



TOWN OF CLAREMONT

ORDINARY COUNCIL MEETING

MINUTES

TUESDAY 3 NOVEMBER, 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
3 NOVEMBER, 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

Mayor Barker

Cr Karen Wood **West Ward**

Cr Peter Edwards **West Ward**

Cr Peter Browne **West Ward**

Cr Jill Goetze **South Ward**

Cr Paul Kelly **South Ward**

Cr Chris Mews **South Ward**

Cr Bruce Haynes **East Ward**

Cr Alastair Tulloch **East Ward**

Cr Kate Main **East Ward**

Mr Stephen Goode (Chief Executive Officer)

Mr Les Crichton (Executive Manager Corporate Governance)

Mr David Vinicombe (Executive Manager Planning and Development)

Mr Saba Kirupanather (Executive Manager Infrastructure)

Ms Katie Bovell (Governance Officer)

Six members of the public

One member of the press

3 DISCLOSURE OF INTERESTS

NIL

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

NIL

5 PUBLIC QUESTION TIME

NIL

6 PUBLIC STATEMENT TIME

Mr Matthew Heale, Riverstone Custom Homes, 460 Stirling Hwy, Cottesloe.

Re: Item 13.1.2, Lot 25 (15) Lapsley Road, Claremont.

Mr Heale spoke in favour of the development application.

Ms Heidi Hardisty, PO Box 625, Cottesloe.

Re: Item 12.1.1, Lake Claremont Committee Items Needing Council Approval.

Ms Hardisty spoke on behalf of the Friends of Lake Claremont Board speaking any additional hard surfaces around Stirling Road car park.

7 APPLICATIONS FOR LEAVE OF ABSENCE

NIL

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

NIL

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved Cr Tulloch, seconded Cr Mews

That the minutes of the Ordinary Meeting of Council held on 20 October 2015 be confirmed.

**CARRIED(190/15)
(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

NIL

12 REPORTS OF COMMITTEES

12.1 LAKE CLAREMONT COMMITTEE

12.1.1 LAKE CLAREMONT COMMITTEE - ITEMS NEEDING COUNCIL APPROVAL FROM THE UNCONFIRMED MINUTES OF 10 SEPTEMBER 2015

File Ref:	GOV/00051
Attachment:	Stirling Road Carpark Design
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Andrew Head Manager Parks and Environment
Proposed Meeting Date:	3 November 2015

Purpose

For Council to consider three items from the unconfirmed minutes of the Lake Claremont Committee meeting held on 10 September 2015.

Background

On 10 September 2015 the Lake Claremont Committee met and discussed various items.

Three of the committee recommendations requiring Council approval are as follows:

"1. Requests the Council to resume development of the Lake Claremont Management Plan.

2. Requests the Town to thank Pam Free for her generous contribution of bird images for Lake Claremont signage.

3.

3.1. Supports the proposed upgrade to Stirling Road Car Park and adjoining playing fields by Scotch College as per the concept design subject to the following:

- Any tree required for removal is to be replaced with a local species such as *Agonis flexuosa* (WA Peppermint) at a minimum size of 2 meters tall.*
 - Minimal impacts to the established trees by ensuring contractors comply with the Australian Standard for protection of trees on development sites.*
 - New trees are to be planted surrounding the car park at a ratio of one tree for every three bays*
 - Consider permeable surface material to the proposed car park area*
-

3.2 Support a recommendation that the Town provide its allocated budget for the Stirling Road Car Park Upgrade as its part of the contribution to the entire project subject to:

- *The number of bays being a minimum of the 2 motorcycle, 1 ACROD and 14 Car bays as per the Towns concept plan within the park.*
- *Stormwater being directed into landscaped beds designed to clean pollutants prior to entering grassed areas of the park.*
- *Garden beds and trees being irrigated with bore water supplied from the school irrigation system to aid establishment and ensure survival.*
- *The detailed design of the pedestrian connectivity and marked crossing point is to be submitted and to the satisfaction of the Chief Executive Officer for approval*
- *Bike racks and drink fountain to be relocated to the satisfaction of Chief Executive Officer*
- *Detailed landscape design taking all of the above points into consideration to be submitted for approval by the Chief Executive Officer”.*

Discussion

1. Resume development of the Lake Claremont Management Plan

Lake Claremont draft Management Plan was put on hold until the Lake Claremont Recreation Plan is finalised. The CEO was concerned to avoid conflict over the proposals which may arise from the Recreation Use Working Party and the Management Plan. This delay is not stopping any works from progressing around Lake Claremont. Works listed in the Operational Plan continue. Once the Recreation Working Party report is considered by the Council in November 2015, the Lake Claremont Management Plan will be finalised for Council's consideration via the Lake Claremont Committee, for community consultation.

2. Bird images sketched by Pam Free (volunteer) for the Lake Claremont signages

Pam Free a volunteer for Birds Australia, has put more than 1000hours in sketching 35 bird images for the Lake Claremont signages. It is recommended for Council to acknowledge Pam Free's generous contribution by sending a letter and giving her a voucher for \$500 to purchase painting materials, as a token of gesture.

3. Stirling Road car park extension near Stirling Road Park

As part of the Scotch College development approval, the Council approved the extension of the Stirling Road car park as shown in the attachment. The car park extension works are to be done as a joint project with Scotch College. Funding contribution from the Town is already available in the 2015-16 budget.

Lake Claremont Parkland Concept plan approved by Council on 7 December 2010 shows an expansion to the car park to upgrade to 15 car bays and it also shows

provision to increase an area with possible expansion by another 15 bays as a second stage later on.

In February 2015 a car park design which included 14 car bays, one ACROD and two motorcycle bays was tabled at the Lake Claremont Committee meeting and the funding was approved by Council on 2 June 2015.

Recently the Council received a proposal from Scotch College (Scotch) to develop an early learning centre near the playing fields within the Scotch grounds. Additional parking provisions would be required for this facility and a proposal for a combined car park has been designed. The concept plan of the parking area proposed at the end of Stirling Road was reviewed by the members of the committee on 16 July 2015 and recommended by the Committee on 10 September 2015 for Council approval.

Current condition of the surface is very poor and the capacity of the parking area is lacking for the size of the adjoining public open space. Events with larger number of attendees occur at the site and the car park upgrade will assist in catering to this increased demand.

By increasing the bay numbers and combining the facility with Scotch College, it can provide an appropriate sized parking facility to service both school and park needs during peak times on both weekdays and weekends. Allowing a loop service road entering into Scotch and returning back through the park, and the inclusion of a marked crosswalk, will improve safety for pedestrians, cyclists and vehicles within the car park.

Past Resolutions

Ordinary Council Meeting 4 August 2015, Resolution 139/15:

THAT Council grant planning APPROVAL for an extension of the existing 'Educational Establishment' use at Lot 400 (No. 31) Shenton Road, Swanbourne, to accommodate an Early Learning Centre for Scotch College subject to the following conditions and advice notes:

- 7. Scotch College is to enter into an Agreement with the Town of Claremont to pay for the proposed upgrades to Stirling Road car park which will create additional parking areas for the school at the same time as improving access to the Lake Claremont playground;*
- 8. Approval of the construction of the additional parking bays and egress into Stirling Road is conditional upon the applicant entering into a Legal Agreement with the Town of Claremont for reciprocal access over the adjacent car parking area and drop-off bays. The Agreement is to be registered as an easement in gross on the Certificate of Title with the agreement being prepared by Council's solicitors at the applicant's cost prior to the issue of a Building Permit;*
- 9. The College appoint parking wardens to manage the Stirling Road pick-up and drop-off area to ensure efficient and proper operation and the wardens be in place on Monday to Friday (excluding public and school holidays) during the following times:
Mornings - 7:45am to 9:00am*

Afternoons - 2:15pm to 3:30pm;

10. *The extended drop off area at the end of Stirling Road is to be re-designed to allow overflow parking onto the Scotch playing fields during major events;*
12. *All car parking areas are to be constructed and maintained to the satisfaction of the Town of Claremont;*
15. *All car parking areas are to be constructed to meet Australian Standards 2890.1: 2004 'Off Street Car Parking Facilities';*
16. *Landscaping as shown on the approved plans is to be installed and maintained to a high standard to the satisfaction of the Town of Claremont;*
17. *All stormwater is to be contained on site. Details are to be provided on the application for a Building Permit; and*

ADVICE NOTES:

- b) *In regards to Conditions 12 and 15, car park and crossover designs are to be submitted to and approved by the Town's Engineering Services prior to construction;*

Financial and Staff Implications

Budget allocation of \$52,000 is available for Stirling Road car park.

Policy and Statutory Implications

2010 Lake Claremont Management Plan

Lake Claremont Parkland Concept Plan

State Planning Policy 2.8 Bushland Policy for the Perth Metropolitan Region

Bush Forever Site 220

Environmental Protection (Swan Coastal Plain Lakes) Policy 1992

Environmental Protection (Clearing of Native Vegetation) Regulations 2004

Section 18.approval from DIA

WESROC Storm Water Management Strategy 2002

Publicity

Not applicable.

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.
- 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.

- Maintain, effectively manage and enhance the Town's community facilities in response to a growing community.
- Improve the capacity of local community groups.

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.

- Provide education and communication on leading practices to the community.

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

Not applicable.

Voting Requirements

Simple majority decision of Council required.

The CEO advised that recommendations 3 and 4 have been amended to clarify the intent of the Committee.

The Mayor agreed to a request that each item be considered separately.

Moved Cr Haynes, seconded Cr Tulloch

That Council

1. Approves work on the draft Lake Claremont Management Plan to recommence for Council's consideration via the Lake Claremont committee, in preparation for public consultation. The Management Plan is to have regard for and take into account elements of the Recreation Working Party's recommendations which are endorsed by Council.

**CARRIED(191/15)
(NO DISSENT)**

Moved Cr Haynes, seconded Cr Wood

- 2. Acknowledges Pam Free's generous contribution in sketching bird images for Lake Claremont signage and present her with a gift voucher to the value of \$500 for the purchase of paint materials.**

**CARRIED(192/15)
(NO DISSENT)**

Moved Cr Haynes, seconded Cr Main

- 3. Notes the Lake Claremont Committee supports the upgrade to Stirling Road Car Park as a joint project between Town of Claremont and Scotch College with the works to be undertaken by Scotch College as per the concept design subject to the following:**
 - a. Any tree required for removal is to be replaced with a local species such as Agonis flexuosa (WA Peppermint) at a minimum size of 2 meters tall.**
 - b. Minimal impacts to the established trees by ensuring contractors comply with the Australian Standard for protection of trees on development sites.**
 - c. New trees are to be planted surrounding the car park at a ratio of one tree for every three bays.**
 - d. Consider permeable surface material to the proposed car park area.**

**CARRIED(193/15)
(NO DISSENT)**

Moved Cr Haynes, seconded Cr Tulloch

- 4. Notes the Lake Claremont Committee recommendation that the Town provides its allocated budget for the Stirling Road Car Park Upgrade as its part of the contribution to the entire project subject to:**
 - a. The number of bays being a minimum of the 2 motorcycle, 1 ACROD and 14 car bays within the park area.**
 - b. Stormwater being directed into landscaped beds designed to clean pollutants prior to entering grassed areas of the park.**
 - c. Garden beds and trees being irrigated with bore water supplied from the school irrigation system to aid establishment and ensure survival.**
 - d. The detailed design of the pedestrian connectivity and marked crossing point is to be submitted and to the satisfaction of the Chief Executive Officer for approval.**
 - e. Bike racks and drink fountain to be relocated to the satisfaction of Chief Executive Officer.**

- f. Detailed landscape design taking all of the above points into consideration to be submitted for approval by the Chief Executive Officer.

**CARRIED(194/15)
(NO DISSENT)**

13 REPORTS OF THE CEO

13.1 PLANNING AND DEVELOPMENT

13.1.1 ADOPTION OF COUNCIL POLICY LV124 - RETENTION OF HERITAGE PLACES, HERITAGE AREAS AND HERITAGE PRECINCTS AND LOCAL PLANNING POLICY 2/2015 - RETENTION OF HERITAGE PLACES, HERITAGE AREAS AND HERITAGE PRECINCTS

File Ref:	DAB/00029
Attachments – Public:	<u>Council Policy LV124 - Retention of Heritage Places, Heritage Areas and Heritage Precincts</u> <u>Local Planning Policy 2/2015 Retention of Heritage Places, Heritage Areas and Heritage Precincts</u>
Attachments – Restricted:	<u>Submission</u>
Responsible Officer:	David Vinicombe Executive Manager Planning and Development
Author:	Jo Harris Heritage Officer
Proposed Meeting Date:	3 November 2015
Date Prepared:	8 October 2015
Financial Implications:	Nil
Enabling Legislation:	<i>Planning and Development Act 2005 (PDA)</i> <i>Town Planning Scheme No. 3 (TPS3)</i> <i>Heritage of Western Australia Act 1990</i>

Purpose

For Council to consider the submission received during the consultation period for draft Council Policy LV124 – Retention of Heritage Places, Heritage Areas and Heritage Precincts (LV124) and Local Planning Policy 2/2015 Retention of Heritage Places, Heritage Areas and Heritage Precincts (LPP 2/2015) and consider the final adoption of these policies.

Background

- At its meeting held on 5 August 2014 Council resolved to adopt the Draft Municipal Inventory (MI) as the Town of Claremont Local Government Inventory 2014 (LGI).
 - At its meeting held on 7 July 2015 Council resolved to update the Town of Claremont Schedule of Historic and Other Buildings and Places 2015 (Heritage Schedule) under Clause 78 of Town Planning Scheme No. 3 (TPS3) to incorporate changes in the LGI including the addition of heritage areas and precincts.
 - A review of Council Policy LV124 – Retention of Residential Heritage was undertaken to reflect changes to the LGI and the Heritage Schedule, including
-

the addition of heritage areas and precincts. The proposed Council Policy LV124 – Retention of Heritage Places, Heritage Areas and Heritage Precincts (and associated Local Planning Policy 2/2015), reflect current heritage and planning practice and legislation, and include additional information related to heritage listings and development controls.

- At its meeting held on 1 September 2015 Council resolved to adopt draft Council Policy LV124 – Retention of Heritage Places, Heritage Areas and Heritage Precincts and Local Planning Policy 2/2015 Retention of Heritage Places, Heritage Areas and Heritage Precincts for public consultation under clause 82(2) of TPS3 and consider any submissions made during the consultation period prior to final adoption of the policies.

Section 45 of the *Heritage of Western Australia Act 1990* states that:

- (1) *A local government shall compile and maintain an inventory of buildings within its district which in its opinion are, or may become, of cultural heritage significance.*
- (2) *The inventory required by subsection (1) shall be compiled no later than 4 years from the commencement of this Act and shall be –*
 - (a) *updated annually; and*
 - (b) *reviewed every 4 years after compilation.*

The Town created its first Municipal Inventory (MI) of locally significant heritage buildings and places in 1991 in accordance with (2) above. The MI has been updated regularly since 1991 and a comprehensive review commenced in 2011 which resulted in the adoption of the Town of Claremont Local Government Inventory 2014 (LGI – new name for MI).

To afford the properties listed in the LGI with protection under TPS3, and therefore enable development on these properties to be assessed under the provisions of TPS3 and Council Policy, the Schedule of Historic and Other Buildings and Places (Heritage Schedule) was updated in accordance with clause 78 of TPS3. Clause 79 of TPS3 provides the protection status for properties contained in the Heritage Schedule.

Whilst TPS3 and State Planning Policy 3.5 – Historic Heritage Conservation provide for the determination of planning applications affecting places in the Heritage Schedule, the State Heritage Office (SHO) advises local governments to consider the adoption of a local planning policy to provide additional guidance as to how discretion under a scheme may be exercised for heritage properties. Such a policy should provide guidance to local government decision makers and assist owners and the community to understand how decisions are likely to be reached. The SHO advises that local planning policies for heritage should typically be employed to provide guidance for development affecting heritage places within a local government district and for heritage areas designated under the local planning scheme.

The Town's heritage policy LV124 has been reviewed to respond to changes to the Town's LGI and the Heritage Schedule and to reflect current heritage and planning practice and legislation. Council Policy LV124 is a short form version of the details contained in LPP 2/2015 which includes expanded design guidelines to enable the

Town to conserve the heritage places and streetscapes that are deemed important to the Town.

Past Resolutions

Ordinary Council Meeting 1 September 2015, Resolution No. 154/15:

Council resolved -

1. *To adopt draft Council Policy LV124 – Retention of Heritage Places, Heritage Areas and Heritage Precincts and Local Planning Policy 2/2015 Retention of Heritage Places, Heritage Areas and Heritage Precincts for public consultation under clause 82(2) of TPS3*
2. *Consider any submissions made during the consultation period prior to final adoption of the policies.*

Statutory Considerations

Local Planning Policies can be adopted under TPS3 clause 82. Council is not bound by a policy but must have due regard when determining development applications.

Local Planning Policies must be advertised for two consecutive weeks in a local newspaper. Council must then consider any submissions made prior to adopting the policy.

Consultation

The draft policies were advertised in accordance with the provision of TPS3 clause 82 for a minimum period of 21 days. One submission was received (attached) and detailed below.

Submissions Received		
Submission	Applicant Comment	Officer Comment
Philip Pullinger	The policy provides no guidance at all as to how the Town will go about determining whether or not a Category C standalone building not within or immediately adjacent to a heritage area may be demolished or altered.	<p>The policy deals with alteration of standalone Category C heritage listed building under the following section: “Levels of Significance” and sub heading “Category C Heritage Places”. Under these sections the policy explains there will be greater planning flexibility applied when determining an application dependent upon the Category listing and the information that contributes to determining the level of significance of a place. The level of significance of a place is determined both by the Category Listing and the level of contribution it makes to the Town’s heritage values.</p> <p>Table 2 of LPP 2/2015 also details processes required for the delisting and development of a listed property. For clarity, Table 2 is proposed to be modified to add the word “individually” in front of the second column dealing with a Listed Heritage Property.</p> <p>In addition, the proposed procedures for the demolition of standalone Category C buildings under the Demolition section – subheading ‘Planning Applications for Heritage Places and</p>

	<p>A significant issue in relation to standalone Category C buildings is whether it contributes to the streetscape. Where the street comprises non heritage buildings then this is likely to be a significant factor applicable to an application for demolition or alteration.</p> <p>The policy needs to allow demolition or alteration where a Peer Review Panel recommends the building not be listed on the Schedule or may otherwise be demolished or altered.</p> <p>There should be flexibility to allow Council to form a view that in particular circumstances the demolition or alteration can</p>	<p>Heritage Places within Heritage Areas or Precincts” combined the two procedures. In order to address the concern raised and provide clarity, separate sections dealing with “Planning Applications for Individual Heritage Places” and “Planning Applications for Heritage Places within Heritage Areas or Precincts” are proposed as part of the final policy for adoption.</p> <p>The submission raises a valid comment in relation to the LGI as many of the individual listings refer to the contribution to the streetscape. Whilst heritage places may contribute to the heritage characteristics of the Town as a whole, it is important that, in future LGI reviews, the heritage significance of all places relative to their streetscape be one of the factors that is included in reassessments. This matter should be considered in future reviews of the LGI, as it is not relevant to the policy proposals under current consideration.</p> <p>The contribution of a standalone heritage building to its streetscape (and locality) is considered under the policy. Stand alone heritage places are considered significant for their individual heritage values and significance – which are often evident from the street view and result in a positive contribution to the local heritage characteristics of the Town. Where a place is a lower Category C place, the assessment documentation will direct planning decisions based upon the heritage values of the place which may include the positive contribution it makes to the locality.</p> <p>The policy deals with demolition under a specific heading “Demolition”. The policy allows for complete demolition in rare circumstances. Approval for complete demolition will occur where Council has agreed to delisting of the place for one or more of the following reasons:</p> <ol style="list-style-type: none"> 1. The Council believes the demolition is required to deliver exceptional benefits to the community. 2. It has been proven it is not feasible to restore or adapt the place. 3. Structure failure is proven. 4. A Peer Review Panel finds the place no longer meets the threshold for inclusion in the Heritage Schedule. 5. Any other reason the Council finds to warrant delisting. <p>This is provided for in points 1, 2, 3 and 5 as listed above. It is proposed to revise Table 2 of LPP 2/2015 to only require a Peer Review Panel report when these other matters (e.g. –</p>
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	<p>proceed without the necessity for a review by a Peer Review Panel.</p> <p>The policy should include the following clauses that pertain to demolition:</p> <p><i>The Town will allow the demolition of a Category C standalone building that is not within or immediately adjacent to a residential heritage precinct or a commercial heritage precinct where:-</i></p> <ol style="list-style-type: none"> 1. <i>The building is at the lower end of the scale warranting its listing as a Category C building</i> 2. <i>Either:-</i> <ol style="list-style-type: none"> (a) <i>A Review Panel has recommended that the building should not be listed on the Schedule or that otherwise the building may be demolished or altered or</i> (b) <i>The Council otherwise considers the building is not of sufficient significance and as a result demolition or alteration may be permitted.</i> 3. <i>If considered appropriate by Council, an archival record of the building be provided to the Town for future public reference.</i> <p>The Council in considering the significance of the building and whether it may be demolished or altered should take into account the extent to which the building contributes to its existing streetscape.</p>	<p>structural failure) are not evident. The table has been amended to include the words 'where required' to address this.</p> <p>The proposed policy revisions detailed above outline the circumstances where demolition of any individual heritage place will be considered.</p> <p>This is addressed in the policy.</p> <p>This is addressed in the policy.</p> <p>This is addressed in the policy.</p> <p>This is addressed in the policy.</p> <p>The contribution to the streetscape will be considered where this is identified within the assessment documentation as being of significance. This is most important where the place forms part of a heritage area. Where a loss of context reduces the significance, a Peer Review Panel may recommend delisting.</p>
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Other Matters Raised

The submission also included additional comments in relation to the current legislative provision on heritage and whether the Town’s heritage listing process is consistent with such legislation. Whilst these comments are not related to the proposed policies, the issues raised in relation to heritage listing are noted and responded to below.

Relativity between LGI and Heritage Schedule

The submission indicates clause 78(a) of TPS3 provides that Council is required to create a specific Heritage Schedule. The clause does not say that the Council must or may simply adopt the LGI as its Schedule. It is argued that the Council has, in adopting the LGI as the schedule, failed to give consideration to the entries in the Schedule but has merely adopted the LGI. By adopting the LGI as the Schedule under TPS3, the Council has failed to comply with clause 78(1) and as a result the Schedule is invalid.

In response to this comment, Council is advised that no SHO advice or legislation prevents a local government from adopting all the entries in a LGI in the Heritage Schedule. To the contrary, the SHO advises that when compiling Heritage Schedules, a local government may elect to include all heritage places in its MI, (LGI) or a smaller sub-set of places. The intention of an LGI is to provide a survey of heritage assets within a local government area that will form the base information from which a Heritage Schedule is compiled. Model Scheme Text provisions and the newly introduced Deemed Provisions for Local Planning Schemes both refer to LGIs forming the basis of any Heritage List included within a Town Planning Scheme.

During the recent review of both the Town's LGI and Heritage Schedule the Council made a considered and informed decision to adopt the complete LGI as the Heritage Schedule so as ensure that the conservation of the identified heritage value of the Town is considered when determining planning applications.

Heritage Schedule Requirements

The requirement for the Schedule is that it must be a schedule of buildings, objects and places of architectural, historical or townscape value. This is a totally different test to what is to be included in the LGI, the requirement of which is of cultural heritage significance.

In response to this comment, Council is advised that as previously discussed, the LGI and the Heritage Schedule are closely linked, with the LGI informing the Heritage Schedule. The LGI survey was undertaken in accordance with the principles of the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance 2013 (The Burra Charter) and SHO guidelines, both of which state that cultural heritage significance is determined through assessing places for their aesthetic, historic, scientific, social or spiritual values. Therefore the terminology is not mutually exclusive as suggested in the comment.

Architectural, historic and townscape values are evident in the places included in the LGI and Heritage Schedule. There has been a shift in modern heritage practice that now considers that the architecture of a place may contribute to its aesthetic, historic, scientific, social or spiritual value. Townscape (or streetscape) values of heritage areas or precincts are usually valued for their historic or aesthetic values. The assessment documentation identifies which of these values apply to any heritage areas or precincts that are identified as being of cultural heritage significance.

Whilst TPS3 does not use the term cultural heritage significance, given the inextricable link between the LGI and the Heritage Schedule, the places on the

Heritage Schedule display architectural, historical or townscape value to the extent that they are considered of cultural heritage significance to the Town.

Townscape v Cultural Heritage Significance

A building may be of significant townscape value but not necessarily of cultural heritage significance and vice versa.

In response to this comment, Council is advised that this correct. Townscape value and cultural heritage significance are different and State Planning Policy 3.5 and SHO note these two issues should not be confused. However, places that demonstrate streetscape value can be identified as having cultural heritage significance. In the Town, where places are considered to be of heritage significance for their townscape or streetscape value, this is clearly included in the heritage documentation.

Discussion

In response to the submission, a number of modifications to the advertised draft LPP 2/2015 are proposed detailed below:

Inclusion of the words 'Individually' and 'Where required' in column 2 of Table 2 - as underlined below.

Summary of Delisting Process

Required Process for Delisting and Development	<u>Individually</u> Listed Heritage Property	Listed Property in Heritage Area or Precinct	Unlisted Property Within or Immediate Locality * of a Heritage Area or Precinct
Submit Heritage Assessment Report	X	X	N/A
Peer Review Panel assessment and recommendation	<u>Where required</u>	X	N/A
Satisfaction of removal requirements	X	X	N/A
DA application for demolition	X	X	X
DA application for new dwelling	N/A	X	X
DA approval for demolition subject to archival record/interpretation plan and element	X	X	N/A
DA approval for new building subject to compliance with Policy Design Guideline requirements for compatible development	N/A	X	X

Table 2

This table improves the relationship with Table 1 contained in LPP 2/2015 and text contained under the heading "Demolition" to provide for some flexibility where the circumstances may not warrant Peer Review Panel consideration. The "Demolition" section provides a list of reasons why Council may agree the delisting (and possible subsequent demolition) of a place on the Schedule. For example if Council accepts the findings of a structural engineering report that proves structural failing of a place, the Council most likely not require consideration by a Peer Review Panel.

More clarity is proposed regarding procedures for planning applications for individual heritage places. The information contained in this section of the policy is also

contained in Table 2 however; the following section has been included in the final draft of the policy to provide greater clarity.

Planning Applications for Individual Heritage Places

Where redevelopment of an individually listed heritage place is made, the agreement for removal of the place from the LGI and the Heritage Schedule will be subject to the lodgement of a planning application which proposes demolition.

As a condition of planning approval for the demolition and redevelopment of an individually listed heritage place on the Heritage Schedule, the Town will require an Archival Record/Interpretation Plan to be submitted and/or an element of interpretation to be included within the new development, i.e. an engraved plaque, or other element to the satisfaction of Council. Following satisfaction of these requirements, the property may be removed for the LGI and the Heritage Schedule.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Haynes, seconded Cr Wood

That Council

- 1. Adopt Council Policy LV124 – Retention of Heritage Places, Heritage Areas and Heritage Precincts and the revisions to Local Planning Policy 2/2015 Retention of Heritage Places, Heritage Areas and Heritage Precincts under clause 82(2) of Town Planning Scheme No. 3, as modified to include two changes to Table 2 and the inclusion of the section Planning Applications for Individual Heritage Places as detailed in this report.**
- 2. Advise those who made a submission on draft Council Policy LV124 - Retention of Heritage Places, Heritage Areas and Heritage Precincts and Local Planning Policy 2/2015 Retention of Heritage Places, Heritage Areas and Heritage Precincts of the above, and responses to the comments raised as contained in this report.**

**CARRIED(195/15)
(NO DISSENT)**

Note: The previous version of Item 13.1.2 as shown in the published Agenda was withdrawn by the Chief Executive Officer and replaced with the following revised report.

13.1.2 LOT 25 (15) LAPSLEY ROAD, CLAREMONT – PROPOSED TWO STOREY DWELLING

File Ref:	A-2356/DA2015.00140
Attachments – Public:	Location Map and Submission Plan Photographs
Attachments – Restricted:	Plans Submission
Responsible Officer:	David Vinicombe Executive Manager Planning and Development
Author:	Nick Bakker Senior Planner
Proposed Meeting Date:	3 November 2015
Date Prepared:	21 October 2015
Property Owner:	Michael and Trudy Chapple
Submitted By:	Lisa Warole – Coastview Australia Pty Ltd
Lot No.:	25
Area of Lot:	754m²
Zoning:	Residential
Financial Implications:	Nil
Enabling Legislation:	<i>Planning and Development Act 2005 (PDA)</i> Town Planning Scheme No. 3 (TPS3) Residential Design Codes (RDC) Fencing Local Law (FLL) Local Law Relating to Signage (LLRS)

Summary

- Application for planning approval received for a two storey dwelling at 15 Lapsley Road, Claremont.
 - The development proposed access from the primary street in lieu of an alternate access point at the rear of the property (Henshaw Lane) as required by clause 36(6) of TPS3.
 - Nine neighbours were consulted and one submission was received requiring consideration of amenity impacts from a stairway window.
-

- The application was initially recommended for refusal under Council's delegation processes as the applicant was not prepared to make modifications to the plan to bring the proposal into compliance with clause 36(6).
- Other options to support the proposal have been considered as part of this report.
- Based on legal advice it is recommended that Council refuse the application.

Purpose

The application proposes a two storey dwelling on the subject site with direct access to Lapsley Road.

The application requires Council's determination due to the item being called up by an Elected Member of Council following a recommendation of refusal under delegated authority (DA22) as the proposal does not comply with clause 36(6) of TPS3.

Background

The following table outlines key dates regarding this proposal:

Date	Item/Outcome
14 September 2015	Planning Application received by Council.
16 September 2015	Application undergoes internal DCU assessment.
16 September 2015	Applicant advised of non-compliance with TPS3 clause 36(6).
30 September 2015	Additional information received from applicant.
2 October 2015	Application recommended for refusal under delegation.
5 October 2015	Application called up by an Elected Member for to full Council consideration.
7 October 2015	Advertising commenced.
21 October 2015	Advertising closed.
21 October 2015	Report prepared for Council.

Past Resolutions

Nil

Heritage

The property is not listed on the Town's Heritage Schedule.

Consultation

All relevant surrounding land owners were consulted and given opportunity to view the plans and comment on the proposal. In total nine neighbours were consulted and one comment was received in relation to the west facing staircase. The neighbouring owners of 17 Lapsley Road are concerned that the window will over look their property and have requested that the window be obscure glazed. This matter is addressed below. It is noted that no objections were raised in regard to the proposed access to Lapsley Road.

Discussion

Compliance

The development complies with the all provisions of TPS3, the Residential design Codes and Council Policy with the exception of the following:

Privacy

The window of concern to the western neighbour is for a stairwell and landing. While the window is to a room classified as non-habitable under the RDC and no privacy setbacks apply (and is therefore compliant with the privacy requirements of the RDC), Council's Residential Amenity Policy LV129 provides for the consideration of the amenity impacts of this window on the adjoining property owner. In this instance, the window will provide for overlooking of major openings to habitable room windows on the adjoining property. While these windows have blinds, the provision of obscure glazing to the stairway window would provide an improved amenity outcome for the neighbour. If Council approves this application, it is recommended that a condition be included which requires the provision of obscure glazing to the stairway window.

Vehicular access

Clause 36(6) of TPS3 controls the location of vehicular access to the site as follows:

"Council will not support the provision of onsite parking at the front of a property where a practical alternative vehicular access point exists, such as to a secondary street, rear laneway or similar. To enable rear laneways to be utilised, Council may consider a reduced front setback for the dwelling where rear private open space is significantly compromised, under the provisions of Clause 1.5.8(a) of the Residential Planning Codes relating to the averaging of the front setback distance."

The garage of the two storey dwelling proposes access from the primary street (Lapsley Road) in lieu of an alternative e access point at the rear of the property (Henshaw Lane).

The applicant has provided the following justification as to why Henshaw Lane is an impractical access point:

- "1. The planning guideline says 'where practical alternative vehicular access point exists'. Given the design of the proposed home, having the garage at the rear of the home would mean the clients would have to walk 25m to the nearest access point of the home. A garage to the rear will either result in the garage not connected to the house or a long driveway compromising the use of the rear of the lot. This is both impractical and poor design given our clients' needs in retirement.*
 - 2. The clients have installed a lift on the home so obviously efficient access and movement throughout the home is a concern. So we advise that parking at the rear is not a practical alternative for our client, given their compromised mobility going forward.*
 - 3. Every house on the street has a crossover/driveway to the Lapsley Road and therefore our development will have no impact on the streetscape. In fact the proposed garage will maintain a consistent streetscape.*
 - 4. The owner wishes to have the option of subdividing the lot in the future which would require access being provided from Lapsley Road.*
-

5. *The yard faces north, so having the garage at the rear compromises the northern aspect of the lot.*
6. *The insistence on rear access effectively precludes future subdivision. This is unfair and unreasonable and, therefore, impractical.”*

In response to the applicant's justification, it is considered that Henshaw Lane is a practical access point as required by clause 36(6), as:

- a) Henshaw Lane is a dedicated road constructed to standard road specification. This includes drainage, kerbing and bituminisation of the roadway to the same standard as any other public road. A dedicated road is significantly different to a right-of-way, which is only required to be maintained to the minimum trafficable standard.
- b) There is sufficient space on the lot to accommodate a garage and a reasonable sized outdoor living area.
- c) There are no topographical or physical constraints which would prevent or hinder the use of Henshaw Lane as a means a vehicular access.
- d) Compliance with clause 36(6) at this point would not prevent future subdivision and provision of legal access and parking from Lapsley Road.
- e) Given the separation between the dwelling and a rear garage structure, the Town would entertain the provision of a covered walkway between the two structures to provide adequate weather protection or for the garage to be integrated with the dwelling, provided access is gained from the rear of the property.
- f) Legal advice and a previous State Administrative Tribunal (SAT) ruling (*Alcock v Town of Claremont for 26 Goldsmith Road*) determined that personal circumstances (e.g. mobility), design considerations (e.g. separation from the dwelling) and streetscape considerations are not relevant in determining whether the alternative access point is practical;

“...the Tribunal considers that the very purpose of cl.36(6) is to affect design and site layout where a practical alternative access point exists. It explicitly precludes onsite parking at the front of the property and implicitly excludes driveways and crossovers at the front of the property where a practical alternative access point exists”.

The SAT member concluded that *“personal preferences of landowners should not defeat a broader public interest in orderly and proper planning”.*

- g) Whilst it is acknowledged that the applicant has raised practical impacts on the owner in support of the proposal, these practicalities do not directly relate to practical vehicle access as required by TPS3.

From the technical point of view, access from Henshaw Lane is clearly practical as detailed above. The intent of clause 36(6) is to reduce the parking impacts of development on the primary street frontages where a practical alternative access exists. If Council decides that Henshaw Lane is a practical access point, then the development does not comply with clause 36(6) of TPS3 and must be refused as there is insufficient discretion to vary this requirement relative to consideration of other practicalities. However, if the Council considers Henshaw Lane provides impractical access, the development in its current form could be approved. In doing

so, such a decision would be contrary to the former 26 Goldsmith Road SAT decision and it may establish an undesirable precedent for what the Council considers 'practical access' and impact on future Council decisions and future SAT considerations.

It is noted however that Council has determined on a number of occasions that practical access may take into account a number of other circumstances which applied to the following applications:

- 49a and 55 Goldsworthy Road - Council determined the narrow 3.4m width of the rear Right of Way (ROW) resulted in significant intrusion into the rear setback area rendering an impractical impact on the only private outdoor spaces and impractical manoeuvring to and from the garage.
- 19 Wood Street - Access from the secondary street (the busier Servetus Street), with a requirement for vehicle manoeuvring to be contained on site in accordance with clause 42(2) of TPS3, resulted in an impractical access arrangements where the entire rear yard area would be devoted to parking, driveway and turn-around area.
- 15A Otway Street - Council determined that rear access and manoeuvring on site had an impractical impact on the development of the rear yard area.

Council initiated an amendment to clause 36(6) as part of a suite of amendments to the residential provisions of TPS3 on 4 August 2015. The amendment, which is presently progressing to advertising, proposes that clause 36(6) be strengthened to address a number of interpretation queries which were raised in the 26 Goldsmith Road SAT case as follows:

"The provision or use of:

(a) A car parking area (whether a garage, carport or dedicated uncovered area) at the front of a property; and

(b) Any crossover from the primary street,

will not be permitted by a development approval where a practical alternative vehicle access point exists (such as from a secondary street, rear laneway or similar). This prohibition will apply notwithstanding a proposed development involves the use of a pre-existing crossover from the primary street, except where the proposed development:

(a) Is considered by the Council to be a renovation of an existing dwelling which retains the pre-existing car parking area without facilitating additional car parking, and provided the requirement to remove the crossover and provide an alternative car parking area is considered by the Council to be unreasonable; or

(b) Involves only the upgrading of an existing car parking area, provided that the proposed upgrading does not facilitate any additional car parking.

To facilitate the use of rear laneways or similar practical alternative access points, the Council may consider approving a reduced front setback for the dwelling where private open space to the rear would be significantly

compromised by the requirements of this clause, having regard to the applicable design principles of the Residential Design Codes.”

It is noted that the clause and amendment does not contemplate subdivision potential of a property as a relevant issue for consideration of practical access arrangements. Should Council wish to support this application, it would be appropriate to consider inclusion of subdivision potential as a practical consideration as part of the proposed clause when the amendment is referred back to Council following advertising.

Alternative Options

In order to facilitate an approval for the proposed development, a number of alternative options have been considered and discussed with the applicant to overcome the clause 36(6) restrictions. These options include temporary use of the garage fronting Lapsley Road for storage and construction of a garage off Henshaw Lane, subdivision inclusive of a legal agreement to ensure subdivision occurs within a finite timeframe and modification of the development to two grouped dwellings with each dwelling gaining access off each road. These options are detailed below:

- a) New garage constructed fronting Henshaw Lane with the proposed garage fronting Lapsley Road being used for storage. In order to comply with clause 36(6), the Town advised the applicant that the plans should be modified to include the following:
- Remove the front driveway (and existing crossover).
 - Continue front fencing across the entire width of the front boundary (or delete front fencing entirely).
 - Incorporate a temporary façade to the garage at the front of the dwelling so that it can only be used for storage, but is easily convertible at future subdivision stage. The temporary facade must be sympathetic to the remainder of the dwelling.

The applicant wished to maintain the facade of the garage, driveway and crossover, and has therefore declined to modify the plans in accordance with the above.

- b) Subdivision to create a new lot at the rear Lapsley Road fronting Henshaw Lane. Subdivision at this point would however create a significant financial burden on the applicant in the payment of rates for the two properties until such time as the rear lot is sold, but would allow for the additional property to be used as part of the current development proposal.

A condition requiring subdivision to occur within 12 months of a Building Permit is a common condition that may be applied to a planning approval. This involves the applicant entering into a legal agreement which is registered as an absolute caveat on the Certificate of Title (at the applicant's cost) with Council to ensure subdivision occurs within the prescribed period. These agreements provide Council with power of attorney to facilitate the subdivision at the applicant's cost should they not progress the subdivision.

Given the applicant's long term intention to subdivide the property, an option would be to apply a modified condition of this nature to require subdivision to occur within a period of five years.

A minor variation on this proposal would allow for a relaxation of the requirement should Amendment No. 132 to TPS3 be amended to provide for consideration of subdivision potential as a practical consideration when finalising the amendment to clause 36(6) as detailed above.

- c) Conversion of the application to two grouped dwellings with each dwelling obtaining access from each road. The approval could provide for a staged development of the site over a number of years.

These options have been discussed with the applicants; however they are reluctant to agree to them at this point and would prefer an unconstrained approval.

The application has been reviewed by Council's solicitors who have raise concerns that an approval in this instance with a requirement to subdivide within five years would contravene to clause 36(6) based on the Goldsmith Street SAT decision which concluded that:

"On its proper interpretation, the Scheme therefore precludes approval of an application involving the provision of on site parking at the front of the property where a practical alternative vehicular access point exists".

On this basis therefore it is recommended that the application be refused.

Voting Requirements

Simple majority decision of Council required.

OFFICER RECOMMENDATION

Moved Cr Haynes, seconded Cr Edwards

THAT Council refuse the application for a proposed Two Storey Dwelling at Lot 25 (15) Lapsley Road, Claremont as the proposal does not comply with the requirement of clause 36(6) of Town Planning Scheme No. 3 as practical vehicle access is available from the rear in Henshaw Lane.

**CARRIED(196/15)
(NO DISSENT)**

13.2 CORPORATE AND GOVERNANCE

13.2.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 SEPTEMBER 2015

File Ref:	FIM/0062-02
Attachments:	Statement of Financial Activity for period ending 30 September 2015 Infrastructure Assets – 2015-16 Schedule of Works
Responsible Officer:	Les Crichton Executive Manager Corporate and Governance
Author:	Hitesh Hans Finance Manager
Proposed Meeting Date:	3 November 2015

Purpose

Report presents the Statement of Financial Activity for the month ending 30 September 2015. The Annual Revised Budget column within the statements incorporates all the carry forwards and budget amendments approved by Council since adoption of 2014-15 Budget in June 2015.

Background

The Monthly Financial Report is presented in accordance with the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

Discussion

The Financial Statements to 30 September 2015 represent the first quarter of operation within the 2015-16 financial year.

The closing surplus of \$12,399,536 compares favourably against the budgeted surplus of \$11,805,437. The \$594,099 variance is comprised of operating revenue and expenditure \$29,894 and \$317,704 under budget respectively, capital works \$320,289 under year to date (YTD) forecast, and non-operating (capital) income under \$14,000. Details of each

Operating revenue - \$29,894 under budget

- \$91,251 decrease in rates revenue is mainly due interim reduction of property valuations pending redevelopment.
- \$49,790 increase in interest is due to the timing against budget forecasts for instalment interest on rates together with higher interest earnings derived from investment holdings.

Operating expenditure - \$317,704 under budget

- \$227,538 of variance is due to timing difference across materials and contracts services (\$157K), office expenses (\$26K) and consultancies (\$36K).
-

- \$93,904 Insurance expenditure is under the budget due to timing of second instalments (since paid in October 2015).
- (\$18,402) Other expenditure is above the budget due to timing of overheads allocations to infrastructure works.

Capital expenditure – \$320,289 under budget

As detailed within the capital works schedules (note 10), the capital expenditure comprises;

- \$148,538 under budget in infrastructure works. Attachment 2 provides further detail on the projects and variance explanation.
- \$110,677 under budget in land and building is mainly due to timing of Claremont park toilet project.
- \$62,800 under budget on transfers to reserves due to timing of interest income on reserve investment.

Capital income – 14,000 under the budget

Variance due to the delay in the scheduled sale of EMCG vehicle.

Past Resolutions

Ordinary Council Meeting 6 October 2015, resolution 172/15:

That Council note the Financial Statement of Activity for the period 1 July 2015 to 31 August 2015.

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

Local Government Act 1995.

Local Government (Financial Management) Regulations 1996.

Publicity

N/A

Strategic Community Plan

Governance and Leadership

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

- Provide and maintain a high standard of governance, accountability, management and strategic planning.
- Maintain long term financial stability and growth.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Edwards, seconded Cr Browne

That Council notes the Financial Statement of Activity for the period 1 July 2015 to 30 September 2015.

**CARRIED(197/15)
(NO DISSENT)**

13.3 INFRASTRUCTURE

13.3.1 LEURA AVENUE - GUGERI STREET VERGE LANDSCAPE TREATMENT (SOUTH WEST CORNER)

File Ref:	2114-02
Attachment:	Proposed verge landscape treatment
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Jackie Parker Supervisor Parks and Environment
Proposed Meeting Date:	3 November 2015

Purpose

For Council to approve the proposed verge landscape treatment at the southwest corner of Leura Avenue and Guger Street.

Background

In June this year, the Town was approached by the owners of Claremont Court (the lot between the Post Office car park and Leura Avenue), seeking to improve the amenity and useability of the verge at the southwest corner of Leura Avenue and Guger Street.

The Town and the managing agent of Claremont Court have worked together to develop a plan, to which approval is now being sought from Council.

The proposed verge landscape treatment includes the installation of a London Plane tree, removal of paving (approximately 20 square metres), installation of a small reticulation system (connected to Claremont Court reticulation system) and planting of a hedge (approximately 20 metres).

Discussion

The following elements have been identified at the site in its current form:

- Excessive (radiant) heat
- Little to no shade
- Poor amenity
- Uninviting
- Wide, open unusable space.

The proposed design comprises the following elements:

- Tree installation to provide shade
- Hedge planting to increase amenity and aesthetics
- Removal of some paving to reduce radiant heat.

Past Resolutions

There are no past resolutions related to this item.

Financial and Staff Implications

Installation:

Removal of bricks and forming of new edge:	\$2800
Supply and installation of reticulation:	\$1200
Supply and installation of hedge:	\$1800
Supply and install of mulch:	\$1400
Supply and install of tree:	\$ 800
TOTAL:	\$8000

It is proposed that the Town and the owners of Claremont Court share the cost of the installation in the format shown below, equating to an even cost share of approximately \$4,000 to each:

Town of Claremont is to:

Supply and install hedge:	\$1800
Supply and install mulch:	\$1400
Supply and install tree:	\$ 800
TOTAL:	\$4000

Claremont Court is to:

Remove bricks and form new edge:	\$2800
Supply and install reticulation:	\$1200
TOTAL:	\$4000

Maintenance:

It is proposed that the new verge tree and hedge will be incorporated into the Town's existing garden maintenance program, at an approximate annual cost of \$1200.

It is proposed that the maintenance to the irrigation system will be the responsibility of the owners of Claremont Court.

Due to the low cost of this proposed verge landscape treatment, it is feasible that the works to be paid by the Town can be funded within the existing budgets.

Policy and Statutory Implications

The landscaping installations and associated works will be undertaken within the Town's relevant policies.

Publicity

Nil.

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

Urgency

If a decision is made, the Town will have the opportunity to source and plant the tree and shrubs before the hot summer weather.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Wood, seconded Cr Kelly**That Council Approves:**

1. **The proposed verge landscape treatment for the southwest corner of Leura Ave and Guger Street, at a cost of approximately \$4,000 to the Town and the other \$4,000 by the owners of Claremont Court.**
2. **The ongoing maintenance of the verge tree and hedge as part of the Town's regular horticultural services, at an approximate cost of \$1,200 per year and the reticulation be maintained by the owners of Claremont Court.**

CARRIED(198/15)

For the Motion: Mayor Barker, and Crs Tulloch, Mews, Edwards, Kelly, Browne, Wood, Main and Goetze.

Against the Motion: Cr Haynes.

14 ANNOUNCEMENTS BY THE PRESIDING PERSON

The Mayor attended the opening of Western Suburbs Weekly’s new office.

Cr Wood attended a presentation on the Oblong Turtle in lakes in the metropolitan area.

The CEO announced that the four Councils have now formally supported the request by Curtin Care to extend the lease of 1 Gibney Street, Cottesloe, and work has commenced to prepare an agreement to lease, and lease documentation for review by the Working Party.

15 ELECTED MEMBERS’ MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NIL

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 17 November 2015.

19 DECLARATION OF CLOSURE OF MEETING

There being no further business, the presiding member declared the meeting closed at 7:27 PM.

Confirmed this day of 2015.

PRESIDING MEMBER