



TOWN OF CLAREMONT

ORDINARY COUNCIL MEETING

MINUTES

TUESDAY 1 SEPTEMBER, 2015

Stephen Goode

CHIEF EXECUTIVE OFFICER

Date:

DISCLAIMER:

No responsibility whatsoever is implied or accepted by the Town of Claremont ('Town') for any act, omission, statement or intimation occurring during Council Meetings. The Town disclaims any liability for any loss however caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation occurring during Council Meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council Briefing or Council Meeting does so at their own risk.

The Town advises that anyone who has any application lodged with the Town must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Council in respect of the application.

PROCEDURE FOR PUBLIC SPEAKING TIME:

The Town of Claremont Standing Orders Local Law prescribes the procedure for persons to ask questions or make public statements relating to a matter affecting the Town, either verbally or in writing, at a Council meeting. Questions or statements made at an Ordinary Council meeting can relate to matters that affect the Town. Questions or statements made at a Special Meeting of the Council must only relate to the purpose for which the meeting has been called.

1. Shortly after the commencement of the meeting, the Presiding Member will ask members of the public to come forward to address the Council and to give their name, address and Agenda Item number (if known).
2. Public speaking time is strictly limited to three (3) minutes per member of the public, to ask questions.
3. Persons making a statement are allocated five (5) minutes.
4. Members of the public are encouraged to keep their questions/statements brief to enable everyone who desires to ask a question or make a statement to have the opportunity to do so.
5. Questions/statements are to be directed to the Presiding Member and are to be made politely, in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a Town of Claremont Council Member or Town Employee
6. Where the Presiding Member is of the opinion that a member of the public is making a statement at a Council meeting, that does not affect the Town, he may ask the person speaking to promptly cease.
7. Questions/statements and any responses will be summarised and included in the Minutes of the Council meeting.
8. Where practicable, responses to questions will be provided at the meeting. Where the information is not available or the question cannot be answered, it will be "taken on notice" and a response will be included in the Agenda of the next Ordinary meeting of the Council.

MEETING ETIQUETTE:

1. Please switch off your mobile phone or switch to the silent mode.
2. Members of the public should not converse aloud so as to interfere or interrupt the Council meeting.
3. Members of the public should refrain from interrupting any person asking a question or addressing the Council.

RECORDING OF COUNCIL MEETINGS:

- ♦ All Ordinary and Special Council Meetings are electronically recorded, except when the Council resolves to go into a confidential session.
- ♦ All recordings are retained as part of the Town's records in accordance with the General Disposal Authority for Local Government Records produced by the Public Records Office.

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	1
2	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	1
3	DISCLOSURE OF INTERESTS	1
4	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .	1
5	PUBLIC QUESTION TIME	1
6	PUBLIC STATEMENT TIME	5
7	APPLICATIONS FOR LEAVE OF ABSENCE	5
8	PETITIONS/DEPUTATIONS/PRESENTATIONS	5
9	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	5
10	ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETING MAY BE CLOSED TO THE PUBLIC	5
11	BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING	6
12	REPORTS OF COMMITTEES.....	6
13	REPORTS OF THE CEO.....	7
13.1	CHIEF EXECUTIVE OFFICER	7
	13.1.1 CITY OF PERTH BILL 2015	7
13.2	PLANNING AND DEVELOPMENT	14
	13.2.1 DRAFT COUNCIL POLICY LV124 RETENTION OF HERITAGE PLACES, HERITAGE AREAS AND HERITAGE PRECINCTS AND DRAFT LOCAL PLANNING POLICY 2/2015 RETENTION OF HERITAGE PLACES, HERITAGE AREAS AND HERITAGE PRECINCTS.....	14
13.3	CORPORATE AND GOVERNANCE.....	21
	13.3.1 CAR PARK ON SHENTON ROAD AND DAVIES ROAD.....	21
13.4	INFRASTRUCTURE	27
	13.4.1 HATCHETT PARK SWING LOCATION	27

14 ANNOUNCEMENTS BY THE PRESIDING PERSON..... 30

15 ELECTED MEMBERS’ MOTIONS OF WHICH PREVIOUS NOTICE HAS
BEEN GIVEN..... 30

16 NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE
PERSON PRESIDING OR BY DECISION OF MEETING 30

17 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE
CLOSED TO THE PUBLIC 30

18 FUTURE MEETINGS OF COUNCIL 30

19 DECLARATION OF CLOSURE OF MEETING 30

TOWN OF CLAREMONT
ORDINARY COUNCIL MEETING
1 SEPTEMBER, 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 7:00PM.

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 Paul Kelly

South Ward

Cr Chris Mews

South Ward

Cr Bruce Haynes

East Ward

Cr Alastair Tulloch

East Ward

Cr Anita Lorenz

East Ward

Mr Stephen Goode (Chief Executive Officer)

Mr David Vinicombe (Executive Manager Planning and Development)

Mr Saba Kirupanather (Executive Manager Infrastructure)

Mr Les Crichton (Executive Manager Corporate Governance)

Ms Katie Bovell (Governance Officer)

Five member of the public

Two members of the press

APOLOGIES

Cr Jill Goetze – Leave of Absence

3 DISCLOSURE OF INTERESTS

NIL

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

NIL

5 PUBLIC QUESTION TIME

Ms Cassandra Flanigan, 26 Lisle Street, Mount Claremont.

Re: Claremont on the Park.

Question:

What parking facilities will the Council provide to the hundreds of commuters who now face significant issues getting to work?

Answer:

The Claremont on the Parking Structure Plan approved by State Government provides 200 parking bays under the new Claremont Football Oval facility for PTA commuters.

Question:

Does the Council intend to address the significant delays that the construction is having on road users?

Answer:

The Town has been working with Landcorp, the Claremont on the Park developers, to reduce wherever possible impact of the construction to residents, businesses and road users.

Question:

Will the Council be providing any support to local businesses who are struggling given the difficulties of driving around Davies Road/Shenton Road?

Answer:

Council continues to provide ongoing support to local businesses through a range of initiatives, including on street activities, infrastructure upgrades, and contribution to the Claremont Now program.

Question:

When can we expect the continual road work to end?

Answer:

Our latest advice is that the current road work is scheduled to re-open this Thursday, 3 September.

Question:

Do you believe that the construction of the apartments will provide a positive of negative impact on shopping/travelling around the area?

Answer:

The projected increase in residential numbers through this development will provide a strong positive impact for local businesses.

Question:

Will public transport be increased given the difficulties facing commuters?

Answer:

The Town has no control over the public transport.

**Mr Kai Jaeger, 26 Lisle Street, Mount Claremont.
Re: Time Square Car Park.**

Question:

The attached photos show the Claremont Ranger vehicle (1DYY 835) parked on the first floor of Times Square, where there is a 2 hour parking limit with a ticket. As I have found out if you don't have a ticket but stay less than 2 hours you will still receive a fine so this brings me to question. Why is the Claremont council above their own laws in that, this ranger did not put a ticket on his vehicle like everybody else is forced too by the Claremont Council and why is the ranger not fined for the same thing many others are?

Answer:

The Times Square car park is a private car park which the Town, by invitation of the owner, monitors. In carrying out this function, the Town's rangers attend the site to check compliance and where necessary issue infringements. This typically takes around 30 minutes and is normally undertaken by an officer on foot patrol. Should the ranger be in a Town vehicle, the owner does not require the Town to pay car parking fees.

**Ms Heidi Hardisty, 12A Myera Street, Claremont.
Re: Davies Road Car Park.**

Question:

Free parking should not be provided outside the town centre if paid parking is available in the centre. Has this been assessed?

Answer:

Council has adopted a Parking Strategy which, among other things, makes recommendations around exploration of paid parking areas for purpose of managing parking in and around the Town centre. This car park upgrade is within one of the identified areas and is currently being assessed.

Question:

Why does the south section need to be surfaced?

Answer:

Surfacing of the south section will provide a safer, clearly defined, and user-friendly environment for parking. This area is currently subject to regular potholing due to its soil surface and flooding during the winter months making it difficult for all users to access.

Question:

Will the car park only be lit in winter?

Answer:

It is anticipated the car park use will be used beyond business hours and it is proposed the area will be lit summer and winter to provide a safe environment for car park users. The timing will be monitored and amended as usage patterns are better understood. The impact on insects is considered minimal relative to existing lighting within the area.

Question:

Why is it necessary to remove the existing asphalt base on the northern car park? Would it not be cheaper to resurface the existing asphalt? Will the removal of the existing asphalt risk damaging tree roots.

Answer:

The northern section currently slopes to the west causing flooding during winter and limiting use. Resurfacing will include installation of V drainage through both areas which will channel and drain water to remove these flooding occurrences. It would be cheaper to just resurface however this option does not address the flooding.

The Town's officers will manage this work to mitigate this risk. Installation of V drainage will occur in the middle of the car park area away from the trees lined on the east and west.

Question:

Will the massive tuarts be retained?

Answer:

Yes.

Question:

Why do all of these (12) trees have to be removed.

Answer:

A critical factor in design of the car park has been to keep tree removal to a minimum. All of the large tuarts are being retained and only seven smaller trees (4 paperbark, 1 iron bark, 1 Red Flowering gum and Red Capped gum) are being removed as a result of the car park upgrade. Three of these are required for the south entry slip lane and the two gums are in poor condition. There are five other smaller trees being removed to provide for the bus bay embayment and Davies Road entry realignment.

Question:

Is there a tree replacement policy? How will it work?

Answer:

Council for many years has implemented a work practice of replacing any tree removed by at least one tree. In most cases, the replacement has been by a factor closer to five times those removed. This practice has also applied to the Claremont on the Park development (which borders this upgrade).

Question:

There is a huge opportunity to plant Tuarts (or Jarrahs) along Graylands Road to replace the London Plane Trees. Can this be done?

Answer:

The selection of street trees is basically a process of elimination. The starting point is will the tree thrive in the location. London Plane is the designated species for this road in the Street Tree Masterplan.

Both Tuarts and Jarrah are not suited to narrow verges with multi story buildings in close proximity to the tree alignment due to growth habit. Neither species like irrigation or organic rich soils.

Jarrah has been designated in Mary and Langsford Street as the street tree to improve the ecological linkage between the Lake and the Foreshore. Tuart has been used on the western side of Servetus Street where there is plenty of room for these fast growing stately local trees.

Question:

Has solar lighting been considered?

Answer:

Yes, the lighting design considered use of solar lighting however the trees in the area limit access to sufficient sunlight to power the lights.

6 PUBLIC STATEMENT TIME

NIL

7 APPLICATIONS FOR LEAVE OF ABSENCE**8 PETITIONS/DEPUTATIONS/PRESENTATIONS**

NIL

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved Cr Browne, seconded Cr Mews

That the minutes of the Ordinary Meeting of Council held on 18 August 2015 be confirmed.

**CARRIED(151/15)
(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

NIL

13 REPORTS OF THE CEO

13.1 CHIEF EXECUTIVE OFFICER

13.1.1 CITY OF PERTH BILL 2015

File Ref:	GOR/00081-02
Attachments:	City of Perth Bill 2015
Responsible Officer:	Stephen Goode Chief Executive Officer
Author:	Stephen Goode Chief Executive Officer
Proposed Meeting Date:	1 September 2015

Purpose

To present the City of Perth Bill (the Bill) and offer the opportunity for Council to consider possible advocacy initiatives that could be progressed in relation to the Bill.

Background

The proposal to enact 'capital city legislation' to recognise the special role of City of Perth and to extend its boundaries is the remaining initiative from the State Government's local government reform proposals.

In late 2014, an Advisory Committee comprising the Department of Local Government and Communities (the Department) and the Cities of Perth and Vincent was established and tasked with the development of a City of Perth Act. At that time it seemed inevitable that all or some of City of Vincent would be included into the district of the City of Perth. A City of Perth Bill (the Bill) was drafted by the Committees as part of the overall local government reform program.

The Bill is currently progressing through parliament, having just had its second reading speech on 21 May 2015. A copy of the Bill is attached. The Bill, if passed, will put in place special provisions for the City of Perth, recognising and establishing it as the 'primary' local government within the Perth Metropolitan network of local governments. Whilst the exact timing of the Bill is unknown (it has priority 22/24 on the Government Orders Notice Paper), it is likely it will be debated when the Legislative Assembly sits again in August with an opportunity for amendments and changes to be made.

Discussion

In summary, the Bill:

- Recognises Perth as the capital of Western Australia and the special significance of the role and responsibilities of the City of Perth that flow from that.
 - Redefines the boundaries of the City of Perth to take-in portions of the Cities of Subiaco and Nedlands from 1 July 2016.
-

- Establishes a City of Perth Committee with functions that include the facilitations of collaboration between the State and the City of Perth.
- Makes consequential and other amendments to the Botanic Gardens and Parks Authority Act 1998, the Local Government Act 1960 Part VIA and the *Local Government Act* 1995.

The Bill is significantly different to the stakeholder consultation paper that was circulated in January 2015 however in general the provisions of the Bill are relatively conservative, with no major shifts from the accepted local government powers or voter franchise arrangements for local government generally. The initial impetus from this Bill is remembered from the rhetoric around the Robson Report, being that Perth should enhance its status and its capacity like other cities on the world stage. The Bill does almost nothing to achieve such ideals. Perth will not have any new powers leaving it quite unlike Brisbane or Auckland, for example. The State Government has clearly held the planning and infrastructure power to itself, which would be a significant disappointment for City of Perth and other advocates for the Bill.

There are some reservations regarding the Bill which are discussed in this report. Council may wish to authorise the Mayor to undertake advocacy in relation to the Bill and this report recommends Council resolutions regarding these possible actions.

City of Perth boundaries (Sections 16, 17 and Section 22)

Until the 30 June 2016 the boundaries of the district of City of Perth (Perth) do not change. On and after 01 July 2016 the boundaries change to encompass all of the area known as King's Park and portions of the Cities of Nedlands and Subiaco. The only explanation for the annexation of these lands has been that as a capital city Perth should include 'icon' infrastructure, attractions and facilities. The new boundary will draw into Perth the University of WA (UWA), King's Park, QE2 Hospital campus and Hollywood Private Hospital.

There does not seem to be demonstrated problems with the operation of local government in respect to these facilities under the current boundaries, nor is there any operational benefit from annexing King's Park into Perth. The much commented upon situation of UWA having to deal with three local governments at the moment could as easily be addressed by adjusting a boundary to include it into City of Nedlands (the most sensible option) or into City of Subiaco as a slightly less nonsensical option than including it into the district of Perth.

The planning and social issues (including car parking) arising from UWA and the hospitals impact directly upon the adjoining residential areas. It is not possible to define a boundary for Perth which will ensure decisions made about the major facilities will not impact across borders into adjoining local governments. Despite the proposed boundary change UWA will still be dealing with multiple local governments because it has dispersed property holdings, including within Town of Claremont.

By example of the impact on the loser communities, City of Subiaco will lose some 1347 rateable properties with a total amount estimated loss in rates income some \$2,032,000 (based on the 2015-16 rate in the dollar). As a proportion of total rates revenue this equates to 9.1%. There will also be an estimated \$500,000 lost revenue

from parking fees and charges. Significant revenue impacts have also been reported by City of Nedlands.

The proposed boundary changes are arbitrary, lack logic and are entirely contrary to planning for good local government. The fact that the changes will rob the Cities of Nedlands and Subiaco of revenue while leaving them with inevitable problems simply highlights how poor the idea is.

City of Perth Committee (Section 12)

The City of Perth Committee with functions that include the facilitations of collaboration between the State and the City of Perth will be established. Membership of the committee is the Premier, Minister for Local Government, Lord Mayor and Deputy Lord Mayor, CEO of Perth and CEO of Department of Local Government and Communities.

In principle the committee is a good initiative. It would be much improved by reconsidering the membership. The Minister for Planning should be a member. Two of the most important roles of the committee are:

S13(c) to assist in the identification and development of mechanisms that promote greater integration between the State's planning and development processes and those of the City of Perth;

S13(d) to identify and promote opportunities to improve, simplify and streamline the requirements and processes of the City of Perth with respect to development applications under the *Planning and Development Act 2005*.

With due respect to the Premier and the Minister for Local Government, it seems unlikely that they will be able to significantly contribute to such objectives.

Schedule 2.1 Local Government Act 1995, clause 5 amended (Section 37)

Schedule 2.1 will be familiar to council members as the part of the Local Government Act which (amongst other less fundamental things) governs proposals for amalgamations and boundary changes. The provisions of Schedule 2.1, clause 5(2) include consideration of certain matters by the Local Government Advisory Board (LGAB) when considering a proposal. These matters are:

- Community of interests
- Physical and topography features
- Demographic trends
- Economic factors
- The history of the area
- Transport and communications
- Matters affecting the viability of local governments
- The effective delivery of local government services.

Section 37 of the Bill will insert a new clause 5(3) to Schedule 2.1 –

In carrying out a formal inquiry into a proposal that directly affects the district of Perth, the Advisory Board is also to have regard to the special significance of the role and responsibilities of the City of Perth that flow from Perth being the capital of Western Australia.

It is unclear what 'having regard to the special significance of the role and responsibilities' involves. One such special significance as per the Bill is:

'to recognise, promote and enhance

- i. the special social, economic, cultural, environment and civic role that the City of Perth plays because Perth is the capital of Western Australia.
- ii. the important role that the City of Perth plays in representing the broader Perth area and the State of Western Australia on both a national and international level.'

The proposed clause 5(3) could most probably provide a sufficient consideration for the LGAB to recommend future boundary changes to Perth's district. The most immediately obvious target might be the Burswood peninsular. Given the comments of the Premier during the State Government's reform program, it is not difficult to reach the conclusion that such may be used by the City of Perth to lobby the LGAB to take control over areas of interest – such as the Burswood Peninsula. Incremental expansion into Subiaco, Nedlands and other surrounding local governments to annex commercial areas also seem highly likely.

Past Resolutions

There are no directly related council resolutions, however Council has opposed non-voluntary boundary change or amalgamations and the City of Perth Bill 2015 provides for imposed boundary changes as well as setting the groundwork for further expansion by City of Perth in the future.

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

Council policy position has been to oppose non-voluntary boundary change or amalgamations.

Publicity

N/A

The CEO has liaised with a number of CEOs from other local governments, including some directly impacted. City of Nedlands will be considering a committee recommendation which supports the Bill in principle while raising concerns about certain aspects. The Nedlands committee recommendation is:

That Council:

1. Notes the contents of the City of Perth Bill introduced to the House on 21 May 2015;
 2. Supports the creation of a Capital City of Perth Act in principle;
-

3. Expresses concern in relation to many provisions of the Bill, including:
 - a. The Local Government Advisory Board having regard to the special significance of the role and responsibilities of the City of Perth when considering boundary changes, which could encourage expansion of the City of Perth (clause 37);
 - b. Extending the City of Perth's boundaries to the centre of the river, which has cost implications for local government generally (clause 17 and Schedule 1);
 - c. Incorporating Kings Park within the City of Perth, which could subject the park to development pressures (clause 17 and Schedule 1);
 - d. Giving the Executive Director Public Health power over the Botanic Gardens and Parks Authority for no specified reason (clause 29);
 - e. Changing the western boundaries of the City of Perth to take part of Subiaco and Nedlands and remove UWA and QEII from the jurisdiction of the western suburbs (clause 18);
 - f. Establishing the City of Perth Committee to co-ordinate and plan the role of the capital city, with the Local Government Minister, but not the Ministers of Planning and Transport, which would constrain the local government (clause 12);
4. Recommends that unless satisfactory explanations can be provided for those matters referred to in c) above, the City of Perth Bill 2015 should be withdrawn from current consideration by Parliament and reconsidered.

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 responsive and responsible leadership.

Urgency

The exact timing of further progressing of the Bill is not known (it has priority 22/24 on the Government Orders Notice Paper). It is possible it will be debated when the Legislative Assembly sits again in August. If Council supports initiating some advocacy about the Bill it is urgent to adopt a position.

Voting Requirements

Simple majority decision of Council required.

Officer Recommendation

That Council

1. Notes the contents of the City of Perth Bill introduced to the Legislative Assembly on 21 May 2015.
2. Supports the creation of a Capital City of Perth Act in principle.
3. Expresses concern in relation to some provisions of the Bill, including:
 - a) The Local Government Advisory Board having regard to the special significance of the role and responsibilities of the City of Perth when considering boundary changes, which could encourage expansion of the City of Perth (clause 37);
 - b) Incorporating King's Park within the City of Perth, which could subject the park to development pressures while having no demonstrated benefit (clause 17 and Schedule 1);
 - c) Changing the western boundaries of the City of Perth to take part of the Cities of Subiaco and Nedlands and remove UWA and QEII from the jurisdiction of the western suburbs (clause 18);
 - d) Establishing the City of Perth Committee to co-ordinate and plan the role of the capital city, with the Local Government Minister, but not the Minister of Planning which would constrain the potential of the committee (clause 12).
4. Recommends that unless satisfactory explanations can be provided for those matters referred to in 3c) above, the City of Perth Bill 2015 should be withdrawn from current consideration by Parliament and reconsidered.
5. Authorises the Mayor to advocate Council's position relating to the City of Perth Bill 2015.

ALTERNATIVE MOTION

Moved Cr Haynes, seconded Cr Edwards

That Council

1. **Notes the contents of the City of Perth Bill introduced to the Legislative Assembly on 21 May 2015.**
2. **Supports the creation of a Capital City of Perth Act in principle.**
3. **Expresses concern in relation to some provisions of the Bill, including:**
 - a) **The Local Government Advisory Board having regard to the special significance of the role and responsibilities of the City of Perth when considering boundary changes, which could encourage expansion of the City of Perth (clause 37);**
 - b) **Incorporating King's Park within the City of Perth, which could subject the park to development pressures while having no demonstrated benefit (clause 17 and Schedule 1);**

- c) Changing the western boundaries of the City of Perth to take part of the Cities of Subiaco and Nedlands and remove UWA and QEII from the jurisdiction of the western suburbs (clause 18);
 - d) Establishing the City of Perth Committee to co-ordinate and plan the role of the capital city, with the Local Government Minister, but not the Minister of Planning which would constrain the potential of the committee (clause 12).
- 4. Recommends that unless satisfactory explanations can be provided for those matters referred to in 3c) above, the City of Perth Bill 2015 should be withdrawn from current consideration by Parliament and reconsidered.
 - 5. Authorises the Mayor to advocate Council's position relating to the City of Perth Bill 2015.
 - 6. Requests WALGA, as a matter of urgency, to consider the above issues plus any others it sees fit and to make appropriate representations to the State Government on behalf of WALGA members' interests.

Reason: To request WALGA to take considered action on behalf of its members on a matter of importance to local government in Western Australia.

MOTION FOR EXTENSION OF TIME TO SPEAK

Moved Cr Lorenz, seconded Cr Edwards

That Cr Haynes be given an extension of time to speak.

**CARRIED(152/15)
(NO DISSENT)**

THE ALTERNATIVE MOTION WAS PUT

**CARRIED(153/15)
(NO DISSENT)**

13.2 PLANNING AND DEVELOPMENT

13.2.1 DRAFT COUNCIL POLICY LV124 RETENTION OF HERITAGE PLACES, HERITAGE AREAS AND HERITAGE PRECINCTS AND DRAFT LOCAL PLANNING POLICY 2/2015 RETENTION OF HERITAGE PLACES, HERITAGE AREAS AND HERITAGE PRECINCTS

File Ref:	DAB/00029
Attachments - Restricted:	Draft Council Policy LV124 - Retention of Heritage Places, Heritage Areas and Heritage Precincts Draft Local Planning Policy 2/2015 Retention of Heritage Places, Heritage Areas and Heritage Precincts
Responsible Officer:	David Vinicombe Executive Manager Planning and Development
Author:	Jo Harris Heritage Officer
Proposed Meeting Date:	1 September 2015
Enabling Legislation:	<i>Planning and Development Act 2005 (PD Act)</i> <i>Town Planning Scheme No. 3 (TPS3)</i> <i>Heritage of Western Australia Act 1990</i>

Summary

- 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 has been undertaken to reflect changes to the LGI and the Schedule, including the addition of heritage areas and precincts. The proposed policy, LV124 - Retention of Heritage Places, Heritage Areas and Heritage Precincts (and associated Local Planning Policy 2/2015), also reflect current heritage and planning practice and legislation, and include additional information related to heritage listing and development controls.

Purpose

For Council to consider adopting a revised Council Planning 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 as draft policies to allow public consultation to be undertaken.

These policies are proposed to improve the capacity of the Town of Claremont (the Town) to conserve the heritage places, heritage areas and precincts identified in the

recent Heritage Schedule (and LGI) reviews as being of cultural heritage significance to the Town and to provide additional information related to heritage listing and development controls. It is noted that Council Policy LV124 is an abbreviated version of the detailed Local Planning Policy 2/2015 due to the size of the detailed policy.

Background

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 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 (LGI) 2014 (LGI – being the new name for a MI).

To afford the properties listed in the LGI with protection under TPS3, and therefore enable development of these properties to be assessed under the provisions of TPS3 and Council Policy, the 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 provisions 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.

Past Resolutions

Policy LV124 was originally adopted as Policy 108 - Retention of Residential Heritage by Council on 17 August 2010.

Statutory Considerations

The Town is able to adopt planning policies to augment Council's TPS3 planning requirements for development in accordance with clause 82 of TPS3. Clause 82 sets out processes for consultation and adoption together with variation processes where

the objectives of the policy are considered satisfied. Both policies are to be adopted under TPS3 requirements.

Consultation

If Council adopts the attached policies, they will be advertised in accordance with clause 82 for a minimum period of 21 days. A second report will then be prepared for Council to determine whether or not to finally adopt the policies.

Discussion

The proposed policies build upon the Town's existing heritage policy, Local Planning Policy LV124 - Retention of Residential Heritage, and continues to apply the general principles of heritage conservation (as identified in the Burra Charter 2013) within Western Australian heritage and planning frameworks and legislation.

The review updates the current policy to reflect current heritage and planning practice and legislation and includes additional information related to heritage listing and development controls in an attempt to increase transparency and clarity of process.

Importantly the review proposes changes which will extend the Town's capacity to only control development affecting residential heritage places in Residential zones coded R25 or less, to include any heritage place, heritage area or precinct contained in the Heritage Schedule. These changes respond to the review of the LGI in 2014 that resulted in the inclusion of heritage areas and precincts in the LGI and the addition of recommended management level for each entry.

Under the final review of the LGI in 2014, a number of heritage places were referred to a Peer Review Panel for recommendation to Council. In three instances, the Panel recommended retention of the listing in the LGI, but questioned the relevance of the listing in the Heritage Schedule under TPS3. At that point of time, proposed modifications to planning legislation under the *Planning and Development (Local Planning Scheme) Regulations 2014* did not recognise the importance of a local planning policy. As such, it was important to retain the registration in the Heritage Schedule to ensure any future development responded to heritage planning objectives.

It has been confirmed by the Department of Planning that the new planning legislation will recognise the importance of a local planning policy. Accordingly Local Planning Policy 2/2015 addresses the concerns raised by the Peer Review Panel and Council by including additional management guidelines which detail requirements for delisting and demolition of lower significance heritage properties to ensure the local heritage characteristic of the Town are suitably preserved.

Application of the Policy

The draft policies broaden the scope of application from, only places included in the Heritage Schedule located in residential areas coded R25 or less, to any heritage place, heritage area or precinct included on the Heritage Schedule.

The definition of a heritage place now refers not only to a dwelling but any type of building, structure, site, area or land or other physical element included in the Heritage Schedule.

Inclusion of Heritage Areas and Precincts

In response to the inclusion of heritage areas and precincts in the LGI, Local Planning Policy 2/2015 will include new design guidelines which provide for greater control over built form outcomes for new development within and in the immediately locality of heritage areas and precincts in order to regulate the impact of new development on a heritage streetscape.

Immediate Locality of a Heritage Area or Precinct

The definition “Immediate Locality of a Heritage Area or Precinct” has been included and means any property within the boundaries of a heritage area or precinct; across the road from or adjoining the side boundaries of a property listed in a heritage area or precinct; or any other place otherwise considered by the Town to have a potential impact on a heritage area or precinct.

Peer Review Panel

Local Planning Policy 2/2015 defines and provides for the appointment of a Peer Review Panel to assist the Town in processing requests by owners for a review of a heritage category assessment for their property. The Panel will consist of a Chairman, the Town’s heritage consultant, the applicant’s heritage consultant and a further heritage consultant. The Panel’s role will be to make a recommendation on the review of a heritage classification of a place to Council where an owner seeks a review of a heritage listing outside of the scheduled LGI and Heritage Schedule reviews.

Levels of Significance

To comply with current heritage practice standards as recommended by the SHO, the recently reviewed and adopted LGI includes a recommended management level for each heritage place, heritage area or precinct. These are:

Category A – Exceptional significance

Category B – Considerable significance

Category C – Some significance

Local Planning Policy 2/2015 includes direction on how recommended management levels are applied in determining a planning application. The degree of discretion that is applied in assessing planning applications for places on the Heritage Schedule against the policy will depend on which management level the place has been allocated.

Category C Heritage Places

Local Planning Policy 2/2015 proposes to include direction on determining planning applications for Category C heritage places. This includes allowing for greater flexibility to be applied to Category C places than Category A or B places, when determining a planning application. In exceptional circumstances the policy will allow

for substantial alteration to Category C places. Additionally, the draft policy provides direction for determining applications for Category C places where the application includes approval of a new building subject to the removal of an existing heritage building and removal of a heritage listing. In these cases, applications may be referred to a Peer Review Panel.

Adding, amending or deleting entries on the Heritage Schedule

In accordance with the recommendations of the SHO, Local Planning Policy 2/2015 includes procedures for adding, amending or deleting entries in the Heritage Schedule (and LGI). Importantly Local Planning Policy 2/2015 provides direction on how the Town may consider the removal of a place from the Heritage Schedule (e.g. Category C listing) if, following consideration of a detailed Heritage Assessment by both the Town and a Peer Review Panel, the place no longer is considered to meet the threshold for inclusion in the Heritage Schedule. The proposed processes will vary dependant on whether the property is a heritage place or included within a heritage area or precinct.

Demolition and Delisting

It is proposed that the complete or substantial demolition of an individually listed heritage place, or a heritage place that contributes to a heritage area or precinct, requires agreement from Council for removal from the Heritage Schedule (and LGI). Local Planning Policy 2/2015 guides Council to consider delisting for one or more of the following reasons:

- The Town believes the demolition of a place is required to deliver exceptional benefits to the community.
- It has been proven that it is not feasible to restore or adapt the place.
- Structural failure is proven and the building is beyond reasonable conservation.
- A place is found to no longer meet the threshold for inclusion based upon the findings of a detailed Heritage Assessment and Council consideration of a recommendation from the Peer Review Panel.
- Any other reason the Council finds to warrant the delisting.

Where a heritage place is within a heritage area or precinct the agreement for removal of the Category listing from the Heritage Schedule (and LGI) will be subject to the lodgement of a planning application that proposes demolition and a new development, which addresses the requirements Local Planning Policy 2/2015 with regard to the Guidelines for Development within the Immediate Locality of Heritage Areas and Heritage Precincts, to the satisfaction of Council.

Where a property is located within the immediate locality of a heritage area or precinct, but does not have any heritage value in itself, redevelopment of that property will be subject to the lodgement of a planning application, which proposes demolition and a new development which addresses the requirements of Local Planning Policy 2/2015, with regard to the Guidelines for Development within the Immediate Locality of Heritage Areas and Heritage Precincts, to the satisfaction of Council.

It is noted that the above policy requirements reflect clause 76 of TPS3 which stipulates that the appearance of a building is not to adversely affect the character or amenity of the locality and will not clash in harmony with the appearance of adjoining or neighbouring properties. The current policy, in tandem with Local Planning Policy LV123 - Retention of Residential Character, provides for some flexibility that allows for innovative design and architectural styles within residential areas, particularly in relation to roof forms. This approach would continue for development adjacent places with individual heritage listings, however Local Planning Policy 2/2015 proposes to take a stronger line towards development within and in the immediate locality of a heritage area or precinct. Local Planning Policy 2/2015 proposes that new development respects the character of the heritage streetscape by requiring the development to be in sympathy with the existing built form, without mimicking the heritage character of the area or precinct.

Design Guidelines

Local Planning Policy 2/2015 contains revised design guidelines, including the addition of the guidelines referred to above that guide development within the immediate locality of a heritage area or precinct. These guidelines will ensure that new development is respectful and not adversely affect the identified heritage significance of the area or precinct. Other proposed changes include minor alterations to boundary fence guidelines and the inclusion of a section to guide the installation of new technologies.

Front fences and hedges - Local Planning Policy 2/2015 retains a requirement for the retention of original fences and reinstatement of fences or hedges that are compatible with the period of the original heritage building. Local Planning Policy 2/2015 retains a requirement for new fences to be sympathetic to the original dwelling and where over 1.2m to contain a degree of visual permeability. Proposed changes include removal of cyclone mesh and woven wire panels as preferred fence panels in fences over 1.2m. One of the proposed inclusions in Local Planning Policy 2/2015 is a stronger requirement to restrict closed screen fencing which can hide the place from public view. Whilst Local Planning Policy 2/2015 states that solid fences higher than 1.2m will not be permitted, assessment of requests for solid fences will be assessed on a case by case basis and factors facilitating the request will be taken into account when determining the application.

New technologies - TPS3 requires that any work materially affecting the external appearance of a heritage listed place requires planning approval. This includes installation of hardware associated with modern services and technologies. Local Planning Policy 2/2015 includes guidelines to assist in determining development applications that include the installation of air-conditioning, solar collectors, communications and the like. The aim of the guidelines is to allow for installation in a way that reduces the negative impact of such hardware on the heritage significance of the place, area or precinct.

Archival Record/Interpretation Plan

As a condition of planning approval for the demolition and redevelopment of a property which is individually listed, or within a heritage area or precinct, 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, such as an engraved

plaque or other building element (e.g. – an entrance portico), to the satisfaction of Council. Following satisfaction of these requirements the property may be removed from the Heritage Schedule (and LGI).

Planning Incentives

Provision for establishment of a heritage grant - Local Planning Policy 2/2015 provides for the establishment of a heritage grant (as included in the Town's 2015-16 budget) to assist owners with the cost of providing necessary maintenance to conserve a heritage place. Owners will be required to provide justification that the grant will assist with the conservation of the heritage features of a place. The agreed contribution to the maintenance of the heritage place will be at the complete discretion of the Council. Application and assessment guidelines to guide the administration of the grants are currently being prepared.

Application fees - The current policy provides for a 50% reduction in the development application fee for heritage extensions where not visible from the street. This application fee is in addition to the heritage application fee of \$270. It is considered more appropriate to relax the heritage application fee in these instances, and to apply the standard planning application fees for the proposed development.

Conclusion

Local Planning Policy LV124 and Local Planning Policy 2/2015 have 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. Local Planning Policy 2/2015 includes expanded design guidelines to enable the Town to conserve the heritage places and streetscapes that are deemed important to the Town. It is recommended that the draft policies be advertised for public comment in order to provide improved heritage development controls within the Town.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Wood, seconded Cr Haynes

That Council

1. **Adopt the attached draft 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 Town Planning Scheme No. 3:**
2. **Consider any submissions made during the consultation period prior to final adoption of the policies.**

**CARRIED(154/15)
(NO DISSENT)**

13.3 CORPORATE AND GOVERNANCE

13.3.1 CAR PARK ON SHENTON ROAD AND DAVIES ROAD

File Ref:	LND/00091-01
Attachments:	JDSi Consulting Engineers – Davies Road Car Park Plan
Responsible Officer:	Les Crichton Executive Manager Corporate and Governance
Author:	Brian Kavanagh Manager Strategic Projects
Proposed Meeting Date:	1 September 2015

Purpose

The report recommends the Council authorise the Chief Executive Officer to notify LandCorp the Town's agreement to participate in a partnership with LandCorp to upgrade the unsealed car park on the corner of Davies Road and Shenton Road.

The report also recommends a further \$187,000 be allocated to the project from the Parking Reserve Fund for the upgrade of the sealed section (northern) of the car park on Davies Road (Absolute Majority required).

Background

In October 2014 LandCorp approached the Town with a proposal to locate a Western Power substation (transformer and switch gear boxes) within the unsealed car park on the corner of Davies and Shenton Roads.

In supporting this request, LandCorp proposed the Town enter into a 50/50 partnership to upgrade and formalise the unsealed parking area.

The proposal included the opportunity to undertake this work within the scope of works within the stage 3 construction contract (Shenton Road realignment) for Claremont on the Park in December 2014.

It was suggested the inclusion of the southern car park works into the Shenton Road realignment contract would provide a benefit from competitive rates and avoid separate site establishment and preliminaries costs.

Preliminary cost estimates presented to Council at the 9 December 2014 OCM suggested the upgrade of the unsealed car park would cost in the order of \$180,000 (GST exclusive) exclusive of consultancy and management costs.

Council resolved to participate in a joint arrangement with LandCorp to upgrade the unsealed car park on the corner of Davies Road and Shenton Road. The Town's participation was subject to final cost of the upgrade being established and a report being prepared for Council consideration.

In progressing this partnership the Town requested that LandCorp prepare a design for the upgrade of the unsealed section together with the northern sealed sections of the car park. The cost of the design and documentation would be shared equally by LandCorp and the Town.

Tennis Club Lease

At the 3 February 2015 Ordinary Council Meeting (OCM) Council resolved to grant a new lease to the Claremont Tennis Club (CTC) for a term of 21 years with a 10 year option term.

At the CTC committee meeting on the 11 August the club agreed to accept the terms of the draft lease document and proceed to secure the new lease from the Town.

The previous lease granted the CTC a licence to use Swan Location 2112 for the purpose of parking cars and motor bikes. This area is the currently uncontrolled/unsealed parking area immediately adjacent to Shenton and Davies Roads. The new lease will extinguish the licence obligations of the Town to the CTC.

Council has also agreed to the Tennis Club having exclusive use of southern portion of parking area on Davies and Shenton Roads for fundraising during the Royal Show for a five year period.

The site has been identified in the Town's Parking Strategy to be upgraded, controlled and managed by the Town.

Discussion

In June 2015 the Town received an estimate from LandCorp of approximately \$600,000 for the construction of the total car park (southern and northern sections) inclusive of design fees. This was considerably higher than the original order of costs (\$180,000) mainly due to the quality of the car park design and additional specification requests of the Town including upgrade of the northern sealed section of the car park.

The additional features requested by the Town included lighting to Australian Standards as required for car parks, provision of conduits for security cameras and future parking ticket machines, stormwater drainage pits incorporating a "V shape" surface layout, and a universal access from the car park to the tennis club pavilion off the car park.

The design also allows for three entries and two exits points. One left in only entry from Shenton Road just west of the intersection with Davies Road, two entrance and exits in Davies Road north of Shenton Road.

LandCorp's initial agreement was presented on the basis of an upgrade to the currently unsurfaced car park only.

These costings were further revised based on –

1. Lighting to P11 (b) standard, (Electrical Works Rev D) which caters for lighting levels suitable for CCTV use in the area.

2. Lighting levels to P11(c) standard, (Electrical Works Rev E) which does not cater for CCTV use in the area.
3. Removal of asphalt base course (40mm thickness) and increase to the thickness of the asphalt wearing course (25mm to 30mm).
Competitive sub-contractor quotations provided for demolition, electrical, tree removal works, etc.

Table 1

Description	Cost (\$) ex GST
Option 1 – Full Spec Lighting, CCTV capable	
Davies Rd Car Park (Electrical Works Rev D) 1	\$499,056.54
Consultant Fees	\$38,000.00
Total Cost – Option 1	\$537,056.54
Option 2 – Reduced Spec Lighting	
Davies Rd Car Park (Electrical Works Rev E) 2	\$436,165.95
Consultant Fees	\$38,000.00
Total Cost – Option 2	\$474,165.95

The costs when compared to the previous pricing (\$600,000) have come down somewhat, although not significantly.

Financial and Staff Implications

While providing ‘mobilisation’ savings in undertaking the works, LandCorp’s contractor sought the access and effective closure of the total car park for six months (from July to Dec 2015).

The Town could not justify the six months closure and the impact that would have extremely reduced the parking stock in the immediate area for employees of the Town, PTA commuters, and visitors.

Therefore the Town prepared an estimate as shown in table 2 to project manage the construction and upgrade works for the total car park. This costing includes provision for mobilisation and internal overhead charges, and while providing the higher standard lighting, compares more favourably against the contractor provided product.

The works would form part of the Town’s 2015-2016 capital works program.

Table 2

Car Park	Total Cost (Estimate)	LandCorp Portion	Town Portion
South Car park	\$356,000	\$178,000	\$178,000
North Car Park	\$190,000	0	\$190,000
Design for both Car parks	\$38,000	\$19,000	\$19,000
TOTALS	\$584,000	\$197,000	\$387,000

The works are estimated to be completed within five weeks and will commence after the Shenton Road realignment works are concluded by the LandCorp’s contractor.

Council allocated \$200,000 towards the project in the 2015-2016 capital works budget. To ensure the total upgrade of both the southern and northern sections, the Town will require a further allocation of \$187,000.

It is suggested if Council wishes to proceed to upgrade both car parks (southern and northern portions) the additional allocation of funds required can be directed to the project from the Parking Reserve Fund.

The forecast for the balance of the Parking Reserve Fund as at 30 June 2016 is \$763,468.

LandCorp has agreed its funding allocation for the southern portion (\$197,000) as presented in the report and has approved the Town undertaking the works.

Parking Management

The completed car park will cater for of 118 bays inclusive of 3 ACROD bays and 2 motor bike bays.

- Southern section= 67 bays, 3 ACROD bays and 2 motor bike bays with an area of 1800m²
- Northern section = 51 bays with an area of 1000m²

There are 130 additional timed parking bays at the Claremont Pool and Golf Course Parking areas

LandCorp management has indicated a preference for the southern and northern sections upgraded parking bays along Davies Road to be set aside for short stay (paid or non paid) parking for visitors, local shoppers to assist in creating a vibrant mixed use precinct as part of the Claremont on the Park development.

New commercial and mixed use developments within the Claremont on the Park precinct will be required to provide a number of parking bays within the property to satisfy the obligations of the Town Planning Scheme (TPS 3) and Development Approvals (DA) conditions.

At the completion of the total project upgrade the Town will manage an estimated 248 parking bays (Parking Station 1) available along Davies and Lapsley Roads.

These parking bays are in addition to the 200 bays to be located under the Claremont Football Club premises, controlled and managed by the Public Transport Authority (PTA).

The challenge for the Town is to find a balance between adequate parking supply and the method of managing the parking to ensure customers, clients and visitors have straightforward and uncomplicated access to parking bays to assist with the vitality and viability of businesses in the Town Centre and the Claremont on the Park precinct.

Parking Management strategies presented for Council consideration will address issues of providing a mix of short and medium term available parking spaces; identify suitable locations to accommodate long term (all day) parking for employees of the Town's businesses.

This may include consideration of the introduction of pay parking as a mechanism for the overall management of the and the Claremont on the Park precinct and Parking Station 1 (golf/pool car park).

The Claremont on the Park precinct and the construction of close to 1000 residential units, together with commercial/ mixed unit developments will place an enormous burden on the Town's Ranger/Parking section to provide an orderly and consistent parking management regime.

Past Resolutions

Ordinary Council Meeting 9 December 2014, Resolution 205/14:

That Council

1. *Participate in a joint partnership arrangement with LandCorp to upgrade the unsealed car park on the corner of Davies Road and Shenton Road.*
2. *The Town's participation is subject to final cost of the upgrade being established and a report being prepared for Council consideration.*

*CARRIED
NO DISSENT)*

Policy and Statutory Implications

Local Government Act 1995

Local Government (Function and General) Regulations 1996

Town of Claremont Procurement Policy LG509

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.
- Maintain and upgrade infrastructure for seamless day to day usage.
- Provide a responsible and well managed urban environment, with sustainable development outcomes.

Environment

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

- Create opportunities for varied transport options that reduce carbon emissions and other impacts of a growing town.
-

Urgency

The works will commence after the Shenton Road works are completed in March 2016. The proposed works will take approx five weeks.

Voting Requirements

ABSOLUTE MAJORITY REQUIRED.

Moved Cr Wood, seconded Cr Haynes

That Council

- 1. Authorises the Chief Executive Officer to notify LandCorp the Town's agreement to participate in a joint partnership with LandCorp to upgrade the unsealed car park on the corner of Davies Road and Shenton Road.**
- 2. Authorises increase in the car park upgrade budget to \$584,000.**
- 3. Recognises \$197,000 contribution by LandCorp towards the project.**
- 4. Allocates \$187,000 from the Parking Reserve Fund towards upgrade of the sealed section (northern) of the car park on Davies Road.**

**CARRIED BY AN ABSOLUTE MAJORITY(155/15)
(NO DISSENT)**

13.4 INFRASTRUCTURE

13.4.1 HATCHETT PARK SWING LOCATION

File Ref:	PRK/00121
Attachments:	Consultation letter Proposed swing location Summary of comments
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Jackie Parker Supervisor Parks and Environment
Proposed Meeting Date:	1 September 2015

Purpose

For Council to approve a location for the junior swing at Hatchett Park, noting the comments received by the local community during a recent consultation.

Background

At the Ordinary Council Meeting held 17 February 2015 (Item No. 13.3.3), a report and plan (showing the proposed location of the swing) was presented to Council seeking the financial support for the replacement of the decking at Hatchett Park, as well as the installation of a junior swing and bin enclosure. The item was carried by an absolute majority.

The original swing location was selected based:

- Adequate area to meet the Australian Standards soft fall requirement for the swing;
- Limited disruption for maintenance activities, such as lawn mowing;
- Located away from the busier eastern side of the park (Devon Road side); and
- Blend in with the useable spaces within the park.

In July 2015, after the adoption of the 2015-16 Annual Budget, the junior swing was purchased and scheduled for installation in August 2015.

Mid July 2015, a notification letter was sent to surrounding residents of the park outlining the upcoming works. At this time, the Town was contacted by a resident contesting the original proposed location and requested an alternative location for the junior swing be sought.

In response, a further letter was sent (Attachments 1 and 2) to the residents surrounding the park seeking feedback on the original location as well as an alternative location within the park.

Discussion

Of the twelve letters sent, six responses were received which have been summarised in Attachment 3.

Of the six responses received, five were in favour of the original location and one was in favour of the alternative location.

Past Resolutions

Ordinary Council Meeting, 17 February 2015, Resolution 16/15:

That Council

- *Consider allocation of \$20,000 as part of the mid-year review for the replacement of the "poor" condition decks within Hatchett Park*
- *Include for consideration in the 2015-16 Budget allocation of \$35,000 for completion of deck replacement, installation of junior swing and bin enclosure within the reserve.*

CARRIED BY AN ABSOLUTE MAJORITY (NO DISSENT)

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

Local Government Act 1995
Australian Standards

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

An early decision is required to allow for the purchased junior swing to be installed.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Wood, seconded Cr Haynes

That Council

1. **Notes the comments received by the community.**
2. **Reaffirms installation of the junior swing in the original proposed location at Hatchett Park.**

**CARRIED(156/15)
(NO DISSENT)**

14 ANNOUNCEMENTS BY THE PRESIDING PERSON

The Mayor attended Christ Church cabaret at the Christ Church.

Cr Haynes attended a junior art awards competition on behalf of the Mayor.

Cr Wood commended the Scotch College Pipe band on their performance at the Edinburgh festival.

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 15 September 2015.

19 DECLARATION OF CLOSURE OF MEETING

There being no further business, the presiding member declared the meeting closed at 07:49PM.

Confirmed this day of 2015.

PRESIDING MEMBER