 7.23pm.

**COMMITTEE COMMENT**

The MDS explained that the recommendation completes the process Council has previously agreed to and Committee acknowledged the intended exemption of ROW 14 from upgrading. Nonetheless Committee sought clarification of the ability to utilise differential rating in accordance with the Policy provisions. The MDS mentioned Council would have established such when introducing the relevant provisions and undertook to confirm the matter in a memo to Council.

**OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Dawkins, seconded Cr Birnbrauer**

**That Council:**

- 1. In relation to its Rights of Way / Laneways Policy, exempts the existing non-upgraded east-west aligned section of ROW 14 from the need for sealing or drainage, and list that exemption in a table attached to the Policy (as directed in its 13 December 2011 decision in this regard).**
- 2. Advises in writing the landowners along the subject section of ROW 14 that Council has granted the exemption.**
- 3. Advises the architect for the approved development at 41 Grant Street of the exemption and that condition 7 requiring upgrading of the laneway is therefore waived.**

**Carried 3/1**

*Cr Walsh returned to the room at 7.40pm*

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

Nil

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

The MDS advised that the item regarding Wearne Hostel deferred in November 2010 had now been addressed whereby a report directly to Council this month may be possible if all information is to hand this week. Committee indicated support to expedite the matter accordingly.

**13 MEETING CLOSURE**

The Presiding Member announced the closure of the meeting at 8:00pm.

*CONFIRMED: PRESIDING MEMBER* \_\_\_\_\_ *DATE: .../.../...*