



TOWN OF CLAREMONT

ORDINARY COUNCIL MEETING

MINUTES

TUESDAY 18 OCTOBER, 2016

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
18 OCTOBER, 2016
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 Peter Browne

West Ward

Cr Peter Edwards

West Ward

Cr Karen Wood

West Ward

Cr Chris Mews

South Ward

Cr Jill Goetze

South Ward

Cr Paul Kelly

South Ward

Cr Bruce Haynes

East Ward

Cr Kate Main

East Ward

Cr Alastair Tulloch

East Ward

Mr Stephen Goode (Chief Executive Officer)

Mr Les Crichton (Executive Manager Corporate and Governance)

Mr David Vinicombe (Executive Manager Planning and Development)

Mr Saba Kirupanather (Executive Manager Infrastructure)

Ms Katie Bovell (Governance Officer)

Forty eight members of the public

Two members of the press

3 DISCLOSURE OF INTERESTS

NIL

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

NIL

5 PUBLIC QUESTION TIME

NIL

6 PUBLIC STATEMENT TIME

Dr Richard Smith, 7 Mofflin Avenue, Claremont.

Re: Lot 200 (11) Ashton Avenue, Claremont - Proposed 25 Three Storey Multiple Dwellings.

Dr Smith spoke in favour of the officer recommendation.

Mr Nick Hannaford, 33 Second Avenue, Claremont.

Re: Lot 200 (11) Ashton Avenue, Claremont - Proposed 25 Three Storey Multiple Dwellings.

Mr Hannaford spoke in favour of the officer recommendation.

Ms Elizabeth Killerby, 13A Mofflin Avenue, Claremont.

Re: Lot 200 (11) Ashton Avenue, Claremont - Proposed 25 Three Storey Multiple Dwellings.

Ms Killerby spoke in favour of the officer recommendation.

Mr Owen Loneragan, 26 Second Avenue, Claremont.

Re: Lot 200 (11) Ashton Avenue, Claremont - Proposed 25 Three Storey Multiple Dwellings.

Mr Loneragan spoke in favour of the officer recommendation.

**Mr Mike Davis, Consultant Planner, TPG + Place Match; and
Mr Nigel Hindmarsh, Acting General Manager of Commercial Operations,
Housing Authority.**

Re: Lot 200 (11) Ashton Avenue, Claremont - Proposed 25 Three Storey Multiple Dwellings.

Mr Davis and Mr Hindmarsh spoke against the officer recommendation.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Moved Cr Kelly, seconded Cr Main

That Cr Wood be granted leave of absence for the Ordinary Council Meeting on 15 November 2016.

**CARRIED(161/16)
(NO DISSENT)**

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 4 October 2016 be confirmed.

**CARRIED(162/16)
(NO DISSENT)**

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

17.1.1, Street Sweeping Tender 2016-04.

11 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

NIL

12 REPORTS OF COMMITTEES

NIL

13 REPORTS OF THE CEO

13.1 PLANNING AND DEVELOPMENT

**13.1.1 LOT 802 (19) QUEENSLEA DRIVE, CLAREMONT – CHRIST CHURCH
GRAMMAR SCHOOL PREPARATORY SCHOOL, CAR PARK AND
APPROVAL OF TRAFFIC MANAGEMENT AND TRANSPORT PLAN**

Item 13.1.1 was withdrawn by the CEO.

13.1.2 LOT 200 (11) ASHTON AVENUE, CLAREMONT - PROPOSED 25 THREE STOREY MULTIPLE DWELLINGS

File Ref:	01PEA/16/5386
Attachments – Public	Location and Submission Map Photographs Submission Schedule Technical Note Revised Plans dated 6 October 2016
Attachments- Restricted	Submissions
Responsible Officer:	David Vinicombe Executive Manager Planning and Development
Author:	David Vinicombe Executive Manager Planning and Development Nick Bakker Senior Planner
Proposed Meeting Date:	18 October 2016
Date Prepared:	12 September 2016
Planning Application No.:	DA2016.00126
60 Days Due Date:	N/A
Property Owner:	Housing Authority
Submitted By:	TPG Town Planning, Urban Design and Heritage
Lot No.:	200
Area of Lot:	2,326m²
Zoning:	Residential (R25)
Financial Implications:	Nil
Enabling Legislation:	<i>Planning and Development Act 2005 (PDA)</i> <i>Public Works Act 1992</i> Metropolitan Regional Scheme (MRS) Town Planning Scheme No. 3 (TPS3) Residential Design Codes (RDC) Fencing Local Law (FLL) Local Planning Policy LV117 – Front Fences

Summary

- Application for Development Approval received by the Town on 10 August 2016 for 25 three storey multiple dwellings. Revised plans for development were received on 6 October 2016.
 - The proposal is a public work and exempt from Council's approval under TPS3. However, the proposal is required to have due regard to TPS3 (together with Council policy and RDC) requirements and meet strategic
-

planning objectives. Approval is required under the Metropolitan Region Scheme (MRS) by the Western Australian Planning Commission (WAPC). Council is required to make a recommendation on the proposal within 42 days of receipt of the application. As a result of issues being raised with the applicant regarding the development's proximity to high voltage power lines in Ashton Avenue, the comment period has been extended.

- 24 surrounding residents and property owners were consulted and 53 submissions were received. The majority of objections raised concerns over height, density, parking and traffic impacts. One submission offers conditional support providing the subject adjoining property is able to develop to the same height and density as the proposed development and be provided with a right of carriageway access to the middle/rear of the property to assist future development options.
- The proposal does not meet the 'Deemed to Comply' (DTC) requirements of the RDC relating to plot ratio, street setbacks, landscaping, driveway access and visitor car parking, or height requirements under TPS3, but is generally consistent with the proposals contained in the Town's draft Local Development Plan (LDP) for the Loch Street Station Precinct. The preparation of this study was recommended under the Town's 2013 Housing Capacity Study. The application is lodged ahead of these strategic plans, which are not available for public release at this point as they require further work prior to referral to Council for consideration prior to formal public consultation.
- The proposal does not appropriately address existing TPS3 and RDC parking requirements, however the three storey flat roof built form may be considered to present a similar bulk to the emerging and prevailing development form of long two storey with pitched roof dwellings (when viewed at an angle – albeit with an increased setback), and the height and proposed density is within the capacity for reasonable plot ratio variations for R40 development earmarked under the LDP.
- The proposed development may be considered a stimulus for future redevelopment of the locality inclusive of the "mini-activity corridor" which could act as a catalyst for regeneration of the local shops and improve facilities and amenities of the area overall, consistent with the draft proposals contained in the LDP.
- Recommended that Council advise the WAPC that although the proposed development does not meet current TPS3, Council policy and RDC requirements, it does meet the Town's strategic directions for the locality contained in the draft LDP. However these directions have not been consulted with the public and as a result there has been significant public concern raised against the development.
- Accordingly, while consistent with the draft LDP, it is considered premature to approve the development until such time as the LDP for the Loch Street Station Precinct is consulted with the public and adopted by Council with due regard to submissions made by the local community.
- Further, given that the WAPC may not support this recommendation, it is proposed that Council provide a set of conditions inclusive of requirements to seek a reduction in height of the development along Mofflin Avenue, reduce the number of dwelling to accord with an R40 development with a maximum

0.6 plot ratio, increase landscaping along the northern and eastern side boundaries and provide the neighbouring property with a right-of-carriageway access through the site should the WAPC determine that approval be granted.

Purpose

The application proposes 25 three storey multiple dwelling units (four studio apartments, five single bedroom units and 16 two bedroom units) at 11 Ashton Avenue, Claremont. The site is owned by the Housing Authority. The Housing Authority has advised Council that the development will cater for a mixture of social housing (10%) and affordable (for low to moderate income earners) housing (20%), with the remainder for sale on the private market (70%).

The proposed development is not required to obtain development approval under Town Planning Scheme No. 3 (TPS3), but is required to be determined by the Western Australian Planning Commission (WAPC) pursuant to the Metropolitan Region Scheme (MRS). Council was initially required to make its recommendation to the WAPC within 42 days of receipt of the application (by 21 September 2016), however due to design modifications to address concerns over the proximity of 66kv high voltage power lines in Ashton Avenue, the time period has been extended to allow for Council to consider its recommendation to the WAPC at this meeting.

Background

The following table outlines key dates regarding this proposal:

Date	Item/Outcome
10 August 2016	Planning Application received by Council
17 August 2016	Application undergoes internal DCU assessment
25 August 2016	Advertising commenced
5 September 2016	Council briefing on proposal by applicant
9 September 2016	Advertising closed
12 September 2016	Applicant advised of concerns over power lines
6 October 2016	Receipt of revised plans
12 October 2016	Report prepared for Council

Past Resolutions

There are no past Council resolutions relevant to this application.

Heritage

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

Consultation

The application was advertised in accordance with Local Planning Policy LG525 – for a period of 14 days. The consultation period closed on 9 September 2016 in order to meet the initial tight time frame of referring the proposal to Council for consideration on 20 September and advising the WAPC of Council's recommendation by the following day (as statutorily required). Revised plans (submitted 6 October) to address concerns raised over the proposal have not been advertised as the Council is now required to forward its recommendation to the WAPC and there is insufficient time to include reconsultation. Notwithstanding, the comments raised apply to the revised plans. Full copies of all submissions received are attached.

24 surrounding residents and property owners were consulted and 53 submissions were received. Details of these submissions, together with responses are included in the attached Submission Schedule.

In summary, the main issues raised in the submissions, together with responses are provided as follows:

Density and Height

Comments - Concerns raised that the proposed development significantly exceeds the current density of R25 and height restrictions provided for under TPS3 and this is out of character in the area.

Response – The original single house properties east of Ashton Avenue have been progressively subdivided into two and redeveloped in recent years. The first wave of development typically consisted of single storey house behind a house in a battle-axe style subdivision. However, development has been more recently evolved into long modern two-storey dwellings with pitched roof, each facing the street. The development has evolved to present a modern attractive streetscape with a high intrinsic value.

The proposal is conceivably within the parameters for R40 development which has been targeted for the site and others in the area under a proposed Local Development Plan for the Loch Street Station precinct (see compliance section below). Draft strategic plans have been prepared by consultants for the Town in 2015 to address the Town's response to recommendations raised in the Town's Housing Capacity Study, which were adopted by Council in 2013 to address the Town's regional responsibilities to accommodate urban growth targets set by the State government. The LDP will be made available for public viewing and comments once the draft has been finalised. Other properties in the area will be afforded similar development opportunity once the LDP is formally adopted and a TPS3 scheme amendment is gazetted.

Increases in density to achieve the recommendation for the area contained in the Town's Housing Capacity Study are inappropriate through the whole area as the current development trend is achieving a desirable development outcome. As a result the proposal to contain more intensive development opportunity along a "mini-activity corridor" focused on Ashton Avenue and broadening out to the south addresses the Housing Capacity Study recommendation and maintains/improves services within the area generally.

Mofflin Avenue also provides a direct link between Ashton Avenue and the Loch Street station and is within 250m of the station.

In addition, the proposed development may be considered a stimulus for future redevelopment of the locality inclusive of the 'mini-activity corridor' which could act as a catalyst for regeneration of the local shops and improve facilities and amenities of the area overall.

The three storey height with flat roof proposed is similar in bulk to two storey pitched roof development (when viewed at an angle – albeit with an increased setback) which is now beginning to prevail in the locality.

Although the proposed development does not meet current TPS3, Council policy and RDC requirements, it does meet the Town's strategic directions for the locality contained in the draft LDP. However these directions have not been consulted with the public and as a result there has been significant public concern raised against the

development. Accordingly, while consistent with the draft LDP, it is considered premature to approve the development until such time as the LDP for the Loch Street Station Precinct is consulted with the public and adopted by Council with due regard to submissions made by the local community.

Privacy

Comment - Concern is raised that the three storey development will create privacy issues with the adjacent properties.

Response - Privacy from all balconies and windows comply with and generally significantly exceed the RDC requirements. In the case of the front balconies facing Mofflin Avenue, the 7.5m visual privacy requirement is almost trebled, overlooks open (and closed) front yards visible from the street through the tree lined streetscape.

Power and Authority

Comment - No other property owner in the locality can develop to this density and approval would be an abuse of Housing Authority powers.

Response - The proposed development is exempt from development approval by the Council and from Council's TPS3, policy requirements and the RDC. The proposal is subject to WAPC approval under the MRS if it meets the State's strategic planning objectives, has due regard to TPS3 (and Council's other planning requirements) and does not unreasonably impact on local amenity.

The Housing Authority has made the application for development consistent with its statutory authority.

Occupancy of Dwellings

Comment – Some concern is raised over the occupancy of the dwellings and in some instances the comments raise compatibility concerns.

Response - The development includes seven studio/single bedroom units on the ground floor, which provides ample opportunity for 28% residents to access units with ease (without stairs). Five (20%) of the one bedroom on the ground floor are to be designed to meet Silver Liveable Housing standards with the intention of housing elderly tenants with additional access and mobility requirements. These apartments provide wider circulation space around door, corridors and bathrooms to allow wheelchairs and ambulant access so that residents are able to age in place.

The Housing Authority has advised Council that 70% the units will be open for purchase by the private market. The density provides for the Housing Authority to provide social (10%) and affordable (20%) housing while at the same time partially funding the development through private investment partnerships.

The mix of social, affordable housing and private investors is proposed to address public concerns the Housing Authority often faces over social housing projects as well as providing an appropriate mix of housing options for the broader community.

The potential for the development to accommodate "needy or disruptive" residents is not a planning consideration. It is contrary to principles of equity and potentially introduces irrelevant discrimination considerations to the decision making process.

Quality of Development

Comments – Concern is raised over the quality of the development and in some instances assurances are required that the proposed development will be developed to the same standard indicated in the design.

Response - Plans indicate the development is of double brick ground floor construction. The main design features include tall rectangular painted steel boxes framing the balconies, linked with CFC cladding on curved walls or vertical garden screens and recessed aluminium framed stairways with obscure glassing. Balconies are to be lined with “mod-wood” (durable plastic timber finish) with glass balustrading. The balconies are separated by recessed curved CFC panelling, recessed aluminium framed and obscure glazed stairways and screened vertical gardens. The ground floor units are proposed with stack bonded brickwork. These materials provide for a modern durable and environmentally efficient appearance.

The development, if approved is required to be consistent with the approved plans, although a minor degree of variance is normally considered acceptable providing the appearance does not significantly alter.

If the development is supported by Council, a condition requiring materials and finishes of a high standard being provided prior to application for a Building Permit may be requested. This condition will be cleared by the Town on application for a Building Permit.

Parking

Comment - Concern is raised over the lack of parking proposed and resultant impact on the streetscape.

Response – This matter is addressed in the compliance section of this report.

Traffic Congestion

Comment – Concerns are raised regarding increased traffic congestion in the area, specifically along Ashton Avenue where significant delays are currently being experienced at the Ashton Avenue railway bridge, and also in Mofflin Avenue as a direct result of the development.

Response - Current traffic counts for Ashton Avenue indicate that the traffic volume is within the 6,000-8,000 vehicles per day design specification for a District Distributor B road. This development will not result in the design specifications being exceeded. Council’s Engineering Services has advised that the proposal consistent with AUSTRROADS guidelines and raise no objection to the proposal. A traffic management plan has not been prepared for this development (other than for internal access) or the proposed LDP at this stage. Comments raised in the submissions regarding traffic will be taken into consideration before the LDP is brought to Council for formal consideration to advertise the plan.

It is noted that Main Roads Western Australia (MRWA) is undertaking repair work at the Ashton Avenue railway bridge and the Town has promoted (and Council has resolved to support) a design which will provide for two south-bound traffic lanes including a right turning lane into Guger Street, a 3m wide shared path on the north-eastern side and 2m path on the south-western side. The bridge reconstruction will commence in 2017/18 pending funding approval.

The traffic entering and exiting the proposed development will not significantly impact on access or egress from the driveway located opposite or traffic volumes in Mofflin

Avenue. The development in its own right will not significantly increase traffic in Mofflin Avenue beyond the capacity of the road network – 3000 vehicles per day.

Relocation of the entrance for site parking to Ashton Avenue would result in removal of up to three street parking embayments used by businesses located in Ashton Avenue. As such, this option is not supported.

The TOD concept aims to provide residential accommodation concentrated on activity corridors and around train stations to encourage commuters to use public transport in peak periods and reduce car dependency.

Pedestrian Safety

Comment – Concerns raised over pedestrian safety in Ashton Avenue and service provision at the Ashton Avenue railway bridge.

Response - While there are existing pedestrian refuge islands in the median along Ashton Avenue fronting the shops, additional refuge islands may be considered for the locality as part of the LDP.

It is noted that MRWA is undertaking repair work at the Ashton Avenue railway bridge and the Town has promoted (and Council has resolved to support) a design which will provide for a 3m wide shared path on the north-eastern side and 2m path on the south-western side. These proposals will significantly improve traffic flow and pedestrian safety in the locality.

Property Values

Comment – A number of comments indicate concern over the excessive built form of the development and raise concerns that the development will impact on property values in the locality.

Response – While concerns over property value are noted, it has long been established that property valuation is not a valid planning consideration. It is noted however, that in some instance the draft LDP for the Loch Street Station Study identifies a number of other properties as having a similar opportunity for development. Should these plans be adopted by Council following completion and consideration of public comment, other property owners in the locality will have significantly improved property values.

High Voltage Power Lines

Comment – Concern was raised relative to the proximity of the proposed development to existing 66kv High Voltage power lines.

Response - High voltage power lines (66kv) are located along the Ashton Avenue frontage. These power lines are shown clearly on the existing site survey plans which form part of the application and although the design had been initially verified by an electrical engineer in the consultants design team to meet the necessary setback requirements. However, advice from Western Power indicates that if a High Voltage Power Line Easement was located on the property, the building would need to be setback a minimum of 8m from the centre line of the power lines in Ashton Avenue (approximately 6m from the front of the property). As an easement is not located on the property, the building would be required to be setback in accordance with Australian Standard AS7000.2010 Table 3.8 for clearances of structures to power lines. The setback in these circumstances requires detailed calculations and depends on the design requirements relative to the building design.

Given that the initial development proposes balconies adjacent the front boundaries, it was highly likely that a greater setback than proposed would be required. This matter was raised with the applicant and the design team reviewed the plans in consultation with Western Power.

As a result, the revised plans submitted on 6 October 2016 increased the setback to Ashton Avenue to 6m.

Opportunity to Develop

Comment - The neighbour has lodged a letter which offers conditional support if similar development opportunities are made available and a right of carriageway access is provided to facilitate a similar form of development. Without these options being accommodated, objection is raised to the proposal.

Response - The neighbouring property is also earmarked for three storey R40 development in the draft LDP for the Loch Street Station precinct. Once this plan is finalised it will publically advertised for comment prior to final Council adoption and initiation of a TPS3 scheme amendment is completed. Although the proposed LDP has considerable strategic planning merit, the process and end results cannot at this stage be guaranteed. As the LDP has not been finalised and advertised for public comment and not been considered by Council in light of public comments, it is at this stage considered premature to support approval of the development on the basis of draft plans.

Attempts have been made by the Town's Planning Department to facilitate liaison between the neighbour and Housing Authority in an attempt to facilitate an improved outcome for the neighbour and reduce the impact of the proposed development on their property.

Although three storey R40 development may be achievable on the site, the capacity for the site to accommodate such a development is significantly improved on wider and larger sites. In this instance, a right of carriageway access into the adjoining site would be a reasonable requirement to facilitate a desirable development outcome for the property owner and for the Housing Authority to ameliorate some of the local concerns. It is recommended that if Council supports the development that a condition be requested to provide a right of carriageway access to the middle of the neighbouring property. This may, dependant on application of other matters detailed in the Council report be located to the front of security gates for the proposed development.

Discussion

Description

The proposed development consists of 25 three storey multiple dwellings with ground floor setbacks of 8m to Ashton Avenue and 2.5m to Mofflin Avenue.

The site is currently zoned Residential with an R25 coding under TPS3 however the Housing Authority is exempt from applying for development approval under TPS3 and therefore unconstrained by the current R25 density and other TPS3 requirements. Although the application is exempt from Council's requirements and Council approval, it still requires determination by the WAPC; assessed against regional planning objectives, due regard for TPS3 requirements and amenity impacts.

Regional Planning Objectives

The draft Perth and Peel at 3.5 Million is the State government's most recent strategic planning document which builds upon the vision and objectives of Directions 2031 and Beyond to provide a planning framework for population growth. These documents aim to accommodate a high level of future residential housing growth within the existing urban area through infill housing and urban consolidation within Activity Centres, Station Precincts and along Activity Corridors. Perth and Peel at 3.5 Million identifies an area with a 400m radius of the Loch Street railway station as a Station Precinct with potential to accommodate additional residential development. Perth and Peel at 3.5 Million also indicates that Activity corridors should have a minimum density of R60. It is noted that as Ashton Avenue is not serviced with a bus route, it is not classified as an Activity Corridor, despite being referred to as a "mini-activity corridor" in the draft LDP of the Loch Street station precinct, therefore the R60 requirement does not apply. The Draft Central Sub-Regional Planning Framework sets a 1,300 dwelling growth target for the Town. WAPC Development Control Policy 1.6 – Planning to Support Transit Use and Transit Oriented Development (TOD) recommends a minimum residential density of R25 in station precincts.

Local Planning Objectives

In response to Directions 2031 and Beyond, Council prepared and finally adopted its Housing Capacity Study for the Town in 2013. This study made a number of recommendations on how to accommodate the State's growth targets for the Town. Recommendations included a proposal for the Town to undertake a study into the potential to rezoning of land within 400m of the Loch Street Station with a potential R20/R40 split coding. The study also recommended that a study be undertaken into increasing density codings along Stirling Highway.

The Stirling Highway Local Development Plan was adopted by Council on 5 July 2016. This study, together with planned development around Claremont oval as part of the LandCorp Claremont on the Park development will provide for residential housing growth well in excess of the State's growth targets for the Town.

At the same time as commencing the Stirling Highway Study, consultants for the Town prepared an initial draft for the Loch Street Station precinct. This study is in draft form and not ready for release to the public for formal consultation. However, proposals contained within the document relative to the site include a proposal for a "mini – activity corridor" along Ashton Avenue which broadens out in width in close proximity to the railway line. The mini-activity corridor contains a range of proposed densities, with R40 being identified for this site. The draft provides for three storey development with development close to the road to present an urban (rather than sub-urban) streetscape. The existing R25 streetscapes containing the more recent subdivision and development of long two storey dwellings is proposed to be maintained to protect existing streetscapes. Once the draft study is completed, it will be presented to Council for endorsement of public consultation, before being presented back to Council for final approval and then initiation of any necessary scheme amendments to TPS3.

While the Town's residential growth targets are more than accommodated by proposals contained in the existing approved studies, the planning imperative with regard to the Loch Street Station precinct is to assist this growth, while at the same time providing opportunity for urban renewal and improvement of facilities in the precinct to improve overall living standards for existing and future residents.

Related to, but also separate to these matters, is an analysis by the Public Transport Authority (PTA) on the patronage of railway stations throughout the metropolitan passenger rail network. Discussions PTA have indicated that although one of the key state planning strategies is aligned to concentrate on Transport Orientated Development, the Loch Street Station has poor patronage levels and may be considered for closure in the future. Local government studies such as the Town of Claremont Loch Street Station Study will be integral in future decision making, as increased density of development around stations will assist in raising patronage levels at the station and assist in preserving the service.

While the Housing Authority development proposal has progressed ahead of the Loch Street Station Study (against the recommendation of the Town), it may act as a catalyst to facilitate the “mini-activity corridor” and assist in the improvement of amenity, commercial viability/regeneration of the Ashton Avenue shopping strip, and in the longer term assist (with the implementation of the remainder of the Study) in preserving the Loch Street Station.

Notwithstanding the above considerations, as the LDP has not been finalised and advertised for public comment and not been considered by Council in light of public comments, it is at this stage considered premature to approve the development on the basis of draft plans.

Compliance

The Housing Authority, being aware of the Town’s Housing Capacity Study proposal for the Loch Street Station precinct since 2013 initially commenced discussions with Council officers with the view of proposing this development inclusive of provision for Defence Force housing. During these discussions, the R20/R40 density proposals recommended under the Housing Capacity Study and the TPS3 two storey height restrictions were known factors.

The development is a public work and exempt from Council’s development approval under TPS3, it is however required to have due regard for the Town’s requirements. While the development clearly does not have due regard for the current TPS3 requirements with regard to the R25 density, two storey height limitations and parking, it does have regard to the draft proposals in the Loch Street Station precinct study. Accordingly the compliance table below and following assessment is measured against existing requirements, the proposed R40 requirements and the proposal’s R60 requirements.

The proposed development complies with the TPS3, RDC, Council Policy requirements other than the following:

Provision	Requirement	Proposed / compliance
Site area (Relating to R25) (RDC 5.1.1)	<u>Lot Area = 2,326m²</u> R25: 350m ² (6.6 dwellings)	25 multiple dwellings – Non-compliant
Plot ratio (Relating to R40 and R60) (RDC 6.1.1)		Proposed plot ratio 1,760.2m ²

	<p>R40: 0.6 (1,395m²)</p> <p>R60: 0.7 (1,628m²)</p>	<p>Plot ratio 0.757 - Non-compliant by 365.2m²</p> <p>Plot ratio 0.757 - Non-compliant by 132.2m²</p>
<p>Street Setback (RDC 6.1.3)</p>	<p><u>Primary Street: Mofflin Avenue</u></p> <p>R25: 6m average R40: 4m R60: 2m (nil for balconies)</p> <p><u>Secondary Street: Ashton Avenue</u></p> <p>R25: 1.5m R40: 1.5m R60: 2m</p>	<p><u>Primary Street: Mofflin Avenue</u></p> <p>Proposed 2m minimum to ground floor and 1.4m to upper floor balconies</p> <p>Non-compliant with R25 Non-compliant with R40 Compliant</p> <p><u>Secondary Street: Ashton Avenue</u></p> <p>Proposed 8m minimum to ground floor and 6m to balconies proposed</p> <p>Compliant Compliant Compliant</p>
<p>Parking (RDC 6.3.3)</p>	<p><u>Location A (within 800m radius of a railway station)</u></p> <p>Residential Parking 110m² and/or 1 or 2 bedrooms =1 110m² and/or 3 or more bedrooms = 1.25 – total 25 bays</p> <p>Visitor Parking = 0.25 (per dwelling) – 6 bays</p> <p><u>Proposed Dwelling Sizes</u> 2 x 46.3m² 4 x 51m² 1 x 55.6m² 2 x 58.2m² 2 x 64.3m² 8 x 68.5m² 6 x 77.3m² 25 x <110m²</p> <p>Resident Parking = 25</p> <p>Visitor Parking = 0.25x25 =6.25 (6)</p>	<p>25 on-site residential bays</p> <p>Compliant</p> <p>4 visitor bays plus 6 visitor bays in street parking embayments (Mofflin Avenue)</p> <p>Non-compliant – insufficient visitor parking and parking in street non-compliant with TPS3</p>

		requirements.
Design of Parking Spaces (RDC 6.3.4)	Visitor bays are to be provided outside of any security barrier	Visitor bays proposed behind security barrier gates at entrance – Non-compliant
Vehicle Access (RDC 6.3.5)	Two way vehicle access where driveway services more than five dwellings	Single direction accessway is proposed – Non-compliant
Building (Wall) Height (TPS3 Cl. 40(3))	6.6m	9.8 – 10.4m Non-compliant

The RDC provides for performance assessment of non-compliances with the deemed to comply (DTC) provisions through consideration of the applicable design principles (DP).

RDC: 5.1.1 - Site area (relating to R25)

A maximum of seven R25 dwellings can be achieved on the property taking into account the maximum 5% variation allowable under the DP and also allowances for inclusion of the corner truncation in the site area. The proposal does not satisfy the DP.

RDC: 6.1.1 - Building Size: Plot ratio of 0.757 in lieu of 0.6 (R40) and 0.7 (R60)

It is noted that plot ratio is only a consideration under Part 6 of the RDC which applies to development requirements for multiple dwellings above R40 – no plot ratio requirements apply to R25 development.

The application proposes plot ratio of 0.757 (1,760m²) in lieu of 0.6 (1,395m²) under the R40 code and in lieu of 0.7 (1,628m²) required under the DTC provisions of the RDC. The proposal does not meet the DTC requirements.

Therefore, the application requires consideration under the relevant DP, which states:

“Development of the building is at a bulk and scale indicated in the local planning framework and is consistent with the existing or future desired built form of the locality.”

It is noted that Planning Bulletin 113/2015 addresses suggested variation allowance for plot ratio requirements for multiple dwellings. With development at the R40 density, it is recommended that that a maximum variation of 25% should apply. On this basis, the R40 plot ratio requirement should only be varied to a maximum of 0.75. The proposed development exceeds this requirement by 0.007 (approx. 16m²), however this is minor and within the realms of acceptability if the DP requirement above is satisfied. It is noted that the proposal clearly does not satisfy the DP requirements if the current R25 density is considered. If the draft Loch Street Station Study LDP for the area had been advertised and adopted by Council, there may be an opportunity to consider the LDP as representing the desired built form of the locality. However in the absence of this, it is not considered that the proposal meets the DP.

RDC: 6.1.3 - Street Setback: Front Setback of 2m in lieu of 6m (R25), 4m (R40) and 2m (R60)

The application proposes a front setback of 2m from Mofflin Avenue in lieu of 6m required under R25 and 4m under R40 under the DTC provisions of the RDC (noting that 2m under R60 is compliant). The proposal does not meet the DTC requirements.

The RDC provides for the Town to determine which are the primary and secondary street frontages for corner lots. Mofflin Avenue is considered to be the primary street given the principal access to the site is from a shared driveway to the rear of the proposed multiple dwellings and all adjacent properties have their primary access frontages to this street.

Therefore, the application requires consideration under the relevant DP, which state:

“Buildings are set back from street boundaries (primary and secondary) an appropriate distance to ensure they:

- *contribute to the desired streetscape;*
- *provide articulation of the building on the primary and secondary streets;*
- *allow for minor projections that add interest and reflect the character of the street without impacting on the appearance of bulk over the site;*
- *are appropriate to its location, respecting the adjoining development and existing streetscape; and*
- *facilitate the provision of weather protection where appropriate.”*

It is considered that the proposed 2m front setback does not meet the relevant DP because:

- All of the dwellings along Mofflin Avenue require a 6m average and 3m minimum front setback as per the RDC provisions for the R25 density.
- The setbacks are inconsistent with the established streetscape in the locality.
- The draft proposals contained in the Loch Street Station Study LDP have not been finalised and advertised for public comment. It is therefore premature to consider setbacks relating to R40 development until such time as the LDP has been advertised and the Council has considered public submissions and adopted the LDP, and also amended TPS3 to reflect the strategic direction confirmed under the LDP.

RDC: 6.3.3 - Visitor Parking

Revised plans for the development lodged with the Town on 6 October increase parking on site to 29 bays including four visitor bays, in addition to retention of the six proposed street embayments for visitors. The proposal does not meet the DTC requirements.

Therefore, the application requires consideration under the relevant DP, which state:

“Adequate car and bicycle parking provided on-site in accordance with projected need related to:

- *The type, number and size of dwellings;*
- *The availability of on-street and other off street parking; and*
- *The proximity of the proposed development in relation to public transport and other facilities.”*

It is noted that clause 32 of TPS3 only allows for off-site or street parking where the parking bays are for the exclusive use of the development. In this instance, although six visitor bays are proposed to be provided by the applicant as street embayments in Mofflin Avenue to bring the visitor parking into compliance, they would not be for the exclusive use of the development and therefore not comply with the scheme. It is noted however, that clause 32 is presently being amended under TPS3 through

Amendment No. 123, which has been approved by the Minister, and subject to minor variation prior to gazettal. The amendment will be gazetted prior to the completion of the development (if approved), therefore the street parking proposed is considered to satisfy the DP requirements.

RDC 6.3.4 – Design of Car parking Spaces

The revised plans submitted to Council on 6 October 2016 attempt to address the visitor parking requirements above by providing four visitor parking bays in the former two way accessway behind security gates. The proposal does not meet the DTC requirements.

Therefore, the application requires consideration under the relevant DP, which state:

“Car, cycle and other parking facilities are to be designed and located on-site to be conveniently access, secure, consistent with streetscape and appropriately managed stormwater to protect the environment.”

Based on the acceptance of the six proposed visitor bays located in street parking embayments at the front of the site in Mofflin Avenue, it is considered that the proposal meet the relevant DP requirements. The management plan proposes a priority system for accessing vehicles, signage inside and outside the site to establish right of way, vehicle motion and sensor loops linked to traffic control lights in the car park to regulate traffic flow towards the entrance, a marked vehicle waiting area and convex safety mirror to assist driver visibility of approaching traffic. On the basis of the Technical Note, the DP is satisfied.

RDC 6.3.4 –Vehicle Access

The revised plans lodged with the Town on 6 October 2016 propose a single direction accessway in lieu of two way access to accommodate additional visitor parking bays. While the additional parking is supported to address concerns raised in the submission period relative to parking provision, the design does not meet the DTC requirements.

Therefore, the application requires consideration under the relevant DP, which state:

“Vehicular access provide so as to minimise the number of crossover, to be safe in use and not detract from the streetscape.”

The applicant provided a Technical Note from a traffic engineer on 10 October 2016 which proposes a car parking management plan to address the safety aspects of the DP and indicates that the accessway can operate in accordance with AS 2890.1 requirements.

TPS3: Cl. 40 (3) - Building Height: 10.4m in lieu of 6.6m

Clause 40 provides for Council to vary the height of residential development in “special circumstances”. If the draft Loch Street Station Study LDP for the area had been advertised and adopted by Council, there may be an opportunity to consider the LDP as a special circumstance. However in the absence of this, it is not considered that there are any special circumstances which would support the height variation.

Conclusion

While the development is consistent with the draft strategic directions currently being formulated by the Town for the locality under the Loch Street Station Study LDP, the LDP has not been finalised or advertised for public comment and Council has not adopted the LDP in consideration of any comments received. Accordingly, it is

premature to approve the proposed development at this stage based on these draft plans.

On this basis it is recommended that the WAPC be advised that Council does not support the development at this time.

However acknowledging that the WAPC may approve that development on the basis of regional planning objectives, a set of draft approval conditions are to be forwarded to the WAPC with Council's comments and copies of the submissions received. These conditions should seek a reduction in height of the development along Mofflin Avenue, reduce the number of dwelling to accord with an R40 development with a maximum 0.6 plot ratio, increase landscaping along the northern and eastern side boundaries and provide the neighbouring property with a right-of-carriageway access through the site.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Wood, seconded Cr Edwards

THAT Council:

- 1. Advise the Western Australian Planning Commission that although the proposed development does not meet current Town Planning Scheme No.3, Council policy and Residential Design Code requirements, it does meet the Town's strategic directions for the locality contained in the draft LDP. However these directions have not been consulted with the public and as a result there has been significant public concern raised against the development. Accordingly, while consistent with the draft LDP, it is considered premature to approve the development until such time as the LDP for the Loch Street Station Precinct is consulted with the public and adopted by Council with due regard to submissions made by the local community. On this basis Council does not support the proposed development and recommends that the Western Australian Planning Commission refuse to grant a development approval for a proposed 25 three storey multiple dwellings at Lot 200 (11) Ashton Avenue, Claremont.**
- 2. Forward the Western Australian Planning Commission a copy of this report, the submissions received and a copy of the Submission Schedule relating to this application, along with the following conditions and advice notes to be applied should the Western Australian Planning Commission decide to approve the development on regional planning grounds:**
 - 2.1 In all other respects, development is to occur in accordance with the drawings submitted with the application for Planning Approval (Planning Application 2016/000126), as amended by these conditions and any modifications noted in red on the approved drawings.**
 - 2.2 Plans are to be modified to reduce the height of the proposed development to two stories along Mofflin Avenue, while maintaining a three storey frontage to Ashton Avenue and corner element adjacent the intersection of Ashton Avenue and Mofflin Avenue to the satisfaction of the Town of Claremont.**

- 2.3 Plans are to be modified to reduce the density and plot ratio to R40 and 0.6 to the satisfaction of the Town of Claremont.
- 2.4 Provision of a right-of carriageway to provide access to the adjoining property at 7 Mofflin Avenue to the satisfaction of the Town of Claremont. The right-of-carriageway is to be registered as an easement in gross on the Certificate of Title prepared by the Town's solicitors at the cost of the applicant.
- 2.5 Prior to the issue of a Building Permit. Final details of the proposed materials colours and finishes of the proposed development compliant with the requirements of Clauses 76 and 77 of Town Planning Scheme No, 3 to be submitted and approved by the Town of Claremont.
- 2.6 Provision of additional landscaping along the northern and eastern side boundaries to screen the proposed development to the satisfaction of the Town of Claremont.
- 2.7 Prior to the issue of a Building Permit, a detailed landscaping and reticulation plan being submitted and approved for the subject site. The approved landscaping and reticulation plan shall be fully implemented prior to occupation of the development and the landscaping and reticulation shall be maintained thereafter to the satisfaction of the Town of Claremont.
- 2.8 Prior to the issue of a Building Permit, internal levels are to be designed to prevent stormwater entering the lot from any adjacent road reserve or right of way. If not practicable due to the proposed design levels, the responsibility is on the developer to provide internal drainage to capture stormwater entering the lot.
- 2.9 Stormwater is to be retained on site and discharged into soak wells, or by an alternate approved method, within the property. The capacity has to meet the discharge volumes of any impermeable areas. Specifications are available on the Town's website.
- 2.10 Prior to the issue of a Building Permit, a Site, Construction and Traffic Management Plan is to be submitted to the Town of Claremont for approval. The information submitted with the Management Plan is to include plans showing intended access points, material and storage locations, tradespersons parking and delivery vehicle paths.
- 2.11 Prior to the issue of a Building Permit, the applicant is to submit detailed verge upgrade plans for approval by the Town's Engineering Department. The verge plans are to be to the satisfaction of the Town's Engineering Department and all costs associated with fulfilling this condition are to be borne by the applicant and finished to the satisfaction of the Town of Claremont.
- 2.12 All rubbish bins, clothes-drying areas and air-conditioning units are to be screened from the view from any public street.
-

- 2.13 A suitable receptacle is to be placed on site in order to contain any windblown rubbish or other material. The receptacle is to be maintained on site until completion of all construction works and the receptacle is not to be allowed to overflow.
- 2.14 This approval is valid only if the development is commenced within 24 months of the date of approval.

ADVICE NOTES

- (i) This is an approval to commence development only, and a Building Permit must be obtained from the Local Government prior to the commencement of any building works. The Building Permit application **MUST** be certified prior to submission.
- (ii) The applicant is advised that a separate crossover application will be required prior to the installation/construction of any crossover or associated works.
- (iii) For all vehicle accesses where there is a grade change, or an irregularity in the vertical alignment, please refer to AS 2890.1:2004 for ground clearance template.
- (iv) The applicant/owner is advised to liaise with the adjoining landowners where trees, vegetation, dividing fences or other structures may be affected due to work on, or near the property boundaries.
- (v) The applicant/owner is advised of the following health requirements from the Town's Health Services. Should any advice be unclear, please contact the Town's Health Services on 9285 4300:
- a) All plant and machinery (such as air conditioners and pool pumps) is to be suitably sound proofed to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*.
 - b) Works that are to be undertaken on site are to comply with the Environmental Protection (Noise) Regulations 1997.
 - c) Under the Environmental Protection (Noise) Regulations 1997, no work is to be permitted or suffered to be carried out:
 - i) Before 7:00am or after 6:00pm between Monday and Saturday inclusive; or
 - ii) On a Sunday or public holiday.
 - d) Each multiple dwelling is to be provided with a 240L yellow top sulo bin and a 120L green general waste bin. As an alternative to providing each multiple dwelling with a 120L green general waste bin, the required green general waste bins could be reduced to one bin per two multiple dwellings if the bin size is increased to 240L.
- (vi) Prior to the issue of a Building Permit, the applicant is to submit revised plans for approval which include:
-

- a) Sections through the driveway and crossover to demonstrate how grades, transitions and ground clearances comply with the requirements of Australian Standard AS2890.1:2004.
- b) Sections through the driveway and crossover to demonstrate how stormwater will be restricted from entering the property from the street.
- c) Plans, details and dimensions regarding roof areas, paved areas and stormwater retention devices, including the location, size and overland flow paths for any proposed soakwells.
- d) All car bays complying with the minimum dimensions required under Australian Standard AS2890.1:2004.

**CARRIED(163/16)
(NO DISSENT)**

13.2 CORPORATE AND GOVERNANCE

Items 13.2.1 to 13.2.3 were carried en bloc.

13.2.1 NEW POLICY – BANK ACCOUNTS AND PAYMENT POLICY LG530

File Ref:	COM/00032
Attachments:	Bank Accounts and Payment Policy LG530
Responsible Officer:	Les Crichton Executive Manager Corporate and Governance
Author:	Hitesh Hans Manager Finance
Proposed Meeting Date:	18 October 2016

Purpose

Report recommends Council adopt new policy *Bank Accounts and Payments LG530*.

Background

Under Council's current Delegated Authority DA9 Payment of Accounts, Council has delegated its power to the Chief Executive Officer to develop procedure for approval of payments. Current procedures require payments to be authorised by two signatories to the account.

Discussion

Payments from Council's various accounts are made for goods and services received, payroll, transfer to other Council accounts, and investment in accordance with Council's Investment Policy LG511.

Before invoices/refunds/transfers/investments are submitted to signatories for payment, finance officers ensure they are appropriately authorised by officers in accordance purchasing limits within the Council's Procurement Policy LG 509.

Current signatories to the Town's Bank Account are:

- Chief Executive Officer (CEO)
- Executive Manager Corporate and Governance (EMCG)
- Executive Manager People and Places (EMPP)
- Executive Manager Infrastructure (EMI)
- Executive Manager Planning and Development (EMPD)
- Manager Finance (MF).

with a requirement that all payments are authorised by two signatories.

While these procedures remain unchanged, the purpose of this report is to formalise them within a Council policy.

Past Resolutions

Ordinary Council Meeting 21 April 2015 – resolution 62/15 – Delegated Authority Review

Ordinary Council Meeting 9 December 2014 – resolution 203/14 – Review of Policy Manual

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

Local Government Act 1995

Town of Claremont Policy Manual

Delegation DA9 Payment of Accounts.

Communication / Consultation

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.
- Provide responsive and responsible leadership.

Urgency

N/A

Voting Requirements

Simple majority decision of Council required.

Moved Cr Haynes, seconded Cr Kelly

That Council adopt new policy Bank Accounts and Payments LG530 as detailed in Attachment 1.

**CARRIED(164/16)
(NO DISSENT)**

13.2.2 LIST OF PAYMENTS 1 TO 30 SEPTEMBER 2016

File Ref:	FIM00062
Attachments:	List of Payments - September 2016 NAB Purchase Card Statement – September 2016
Responsible Officer:	Les Crichton Executive Manager Corporate and Governance
Author:	Edwin Kwan Finance Officer
Proposed Meeting Date:	18 October 2016

Purpose

For Council to note the payments made in September 2016.

Background

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

Discussion

Attached is the list of all accounts paid totalling \$2,651,989.61 during the month of September 2016.

The attached schedule covers:

• Municipal Funds electronic funds transfers (EFT)	\$	2,122,196.35
• Municipal Fund vouchers (39484-39491)	\$	23,882.04
• Municipal Fund direct debits	\$	452,070.94
• Trust Fund electronic funds transfer (EFT)	\$	53,840.28
• Trust Fund vouchers	\$	0.00

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

Past Resolutions

Ordinary Council Meeting 20 September 2016, Resolution 147/16:

That Council notes all payments made for August 2016 totalling \$1,338,237.90 comprising;

<i>Municipal Funds electronic funds transfers (EFT)</i>	\$	<i>862,655.97</i>
<i>Municipal Fund vouchers (39482-39483)</i>	\$	<i>555.99</i>
<i>Municipal Fund direct debits</i>	\$	<i>444,392.46</i>
<i>Trust Fund electronic funds transfer (EFT)</i>	\$	<i>30,633.48</i>
<i>Trust Fund vouchers</i>	\$	<i>0.00</i>

Financial and Staff Implication

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

Local Government (Financial Management) Regulations 1996, Regulations 12- 13.

Town of Claremont Delegation Register – DA9 Payment of Accounts.

Communication / Consultation

N/A

Urgency

N/A

Voting Requirements

Simple majority decision of Council required.

Moved Cr Haynes, seconded Cr Kelly

THAT Council notes all payments made for September 2016 totalling \$2,651,989.61 comprising;

Municipal Funds electronic funds transfers (EFT)	\$	2,122,196.35
Municipal Fund vouchers (39484-39491)	\$	23,882.04
Municipal Fund direct debits	\$	452,070.94
Trust Fund electronic funds transfer (EFT)	\$	53,840.28
Trust Fund vouchers	\$	0.00

**CARRIED(164/16)
(NO DISSENT)**

**13.2.3 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD
ENDING 31 AUGUST 2016**

File Ref:	FIM/0062-02
Attachments:	Statement of Financial Activity for period ending 31 August 2016 Infrastructure Assets – 2016-17 Schedule of Works
Responsible Officer:	Les Crichton Executive Manager Corporate and Governance
Author:	Hitesh Hans Finance Manager
Proposed Meeting Date:	18 October 2016

Purpose

For Council to note the Statement of Financial Activity for the month ending 31 August 2016. Budget column of this report incorporates all the carry forwards approved as part of the of June 2016 year-end report.

Background

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

Discussion

The Financial Statements to 31 August 2016 represent the second month of operation within the 2016-17 financial year.

The closing surplus of \$14,487,534 compares favourably against the budgeted surplus of \$13,916,981. As detailed below, the \$570,552 variance is comprised of increase in operating revenue of \$156,982 and net decrease (excluding non cash items) of \$206,608 in operating expenditure against the budget. Capital Revenue and Capital expenditure are \$26,040 and \$233,003 below the budget respectively.

Operating revenue - \$156,982 above budget

- \$126,504 increase in fee and charges is mainly from refuse collection \$37K (more properties added before the rates were levied) and timing of income from development applications \$31K and parking services \$55K.

Operating expenditure - \$206,608 under budget

- \$121,073 due to timing difference across materials and contracts services \$45K and office expenses \$70K.
 - \$28,132 utilities are under the budget due to timing.
 - \$85,511 insurance is under the budget due to timing of premiums invoices.
-

Capital revenue – \$26,040 under budget

Capital revenue is under the budget due to timing of disposal and proceeds on sale of vehicle and asset opening balances (for 2016-17) to be finalised as part of 2015-16 audit process.

Capital expenditure – \$233,003 under budget

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

\$53,258 under budget in infrastructure works. Attachment 2 provides further detail on the projects and variance explanation.

- \$110,677 under budget in land and building is mainly due to timing of Aquatic Centre Upgrade.
- \$63,616 above budget in plant and equipment is due to timing on purchase of CEO vehicle.
- \$53,258 under budget on transfers to reserves due to timing of interest income on reserve investment.

Cash holdings

Current investment holdings are outside Council's Investment Policy LG511 with 57% investment with NAB due to significant interest income benefit. The policy limits funds with one institution at 45% however the risk of investments with NAB was considered low given it has an excellent credit rating.

Past Resolutions

Ordinary Council Meeting 20 September 2016, Resolution 147/16:

That Council notes the Financial Statement of Activity for the period 1 July 2016 to 31 July 2016.

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

Local Government Act 1995.

Local Government (Financial Management) Regulations 1996.

Publicity

N/A

Strategic Community Plan**Governance and Leadership**

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

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

Voting Requirements

Simple majority decision of Council required.

Moved Cr Haynes, seconded Cr Kelly

That Council notes the Financial Statement of Activity for the period 1 July 2015 to 31 August 2016.

**CARRIED(164/16)
(NO DISSENT)**

13.2.4 ORDINARY COUNCIL MEETINGS FOR 2017

File Ref:	GOV/00055
Responsible Officer:	Les Crichton Executive Manager Corporate and Governance
Author:	Les Crichton Executive Manager Corporate and Governance
Proposed Meeting Date:	18 October 2016

Purpose

For Council to set the Ordinary Council Meeting (OCM) dates for the 2017 calendar year.

Background

Council meetings are currently held on the first and third Tuesday of each month (except January) commencing at 7.00pm. This arrangement has been in place since February 2004.

Council is required annually to advertise the dates, time and place of its OCM's for the next twelve months. This has historically been undertaken prior to the commencement of each calendar year.

Discussion

Bi-monthly meetings continue to respond to the requirements of Council, community, neighbouring local authorities, and peak bodies, and as such it is proposed that they continue to be held on the first and third Tuesday of each month except January (Table 1).

In continuing the current practice of maintaining continuity of meetings, it is proposed those meetings dates which fall immediately after a Monday public holiday be held despite the loss of opportunity of to conduct the Agenda Briefing (Q&A) Forum.

The alternative is not to hold the meeting where it is preceded by a Monday public holiday and carry items over until the next meeting. While this will ensure Elected Members are provided the opportunity to inform themselves and ask questions through at Agenda Briefing Forum for every meeting held, this will occur on three occasions during the first six months of 2017 which may impact delivery of business.

Administration has explored the option of scheduling meetings on the second and fourth Tuesday of the month and while this creates two occurrences of a meeting following a public holiday (Tuesday 24 April 2017 – ANZAC Day and Monday 25 September 2017 - Queen's Birthday), it does move the meeting cycle to the latter half of the month which clashes with peak organisation and other agency schedules.

Options on days other than Tuesdays have not been presented as elected members have previously indicated a change of day (Wednesday or Thursday meeting) creates conflict with other ongoing commitments.

It is also proposed that Council reduce meetings in December to one in recognition of the busy period and move it to the second week of the month.

Ordinary Council Meeting dates 2017:

Table 1 – 1st & 3rd Tuesdays				
Location: Number One Claremont, 308 Stirling Highway, Claremont.				
Month 2017	First Tuesday in Month		Third Tuesday in Month	
	Forum (Monday)	Meeting (Tuesday)	Forum (Monday)	Meeting Date (Tuesday)
January	No Forum	No Meeting	No Forum	No Meeting
February	6 th	7 th	20 th	21 st
March	No forum (Labour Day)	7 th	20 th	21 st
April	3 rd	4 th	No Forum (Easter Monday)	18 th
May	1 st	2 nd	15 th	16 th
June	No Forum (WA Day)	6 th	19 th	20 th
July	3 rd	4 th	17 th	18 th
August	31 st July	1 st	14 th	15 th
September	4 th	5 th	18 th	19
October	2 nd	3 rd	16 th	17 th
November	6 th	7 th	20 th	21 st
December	Second Tuesday in Month			
	Forum (Monday)	Meeting (Tuesday)		
	11 th	12 th		

Past Resolutions

Ordinary Council Meeting 15 September 2015, Resolution 165/15 – Council Meeting dates for 2016.

Ordinary Council Meeting 3 February 2015, Resolution 05/15 – Council Meeting dates for 2015.

Ordinary Council Meeting 19 March 2013, Resolution 48/13 – Council Meeting dates for 2014.

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

Local Government Act 1995 s.5.25 – Regulations about council and committee meetings and committees.

Local Government (Administration) Regulations 1996 Reg. 12 – Public Notice of Council or Committee meetings.

Regulation 12 states:

“At least once each year a local government is to give local public notice of the dates on which and the time and place at which -

- a) the ordinary council meetings, and*
- b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,*

are to be held in the next 12 months.”

Publicity

Ordinary Council Meeting dates for 2017 will be published in accordance with s.1.7 (Local Public Notice) of the *Local Government Act 1995*.

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.
- Focus on improved customer service, communication and consultation.

Urgency

As the previous notice of meeting dates covers the period to the end of the 2016 calendar year, the meeting dates for the next period will need to be determined and advertised prior to commencement of the 2017 calendar year.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Browne, seconded Cr Edwards

That Council

1. Approves the Ordinary Council Meeting dates for 2017 to be:

Ordinary Council Meeting dates 2017:

Table 1 – 1st & 3rd Tuesdays				
Location: Number One Claremont, 308 Stirling Highway, Claremont.				
Month 2017	First Tuesday in Month		Third Tuesday in Month	
	Forum (Monday)	Meeting (Tuesday)	Forum (Monday)	Meeting Date (Tuesday)
January	No Forum	No Meeting	No Forum	No Meeting
February	6 th	7 th	20 th	21 st
March	No forum (Labour Day)	7 th	20 th	21 st
April	3 rd	4 th	No Forum (Easter Monday)	18 th
May	1 st	2 nd	15 th	16 th
June	No Forum (WA Day)	6 th	19 th	20 th
July	3 rd	4 th	17 th	18 th
August	31 st July	1 st	14 th	15 th
September	4 th	5 th	18 th	19
October	2 nd	3 rd	16 th	17 th
November	6 th	7 th	20 th	21 st
December	Second Tuesday in Month			
	Forum (Monday)	Meeting (Tuesday)		
	11 th	12 th		

2. Commences all Ordinary Council Meetings in 2017 at 7.00pm.

**CARRIED(165/16)
(NO DISSENT)**

13.2.5 REVIEW OF WARD BOUNDARIES AND REPRESENTATION

File Ref:	GOV/00025
Attachments:	Discussion Paper Review of Ward Boundaries and Councillor Representation
Responsible Officer:	Les Crichton Executive Manager Corporate and Governance
Author:	Les Crichton Executive Manager Corporate and Governance
Proposed Meeting Date:	18 October 2016

Purpose

Report recommends Council

- give local public notice advising a review of ward boundaries and councillor representation is to be carried out and invites submissions, and
- adopts for public consultation the draft Discussion Paper.

Background

Schedule 2.2 clause 6(1) of the *Local Government Act 1995 (Act)* requires local governments, divided into wards, carry out reviews of their ward boundaries and the number of councillors for each ward. Such reviews are to be carried out from time to time so that not more than eight years elapse between successive reviews.

The Town last completed a review of its wards and representation in 2009 and determined to make no change by maintaining the current boundaries and councillor numbers.

In order to address the requirements of the *Act*, a review is to be completed by June 2017. However, with the next local government elections to be held in October 2017, any changes to ward boundaries or councillor numbers need to be finalised and submitted to the Local Government Advisory Board (LGAB) by 31 March 2017. This will enable all statutory requirements to be completed in time for gazettal by 30 June 2017 for effect for the 2017 elections.

This ward review does not consider the method of election of the Mayor. The Mayor of a local government may be elected by the electors of the district (popularly elected) or by the council from amongst the councillors.

An advantage of electing a Mayor popularly is that all electors can participate directly in the choice of Mayor. The 'election by council' method delegates this to councillors providing electors no option for input. The popularly elected method may also remove potential to create factions amongst a council as it requires no support from or lobbying of (explicit or implicit) fellow councillors to 'obtain the numbers' required under the 'election by council' method. Conversely however, the 'popularly elected' method may provide a Mayor a mandate, real or perceived, which may not align with Council as a whole.

The election of the Mayor of the Town is currently by the electors of the Town.

Discussion

The review process requires;

- Council to resolve to undertake the review. This is the purpose of this report.
- Public submission period opens during which time information is provided to the community to stimulate discussion
- Public submission period closes a minimum of six weeks after commencing
- Council considers all submissions and relevant factors and decides on a final proposal
- Council submits its final proposal to the LGAB
- The LGAB considers Council's proposal and must recommend to the Minister for Local Government and Communities a proposal that, in its opinion, correctly takes account of the statutory criteria
- The Minister may accept or reject the LGAB's recommendation but cannot change it
- The Department of Local Government and Communities (DLGC) has input into the recommendation as to how Orders are to be implemented
- Executive Council considers the recommendation before sending to the Governor to make Orders.

Relevant factors

Where a local government has wards, their boundaries must take into account the statutory criteria provided under Schedule 2.2 cl.8(c)-(g) of the Act being;

- Community of interests
- Physical and topographic features
- Demographic trends
- Economic factors
- Ratio of councillors to electors in each ward.

The LGAB has issued *A Guide for Local Governments – How to conduct a review of wards and representation for local governments with and without a ward system* (Guidelines). This review is in accordance with the guidelines which provide;

“The purpose of the public notice is to inform the community that the council intends to conduct a review – it is not to try to ‘sell’ the council’s preferred option.

It is helpful to develop a range of alternatives to the current ward system so that all options can be considered. Whilst the council may have a preferred option, the public notice must not limit the possible responses and suggestions from the community”

Representation Ratios

While any review must take into account the five criteria above, an emphasis is placed on the representation ratios. The critical outcome to be achieved from any ward review is equitable representation across the wards of the district. The Guidelines provide *“the LGAB will be reluctant to recommend (to the Minister) changes to ward boundaries and representation that result in ward councillor/elector ratios that are greater than plus or minus 10% unless exceptional circumstances apply”*

Elector numbers used in the options provided have been calculated using the Town's August 2015 Consolidated Roll (comprising the West Australian Electoral Commission roll together with the Town's Owners and Occupiers Roll) adjusted to reflect forecasted population growth to 2021.

Both the current (2015) ratio and the forecast (2021) representation ratios of the Town's current ward structure are within 10% requirement.

Table 1 – Representation Ratios for various ward structures and councillor numbers

Ward	Number of Electors	Number of Councillors	Councillor / elector ratio	% ratio deviation – Wards to Town ratio
East	2,257	3	1:752	+4.4%
South	2,588	3	1:863	-9.7%
West	2,234	3	1:745	+5.3%
Total	7079	9	1:787	

Discussion Paper

The draft discussion paper;

- a. Compares the Town of Claremont Representation Ratio with the average ratio of all metropolitan local governments and the average of those from the same band allocation (Band 3) as detailed in the 2016 Western Australia Salaries and Allowances Act 1975 Determination of the Salaries and Allowances Tribunal for Local Government Chief Executive Officer and Elected Members.
- b. Discusses the statutory criteria as they applies to the Town
- c. Outlines four options (existing structure plus three alternatives) that have been developed for discussion

Table 2 – Ward structure options

OPTION 1	No wards with eight or six councillors plus the Mayor
OPTION 2	Three wards with two councillors plus the Mayor
OPTION 3	One ward with four councillors and one ward with two councillors plus the Mayor
OPTION 4	Three wards with three councillors plus the Mayor (existing)

- d. Provides the Representation Ratio achieved for each option

Table 3 – Representation Ratios for various ward structures and councillor numbers

Number of Wards	Number of councillors per ward	Total number of councillors	Representation ratio
None	8	8	1 : 1,047
None	6	6	1 : 1,396
Three	2	6	(E) 1 : 1,386 (+0.72%) (S) 1 : 1,500 (-7.45%) (W) 1 : 1,303 (+6.66%)

Two	4 2	4 2	(N) 1 : 1,344 (-3.72%) (S) 1 : 1,500 (+7.45%)
Three	3	3	(E) 1 : 924 (-0.75%) (S) 1 : 1,000 (-7.41%) (W) 1 : 869 (+6.66%)

e. Sets out the election cycles to implement each of the options

Timeline

The timeline devised for the ward/representation review is at Table 4 below.

Table 4 – Timeline for review of ward structure and councillor numbers

Step	Date
Council resolves to undertake review and gives local public notice of ward review.	18 October 2016
Public submission period commences	22 October 2016
Public submission period closes (6 weeks later)	5 December 2016
Submissions assessed, agenda report prepared	6-8 December 2016
Council considers submissions, makes final decision, submits proposal to LGAB	13-16 December 2016
LGAB considers proposal and makes recommendation to Minister	First week February 2017
Minister's decision	Mid - late February 2017
Governors Orders drafted	February - March 2017
Executive Council recommendation to Governor to make Orders	March 2017
DLGC request publication in Government Gazette; Orders published	Late March 2017

Summary of Options

Option1 - No wards

The no ward option proposes abolition of all ward boundaries within the district. This option ensures equal representation for all electors wherever they reside and reflects a view that given the size of both the Town's physical boundary and elector base, no discernible community of interest is identified by the wards.

Option 2 – Maintaining existing ward structure and reducing to two councillors for each ward.

The continuance of the existing three wards is well known to both community and Councillors and, while improving the representation ratio relative to the metropolitan average, supports a view that the current structure meets the needs of the community.

Option 3 - Moving to two wards, two councillors in one ward and four in the other.

This option effectively amalgamates the current East and West wards creating a North ward.

While increasing the representation ratio through a reduction in councillors, this option does provide opportunity for one ward to dominate the other by weight of numbers.

Option 4 - Continuing with three wards and three councillors in each ward.

The continuance of the existing three wards and nine councillor structure retains the status quo. It is well known to both community and Councillors and, while retaining a representation ratio that is low level relative to the metropolitan average, supports a view that the current structure meets the needs of the community.

For decision making all options other than Option 4 recommend the total number of elected members (councillors and the mayor) be an odd number. Equally, all options, other than Option 4, propose a reduction in the number of elected members in order to achieve a representation ratio more aligned to the metropolitan average.

Past Resolutions

Ordinary Council Meeting 2 June 2009, resolution 149/09;

That Council:

- 1. Submits to the Local Government Advisory Board a proposal to adopt Option 4 which provides for the abolition of all ward boundaries within the district and the creation of a single ward;*
- 2. Reduces the number of offices of Council to five councillors plus the Mayor;*
- 3. Adopts the following transitional arrangement be phased in over the 2009 and 2011 elections;*

*2009 Election Two four year vacancies - two (2) councillor offices
- one (1) mayoral office*

2011 Election Three four year vacancies - three (3) councillor offices

LOST

Against the Motion: Cr Christian, Cr Leith, A/Mayor Kelly, Cr Camins, Cr Halsted, Cr Stephens and Cr Barker

Reason : To maintain the status quo pending the outcome of the Government Structural Reform Agenda.

NEW MOTION

Moved Cr Leith, seconded Cr Stephens

That Council notes the Review of Ward Boundary and Councillor Representation report and retains the existing ward boundaries and number of Councillors in each ward.

CARRIED BY AN ABSOLUTE MAJORITY (149/09)

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

A review of wards/membership, in accordance with the requirements of Schedule 2.2 of the *Act* is necessary so Council can determine what recommendation for Orders it will make to the LGAB (Schedule 2.2, Clause 9). Council must invite submissions from the public as part of the review process (Schedule 2.2, Clause (7)).

Communication / Consultation

The next step in the ward/representation review process is to commence the statutory consultation process. This is initiated by giving local public notice as required by Schedule 2.2 (clause 7(1)) of the *Act*, and inviting submissions during a 6-week consultation period.

It is proposed that the information to be made available to the public will include:

- the Discussion Paper
- separate factsheets outlining each option, including high resolution maps (content taken directly from the Discussion Paper)
- frequently asked questions (FAQs)

The community will be invited to engage equally with all the options and have the opportunity to select their preferred option or submit alternative options or ideas.

Feedback received during the six week consultation will be assessed by Council before they make their recommendation to the Local Government Advisory Board.

During the consultation phase, information about the ward review will be made available to the community via the Town's communication channels including:

- Statutory notice – 20 October 2016
- Town Talk in the Post newspaper
- 3 September – feature story
- Reminders each week for duration of consultation period
- Town of Claremont website and Facebook throughout duration of consultation period
- Business e-newsletter
- media release sent to the Post Newspaper and Western Suburbs Weekly.

Members of the community will be invited to make written submissions about any aspect of wards/representation online via the Town's website, or lodge a submission by mail, email, or hand delivery.

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.
- Provide responsive and responsible leadership.

Urgency

Any decision relating to the

Voting Requirements

Simple majority decision of Council required.

Moved Cr Tulloch, seconded Cr Wood

That Council

- 1. In accordance with Schedule 2.2, Clause 7 of the Local Government Act 1995, give local public notice advising (a) that a ward review is to be carried out; and (b) that submissions may be made to the Town about the ward review for 6 weeks from the day fixed by the notice, and**
- 2. Adopts for circulation as part of the public consultation process the draft Review of Wards and Representation Discussion Paper at Attachment 1;**

**CARRIED(166/16)
(NO DISSENT)**

13.3 INFRASTRUCTURE

13.3.1 LAKE CLAREMONT MANAGEMENT PLAN 2016-21

File Ref:	PRK000123-3
Attachments:	LCMP 2016 Draft LCMP Appendix 1 2016 Draft LCMP Appendix 2 2016 Draft LCMP Appendix 3 2016 Draft
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Andrew Head Manager Parks and Environment
Proposed Meeting Date:	18 October 2016

Purpose

For Council to approve community consultation of the updated draft of the Lake Claremont Management Plan 2016-21 (LMCP).

Background

The life span of a strategic management plan, including management plans for public open spaces, is typically a period of five years. On that basis both the Lake Claremont Management Plan 2010 and the Lake Claremont Parkland Concept Plan (December 2010) require review.

The evolving community engagement with Lake Claremont has changed the management focus at the site from simply conserving and protecting the lake and remnant bushland to the management of cultural, social, recreational, sporting, and environmental values of a mixed-use public open space which underpins this draft of the Lake Claremont Management Plan 2016-21 (LCMP 2016-21).

Prior to 20 September 2016 OCM, feedback from Councillors and the LCAC broadened the scope of the management plan to address cultural, recreational and environmental aspects of managing the site.

Outcomes of the Recreation Working Party review and other suggestions and amendments raised by Councillors and LCAC members have been incorporated into the current draft of the LCMP 2016-21 and the background appendices. The LCMP2016-21 operates as a standalone document, while the appendices benchmark values for the site and provide guidance on best practice management techniques.

Discussion

At the Ordinary Council Meeting 20 September 2016 the report on this item was deferred back to administration for the following reasons;

1. Balance between Lake Claremont Management Plan and the Lake Claremont Parkland Use Recreation Working Party Plan.
 2. Plantings up to 1 metre and the view corridors.
 3. European heritage of Moreton Bay figs.
-

4. Dog fence
5. Steam versus Glyphosate weed control.

These items have been addressed within the LCMP in the following way;

1. *Balance between Lake Claremont Management Plan and the Lake Claremont Parkland Use Recreation Working Party Plan.*

Officer Comments

Section 2.9 Working Party Recommendations has been added to the LMCP to capture all the Council agreed outcomes. All of the agreed outcomes are also captured in the Lake Claremont Concept Plan 2016 which has been added as Figure 7.4.

Items included in Section 2.9 are;

- a) New car park at bottom of Lakeway Street
- b) New car park at Davies/Alfred corner
- c) Referring Moreton Bay Figs to the LCAC
- d) Passive recreation area at foot of Lapsley Road
- e) View corridors in the northern section of lake
- f) Low plantings in the eastern buffer area
- g) Informal sports area
- h) Toddler play at cafe
- i) Self closing gates at designated locations
- j) Cultural heritage study centre.

Further reports and consultation may be needed to finalise details of some specific projects including the playground equipment to provide clear direction on agreed outcomes.

2. *Plantings up to 1 metre and the view corridors.*

Officer Comments

Section 2.7 Lake Views, a section has been added to capture the already approved request to create three view corridors at the northern section of the Lake. These would be done through the removal of dead trees and planting of low growing species in the gap to maintain the area as a view. The seats will be shifted to maximise the views.

In relation to low plantings, there are two diagrams which clearly show the planting heights being in bands in Figure 2.3 and 2.4 in section 2.7. It is also clearly shown on the Lake Claremont Concept Plan 2016 as Figure 7.4

3. *European heritage of Moreton Bay figs.*

Officer Comments

Section 1.7.1 discusses that the Stirling Road Figs are important to the local community. Section 4.1.2 also includes a recommendation that the Moreton Bay Figs be assessed for inclusion on the local government heritage register and that the trees be managed as part of the Town annual large tree program. These trees were never identified for removal.

In section 2.5.1 of Appendix 2 Flora, a table on woody weeds includes *Ficus macrophylla* (Moreton Bay Fig) as being identified for removal 15 years plus (except for Stirling Road Ficus). Four Councillors who met with officers to discuss and clarify concerns about the LCMP proposed that this be removed from the table as they understand there is a strong desire in the community to retain the fig trees both in the south and to the east of the Lake to identify with European heritage.

The Lake Claremont Advisory Committee has a strong opposing view about retention of this species of tree and requested that it be left in the table as they are 'out of their natural range' which equates to being an environmental weed.

It is also noted that the *Ficus macrocarpa hillii* (Hills Fig) is not currently within the table. It is proposed that the *Ficus macrocarpa hillii* be added to the woody weed matrix as these have been identified in the LCMP as a higher priority for removal/management at this point in time. *Ficus macrophylla* (Moreton Bay Fig) are currently noted in the table 2.5.1 with a TBA next to timing for removal, except for the avenue in Stirling Road Park, which should be retained. When considering the recommendation of the RWP Council resolved to refer 'the proposal to retain all fig trees as recognition of European heritage of the precinct' to LCAC; A committee report will be presented and a recommendation will be made to Council. This has not yet been done. Therefore the LCMP should be amended to recognise that an independent professional assessment is to be undertaken with a report to Council for decision.

4. *Dog fence*

Officer Comments

Section 2.1.2 has been updated to reflect the changes made by Council earlier this year in relation to extension of the dog area south to Lakeway Street and the decision of Council not to fence the area in.

Figure 7.6 has been updated to reflect the new approved dog exercise area to Lakeway Street.

5. *Steam versus Glysophate weed control.*

Officer Comments

This is a town wide issue with a significant degree of complexity which needs to be brought to Council as a separate item for consideration.

The Town of Claremont put out a public tender earlier this year asking industry to submit proposals for undertaking the weed control throughout the Town over the next three years. The administration specifically asked for alternative methods to reduce use of chemicals and no submissions were received for steam or other alternatives at the time.

The Town uses many methods for weed control which in the industry is referred to as integrated pest management. This involves using a combination of methods to reduce chemical application and they include;

- Use alternative products – For example, The Town uses salt water on weeds in the reeds at the foreshore to eliminate aggressive kikuyu from the reed areas without the need for any chemical intervention.
- Use manual methods – We use paid services and volunteers for hand weeding and have the adopt a spot and walking weeders programs being undertaken year round by the Town and community to reduce weed load.
- Dense planting – At 3-4 per square meter to reduce suitable areas for weeds to grow.
- Mulching – Placing 100mm thick layer of mulch, significantly reduces the potential for weed or seed germination.
- As the final measure, frequent (monthly) chemical spot spraying of young weeds - to reduce volume of chemical applied at the site and eliminating risk of seed dispersal from mature weeds.

The Town currently use industry best practice (WA health guidelines) when undertaking weed control activities.

A separate report will be presented to Council regarding methods of weed control.

Past Resolutions

Ordinary Council Meeting 20 September 2016

That the item be deferred back to Administration.

Reason: To clarify the issues that have been presented

1. *Balance between Lake Claremont Management Plan and the Lake Claremont Parkland Use Recreation Working Party Plan.*
2. *Plantings up to 1 metre and the view corridors.*
3. *European Heritage of Morten Bay figs.*
4. *Dog fence*
5. *Steam versus Glysophate*

Lake Claremont Advisory Committee Meeting 25 August 2016:

That the Committee recommends that Council:

1. *Release the Lake Claremont Management Plan 2016-21 for public consultation subject to the following;*
 - a. *Interpretive shelter to be left in plan with reference made to the proposed multiuse function room at the Aquatic Centre redevelopment being available for talks, meetings and training by use of community groups and a business plan be prepared for an environmental education centre.*
 - b. *Continue to provide views of the lake by using low plantings with an indicative height between 600mm and 1 metre height on the eastern side of the lake and other vistas be created through the removal of established non native trees which provide the Town opportunities to revegetate with endemic species in those areas to improve biodiversity and maintain long term viability of the bushland.”*
 - c. *Figure 7.2 be amended by deleting Town Of Claremont ownership of Lake Way and replacing “boundary” and “shoreline.”*

- d. *Update figure 7.6 to show in particular current approved dog exercise area and Par 3 Golf Course.*
2. *The five year implementation plan (Section 5 of draft Lake Claremont Management Plan) to inform priorities of all identified actions.*
3. *Recommends the development of an appendix for land use to be created and include the Golf/Pool upgraded facilities for next management plan review in 2021.*

Lake Claremont Advisory Committee Meeting 25 February 2016:

That the Committee recommends that Council:

1. *Releases for community consultation the draft Lake Claremont Management Plan 2016-2021 and the three draft appendices that support the plan.*
2. *Approves engagement with Noongar representatives to confirm and/or secure (Section 18) approval for Aboriginal heritage aspects of the draft Lake Claremont Parklands Management Plan 2016-2021 and the three draft appendices that support the plan.*
3. *Refers to the Lake Claremont Advisory Committee for consideration and recommendation the scheduling of management actions determined following the community consultation and detailed in Section 5.0 of the plan.*
4. *Lake Claremont Parklands Management Plan be named Lake Claremont Management Plan.*

Ordinary Council Meeting 16 Feb 2016:

That

1. *Council receive this report about the consultation outcomes regarding the Lake Claremont Parkland Recreation Use Plan;*
2. *Council endorse the recommendations of the Lake Claremont Parkland Recreation Use Plan (as amended by Council resolution 224/15) through modification to the Lake Claremont Parkland Concept Plan 2010 other than the recommendations relating to the dog exercise area which is to be dealt with separately;*
3. *Give consideration in the mid-year budget review to allocation of \$56,000 for the proposed 2015-2016 projects;*
4. *The necessary provision for funding be included for the listed 2016-17 and 2017-18 projects when the Town's Forward Financial Plan is reviewed;*
5. *Opportunities for funding partnerships and grant funding be investigated by the Administration;*
6. *Further consideration be given in 2018 to consider further initiatives in time for consideration during budget deliberations for 2018-19;*
7. *Refer to the Lake Claremont Committee for consideration and recommendation to Council –*
 - a) *the proposal for the dog proof fence around Lake Claremont;*
 - b) *the proposal to retain all fig trees as recognition of the European heritage of the precinct; and*
8. *Direct that public notice be given of the proposal to amend the Dogs in Public Places Policy LV127 by extending the existing area south to the proposed Lakeway Street parking area extension.*

Ordinary Council Meeting 5 May 2015:

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.

Ordinary Council Meeting Council 1 July 2014:

That Council:

1. Approves the draft brief for the consultants to review the Lake Claremont Management Plan; and
2. Delegates to the Chief Executive Officer to make any other amendments as needed to progress with the LCMP review.

Ordinary Council Meeting 18 March 2014:

Approves \$32,500 as an unbudgeted expenditure, to review the 2010 Lake Claremont Management Plan and draft a new best practice adaptive management plan for the lake and its surrounds.

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation. Community consultation is budgeted under the project funding. Implementation costs of the new management plan and staff implications will be addressed when the finalised plan is submitted to Council for endorsement post consultation and as part of the annual Operational Plan.

Policy and Statutory Implications

Aboriginal Heritage Act 1972 (WA)

Environmental Protection Act 1986 (WA)

Environment Protection and Biodiversity Conservation Act 1999 (Aust)

Wildlife Protection Act 1950 (WA)

Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (WA)

Bush Forever and Geomorphic Wetlands Swan Coastal Plain dataset

State Planning Policy 2.8: Bushland Policy for the Perth Metropolitan Region

Lake Claremont Management Plan 2010

Lake Claremont Concept Plan

Communication / Consultation

A local newspaper advert to inform all residents of the availability of draft management plan both on the website and in hardcopy from the Council offices, request written feedback via email.

Articles in local media, on Town's website and Facebook page, in Town talk (if time permits).

After public consultation, Officers will meet with the Perth region NRM for finalising the Indigenous consultation phase prior to Council's final approval.

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.
- 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.
- Create opportunities for and access to social participation and inclusion in support of community health and well being.
- Play an integral role in local safety and crime prevention.
- Develop a strategy for services and facilities for an ageing population.
- Improve the capacity of local community groups.

Environment

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

- Strive for innovative environmental design practices in new developments and redevelopments.
- Create opportunities for varied transport options that reduce carbon emissions and other impacts of a growing town.
- Provide education and communication on leading practices to the community.
- Implement sound environmental practices as reflected in the WESROC Climate Change Risk Assessment Project.

Governance and Leadership

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

- Identify strategic partnerships that align with the Town's vision.
- Focus on improved customer service, communication and consultation.
- Provide responsive and responsible leadership.

Urgency

Commence public consultation process and provide direction on operational activities.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Haynes, seconded Cr Wood

That Council approves the release of the updated Lake Claremont Management Plan 2016-21 for public consultation subject to the following:

- 1. Acknowledges that a separate report will be presented to Council with the recommendation of LCAC regarding the Moreton Bay Figs (*Ficus macrophylla*)**
- 2. Approves the inclusion of Hills Figs (*Ficus microcarpa hillii*) in the woody weeds table 2.5.1 in Appendix 2 with a proposed removal within the next 5 years**
- 3. A comprehensive report on alternative weed control methods including but not limited to steam be presented at a Council meeting for consideration prior to finalisation of Lake Claremont Management Plan 2016-21 public consultation report.**

**CARRIED(167/16)
(NO DISSENT)**

13.3.2 LAKE CLAREMONT OPERATIONAL PLAN 2016-17

File Ref:	PRK00123
Attachments:	Lake Claremont Operational Plan 2016-17
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Andrew Head Manager Parks and Environment
Proposed Meeting Date:	18 October 2016

Purpose

For Council to approve the Lake Claremont Operational Plan (LCOP) 2016-17.

Background

Last year the Lake Claremont Operational Plan (LCOP) 2015-16 facilitated the transition from the Lake Claremont Management Plan (LCMP) 2010 and Lake Claremont Parklands Concept Plan 2010 to the new strategic plans being developed under the LCMP review and by the Lake Claremont Parklands Recreation Working Party (LCPRWP).

Building on this approach, the Lake Claremont Advisory Committee (LCAC) and LCPRWP requested the development of annual operational plan. This is mainly to keep the Council and community informed and updated of activities occurring on site.

Discussion

As a transitional plan, the LCOP 2015-16 was adapted from an existing maintenance schedule for the lake and surrounds by the addition of capital works projects and a map showing Friends of Lake Claremont funded revegetation sites for winter 2015 and winter 2016.

Adoption of the LCPRWP recommendations as the Lake Claremont Parklands Concept Plan 2016 and consolidation of the draft LCMP 2016-21 facilitates the Lake Claremont Operational Plan (LCOP) 2016-17 becoming a roadmap for implementing the highest priority actions recommended by both reviews. As a further enhancement, the format and structure of the LCOP 2016-17 is aligned to the planning framework established by the Claremont Ahead 2023: Strategic Community Plan.

Implementation of the LCOP 2016-17 will enhance the aesthetic, conservation, cultural and recreational values of Lake Claremont and its surrounds.

In August 2016 a grant was applied to the State NRM community action grants scheme by the Friends of Lake Claremont. This LCOP 2016-17 has been updated to ensure the planting areas for this grant application are included in the LCOP 2016-17 which will avoid the need for further amendments this year.

To improve clarity a figure has been added to the plan to show the banding of planting heights. This is the same diagram inserted into the LCMP to clearly show range of heights accepted within each banding in the lake's eastern buffer zone.

The item referring to a new fence in relation to the dog exercise area has also been deleted as this should have been removed at the time of the change of decision but was missed.

Past Resolutions

Ordinary Council Meeting 20 September 2016, Resolution 152/16:

That the item be deferred back to Administration.

Reason: To ensure alignment with any changes to the Management Plan.

CARRIED
(NO DISSENT)

Lake Claremont Advisory Committee meeting held on 25 August 2016;

That the Committee supports the Lake Claremont Operational Plan 2016-17.

CARRIED
(NO DISSENT)

Lake Claremont Advisory Committee meeting held on 26 May 2016;

That the Committee:

- 1. Endorse the format of the draft Lake Claremont Operational Plan 2016-17*
- 2. Endorse the objectives and management strategies of the draft Lake Claremont Operational Plan 2016-17.*
- 3. Recommends that Council approves the Winter 2017 grant site previously approved under the Lake Claremont POS Operational Plan 2015-16.*

CARRIED
(NO DISSENT)

Ordinary Council Meeting 17 May 2015, Resolution 79/16:

That Council

- 1. Supports the relocation of mowing equipment as part of the recreation precinct project and or mowing tender review.*
- 2. Formally acknowledges Ms Heidi Hardisty's excellent contribution to the Lake Claremont Advisory Committee.*
- 3. Supports the creation of a five year implementation plan for Council approval to improve strategic programming of works as part of the management plan.*
- 4. Approves the final designs for the three bird signs at Lake Claremont as per the attached layout.*

CARRIED
(NO DISSENT)

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

Aboriginal Heritage Act 1972 (WA).

Cat Act 2011 (WA).
Dog Act 1976 (WA).
Environmental Protection Act 1986 (WA).
Environment Protection and Biodiversity Conservation Act 1999 (Aust).
Wildlife Protection Act 1950 (WA).
Environmental Protection (Clearing Native Vegetation) Regulations 2004 (WA).
State Planning Policy 2.8: Bushland Policy for Perth Metropolitan Region
Geomorphic Wetlands Swan Coastal Plain dataset
Section 18. Approval (Department of Aboriginal Affairs).
[Perth] Capital City Planning Framework 2013 (WAPC).
AANZEEC Guidelines for Fresh and Marine Waters 2000 (DOW).
Guide to developing a mosquito management plan (WA Health).
Draft Lake Claremont Management Plan 2016-21.
Lake Claremont Parkland Concept Plan 2016.
WESROC Climate Change Risk Assessment & Adaptation Action Plan 2010.
WESROC Western Suburbs Greening Plan 2002.

Communication / Consultation

Additional marketing and education activities as detailed in LCOP 2016-17.
Elected members will be informed of planned and completed actions through Council reports and Quill items as appropriate.
Revegetation works promoted by Friends of Lake Claremont through their website and Facebook page and through local media.
Town Talk articles on project works.

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.
- Maintain and upgrade infrastructure for seamless day to day usage.

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.
- Create opportunities for and access to social participation and inclusion in support of community health and well being.
- Improve the capacity of local community groups.

Environment

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

- Strive for innovative environmental design practices in new developments and redevelopments.
- Provide education and communication on leading practices to the community.
- Implement sound environmental practices as reflected in the WESROC Climate Change Risk Assessment Project.

Governance and Leadership

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

- Identify strategic partnerships that align with the Town's vision.
- 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 on emerging community issues.

Urgency

High - Lake Claremont Operational Plan 2016-17 is required as soon as possible to allow the implementation of the works.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Haynes, seconded Cr Wood

That Council approves the updated Lake Claremont Operational Plan 2016-2017.

**CARRIED(168/16)
(NO DISSENT)**

14 ANNOUNCEMENTS BY THE PRESIDING PERSON

Cr Goetze reported on her attendance at the Scores on Doors function.
Cr Browne reported on his attendance at the Scores on Doors function and the Bethesda extension opening.
Cr Mews reported on his attendance at the Foreshore Committee meeting.
Cr Wood reported on her attendance at the Tennis Club opening day and a FORM workshop.

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

Moved Cr Haynes, seconded Cr Kelly

That Councillors and staff convey our condolences to the family and friends of Mike Balfe whose untimely death has robbed the Town of a knowledgeable and caring resident.

Reason: To record our feelings on the death of ex-Councillor Balfe.

**CARRIED(169/16)
(NO DISSENT)**

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

MOTION TO CLOSE DOORS

Moved Cr Haynes, seconded Cr Main

OFFICER RECOMMENDATION

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:

(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(170/16)
(NO DISSENT)**

Mayor Barker adjourned the meeting at 8:12PM.

Mayor Barker reconvened the meeting at 8:12PM.

ATTENDANCE

Mayor Barker

Cr Peter Browne

West Ward

Cr Peter Edwards

West Ward

Cr Karen Wood

West Ward

Cr Chris Mews

South Ward

Cr Jill Goetze

South Ward

Cr Paul Kelly

South Ward

Cr Bruce Haynes

East Ward

Cr Kate Main

East Ward

Cr Alastair Tulloch

East Ward

Mr Stephen Goode (Chief Executive Officer)

Mr Les Crichton (Executive Manager Corporate and Governance)

Mr David Vinicombe (Executive Manager Planning and Development)

Mr Saba Kirupanather (Executive Manager Infrastructure)

Ms Katie Bovell (Governance Officer)

17.1 INFRASTRUCTURE**17.1.1 STREET SWEEPING TENDER 2016-04**

File Ref: RDS/00101
Responsible Officer: Saba Kirupanather
Executive Manager Infrastructure
Author: Nick King
Manager Engineering Services
Proposed Meeting Date: 18 October 2016

Purpose

The following item was considered in closed session.

Council Resolution

Moved Cr Kelly, seconded Cr Wood

That Council approves the tender submitted by Enviro Sweep for the provision and services of Street sweeping, for a period of two years (with an additional possible one year extension) as specified in Tender 2016-04.

**CARRIED(171/16)
(NO DISSENT)**

MOTION TO OPEN DOORS

Moved Cr Haynes, seconded Cr Main

That the doors be opened.

**CARRIED(172/16)
(NO DISSENT)**

The doors opened at 8:13PM.

THE MAYOR READ ALOUD THE RESOLUTION MADE BEHIND CLOSED DOORS.

18 FUTURE MEETINGS OF COUNCIL

Ordinary Council Meeting, 1 November 2016 at 7:00PM.

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 2016.

PRESIDING MEMBER