



TOWN OF CLAREMONT

ORDINARY COUNCIL MEETING

MINUTES

TUESDAY 19 MAY, 2015

Stephen Goode

CHIEF EXECUTIVE OFFICER

Date:

DISCLAIMER

Would all members of the public please note that they are cautioned against taking any action as a result of a Council decision tonight until such time as they have seen a copy of the Minutes or have been advised, in writing, by the Council's Administration with regard to any particular decision.

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TOWN OF CLAREMONT
ORDINARY COUNCIL MEETING
19 MAY, 2015
MINUTES

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

His Worship the Mayor, Mr Jock Barker, welcomed members of the public, staff and Councillors and declared the meeting open at 7:00 PM.

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

ATTENDANCE/APOLOGIES

Mayor Barker

Cr Karen Wood	West Ward
Cr Peter Edwards	West Ward
Cr Jill Goetze	South Ward
Cr Paul Kelly	South Ward
Cr Chris Mews	South Ward
Cr Alastair Tulloch	East Ward
Cr Bruce Haynes	East Ward
Cr Anita Lorenz	East Ward

Mr Stephen Goode (Chief Executive Officer)

Mr Les Crichton (Executive Manager Corporate and Governance)

Mr Saba Kirupanather (Executive Manager Infrastructure)

Mr David Vinicombe (Executive Manager Planning and Development)

Ms Katie Bovell (Governance Officer)

Twenty eight members of the public

Two members of the press

APOLOGIES

Cr Peter Browne - Leave of Absence

3 DISCLOSURE OF INTERESTS

An interest was declared by Cr Mews, for Item No 11.1.1, Victoria Avenue Cycle path.

Nature of Interest: Impartiality.

Extent of Interest: By virtue of residing on Victoria Avenue.

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

NIL

5 PUBLIC QUESTION TIME

Ms Roslyn MacNish, 19 Grange Street, Claremont.

Re: Requested Disposition of 1 Gibney Street, Cottesloe to Curtin Care Inc.

Questions: (submitted in writing)

1. a.) Is a business plan required at all if all that Curtin Care need to satisfy the requirements of the bank is a lease of 25 years?
b.) Would a 25 year lease be termed a "Disposition"?
c.) If an option is added to the existing lease or a new 25 year lease is all that is required, does this require the approval of the Minister of Lands?
2. a.) Does Curtin Care pay rates?
b.) If so, how much do they pay?
c.) Are those rates distributed 25% to each of the Councils on the title?
3. Can you confirm that the following statement made in the Claremont Council Agenda dated 19 July, 2011 is correct?
4. Is actually having members of the Councils on the board of Curtin Care a conflict of interest?
a.) Is this a conflict of interest?
b.) Do they also refrain from voting on council matters, such as the requested disposition of 1 Gibney Street, the Curtin Care meetings?
c.) Is it left to the Councillor concerned to decide whether it is a conflict of interest or not?
d.) Given the intent of Curtin Care was to change their constitution to reflect that they no longer needed to have representatives from the Council on their board, and they now have actually done that, what has changed?
e.) Has independence been achieved?
5. Why do reports such as the Disposition of 1 Gibney Street, speak on "nominal rent" and in the business plan transferred for "nominal consideration"

Answer:

The Questions were taken on notice.

6 PUBLIC STATEMENT TIME

Ms Lena Hilton, 4A Victoria Avenue, Claremont.

Re: Item 11.1.1, Victoria Avenue Cycle path.

Ms Hilton spoke against the proposed cycle path.

Ms Ainslie DeVos, 8A Victoria Avenue, Claremont.

Re: Item 11.1.1, Victoria Avenue Cycle path.

Ms DeVos spoke against the proposed cycle path.

Mr Clive Annear, Claremont Yacht Club, 4 Victoria Avenue, Claremont.

Re: Item 11.1.1, Victoria Avenue Cycle path.

Mr spoke against the proposed cycle path.

Mr Leon Bourke, 10 Barnfield Road, Claremont.

Re: Item 15.1.1, One Way Entry at Barnfield Road/Stirling Road Intersection.

Mr Bourke spoke against spoke against modification to Barnfield Road/Stirling Road intersection.

Mr Deborah Bourke, 10 Barnfield Road, Claremont.

Re: Item 15.1.1, One Way Entry at Barnfield Road/Stirling Road Intersection.

Ms Bourke spoke against modification to Barnfield Road/Stirling Road intersection.

Ms Sarah Carney, 13 Barnfield Road, Claremont.

Re: Item 15.1.1, One Way Entry at Barnfield Road/Stirling Road Intersection.

Ms Carney spoke against modification to Barnfield Road/Stirling Road intersection.

Ms Winsome MacLaurin, 5 Barnfield Road, Claremont.

Re: Item 15.1.1, One Way Entry at Barnfield Road/Stirling Road Intersection.

Ms MacLaurin spoke against modification to Barnfield Road/Stirling Road intersection.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Moved Cr Edwards, seconded Cr Kelly

That Cr Tulloch be granted Leave of Absence from 20 May 2015 to 15 June 2015.

**CARRIED(86/15)
(NO DISSENT)**

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

Moved Cr Mews, seconded Cr Kelly

That the two Victoria Avenue petitions be received.

**CARRIED(87/15)
(NO DISSENT)**

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved Cr Tulloch, seconded Cr Kelly

That the minutes of the Ordinary Meeting of Council held on 5 May 2015 be confirmed.

**CARRIED(88/15)
(NO DISSENT)**

**10 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETING
MAY BE CLOSED TO THE PUBLIC**

NIL

11 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

11.1 INFRASTRUCTURE

Cr Mews declared an Impartiality interest in Item 11.1.1 due to residing on Victoria Avenue.

11.1.1 VICTORIA AVENUE CYCLEPATH

File Ref:	RDS/00250
Attachments:	Cycling facility map of Victoria Ave in Claremont & Nedlands PBN Map Victoria Avenue cycle counts PSP MRWA cycle data
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Marty Symmons Engineering Technical Officer
Proposed Meeting Date:	19 May 2015

Purpose

This report responds to resolution of Ordinary Council Meeting on 7 April 2015. It is to review, in consultation with City of Nedlands, the current usage by cyclists, regulatory classification of on-road cycle facilities and possibility of providing a continuing dedicated cycleway on both sides of Victoria Avenue.

Background

Victoria Avenue is currently a District Distributor B (DDB) in the road hierarchy classification of Main Roads WA (MRWA). This also is classified as a bicycle route as part of the metro Perth Bike Network (PBN); route NW22 and is marked as a signed route on the State's Travel Smart cycle network.

Within the City of Nedlands, Victoria Ave has exclusive bike lanes until Bishops Rd. Route NW22 continues west along Waratah Ave on shared path, terminating at the UWA where the route links to the Mounts Bay Road Principal Shared Path (PSP). The City of Nedlands is planning to reinstate any missing signs in the near future.

The Town's bicycle lanes along Victoria Avenue are currently not regulatory controlled exclusive bicycle lanes. Rather they are classified as Unsigned Facilities. Bicycle pavement symbols are placed upon the lane to encourage its use by cyclists and to warn other traffic of the likely presence of bicycles, however parking is still permitted unless signed otherwise.

The Town clears these lanes for cyclists going to Christ Church Grammar School during school drop off and pick up times. However rather than change the lane status to Exclusive Bicycle Lane (Part-Time), the Town installed clearway signs to prevent parking during these hours. Westbound is now a Clearway 7:30am – 9am and

eastbound is a Clearway 2.30pm – 4pm school days. Outside these hours, parking is two hour time limit on both sides of the road.

There are 257 properties on Victoria Avenue (Claremont) and for the period 1 January to 30 June 2015 there have been 22 applications for parking permits. From these, a total of 11 residential and 32 visitor parking permits have been issued.

Discussion

Bicycle counts have recently been completed on Victoria Avenue, east of the intersections with Bay View Terrace and Jetty Rd. This data has been interrogated to isolate the bicycles from any other vehicle readings. Data has been deemed reliable.

A comparison was made and provided to the Town stating that the number of cyclists using Victoria Avenue were higher than that using the PSP along the Perth - Fremantle railway line. It appears as though the anecdotal evidence was correct. Although the PSP gets more usage at the weekend, when averaged out over the seven days Victoria Avenue receives more bicycles. A virtual day on Victoria Avenue caters for 289 bikes whereas a virtual day on the PSP caters for 273 bikes. These figures are detailed in Attachment 3 and 4.

The breakdown of the Victoria Ave bicycle counts show peaks during morning and afternoons with the remainder of usage being spread throughout the day. During morning peak times as many users are cycling eastbound as are westbound suggesting an equal number of commuters as school goers. In the afternoon peak times the eastbound usage is higher. Overall the eastbound bicycle traffic volumes are significantly higher than the westbound.

Also, although the lanes do see an increase in usage morning versus afternoon, the peak times shown are not significantly greater than at other times of the day.

It could be determined from this is that the clearways, whilst facilitating people travelling to school in the morning and from school in the afternoon, are not servicing a large proportion of the cyclists using this route.

The MRWA count data is collected between Grant Street Station and Claremont Station, so additional local users of the PSP will not be included within their counts. Also it is forecast that additional users will be utilising this PSP once it is continued all the way to Fremantle. However this still shows significant high usage of the Victoria Avenue route.

To reclassify the edge line markings as bicycle lanes some portions of the existing lanes would require widening to an appropriate width for bicycle lanes. Current minimum standards require at least 1.2m width with 1.5m being the desirable minimum. Additionally regulatory signage would need to be installed along the route. To facilitate these lane widths the road would require either widening or the removal of medians from Chester Road to the Nedlands boundary.

Once reclassified as cycle lanes, on-road parking would no longer be permitted. Verge parking would still be permitted unless signed otherwise. Verge widths are wide enough to accommodate parking embayments should they be deemed warranted.

Removal of the median and vegetation may need to be compensated by additional landscape treatment along the verge to maintain traffic calming effect. A road safety audit be carried out and the road design be reviewed to ensure the treatments will still maintain the traffic calming effect.

Options

Option 1: Provision of dedicated cycle route.

This option will reclassify the current unsigned facilities (bicycle lanes) as Exclusive Regulatory Bicycle Lanes which will result in the loss of resident parking. This has been implemented in Nedlands. A provision for the cost of the works will need to be considered in the draft 2015-16 Budget.

Option 2: Retain status quo

Should the Town not wish to provide exclusive cyclist facilities deeming local resident parking a higher priority to the Town, then the lane should be retained as an Unsigned Facility and the relevant state bodies be informed that the section of Victoria Ave within Claremont is to be removed from the state maps showing signed bicycle routes.

It is recommended to do community consultation with the immediately affected community and cyclists regarding exclusive on-road cycle lanes on both sides of Victoria Avenue and the impact of on-street parking (with parking on existing verge).

In addition it is recommended Council approve in principal the use of a warrant system for the installation of exclusive full-time or part-time on-road bicycle lanes. This system is based on a number of factors including but not limited to, the proximity to end of trip nodes (schools, shops, etc.), bicycle volume counts, inclusion within the PBN route, geometric capacity of existing roadway, and resident consultation.

Once approved this warrant system would be used to ascertain the need for the future installation of on-road bicycle facilities with funds being allocated in future budgets to facilitate these works.

Past Resolutions

Ordinary Council Meeting 7 April 2015, Resolution 52/15:

That Council investigate, in consultation with the City of Nedlands, possibility of providing a continuing dedicated cycleway on both sides of Victoria Avenue.

Financial and Staff Implications

Estimate for the option of removal of median, reinstatement and landscape treatment along the verge is \$30,000.

Estimate for the option of widening the carriage way is \$90,000.

Road safety audit \$5,000.

Policy and Statutory Implications

Main Roads WA design guidelines and Austroads design standards.

Publicity

Consult with affected properties owners and residents and cyclists via local media.

Strategic Community Plan

Liveability

We are an accessible community, with well maintained and managed assets, and our heritage preserved for the enjoyment of the community.

- Clean, usable, attractive, accessible streetscapes and public open spaces.
- Maintain and upgrade infrastructure for seamless day to day usage.
- Provide a responsible and well managed urban environment, with sustainable development outcomes.

Environment

We are a leader in responsibly managing the build and natural environment for the enjoyment of the community and continue to provide sustainable, leafy green parks, streets and outdoor spaces.

- Create opportunities for varied transport options that reduce carbon emissions and other impacts of a growing town.
- Implement sound environmental practices as reflected in the WESROC Climate Change Risk Assessment Project.

Urgency

Council direction is needed regarding the management of available road space by different users.

Voting Requirements

Simple majority decision of Council required.

Officer Recommendation

That Council:

1. Approves for consultation with the immediately affected community and the cyclists about exclusive cycle lanes on both sides of Victoria Avenue and the impact of on-street parking (with parking on existing verge);
2. Receives a further report following completion of consultation.

ALTERNATIVE MOTION**Moved Cr Haynes, seconded Cr Wood****That Council:**

- 1. Approves for consultation with the affected community and the cyclists about exclusive cycle lanes on both sides of Victoria Avenue and the impact of on-street parking (with parking on existing verge or parking embayments) ;**
- 2. Receives a further report following completion of consultation.**

Reason: To provide both parking options for public comment.

LOST

For the Alternative Motion: Crs Haynes, Wood, Goetze, and Edwards.

Against the Alternative Motion: Mayor Barker, and Crs Mews, Tulloch, Kelly, and Lorenz.

12 REPORTS OF COMMITTEES

NIL.

13 REPORTS OF THE CEO

13.1 PLANNING AND DEVELOPMENT

Items 13.1.1 to 13.2.1 were carried en bloc.

13.1.1 ADOPTION OF PLANNING POLICY LV129 – RESIDENTIAL AMENITY

File Ref:	DAB/00032
Attachments:	Planning Policy LV129 – Residential Amenity
Responsible Officer:	David Vinicombe Executive Manager Planning and Development
Author:	Josh Wilson Urban Planner
Proposed Meeting Date:	19 May 2015
Date Prepared:	8 May 2015
Enabling Legislation:	<i>Planning and Development Act 2005 (PD Act) Town Planning Scheme No. 3 (TPS3) Residential Design Codes (RDC)</i>

Summary

- Council adopted draft Planning Policy LV129 - Residential Amenity (LV129) at its Ordinary Meeting on 21 April 2015 for advertising.
- LV129 provides specific requirements designed to protect residential amenity over and above the deemed-to-comply provisions of the RDC. The need for the policy is in response to Scheme Amendment No. 125 to TPS3 (as discussed in the Council report 21 April 2015).
- The policy has been advertised in accordance with TPS3 cl.82 and no submissions have been received.
- Council is requested to finally adopt LV129 as a planning policy.

Purpose

For Council to consider final adoption of a new planning policy LV129 - Residential Amenity.

This policy is proposed to improve amenity outcomes for residential development which might otherwise be compliant with the deemed-to-comply provisions of the RDC and Council's other planning instruments, yet potentially create an undesirable amenity impact on the surrounding locality.

Background

Council initiated Scheme Amendment No. 125 to TPS3 on 17 August 2013. It had two purposes:

- To introduce types of development that do not require planning approval.
- To allow Council wider powers of delegation (e.g. commercial planning applications).

The amendment was forwarded to the Western Australian Planning Commission (WAPC) on 17 February 2014 and was approved by the Minister for Planning on 5 March 2015.

The amendment was initially subject to heavy modification by the WAPC however after lengthy negotiations it was approved relatively intact. One major change from Council's original proposal was to extend the exemption for compliant single-storey single dwellings to all compliant single dwellings. This potentially allows two-storey development to avoid the need for planning approval.

Financial and Staff Implications

Advertising costs.

Past Resolutions

Ordinary Council Meeting 21 April 2015, Resolution 60/15:

1. *THAT Council adopt the attached draft policy LV129 – Residential Amenity for public consultation under clause 82(2) of Town Planning Scheme No. 3:*
2. *That Council consider any submissions made during the consultation period prior to final adoption of the policy.*

*CARRIED
(NO DISSENT)*

Statutory Considerations

The Town is able to adopt planning policies under cl.82 of TPS3. Cl.82 which states as follows:

82. PLANNING POLICIES:

- (1) *The Council may prepare a planning policy (herein called a Policy) which may make a provision for any other matters related to the planning or development of the Scheme Area and which may be prepared so as to apply:*
 - (a) *generally or in a particular class of matter or in particular classes of matters*
 - (b) *throughout the Scheme Area in one or more parts of the Scheme Area and may amend or add to or rescind a Policy so prepared.*
- (2) *A Policy shall become operative only after the following procedures have been completed:*
 - (a) *The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local paper*

circulating within the Scheme Area giving details of where the draft Policy may be inspected, and in what form and during what period (being not less than 21 days) submissions may be made.

- (b) Policies which the Council considers may be inconsistent with other provisions of the Scheme or with State and regional planning policies are to be submitted to the Commission for consideration and advice.*
 - (c) The Council shall review the draft Policy in the light of any submissions made and advice received and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy.*
 - (d) Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.*
- (3) A Policy may be rescinded by:-*
- (a) Preparation or final adoption of a new Policy pursuant to this clause specifically worded to supersede an existing Policy; and*
 - (b) publication of a formal notice of rescission by the Council twice in a local newspaper circulating in the district.*
- (4) A Policy shall not bind the Council in respect of any application for planning approval but the Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making a decision.*
- (5) Any Policy prepared under this clause shall be consistent with the Scheme and where any inconsistency arises the Scheme shall prevail.*

If Council finally adopts LV129 as a planning policy, a notice will be published in accordance with cl.82 and it will come into effect from that date.

Consultation

Consultation was undertaken in accordance with cl.82. The policy was advertised in the Post newspaper on 1 May and 8 May 2015. A copy of the advertisement was placed on the Town's website and also at the front counter at Council offices Number One Claremont.

As of the date this report has been finalised, no submissions were received. Advertising concludes at the close of business (5pm) on 18 May 2015. Should any submissions be received, they will be presented and addressed at the Council Briefing Forum on the 18 May 2015, or the item will be deferred pending a further report for a subsequent Council meeting.

Discussion

By removing the need for compliant residential development to seek planning approval, it is necessary to review planning controls in TPS3, planning policy or other planning framework documents to ensure they adequately control amenity impacts of development on adjacent land.

LV129 will ensure that amenity considerations including roof glare, overlooking from non-habitable rooms and other matters can be taken into account when determining whether or not a proposal requires planning approval. It addresses a potential double-standard whereby some amenity impacts are only able to be assessed where a planning application is required.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Mews, seconded Cr Edwards

THAT Council finally adopt the attached draft policy *LV129 – Residential Amenity* as a planning policy under clause 82(2) of Town Planning Scheme No. 3 and place a notice in the Post newspaper to inform the public of the adopted planning policy.

**CARRIED(89/15)
(NO DISSENT)**

13.1.2 APPROVAL OF MODIFICATIONS TO DETAILED AREA PLANS FOR LOTS 508, 509, 510 AND 512 IN THE NORTH EAST PRECINCT

File Ref:	LND/00091
Attachments:	Extracts from the existing Claremont NEP Detailed Area Plans for the North East Precinct and Associated Draft Modifications
Responsible Officer:	David Vinicombe Executive Manager Planning and Development
Author:	David Vinicombe Executive Manager Planning and Development
Proposed Meeting Date:	19 May 2015

Summary

- LandCorp has prepared Design Guidelines (DGs) for the North East Precinct (NEP) together with Detailed Area Plans (DAPs) which provide development requirements within NEP Structure Plan (SP).
- Council adopted the DGs for the NEP as Council Policy together with DAPs as variations to the SP on 9 December 2014.
- LandCorp have proposed further changes for the DAPs including:
 - Widening out the Public Open Space (POS) link on Lots 508 and 509 adjacent the oval edge by removal of two sections of 2-3 storey buildings and increasing the area of POS in the link from 526m² to 773m² (247m² increase).
 - Conversion of 168m² POS on Lot 512 to a Plaza with a minimum area of 150m² (previously not part of the lot) and width and depth dimension of 10m, with inclusion of a requirement for the “developer to liaise with the Public Transport Authority on proposed location of for station underpass.”
 - Realignment of Davies Road frontage and truncation with Shenton Road on Lot 509.
 - Increasing the commercial allocation on Lot 510 and provision of ‘line of sight/landscaped embankment’ commensurate with planning approval issued for the site for the Claremont Football Club (CFC).
- Minor consequential changes are also proposed to the DGs which are to be dealt with separately.
- The changes are generally considered minor and to positively contribute to the NEP development.
- As a result of some concerns raised by Elected Members, a number of modifications the DG and DAP proposals are recommended, as detailed further in this report.

- Council resolved on 7 April 2015 to adopted the proposed modifications to Council Policy LV128 - North East Precinct Design Guidelines (LV128) for the purpose of public consultation and advertise the modifications to the Design Guidelines and Detailed Area Plans for Lots 508, 509, 510 and 512 for a period of 21 days.
- The modifications to the DGs under Council Policy LV128 require further consultation in accordance with cl.82(2) of TPS3.
- DAPs have been advertised in accordance with TPS3 cl.75P and no submissions have been received.
- Council is requested to approve the changes to the DAPs in accordance with TPS3 provisions subject to changes identified in this report which are proposed to clarify and address a number of concerns raised by Elected Members of Council prior to advertising.
- Revised subdivision applications reflecting the above modifications have been lodged with the Western Australian Planning Commission (WAPC). Once the changes to the DAPs have been endorsed by Council, the Town may respond to the subdivision proposals consistent with Council's Delegation DA22 requirements.
- The WAPC has requested that the comments for the proposed subdivisions be provided as soon as possible, requiring the proposed DAP modifications to be approved by Council and necessitating the separation of the DAP and DG adoption.

Purpose

The intent of this report is for Council to approve modifications to the Detailed Area Plans (DAPs) for Lots 508, 509, 510 and 512 of to the North East Precinct (NEP) Structure Plan in accordance with the provisions of TPS3.

Background

The following table outlines key dates regarding this proposal:

Date	Item/Outcome
18 December 2012	Council adopts changes to the NEP SP, proposed DGs and DAPs subject to minor modifications pending further discussions between LandCorp and the Town's CEO.
9 December 2014	Adoption of the DGs including minor amendments to the DAP and DGs.
February and March 2015	Applications for subdivision including proposed amendments to the DAPs for Lots 508 to 510 and 512 received.
7 April 2015	Council supports advertising of proposals.

Past Resolutions and Decisions

Council resolved on 7 April 2015 as follows:

That Council resolve, pursuant to clause 82 of Town Planning Scheme No. 3 adopt the proposed modifications to Council Policy LV128 NEP Design Guidelines for the purpose of public consultation and advertise the modifications to the Design Guidelines and Detailed Area Plans for Lots 508, 509, 510 and 512 for a period of 21 days.

Council also supported relevant subdivision proposals for the Claremont NEP SP area on 20 December 2011 (southern portion of oval and Shenton Road) and 26 April 2012 (Lot 1) subject to a number of conditions. The WAPC granted conditional approval for these applications on 22 February 2012, 6 June 2012 and 9 July 2012.

Details

The Town has been requested by the WAPC to comment on revised subdivision proposals for the NEP SP area which require modifications to the DAPs. Consequential modifications to the DGs are not required prior the Town commenting on the subdivision proposals. Once the modifications to the DAPs are approved by Council, Delegation DA22 will allow the Town to respond to the WAPC on the specifics of the subdivision proposals.

Proposed modifications to the DAPs include the following:

- Lot 508 and 509 - Removal of the development site “nibs” to northern corners of these lots (previously shown as 2-3 storeys) to provide for an increase in the size and opening of the POS link between the lots onto the oval edge POS.
- Lot 509 – Additional 190m² reduction of lot area to accommodate the detailed design of Shenton Road/Davies Road intersection for the left hand turn pocket out of Davies Road, sufficient verge width for pedestrians (i.e. footpath width as approved by the Town, planting as necessary, etc) and to allow for the desired interface with the active western and southern frontages.
- Lot 512 - Removal of adjacent POS, replaced with similar sized Transit Plaza space requirements to be integrated in the development site together with inclusion of a note for the developer to ‘liaise with Public Transport Authority on location of future station underpass’.
- Lot 510 – To reflect changes to the CFC’s development and commercial lot, together with the protection of sight lines from the stadium to the oval, consistent with the existing planning approval.

Resultant changes would apply to text, plans and figures contained in the DGs relative to the POS provision. These changes are detailed in the report to Council on 7 April 2015 and will be addressed further when the changes are formally considered for adoption following consultation in accordance with cl.75 of TPS3.

Compliance

Once approved by the Town, a DAP constitutes a variation to the SP in accordance with cl.75P(8). The Town may vary a DAP in accordance with procedures outlined in cl.75P onwards. This involves a notice in a local newspaper advertising the proposals for a period of not less than 21 days. Variations to the DAPs (and accordingly the SP) may be approved by the Town if they do not materially alter the intent of the SP. As a variation to a DAP cannot materially alter the intent of a SP, the WAPC is not required to endorse a variation to a DAP. Legal advice confirms that WAPC endorsement of changes to a DAP is not required, even though the modification will vary the SP.

Consultation

The proposed modifications to the DAPs were advertised for public comment in accordance with TPS3. The proposals were advertised in the Post newspaper on 18 April. A copy of the advertisement was placed on the Town's website and also at the front counter at Council offices Number One Claremont.

Advertising closed on 8 May 2015 and no submissions were received.

Discussion

The proposal is for Council to consider approval of modifications to the DAPs. The proposed modifications to the DGs require advertising requirements under TPS3 to be completed before being adopted as a modified planning policy under cl.82 of TPS3.

Prior to the adoption of the proposed modifications to the DAPs and DGs for advertising, Elected Members raised a number of concerns. The concerns generally related to the loss of POS in front of Lot 512 and conversion of it to private space, the reduced size of this public space, access and management/construction standards for this space, and clarification on proposals for the POS link in front of the Goods Shed in Shenton Road.

In response to these concerns, the following comments are provided:

- The proposed modifications to the POS will result in a net increase of 79m² POS (247m² increase at "Shenton Walk" minus 168m² at "Transit Plaza") resulting in an effective gain of 229m² (with the reduced Transit Plaza still being contained within Lot 512). The shape of the POS in "Shenton Walk" will open up the existing POS connection to the POS around the oval and the vista to the relocated Canary Island Date Palm trees (previously approved by the Chief Executive Officer for relocation from the corner of Davies and Shenton Roads).
- Subject to further changes detailed below, the conversion of the POS in front of Lot 512 to a Transit Plaza space on Lot 512 is not a significant concern. As can be seen above, the modifications result in an overall increase in POS provision at the NEP.
- The additional POS at the rear of the POS link between Lots 508 and 509 is considered beneficial to the development of these sites and the relationship of the development in general to the oval. It is not however considered that the increase in space should be to the detriment of the public space on Lot 512. Conversion to a private plaza with design and management stipulations detailed below will partly achieve the same intent as the provision of POS, however retention of the initial proposed 168m² public space (increasing the present proposal of 150m² by returning 18m²) on Lot 512 is considered desirable to maintain the original public domain area proposed for the Transit Plaza.
- The proposed DAP for Lot 512 includes the following notations:
Minimum 150m² plaza wholly connected to railway crossing, with minimum width and depth dimensions of 10m.
Sewer Easement: Special design consideration required.
Visually open pedestrian link through building to connect to railway crossing.

Developer to liaise with Public Transport Authority on proposed location for station underpass.

- In order to address the access, management and construction standards for the Transit Plaza space on Lot 512, it is recommended that the first notation for the Lot 512 DAP (as above) be modified as follows:

A minimum 168m² Transit Plaza space, with minimum width and depth dimensions of 10m, be provided by the owner by an easement in gross on the Certificate of Title for Lot 512 to the Town of Claremont. The easement is to provide for 24 hour public access as a pivotal pedestrian link to the Claremont Train Station and existing Town Centre. Setbacks applicable to all storeys. Configuration must respond to sight lines from adjacent pedestrian crossing. The Transit Plaza space is to be developed and maintained by the owner to a high amenity standard to the satisfaction of the Town of Claremont and provide opportunities for activation, such as alfresco café experiences, seating and public art.

Subject to the above further modification to the DAP for Lot 512, no objections are raised to the proposed changes to the DAPs.

It should be noted that when the proposed changes to the DGs are presented to Council for final approval under LV128 - North East Precinct Design Guidelines following advertising, the concerns raised by Elected Members concerning the POS fronting the Goods Shed are proposed to be addressed by a clarification note on pg. 4 of the DGs. Although the area in front of the Goods Shed is retained as POS as part of the SP, part 4.2 does not reference this piece of POS in the same manner as other POS areas. It is proposed that the DGs be modified to include the following words in note 3 (in place of the existing note 3 relative to Transit Plaza which are no longer required as this area would no longer be classified as formal POS and the DAP for Lot 512 will address its inclusion as a public space as detailed above):

3 – Goods Shed Plaza – A small plaza linking Shenton Road with the Claremont Train Station and developed to provide opportunities for active edges, alfresco café experiences, seating and public art in a manner which respects the site’s cultural significance and heritage.

Conclusion

It is proposed that Council approve the advertised changes to the Detailed Area Plans (DAPs) for Lots 508, 509, 510 and 512 of the North East Precinct (NEP) Structure Plan (as further varied above to address notes in the DAP for Lot 512) in accordance with the provisions of TPS3.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Mews, seconded Cr Edwards

That Council resolve, pursuant to clause 75P of Town Planning Scheme No. 3, to approve the draft Detailed Area Plans modifications for Lots 508, 509, 510 and 512 of the North East Precinct subject to inclusion of the following replacement note relative to the Transit Plaza space on the Detailed Area Plan for Lot 512:

A minimum 168m² Transit Plaza space, with minimum width and depth dimensions of 10m, be provided by the owner by an easement in gross on the Certificate of Title for Lot 512 to the Town of Claremont. The easement is to provide for 24 hour public access as a pivotal pedestrian link to the Claremont Train Station and existing Town Centre. Setbacks applicable to all storeys. Configuration must respond to sight lines from adjacent pedestrian crossing. The Transit Plaza space is to be developed and maintained by the owner to a high amenity standard to the satisfaction of the Town of Claremont and provide opportunities for activation, such as alfresco café experiences, seating and public art.

**CARRIED(89/15)
(NO DISSENT)**

13.2 CORPORATE AND GOVERNANCE

13.2.1 LIST OF PAYMENT 1-30 APRIL 2015

File Ref:	FIM00062
Attachments:	Schedule of Payments April 2015 NAB Purchase Card April 2015
Responsible Officer:	Les Crichton Executive Manager Corporate and Governance
Author:	Edwin Kwan Finance Officer
Proposed Meeting Date:	19 May 2015

Purpose

For Council to note the payments made in April 2015.

Background

Council has delegated to the CEO the exercise of its power to make payments from the Municipal Fund or Trust Fund. The CEO is then required to prepare a list of accounts, for recording in the Minutes, detailing those payments made since the last list was presented.

Discussion

Attached is the list of all accounts paid totalling \$1,556,694.94 during the month of April 2015.

The attached schedule covers:

• Municipal Funds electronic funds transfers (EFT)	\$	1,066,732.62
• Municipal Fund vouchers (39330-39338)	\$	19,116.79
• Municipal Fund direct debits	\$	418,182.64
• Trust Fund electronic funds transfer (EFT)	\$	52,662.89
• Trust Fund vouchers	\$	0.00.

All invoices have been verified, and all payments have been duly authorised in accordance with Council's procedures.

Past Resolutions

Ordinary Council Meeting 21 April 2015, Resolution 61/15:

THAT Council notes all payments made for March 2015 totalling \$2,080,225.61 comprising;

The attached schedule covers:

• <i>Municipal Funds electronic funds transfers (EFT)</i>	<i>\$</i>	<i>1,628,839.71</i>
• <i>Municipal Fund vouchers (39315-39329)</i>	<i>\$</i>	<i>53,004.40</i>
• <i>Municipal Fund direct debits</i>	<i>\$</i>	<i>375,013.97</i>
• <i>Trust Fund electronic funds transfer (EFT)</i>	<i>\$</i>	<i>23,367.53</i>
• <i>Trust Fund vouchers</i>	<i>\$</i>	<i>0.00</i>

Financial and Staff Implication

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

Regulations 12- 13 of the *Local Government (Financial Management) Regulations* 1996. Town of Claremont Delegation Register Item 37.

Publicity

N/A

Urgency

N/A

Voting Requirements

Simple majority decision of Council required.

Moved Cr Mews, seconded Cr Edwards

THAT Council notes all payments made for April 2015 totalling \$1,556,694.94 comprising;

Municipal Funds electronic funds transfers (EFT)	\$	1,066,732.62
Municipal Fund vouchers (39330-39338)	\$	19,116.79
Municipal Fund direct debits	\$	418,182.64
Trust Fund electronic funds transfer (EFT)	\$	52,662.89
Trust Fund vouchers	\$	0.00.

**CARRIED(89/15)
(NO DISSENT)**

13.3 INFRASTRUCTURE

13.3.1 BAY VIEW TERRACE TRAFFIC CALMING

File Ref:	RDS/00159
Attachments:	BVT Traffic Calming - Option 1 BVT Traffic Calming - Option 2 Speed plateau/hump for BVT
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Marty Symmons Engineering Technical Officer
Proposed Meeting Date:	19 May 2015

Purpose

For the Council to review proposed modifications at the Guger Street and Bay View Terrace (BVT) intersection.

Background

Concerns have been raised regarding driver behaviour, specifically speeds at point of access of traffic entering the shared space on BVT.

Discussion

Recently captured speed data indicates that vehicles are travelling at acceptable speeds within BVT, however initial access speeds at the Guger Street and BVT intersection are intermittently higher than acceptable.

A likely reason for the difference in speeds is the differing access requirements of vehicles heading from both the east and west directions of Guger Street. Vehicles heading in an eastbound direction on Guger Street have to wait for a break in the flow of vehicles heading in a westbound direction. When a break appears they will accelerate rapidly to gain access to BVT, and then decelerate rapidly upon entering BVT.

It is recommended that the Town initially provides a treatment (as shown in Attachment 1 - LATM Option 1) at the entrance to BVT to immediately reduce speeds upon access. Once constructed further monitoring of speeds can then be conducted. If higher than acceptable speeds are still occurring intermittently, access for vehicles travelling in an eastbound direction on Guger Street should be banned, requiring vehicles to continue to the roundabout at Leura Avenue, to perform a U-turn and access BVT from a westbound direction. The design is shown in Attachment 2 - LATM Option 2.

An additional resultant benefit of this will be an increase in vehicle numbers utilising the roundabout from the west leg. This increase will lead to a more balanced traffic volume to roundabout leg ratio. Flow from Leura Avenue will receive more opportunities to flow onto Guger Street which is currently restricted due to the large

difference in traffic volume currently utilising the roundabout from either Guger Street leg.

Past Resolutions

No past resolutions relevant to the speed concern in BVT.

Financial and Staff Implications

The cost estimate of the works for the speed hump including drainage is \$25,000. Council could consider funding as part of the 2015-16 Budget.

Policy and Statutory Implications

MRWA Standards and requirements.

Publicity

Inform the immediately affected businesses and an article in the Town Talk.

Strategic Community Plan

Liveability

We are an accessible community, with well maintained and managed assets, and our heritage preserved for the enjoyment of the community.

- Develop the public realm as gathering spaces for participation and enjoyment.

People

We live in an accessible and safe community that welcomes diversity, enjoys being active and has a strong sense of belonging.

- Play an integral role in local safety and crime prevention.

Urgency

To get approvals and be ready for the works as soon as funding becomes available.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Lorenz, seconded Cr Wood

That Council:

- **Approves speed plateau/hump style treatment on BVT at the Guger intersection (as shown in the attached plan LATM option 1);**
- **Includes allocation of \$25,000 for consideration in the 2015-16 draft Budget;**
- **Informs abutting businesses in Bay View Terrace about the above works and include an article in the Town Talk.**

CARRIED(90/15)

For the Motion: Mayor Barker, and Crs Goetze, Lorenz, Mews, and Wood.

Against the Motion: Crs Tulloch, Kelly, Haynes, and Edwards.

13.3.2 VEGETATION AND GROUND WATER QUALITY STUDY

File Ref:	ENV/00050
Attachments:	Water Operating Strategy
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Andrew Head Manager of Parks and Environment
Proposed Meeting Date:	19 May 2015

Purpose

For Council to consider a budget request for a study on the effects of groundwater quality and its direct link to vegetation health within Claremont and surrounding areas.

Background

During the last few years the quality of the Town's irrigation water across a number of sites has been of concern. The level of salt in some bores is now impacting both vegetation and turf quality to an extent that irrigation practices have had to be significantly modified in areas south and west of Lake Claremont.

During the most recent WESROC Environmental Improvement Committee meeting in April there was discussion about this groundwater issue and how it may be impacting local authorities (LGA) within the area. There may be opportunity to work with other LGAs to create an overarching strategy for groundwater protection within the western suburbs and seek, through Department of Water, a reduction in removal of groundwater from the Gngangara mound availability of recycled water for recreation, parks and reserve irrigation.

Discussion

Over the last twenty years the superficial aquifer known as the Gngangara mound has been subject to over abstraction by both domestic and public irrigation bores. This has resulted in a drop of water levels of up to ten metres in some areas. Being so near the ocean has resulted in seawater infiltrating beneath the freshwater lens of the mound creating a salty wedge which is gradually increasing each year as the environmental water imbalance remains. Without further intervention Lake Claremont may move from a freshwater wetland to one affected by salt.

The effect of this salinity on trees, turf, and natural areas has become evident in recent years across a number of locations within Claremont, with the summer of 2010-11 being particularly notable. Some unirrigated areas such as the grassed foreshore in Freshwater Bay were significantly impacted by salt intrusion resulting in large areas of dead lawn creeping back towards the houses. A number of large eucalypts in the area have been impacted by salt which has resulted in some evergreen eucalypts shedding all leaves within the summer months due to a build up of salt as a result of being irrigated. Other trees such as the Tasmanian blue gums surrounding Lake Claremont have died due to changes to groundwater. These

provide a good indicator species for salt intrusion with early signs including browning of the leaf tips. More recently McKenzie Bush has been converted to a dry park as many of the grasstrees and other vegetation (including the grass) was declining and in some cases resulting in death.

A study of the vegetation impacts at McKenzie Bush was commissioned to determine the cause of the decline in the vegetation. This resulted in soil sampling and review of groundwater quality data from our bores in the local area surrounding that pocket of bushland. The outcome was that the irrigation water is directly impacting salt concentration in the root zone of the soil, slowly building up during times of evaporation and transpiration, before being washed down into the superficial aquifer during the winter months.

Last winter a treatment of gypsum was applied twice to lower the salt concentration within the soil profile and was monitored over the last twelve months to determine the effects on the vegetation. There are still a number of mature Agonis trees within this location that are struggling to recover from the impacts of salt.

Maclagan Park has yellow turf as a result of the salt in the irrigation water and this is also impacting the surrounding Agonis trees, seen as significant dead sections of canopy. Hatchett Park has had to have all the landscape species changed and now the deck within the park needs replacement due to salt rot, part of which is being completed this financial year in concrete. The remainder is proposed for replacement next year with composite decking which is not impacted by salt.

Private gardens and bores are being impacted by salt with symptoms including salt burn on Azaleas, Camellias, Fruit trees and Roses to name a few. However of greater concern is the number of larger trees also impacted by this salt problem including exotics including eucalypts, paperbark, Norfolk Island pines and London Planes. Once the affects of salt take hold, decline in these trees commences with fungal and insect damage. Some of the more significant specific concerns include the failure of a number of 100 year old Norfolk Island Pines (War memorial, Victoria Ave and Alex Prior Park).

Interestingly, the water quality is also impacting the water truck wear as a result of corrosion from brackish water within the moving parts of the sprays, pump, nozzles, hose winders and tank.

Groundwater is regulated by the Department of Water and the current conditions on commercial abstraction licenses require vegetation to be monitored, amounts drawn be within allocation and annually reported. Attachment 1 details the Town's condition for requirements of our license.

Unfortunately the far greater groundwater users are the domestic private bores which are unmanaged and remain unchecked for both quality and quantity being taken. These domestic bores have far greater influence over the shallow aquifer which directly impacts the health of vegetation by lowering the water table to a depth which local trees are unable to use. This also facilitates the movement of saline water into the groundwater from both the river and ocean.

While the visible impact of salinity on the Town's vegetation is evident, it is considered an independent study is required to confirm this impact and provide management strategies on mitigating further decline in vegetation on both a local and regional basis. This may also assist in placing pressure on the Department of Environmental Regulation and Department of Water to review the management of groundwater access including private bore monitoring, licensing, and potentially restriction.

The study will also review the current practices of managing tree stocks, parks and landscaping and an action plan (short, medium and long term) for the streetscape and park management including selection of trees, vegetation, turf and watering methods/source.

While the impact is local, the state has carriage of groundwater management, and it is recommended the Town request the Minister for Water to undertake the study of the impact of increased salinity in groundwater on vegetation within the western suburbs. It is also recommended that WALGA support for the study be sought.

Past Resolutions

Nil.

Financial and Staff Implications

An allocation of \$10,000 is proposed be included within the 2015-16 Budget to assist local initiatives to support improved groundwater quality management.

A continued decline in groundwater quality would require increased reliance on scheme water which would have a adversely impact on future maintenance budgets.

Policy and Statutory Implications

Environmental Protection Act 1986.

Health Act 1911.

Water Corporations Act 1995.

Waterways Conservation Act 1976.

Publicity

The Post and Western Suburbs.

Strategic Community Plan

Liveability

We are an accessible community, with well maintained and managed assets, and our heritage preserved for the enjoyment of the community.

- Clean, usable, attractive, accessible streetscapes and public open spaces.
- Provide a responsible and well managed urban environment, with sustainable development outcomes.

Environment

We are a leader in responsibly managing the build and natural environment for the enjoyment of the community and continue to provide sustainable, leafy green parks, streets and outdoor spaces.

- Constantly seek and implement best options for waste management and water usage.
- Provide education and communication on leading practices to the community.
- Implement sound environmental practices as reflected in the WESROC Climate Change Risk Assessment Project.

Governance and Leadership

We are an open and accountable local government that encourages community involvement and strives to keep its community well informed.

- Identify strategic partnerships that align with the Town's vision.

Urgency

Need to undertake this independent study green space health.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Haynes, seconded Cr Lorenz

That Council:

1. Requests the Ministers responsible for the Department of Environmental Regulation, Department of Water and Water Corporation to review the serious concerns of ground water quality and salinity and take necessary steps to safeguard the water source;
2. Requests the support of WALGA in advocating the concerns of the Town;
3. Seek the Edith Cowan and Murdoch universities support in providing technical advice on the impact and management of groundwater salinity on vegetation within the metropolitan area;
4. Invite WESROC councils to support a groundwater and vegetation study;
5. Acknowledges the intervention being initiated by the Town to ensure irrigation water sources are drought proof and managed in a sustainable way through involvement in both the ICLEI Water Campaign and Waterwise Council program;

CARRIED(91/15)
(NO DISSENT)

Moved Cr Haynes, seconded Cr Lorenz

That Council:

- 6. Considers an allocation of \$10,000 in the 2015-16 draft Budget to assist local initiatives to support improved groundwater quality management.**

CARRIED(92/15)

For the Motion: Mayor Barker and Crs Haynes, Edwards, Lorenz, Mews, Goetze, and Wood.

Against the Motion: Crs Tulloch and Kelly.

14 ANNOUNCEMENTS BY THE PRESIDING PERSON

The Mayor will be attending the US Memorial Day on behalf of Council.

15 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**15.1 MOTION – CR HAYNES****15.1.1 ONE WAY ENTRY AT BARNFIELD ROAD/STIRLING ROAD INTERSECTION**

File Ref: RDS/00175
Author: Bruce Haynes
Councillor
Proposed Meeting Date: 19 May 2015

Moved Cr Haynes,

That Council request an officer report to provide the information required to allow Council to consider reversing the one way vehicle entry in Barnfield Road at the Stirling Road/Gugeri Street intersection, changing from a westerly to easterly traffic flow or a two way traffic flow.

Reasons:

1. To help improve morning peak traffic flow, or a particularly at Swanbourne bridge and Claremont Crescent/Stirling Road.
2. Costs to be offset by works thereby not required, e.g. Barnfield cycle ramp, Claremont Crescent/Stirling Road roundabout.

**LAPSED
(THE MOTION LAPSED FOR WANT OF A SECONDER)**

Officer Comment

The key items examined in the Traffic Consultant's report relevant to Barnfield Road precinct were:

- *Removing the turning ban on Dean Street;*
- *Banning the right turn movement from Swanbourne Bridge over the railway onto Claremont Crescent;*
- *Banning the right turn movement from Claremont Crescent onto Stirling Road;*
- *Allowing eastbound movement along Barnfield Road;*

In 2011-12 the reversal of traffic flow in Barnfield Road at the intersection of Stirling Road from westerly to easterly was analysed. The consultant's report did not recommend the change of direction of traffic flow. The difference in performance is marginal but will adversely impact on local resident amenity for cyclists and pedestrians. The costs of this option include removal of island, signage and line marking, modification of traffic signals, and installation of new signage and line marking.

The intersection at Swanbourne bridge and Claremont Crescent was considered and the consultant's report recommended a right turn ban. No decision was made by the Council.

In 2009 the Town did an independent assessment of the above bridge location and after doing a SIDRA analysis (traffic management software to analyse intersections) recommended a right turn ban during morning peak period from the bridge to Claremont Crescent. It was not accepted by the Council.

Consultant's report recommended a right turn ban at the intersection of Claremont Crescent and Stirling Road mainly for safety reasons. Council did not accept the ban due to the impact it will create at the Shenton Road and Stirling Road roundabout.

The cost to undertake further assessment specifically for the above four locations and the impact of the traffic movement in the network for both westerly (current) and easterly (proposed) Barnfield Road traffic flow would be in the order of \$20,000.

16 NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF MEETING

NIL.

17 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

NIL.

18 FUTURE MEETINGS OF COUNCIL

Ordinary Council Meeting, 2 June 2015.

19 DECLARATION OF CLOSURE OF MEETING

There being no further business, the presiding member declared the meeting closed at 9:01 PM.

Confirmed this day of 2015.

PRESIDING MEMBER