



TOWN OF CLAREMONT

ORDINARY COUNCIL MEETING

MINUTES

TUESDAY 5 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
5 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 7:02 PM.

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Mayor Barker

Cr Peter Browne	West Ward
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)

Five members of the public

Two members of the press

3 DISCLOSURE OF INTERESTS

An interest was declared by Cr Kelly, for Item No 13.1.2, Requested disposition of 1 Gibney Street, Cottesloe to Curtin Care Inc.

Nature of Interest: Financial.

Extent of Interest: By virtue of being a board member of Curtin Care Inc.

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

NIL

5 PUBLIC QUESTION TIME

NIL

6 PUBLIC STATEMENT TIME

**Mr Michael Jones, Deputy Chairman Curtin Care Inc.,
5 Cliff Road, Claremont.**

**Re: Item 13.1.2, Requested Disposition of 1 Gibney Street, Cottesloe to
Curtin Care Inc.**

Mr Jones spoke in favour of the officer recommendation.

Ms Roslyn MacNish, 19 Grange Street, Claremont.

**Re: Item 13.1.2, Requested Disposition of 1 Gibney Street, Cottesloe to
Curtin Care Inc.**

Ms MacNish spoke against the officer recommendation, offering additional alternative options to be included in the business plan.

7 APPLICATIONS FOR LEAVE OF ABSENCE

NIL

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

NIL

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved Cr Goetze, seconded Cr Browne

**That the minutes of the Ordinary Meeting of Council held on
21 April 2015 be confirmed.**

**CARRIED(71/15)
(NO DISSENT)**

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

Item 17.1.1, Amendment to Rate Record.

11 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

NIL

12 REPORTS OF COMMITTEES

12.1.1 LAKE CLAREMONT COMMITTEE - PROPOSED 2015-16 BUDGET ITEMS

File Ref:	GOV/00051
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Andrew Head Manager Parks & Environment
Proposed Meeting Date:	05 May 2015

Purpose

Report presents budget items proposed by the Lake Claremont Committee for consideration in the 2015-16 Budget.

Background

The Lake Claremont Committee, at its meeting of 2 April 2015, considered a number of items for recommendation to Council for inclusion in the 2015-16 Budget considerations.

Officer recommendation and Committee Decision

That the Committee recommends that;

1. Council considers \$50,000 to install a nutrient and sediment stripping detention basin on the Henshaw Drain stormwater outlet as per the 2010 Lake Claremont Management Plan in the draft 2015-16 capital works budget.
2. Council considers \$20,000 to install an access pedestrian path from Alfred Road crossing west of Lisle Street.
3. Site preparation for the Alfred Road Woodland and pocket Banksia Tuart woodland plantings in the parkland eastern side of Lake Claremont, funded from the Lake Claremont Surrounds maintenance budget.
4. Should FOLC win a Community Heritage and Icon Grant, that Administration includes a request funding for site preparation cost in the 2015-16 midyear review and 2016-17 draft budget.

Additional Motion and Committee Decision

That the Committee recommends that;

1. Fencing be installed in an L shape along Alfred and Davies Road
 2. Adequate parking be considered in Davies Road and/or Lakeway Street
 3. Dog agility equipment be provided in the dog exercise area.
-

Discussion

Following the closure of the long nine hole golf course in mid 2009, there has been a significant increase in park usage by a number of groups, these include bike riders, bird watchers, photographers, joggers, walkers, sports groups and dog walkers. As the site increases in use the activation of areas through additional facilities to further improve usability of the site is needed

Henshaw Drain basin

One of the works required to protect the water body and its quality is to complete a nutrient stripping swale from the drain leading from Henshaw Lane. This is the last drain directly discharging in the lake and is one of the important outstanding actions within the Lake Claremont Management Plan 2010 to be completed. A concept design has been drafted by external consultants and is being reviewed to ensure the impact to the parkland is minimised.

Officer Comment

This provision is currently included in the 2015-16 draft Budget.

Alfred Road pedestrian access

A connection to Lake Claremont Parkland was installed by the City of Nedlands on Alfred Road. This road crossing does not connect with the existing paths within the parkland and requires a bitumen path connection to allow improved access to Mount Claremont.

Officer Comment

This provision is currently included in the 2015-16 draft Budget.

Banksia and Tuart woodland

Over the last five years there has been significant progress made on the revegetation and improvement works at the site including the majority of designated natural areas. Much of this progress in the natural areas has occurred due to a number of successful grant applications awarded to the Friends of Lake Claremont and supported by the Town through site preparation, path installation and fencing.

Officer Comment

Proposal recommends this be funded from operational budget.

Wetland buffer – completion of revegetation

The FOLC have submitted a grant application for this work and if this is successful will seek consideration for site preparation funding as part of Councils 2015-16 midyear budget review.

Officer Comment

Proposal recommends Council consider a funding request (2015-16 midyear budget review) should the grant application be successful.

Dog area

Some park users have informed the Town of their concern over the lack of separation between areas used by dogs off lead which are currently designated as on lead areas and the areas used by people to play, picnic and recreate.

Officer Comment

Careful consideration should be given to what formalisation of areas should occur as it may impact the usability by other groups.

The majority of dog owners are very responsible and community minded and ensure their dog is under effective control (the dog will come back to the handler when called). There are a small number of dogs off lead which have caused some problems at Lake Claremont. A few dogs had to be caught by ranger services within the lake after harassment of birdlife or swimming around the lake. Last breeding season a swan nest was abandoned and on another occasion an adult swan was mauled to death.

A couple of people have been bitten. On one occasion a dog has jumped up on an infant in a pram. There have also been incidents involving cyclists.

Enclosing an off lead area may also increase poor dog handling behaviours as the handler may become more complacent thinking the dog is safe and won't get into trouble. There may be a chance of injury to smaller dogs when the larger dogs jump onto them in game play which can result in expensive veterinary bills.

Ideally off lead areas for dogs should be located away from other activities such as children's play, ball sports, cycling, picnic/lunching and fitness groups. Other areas not suitable include environmentally sensitive areas and natural areas of the parkland and areas very close to busy roads.

Proximity to busy roads is of concern to some dog handlers and they suggest they do not use the current area for that reason however the area at Lake Claremont set aside for dog exercise is quite significant and an equivalent size to a football oval (160m x 160m) or 2 ha in area. The area is separated from the busy roads by footpaths, bollards and mulched planted gardens so that the distance from the edge of the off lead area to Alfred Road is around 25 meters and the distance from Davies Road is 10 meters, this buffer should be adequate for effectively controlled dogs to ensure they get nowhere near the road.

Another reason given for the lack of use of this current area is a belief by some that the location is not central enough to the Town. The existing dog exercise areas throughout the Town have been evenly spaced to ensure all ratepayers are within a short walk to one of the nearby designated areas.

Another concern is the lack of facilities for dogs within this section of the parkland. This area already contains a few benches under shady trees centrally within the area for dog owners to sit and chat while their dogs mingle and a number of additional seats and a picnic table are being installed in the coming weeks. A drink fountain with

water bowl for dogs in the area would also offer some additional drawcards for dog owners as the only other drink fountain at the site is located at Stirling Road Park.

Parking nearby is in short supply and a provision was made on the Lake Claremont Parkland plan of 2010 which indicated some on street parking in Davies Road for park users to use. Another location was at the end of Lakeway Street but local residents were opposed to the proposal in the plan and so the Council approved an informal parking area around the cul de sac head for approximately six cars. By creating on street parking in Davies Road and rerouting the footpath into the parkland it will create a safer and more pleasant journey for pedestrians and provide a further buffer from the road.

To encourage good dog behaviours the professional dog behaviour specialists at Dogs West headquarters in Southern River have suggested that we could provide dog agility equipment within the exercise area to assist owners with dog obedience training. It would also allow dog groups to run training or puppy schools to encourage positive dog handling behaviours. This work could be undertaken with the assistance from the Mosman Park Men's shed and the Friends of Lake Claremont.

While a general provision is currently included in the 2015-16 draft Budget, it is recommended the decision on any new infrastructure related to the dog exercise area be deferred until the Lake Claremont Management Plan has been finalised.

Past Resolutions

None relating the 2015-16 Budget requests.

Financial and Staff Implications

All recommended expenditure will be included for 2015-16 budget consideration.

Policy and Statutory Implications

Dog Act 1976.

Aboriginal Heritage Act 1972.

Lake Claremont Management Plan 2010.

Lake Claremont Parklands Plan (adopted in December 2010).

Bush Forever.

Publicity

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.

- Clean, usable, attractive, accessible streetscapes and public open spaces.
- Develop the public realm as gathering spaces for participation and enjoyment.

- Provide a responsible and well managed urban environment, with sustainable development outcomes.

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.

Urgency

To include in the draft budget 2015-16.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Haynes, seconded Cr Wood

That Council;

1. **Includes for consideration \$50,000 to install a nutrient and sediment stripping detention basin on the Henshaw Drain stormwater outlet as per the 2010 Lake Claremont Management Plan in the draft 2015-16 capital works budget.**
2. **Includes for consideration \$20,000 to install an access pedestrian path from Alfred Road crossing west of Lisle Street.**
3. **Notes site preparation, for FOLC grant funded works for the Alfred Road Woodland and pocket Banksia Tuart woodland plantings in the parkland eastern side of Lake Claremont, be funded from the Lake Claremont Surrounds maintenance budget.**
4. **Notes a funding contribution for site preparation for wetland buffer work may be received for consideration in the 2015-16 midyear review should FOLC win a Community Heritage and Icon Grant.**
5. **Notes the Lake Claremont Committee recommendations relating to the dog area and defer any decision until completion of the Lake Claremont Management Plan.**

AMENDMENT

Moved Cr Haynes, seconded Cr Lorenz

That the Officer Recommendation be amended by replacing number 5 with the following-

5. **Include the Committee's recommended works for consideration in the draft 2015-16 Budget.**

Reasons:

1. Whether these works proceed or not do not depend on the completion of the Lake Claremont Policy.
-

2. Whether to fence dog exercise areas or not can be decided in the context of draft Budget considerations.
3. Funding of provision of parking on Davies Road in accord with the Lake Claremont Concept Plan can be decided in the draft Budget discussions.
4. Funding of provision of dog exercise equipment as recommended by officers can be decided in the draft Budget discussions.
5. Not to include these items in the draft Budget discussions would be contrary to the Committee's intentions as they were raised in the context of items to be included in those discussions and would preclude anything being done for another 12 months.

**CARRIED(72/15)
(NO DISSENT)**

THE AMENDED PRIMARY MOTION WAS PUT

That Council;

1. **Includes for consideration \$50,000 to install a nutrient and sediment stripping detention basin on the Henshaw Drain stormwater outlet as per the 2010 Lake Claremont Management Plan in the draft 2015-16 capital works budget.**
2. **Includes for consideration \$20,000 to install an access pedestrian path from Alfred Road crossing west of Lisle Street.**
3. **Notes site preparation, for FOLC grant funded works for the Alfred Road Woodland and pocket Banksia Tuart woodland plantings in the parkland eastern side of Lake Claremont, be funded from the Lake Claremont Surrounds maintenance budget.**
4. **Notes a funding contribution for site preparation for wetland buffer work may be received for consideration in the 2015-16 midyear review should FOLC win a Community Heritage and Icon Grant.**
5. **Include the Committee's recommended works for consideration in the draft 2015-16 Budget.**

**CARRIED(73/15)
(NO DISSENT)**

13 REPORTS OF THE CEO

13.1 CORPORATE AND GOVERNANCE

13.1.1 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 MARCH 2015

File Ref:	FIM/00062-02
Attachments:	Statement of Financial Activity for period ending 31 March 2015 Infrastructure Assets – 2014-15 Schedule of Works
Responsible Officer:	Les Crichton Executive Manager Corporate and Governance
Author:	Hitesh Hans Finance Manager
Proposed Meeting Date:	5 May 2015

Purpose

The report presents the Monthly Financial Report (MFR) to the end of March 2015, provides a summary of the financial performance of Council's operations for the period, and recommends the Monthly Financial Report (MFR) be noted.

Background

The MFR is presented in accordance with the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* and is made up of:

- Statement of Financial Activity.
- Infrastructure Assets 2014-15 Schedule of Works.

The comments on variances compare actual expenses and revenue against the 2014-15 Budget revised as part the mid-year budget review. The Revised 2014-15 Budget was adopted by Council on 17 February 2015.

Discussion

Summary

The closing surplus of \$5,891,769 is \$1,747,905 above the projected surplus of \$4,143,865. This variance is due mainly to timing differences (actual expenditure to date above or below planned expenditure), increased revenue, and timing on reserve fund transfers. It remains large however it is expected this will continue to be reduced (and largely removed) as projects and programs are completed over the last quarter of the financial year.

The Finance unit is currently working on forecasting the projected surplus/deficit for 2014-15 financial year as part of the 2015-16 Budget process. This will assist in identifying real savings against timing variances to provide a more accurate understanding of the anticipated year end result.

No further adjustments to the budget have been identified or recommended. Areas contributing to the variance are:

Operating revenue - \$322,188 above budget

- Fees & Charges - \$230,702 above budget mainly due to increase in parking income (\$29K), Aquatic Centre (\$193K). However Leased Premises (dept 1105) is under the budget by \$44K due to timing of the income.
- Interest Earning - \$68,074 above budget due to timing and an increase in investment holdings.
- Reimbursements - \$33,058 above budget mainly due to reimbursement of legal expenses, utility expenses (leased premises), and other minor reimbursements.

Operating expenditure - \$815,638 below budget (excluding non cash items)

- Materials and Contracts - \$739,117 due to timing differences across all business units with the more significant variances within;
 - Infrastructure - \$201K (roads, CBD maintenance, street tree, Street sweeping, plant operations and administration services)
 - Special Projects - \$141K (wayfinding signage, SMH)
 - Environmental Health and Ranger Services - \$78K (street parking signs, VMS, IT expenses, education program)
 - Administration & Governance - \$63K (local govt reform, office expenses, materials and contracts, building maint.)
 - Planning and Building services - \$103K of which \$85 relates to various planning reviews to be undertaken.
 - Waste Management - \$62K of which is invoices have now been received.
- Employee Costs - \$110,207 under budget due to timing across training, recruitment, OSH, FBT (\$46K), insurance (\$16K) and superannuation (\$42K).
- Utilities – (\$23,055) over the budget due to increased consumption at the No 1 building (\$6K), Aquatic Centre (\$9K) and various other buildings. Some of over expenditure is offset by increase in reimbursement from lessees.
- Other Expenditure – (\$26,201) over the budget mainly due to under allocated overheads (\$45K) and parking commissions paid to community groups (\$21K) - offset by increase in parking income). However there is also a timing delay in grant payments to tennis club (\$15K).

Capital expenditure – \$478,844 under budget

As detailed within the capital works schedules, the capital expenditure comprises;

- (\$287,601) over budget in infrastructure works. Attachment 2 provides further detail on the projects and variance explanation.
-

- \$164,297 under budget on land, building, plant and equipment capital expenditure due to timing. Note 10 of Attachment 1 provide a breakdown of these items.

Capital income - \$73,888 above budget

- (\$40,000) is a timing variance relating to proceeds from sale of asset.
- \$117,880 of variance is as a result of transfer from reserve processed ahead of budget timing.

Past Resolutions

Ordinary Council Meeting 07 April 2015, Resolution 49/15:

That Council note the Financial Statement of Activity for the period 1 July 2014 to 28 February 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.

Urgency

N/A

Voting Requirements

Simple majority of Council is required.

Moved Cr Edwards, seconded Cr Mews

That Council notes the Financial Statement of Activity for the period 1 July 2015 to 31 March 2015.

**CARRIED(74/15)
(NO DISSENT)**

Cr Kelly declared a financial interest by virtue of being a board member of Curtin Care Inc. and left the Chambers at 7:27 PM.

13.1.2 REQUESTED DISPOSITION OF 1 GIBNEY STREET, COTTESLOE TO CURTIN CARE INC.

File Ref: COP/00066

Attachments: [Letter from Curtin Care Business Plan](#)

Responsible Officer: Les Crichton
Executive Manager Corporate and Governance

Author: Les Crichton
Executive Manager Corporate and Governance

Proposed Meeting Date: 05 May 2015

Purpose

The Town has received a formal request from the current lease holders of 1 Gibney Street, Cottesloe (Wearne) to dispose of the Town's share in the land (25%) to Curtin Care Inc. for nominal consideration.

Background

Since the early 1980's Curtin Care (previously Curtin Aged Person's Home or CAPH) have used the Wearne Site to provide care and accommodation services for aged persons. In that time, the site has seen significant improvements and expansion, such that the facility that is there today is a modern aged care facility.

Prior to being owned by the four local governments (Claremont, Cottesloe, Mosman Park and Peppermint Grove), the site was owned by the State, and administered by the Fremantle Hospital Board. In 1999, work began on having the site transferred to the four local governments, however the site didn't settle until 2009.

The ownership of the site is a conditional tenure, under section 75 of the *Land Administration Act 1997*. The tenure provides ownership so long as the conditions on the title are met. In this instance, the title limits the use of the land to "the provision of care, accommodation and residential facilities for aged persons and all activities and matters relating to the provision of such care, accommodation and residential facilities". Letters from the relevant department state that this includes the provision of a facility under the *Retirement Villages Act 1992*. There are also restrictions on using the land for commercial purposes, however it is understood that so long as the land is used for the provision of aged care, the return (or any profit) would not be considered a commercial use, unless it was for the benefit of a private, for profit, company.

When the land was transferred to the four local governments in 2009, it was immediately leased to Curtin Care (CAPH) for a period of 20 years for nominal rent. In the second half of last year, Curtin Care began its approaches to the four local governments to have the land transferred to Curtin Care for nominal consideration.

Representatives from Curtin Care presented to Council at a forum on 2 February 2015.

The land is zoned under the Town of Cottesloe Town Planning Scheme as “development zone” and is capable of supporting higher density development. As its location is adjacent to major transport infrastructure, it would be considered high priority for such development.

Discussion

The decision on the future tenure of the Wearne Site is complex. On one hand, a community organisation is seeking to secure tenure over the land from which they provide services, so that they can expand their services and provide long term security to their residents. On the other, the land in question represents a development opportunity that could be used by the local government to provide higher density accommodation for aged persons while generating a return that may allow it to provide other services and facilities.

The site itself is of significant value and any disposition, either by lease or outright sale, would need to be done under the mechanism provided by section 3.59 of the *Local Government Act 1995*. This requires the development and advertising of a business plan for the disposition with an associated period for submissions. The first step of agreeing to advertise such a business plan is the purpose of this report.

Following the advertising period, a further report will be provided to the Council, summarising the feedback received. At that point Council will need to consider whether or not to adopt the business plan, with or without changes. The changes to the business plan can only be of a minor nature, any substantial change will result in the process effectively being restarted.

As the approval from the Minister of Lands is required for any disposition of this land, it is proposed, should Council agree to advertise the business plan, comment on the proposal also be sought from the Ministers Office. While the Minister is not obliged to provide a comment, such comment could be useful to the Council in considering the Business Plan following the closure of the submission period.

Past Resolutions

There are no previous resolutions relating to this matter.

Financial and Staff Implications

The exact financial implications of disposing of the land for nominal consideration are difficult to calculate. The restrictions on the title make providing a market valuation difficult and without costed redevelopment plans, or detailed financial plans, it would be difficult to calculate any future earnings or returns.

However, the current fair value of the land is recorded in the Town's Statement of Financial Position as \$7,893,750 and if the land were sold, this asset would be removed. If the land were leased for 99 years, the new accounting standard for leases would be used to calculate the impairment of the asset required to reflect the reduction in value the lease has on the land's value to the Town.

Policy and Statutory Implications

The disposal of land of this nature is defined under section 3.59 of the *Local Government Act 1995* as a major land transaction. Prior to proceeding with disposal, the Town is required to prepare and advertise a business plan providing an assessment of the land transaction including, among other factors, the expected effect on provision of facilities and services, effect on others providing facilities and services, and the financial effect on the Town.

Consultation

Various meetings have been held with representatives of Curtin Care during the past 12 months. Meetings between the four affected local governments have also been undertaken.

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.

Publicity

Advertise business plan.

Urgency

N/A

Voting Requirements

Simple majority decision of Council required.

Moved Cr Haynes, seconded Cr Mews

That Council

- 1. Authorise the Chief Executive Officer to advertise the Business Plan for both of the requested options for the disposition of land at 1 Gibney Street, Cottesloe as required by section 3.59 of the *Local Government Act 1995*, and to call for submissions on both of the proposals contained within the Business Plan accordingly; and**
- 2. Advise the Minister for Lands of the advertised Business Plan and seek comment.**

MOTION TO DEFER

Moved Cr Tulloch, seconded Cr Mews

That the item be deferred back to Administration.

Reason: That in the document presented to the public there should be more than two options.

CARRIED(75/15)

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

Against the Motion: Cr Haynes.

Cr Kelly returned to the Chambers at 7:29 PM

13.2 INFRASTRUCTURE

13.2.1 ST QUENTIN AVE AND STIRLING RD INTERSECTION TREATMENT

File Ref:	RDS/00350
Attachments:	Option 1 Option 2
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Saba Kirupanather Executive Manager Infrastructure
Proposed Meeting Date:	05 May 2015

Purpose

Report recommends alternative treatment for the St Quentin Avenue and Stirling Road intersection from a roundabout to “KEEP CLEAR” marking on the road surface.

Background

Council initially approved either a “yellow hatch marking” or a roundabout for the St Quentin Avenue/Stirling Road intersection as a treatment to improve the safety and traffic flow. Council did not approve the right turn ban option from St Quentin Avenue to Stirling Road.

Subsequently a concept plan was done for a roundabout which fits within the available area with minimal impact to other road users. The concept was discussed with the officers from Main Roads WA [MRWA] on site and the Town proceeded with the modifications of services.

The detail design was submitted and the Executive Management (EM) of MRWA rejected the design due to lack of pre-deflection for the motorists on the northern and southern approach to the roundabout. They have given approval for “KEEP CLEAR” pavement markings on Stirling Road southbound at St Quentin Avenue as an alternative solution to assist motorists exiting St Quentin Avenue.

The Town reviewed the roundabout design and within the site constraints still managed to get the pre-deflection needed with some impacts to other road users. The modified design was discussed at a meeting with the officers of MRWA and with their support it was submitted for consideration: The design was not approved by the EM. The reason given was that the southbound traffic on Stirling Road will queue through the roundabout from the signalised intersection at Stirling Highway, therefore preventing right turn movements to motorists wanting to exit from St Quentin Avenue. They have reiterated the installation of “KEEP CLEAR” pavement markings as a better solution for this location.

Discussion

The Town had a telephone meeting with a member of the EM requesting for another review of the roundabout design and to clarify the rationale for their disapproval. It was advised that MRWA will not be able to approve it for the following reasons:

1. The intersection of St Quentin Avenue and Stirling Road is too close to the Stirling Road and Stirling Highway intersection.
2. Congestion in Stirling Road in the southerly direction may become worse than it currently is now.
3. The St Quentin Avenue and Stirling Road intersection is between a minor road and an arterial road with equal turning movement in a roundabout situation.
4. The southerly traffic flow in Stirling Road will block the intersection of St Quentin Avenue and Stirling Road; hence, the roundabout will not achieve the desired outcome.
5. The cyclists will be impacted.

The Town has now developed two options for consideration by the Council for the "KEEP CLEAR" concept.

1. Plan number 14050-2 B Option 1 showing "KEEP CLEAR" marking on the road surface for the south bound traffic lanes of Stirling Road at the intersection of St Quentin Avenue, with the rest of the road alignment as exists now.
2. Plan number 14050-2 B Option 2 showing "KEEP CLEAR" marking on the road surface for the south bound traffic lanes of Stirling Road at the intersection of St Quentin Avenue, with some modifications to the road alignment to cater for right turning vehicles to St Quentin Avenue from Stirling Road and from Mount Street to Stirling Road.

MRWA have already given approval for Option 1 above and wants only an agreement from the Town. Option 2 provides areas for right turning vehicles. This will have minimal impact to the north bound traffic along Stirling Road. Subject to MRWA's approval Option 2 is recommended.

Past Resolutions

Ordinary Council Meeting 18 December 2012; Resolution 244/12:

That Council:

1. *Approves the proposed left turn slip lane, median island widening and other works at the intersection of Queenslea Drive/Stirling Road & Stirling Highway, Claremont;*
2. *Reaffirms the construction of a roundabout at the intersection of Stirling Road and St Quentin Avenue;*
3. *Allocates \$70,000 from the Claremont Joint Venture Reserve for the above project.*

CARRIED BY AN ABSOLUTE MAJORITY

Ordinary Council Meeting 5 June 2012; Resolution 87/12:

That Council:

- 1. Notes the residents comments from the on-line survey and meeting for the Barnfield Road Precinct;*
- 2. Reaffirms the roundabout at the Stirling Road and St Quentin Avenue.*

CARRIED

Ordinary Council Meeting 20 December 2011; Resolution 296/11:

That Council:

- 1. Permanently adopts the existing arrangement of one way traffic in the northern section of Bay View Terrace, between Guger Street and St Quentin Avenue.*
- 2. Approves the permanent implementation of one way arrangement in the southern section of Bay View Terrace between Stirling Highway, and St Quentin Avenue with traffic flowing from Stirling Highway to St Quentin Avenue.*
- 3. Approves the introduction of yellow hatch marking or a roundabout at the intersection of St Quentin Avenue and Stirling Road*

CARRIED

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

Local Government Act 1995.

Main Roads WA design guidelines.

Austrroads Design guidelines, Australian standards.

Publicity

Inform businesses and residents in the Town Centre precinct.

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.

Prosperity

Our businesses are thriving and integrated into the life of the Claremont community, and the town centre is known as a premier retail destination.

- Further develop and implement the principles of the Business Improvement District Policy to support local and new business.
- Reduce unnecessary barriers to new business and support the success of existing local businesses.
- Assist in creating local employment opportunities through a strong local economy.

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.
- Provide and maintain a high standard of governance, accountability, management and strategic planning.
- Focus on improved customer service, communication and consultation.
- Provide responsive and responsible leadership.

Urgency

To proceed with the works as soon as possible.

Voting Requirements

Simple majority decision of Council required.

Cr Mews left the Chambers at 7:33 PM.

Moved Cr Goetze, seconded Cr Kelly

That Council

- 1. Approves the "KEEP CLEAR" marking on the road surface for the south bound traffic lanes of Stirling Road at the intersection of St Quentin Avenue, with some modifications to the road alignment to cater for right turning vehicles to St Quentin Avenue from Stirling Road and from Mount Street to Stirling Road, as shown in Option 2 of the attached plan, subject to the approval of Main Roads WA;**
- 2. Approves with Option 1, if Main Roads WA does not approve Option 2;**
- 3. Informs the local residential and business community within the Town Centre.**

**CARRIED(76/15)
(NO DISSENT)**

13.2.2 AVION WAY

File Ref:	RDS/00174
Attachments:	Plan 12084-1.1
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Saba Kirupanather Executive Manager Infrastructure
Proposed Meeting Date:	05 May 2015

Purpose

To consider reconfirmation of Avion Way traffic treatment from two-way to one-way street.

Background

The Avion Way project was approved initially to progress with the design and subsequently approved to construct with the allocation of money. The road closure process for converting two-way to one-way traffic flow has been completed and approved recently by the Minister for Transport.

Discussion

The intent was to implement the Avion Way upgrade project and the traffic treatment (two-way to one-way) after the implementation of the roundabout treatment at the intersection of Stirling Road and St Quentin Avenue.

The traffic treatment for the intersection of St Quentin Avenue and Stirling Road has now changed (subject of separate report) from a roundabout to "KEEP CLEAR" marking on the road surface on the south bound lanes of Stirling Road.

The "KEEP CLEAR" marking will allow enough space at the intersection for right turning vehicles to and from St Quentin Avenue. Hence, the change in intersection treatment will not impact the Avion Way project.

Therefore it is recommended to proceed with the Avion Way project as soon as the St Quentin Avenue and Stirling Road project is completed.

Past Resolutions

Ordinary Council Meeting 9 December 2014 Res 206/14:

That Council recommends to Main Roads WA and the Minister of Transport to permanently close one single lane carriageway of Avion Way (south to north), to support the modification of Avion Way, to become a single lane one-way carriageway (north to south) pursuant to Section 3.50 of the Local Government Act 1995.

CARRIED BY AN ABSOLUTE MAJORITY

Ordinary Council Meeting 4 November 2014 Res 179/14:

That Council

1. Pursuant to Section 3.50 of the Local Government Act 1995, give notice of the proposal to permanently close one lane of Avion (south to north),
2. Publish a notice of Council's intention in local newspapers inviting submissions and forward a copy of the notice to the Commissioner of Main Roads Western Australia,
3. Provide written notification to Government Utility Services, Emergency Services and the owner of Times Square, and
4. Revise a report following closure of the 21 day notice period to consider any submissions.

CARRIED (NO DISSENT)

Ordinary Council Meeting 2 September 2014 Res150/14:

That Council,

1. authorise works to modify Avion Way to become a single lane one-way carriageway (north to south) and upgrade of the pedestrian amenities as detailed within the report at cost of \$337,425 conditional on contribution by Topsfield Pty Ltd of \$67,484 (20% of project cost),
2. authorise transfer of \$337,475 from the Claremont Joint Venture Reserve to fund the Avion Way modification and pedestrian upgrade works,
3. authorise transfer the Topsfield contribution towards the works to the Claremont Joint Venture Reserve,
4. accepts the \$50,000 contribution towards Avion Way artwork by Topsfield Pty Ltd.

CARRIED BY AN ABSOLUTE MAJORITY

Ordinary Council Meeting 17 September 2013 Res 267/13:

That Council

1. Approves the unbudgeted allocation of \$45,000 from the Joint Venture Reserve for the preparation of specifications, working drawings and tender documentation for Avion Way traffic modification/upgrade as per the officer report; and
2. At the conclusion of the Tender process a report is prepared for council to consider proceeding to the construction phase of the project.

CARRIED BY AN ABSOLUTE MAJORITY

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

Local Government Act 1995.

Main Roads WA design guidelines.

Austrroads design guidelines and Australian Standards.

Publicity

Inform the owners, businesses and residents in the town centre precinct of the Avion Way work with the change of intersection treatment of St Quentin Avenue and Stirling Road.

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.
- Balancing the Town's historical character with complementary, well designed development.
- Develop the public realm as gathering spaces for participation and enjoyment.
- Maintain and upgrade infrastructure for seamless day to day usage.

Prosperity

Our businesses are thriving and integrated into the life of the Claremont community, and the town centre is known as a premier retail destination.

- Further develop and implement the principles of the Business Improvement District Policy to support local and new business.
- Reduce unnecessary barriers to new business and support the success of existing local businesses.
- Assist in creating local employment opportunities through a strong local economy.

Governance and Leadership

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

- Provide responsive and responsible leadership.

Urgency

To implement the project as soon as Stirling Road and St Quentin Avenue intersection treatment works are completed.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Kelly, seconded Cr Goetze

Cr Mews returned to the Chambers at 7:37 PM.

That Council

1. **Notes the change to the intersection treatment of St Quentin Avenue and Stirling Road from a roundabout to “KEEP CLEAR” marking on the road surface of the south bound lanes of Stirling Road;**
2. **Reconfirms the Avion Way upgrade project and change of traffic flow from two-way to one-way (north to south);**
3. **Informs the owners, businesses and residents in the town centre precinct of the Avion Way work with the change of intersection treatment of St Quentin Avenue and Stirling Road.**

CARRIED(77/15)

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

Against the Motion: Crs Haynes and Mews.

14 ANNOUNCEMENTS BY THE PRESIDING PERSON

The Mayor, Cr Goetze and Cr Lorenz commended staff for the ANZAC Day ceremony.

Cr Wood attended a presentation at the Freshwater Bay Museum on the 3rd and 10th Light Horse and commended the Museum.

Cr Kelly reported on his attendance at an ANZAC Day service in New Zealand.

Cr Tulloch reported on his attendance at an ANZAC Day service in Dwellingup.

Cr Edwards reported on his attendance to the Dachau concentration camp in Germany on ANZAC Day.

15 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**15.1 MOTION - CR BROWNE****15.1.1 LAKE CLAREMONT PARKLAND RECREATION USE WORKING PARTY**

**Author: Peter Browne
Councillor**

Proposed Meeting Date: 05 May 2015

Moved Cr Browne, seconded Cr Tulloch

That

- 1. Council establish a Lake Claremont Parkland Recreation Use working party to consider the use of the parkland as a recreation resource for the community.**
- 2. The working party to report to Council no later than 3 September 2015.**
- 3. Membership of the working party be three elected members plus the CEO or his delegate.**
- 4. The working party consist of the one Councillor from each Ward and one only deputy all to be elected by Council.**

**CARRIED(78/15)
(NO DISSENT)**

Moved Cr Kelly, seconded Cr Mews

That the working party consist of Cr Tulloch (East Ward), Cr Browne (West Ward), Cr Goetze (South Ward) and Cr Wood (Deputy).

**CARRIED(79/15)
(NO DISSENT)**

Reasons

- 1. The excellent work on the environmental improvement of Lake Claremont and its surrounds has been achieved through a well documented plan.**
 - 2. Despite some reference in the 2010 Concept Plan there is no focus on the recreational opportunities which should also be recognised as an opportunity from the parklands.**
 - 3. It is intended that the working party establish a process so as to ensure meaningful community input.**
 - 4. The working party will bring together a small group to prepare a report in as short a time as possible and then disband.**
 - 5. Appointing a deputy member will enable the working party to progress if a member is absent.**
-

Officer Comment

There has been a deliberate emphasis on the restoration of environmental health around Lake Claremont, with significant financial investment by council supported by very committed volunteers.

As far back as 1969 when the Lake Claremont Defence and Conservation Committee emerged and presented 'A New Plan For Lake Claremont', notwithstanding its strong priority for environmental action, it recognised and endorsed the need to share Lake Claremont Parkland with uses such as active sports and other community uses. The 2010 concept plan for the Lake Claremont Parkland continued this approach, especially for informal recreation and by designating a dog exercise area. Other than the issue of more dog exercise area being permitted no significant lobbying for changes to the shared use approach has been evident over the last five years.

Some concern has been reported more recently that the focus is too strongly on the environmental restoration work around the lake, and it has been said that at times this is seen to not consider the reasonable ambitions of the broader community; for example over-planting which screens the lake from view by users enjoying the parkland.

The proposal by Cr Browne is summarised in his emailed discussion paper –

Lake Claremont

The development of Lake Claremont has been a great success, becoming one of the jewels in the Town's crown. The evolution of the project now necessitates a rethink about the management of the precinct. It is clear that the ecology of the lake area needs careful management and similarly so does the recreational component and no less their interface. It is questionable as to whether the people asked to make recommendations on the lake management should be the same as those asked to make recommendations on the recreational aspects of the area.

The Town should adopt a management model for the "Lake Claremont Precinct". It should develop a five yearly "Lake Claremont Precinct Management Plan" made up of three parts. Each part should have a one year operational plan presented annually to Council for endorsement. :

Lake Claremont Management Plan

Lake Claremont Recreation Plan

The interface between the two.

The three should be presented in one document with an introductory chapter that defines the principles and parameters on which it is based and establishes the context within which each part sits. The principles and parameters should be decided by Council.

Lake Claremont Management Plan:

The current draft plan needs to be rewritten in simpler language and moved to a non ecological purist model such that history and heritage are not ignored. The complex ecological issues should be put as an addendum. The highly contentious issues should be omitted. The current draft presents a picture rather than a management plan.

Lake Claremont Recreational Plan:

The writing of this would be as challenging as the ecological component. The principles and parameters should be decided by Council. The recreational component in many ways is still evolving. The issues of golf, subletting, dogs, fences, cafe, playground development and maintenance need to be addressed.

The Interface:

If the principles and parameters of the management of the precinct are clearly established by Council and are used to inform the annual operational plans, again signed off by Council, most of the contentious issues would be eliminated. The group set up to make the recommendations for the interface would need to be very carefully considered but it would seem logical for it to have representatives from each of the other groups and with some independent minds to keep the peace.

This has been utilised to suggest the following terms of reference for the proposed working party.

Lake Claremont Parkland Recreation Use Working Party Terms of Reference

1. *Membership of the working party be three elected members plus the CEO or his delegate and the working party may appoint one member to be the Chairperson.*
2. *The working party to report to Council no later than 3 September 2015.*
3. *Where possible the working party is to complete its role utilising resources approved by the CEO from within existing budgets, however it may apply to Council for specific funding if deemed necessary by the working party.*
4. *The working party is to develop a Lake Claremont Recreational Plan:
The plan must complement and not undermine the ecological component.
The plan may consider and include issues of golf, subletting, dogs, fences, cafe, playground development and maintenance as well as other which may be identified and be matters reasonably linked to these terms of reference.
The plan must be developed to provide a clear interface Lake Claremont (environmental) Management Plan*
5. *The working party must undertake consultation in preparing its plan and specifically with the Lake Claremont Committee when ensuring the recreation planning does not unreasonably impact upon or undermine the environmental work at the lake and to assist in establishing the interface between the two plans.*

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

Confidential Item 17.1.2, Consideration of Expressions of Interest - 151 (Lot 15)
Claremont Crescent Swanbourne.

Moved Cr Haynes, seconded Cr Wood

**That Council thank Mrs Browne for allowing Peter to come out to play on his
70th birthday.**

CARRIED WITH ACCLAIM (80/15)

17 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**MOTION TO CLOSE DOORS****Moved Cr Haynes, seconded Cr Edwards****That in accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:**

(d) Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

(c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

**CARRIED(81/15)
(NO DISSENT)**

Mayor Barker adjourned the meeting at 7:59PM.

Mayor Barker reconvened the meeting at 8:00PM.

Mayor Barker

Cr Peter Browne	West Ward
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)**

17.1 CORPORATE AND GOVERNANCE**17.1.1 AMENDMENT TO RATE RECORD**

File Ref: 4980
Responsible Officer: Les Crichton
Executive Manager Corporate and Governance
Author: Les Crichton
Executive Manager Corporate and Governance
Proposed Meeting Date: 05 May 2015

Purpose

The following item was considered in closed session.

PUBLIC RECOMMENDATION

The report remain confidential pursuant to section 5.23(2)(d) of the *Local Government Act 1995*.

CARRIED(83/15)

**17.1.2 CONSIDERATION OF EXPRESSIONS OF INTEREST - 151 (LOT 15)
CLAREMONT CRESCENT SWANBOURNE**

File Ref: COP 00032
Responsible Officer: Les Crichton
Executive Manager Corporate and Governance
Author: Brian Kavanagh
Manager Strategic Projects
Proposed Meeting Date: 05 May 2015

Purpose

The following item was considered in closed session.

PUBLIC RECOMMENDATION

Moved Cr Haynes, seconded Cr Mews

That Council

- 1. Council advertise its intent to dispose of 151 Claremont Crescent, Swanbourne pursuant to Section 3.58 of the *Local Government Act 1995*, and**
- 2. The report remain confidential pursuant to section 5.23(2)(c) of the *Local Government Act 1995*.**

**CARRIED BY AN ABSOLUTE MAJORITY(84/15)
(NO DISSENT)**

MOTION TO PROCEED WITH OPEN DOORS

Moved Cr Haynes, seconded Cr Edwards

That the meeting proceed with open doors.

**CARRIED(85/15)
(NO DISSENT)**

The meeting proceeded with doors open at 8:08PM.

THE MAYOR READ ALOUD THE RESOLUTION MADE BEHIND CLOSED DOORS.

18 FUTURE MEETINGS OF COUNCIL

Ordinary Council Meeting, 19 May 2015.

19 DECLARATION OF CLOSURE OF MEETING

There being no further business, the presiding member declared the meeting closed at 8:14 PM.

Confirmed this day of 2015.

PRESIDING MEMBER