



TOWN OF CLAREMONT

ORDINARY COUNCIL MEETING

MINUTES

TUESDAY 27 JUNE, 2017

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
27 JUNE, 2017
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

ATTENDANCE

Mayor Barker

Cr Chris Mews

South Ward

Cr Jill Goetze

South Ward

Cr Paul Kelly

South Ward

Cr Karen Wood

West Ward

Cr Peter Browne

West Ward

Cr Bruce Haynes

East Ward

Cr Alastair Tulloch

East Ward

Cr Kate Main

East Ward

Mr Stephen Goode (Chief Executive Officer)

Ms Liz Ledger (Deputy Chief Executive Officer)

Mr Les Crichton (Executive Manager Corporate and Governance)

Mr Saba Kirupanather (Executive Manager Infrastructure)

Mr David Vinicombe (Executive Manager Planning and Development)

Ms Cathy Bohdan (Executive Manager People and Places)

Mr John Humphreys (Manager Planning)

Ms Katie Bovell (Governance Officer)

Twenty eight members of the public

Two members of the press

APOLOGIES

Cr Peter Edwards – Apology.

3 DISCLOSURE OF INTERESTS

NIL

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

NIL

5 PUBLIC QUESTION TIME

NIL

6 PUBLIC STATEMENT TIME

**Mr John Traicos, 26 Fern Street, Swanbourne.
Re: Item 13.1.2, Lot 90 Fern Street, Swanbourne.**

Mr Traicos requested Council adopt option 1 as the preferred option.

**Mr Peter Sumner, 6A Wood Street, Swanbourne.
Re: Item 13.2.1, Lot 6 (5) Wood Street, Swanbourne - Home Occupation
(Psychologist).**

Mr Sumner spoke against the proposed development application.

**Mr John Stringfellow, 7 Wood Street, Swanbourne.
Re: Item 13.2.1, Lot 6 (5) Wood Street, Swanbourne - Home Occupation
(Psychologist).**

Mr Stringfellow spoke against the proposed development application.

**Mr Luke Hawkins, 5 Wood Street, Swanbourne.
Re: Item 13.2.1, Lot 6 (5) Wood Street, Swanbourne - Home Occupation
(Psychologist).**

Mr Hawkins spoke in favour of the proposed development application.

**Mr Bart Benschop, Queenslea Drive, Claremont.
Re: 13.4.1, Queenslea Drive Stirling Highway Intersection Review.**

Mr Benschop commented on aspects of this report.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Moved Cr Browne, seconded Cr Mews

**That Cr Kelly be granted leave of absence from 7 July 2017 to 21 July
2017.**

**CARRIED(89/17)
(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 6 June 2017
be confirmed.**

**CARRIED(90/17)
(NO DISSENT)**

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

17.1.1, Anzac Cottage.

17.2.1, Cleaning of Council Buildings Tender 2016-08.

11 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

NIL

12 REPORTS OF COMMITTEES**12.1 LAKE CLAREMONT ADVISORY COMMITTEE****12.1.1 LAKE CLAREMONT ADVISORY COMMITTEE OPERATIONAL PLAN
2017-18 BUDGET CONSIDERATIONS**

Attachments: [Lake Claremont Operation Plan 2017-18 draft
FINAL](#)

[Lake Claremont Dog Fence Options](#)

Responsible Officer: **Saba Kirupanather**
Executive Manager Infrastructure

Author: **Tamara Wilkes-Jones**
Acting Manager Parks and Environment

Proposed Meeting Date: **27 June 2017**

Item 12.1.1 was withdrawn by the CEO.

12.2 FORESHORE ADVISORY COMMITTEE

12.2.1 FORESHORE PROJECTS

File Ref:	GOV00049
Attachments:	Alex Prior Park Swale Design Alex Prior Bridge Concept Regulation 10 Letter of approval Chester Road Revetment Summary
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Andrew Head Manager Parks and Environment
Proposed Meeting Date:	20 June 2017

Purpose

For Council to consider options and support the final design of the Alex Prior bridge and swale and the rebuilding of Chester Road Car park revetment

Background

The Foreshore Management Plan was approved by Council in July 2016. Funding which had been set aside for future projects on the foreshore were approved by Council to be used for identified projects being the Alex Prior bridge and swale and the other project being the rebuilding of the Chester Road car park and revetment.

Being next to a registered Aboriginal heritage site (DAA Site 3536) the Town was required to present these projects to the South West Aboriginal Land and Sea Council (SWALSC) for assessment, this occurred in March 2017. The outcome of this presentation was that SWALSC made a recommendation to Department of Aboriginal Affairs to approve a Regulation 10. The Town received the approval in April 2017.

Discussion

Alex Prior Bridge

Over a number of years the drain outfall at Alex Prior Park has scoured to create a swale out to the river. After each storm event the erosion caused creates a hazard and access issues for foreshore users.

The Town has previously tried to eliminate or reduce the scour by undertaking works including installation of geo-textiles to create a natural scour barrier, this reduced the hazard near to the pipe outfall however this has transferred the scour nearer to the shoreline and created a deep hole which can get to two metres deep. This hole is quite deceptive as often it is filled with water and partly concealed by grass. After each storm event the Town fills this hole with sand from the beach to reduce the hazard.

Other work has included a formalised headwall with hand rails to improve access for pedestrians to walk behind. The concern is that this is quite narrow, near private

property and awkward for some pedestrians such as the elderly and less mobile to traverse. By installing a pedestrian bridge over the swale we will improve accessibility for all users.

This bridge concept attached has been developed by a marine engineer specialising in riverine and marine structures. The design was presented to the Foreshore committee and then on to SWALSC along with a concept for panels attached to the balustrade with silhouettes of the red tailed back cockatoo (Kaarak). This was done to gain support for the project after getting advice from members of the Whadjuk Working Group that Freshwater Bay is home to the Karaak. This idea was warmly welcomed by the Whadjuk Working Group and it would be good for the Town to provide some reference to this through an art installation to represent this significant Aboriginal heritage site.

The Foreshore Advisory Committee has requested that option for a low or non balustrade option for the bridge be explored. The only way this can be achieved is to fill the swale area with coarse gravel to bring the perched ground level to within 500mm of the bridge surface. This would create problems for cleaning out the pipe outfall when it fills with leaf and litter.

To reduce the visual impact of the bridge structure another option may be to install the bridge and handrails without panels and produce a separate art installation somewhere else along the foreshore between Jetty Road and Mrs Herberts Park to represent the Kaarak.

Alex Prior Swale

Attached is a design for the swale which was produced by SERCUL (South East Regional Council of Urban Landcare) who are specialists in relation to stormwater treatments to improve water quality.

Once the bridge is installed the swale can be planted with reeds and rushes to assist with directing pedestrians over the bridge or closer to the beach line. This treatment would also slow down the water and filter out some litter and nutrient before it enters the river.

The swale would have some coarse river stone and limestone laid out like a dry river bed to assist with dissipation of water flow and reduce sediment transport. This would also be visually more appealing than the current treatments' presentation. This would also reduce the level of maintenance required such as the renourishing of sand after storm events.

Chester Road car park and revetment

Chester Road car park and revetment is in very poor condition due to erosive pressure on either side due to shoreline variability on a reclaimed foreshore. This has facilitated the loss of sediment and smaller limestone rocks from within the structure as can be seen in the attached report. The revetment height is designed to increase by 500mm which will reduce overtopping during storm events. The tie into the shoreline on the eastern end is also proposed to be completed as part of these works.

Sea level increase has already been recorded within the Swan River Estuary and this is not expected to abate. See below for the table from the Foreshore Management Plan showing the recommended actions to be undertaken at the site in the short, medium and longer term.

The proposed works include the resurfacing of the car park as it is also in poor condition and starting to fail, these works should be planned to include all work identified in the first two columns below (0-5 and 5-25 years). It should also be noted that in the longer term it recommends narrowing the car park and extending it in the third column (>25 years).

Short-term (0-5 years)	Medium-term (5-25 years)	Long-term (>25 years)
<ul style="list-style-type: none"> • <input type="checkbox"/> modify the revetment to have a more gradual tie-in to the east. • <input type="checkbox"/> create a small drainage chute at the low point in the car park. • <input type="checkbox"/> backfill a wider splash zone between crest and car park. • <input type="checkbox"/> minor renourishment immediately east of the revetment. 	<ul style="list-style-type: none"> • <input type="checkbox"/> revetment crest adjustment. Reduce car park by ~1.5m, create a rock splash zone landward of revetment, some crest reworking. • <input type="checkbox"/> minor renourishment immediately east of the car park. • <input type="checkbox"/> maintain revetment and wider splash zone. 	<ul style="list-style-type: none"> • <input type="checkbox"/> install groyne at Claremont Yacht Club (CYC) before any retreat. • <input type="checkbox"/> narrow car park and extend east (60m x 10m). Construct 72m revetment to 1.25m height with a broad splash zone. • <input type="checkbox"/> regrading/ re-vegetation of beach east of new car park. • <input type="checkbox"/> ongoing regrading of beach into a storm bar and swale as it responds to revetment re-alignment. • <input type="checkbox"/> maintain revetment and wider splash zone.

Three options for the car park were considered and assessed by the coastal engineers and can be found in the plan attached to the summary above.

All three options were reviewed by the SWALSC Whadjuk Working Group at the meeting in March 2017 and they have endorsed Option two or three as they both will create a more natural shape to the shoreline.

Option three which increases the length of the car park will allow access from the rear for the apartments at 18 Victoria Avenue. Currently access is by application and after payment is received by the Town for reserve access. As many of these apartments tend to turnover tenants there are often requests for rear access to allow removal of large furniture items. There are also a couple of under croft storage garages which are only accessible via the foreshore.

It is important to also consider that some nearby residents on the foreshore may show some resistance to increasing the size of the car park as this will change the outlook from their living areas.

The coastal engineers have recommended option two as the preferred option at this point in time (See point three in the attached summary). This will give the Town the ability to retreat the alignment of the revetment if required in future.

Past Resolutions

Foreshore Advisory Committee Meeting 29 March 2017

That the Committee supports the above projects subject to exploration of a low or non balustrade bridge which complies to Building Code of Australia (BCA)

NO DISSENT

Foreshore Advisory Committee Meeting 29 March 2017

That the Committee request that a report on Chester Road car park be presented to Council for support.

NO DISSENT

Ordinary Council Meeting 19 July 2016

That Council approves;

- 1. The WESROC Foreshore Management Plan Report.*
- 2. The section Appendix E, relating to Town of Claremont.*
- 3. The use of remaining budgets being for Foreshore Stage 1 Management Plan and River Foreshore Erosion control, to be used for the development of detailed plans for;*
 - a) Chester Road car park modification design.*
 - b) Alex Prior drain outfall.*
 - c) Sand accretion and erosion management.*

NO DISSENT

Ordinary Council Meeting 2 June 2015

- 1. Supports the progress of the WESROC Foreshore Adaptation Plan.*
- 2. Requests administration to liaise with the Swan River Trust to create some educational materials and guided walk programs for the Foreshore and for a report to be submitted to the committee when program has been developed.*
- 3. Requests for a report on Clean Up program for implementation in 2015-16 financial year.*
- 4 Requests administration to ensure the jetty steps, the Alex Prior Drain and beach erosion be addressed in the Foreshore Adaptation Plan.*
- 5. Requests the Foreshore Management Committee to reconsider its proposal about the management of dinghies having regard to Council decision (54/14 of 15 April 2014).*
- 6. Requests administration to review on lead signage along foreshore and for administration to develop some designs for interpretive signage.*

NO DISSENT

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation. There is \$41,515 available from Stage 1 Foreshore Management Plan plus \$13,883 for erosion control works and Chester Road Car Park project allocation is \$120,000.

Policy and Statutory Implications

Water Act 2007.

Aboriginal Heritage Act 1972, Regulation 10.

Heritage of Western Australia Act 1990

Environmental Protection Act 1986

Swan and Canning Rivers Management Act 2006

Conservation and Land Management Act 1984

Communication / Consultation

WESROC Foreshore Management Plan on website.

Letter Drop nearby residents.

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.

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.

- Implement sound environmental practices as reflected in the WESROC Climate Change Risk Assessment Project.

Urgency

High – To allow implementation of these projects before the end of financial year.

Voting Requirements

Simple majority decision of Council required.

Officer Recommendation

That Council

1. Approve the installation of the Alex Prior bridge with hand rails.
2. Approve the modification of the Alex Prior drain outfall as per the attached design.
3. Support the development of a design for a sculpture representing the red tailed black cockatoo (Karaak) for placement on the foreshore.
4. Approve option two for the Chester Road car park design for implementation.

AMENDED MOTION

Moved Cr Haynes, seconded Cr Tulloch

That Council

1. **Approve the installation of the Alex Prior bridge with hand rails.**
2. **Approve the modification of the Alex Prior drain outfall as per the attached design.**
3. **Support the development of a design for a sculpture representing the osprey for placement on the foreshore.**
4. **Approve option two for the Chester Road car park design for implementation.**

Reason: The red tailed black cockatoo (Karaak) is not local to the area.

AMENDMENT

Moved Cr Goetze, seconded Cr Wood

That recommendation 3 be deleted.

**CARRIED(91/17)
(NO DISSENT)**

THE AMENDED PRIMARY MOTION WAS PUT

1. **Approve the installation of the Alex Prior bridge with hand rails.**
 2. **Approve the modification of the Alex Prior drain outfall as per the attached design.**
-

3. Approve option two for the Chester Road car park design for implementation.

**CARRIED(92/17)
(NO DISSENT)**

13 REPORTS OF THE CEO

13.1 CHIEF EXECUTIVE OFFICER

13.1.1 STRATEGIC COMMUNITY PLAN REVIEW

File Ref:	COM/00035
Attachments:	<u>Strategic Community Plan Claremont Ahead 2027 Community Perceptions Survey Results</u>
Responsible Officer:	Liz Ledger Deputy Chief Executive Officer
Author:	Jane Carter Communications Officer
Proposed Meeting Date:	27 June 2017

Purpose

To present to Council for adoption the revised Strategic Community Plan – “Claremont Ahead 2027” (attachment 1) which forms part of the Integrated Planning and Reporting Framework; as per the requirements under the *Local Government Act 1995*.

Background

In 2012 the Department of Local Government introduced the Integrated Planning and Reporting Framework for all Western Australian local governments. As a minimum requirement, the Town was to adopt a 10 year Strategic Community Plan (SCP) and a supporting Corporate Business Plan. The regulatory requirements for Integrated Planning are detailed in Table 1 below.

In 2013 Council adopted the Strategic Community Plan “Claremont Ahead 2023” and the supporting Corporate Business Plan 2013-2014 to 2016-2017.

In accordance with the Department of Local Government and Communities (DLGC) regulations and to ensure that the previously established community priorities and aspirations are kept current and relevant, these guiding documents must undertake a full review every four years. The due date for completion of the review is 30 June 2017.

The review process undertaken is aligned with DLGC Integrated Planning and Reporting Advisory Standards which considers feedback gathered through community engagement along with the Town’s existing internal and external plans and policies.

The Town’s Corporate Business Plan (CBP) will be reviewed in line with the new Strategic Community Plan. The review process for the CBP considers the priorities set in the SCP and will integrate with our Workforce Plan, Asset Management Plan and the Financial Plan and will take place following the adoption of the SCP.

Table 1: Regulatory Requirements for Integrated Planning

Document	Regulatory Requirements
Strategic Community Plan	<ul style="list-style-type: none"> • Is for a minimum 10-year timeframe. • States Community aspirations, vision and objectives. • Was developed or modified through engagement with the community, and this is documented. • Has regard to the current and future resource capacity, demographic trends and strategic performance measurement. • Was adopted or modified by an absolute majority of Council. • A review is scheduled 2 years from when it was adopted. • A full review is scheduled 4 years from when it was adopted.
Corporate Business Plan	<ul style="list-style-type: none"> • Is for a minimum of 4 years. • Identifies and prioritises the principal strategies and activities the council will undertake in response to the aspirations and objectives stated in the Strategic Community Plan. • States the services, operations and projects that a local government will deliver over the period of the plan, the method for delivering these and the associated cost. • References resourcing considerations such as asset management plans, finance and workforce plans. • Is adopted by Council by absolute majority. • Notice is given to the public when the Corporate Business Plan is adopted (or modified). • The Corporate Business Plan is reviewed annually. This is because it is the main driver of the local government's annual budget. •

Discussion

The process for the review of the SCP included a desktop review of previously undertaken community surveys including the 2014 Community Perceptions Survey, two community workshops, a youth workshop and an online survey. Please see Table 2 – Stakeholder Engagement Strategy.

The online survey and forums invited feedback on the vision of the town and the currency of the priorities identified in the five key areas outlined in the Strategic Community Plan “Claremont Ahead 2023”; Liveability, Prosperity, Environment, People and Leadership & Governance. The community, youth and Councillor forums were conducted by an independent facilitator. Feedback received through the forums and the online survey shaped the direction for some minor changes to the SCP, detailed under Summary of Feedback below.

Engagement	Methodology
2 x Community Forums	Recruitment of community members for forums <ul style="list-style-type: none"> – Direct email to 1800 residents – Print advertisements Post & Western Suburbs Weekly – Feature article Town Talk Newsletter – Website/Facebook promotion

	A total of 28 Claremont residents attended the two x two hours forums
Online Survey	Developed & promoted in conjunction with the recruitment campaign.
Youth Forum	Students from Shenton College attended a 2 hour forum. 12 students aged between 12 and 16 attended
Councillor Forum	Attended by full Council
Community Scorecard	Survey sent to all Town of Claremont households, also available online. ~560 responses received (Attached)

Past Resolutions

Ordinary Council Meeting 9 June, 2013, Resolution 117/13

That Council adopts the Town's two key documents that form part of the Integrated Planning and Reporting Framework; as per the requirements under the Local Government Act 1995. That being:

- *Strategic Community Plan – 'Claremont Ahead 2023';*
- *Corporate Business Plan 2013-14 to 2016-17.*

*CARRIED BY AN ABSOLUTE MAJORITY
(NO DISSENT)*

Ordinary Council Meeting 19 March 2013, Resolution 48/13:

That Council approves the community consultation strategy for the Draft Strategic Community Plan – 'Claremont Ahead 2023'.

*CARRIED BY AN ABSOLUTE MAJORITY
(NO DISSENT)*

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

In August 2012; the Minister for Local Government introduced regulations which establish new requirements for the Plan for the Future under the *Local Government Act 1995*. Under these regulations, all local governments in Western Australia were required to have developed and adopt two key documents by 30 June 2013: a Strategic Community Plan and a Corporate Business Plan.

Communication / Consultation

For the review, a broad consultation strategy was implemented as outlined under 'Discussion' of this report. An overview of the feedback from each of the strategies is provided below.

Community Forums

Respondents were generally supportive of the five key areas of the SCP with most indicating that the priorities detailed were very important to important. Most

attendees appreciate the Town of Claremont as a place to live - the urban village feel of the town was important to maintain. Dominant themes discussed during the two community forums included; a desire to reduce traffic congestion, increase retail diversity, more responsive council staff and for population planning relevant to the current and future population.

Councillor Forum

Similar themes to those of the Community Forum were raised. Feedback from the forum also indicated that it was very important to;

- maintain clean, usable, attractive and accessible street scapes and public spaces
- a need for a traffic and parking strategy
- support new businesses
- maintain and enhance existing facilities
- identify strategic partnerships that align with the town's vision
- provide a high standard of governance, accountability, management & strategic planning

Youth Forum

The feedback from the Youth Forum indicated support for the Town's vision. Attendees felt the town had achieved its vision of being harmonious and cosmopolitan.

Feedback from the Youth Forum was similar to that of the Community forum with attendees expressing appreciation for the town as a place to live because of the proximity to amenities, cleanliness, well maintained public spaces, public art and Lake Claremont.

The negatives about living in Claremont raised in the Youth Forum included; Stirling Highway being loud and difficult to cross, parking during Royal Show, drug dealing near Hungry Jack's, slow broadband, homeless people, high cost of living and shopping.

Community Scorecard

The Community Scorecard provides all residents with the opportunity to provide feedback on services and facilities provided by the Town. The strengths, as indicated in the survey responses, include weekly waste collections, recycling services, Lake Claremont, playgrounds, parks and reserves.

Community priorities include; improvements to footpaths and cycleways, traffic and parking management, streetscapes, economic development and sustainability and how the Claremont town centre is being developed.

This feedback has resulted in minor modifications and improvements to the Strategic Community Plan, which in summary includes:

1. Modified Vision

Both the Community and Councillor Forum raised the need for the current vision to include mention of the environment. The following change (highlighted in bold) to the existing vision is;

Claremont will develop as a harmonious cosmopolitan town creating opportunities for community well-being, the environment and business prosperity; while respecting and celebrating the past.

2. Refinement of the Performance indicators.

3. Refinement of the Strategies.

4. Inclusion of a focus on sustainability, community safety and continuous improvement.

Please refer to the Attachment 1 Strategic Community Plan – Claremont Ahead 2027

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

This matter is urgent to ensure the Town meets the legislative requirement and deadline of 30 June 2017.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Wood, seconded Cr Mews

That

1. **Council adopts the Town's revised Draft Strategic Community Plan – Claremont Ahead 2027; and**
2. **Endorses the Draft Strategic Community Plan – Claremont Ahead 2027 for public advertising for two weeks in July.**

**CARRIED(93/17)
(NO DISSENT)**

13.1.2 LOT 90 FERN STREET, SWANBOURNE

File Ref:	LND/00115
Attachments:	OCM Minutes 20 April 2010 Scheme Amendment doc
Responsible Officer:	Stephen Goode Chief Executive Officer
Author:	Stephen Goode Chief Executive Officer
Proposed Meeting Date:	27 June 2017

Purpose

This report is to respond to the motion of Councillor Wood which was carried at the council meeting of 16 May 2017:

That a report with scheme amendment documentation be prepared for the rezoning of lot 90 Fern Street from Residential R20 to 'Local Reserves-Recreation' and submitted to Council before the end of June 2017.

Background

Lot 90 Fern Street is owned by the Town of Claremont in freehold. It is zoned Residential R20 under Town Planning Scheme No. 3 (TPS3) and is currently undeveloped vacant land.

Lot 90 comprises a total area of 685m². The land abuts Lot 89 to the east (developed as a single dwelling) and adjoins McKenzie Park to the north. The McKenzie Park is approximately 11,318m² (1.1318 hectares).

The future of Lot 90 Fern Street has been a matter of debate since about 2009 when a strategic asset review identified the Town's ownership of the land, its zoning and potential value at sale. In particular the residents in the immediate locality have strongly advocated that the land should be changed from residential to reserved parkland.

When Council considered the future of Lot 90 at its meeting of 20 April 2010 it resolved:

That

- 1. The Officer Recommendation not be adopted.*
- 2. Having considered the minutes of the Special Elector's Meeting of 30 March 2010, Council receive and acknowledge the resolution of the meeting.*
- 3. Taking into account Council's duty to represent the interests of the electors, ratepayers and residents of the district, Council maintain Lot 90 Fern Street on the Register of Assets as a freehold block zoned residential R20.*

Reason:

To allow the current amenity to remain while also protecting the interests of future ratepayers throughout the whole municipality by retaining flexibility in use of the land.

The minutes of that meeting are Attachment 1 and give a thorough background briefing about the matter.

Most recently the land was discussed in the report presenting Scheme Amendment No. 134 for final adoption to the Council meeting of 16 May 2017:

Lot 90 Fern Street

One of the submissions raised the question of Lot 90 Fern Street. Lot 90 is currently zoned 'Residential R20' and is owned in freehold by the Town. While no rezoning of this lot is currently proposed, it was considered in the initial report to Council, as follows:

Lot 90 Fern Street is owned by the Town in freehold. It appears that the land was acquired for the purpose of allowing a road connection through to Mitford Street however was ultimately not required for this, and the road was constructed under its present alignment to the immediate west. The land has been treated as public open space by local residents and contains a number of mature trees. The site is valued by members of the local community, many of whom have successfully sought to retain the site as vacant land when Council previously considered its sale.

The lot is 685m² in area and has a likely value of in the order of \$1m if sold on the open market (a formal valuation has not been sought).

Reserving this lot as 'Local Reserves - Recreation' would mean the lot will remain as parkland in the future. In determining whether to include this lot into the amendment, Council should consider the relative benefits to the community of retaining the land as is or selling it and using the proceeds to improve other facilities in the Town.

There may however be some potential for this land to be swapped with other State owned land. This would require detailed investigation and could be considered in the future should Council wish to pursue the application of a Local Open Space reservation on the land at another time.

Rezoning of Lot 90 could be incorporated into Amendment No. 134 as a modification (although readvertising would be required), however this is not recommended as the property has a significant role to play in the Town's long term financial management (as detailed above). If Council wishes to consider rezoning of this lot it should be done separately, fully taking into account these matters in a strategic manner.

Council did not incorporate rezoning of Lot 90 into the scheme amendment but at the same meeting did support the motion from Councillor Wood (which caused this report to be prepared).

Discussion

The issues to be considered by Council are:

- Local community
 - Traffic safety
-

- Environmental
- Wider community and financial

Local community

The local community has advocated for the reservation of Lot 90 Fern Street since becoming aware it is not parkland and may be sold for its zoned purpose. There is no doubt that the local residents have an attachment to the land in its present undeveloped state. Community representations have been on the basis that the land has been treated as parkland for a long time, is valued as such by the local residents and should be added to the adjacent McKenzie Bushland. It has been stated that some properties have been aligned or realigned to address Lot 90 (on the assumption it was and would remain parkland) and others advise that they use the land for passive recreation purposes.

The residents also submit that the development of the land would create issues for traffic safety and parking.

A Special Meeting of Electors was held on Tuesday 30 March 2010 at the Creswell Park Pavilion with discussion focused around two points:

- The sale of Lot 90 Fern Street
- A proposal to convert Lot 90 Fern Street to parkland.

Fifty five members of the public attended the meeting together with all (then) members of the Council. The meeting passed the following motion without dissent:

That Lot 90 Fern Street, Claremont be incorporated into the existing reserve commonly known as McKenzie Bush.

Traffic safety

In 2010 the Town engaged Klyne Consultants Pty Ltd to conduct a Road Safety Review to address the concerns that had been raised, in particular to identify any existing road environment features of the section of road that could be removed, or modified to improve the safety of the road.

No traffic safety issues were identified which would be created or worsened by residential development of Lot 90. The report made a number of recommendations and the following summarizes the response to those:

- The hump was upgraded to current Australian Standards in 2015 which included the required reflective pavement marking and the advance warning signs.
 - Sight lines are being maintained with the pruning of vegetation and trees as required.
 - Recommended speed signs for the corner are deemed not required as the speeds there are already low and self regulating.
 - Give way line marking at the intersection of Fern St and Mitford St as proposed in the report would not be supported by MRWA and is unnecessary.
 - The path is in good condition and to current Australian Standards. The width would not be increased to 2.5m unless the route was to be added to our bike network or at the time it is due for normal maintenance renewal. With the low speed and volumes, Fern St would qualify as a 'safe cycle road'.
-

- If the lot were to be sold a corner truncation of 6m x 6m would be required to ensure the required sight lines are maintained.
- Yellow No Stopping line marking could be installed around the 90 degree bend on the north side of Fern St to prevent cars parking there. It is not normally used for parking as common sense usually prevails but may be appropriate in this location.

A recent review of traffic numbers showed that there are no apparent issues with Fern Street compared to other similar local streets:

- Traffic volume in Fern St, near Lot 90: 760 vehicles per day in both directions.
- 85th percentile speed (85 percent of vehicles travel at or below) is: 33.5 km/h in one direction and 30.2 km/h in the other direction.
- Only one accident has been reported (side swipe with a parked car) during the last five years.

Adding one dwelling to the street is very unlikely to change the traffic situation in Fern Street.

Environmental

Ecoscape environmental consultants were engaged (as part of the work for the April 2010 report) to undertake a survey and assessment of the existing environmental values that are present at the McKenzie Bushland and Lot 90 Fern Street. The survey was especially to determine any environmental values present on Lot 90 Fern Street that may be lost if the land was no longer left as bush land.

The report found no substantive environmental values for the land which would be better described as parkland than bushland. The lack of under storey vegetation and the high visitation by local pets does not allow opportunity for the establishment of ground dwelling vertebrate fauna species. The report recognised the value provided through the existing tree species providing shelter and some feeding resources for bird species. Considered in the context of the adjoining bush land the report found that the loss of the trees on Lot 90 would not significantly reduce the environmental value of the McKenzie Bushland.

Wider community and financial

It would be reasonable to say that the land has been allowed to be used by the general public in the same way as the adjacent parks and reserves. This is probably true to a greater or lesser extent for privately owned land which remains undeveloped for any period of time. In itself that does not change the status of the land (i.e. its zoning and potential development is not changed or reduced by custom and practice where members of the public get used to having access to the land). The Town did not actively consider the assets it owned or how they should best be utilised and/or used as a community asset until about 2009. While recognizing the strong local community desire that the lot not be sold and should be set aside as a park, in its role as custodian of the community's assets, the Council is required to consider the issue in the context of the wider community, that is, to represent the interests of electors, ratepayers and residents of the district. While recognising the social value placed on the lot by the local community, Council should also take into consideration what the wider community may gain if the asset was sold and the funds were available to benefit the district.

The Town obtained two valuations (April 2009 and September 2009) ranging from \$975,000 to \$1,100,000 for Lot 90 Fern Street. No updated valuation has been commissioned but it appears reasonable to anticipate a sale price in the order of \$1million. Putting this into context:

- \$1million would increase the future fund by 15%
- Save \$83,000pa for the life of a loan of \$1million over 20 years
- Provide a substantial contribution to capital works projects like the Underground Power initiative or aquatic centre project, or
- Make a decent reduction from the Town's debt.

Town Planning Scheme Amendment

Lot 90 is currently zoned 'Residential' with an 'R20' coding under Town Planning Scheme No. 3 (TPS3). Resolution 73/17 required a report with scheme amendment documentation be prepared for the rezoning of Lot 90 Fern Street from Residential R20 to 'Local Reserves- Recreation'.

This report will constitute the starting point of the amendment process if supported by Council.

The process to rezone the land is summarised as:

- Report to Council to initiate an amendment to TPS3,
- Council resolves to initiate an amendment or not; pursuant to Section 75 of the Planning and Development Act 2005,
- Amendment documentation finalised and signed by CEO and Mayor,
- Amendment sent to Western Australian Planning Commission (WAPC) and Department of Environmental Protection (DEP),
- On clearance from DEP the amendment can be advertised,
- Submissions considered by Council through an officer report,
- Council resolves to support or not support submissions and to forward the amendment to the Minister for final approval (with or without modification) or refusal,
- Mayor and CEO sign final documentation and send to WAPC for recommendation to Minister (DoP under delegation of WAPC) to finally determine.

Lot 90 Fern Street comprises a total area of 685m². The lot abuts Lot 89 to the east which is zoned Residential (and developed as single dwelling) and adjoins McKenzie Park to the north. The McKenzie Park/bushland is approximately 11,318m² (1.1318 hectares).

An amendment to TPS3 to reserve Lot 90 as "Local Reserves – Recreation" will increase the reserved land in the area and effectively be an addition to McKenzie Park.

A small area of McKenzie Park (about 580m²) is used for car parking. It has been used for this purpose for more than 20 years. Initially this verge area was similar to a dirt car park. In or about 2008 Council approved installation of bollards to prevent cars parking inside the bushland and damaging the flora. The parking is heavily

used for participants at Cresswell Park, particularly on weekends. The area is maintained by the Town and there are no plans for bitumen surfacing of the area.

Other open space abutting McKenzie Park, or in close proximity, includes Creswell Oval (40,708m²) and MacLagan Park (7,466m²).

Attachment 2 is a Scheme Amendment template report which will require a small amount of further work to complete if Council resolves to initiate the rezoning process before being signed and submitted as per the above schedule.

Community engagement

Whilst the opinions of the community in the locality appear to have been well presented and understood the broader Claremont community is likely to have considerably less understanding about the issue and will be unlikely to have had the opportunity to consider what would be an acceptable outcome. As part of a scheme amendment process the proposal to rezone has to be advertised and submissions considered. The statutory consultation is relatively narrow being confined to advising of a proposal to rezone and seldom results in much public engagement for a proposal such as this.

Council might consider that a proposal to forgo a not insignificant financial benefit by changing a freehold residential block to reserved land, rather than selling the land, should be presented to the community with a balanced information process. This could, for example, be done during the lead up to the October elections and a vote on the proposal be conducted as part of the annual election arrangements. The benefit of such an approach would be that the entire Claremont community has a say in a decision which has an impact beyond the local area. This would be an approach similar to the one taken by the (then) Council when deciding the future of the Claremont Golf Course.

Past Resolutions

Ordinary Council Meeting 20 April 2010, Resolution 88/10:

That

- 1. The Officer Recommendation not be adopted*
- 2. Having considered the minutes of the Special Elector's Meeting of 30 March 2010, Council receive and acknowledge the resolution of the meeting.*
- 3. Taking into account Council's duty to represent the interests of the electors, ratepayers and residents of the district, Council maintain Lot 90 Fern Street on the Register of Assets as a freehold block zoned residential R20.*

Ordinary Council Meeting 17 November 2009, Resolution 340/09:

MOTION TO REFER BACK

That the Officer Recommendation be deferred until the second ordinary Council meeting in February 2010, by which time the administration will have presented Council with the Strategic Asset Review.

Financial and Staff Implications

Resource requirements to progress a scheme amendment are in accordance with existing budgetary allocation. If Council adopts other options they will be managed within approved budgets and staff resources.

There is potentially a significant revenue opportunity if Council decided to sell the lot. If the lot is upgraded as parkland or converted to bushland there may be initial costs together with ongoing operational costs. This has not been properly assessed.

If Council decides to conduct a consultation and with a poll on the proposal (e.g. at the annual election) there will be direct costs which will need to be provided for in the budget (estimate \$10,000).

Policy and Statutory Implications

Local Government Act 1995 section 5.28 – motions of meetings of electors must be considered by council but are not binding on Council.

Local Government Act 1995 section 1.3(3) - a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

Local Government Act 1995 section 2.10 – councillors must represent the interests of the electors, ratepayers and residents of the district.

Local Government Act 1995 section 3.58 and 3.59 – major land undertaking
Planning and Development Act 2005 Section 75 – scheme amendment.

Communication / Consultation

Dependent upon Council's decision certain statutory advertising will be required.

Council could undertake more extensive community engagement.

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.
- Maintain long term financial stability and growth.
- Provide responsive and responsible leadership.

Urgency

There is no known reason for urgency.

Voting Requirements

Simple majority decision of Council required.

Model resolutions

Option 1. Town Planning Scheme Amendment

That Council, in accordance with Section 75 of the *Planning and Development Act 2005*, amend Town Planning Scheme No. 3 as follows:

1. Amend the 'Residential' zoning of Lot 90 Fern Street, Claremont to 'Local Reserves- Recreation',
2. Amend the Scheme map accordingly, and
3. Authorise the amendment documentation to be finalised and signed by CEO and Mayor.

Alternative 2. Community consultation and poll

That

1. Council authorise a community awareness and consultation process in the lead up to the 2017 local government elections to explain the proposal for reserve of Lot 90 as Local Reserves – Recreation and the alternative of selling the land as a community asset.
2. A poll of all electors be arranged to be held in conjunction with the annual elections, and
3. The Council decision whether to reserve the lot or dispose of it as a residential block will be made on the basis of the majority vote in the poll.

Alternative 3. Status quo

That taking into account Council's duty to represent the interests of the electors, ratepayers and residents of the district, Council maintain Lot 90 Fern Street on the Register of Assets as a freehold block zoned Residential with an R20 density coding.

Moved Cr Tulloch, seconded Cr Main

That taking into account Council's duty to represent the interests of the electors, ratepayers and residents of the district, Council maintain Lot 90 Fern Street on the Register of Assets as a freehold block zoned Residential with an R20 density coding.

LOST

For the Motion: Cr Tulloch, Cr Goetze, Cr Main, and Cr Kelly.

Against the Motion: Mayor Barker and Cr Haynes, Cr Browne, Cr Mews, and Cr Wood.

ALTERNATIVE MOTION**Moved Cr Haynes, seconded Cr Wood****That Council, in accordance with Section 75 of the *Planning and Development Act 2005*, amend Town Planning Scheme No. 3 as follows:**

- 1. Amend the 'Residential' zoning of Lot 90 Fern Street, Claremont to 'Local Reserves- Recreation',**
- 2. Amend the Scheme map accordingly, and**
- 3. Authorise the amendment documentation to be finalised and signed by CEO and Mayor.**

**CARRIED(94/17)
(NO DISSENT)**

13.1.3 UNDERGROUND POWER – DECISION REQUIRED IF PROJECT IS TO PROCEED

File Ref:	EAT123
Attachments:	Underground Power Survey Underground Power Survey Results
Responsible Officer:	Stephen Goode Chief Executive Officer
Author:	Stephen Goode Chief Executive Officer
Proposed Meeting Date:	27 June 2017

Purpose

This report presents the outcomes from the consultation with property owners within the north and west precincts of the Town of Claremont (the UGP project area) for the proposed undergrounding of power. It also considers the options for implementing the projects and recommends how the project can be funded.

Background

Having been unsuccessful in successive applications to the State Government Underground Power Program (SUPP) for funding assistance to underground the power in the remaining areas of the Town, the Council resolved in February 2017 to examine the feasibility of the Town undertaking the project without external funding.

The Town engaged Western Power (WP) to provide a preliminary design and pricing to a plus or minus 10% certainty. At the 16 May 2017 OCM Council approved a community consultation process to gauge the level of support for the project from affected property owners.

WP has provided its cost estimate which has a deduction of more than \$1million (exact allowance not clear) included to recognise that there will be savings for WP from scheduled pole replacement. WP requires confirmation that the project is to proceed now; otherwise the pole replacement program will be commenced.

Discussion

Community survey

The Town has conducted a survey of affected property owners to determine the level of support for the undergrounding of power in the project area. (see *Attachment 1 'Survey document'*). The survey was posted to all owners on the rate roll, promoted through the print media, the Town's website and social media. The survey closed on 19 June and the results were:

- Total properties for survey 1124
 - This has been corrected to 1053*
 - Number returned approx 528 (50.1%)
 - Yes 80.1%
 - Instalments 368 yes to instalments (70%)
 - Most preferred 5 years (55%)
-

*Refer to Attachment 2 for the full report of the survey results. The total number of properties has been corrected to take out those such as Department of Housing, Town of Claremont and at least 40 which are managed by third parties. This resulted in a reduction to 1053 properties. The survey was closed off on Tuesday to allow postal delivery from the stipulated final day and as at time of finalising this report on Wednesday a further nine were received which continued the 80% yes trend; but these have not been included in the reported result.

The number of owners returning the survey reached the 50% return rate set by Council resolution 62/17 with the clear majority of those who have responded supporting the project proceeding.

There were some concerns raised during the consultation process. The most substantive was the concern at being asked to respond without enough details available. Unfortunately this was an unavoidable consequence of the need to proceed with the consultation ahead of having all the information available and before Council finalises decisions which would directly answer the questions. Questions were typically around some core issues:

- Will there be a discount for properties which have UGP?
- Is there a pensioner or senior rebate?
- Will there be an instalment option?
- Can the service charge be deferred?
- What if I sell the property before the service charge is paid fully?

All of these issues are considered in this report. It is impossible to judge if the return rate would have been any higher if the full range of information had been available.

Given that the return rate set by Council was achieved the remainder of the report assumes the project will proceed.

Project cost

The Western Power quote (plus or minus 10%) is \$9,918,410: Minus 10% would be \$8,926,569 and plus 10% \$10,910,251. The estimate has an allowance for the pole replacement program which will not be needed if UGP proceeds which means without that allowance the cost would be perhaps \$11.5million plus or minus 10%.

To allow this report to be prepared and for a basis for Council decisions the plus 10% cost has been used. There is also an allowance of \$200,000 for direct Town of Claremont costs.

WP indicates a 14 month project from the time of Council approval. This allows for the preliminaries for detailed design and documentation and tendering before work begins. WP is seeking a decision to proceed as soon as possible as the alternative will be for the pole replacement program to be started. The Town has indicated a decision in early July, after adoption of the 2017-18 budget.

Financing the capital cost

Funding for the project is to be from Town of Claremont and the local property owners; there is no external funding (other than the pole replacement saving built into the WP cost estimate).

On the basis that for the previous UGP projects the property owner contribution to the project cost was one third that has been used throughout as the intended cost for the service charge. The budget from this source is \$3.67million.

Council has 'saved up' for this project by establishing an UGP reserve. The resolved purpose of which is 'to provide for the undergrounding of power lines within the area of the town not undergrounded'. The funds available are \$3million.

The balance to be funded from municipal funds is \$4.5million.

An assessment of options for funding the \$4.5million was undertaken:

1. Fund from Future Fund Reserve (FFR - Balance now \$6,312,000)
 - 1A Funds not returned to reserve
 - 1B Annual 'repayment' to reserve (with or without a margin for interest).

The purpose of the FFR is 'to provide for the future planning and undertaking of capital and infrastructure works in the town'. It might therefore be argued that the reserve funds could be deployed for this project.

2. Fund by loan

- Treasury loan over 20 years, interest rate 4.2%
Loan at 4.2% will cost \$334,800pa
This loan could be funded by a rate increase of 2.42% (on current rate base).

An assessment of the case for loan fund vs using the reserve funds indicates that the use of loan funding is the best option. This is based upon:

- Interest expense for loan over 20 years is approximately \$2.2m
- Income forgone over 20 years if FFR funds are used is about \$3.3m (Assumes capital not used and interest compounds at 2.8%pa)
- The difference between earnings forgone and borrowing cost is \$1,100,000 positive – i.e. The FFR can earn more than the loan interest cost
- The principles agreed at the time of establishing the fund for utilising the FFR were to replace asset with asset (e.g. Reserve funds used to purchase 'Claremont Fresh')
- UGP is a discretionary capital work project and it does not acquire an asset for the Town therefore it should be funded from the municipal fund
- Such a loan requires a 2.42% increase on rates to cover the payments based on the 2017-18 rate base
- While this is considered to be possible in the proposed 2017-18 budget it is not necessary to raise this amount this year because the first loan repayment should be timed to fall in 2018-19
- Forward planning projections show significant increased rate capacity as developments mature.

Consideration of taking the loan funding option should take into account current debt and debt service.

Current Loans at 30 June 2017 total \$8,866,909.

- Loan 1 - Pool Refurbishment \$ 798,600(a one off – we now cash back a reserve for similar needs)
- Loan 2 - 331 Stirling Hwy \$5,500,000 (investment property, rent covers loan)
- Loan 3 – CCH \$928,800 (needed to restore the building and provided new library and community centre)
- Loan 4 – Number One Claremont \$1,639,500 (savings on rent at 319 plus income from SMH lease cover payments).

As a percentage of rate revenue the Town's debt service costs are-

2016-17 Total loans \$8,866,900: Debt service \$480,678: 3.39% of rates

2017-18 with UGP loan \$13,366,900: Debt service \$815,478; 5.75% of rates (debt service does not actually increase until 2018-19 due to timing of loan draw down).

The loan option is the recommended funding solution.

Project area property owners

The overall contribution required from property owners is one third of project cost:

- \$3.7 million
- 1124 properties
- Predominantly residential
- <30 non residential
- Some properties have UGP inside their land.

Owners pay the contribution to cost through a service charge. An UGP Service Charge is specifically provided for in the Local Government Act and is levied by s6.38 of LGA at time of adopting budget. The service charge cannot be levied at another time although the actual service charge accounts can be sent out at a time of the Town's choosing.

Alternatives for setting the service charge were considered:

1. Flat rate / everybody pays the same
2. Flat rate but with discount allowed for properties with (internal) UGP
3. Differential between property types.

The differential charge option was discarded as being too complicated and arbitrary in assessing the different level of charge. There are a small number of non-residential properties and this makes it a complicating factor for little reason. It is considered that a discount should be allowed for those properties which have UGP within the property because this will result in a project cost saving when WP completes detailed design and costing.

The recommended service charge per property is:

- General \$3500
- UGP property \$3150.

The service charge is levied against all rateable property in the project area whether single residential, multi residential, commercial, industrial or other.

Instalments

Council can offer an instalment plan. Returns from the survey indicated most people would prefer a 5 year term although about 40% indicated shorter term options. The survey indicates 70% of respondents might take up an instalment plan but it remains difficult to predict the level of take up for an instalment option and a flexible funding pool is needed to respond to how many chose the option.

The instalment option has been developed on these assumptions:

- Modelled on 5 years/quarterly payments (i.e. 20 payments, although extra payments can be made to pay the charge sooner at the owner's discretion)
- There is a direct cost for administering instalments and this is covered by the interest charge
- Assuming 45% request instalments ToC has to finance \$1.65M up front (this could be significantly less or more – at 70% it would be over \$2.5million)
 - It is proposed the pre-funding comes from the FFR
 - As instalments are paid all funds go back to FFR
 - Charge 4%pa for outstanding balance, payable quarterly and on outstanding balance only. The interest rate is calculated on the interest which could otherwise be earned from investment plus cost of administration.

The service charges are not municipal rates and an instalment option should not be complicated by allowing any outstanding amount to be apportioned between seller and buyer at the time of a sale. Experience of other local governments has been that this is a grey area in terms of the law and causes conflict that can draw the Town into a dispute. If an instalment option is offered it should be on the basis the service charge outstanding balance is to be paid in full by the owner before a property is sold.

A simple agreement will be prepared as the basis for instalment arrangements and the conditions will be clearly articulated.

Pensioners and seniors

Pensioners and seniors are eligible for rebates under the *Rates and Charges (Rebates and Deferrals) Act 1992*. The State Government is yet to determine rebates and caps for this year. There is an existing cap on the rebate for a senior which limits the amount to \$228.70. There is no cap for pensioners at the moment but it may be imposed in the next State Budget on a similar basis for municipal rates, being \$750. On this basis the situation for pensioners and seniors would be:

- Pensioners eligible for a rebate up to 50% but which is likely to be capped at \$750 (e.g. \$3500 - \$750 = \$2750)
- To be eligible must pay non rebated amount in full by 30 June in the year charged (i.e. 30/6/2018)
- Therefore cannot use instalment option.
- Seniors eligible for rebate capped at \$228.70 (e.g. \$3500 - \$228 = \$3272)
- Must pay non rebated amount in full by 30 June in the year charged (i.e. 30/6/2018)

- Cannot use instalment option if claiming rebate.

Pensioners, but not seniors, may defer payment of the service charge in the same manner that rates can be deferred. If deferred Council carries the outstanding amount as a debtor and receives an interest payment from the State until the debt is paid. It is difficult to predict take up of option although the deferral of rates is very minimal.

Past Resolutions

Ordinary Council Meeting 16 May 2017, Resolution 62/17:

That Council, in consulting with its residents regarding underground power, accepts a minimum of a 50% return rate of those consulted, with a minimum of 50% of those people prepared to pay as a baseline for progressing with the project.

Ordinary Council Meeting 7 February 2017, Resolution 10/17:

That

- 1. The Chief Executive Officer as a matter of priority prepare a report for Council to consider a standalone project to complete underground power for the remainder of the Town, and*
- 2. Council approves an unbudgeted allocation of \$150,000 from the Underground Power Reserve Fund to allow the CEO to obtain a detailed design and cost estimate.*

The financial implications are outlined throughout this report.

A small contingency of \$200,000 is included in the budget to provide for direct costs such as project management and dispute resolution both of which experience indicates will be needed. Previous UGP projects require considerable officer time for overseeing the project, resolving community issues, keeping information flowing and dispute resolution.

Policy and Statutory Implications

Policy LV102 Underground Power

Policy LG524 Community Consultation

Local Government Act 1995

Rates and Charges (Rebates and Deferrals) Act 1992

Communication / Consultation

An extensive consultation and communication process has been undertaken.

When Council decides whether or not to proceed further communication should be undertaken to ensure interested stakeholders know the Council decisions and other details affecting them. It is proposed that this further consultation should include a number of 'open day' opportunities where members of the public can attend to hear a briefing about the project and its implementation as well as ask questions to fill information gaps.

If the project proceeds a communication plan will be developed to ensure regular information sharing with stakeholders.

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.
- Maintain long term financial stability and growth.
- Provide responsive and responsible leadership.

Urgency

The project must be included within the 2017-18 budget if it is to proceed at this time. This includes making provision for:

- Loan funds
- Making the service charge
- Utilising reserve funds
- New loan repayments
- The project expenditure.

Western Power requires a commitment as soon as possible so the pole replacement program can commence if the UGP project is not undertaken.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Haynes, seconded Cr Mews

1. **THAT having considered the responses to the survey of property owners of the project area Council believes;**
 - 1.1 **that that the rate of return for the survey has achieved at least 50% with an 80% response in favour of the project, and**
 - 1.2 **there is a sufficient basis of support on which to proceed with the project to provide underground power to the remaining areas of Town of Claremont.**
2. **THAT the Budget for the project be set as \$11.12million on the basis of the plus 10% estimate by Western Power plus an allowance of \$200,000 for direct Town of Claremont costs.**
3. **THAT project funding be from:**
 - **Underground Power Reserve \$3million**
 - **Loan funded over 20 years \$4.5million**
 - **One third from service charge on all property within the project area, being \$3.7million.**

4. **THAT Council adopt a flat service charge with 10% discount for properties which already have internal UGP:**
 - **Base charge \$3500**
 - **Discount charge \$3150.**
5. **THAT an instalment arrangement be permitted on the following general parameters:**
 - **20 quarterly payment over 5 years**
 - **4% interest charged quarterly on outstanding balance with no administration fee for each instalment**
 - **Fund Instalment Option from Future Fund Reserve**
 - **Quarterly instalments to reimburse Future Fund Reserve**
 - **A simple form of agreement be prepared for all instalment arrangements which is to include the provision that service charges must be paid in full by the current property owner before a property is sold.**
6. **THAT the draft 2017-2018 Budget be amended as required to provide for this resolution to be implemented.**

**CARRIED(95/17)
(NO DISSENT)**

13.1.4 QUEENSLEA DRIVE STIRLING HIGHWAY INTERSECTION REVIEW

File Ref: RDS/00234
Responsible Officer: Saba Kirupanather
Executive Manager Infrastructure
Author: Marty Symmons
Engineering Technical Officer
Proposed Meeting Date: 27 June 2017

Purpose

Review the configuration of the Queenslea Drive and Stirling Highway intersection to improve the safety of facilities for cyclists and pedestrians by providing dedicated cycle facilities and by reinforcing the red left turn arrow.

Background

The Queenslea Drive and Stirling Highway intersection was recently upgraded. One of the reasons for the upgrade was to improve the crossing for pedestrians.

Since the upgrade was completed, a Councillor motion was moved at the OCM on 16 May 2017, for the Town to prepare a report regarding the above items.

One is to improve the intersection further by creating a space for cyclists to stand in front of the vehicles at the Queenslea Drive signals.

It has also been observed that cars are sometimes running a red light when the through movement is green but the left turn movement is red and pedestrians are crossing over Stirling Highway on the west side (with the green light for pedestrians). The Councillor motion also included to reinforce the red arrow to lessen the frequency of this happening.

A proposal has been made by the Christ Church Grammar School (CCGS) and supported by both the Children's Crossing and Road Safety Committee and Main Roads WA (MRWA) for the installation of a warden controlled type 'A' crossing on Queenslea Drive. A number of the local residents are against this proposal and have petitioned the Council requesting it be rejected.

Council is currently considering this installation on a trial basis.

Discussion

The current intersection signal, sign and line marking configuration at Queenslea Drive and Stirling Highway is a standard design employed by MRWA in many locations across the Perth metro area.

When MRWA were asked to review the intersection in light of the red left turn arrow being run, the response received was that this is a standard configuration which is proven to work well and need not be changed.

Since the Councillor motion was moved the Town's technical officers have conducted an assessment of the intersection and have concluded that although the signals, sign and line marking design is standard, the geometric layout of the intersection is not.

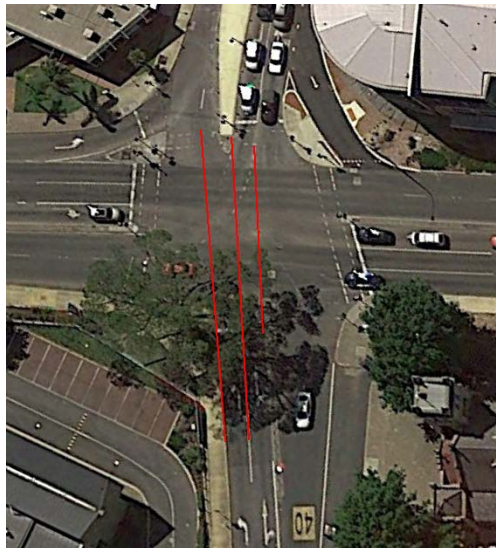
The layout is such that the southern Queenslea Drive leg of the intersection is offset to the east when compared to the north Stirling Road leg of the intersection.

The result of this is that where normally drivers waiting to turn left are opposite the signals with the left turn arrow, in this location the left turn lane is opposite the through right turn arrow and the left turn arrow is much further to the drivers left than normal.

*Example of a similar layout at the Eric Street Stirling Highway intersection
Red lines indicate the continuation of kerb and line marking direction.*



*Queenslea Drive and Stirling Highway layout
Red lines indicate the continuation of kerb and line marking direction.*



As the pictures illustrate the result is that the signal pole which has the left turn arrow is approximately 9m to the west of what would be normal elsewhere. The signal pole which has a through movement and right turn arrow is directly opposite the driver waiting to turn left.

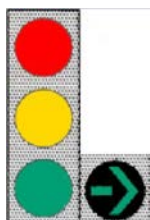


If a driver waiting to turn left from Queenslea Drive is momentarily distracted when the through movement turns green, it is likely they will look forward and see the through movements green signal on the opposite median and start to turn left not seeing that there is a red left arrow illuminated on the second pole to the left.

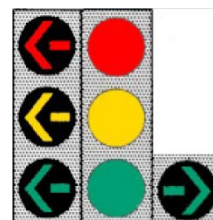
The Councillor motion recommended the installation of a sign advising drivers to ‘watch for left filter’. It is unlikely that the sign would be effective. It is even more unlikely that MRWA would approve such a sign.

A solution which may be approved by MRWA would be the replacement of the existing signals on the centre median, removing the through/ right signal head and replacing with a left/ through/ right.

Existing lantern configuration



Proposed signal configuration



This would address this issue and reinforce the status of the left turn.

Both the sign option and the signal replacement option can be followed up with MRWA.

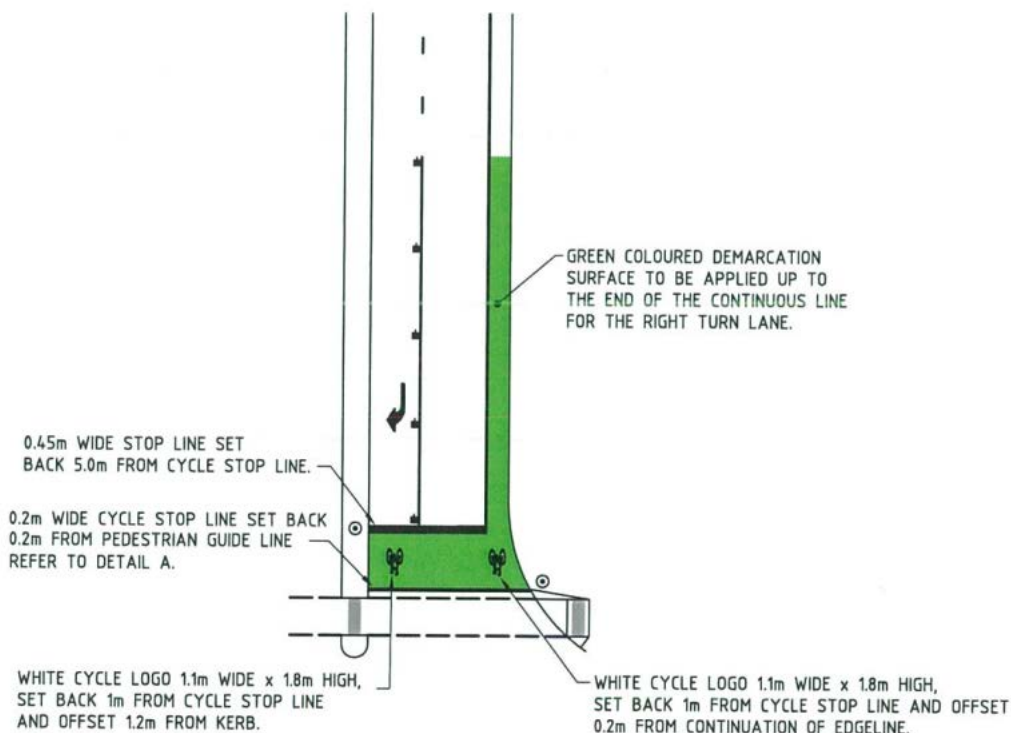
To better accommodate cyclists at the intersection MRWA have a few standard design options for the installation of cyclist advance stop zones.

Unfortunately these all require the inclusion of on road cycle lanes at the approach to the intersection, as it is unsafe for cyclists to try and squeeze past waiting vehicles to get to the cyclist advanced stop zone if no dedicated lane is provided.

The inclusion of advance cyclist facilities is likely to encourage overtaking by cyclists when a signal is red, increasing the likelihood of accidents.

A cyclist may be moving past a vehicle in a narrow space and the driver is unaware they have approached and are trying to pass them. The signal changes to green and the vehicle starts moving, wiping the cyclist out.

Typical Cyclist Advance Stop standard drawing



CYCLIST ADVANCE STOP LINE DETAIL
FOR APPROACHES WITHOUT
CORNER ISLANDS
 N.T.S.

On the approach to Stirling Highway the Queenslea Drive lane widths are already at absolute minimum design widths so there is no room to accommodate on road bike lanes.

This means any proposal put to MRWA would likely not be approved.

We can still request MRWA assess the location to see if an advance stop area could be considered here without approach cycle lanes as a one off case.

In recent meetings with the Children’s Crossing and Road safety Committee and with Main Roads WA, we were advised that any planned changes or improvements made to the intersection of Stirling Highway and Queenslea Drive would not remove or negate the support for, or recommendation that a type ‘A’ crossing be installed on Queenslea Drive.

This is because the warrant for the requirement of a warden controlled school crossing is based solely on the vehicle and pedestrian numbers using a road. If the volumes are there then the crossing will always be supported unless a vehicle pedestrian separated alternative is provided (underpass, etc.).

Past Resolutions

Ordinary Council Meeting 16 May 2017, Resolution 72/17: Motion to prepare a report to facilitate the modification of the Queenslea Drive and Stirling Hwy intersection.

Moved Cr Mews, seconded Cr Browne

Location: Traffic light stop at South West Cnr Stirling Hwy and Queenslea Drive.

That

The Town of Claremont prepare a report to facilitate the following:

- a) Paint green, a portion of the road at Queenslea Drive a distance of one car length back from the pedestrian crossing white lines in both lanes.*
- b) Paint a Stylised bicycle in White over the green and a separate stylised child between the white lines on the pedestrian section.*
- c) Put a sign "watch for left filter" or similar wording on the left hand traffic light post.*

Reasons.

- 1. Ensure optimum safety for pedestrians crossing Queenslea Dr and for cyclists waiting at the lights to cross or turn left into Stirling Hwy.*
- 2. Allow motorists to be able to see the traffic light signals at the Queenslea Drive side.[SW corner]*
- 3. To allow a separate buffer space for CCGS and MLC students, cyclists and pedestrians from the vehicles stopped at the intersection.*
- 4. To eliminate the need for a Type 'A' crosswalk opposite 10 Queenslea Dr.*

*CARRIED
(NO DISSENT)*

Financial and Staff Implications

Initial correspondence with Main Roads WA and design investigation can be conducted as normal administrative costs.

If an option is approved in principal, at that time a report detailing likely costs of works will be provided to Council along with design details.

Policy and Statutory Implications

Australian Standards
MRWA standards and guidelines

Communication / Consultation

Consult with Main Roads WA requesting preliminary approval of intersection modifications.

Strategic Community Plan

Liveability

Maintain and upgrade infrastructure for seamless day to day usage.

Environment

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

Urgency

N/A

Voting Requirements

Simple majority decision of Council required.

Moved Cr Mews, seconded Cr Haynes

That Council consults with Main Roads WA requesting the replacement of a signal head on the north side of Stirling Highway Queenslea Drive intersection from through/right to left/through/right, to help prevent ongoing running of the red left turn arrow. And to request the consideration of a Cyclist Advance Stop area on the Queenslea Drive approach to the intersection.

AMENDMENT**Moved Cr Kelly, seconded Cr Main**

That the following be added to the recommendation-

To also examine the possibility of an on road cycle lane in Stirling Road to the subway.

Reason: To improve the safety for all with the intermingling of motor vehicles and cyclists.

**CARRIED(96/17)
(NO DISSENT)**

THE AMENDED PRIMARY MOTION WAS PUT

That

- 1. Council consults with Main Roads WA requesting the replacement of a signal head on the north side of Stirling Highway Queenslea Drive intersection from through/right to left/through/right, to help prevent ongoing running of the red left turn arrow. And to request the consideration of a Cyclist Advance Stop area on the Queenslea Drive approach to the intersection.**
- 2. Also examine the possibility of an on road cycle lane in Stirling Road to the subway.**

**CARRIED
(NO DISSENT)**

13.2 PLANNING AND DEVELOPMENT

13.2.1 LOT 6 (5) WOOD STREET, SWANBOURNE - HOME OCCUPATION (PSYCHOLOGIST)

File Ref:	A-4429/2017.00043
Attachments - public:	Location And Submission Plan Photograph Applicant's Comments
Attachments – restricted	Plans Submissions
Responsible Officer:	David Vinicombe Executive Manager Planning and Development
Author:	John Humphreys Manager Planning
Proposed Meeting Date:	27 June 2017
Date Prepared:	14 June 2017
Planning Application No.:	DA 2017.00043
60 Days Due Date:	N/A
Property Owner:	L & M Hawkins
Submitted By:	L Hawkins
Lot No.:	6
Area of Lot:	1295m²
Zoning:	Residential R15/20
Financial Implications:	Nil
Enabling Legislation:	<i>Planning and Development Act 2005 (PDA)</i> Town Planning Scheme 3 (TPS3)

Summary

- Application for development approval received for a Home Occupation (Psychologist).
- Seven neighbours were consulted and four objections were received.
- Objections relate to inappropriateness of psychology practice in residential area, increased traffic and parking in street, precedent for proliferation of similar uses and security risk from the type of clients attending the premises.
- Application is recommended for approval, subject to relevant conditions.

Purpose

The application proposes a Home Occupation (Psychologist) on the subject site. The application requires the Council's determination due to neighbour objections.

Background

The following table outlines key dates regarding this proposal:

Date	Item/Outcome
29 March 2017	Development Application received by Council.
5 April 2017	Application undergoes internal DCU assessment.
20 April 2017	Advertising commenced.
4 May 2017	Advertising closed.
19 May 2017	Applicant advises of change in operating times.
24 May 2017	Re -advertising commenced.
6 June 2017	Applicant requested to cease conducting home occupation until Council determines application.
9 June 2017	Advertising closed.
14 June 2017	Report prepared for Council.

Past Resolutions

There are no past Council resolutions relevant to this application.

Heritage

The property is listed on the Town's Schedule of Heritage Places. As such the application was referred to the Town's Heritage who advises of no objections to the proposal as there are no alterations to the heritage fabric proposed.

Consultation

The application was advertised in accordance with Local Planning Policy LG525 – Advertising of Planning Applications.

Seven neighbours were consulted and four submissions objecting to the application were received. The issues raised include:

1. Consulting room for a psychologist not appropriate in a residential area.
2. Increase in traffic and parking in Wood Street.
3. A precedent will be set for more consulting rooms in Wood Street.
4. Security risk from the type of clients attending the premises.

These matters are addressed in detail in the Discussion section below.

Submissions Received		
Submission 1	Applicant Comment	Officer Comment
Does not favour the establishment of a professional consulting office due to increased visitor numbers creating traffic congestion. May set precedent where Wood Street would become like West Perth.	A minimum 2 car bays are allocated on-site.	With only one practitioner and one client at a time with 15 minute changeover times there would be no traffic or parking issues. Each case is determined on its merits and there is no evidence to suggest that there will be a proliferation of this type of home occupation.
Submission 2	Applicant Comment	Officer Comment
Wood Street is a residential street and the business should be located in a		TPS3 makes provision for home occupations to be able to locate in residential zones.

<p>commercial area.</p> <p>Wood Street suffers from a heavy demand for kerb-side parking both residents and trades people. The proposal would increase street parking as the available on-site parking is not adequate and will deter clients from parking on-site.</p> <p>Potential security risk from the type of clients attending premises.</p>	<p>Clients are high functioning, local residents.</p>	<p>With only one practitioner and one client at a time with 15 minute changeover times there would be no traffic or parking issues.</p> <p>Not a valid planning issue for consideration.</p>
<p>Submission 3</p>	<p>Applicant Comment</p>	<p>Officer Comment</p>
<p>Area should remain strictly residential and would not support any activity that fundamentally changes the residential nature of the street and community.</p> <p>Provided low key and limited to one day per week, no objection.</p>		<p>TPS3 makes provision for home occupations to be able to locate in residential zones and there is no evidence to suggest that the nature of residential areas will be changed with a psychologist operating from home.</p> <p>Slight change proposed with an increase to one and a half days per week, maintaining a low key status.</p>
<p>Submission 4</p>	<p>Applicant Comment</p>	<p>Officer Comment</p>
<p>Objects to two psychologists practising from the residence which would increase parking in the street.</p> <p>Not an appropriate use in residential area.</p>		<p>Applicants advise that only one practitioner (being the owner) will operate from the premises.</p> <p>With only one practitioner and one client at a time with 15 minute changeover times there would be no traffic or parking issues.</p> <p>TPS3 makes provision for home occupations to be able to locate in residential zones and there is no evidence to suggest that the nature of residential areas will be changed with a psychologist operating from home.</p>

Full copies of the submissions are attached to this report.

Discussion

Description

The application involves the conversion of a front room of a heritage dwelling for the purpose of conducting a home occupation (psychology practice). The application initially proposed that the psychologist (owner) would consult one day per week on a Friday seeing six patients over the course of the day. This proposal was advertised to neighbours in accordance with Council Policy attracting three submissions, two of which objected to the application. One of the objectors subsequently withdrew their objection.

During the advertising period it was drawn to the Town’s attention that the psychology practice was already operating from the residence and a check of the web page for the applicant’s practice in Mount Lawley indicated that a second

psychologist was also using the residence on an additional day (Wednesday) to see patients. The applicant was contacted pointing out that firstly she was operating without an approval and secondly that the premises was being used in a manner different to that applied for. An amended proposal was received requesting approval for consulting on a Wednesday and Friday, the hours being as follows:

Wednesday 8:30am – 12:30pm (4hrs)

Friday 8:30 am – 4:30 pm (7hrs - 1 hr lunch)

The applicant also advised that there is 15 minutes between appointments so that the likelihood of two cars being at the residence at the same time is minimised and the clients are advised to park in the car spaces on-site. It should be noted that no mention was made regarding the additional psychologist that was operating from the residence; however when questioned the applicant verbally advised that the additional psychologist would no longer be practising from the residence.

The amended proposal was readvertised to neighbours attracting four submissions of objection. In view of the nature of objections received the applicant was requested to cease operating from the residence until such time as the application is determined by Council. The applicant was also provided with a copy of the submissions inviting them to comment, as well as requesting them to clarify exactly their intent with the operations of the home occupation.

The applicant subsequently clarified that the owner of the house will be the sole practitioner and the operating times will be:

- Wednesday 3 clients, 1 hour sessions, 8:30am – 11:30am
- Friday 6 clients, 1 hour sessions, 8:30 am – 3:30 pm

A copy of the applicant's submissions are attached.

Permissibility of Use

Home Occupation is an 'AA' use under the Land Use Table 1 of TPS3.

'AA' means that the land shall not be used for the purpose indicated but the Council may approve of the use of land for that purpose if that use:

- will provide a local service to other land in the locality; or*
- is consistent with the general use of land in that locality and the Council is satisfied that the use, and the activities to be carried on which are connected with, or incidental to that use; and any building to be erected on the land will not have any adverse or detrimental effect on the residents or amenity of or the properties in the locality.*

The proposed use is considered to meet these criteria for the following reasons:

- Customers (clients) are likely to live in or around Claremont.
- Home Occupations of the professional consulting type have operated within the Town for many years without having adverse or detrimental effects on residents or amenity of properties in the locality.

Clause 15 of TPS3 states:

- (1) If a Home Occupation is being carried on and the Council is of the opinion that use is causing a nuisance or annoyance to neighbours or owners or occupiers on the land in the neighbourhood or is otherwise having an adverse effect on*

the residents or amenities of or property in the neighbourhood, the Council may rescind the permission granted by it for that use and thereafter a person shall not use the land for a Home Occupation unless further permission to do so is subsequently granted by the Council.

- (2) Where the Council grants permission for the use of land for a Home Occupation, the Council may limit the time for which that permission remains valid. When that time has expired a person shall not use that land for a Home Occupation unless further permission to do so is subsequently granted by the Council.*
- (3) A person to whom permission to use land for a Home Occupation has been granted shall not carry on that Home Occupation at any premises other than those specified in that approval.*
- (4) Council shall only grant approval for a Home Occupation where:
 - (i) the Home Occupation does not occupy a greater area than 20m²;*
 - (ii) the Home Occupation does not entail the employment of any person not a member of the occupier family except where the Home Occupation is carried on by a professional person;*
 - (iii) Council is satisfied that adequate onsite parking is available; and*
 - (iv) it is agreed with the occupier that no advertisement exceeding 0.185m² in superficial area will be erected.**

Objections

Four submissions objecting to the application have been received and are summarised with officer comments as follows:

1. Consulting room for a psychologist not appropriate in a residential area.

TPS3 makes provision for home occupations to be able to locate in the Residential zone provided the home occupation complies with cl. 15(4) of TPS3. In this instance the proposed home occupation meets the criteria and as such there is no evidence to suggest that the nature of residential areas will be changed with a psychologist operating from home.

2. Increase in traffic and parking in Wood Street.

With only one practitioner and 15 minute changeover times the likelihood of two cars being at the residence at the same time is minimised. The subject land has adequate on-site parking to accommodate the required number of cars and the applicant advises that clients are advised to park on-site.

As the home occupation has already been operating comments have been received from objectors stating that patients are parking in the street.

It would be difficult to confirm if the vehicles may in actual fact belong to members of the family or friends attending the property who have a right, like anyone else, to park in the street. Notwithstanding, if parking becomes problematic, Council may rescind any approval granted.

3. A precedent will be set for more consulting rooms in Wood Street.

Each application is determined on its merits and there is no evidence to suggest that there will be a proliferation of this type of home occupation throughout the area.

4. *Security risk from the type of clients attending the premises.*

Even though the applicant states that the clients are high functioning, local residents this is not a valid planning issue for consideration.

Despite the concerns of the neighbours and the suspicion that the applicant may expand the practice into a fully fledged psychology practice, the operation of a single practitioner fits within the TPS3 Home Occupation guidelines. A condition of approval should state that only one practitioner may operate from the premises at any one time and within the hours stipulated by the applicant.

Clause 15(1) of TPS3 provides comfort in the fact that if the home occupation has an adverse impact on the amenity of the neighbours and locality, the Council may rescind the approval.

Conclusion

Based on the above, it is recommended that approval be granted subject to the conditions in the officer's recommendation.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Goetze, seconded Cr Main

THAT Council grant planning approval for a proposed Home Occupation (Psychologist) at Lot 6 (5) Wood Street, Swanbourne, subject to the following conditions and advice notes:

1. **All development shall occur in accordance with the approved drawings (Development Application DA2017.00043), as amended by these conditions.**
2. **The home occupation is not to occupy an area greater than 20m².**
3. **Only one practitioner operating from the premises at any one time and only during the following times:
Wednesday 8:30am – 11:30am
Friday 8:30 am – 3:30 pm**
4. **Any signage is not to exceed 0.185m² in area.**
5. **The home occupation is to be conducted in such a manner that it does not cause a nuisance or annoyance to neighbours or otherwise have an adverse affect on the amenity of the area to the satisfaction of the Town of Claremont.**
6. **No parking for the purposes of the Home Occupation is permitted on the verge or street other than for set-down/pick-up.**

Advice Notes:

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant or owner is aggrieved by this determination there is right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 Days of the determination.

AMENDMENT

Moved Cr Goetze, seconded Cr Main

That condition 7 be added

- 7. No group consultation sessions involving more than two people or one family, to be conducted on site.**

Reason: To ensure that the parking requirements are adhered to.

Mr Goode left the Chambers at 8:34 PM.

Mr Goode returned to the Chambers at 8:37 PM.

CARRIED(97/17)

For the Motion: Cr Tulloch, Cr Haynes, Cr Goetze, Cr Main, and Cr Kelly.

Against the Motion: Mayor Barker and Cr Mews, Cr Wood, and Cr Browne.

AMENDMENT

Moved Cr Haynes, seconded Cr Tulloch

That a condition be included that this approval is limited to a period of two years.

Reason: To ensure confidence that the application is temporary.

**CARRIED(98/17)
(NO DISSENT)**

THE AMENDED PRIMARY MOTION WAS PUT

THAT Council grant planning approval for a proposed Home Occupation (Psychologist) at Lot 6 (5) Wood Street, Swanbourne, subject to the following conditions and advice notes:

- 1. All development shall occur in accordance with the approved drawings (Development Application DA2017.00043), as amended by these conditions.**
- 2. The home occupation is not to occupy an area greater than 20m².**
- 3. Only one practitioner operating from the premises at any one time and only during the following times:**
Wednesday 8:30am – 11:30am
Friday 8:30 am – 3:30 pm
- 4. Any signage is not to exceed 0.185m² in area.**

5. The home occupation is to be conducted in such a manner that it does not cause a nuisance or annoyance to neighbours or otherwise have an adverse affect on the amenity of the area to the satisfaction of the Town of Claremont.
6. No parking for the purposes of the Home Occupation is permitted on the verge or street other than for set-down/pick-up.
7. No group consultation sessions involving more than two people or one family, to be conducted on site.
8. This approval is limited to a period of two years.

Advice Notes:

- Note 1:** If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.
- Note 2:** Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- Note 3:** If an applicant or owner is aggrieved by this determination there is right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 Days of the determination.

Mr Kirupanather left the Chambers at 8:48PM.

Mr Kirupanather returned to the Chambers at 8:50PM.

CARRIED(99/17)

For the Motion: Cr Tulloch, Cr Haynes, Cr Goetze, Cr Main, and Cr Kelly.

Against the Motion: Mayor Barker and Cr Browne, Cr Mews, and Cr Wood.

13.2.2 DRAFT LOCH STREET STATION PRECINCT STRUCTURE PLAN

File Ref:	LND/00081
Attachments – Restricted:	Draft Loch Street Station Precinct Structure Plan
Responsible Officer:	David Vinicombe Executive Manager Planning and Development
Author:	David Vinicombe Executive Manager Planning and Development
Proposed Meeting Date:	27 June 2017
Enabling Legislation:	<i>Planning and Development Act 2005 (PDA)</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regs)</i> Housing Capacity Study 2013 Residential Design Codes (RDC) Town Planning Scheme No. 3 (TPS3)

Purpose

For Council to consider the Draft Loch Street Station Precinct Structure Plan for the purpose of public consultation. The Structure Plan, once approved by the Western Australian Planning Commission (WAPC) will form the basis of amendments to TPS3, and the creation/review of supporting Local Planning Policies to guide the development in the locality.

Summary

- Council's Housing Capacity Study (2013) made a number of recommendations to guide residential development in the Town inclusive of retaining existing density codings to protect housing form with exception of strategic property; and to study the potential for increased density within 400m of Loch Street Station with a potential R20/R40 split coding.
 - Planning Context prepared a Draft Study into Planning for Increased Residential Density within the Loch Street TOD in June 2015.
 - In October 2016, Council considered an application for the Housing Authority to develop 25 three storey multiple dwellings at 11 Ashton Avenue. The application was considered premature and it was recommended that the WAPC refuse the proposal.
 - The WAPC resolved on 13 December 2016 to defer a decision until 30 June 2017 to allow comprehensive planning and public consultation in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regs)* of a Structure Plan.
 - The WAPC has since advised that the Structure Plan should be submitted for approval by no later than 13 October, 2017.
 - This report is presented to Council for consideration prior to formal consultation for a period of 28 days in accordance with the LPS Regs.
 - The Structure Plan is a high level strategic document which proposes to balance the existing built form with increased densities to encourage
-

redevelopment of the area, improve facilities by redevelopment of the shops and maintain services in the locality such as the Railway Station.

- If approved, the Structure Plan will inform amendments to TPS3, new and revised Local Planning Policies (including Design Guidelines) and Local Development Plans (LDP) to guide development in the locality.

Past Resolutions

In November 2012, Council adopted the Housing Capacity Study to identify constraints and opportunities relating to the housing targets including Directions 2031 (and beyond) and the Draft Central Metropolitan Perth Sub-Regional Strategy.

Ordinary Council Meeting 20 November 2012, Resolution No. 221/12 includes the following pertinent extracts:

That Council resolve as follows:

1. *To adopt the Draft Housing Capacity Study 2012 for the Town of Claremont for inclusion in the review of the Town of Claremont's Local Planning Strategy 2010 – 2025, Clearly Claremont.*
2. *The Town of Claremont work toward implementing the 12 recommendations contained in the Housing Capacity Study 2012 as follows:*
 - 2.5 *Council seek to maintain at least the current level of family suitable detached housing and maintain low density areas of Claremont (R20 and R30 Codings) with the only exceptions being the considering of the rezoning of land around railway stations for medium density development and other strategically placed redevelopments.*
 - 2.10 *Council:*
 - *Undertake a study of the potential for rezoning of the land within 400m of the Loch Street Station with a potential R20/R40 spilt coding as part of its considerations in the Minister for Planning's Section 76 direction for the Town to initiate an amendment to Town Planning Scheme 3 to provide for R80 development on Lots 4, 22 and 25 Guger Street, Lot 26 Loch Street and Lot 20 College Road.*
 - *Develop policies and guidelines in order to protect the amenity of existing and future development; and*
 - 2.11 *Council notes that the Royal Agricultural Society Showgrounds could at some stage potentially accommodate a greater diversity of uses including residential development and agree that any future development of Showgrounds for uses not related to its current Parks and Recreation purposes should only be considered following the preparation and endorsement of an agreed Master Plan covering the long term development of the land. The Master Plan would be the basis for considering any proposals to rezone all or part of the Showgrounds.*

Ordinary Council Meeting 18 October 2016, Resolution No. 163/126 includes the following pertinent extracts with regard to the proposed Housing Authority application at Lot 200 (11) Ashton Avenue:

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 the Western Australian Planning Commission refuse to grant development approval for a proposed 25 three storey multiple dwellings at Lot 200 (11) Ashton Avenue, Claremont.*

Background

State Government Direction

The State Government has prepared a number of strategies to promote a balance between urban growth on the fringe and consolidation within the existing urban fabric of the metropolitan area. In recent times a number of strategic directional documents have been prepared, inclusive of Directions 2031 (and Beyond), Draft Central Metropolitan Perth Sub-Regional Strategy (CMPSS), Directions 2031 (and Beyond) - 2014 Report Card and Perth & Peel @ 3.5 Million (draft). The expectation is that local government (Town of Claremont included) will take positive action to support this direction and it is likely that the government will require changes to any proposals where they are not seen to be supporting these growth strategies.

Most recently, Perth & Peel @ 3.5 Million (draft) proposes that the Town to accommodate 1300 additional dwellings in the Town by 2050. This target appears to include the Directions 2031 Report Card target of 760 dwellings, but is less than the original target of 2200 contained in the Directions 2031 and Beyond / CMPSS proposals.

Discussions with the Department of Planning officers when finalising the Housing Strategy for the Town indicated that the base (before Directions 2031 / CMPSS) calculation included 630 dwellings in the NEP. It is envisaged that with increased development yields (22-25%) at the North East Precinct (NEP), up to 1000 dwellings will be accommodated within that development alone (370 dwellings more than the base 630 dwellings). It is therefore estimated that the revised future growth target for the Town of 1300, will consist of 370 in the NEP and 930 elsewhere.

The future growth targets for the Town will be achieved at the NEP and along Stirling Highway in accordance with proposals contained in the Stirling Highway Local Development Plan (LDP - adopted by Council on 5 July 2016) and other strategic locations such as surrounding Swanbourne Station.

Draft Study into Planning for Increased Residential Density within the Loch Street TOD

The initial draft Study dated June 2015 proposed an LDP for the study area. The Study was not formally published for public comment as its contents were not fully

fleshed out and ready for public consideration. A preliminary assessment indicated a lack of significant potential redevelopment sites within the study area, however a number of “hot spots” were identified as key sites for potential redevelopment. These included the Ashton Avenue shopping strip, the Housing Authority site, the Local Reserves – Recreation site at the intersection of Judge and Ashton Avenues (owned by the Royal Agricultural Society - RAS), the RAS Showgrounds and the existing R80 Special Zone adjacent the intersection of Guger Street and Loch Street. The preparation of an LDP requires WAPC approval. The WAPC directive to elevate the plan into a Structure Plan has effectively superseded the LDP proposal. As the Structure Plan is to be approved by the WAPC, a more concentrated density coding spread was required than initially contemplated.

Consultation

The Draft Loch Street Station Precinct Structure Plan is to be advertised for public comment in accordance with the LPS Regs for a maximum period of 28 days. Advertising will include written notification to all affected landowners/residents, publishing a notice in the Public Notices section of the Post newspaper and on the Town’s website, requesting comments up until 28 July 2017.

Discussion

Draft Loch Street Station Precinct Structure Plan

The objectives of the Draft Structure Plan are to:

- Identify land development opportunities and constraints for higher density development.
- Identify existing key potential sites for redevelopment that are of significance together with land that may have potential for future consolidation and redevelopment.
- Present models of how development could best be accommodated for varying lot parcels.
- Demonstrate how the proposed density development concept could be implemented through the Town of Claremont’s local planning tools and mechanisms.

The planning imperatives for the Structure Plan are to:

- Assist the Town in achieving its residential density targets of 1300 additional dwellings (already catered for in the NEP and along Stirling Highway - plus Swanbourne Station).
- Provide opportunity for urban renewal, improvement of facilities in the precinct and ensure retention of Loch Street Railway Station.

A number of opportunities and constraints have been identified in the Draft Structure Plan:

- Protect most of the existing R25 housing stock north of the railway line.
- Encourage redevelopment of the shopping strip and higher density development at the “urban scale” (up to 3-4 storeys) either side of Ashton Avenue “mini” activity corridor.
- Take advantage of larger vacant sites and older housing stock to encourage higher density redevelopment closer to the railway station.
- Recognise the 132kv power line setback along the eastern side of Ashton Avenue.
- Formalising the Local Reserves – Recreation status of Mofflin Park under TPS3.
- Recognising the proposed RAS Management Plan as being subject to separate approval processes, together with the promotion of mixed use residential development and informal open spaces/town squares on the RAS Ashton Avenue Street frontage to improve integration of the RAS land with the Structure Plan area.
- Acknowledge the RAS land ownership of Local Reserves – Recreation land in the Ashton Triangle Sub-precinct and rationalise open space and road closures to create a key development site.
- Acknowledge the R80 Special Zone site adjacent the intersection of Loch and Guger Streets and infill surrounding lots along Guger Street with an R80 coding with shared access points or rear laneway access.
- Promote higher level corner lot developments at the intersections of Loch and Chancellor Streets with Guger Street.

The Draft Structure Plan Map proposes a range of increased densities focussing on lots closer to the Loch Street Railway Station in Ashton Avenue, Mofflin Avenue, Judge Avenue, Guger Street, Loch Street, Chancellor Street and Melville Street. The existing built form of the bulk of the R25 area north of the railway line is proposed to be retained and protected. The Structure Plan Map also recognises the 132kv power line setback along Ashton Avenue and key sites where LDPS are required.

Building heights are largely restricted to three storeys along the major redevelopment sites, with exceptions being mixed use sites at four storeys (to encourage redevelopment of shops and residential development on RAS land), key development sites with heights up to five or six storeys, and retention of large areas of two storey height restrictions.

Using the proposed density and height restrictions, built form modelling has been developed to determine development yields. Sub-precincts 1 and 2 primarily provide for continuation of existing development form and are estimated to yield 200 dwellings. The remaining Sub-precincts are expected to yield 681 new apartments.

The increase in development yield is considered imperative to encourage redevelopment of the existing shops and assist in ensuring the maintenance of the Loch Street Railway Station.

The development yields are also important to ensure that the current infrastructure servicing capacity of the area is maintained and not extended. Any additional servicing requirements would place pressure on the current infrastructure and require preparation of a Development Contribution Plan to facilitate cost sharing.

With regard to traffic impacts, current proposals to upgrade the Ashton Avenue Railway Bridge are acknowledged in the Plan

Financial and Staff Implications

The Loch Street Station Precinct Structure Plan will provide a strategic direction for Council to consider amendments to TPS3 together with Local Planning Policies (new and reviewed) to guide development through Design Guidelines and Local Development Plans for specific development sites. While the detailed amendment and associated LDP and Local Planning Policies, together with consideration of development applications which may result will require considerable staff resourcing, larger development applications will ultimately be determined by the Metropolitan West Joint Development Assessment Panel on recommendation from and behalf of Council. Once land has been developed, the final yield will assist Council's rates revenue and the development of community facilities for the betterment of all residents in the Town and the surrounding localities.

Policy and Statutory Implications

Parts 4 of Schedule 2 in the LPS Regs identify procedures for the preparation and adoption of Structure Plans.

A Structure Plan may be prepared if the WAPC considers it is required for the purposes of orderly and proper planning and requires final approval from the WAPC. A Structure Plan is required to set out the key attributes and constraints of an area (including topographic features), the planning context for the area, major land uses and zonings/reserves proposed, estimates of the future number of lots in the area, population impacts coordination of transport and infrastructure services and staging of development.

Following WAPC approval of the Structure Plan, the Town is able to amend its current Town Planning Scheme under section 75 of the *Planning and Development Act 2005*. Scheme amendments are required to be undertaken in accordance with the LPS Regs. The LPS Regs replace the previous *Town Planning Regulations 1967*.

A Local Planning Policy must be adopted in accordance with Part 2 of Schedule 2 of the LPS Regs, which includes provisions that override Council's previous requirements under TPS3 cl.82.

An LDP must be adopted in accordance with Part 6 of Schedule 2 of the LPS Regs.

Urgency

The WAPC has deferred consideration of the Housing Authority application to allow the Town to prepare and advertise the Draft Structure Plan in accordance the LPS Regs. The allocated timeline for the preparation of the Draft Structure Plan has been tight and an unexpected financial burden on the Town. Elected Members were briefed on the proposals contained in the Draft Structure Plan on 14 June 2017 with the view of progressing to public consultation, however given a number of Members were absent from the briefing, it was considered appropriate to refer the Draft proposal to Council for consideration prior to advertising. It is noted that due to the urgency in progressing this matter to consultation, changes to the Draft Structure Plan would be difficult to achieve at this point. Should Council have any reservations over the Draft Structure Plan, it would be best to advise of these as part of the Council resolution below, in order to allow consultation to commence.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Tulloch, seconded Cr Main**THAT Council:**

- a) **Advertise for public comment the Draft Loch Street Station Precinct Structure Plan for a period of 28 days pursuant to Part 4, clause 18 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
- b) **On conclusion of public consultation, any submissions are to be referred to Council for consideration together with any proposed modifications to the Draft Loch Street Station Precinct Structure Plan to address the comments made.**

Cr Mews left the Chambers at 8:55 PM.

Mr Humphreys left the meeting at 8:56 PM.

Cr Mews returned to the Chambers at 8:57 PM.

**CARRIED(100/17)
(NO DISSENT)**

13.3 CORPORATE AND GOVERNANCE

Items 13.3.1 to 13.3.2 were carried en bloc.

13.3.1 LIST OF PAYMENTS 1 TO 31 MAY 2017

File Ref: FIM/00062-02

Attachments: [Schedule of Payments May 2017](#)
[NAB Purchase Card Statement April 2017](#)
[NAB Purchase Card Statement May 2017](#)

Responsible Officer: Les Crichton
 Executive Manager Corporate and Governance

Author: Edwin Kwan
 Senior Finance Officer
 Fiona Li
 Finance Officer

Proposed Meeting Date: 27 June 2017

Purpose

For Council to note the payments made in May 2017.

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 required to present a list to Council of those payments made since the last list was submitted.

Discussion

Attached is the list of all accounts paid totalling \$1,776,436.27 during the month of May 2017.

The attached schedule covers:

• Municipal Funds electronic funds transfers (EFT)	\$	1,097,577.12
• Municipal Fund vouchers (39522-39527)	\$	13,475.04
• Municipal Fund direct debits	\$	611,285.57
• Trust Fund electronic funds transfer (EFT)	\$	54,098.54
• 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 16 May 2017, Resolution 68/17:

That Council notes all payments made for March 2017 totalling \$1,018,481.72 comprising;

<i>Municipal Funds electronic funds transfers (EFT)</i>	\$	632,947.51
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<i>Municipal Fund vouchers (39519-39521)</i>	\$	508.12
<i>Municipal Fund direct debits</i>	\$	358,248.81
<i>Trust Fund electronic funds transfer (EFT)</i>	\$	26,777.28
<i>Trust Fund vouchers</i>	\$	0.00

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 Goetze

That Council notes all payments made for May 2017 totalling \$1,776,436.27 comprising;

Municipal Funds electronic funds transfers (EFT)	\$	1,097,577.12
Municipal Fund vouchers (39522-39527)	\$	13,475.04
Municipal Fund direct debits	\$	611,285.57
Trust Fund electronic funds transfer (EFT)	\$	54,098.54
Trust Fund vouchers	\$	0.00

CARRIED(101/17)
(NO DISSENT)

13.3.2 BODY WORN CAMERAS

File Ref:	COM/00032
Attachments:	Body Worn Camera Policy PE407 Guidelines and Procedures for the use of Body Worn Cameras
Responsible Officer:	Les Crichton Executive Manager Corporate and Governance
Author:	Lisa Squiers Community Ranger
Proposed Meeting Date:	27 June 2017

Purpose

The report recommends Council adopt the use of Body Worn Cameras (BWC) by the Town's Rangers and Parking Officers and the Body Worn Camera Policy PE407 and supporting work procedures to guide the use of the devices and any recordings produced.

Background

As the name suggests, Body Worn Camera (BWC) technology are cameras worn on the body which record both vision and sound. Over the past few years the use of BWC's has assisted those wearing them verify events which may have otherwise relied their word or in more formal circumstances, provision of an affidavit. A common example of this use of recording devices within the public arena includes the fitting of 'dash cams' by people in their cars for use as evidence if they are involved in an accident or witness an offence while driving.

A number of organisations, state agencies and local governments are currently using BWC technology to improve both security and staff capacity to collect evidence of offending and possible prosecution. The use and recording provided through BWC provide a positive tool for gathering factual evidence. The evidence has also been used to defend action against the agency.

Use of BWC's also assists in decreasing the level of aggressive confrontation with the public during enquiries and the investigation stage. During testing of the BWC's of the Town, officers reported once the public were advised that their conversations were being recorded, their demeanour often moved from adversarial to a more positive and conciliatory approach.

Equally, recordings from BWC's provide opportunity for review of officers' customer service levels and, in the same way businesses record phone interactions with their customers, provide greater training and development opportunity through use of real examples.

Discussion

It is proposed that BWC's be provided to parking and ranger officers to;

- assist them to record and store information and evidence as required in the performance of their duties,
-

- provide an additional level of safety while in the field, and
- monitor customer service performance to guide officer training/development.

To guide the use of this equipment, the draft policy Body Worn Camera PE407 is submitted for adoption. Supporting workplace procedures has also been developed which set out the operating procedures governing the use, recording and storage of BWC vision and sound.

The use of BWC is covered by the *Surveillance Devices Act 1998 (Act)*. An officer acting on behalf of the Town may use a listening device or optical surveillance device to record a private conversation or activity with the Town's consent and there are reasonable grounds for believing that the use of the listing or optical surveillance device (BWC) is in the public interest.

A *surveillance device* means a listening device, an optical surveillance device or a tracking device. The *Act* goes further to define a listening device as any instrument, apparatus, equipment or other device capable of being used to record, monitor or listen to a conversation or words spoken in a private conversation. An optical surveillance device means any instrument, apparatus, equipment or other device capable of being used to record visually or observe a private activity.

In order to comply with sections 5 and 6 of the *Act*, an officer using video recording or voice recording devices must ensure that those devices are not used to record any 'private conversations' or 'private activities' without the consent of the parties to those conversations or activities. A private conversation or a private activity is, in effect, a conversation or an activity which the parties involved would reasonably expect not to be observed or overheard by a person who was not a party to that activity or conversation. For example, if an activity can be viewed from the street or another public place, then that activity is unlikely to be a private activity. However, an activity carried out within a private residence, is a private activity.

Almost all conversations will constitute private conversations for the purposes of the *Act* and therefore officers will not be permitted to record those conversations without the knowledge or consent of the parties involved in the conversations.

Legal advice has also been sought to confirm the Town's authority to use BWCs (and dash (vehicle) cameras. The advice confirms it is legal for the Town to use BWC in a variety of circumstances, provided that no private conversations or private activities are recorded without knowledge or consent, and the Officers must use discretion as to when and how the recording devices are to be used. The use of mobile vehicle surveillance (dash camera) devices are considered to mainly apply in the public realm and therefore considered to be compliant with the *Act*.

Past Resolutions

Nil.

Financial and Staff Implications

An amount of \$12,000 for the initial purchase of 6 BWC and software licences has been included for Council consideration in the draft 2017-18 Budget.

Policy and Statutory Implications

The Town's officers will operate the apparatus in accordance with the Town's Body Worn Camera Policy PE407 and Body Worn Camera Operating Guidelines and Protocol.

All recordings from BWC will be managed and secured in accordance with current standard operating procedures, policy and legislative requirements. Body Worn Camera vision is subject to *the Freedom of Information Act 1992 and Evidence Act 1906*. BWC recorded vision and recordings are subject to the *State Records Act 2000* and the Town's Records Management Policy LG518.

- Records Management Policy LG518
- Body Worn Camera Policy PE407
- *State Records Act 2000*
- *Freedom of Information Act 1992*
- *Surveillance Devices Act 1998*
- *Evidence Act 1906*

Communication / Consultation

It is proposed the implementation of BWC's by the Town will publicised through:

- Town Talk article;
- Claremont Now Network;
- Press release through Local Newspapers; and
- Town's webpage.

Strategic Community Plan

People

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

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

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.
- Create an environment to support and develop our staff.

Urgency

The Town's Rangers and Parking Officers can be placed in difficult situations at times when dealing with the public and BWC's will provide both an evidentiary tool and greater sense of security when undertaking their role.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Haynes, seconded Cr Goetze

That Council

- 1. Adopts the Body Worn Camera Policy PE407; and**
- 2. Endorses the use of Body Worn Cameras and Mobile Surveillance devices (Dash Camera technology) by the Town's Officers.**

**CARRIED(101/17)
(NO DISSENT)**

14 ANNOUNCEMENTS BY THE PRESIDING PERSON

Mayor Barker reported on his attendance at the National General Assembly in Canberra.

Cr Mews left the Chambers at 9:05PM.

Cr Mews returned to the Chambers at 9:07PM.

MOTION OF APPRECIATION

Moved Cr Kelly, seconded Cr Goetze

That Council convey its appreciation to Stephen Goode for his contribution to the Town during his time as Chief Executive Officer.

**CARRIED
(NO DISSENT)**

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

NIL

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

NIL

17 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**MOTION TO CLOSE DOORS**

Moved Cr Haynes, seconded Cr Goetze

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 aspects of the Act being applicable to these matters:

(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(102/17)
(NO DISSENT)**

Mayor Barker adjourned the meeting at 9:23PM.

Mayor Barker reconvened the meeting at 9:23PM.

ATTENDANCE

Mayor Barker

Cr Chris Mews

South Ward

Cr Jill Goetze

South Ward

Cr Paul Kelly

South Ward

Cr Karen Wood

West Ward

Cr Peter Browne

West Ward

Cr Bruce Haynes

East Ward

Cr Alastair Tulloch

East Ward

Cr Kate Main

East Ward

Mr Stephen Goode (Chief Executive Officer)

Ms Liz Ledger (Deputy Chief Executive Officer)

Mr Les Crichton (Executive Manager Corporate and Governance)

Mr Saba Kirupanather (Executive Manager Infrastructure)

Ms Cathy Bohdan (Executive Manager People and Places)

Ms Katie Bovell (Governance Officer)

17.1 CORPORATE AND GOVERNANCE**17.1.1 ANZAC COTTAGE**

File Ref: COP/000145
Responsible Officer: Les Crichton
Executive Manager Corporate and Governance
Author: Peter Scasserra
Coordinator Property and Leasing
Proposed Meeting Date: 27 June 2017

Purpose

It is proposed that the following item be considered in closed session.

OFFICER RECOMMENDATION

Moved Cr Kelly, seconded Cr Haynes

THE AMENDED PRIMARY MOTION WAS PUT**That Council**

1. Offer the lease of Anzac Cottage to the current tenant at the weekly rental of \$275.00 under a fixed term agreement for a twelve month period.
2. Review the management authority at the conclusion of the management period to assess whether the lease should be managed in house.
3. Request a report from the CEO to consider the proper purpose of the Anzac Cottage and future arrangements for its use.

**CARRIED BY AN ABSOLUTE MAJORITY(104/17)
(NO DISSENT)**

17.2 INFRASTRUCTURE**17.2.1 CLEANING OF COUNCIL BUILDINGS TENDER 2016-08**

File Ref: COP/00161

Attachments: [Compliance Assessment Table](#)
[Compliance Assessment Graph](#)
[Price Assessment](#)

Responsible Officer: Saba Kirupanather
Executive Manager Infrastructure

Author: Nick King
Manager Engineering Services

Proposed Meeting Date: 27 June 2017

Purpose

It is proposed that the following item be considered in closed session.

OFFICER RECOMMENDATION

Moved Cr Wood, seconded Cr Kelly

That

1. Council accepts the Tender submitted by OCE Corporate Cleaning for the Cleaning of Council Buildings for a two year period, with the option of two one year extensions at the Officer's discretion, taking the maximum contract period to four years in accordance with the statement or requirements as specified in Tender 2016-08 at the respective submitted schedule of rates.
2. This report and attachment remains confidential in accordance with statutory requirements.

CARRIED(105/17)
(NO DISSENT)

MOTION TO OPEN DOORS**Moved Cr Haynes, seconded Cr Wood****That the doors be opened.****CARRIED(106/17)
(NO DISSENT)***The doors opened at 9:39PM.***ATTENDANCE****Mayor Barker****Cr Chris Mews****South Ward****Cr Jill Goetze****South Ward****Cr Paul Kelly****South Ward****Cr Karen Wood****West Ward****Cr Peter Browne****West Ward****Cr Bruce Haynes****East Ward****Cr Alastair Tulloch****East Ward****Cr Kate Main****East Ward****Mr Stephen Goode (Chief Executive Officer)****Ms Liz Ledger (Deputy Chief Executive Officer)****Mr Les Crichton (Executive Manager Corporate and Governance)****Mr Saba Kirupanather (Executive Manager Infrastructure)****Mr David Vinicombe (Executive Manager Planning and Development)****Ms Cathy Bohdan (Executive Manager People and Places)****Ms Katie Bovell (Governance Officer)****THE MAYOR READ ALOUD THE RESOLUTION MADE BEHIND CLOSED DOORS.**

18 FUTURE MEETINGS OF COUNCIL

Ordinary Council Meeting, 4 July 2017, at 7:00PM.

19 DECLARATION OF CLOSURE OF MEETING

There being no further business, the presiding member declared the meeting closed at 9:40pm.

Confirmed this day of 2017.

PRESIDING MEMBER