

TOWN OF COTTESLOE



DEVELOPMENT SERVICES COMMITTEE MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE
109 BROOME STREET, COTTESLOE
6.00 PM, MONDAY, 20 JULY 2015

MAT HUMFREY
Chief Executive Officer

23 July 2015

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DEVELOPMENT SERVICES COMMITTEE

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1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 6:00 PM.

2 DISCLAIMER

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

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

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

Nil.

4.2 PUBLIC QUESTIONS

Nil.

5 PUBLIC STATEMENT TIME

Nil.

6 ATTENDANCE**Present**

Cr Peter Jeanes	Presiding Member
Cr Helen Burke	
Cr Jack Walsh	
Cr Katrina Downes	
Cr Jay Birnbrauer	
Cr Robert Rowell	

Officers Present

Mr Mat Humfrey	Chief Executive Officer
Mr Andrew Jackson	Manager Development Services
Mr Ed Drewett	Senior Planning Officer
Mrs Liz Yates	Development Services Administration Officer

6.1 APOLOGIES

Nil.

Officer Apologies

Mr Ronald Boswell

6.2 APPROVED LEAVE OF ABSENCE

Mayor Jo Dawkins
Cr Philip Angers

6.3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

7 DECLARATION OF INTERESTS

Nil.

8 CONFIRMATION OF MINUTES

Moved Cr Birnbrauer, seconded Cr Downes

[Minutes June 15 2015 Development Services Committee.docx](#)

The Minutes of the Ordinary meeting of the Development Services Committee, held on 15 June 2015 be confirmed.

Carried 6/0

9 PRESENTATIONS

9.1 PETITIONS

Nil.

9.2 PRESENTATIONS

Nil.

9.3 DEPUTATIONS

Nil.

10 REPORTS

10.1 PLANNING

10.1.1 NO. 40 (LOTS 26 & 27) JOHN STREET - DEMOLITION OF AN EXISTING GARAGE AND CONSTRUCTION OF ANCILLARY ACCOMMODATION, A DOUBLE CARPORT, PERGOLA, FENCING AND A POOL

The Presiding Member advised that item 10.1.1 had been withdrawn at the request of the applicant prior to the meeting, to enable further discussion with the Town.

File Ref:	3185
Attachments:	40 John Aerial 40 John Property Photos 40 John Heritage Advice 40 John Applicant Submission 40 John Plans
Responsible Officer:	Andrew Jackson Manager Development Services
Author:	Ed Drewett Senior Planning Officer
Proposed Meeting Date:	20 July 2015
Author Disclosure of Interest:	Nil
Property Owner:	M Hulme
Applicant:	As above
Date of Application:	20 May 2015
Zoning:	Residential
Use:	P – A use that is permitted under this Scheme
Lot Area:	1235.65m² (total)
M.R.S. Reservation:	Not applicable

SUMMARY

This application has been assessed in the context of the property's heritage significance and the streetscape in addition to relevant development requirements.

Planning approval is sought to demolish the existing garage and replace it with ancillary accommodation and a double carport in the front setback area of the dwelling known as "Laxey Glen". A pergola, fencing and a pool are also proposed on the site.

Revised plans were submitted by the applicant on 26 June 2015 following liaison with Officers, which are assessed in this report. However, due to the concerns identified, the recommendation is to defer the application.

PROPOSAL

A summary of the proposed development is as follows:

- Demolition of existing double garage;

- Construction of an ancillary accommodation (ie a second, minor, dwelling) and a double carport in the south-east corner of the site;
- Relocation of a limestone pier and fencing along the John Street boundary in front of the proposed carport;
- Construction of a new pergola; and
- Construction of a pool.

The proposed ancillary accommodation has a floor area of 69.37m² on the ground floor, comprising a bedroom, kitchen/dining/living area, bathroom, laundry and WC, with a separate mezzanine storage area in the roof space accessed via a ladder.

STATUTORY ENVIRONMENT

- Local Planning Scheme No.3 (LPS 3)
- Residential Design Codes (RDC)
- Fencing Local Law

HERITAGE LISTING

- Municipal Inventory – Category 3 (possible inclusion on LPS3 Heritage List)
- Register of National Estate
- National Trust – classified

POLICY CONSIDERATIONS

- WAPC SPP 3.5 – Historic Heritage Conservation

APPLICATION ASSESSMENT

Areas of non-compliance

Local Planning Scheme No. 3:

	Permitted	Proposed
Matters to be considered by Council	A proposal that satisfies the aims and provisions of LPS 3, including Part 10 of the Scheme.	The bulk and scale of the proposal in the front setback area appears excessive and would not preserve the amenity of the locality or represent orderly and proper planning, including having regard to the heritage context of the property and street.

Residential Design Codes:

Design Element	Deemed-to-comply	Proposed	Design Principles
Street setback	6m setback, or corresponding to the average setback on adjacent properties fronting the same street, or minimum 3m, averaging 6m.	1.5m to ancillary accommodation and carport.	Clause 5.1.2 – P2.1 & P2.2

CONSULTATION

The Town advertised the proposal to three neighbouring property owners, including two opposite in John Street. Two submissions were received from the eastern neighbour's solicitors, raising objection to the proposal, principally on the basis of streetscape impact.

HERITAGE CONTEXT

The Town's Municipal Inventory has the following description of the subject property (or "place" in heritage terminology):

'Laxey Glen' was built between 1903-1910. This large brick and iron residence is an imposing example of the "Federation Queen Anne" style. It is set in pleasant grounds complemented by nearby Norfolk Island pine trees. Its many rooms open onto wide verandahs via French doors, and large windows provide ocean views. The large and complicated roof, decorated with small finials, clearly defines each living area below, and angled gables to two streets and half-timbered. The turned-timber verandah columns and delicate timber balustrades and friezes add an air of lightness to the residence. The condition of the house is not original. Substantial interior decorations including a new wing to the north. Last renovation c1991 for the Wendt family was in a manner sympathetic to the original home. The garden contains some significant plantings but overall concept to the present landscaping has little significance.

Ruth Marchant James, in her book *Cottesloe: A Town of Distinction*, provides further background to the property stating, inter alia:

Cottesloe's best-known holiday guest house was 'Laxey Glen'. Constructed with a mixture of brick and limestone for bank manager Mr Arnold between 1903 and 1910, the Federation-style building is still regarded as a significant Cottesloe landmark.

The Town's records show that the original dwelling has been altered and extended over time with approvals having been issued for the following development:

- 1967 – bathroom addition
- 1971 – laundry addition
- 1978 – addition of two bedrooms to eastern side
- 1978 – garage (now proposed to be demolished)
- 1988 – alterations and additions
- 2006 – front fence, gate, deck extension and retaining walls
- 2007 – swimming pool (not built)
- 2007 – reroofing of dwelling and garage
- 2007 – addition of rainwater tanks
- 2008 – limestone steps to existing verandah

Heritage Council of WA (HCWA)

The application was referred to the HCWA due to its proximity to the State Heritage Register place known as "Pine Lodge" adjacent to the east and separated by a lane. The HCWA has advised that the original proposal does not significantly impact on the

identified cultural significance of the registered place and has no further comment to make on the revised proposal.

PLANNING COMMENT

In addition to the heritage consideration, the following assessment is made with respect to variations to development requirements sought under LPS 3 and the RDC:

Existing garage

The double garage proposed to be demolished is located in the south-eastern corner of the site fronting John Street and was approved in 1978. While its design and appearance generally harmonises with the historical dwelling it does not appear to have any particular heritage significance, whereby its demolition may be supported.

Ancillary accommodation

Ancillary accommodation is defined in the RDC as follows:

Self-contained dwelling on the same lot as a single house which may be attached to, integrated with or detached from the single house.

Ancillary accommodation tends to be proposed at the rear of properties, sometimes with the convenience of rear or side laneway access or secondary side street access.

The proposed ancillary accommodation on the south-eastern part of the site would replace the existing garage. Although following initial discussion with Officers and consideration of the neighbour objection revised plans were received, the proposal still does not satisfy the deemed-to-comply requirements of the RDC, as it would largely be located within the primary street setback area, with only a 1.5m setback.

The RDC defines the Primary Street as:

Unless otherwise designated by the local government, the sole or principal public road that provides access to the major entry (front door) to the dwelling.

The address of the dwelling was changed in 2007 from 102 Broome Street to 40 John Street following a request from the current owner who advised that the latter was the more appropriate as it is where the front door, letterbox and parking are located.

Also, the existing dwelling has its greatest setback to John Street and therefore this is deemed the primary street, rather than Broome Street. Alternatively, were Council to approve the ancillary accommodation within the primary street setback it should be satisfied that the proposal meets the design principles of the RDC which state:

Buildings set back 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.*

The relevant explanatory guidelines in the RDC state:

Other than carports and garages (subject to clause 5.2.1) of the R-Codes, no substantial structures are allowed in street setback areas. Structures that may be allowed are:

- *low fences or walls, which are the subject of separate considerations;*
- *landscape or sculptural structures, ornamental features designed to enhance the relationship between street and dwelling; and*
- *appropriately-scaled archways or gateways, provided they are in character with the streetscape.*

It is assessed that the proposed location of the ancillary accommodation within the front setback area does not reasonably satisfy the design principles of the RDC, as it would be a substantial structure that is larger than the existing garage, would result in a greater expanse of a wall facing the street, and would not positively contribute to the prevailing streetscape. The development could also be seen to detract from the heritage-listed existing dwelling by virtue of its bulk and scale (although details demonstrating its relationship to the existing dwelling have not been included on the plans). Further, it could set an undesirable precedent for similar substantial structures in the front setback area of other dwellings, which would have a detrimental impact on the streetscape. In this regard the eastern neighbour has objected to the proposal on similar grounds, as well as mentioning privacy concerns.

LPS 3 encourages development that is compatible with the scale and amenity of a locality. Nevertheless, Council may approve variations to any development standard or requirement, including in the RDC, where it considers that the variation is necessary in order to conserve a heritage place, including where the dwelling is classified in the Municipal Inventory. However, this may not be considered warranted in this case as the proposed development is not necessary to conserve the heritage building.

For these reasons, the location of the proposed ancillary accommodation within the front setback is not recommended for approval at this stage.

Carport

A double carport is proposed over two existing car bays next to the western side of the existing garage and proposed ancillary accommodation, with a 1.5m front setback to its front columns and utilising the existing crossover via John Street.

The deemed-to-comply requirements of the RDC require carports to be setback from the primary street in accordance with Clause 5.1.2 C2.1 and are assessed the same as for other significant structures, including the proposed ancillary accommodation. Were Council to approve the carport within the primary street setback it should first be satisfied that the proposal meets the design principles of the RDC, which state:

The setting back of carports and garages to maintain clear sight lines along the street and not to detract from the streetscape or appearance of dwellings; or obstruct views of dwellings from the street and vice versa.

In addition, the relevant explanatory guidelines in the RDC state, inter alia:

Where no feasible alternative exists, the street setback area may be used for carports and unroofed parking spaces.

In this case, if the applicant wishes to demolish the existing garage then it could potentially be replaced by the proposed carport, preferably located behind the front setback, as this would minimise its visual impact on the existing dwelling and the streetscape. It could also mean that the current extent of crossovers to the lot in John Street are not all required for access.

Again, Council may approve variations to any development standard or requirement, including in the RDC, where it considers that the variation is necessary in order to conserve a heritage place, including where the dwelling is classified in the Municipal Inventory. However, it is not considered that the location of the proposed carport in the front setback area is necessary to conserve the heritage-listed dwelling and, as such, its location within the front setback area is not recommended for approval at this stage.

Pergola and pool

The proposed pergola and pool are on the northern side of the ancillary accommodation, behind the front setback area, and are compliant with LPS 3 and the RDC. However, the pool was only included in the application when the plans were revised and its location could restrict the possibility of locating the proposed ancillary accommodation and carport further from the John Street boundary. Therefore, it may be premature to approve this development before the location of the ancillary accommodation and carport has been approved.

Fencing

The existing eastern-most limestone pier and the open-aspect wrought iron fencing in front of the existing hardstand car parking on site are proposed to be relocated along the southern boundary. These are relatively minor features that comply with the Council's Fencing Local Law and can be supported.

CONCLUSION

The proposed ancillary accommodation and double carport represent substantial structures which are not readily supported under the RDC within the front setback area, and do not easily satisfy the requirements of LPS 3 due to their bulk, scale and visual impact on the existing dwelling and streetscape.

More design revision could explore a greater front setback and possibly less height, bulk and mass, so as to minimise the visual impact on the dwelling and improve its relationship to the streetscape.

VOTING

Simple Majority

OFFICER RECOMMENDATION

THAT Council defer determination of the development application for 'Laxey Glen' at No. 40 (Lots 26 and 27) John Street, Cottesloe, based on the plans received on 26 June 2015, to enable the applicant to liaise with the Town towards a more acceptable design solution taking into account planning and heritage considerations as outlined in this report.

Item 10.1.1 had been withdrawn at the request of the applicant prior to the meeting, to enable further discussion with the Town.

10.1.2 LPS3 PARKING MATTERS POLICY AMENDMENT - REPORT FOLLOWING ADVERTISING

File Ref: SUB/1867
Attachments: [Previous Report](#)
[Amendments Highlighted](#)
[Public Submissions](#)
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Andrew Jackson
Manager Development Services
Proposed Meeting Date: 20 July 2015
Author Disclosure of Interest: Nil

SUMMARY

Council on 23 February 2015 resolved:

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

In response, on 25 May 2015 Council considered a report to amend the Policy to refine it in relation to the Local Planning Scheme No. 3 (LPS3) provisions it supplements, and resolved:

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

Subsequent advertising has been completed and the submissions assessed. This report now recommends adoption of the Policy amendment, without modification.

Copies of the previous report and of the Policy showing the amendment are attached.

BACKGROUND

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

The implementation of LPS3, strategic planning for the foreshore/beachfront and emerging development proposals in the locality have highlighted the need to amend the Policy to facilitate its effectiveness.

STRATEGIC IMPLICATIONS

Relates to private development and public domain parking.

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

Local Planning Scheme No. 3.

FINANCIAL IMPLICATIONS

Relates to cash in lieu of parking and capital works.

SUSTAINABILITY IMPLICATIONS

Nil.

PROPOSED AMENDMENT

The proposed amendment to the Policy focuses on the LPS3 cash in lieu provisions, in order to more closely guide their application, by refining Council's intentions for the beachfront precinct including the Foreshore Centre, Restricted Foreshore Centre, Hotel and Development 'A' (Ocean Beach Hotel site) zones.

Clause 5.8.3(c) provides that there must be a policy in place in order for Council to consider accepting cash in lieu, for allocation to planned parking provision over time. Cash in lieu is at Council's discretion and the Policy is designed to assist determining the appropriateness and extent of cash in lieu for proposals and how the funds are to be utilised.

The previous report explained how recent planning initiatives have advanced Council's intentions for the beachfront/foreshore precinct in order to better articulate the Policy in terms of planning for parking; whereby that progress can be reflected in the Policy to augment the existing table guiding the application and deployment of cash in lieu, by inserting the following table (as also shown in the attachment):

Planned Beachfront / Foreshore Precinct Parking Improvements

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

Redeveloped car park east of Marine Parade in relation to John Black Dune Park.	Car Park 2	2015-2017
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* Note: while cash in lieu looks to off-street parking, parking in this precinct substantially involves on-street parking and road reserve land in providing public domain parking infrastructure. The redesign and upgrade of the precinct may entail realigned roads, new parking layouts and improvements for pedestrians and cyclists.

This amendment has a specific purpose and does not extend to other aspects or changes affecting the Policy.

CONSULTATION

The proposed Policy amendment has been advertised as required and three submissions were received (attached), all from residents on Marine Parade, which are summarised as follows:

Peter Goff, 116 Marine Parade

- Suggests that the wide road reserves in the locality could be utilised to provide additional parking via cash in lieu.
- Advocates determining the capacity (ie amount, ability and limits) to create parking on potentially available land, including A-class recreation reserves.
- Cautions that decked parking is likely to attract anti-social behaviour.

Officer comment:

While the cash in lieu provisions are premised on off-street parking, the Policy amendment in its note identifies that structural changes to the precinct may be able to utilise rationalised road reserve land for such parking, as suggested. Consideration of capacity and feasibility will form part of progressive parking review and provision. Decked parking requires appropriate design to counter anti-social or amenity impacts.

Patricia Carmichael, 116 Marine Parade

- Advocates a traffic management study and plan before amending the Policy, for greater predictability and anticipating redevelopment from Eric to Forrest Streets; or at least following amending the Policy.
- Refers to previous reports on this Policy, to the Beach Policy and to Mr Goff's submission to reinforce this perspective. Queries some statements contained in the Policy.
- Suggests that the Policy amendment table note, to be more emphatic, should use *shall* rather than *may*; referring to earlier documents and extracts dealing with traffic matters.

Officer comment:

The suggestion for a traffic study and plan for the precinct is acknowledged; however, that is not a prerequisite for the Policy amendment, and could occur in its own right as well as have a connection to parking regulation under the Scheme.

In the explanatory note to the Policy amendment table, the word *may* is appropriate, as its intent is to indicate what may typically occur to address parking (ie subject to detailed planning), rather than to convey what will/should happen.

Shirley Primeau, 208 Marine Parade

- Advocates a full traffic and parking review before amending the Policy; including pedestrians, Marine Parade residents and Cottesloe locals.
- Cautions that sightlines for turning vehicles onto Marine Parade (ie in south Cottesloe) are sub-standard and need to be addressed; referring to an attachment in that regard.

Officer comment:

These comments are acknowledged in relation to traffic and parking all along Marine Parade, as distinct from the Policy amendment. Consideration of sightlines falls to traffic controls and development proposals separate from the Policy and the amendment.

Overall Officer comment:

Although the Policy amendment addresses a discrete aspect, ie more detail about the mechanics of the Scheme provisions for cash in lieu, the submissions raise broader aspects for consideration generally. Whilst those comments can be appreciated, they relate essentially to traffic and parking management, including pedestrians and safety, as a functional phenomenon, rather than to the operational purpose of the Policy amendment. As such they are typically addressed by studies, physical plans and traffic engineering works to manage actual traffic and parking activity; whereas the Policy amendment is to enable the application of the cash in lieu provisions contained in the Scheme.

Therefore, proceeding with the Policy amendment with that intent would not stand in the way of examining these other concerns on an ongoing basis, and would in fact indirectly facilitate addressing them.

CONCLUSION

The Policy amendment will reinforce the application of the Scheme provisions they support with improved clarity and certainty. The submissions have made worthwhile comments to have regard to in managing traffic and parking, but do not necessitate any particular modification to the Policy amendment.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee discussed the adopted Parking Matters Policy and parking needs generally in relation to the beachfront and Town Centre areas. The Manager Development Services emphasised the requirement to complete the Policy amendment to support the cash in lieu provisions of the Scheme. In this respect Committee considered that the proposed table should state a timeframe of 2015-2017 as more realistic.

OFFICER RECOMMENDATION**Moved Cr Birnbrauer, seconded Cr Downes**

THAT Council:

1. Note this report on finalisation of the Parking Matters Policy amendment pursuant to Local Planning Scheme No. 3.
2. Adopt the Policy amendment without modification.
3. Determine that the interests of the Western Australian Planning Commission are not affected by the Policy amendment.
4. Request the Administration to attend to the relevant statutory procedures to complete the Policy amendment finalisation process.
5. Note the comments in submissions regarding traffic and parking aspects generally for ongoing consideration in attending to traffic and parking planning and management along the Cottesloe coastal area.

AMENDMENT**Moved Cr Walsh, seconded Cr Downes**

That the table 'Planned Beachfront / Foreshore Precinct Parking Improvements' of the proposed Parking Matters Policy amendment be modified to extend the 'Planned timing of expenditure of payments' to read '2015-2017' throughout.

Carried 6/0

COMMITTEE RECOMMENDATION

THAT Council:

1. **Note this report on finalisation of the Parking Matters Policy amendment pursuant to Local Planning Scheme No. 3.**
2. **Adopt the Policy amendment, with the table 'Planned Beachfront / Foreshore Precinct Parking Improvements' of the proposed Parking Matters Policy amendment be modified to extend the 'Planned timing of expenditure of payments' to read '2015-2017' throughout.**
3. **Determine that the interests of the Western Australian Planning Commission are not affected by the Policy amendment.**
4. **Request the Administration to attend to the relevant statutory procedures to complete the Policy amendment finalisation process.**
5. **Note the comments in submissions regarding traffic and parking aspects generally for ongoing consideration in attending to traffic and parking planning and management along the Cottesloe coastal area.**

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 6/0

10.1.3 LPS3 - PROPOSED AMENDMENT FOR ROOF TERRACES

File Ref: SUB/334-02
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Andrew Jackson
Manager Development Services

Proposed Meeting Date: 20 July 2015
Author Disclosure of Interest: Nil

SUMMARY

This report presents a draft amendment to Local Planning Scheme No. 3 (LPS3) to control roof terraces. In this report the term *roof terrace(s)* includes roof gardens, roof pools, viewing platforms or other roof-top use and development (apart from rooftop access solely for building maintenance or servicing equipment).

On 22 June 2015 Council considered a Notice of Motion to control roof terraces towards a policy to prevent them. The underlying concerns included loss of ground-level open space and greenery, bulkier buildings, often with boundary walls, less attractive streetscapes, amenity impacts (eg noise), and limited use or maintenance of roof terraces as genuine open space. After discussion Council resolved as follows:

That planning officers prepare a report to amend the Local Planning Scheme No. 3 that does not allow roof gardens or terraces, including any pools, to be treated as open space.

This resolution is not to disallow roof terraces altogether, but is to discount them as open space, whereby useable open space is to be as otherwise provided. This report is focussed on that aspect, in the broader context of roof terraces generally.

The recommendation is to proceed to advertise the proposed Scheme amendment documentation.

BACKGROUND

Roof terraces have existed as a building design technique around the world for centuries, in response to topography, use of space, enjoyment of climate and views, site characteristics, built form and construction methods, and sustainability practices. In today's urban areas they are a trend influenced by competition for space and modern lifestyles – beyond being seen as a luxury they constitute logical, intelligent use of otherwise wasted space for these benefits.

Roof terraces occur in single, grouped and multiple dwellings, mixed-use buildings, and in tourism, commercial, institutional and civic developments. In non-residential buildings such as offices, hotels or educational establishments, roof terraces can create readily-accessible open space and amenity for the occupants that may not be available at ground level. Design-wise, roof terraces can be located atop a building or, where a building is stepped, atop a storey with the next storey opening onto it (ie as a large terrace or balcony).

In Cottesloe roof terraces may apply to residential, commercial centre and beachfront localities, having regard to topography, views, climate and built form (ie lot size, height and density of development). Over the years a number of roof terraces have been proposed and approved in various buildings and positions, although statistically they amount to only a handful a year. Council has considered them on merit, taking into account the planning implications and any submissions. Where within height limits and overlooking is controlled by setbacks or privacy screens, they have been supported, and few have proceeded to appeal.

LPS3 currently

LPS3 itself does not define or address roof terraces, so is silent on the matter in relation to any zone or type of development. It neither provides for and guides roof terraces nor restricts or prohibits them.

LPS3 does, however, take into account the Scheme aims, orderly and proper planning, amenity, compatibility of development, submissions, built form, scale and appearance, and views. It also requires that applications should address the nature and extent of any open space and landscaping proposed for a site. These parameters are reference points in considering roof terraces.

Residential Design Codes

The Residential Design Codes (RDC) are a State Planning Policy incorporated into local planning schemes by reference, and deal with residential development only. In relation to the RDC, under LPS3 a generic power of schemes, in clause 5.3 *Special application of Residential Design Codes* provides for variations to the RDC for particular aspects, some being already contained in the Scheme.

Further variations may be made via a Scheme amendment, which would be required in order to alter how roof terraces are dealt with for residential development in Cottesloe. The proposal would require a sound basis on planning grounds for support by the community, Western Australian Planning Commission (WAPC) and Minister for Planning.

The RDC define *open space* as including *open areas of accessible and useable flat roofs*. The RDC Explanatory Guidelines in section 4.3 refer to roof decks as countable open space (subject to visual privacy controls); and state that *the RDC should not unduly constrain how open space is provided and that adequate open space should, however, be retained for the lifecycle of the dwelling*.

The RDC in Part 5 set out design elements for single, grouped and multiple dwellings with less than R30 density coding. The context identifies open space as important to managing amenity, built form, landscaping and streetscape. Sections 5.1.4 and 5.1.5 specify open space provision as either deemed-to-comply or as assessed under design principles (ie performance-based assessment criteria), whereby there is discretion to reduce open space. For R20 and R30 areas as in Cottesloe, for single or grouped dwellings the deemed minimum open space amount is 50% of the site area, with a minimum outdoor living area of 30sqm.

Interpretation of the RDC has been found to allow uncovered outdoor living areas that are more than 0.5m above natural ground level (eg a raised alfresco terrace or large entertainment balcony) to be allocated towards the provision of open space, thereby reducing ground level open space.

The RDC also define communal open space as shared recreational open space for the occupants of a group of dwellings. In Part 5 the deemed-to-comply standard permits common property communal open space for grouped dwellings to be partially credited towards open space provision, within defined limits – being a maximum 20% reduction per dwelling, the total reduction not exceeding the area of communal open space, and no reduction of the outdoor living area for each dwellings.

The RDC in Part 6 set out design elements for multiple dwellings in areas of R30 or greater density coding, or in mixed-use developments or activity centres. Deemed-to-comply open space provision is specified, or it may be assessed under design principles. For R30 to R60 density-coded areas, as in Cottesloe, for multiple dwellings, the deemed minimum open space amount is 45% of the site area.

For R100 areas (eg Cottesloe Town Centre) open space provision is guided by area plans or similar mechanisms such as design guidelines, where applicable. For multiple dwellings in R100 areas, the RDC do not specify a deemed-to-comply percentage for open space and rely on a local structure plan or local development plan which contains development requirements – note: alternatively, a policy or design guidelines may address this. The intent is that the provision of open space (or not) responds to the needs of the occupants, the features of the site and is consistent with surrounding development and the desired future character of a locality (ie as governed by the density coding).

Non-residential development

Under LPS3, non-residential development, whether in a mixed residential/non-residential building or a purely non-residential building, there is no express open space requirement. In accordance with the various zones, commercial etc development does, however, have to satisfy plot ratio and maximum site cover requirements, as specified in Table 2, which may refer to design guidelines for certain areas. This applies to the Residential/Office, Town Centre, Local Centre, Foreshore Centre, Restricted Foreshore Centre, Hotel and Development zones.

If a roof terrace is proposed as amenity space for occupants of a non-residential building, the question becomes whether it should be included as plot ratio (ie habitable floor space), thereby influencing the size of the building and possibly the parking requirement. However, because such roof terraces are ancillary to the purpose of the building and do not increase its footprint, and are used by the occupants (eg office staff, patrons of hotel rooms), this is not considered to need any particular control in LPS3 in connection with the open space concern related to residential development. Also, potential amenity impacts associated with roof terraces are of less concern in non-residential areas, where there is greater activity in any case.

AMENDMENT PROPOSAL

The amendment proposal is straightforward in being to disallow roof terraces and high outdoor living areas to be counted as open space for residential development. This means that open space as defined by the RDC would be required to be provided at ground level, encouraging setbacks and discouraging extensive boundary walls.

Policy alternative

The Scheme amendment proposal concentrating on open space under the RDC can only go so far in addressing the broader matter of the bulk, scale and built form of development.

The alternative to a Scheme amendment would be a Local Planning Policy under the Scheme, also made by advertising the proposal and considering submissions, with Council as the final decision-maker. Policy or design guidelines are suitable where detail and discretion are desirable to manage a planning matter, as opposed to more rigid regulatory provisions. It is not as strong as scheme provisions, is not absolutely binding on Council and may be appealable.

If, apart from the open space aspect the focus of this report, Council wished to more closely control development otherwise, it could do so by scheme policy or design guidelines. This might address aspects such as setbacks, fencing, streetscape, and so on, and would require further consideration before being embarked upon.

STRATEGIC IMPLICATIONS

A specific provision in this respect would avoid appeals against the Town not accepting roof terraces as open space.

POLICY IMPLICATIONS

Nil.

STATUTORY ENVIRONMENT

Planning & Development Act.
Town Planning Regulations.
LPS3.

FINANCIAL IMPLICATIONS

Nil.

SUSTAINABILITY IMPLICATIONS

Nil.

CONSULTATION

The scheme amendment process includes public advertising and consideration of submissions.

PROCEDURE

The Scheme amendment procedure is initiated by a Council resolution, followed by preparation of official documents and any environmental clearance prior to advertising for submissions. After considering any submissions Council resolves whether to adopt the amendment and any modifications, for forwarding to the WAPC for assessment then the Minister for approval. Given approval, upon publication in the Government Gazette the amendment becomes incorporated into the Scheme and those provisions apply.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee supported roof terraces atop dwellings being discounted as open space, but felt that roof terraces at lower levels or other raised terraces to dwellings were acceptable as open space or outdoor living areas. Committee also considered that in the beachfront or commercial centre localities roof terraces should not be unduly restricted, and requested officers to provide further advice in that respect for the Council meeting.

OFFICER RECOMMENDATION

Moved Cr Downes, seconded Cr Walsh

THAT Council:

1. In pursuance of Section 75 of the Planning and Development Act 2005, hereby resolves to amend the Town of Cottesloe Local Planning Scheme No. 3, to exclude roof terraces or the like from being counted as open space in developments, by amending the Scheme Text as follows:

In clause 5.3 *Special application of Residential Design Codes*, adding a new sub-clause entitled 5.3.7 *Roof terraces*, stating:

The provisions of the Residential Design Codes allowing roof terraces (ie including roof gardens, roof pools, viewing platforms or other roof-top recreational use and development) and outdoor living areas (including uncovered balconies) of more than 0.5m above natural ground level, to be included towards the provision of open space, for the purposes of the Scheme are excluded from being counted towards the provision of open space.

2. Request the Manager Development Services to prepare the amendment documents, upon which the Chief Executive Officer shall adopt and endorse the amendment documents on behalf of Council.
3. Pursuant to section 81 of the Planning and Development Act 2005, refer the proposed amendment to the Department of Environment for clearance prior to advertising.
4. Advertise the proposed amendment for public comment for a period of 42 days by:
 - a. placing a copy of the notice in the Post newspaper, on the Town's notice board/s and website, and at the Library; and

- b. placing a copy of the proposed amendment on display at the Town's Office, on the Town's website and at the Library.
5. Provide the Western Australian Planning Commission with a copy of the proposed scheme amendment.

AMENDMENT

Moved Cr Birnbrauer, seconded Cr Rowell

That in the new sub-clause the words "and outdoor living areas (including uncovered balconies) of more than 0.5m above natural ground level" be deleted.

Carried 5/1

Cr Walsh requested that his vote against the amendment be recorded.

AMENDMENT 2

Moved Cr Rowell, seconded Cr Downes

That in the new sub-clause the words "to the roof of the top storey" be added after the word "...development)".

Carried 5/1

COMMITTEE RECOMMENDATION

THAT Council:

1. In pursuance of Section 75 of the Planning and Development Act 2005, hereby resolves to amend the Town of Cottesloe Local Planning Scheme No. 3, to exclude roof terraces or the like from being counted as open space in developments, by amending the Scheme Text as follows:

*In clause 5.3 **Special application of Residential Design Codes**, adding a new sub-clause entitled 5.3.7 **Roof terraces**, stating:*

The provisions of the Residential Design Codes allowing roof terraces (ie including roof gardens, roof pools, viewing platforms or other roof-top recreational use and development) to the roof of the top storey, to be included towards the provision of open space, for the purposes of the Scheme are excluded from being counted towards the provision of open space.

2. Request the Manager Development Services to prepare the amendment documents, upon which the Chief Executive Officer shall adopt and endorse the amendment documents on behalf of Council.
3. Pursuant to section 81 of the Planning and Development Act 2005, refer the proposed amendment to the Department of Environment for clearance prior to advertising.
4. Advertise the proposed amendment for public comment for a period of 42 days by:
 - a. placing a copy of the notice in the Post newspaper, on the Town's notice board/s and website, and at the Library; and

- b. placing a copy of the proposed amendment on display at the Town's Office, on the Town's website and at the Library.
- 5. Provide the Western Australian Planning Commission with a copy of the proposed scheme amendment.

THE AMENDED SUBSTANTIVE MOTION WAS PUT

Carried 5/1

10.1.4 LPS3 HERITAGE LIST - INCLUSION OF VARIOUS PLACES

File Ref: SUB/343
Attachments: [Proposed Inclusions](#)
Responsible Officer: Mat Humfrey
Chief Executive Officer
Author: Andrew Jackson
Manager Development Services

Proposed Meeting Date: 20 July 2015
Author Disclosure of Interest: Nil

SUMMARY

This report presents the proposed inclusion of a number of properties on the Heritage List under Local Planning Scheme No. 3 (LPS3).

The recommendation is to enter the properties on the Heritage List.

BACKGROUND

LPS3 in Part 7 Heritage Protection requires Council to establish a Heritage List of places to be conserved drawn from its Municipal Inventory (MI). The Town is progressively undertaking this task for relevant properties throughout the district, having regard especially to properties entered on the State Register of Heritage Places and on the MI Categories 1 and 2.

Council, in workshops during the finalisation of LPS3 and briefings since its inception, has endorsed a draft Heritage List in-principle as a basis for fulfilling the requirement under LPS3. The Civic Centre and 19 Perth Street have so far been confirmed on the List.

In preparing the List the Town has written to the owners and occupiers of some 84 properties informing of their proposed inclusion on the Heritage List and inviting submissions. Some 41 submissions were received relating to 32 properties, with support for 11 properties to be included on the Heritage List. Where no submissions were received those properties may also be added to the List.

This report presents some 69 properties ("places" in heritage terminology), which have been supported or for which no objection has been raised, to be confirmed on the Heritage List. Properties where submissions have made comments or raised objections requiring examination are to be considered in another report.

STRATEGIC IMPLICATIONS

Inclusion of these properties on the Heritage List will facilitate their retention and conservation.

POLICY IMPLICATIONS

Western Australian Planning Commission (WAPC) Heritage Policy

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

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

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

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

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

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil.

STAFFING IMPLICATIONS

Nil.

SUSTAINABILITY IMPLICATIONS

Nil.

CONSULTATION

The LPS3 Part 7 consultation procedure involves the Town providing written notification to the owner and occupier of property proposed for the Heritage List and considering any submission received. This process has been carried out for a number of properties initially and may be performed for further properties in the future.

The predominantly positive response to inclusion of the subject properties on the Heritage List reflects the fact that they are already recognised on the MI or State Heritage Register as well as that the owners/occupiers are aware of and appreciate the heritage significance of the places.

Also, LPS3 offers flexibility in development requirements as an incentive to heritage conservation, in the interests of fostering the preservation, restoration and adaptation of such places contributing to the character and amenity of streetscapes and precincts in Cottesloe.

STAFF COMMENT

LPS3 Heritage List

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

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

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

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

The Heritage List being compiled by the Town responds to the LPS3 provisions.

Schedule of places for Heritage List

The attachment to this report is a schedule for the Heritage List containing the places herewith proposed to be included. The schedule lists the subject properties, any place names they may have, their descriptions as heritage places (drawn from their existing heritage classifications and descriptions), the reasons for their inclusion and their MI or State heritage classifications.

CONCLUSION

The cultural heritage significance of the subject properties identifies them as places worthy of conservation and protection under the provisions of the Scheme. They have either been positively supported for inclusion on the Heritage List or no objections have been received. Therefore, it is appropriate to include the subject properties on the Heritage List.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee noted that the proposed inclusions on the Heritage List had been supported by the owners/occupiers of the properties or no submissions had been received following consultation as required.

OFFICER AND COMMITTEE RECOMMENDATION

Moved Cr Downes, seconded Cr Rowell

THAT Council:

- 1. Note this report on consideration of the subject properties being included on the Heritage List required under Local Planning Scheme No. 3.**
- 2. Determine to enter the subject properties on the Local Planning Scheme No. 3 Heritage List, as places of cultural heritage significance worthy of conservation under the provisions of the Scheme, together with descriptions of the places and the reasons for their entry, as set out in the attachment to this report.**
- 3. Request staff to, as required by the Scheme, notify the Western Australian Planning Commission, the Heritage Council of Western Australia, and the owners and occupiers that the subject properties have been included on the Heritage List.**

Carried 6/0

**10.1.5 PLANNING INSTITUTE OF AUSTRALIA 2015 NATIONAL CONGRESS -
UPDATE**

File Ref: SUB/38
Responsible Officer: Andrew Jackson
Manager Development Services
Author: Ed Drewett
Senior Planning Officer

Proposed Meeting Date: 20 July 2015
Author Disclosure of Interest: Subject relates to a conference attended by author

SUMMARY

On 23 March 2015 Council resolved to:

APPROVE the attendance of the Senior Planning Officer at the Planning Institute of Australia 2015 National Congress in Melbourne from 13-15 May 2015, and request that a report on the congress be provided within two months of attending the event.

The conference was attended and this report provides a summary of the topics discussed.

BACKGROUND

The PIA is recognised nationally and internationally as the peak professional body representing town planners in Australia. This conference was the major annual local government planners' event and attracted a variety of overseas representatives and speakers.

The program, over three days, was comprehensive and included such topics as:

- Planning from the community's perspective;
- Public transport – integrating public spaces with light rail;
- Global trends in mixed-use developments;
- Metropolitan thinking – case studies;
- Local town centre 'place-making';
- Planning and design for health; and
- Building the New Melbourne.

COMMENT

Key presentations are summarised as follows:

The Hon Richard Wynne, Minister for Planning

The Minister outlined the anticipated high level of growth for Melbourne, which is predicted to grow from 4.25 million to 7.7 million by 2051, predominantly due to interstate migration. However, although the City of Melbourne has been approving a significant number of developments in the city centre in response to a rise in demand,

the Minister expressed concerns with the quality and liveability of many of the new apartments being built, stating that were generally too small and did not provide occupants with sufficient natural light or outdoor open space. He further announced that his government was proposing to introduce tighter planning and building regulations to address these matters.

Rob Adams, City of Melbourne

Mr Adams is Director of City Design at the City of Melbourne and has won multiple awards as the leader of the revitalization of the city centre and its surrounds, and has helped to create a vibrant city streetscape with innovative design features. He discussed the issues facing city planners, including densities, mixed-use developments, providing high quality public infrastructure, improving connectivity and protecting local character. He also gave examples of densely populated parts of the city that provided housing in relatively low-rise developments (5 to 8 storeys), as this was preferred by the community, and provided examples of how the streets should be more functional, as they made up the majority of open space in the city.

Rod Duncan, Good City Consultancy

Mr Duncan discussed the need for strengthening and re-invigorating city centres and the importance of creating a strong heart. He referred to the creation of civic pride and for planners to consider features that already existing in cities, rather than just spending on more (ie: existing street trees, paving, street furniture, and architecture). He explained that new facilities should be less dependent on parking and that light rail 'needed to happen' in most Australian cities. Finally, he explained how important it is for planners to always figure out 'community vision' rather than just 'Council vision' to ensure local success.

Sarah Horsfield, Urbis

This discussion was about global trends in mixed-use developments and urban place-making. Ms Horsfield explained that mixed-use developments should ideally comprise of at least three different uses, such as residential, office and retail, although she acknowledged that most developments only comprised of two uses. She also gave examples of high-density mixed-use developments around the world and explained that some council's have allowed increased building heights as a 'trade-off' with developers for the provision of greater 'green spaces'. One interesting example was in Austin, USA, where developers wanting to attract more pet owners into the city built a 600-square feet dog park on the 10th floor of a 56-storey luxury high rise, complete with self-draining artificial turf, an indoor grooming area, and a designated pet elevator.

Dr Cheong Koon Hean, CEO Housing and Development Board, Singapore

Dr Cheong oversees the planning, development and management of some one million public housing flats in 26 towns/estates. She emphasised that the creation of great places requires great vision and planning, and gave the example of Singapore's new city extension at Marina Bay which incorporates a rapid transit system to enhance connectivity along the waterfront, lush landscaping, and common infrastructure tunnels. The local community and visitors alike are able to enjoy the

parks and waterfront promenade, and can attend events and celebrations held at the bay day and night. State-of-the-art office space and transport infrastructure also provide connectivity for companies and professionals to grow and exchange business ideas in the area.

Andrew Dixon, Director, Culture Creativity Place

Mr Dixon advises cities, particularly those in the north of England, about how culture can transform struggling former industrial towns into confident tourist magnets with vibrant creative economies. He discussed ways in which declining industrial cities can be transformed by working with communities to help them find their own distinctive story, develop pride, and be engaged with the regeneration of the city. He gave the example of Newcastle and Gateshead in the UK which was kick-started in 1998 with a giant piece of public art, Antony Gormley's 'The Angel of the North'. He explained that once the public started to fully appreciate the art, the city's fortune turned and it gave confidence to build galleries, music centres and hotels. More recently Mr Dixon spearheaded the City of Hull's attempt to be named the UK's City of Culture in 2017, which despite public scepticism, it won.

Mitchell Silver, Parks Commissioner, City of New York

Mr Mitchell explained that New York's Central Park receives around 25 million visitors each year and he oversees more than 1,700 parks and playgrounds. He has worked closely with the Mayor and local community groups to encourage activity in parks and to make them more attractive, safer, and more accessible by removing gates and fences and providing seats, trees and street furniture that encourage people to use them. He has also persuaded developers of the cost benefits that green spaces can create and gave examples of some of the more desirable parts of New York which are close to significant areas of open space and parklands.

In addition to the key speakers, at the Congress there were various discussion groups, including a joint session with the Australian Institute of Architects' Conference, and a walking tour through the Melbourne city centre which highlighted the successful regeneration of small laneways, the encouragement of public art on existing infrastructure, and the protection of heritage buildings.

CONCLUSION

The Senior Planner thanks Council for the opportunity of attending this conference which provided a high level of training and exposure to new ideas which will be useful in developing better planning outcomes for the Town.

VOTING

Simple majority

COMMITTEE COMMENT

Committee noted the Officer report.

OFFICER AND COMMITTEE RECOMMENDATION

Moved Cr Downes, seconded Cr Rowell

THAT Council receive this report on the 2015 Planning Institute of Australia National Congress.

Carried 6/0

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****MOTION FOR BEHIND CLOSED DOORS**

Moved Cr Jeanes, seconded Cr Downes

In accordance with Standing Orders 15.10 "*That the Council meets behind closed doors*" (LG Act s5.23) so that Council discuss the confidential report.

Carried 6/0

The media was requested to leave the meeting at 6:57 PM.

13.1.1 NOS. 110-112 (LOT 6) MARINE PARADE - RECONSIDERATION OF CONDITIONS PURSUANT TO SAT MEDIATION

File Ref: 3084
Responsible Officer: Andrew Jackson
Manager Development Services
Author: Ed Drewett
Senior Planning Officer
Proposed Meeting Date: 20 July 2015

STATUTORY ENVIRONMENT

Local Government Act 1995 (s.5.38)

5.23. Meetings generally open to public

- (1) Subject to subsection (2), the following are to be open to members of the public —
 - (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.

 - (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
 - (a) a matter affecting an employee or employees; and
 - (b) the personal affairs of any person; and
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
 - (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;and
 - (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and
 - (h) such other matters as may be prescribed.

 - (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.
-

VOTING

Simple Majority

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Birnbrauer, seconded Cr Jeanes

That Council endorse the Officer recommendations contained in the “confidential report”.

Carried 6/0

MOTION FOR BEHIND CLOSED DOORS

Moved Cr Jeanes, seconded Cr Downes

In accordance with Standing Orders 15.10 that the meeting be re-opened to members of the public and media.

Carried 6/0

The media was allowed to return to the meeting at 7:10 PM to be advised of the Officer and Committee Recommendation for item 13.1.1, but was not present.

13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC

The Presiding Member stated that as the matter was currently before the SAT the Council Resolution would be held until the SAT process had been completed.

14 MEETING CLOSURE

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

CONFIRMED MINUTES OF 20 July 2015 PAGES 1 – 34 INCLUSIVE.

PRESIDING MEMBER:
POSITION:

.....

DATE: / /