



TOWN OF CLAREMONT

ORDINARY COUNCIL MEETING

MINUTES

TUESDAY 6 SEPTEMBER, 2016

Liz Ledger

ACTING 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
6 SEPTEMBER, 2016
MINUTES

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

His Worship the Mayor, Mr Jock Barker, welcomed members of the public, staff and Councillors and declared the meeting open at 7:00PM.

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

ATTENDANCE

Mayor Barker

Cr Peter Browne

West Ward

Cr Karen Wood

West Ward

Cr Peter Edwards

West Ward

Cr Chris Mews

South Ward

Cr Jill Goetze

South Ward

Cr Paul Kelly

South Ward

Cr Bruce Haynes

East Ward

Cr Kate Main

East Ward

Ms Liz Ledger (Acting Chief Executive Officer)

Mr Les Crichton (Executive Manager Corporate and Governance)

Mr Saba Kirupanather (Executive Manager Infrastructure)

Mr David Vinicombe (Executive Manager Planning and Development)

Ms Katie Bovell (Governance Officer)

Thirty two members of the public

Two members of the press

APOLOGIES

Cr Alastair Tulloch (Apology)

Mr Stephen Goode (Apology)

3 DISCLOSURE OF INTERESTS

NIL

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

NIL

5 PUBLIC QUESTION TIME

**Mr Gary Bailey, 37 Motteram Avenue, Claremont.
Development Application at corner of Ashton Avenue Mofflin Avenue,
Claremont.**

Question one

Does Council agree with the proposed development on Ashton Avenue and Mofflin Avenue?

Question two

Does Council plan to work for the local residents and fight the development on behalf of the residents that oppose it?

Question three

Can you put residents at ease that future developments will not take place on the vacant land at the top of Ashton Avenue near the railway bridge and on Mofflin Park?

Answer

The Mayor was unable to provide a response to questions one, two and three as a report has not yet been presented for Council's consideration.

Question four

Will the rezoning of the area allow other sites to become multi dwelling residential buildings?

Answer

The Mayor responded that this decision is made by WAPC, and that Council provide a recommendation to WAPC.

**Ms Karen Kerr, 20 Mofflin Avenue, Claremont.
Development Application at corner of Ashton Avenue Mofflin Avenue,
Claremont.**

Question one

Why is this prime land not open to proposals from land companies for development?

Answer

The land is privately owned by the Housing Authority. As a public authority, the proposal is a public work which is exempt from the local planning scheme requirements. Private companies do have to comply with the scheme, whereas the Housing Authority does not.

Question two

Should the above mentioned proposal go ahead, is this likely to lead to further high rise development in surrounding areas e.g. Mofflin Park?

Answer

The Council's 2013 Housing Capacity Study included a recommendation which seeks to review the residential density codings within 400m of the Loch Street Station. A Study on this matter is in its draft form and requires considerable work to be finalised before being presented to Council for consideration, consultation and adoption as a Local Development Plan. This application is not planned to impact the progression of this study. Any proposal to increase residential densities or change land use in the study area which result from the Local Development Plan will require an amendment to the local town planning scheme, which will also undergo extensive public consultation.

Question three

What is the exact meaning of Mixed Residential Housing?

Answer

In this context, the term refers to a mixture of housing types – 5 studios, 5 one bed/bathroom, 10 two bed/one bathroom and 5 two bed/two bathroom apartments.

Ms Laura Raiter, 16 Cliff Way, Claremont.

Re: Item 13.2.1, Cliff Way Partial Road Closure at Brae Road and Cliff Road.

Question

Why can't Cliff Way be closed from Brae Road for two hours a day between 8am and 9am and 2pm and 3pm?

Answer

The Town referred this matter to Main Roads WA who refused it as it may lead to confusion, illegal entry and is difficult to enforce.

6 PUBLIC STATEMENT TIME

Mr John Ahern, 7 Corry Lynn Road, Claremont.

Re: Item 13.2.1, Cliff Way Partial Road Closure at Brae Road and Cliff Road.

Mr Ahern spoke against the proposed road closure.

Ms Vandra Leigh, 8 Cliff Road, Claremont.

Re: Item 13.2.1, Cliff Way Partial Road Closure at Brae Road and Cliff Road.

Ms Leigh spoke against the proposed road closure.

Ms Alice Thomas, 10 Cliff Road, Claremont.

Re: Item 13.2.1, Cliff Way Partial Road Closure at Brae Road and Cliff Road.

Ms Thomas spoke against the proposed road closure.

Mr Peter Treleaven, 7 Corry Lynn Road, Claremont.

Re: Item 13.2.1, Cliff Way Partial Road Closure at Brae Road and Cliff Road.

Mr Treleaven spoke against the proposed road closure.

7 APPLICATIONS FOR LEAVE OF ABSENCE

NIL

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 16 August 2016 be confirmed.

**CARRIED(136/16)
(NO DISSENT)**

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

17.1.1, Sale of Property to Clear Rates.

11 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

NIL

12 REPORTS OF COMMITTEES

NIL

13 REPORTS OF THE CEO**13.1 CORPORATE AND GOVERNANCE****13.1.1 REVIEW OF RESERVE ACCOUNTS**

File Ref: FIM/00052
Responsible Officer: Les Crichton
 Executive Manager Corporate and Governance
Author: Hitesh Hans
 Manager Finance
Proposed Meeting Date: 6 September 2016

Purpose

The report provides summary of a review of Council's current Reserve Accounts and recommends changes to the title and/or purpose to some to clarify intent of the reserve.

Background

Reserve Accounts are typically created as long-term savings plans for a future major expenditure, which cannot be managed within a single budgetary year, but may also be required for other purposes. Reserve funds negate or minimise the need for loan borrowings for such expenditures and are a tool that facilitates sound financial management practice; they form part of a prudent financial model.

Current Reserve Accounts held by Council are;

Name	Purpose	Actual Balance 30 June 2016 (\$)	Budgeted Balance 30 June 2017 (\$)
Aged Transport Subsidy	Account to receive proceeds from sale of Aged Community Bus and to provide a subsidy to the TAPPS regional service for aged patrons transport.	12,149	12,501
Plant	Provide for the replacement of major items of heavy plant.	75,958	78,150
Golf Course Land	Account for the receipt of the sale of an easement on the golf Course land to Western Power and to provide assistance for the future development of the Lake Claremont Golf Course.	69,739	1,759

Parking	Provide for the purchase of land for car parking in accordance with Clause 33(2) of TPS3.	917,421	730,143
Public Art	Assist with the programmed purchase and development of Public Art assets throughout the Town.	59,417	81,123
Future Fund	Receive proceeds of Lakeway Subdivision sales and to provide for the future planning and undertaking of capital and infrastructure works in the Town.	6,884,549	6,269,283
Claremont Joint Venture	Fund major infrastructure construction within CBD.	883,740	841,240
Pool Upgrade	Fund major maintenance of the Claremont Pool.	469,594	263,179
Claremont Now	Fund promotion and publicity of Claremont CBD.	118,142	120,478
Administration Building	Account for receipt of insurance settlement for fire to Administration Centre in 2010 and to fund the construction of new Administration Office	248,821	4,126
Underground Power	Provide for the undergrounding of power lines within the balance of the Town not already serviced with underground power.	2,587,428	3,159,533
Bore Replacement	Used for the replacement of Park bores.	22,409	43,058

Following a review of the operation of the Reserve Accounts, it is recommended that changes to the following reserves be made;

Aged Transport Subsidy Reserve - minor change to purpose

Golf Course Land Reserve– minor change to name and purpose

Parking Reserve – change of name and minor change of purpose; and creation of second reserve account

Claremont Joint Venture Reserve – minor change to purpose

Administration Building Reserve – change of name and purpose.

Discussion

A review of Council's Reserve Accounts has been completed to align and clarify, where necessary, the intent of each reserve. It is recommended public notice be given of the following changes to Council's reserve accounts.

Aged Transport Subsidy Reserve

The reserve was created following sale of the Town's community bus used for transport of the aged.

It is proposed the purpose remove reference to the source of funding, reflect the change in name from The Aged Persons Support Services Inc. (TAPSS) to Shine Community Services, and refers only to its use, being 'Provide a subsidy to the Shine Community Service regional service for aged patrons transport.'

Golf Course Land Reserve

The reserve was created following excise and sale of a small portion of land within the golf course required by Western Power.

It is proposed the name be amended to Golf Course Reserve to reflect its broader purpose around the development of the golf course (and not land as suggested by the title). It is recommended the purpose remove reference to the source of the funding and refer only to its use, to read 'Provide for the future major maintenance to the Lake Claremont Golf Course'.

As detailed in the above table, the projected balance at the end of the financial year 2016-17 will be small. A further report will be presented at the time to consider retention or closure of this account.

Parking Reserve

The purpose of the current Parking Reserve is to 'provide for the purchase of land for car parking in accordance with Clause 33(2). More specifically this relates to Clause 33(2) of the Town Planning Scheme (TPS) which states that;

'Any amount paid to the Council under this Clause shall be held by the Council in a Cash-in-Lieu Reserve Fund and shall be applied by the Council:

- a. in providing car parking spaces or car parking facilities capable of serving the needs of the development in respect of which the payment was made and in the locality of that development;
- b. to the acquisition of land and the construction of buildings for the purpose referred to in paragraph (a) of this sub-clause.'

The TPS provides further comment on car parking location as 'sufficiently close to the development' and does not restrict, or limit by distance, the application or use of the Cash-in-Lieu Reserve to specific areas e.g. Town Centre.

Equally, previous legal advice sought on the use of the reserve as conditioned confirmed car parking facilities included ancillary infrastructure such as paths/lighting to car parks, and way-finding signage.

While the Town Planning Scheme requires cash-in-lieu funds to be held in a reserve, there is nothing that states other funds cannot go into the same reserve, or that funds cannot be expended appropriately. It is a matter of keeping track and using the funds appropriately.

However to remove any ambiguity, it is proposed the Parking Reserve be renamed 'Cash-in-Lieu Reserve' with the purpose retained, and a new 'Parking Reserve' be created with the purpose 'Provide for the purchase, upgrade or renewal of parking infrastructure'.

Currently, other than \$300,000, all other funds in the current Parking Reserve are proceeds of Clause 33(2) of the TPS and it is proposed these be retained within the renamed Cash-in-Lieu Reserve. It is further recommended the transfer of \$300,000 to the Parking Reserve is approved by Council. These funds were transferred part of the 'End of financial Year' savings to Parking Reserve in following financial years.

2011-12	50,000.00
2012-13	50,000.00
2013-14	100,000.00
2015-16	100,000.00
Total	300,000.00

Claremont Joint Venture Reserve

This reserve was established to hold funds provided through a condition relating to the Claremont Quarter development application.

Condition 1.27 required the funds be for traffic modifications/road works within the Town Centre zone and the surrounding roads.

It is proposed the purpose of this reserve be amended to further clarify the condition requirement and read 'for the purpose of paying for the cost of other traffic modifications/road works within the Town Centre zone and the surrounding roads.'

Administration Building Reserve

The Administration Building Reserve was created to account for receipt of insurance settlement for fire to Administration Centre in 2010 and to fund the construction of new Administration Office.

As the construction for Administration Building is now completed, it is proposed it be renamed to Building Reserve and its purpose be 'Provide for building renewal in accordance with Council's Asset Management Plans'.

It should be noted the total current balance of this reserve account is budgeted in the current year to write down Loan No. 4 (Administration Building) at rollover. A further report will be presented at the time to consider retention or closure of this account.

Past Resolutions

Creation of Aged Transport Subsidy Reserve

Ordinary Meeting of Council 3 March 2009, Resolution 63/09:

That Council:

1. *Ceases providing the Community Bus service as of 30 June 2009;*
2. *Authorises the Chief Executive Officer to dispose of the bus and have the proceeds placed in a new reserve 'Aged Transport Subsidy' for the purpose of 'subsidising TAPSS Community Care shopping/social bus fees (or assisted shopping service fees should the bus be fully occupied), pursuant to Council resolution, for the Town of Claremont residents that are users of the Claremont bus service as at 30 June 2009';*
3. *Agrees to pay the HACC assessments for Town of Claremont residents that are users of the existing bus service as at 30 June 2009 to be funded in the 2009/2010 budget;*
4. *Agrees to pay the TAPSS Community Care shopping/social bus fees (or assisted shopping service fees should the bus be fully occupied) for one round trip per week from 1 July 2009 to 30 June 2010 for Town of Claremont residents that are users of the Claremont bus service as at 30 June 2009;*
5. *Agrees to pay half the TAPSS Community Care shopping/social bus fees (or assisted shopping service fees should the bus be fully occupied) for one round trip per week from 1 July 2010 to 30 June 2011 for Town of Claremont residents that are users of the Claremont bus service as at 30 June 2009;*
6. *Informs all current users of the bus of the above decision and expresses its sincerest gratitude to the volunteer bus drivers for the many hours of support they have contributed to the aged in the community over many years;*
7. *Repeals Policy CS27 'Community Bus' as of 30 June 2009.*

CARRIED
(NO DISSENT)

Creation of Golf Course Reserve

Ordinary Council Meeting, 4 March 2008, Resolution 55/08:

That:

1. *The Council authorises the Chief Executive Officer, in compliance with section 3.58 of the Local Government Act 1995, to negotiate and pursue compensation, at market value, of a proposed easement over a 40sqm portion Lot 60 Alfred Road, Swanbourne, as presented, by Western Power for the purposes of installing a transformer;*
2. *Western Power be responsible for all matters pertaining to the placement of an easement over the subject land and the development of such land, pursuant to its statutory obligations and at its cost;*

3. *The Council authorises the Mayor and the Chief Executive Officer to sign the relevant documentation upon being satisfied that all matters relating to clauses 1 and 2 above have been satisfied;*
4. *The Council agrees to permit Western Power to enter upon the subject land as presented at Lot 60 Alfred Road, Swanbourne to install the transformer, subject to Western Power providing written confirmation prior to installation that it agrees to pursue the obligations set out in clauses 1 and 2 above;*
5. *Funds received through the payment of compensation by Western Power for the land in clause 1 above be placed in a new reserve in the 2008/09 Budget for Golf Course Land purposes.*

Creation of JV Reserve

Ordinary Council Meeting, 4 April 2006, Resolution 104/06:

1.27 The proponent is to pay to the Town a minimum of \$1 million and the upper limit to be determined by the Chief Executive Officer, not exceeding \$2 million, based on the development contribution policy applicable at that time (which ever is the greater). This money is to be held in trust by the Town and may be used for the purpose of paying for the cost of other traffic modifications/road works within the Town Centre zone and the surrounding roads.

The calculation of the maximum amount of the development contribution under this condition excludes the cost of the works to the intersections outlined below: Gugerri Street and Leura Avenue; and Leura Avenue and Stirling Highway.

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

Local Government Act 1995

s.6.11 Reserve accounts

(1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

(2) Subject to subsection (3), before a local government —
(a) changes the purpose of a reserve account; or*
(b) uses the money in a reserve account for another purpose,*
it must give one month's local public notice of the proposed change of purpose or proposed use.

** Absolute majority required.*

(3) A local government is not required to give local public notice under subsection (2) —

- (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or*
- (b) in such other circumstances as are prescribed.*

(4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.

(5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.

Local Government (Financial Management) Regulations 1996

17. Reserve accounts, title of etc.

(1) A reserve account is to have a title that clearly identifies the purpose for which the money in the account is set aside.

(2) In the accounts, annual budget and financial reports of the local government a reserve account is to be referred to —

- (a) in the information required by regulations 27(g) and 38, by its full title; and*
- (b) otherwise, by its full title or by an abbreviation of that title.*

18. When local public notice not required for change of use of money in reserve account (Act s. 6.11(3)(b))

A local government is not required to give local public notice of a proposed change of use of money in a reserve account —

- (a) where the money is to be used to meet expenditure authorised by the mayor or president under section 6.8(1)(c); or*
- (b) where the total amount to be so used does not exceed \$5 000 in a financial year.*

Communication / Consultation

N/A

Strategic Community Plan

Governance and Leadership

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

- Provide and maintain a high standard of governance, accountability, management and strategic planning.
- Focus on improved customer service, communication and consultation.
- Maintain long term financial stability and growth.

Urgency

N/A

Voting Requirements

ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED.

Moved Cr Haynes, seconded Cr Wood**That Council**

- 1. gives one month's notice of the proposed changes to the following reserve accounts;**
 - a) The purpose of the Aged Transport Subsidy is amended to read 'Provide a subsidy to the Shine Community Services regional service for aged patrons transport.'**
 - b) The Golf Course Land Reserve is renamed to Golf Course Reserve with its purpose to 'Provide for the future major maintenance of the Lake Claremont Golf Course'.**
 - c) The Administration Building Reserve be renamed to Building Reserve with the purpose 'Provide for building renewal in accordance with Council's Asset Management Plans'**
 - d) The Parking Reserve be renamed Cash-in-Lieu Reserve with its purpose amended to read 'Provide for the purchase of land for car parking in accordance with Clause 33(2) of the Town of Claremont's Town Planning Scheme.**
 - e) A new Parking Reserve is created with the purpose 'Provide for the purchase, upgrade or renewal of parking infrastructure' and approve the transfer of \$300,000 from Cash-in-Lieu Reserve to Parking Reserve.**
 - f) The purpose of the Claremont Joint Venture Reserve be amended to read 'Provides for traffic modifications/road works within the Town Centre zone and the surrounding roads.'**
- 2. On completion of the notice period;**
 - a) Implements the changes to the reserve accounts as advertised, and**
 - b) Authorises transfer of \$300,000 from the renamed Cash-in-Lieu Reserve**
CARRIED BY AN ABSOLUTE MAJORITY(137/16)
(NO DISSENT)

13.1.2 GRANT APPLICATION - CLAREMONT AQUATIC CENTRE DEVELOPMENT

File Ref:	COP/00073
Confidential Attachment:	<u>Grant Application 2017-2018 CSRFF Annual and Forward Planning Round Application Form 2</u>
Responsible Officer:	Les Crichton Executive Manager Corporate and Governance
Author:	Sean Badani Aquatic Centre Manager
Proposed Meeting Date:	06 September 2016

Purpose

Report recommends Council support the Department of Sport and Recreation (DSR) Forward Planning grant application to assist with funding the Claremont Aquatic Centre Development.

Background

At the Ordinary Council Meeting on 2 February 2016, Council approved the \$8.5m redevelopment for the Town's Aquatic Centre including:

- An indoor heated pool
- New change rooms including a family change room
- A water playground (splash pad) and filtration system
- New reception and administration facilities
- A meeting/function/training room
- Enhanced cafe facilities
- Water treatment and mechanical services plant rooms
- Improved upper level parking.

Funding for the project was approved on the basis of:

Own funds	\$2,565,000
Loan funds	\$4,000,000
Grants	<u>\$1,975,870</u>
	\$8,540,870.

Indicative within the 2 February 2016 report, potential funding sources to achieve the \$1.9M grant funding target included;

DSR	\$1,650,000
Lotterywest	\$ 250,000
Healthways	<u>\$ 75,000</u>
	\$1,980,000.

Administration have met with all potential funding bodies and it is more likely that grant funding will come primarily from DSR through the Annual/Forward Planning grants program for community facilities.

Lotterywest has indicated it does not fund projects where payment is required for patrons to enter, and Healthways fund activities, not infrastructure. While not initially identified as a potential funding source, federal contribution through the Department of Infrastructure and Regional Development's Community Development Grants Programme was explored however has been deferred indefinitely following the recent Federal election.

Discussion

Under the DSR's Community Sporting and Recreation Facilities Fund (CSRFF) program, up to a third of the project costs is funded to assist local governments to develop sustainable infrastructure for sport and recreation facilities.

It is a very competitive funding source and DSR require a high level of certainty that the project will proceed and is supported by local government prior to being submitted.

The CSRFF process and time frames are summarised as follows:

- 16 September 2016 – applications close (applications need to include evidence of local government support)
- October - Applications assessed by regional managers and forwarded to facilities consultant
- November/December - Applications assessed by State Sporting Associations and facilities consultant – CSRFF
- January/February - Hon. Minister considers recommendations and gives approvals with successful/unsuccessful applicants notified.

The attached DSR grant application has been prepared to reflect the proposed development works at the aquatic centre and provide DSR an understanding of what the Town's objectives.

The application progresses Council's priority within its Strategic Plan to progress the Aquatic Centre Redevelopment Report recommendations. It is recommended Council endorse submission of the grant Claremont Aquatic Centre Development grant application to the Community Sporting and Recreation Facilities Fund 2017-18 Funding Round.

Past Resolutions

Ordinary Council Meeting, 19 July 2016, Resolution 118/16:

That

1. *Council accept the tender and appoint Donovan Payne as Principal Design Consultant for the Claremont Aquatic Centre Development; and*
2. *The report remain confidential in accordance with Section 5.23(2)(c) of the Local Government Act 1995.*

Ordinary Council Meeting, 2 February 2016, Resolution 06/16:

That

1. *Council*
 - 1.1. *Adopt the Aquatic Centre Development Plan as presented;*
 - 1.2. *In accordance with section 6.8(1)(b) of the Local Government Act 1995 approve Stage 1 of the Aquatic Centre Development Plan;*
 - 1.3. *Approves the project Budget of \$8,540,000 with funding to be as detailed within the Alternate Funding Strategy;*
 - 1.4. *Authorises the Chief Executive Officer to engage consultants and/or professional services to undertake the planning and design work to prepare documentation for the required works;*
 - 1.5. *Receive further reports on completion of the design and documentation with pre-tender estimate for approval to call tenders, and milestone reports on outcome of grant applications;*
2. *The Chief Executive Officer prepare and implement a communication plan to inform and advise stakeholders and the Claremont community.*
3. *Council accept the tender and appoint Donovan Payne as Principal Design Consultant for the Claremont Aquatic Centre Development; and*
4. *The report remain confidential in accordance with Section 5.23(2)(c) of the Local Government Act 1995.*

Financial and Staff Implications

Both the capital and on-going costs associated with the build and operation of the development have been considered and accommodated within the Council's funding strategy. This includes provision to halt the project should grant funding not be successful.

Policy and Statutory Implications

There is no adopted policy to guide this decision.

Communication / Consultation

Officers have met with representatives from DSR on three occasions including a site visit to ensure the application best addresses their grant criteria.

Discussions have been held with other Western Suburbs Councils to contribute towards the development however no funding has been allocated to assist with the costs.

Communication of a successful grant application will be advertised within the local newspaper.

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.

- *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.

Governance and Leadership

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

- Maintain long term financial stability and growth.

Urgency

Timing of the application will be important to ensure it is submitted to the DSR before the due date. If the grant is not approved the application cannot be submitted to DSR and the funding will not be considered.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Wood, seconded Cr Goetze

That Council commend the Claremont Aquatic Centre Development grant application to the Department of Sport and Recreation's Community sporting and Recreation Facilities Fund 2017-18 Funding Round.

CARRIED(138/16)

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

Against the Motion: Cr Haynes.

13.2 INFRASTRUCTURE

13.2.1 CLIFF WAY PARTIAL ROAD CLOSURE AT BRAE ROAD AND CLIFF ROAD

File Ref:	CUS/00290
Attachments:	Plan Letter Invitation to Comment
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Nick King Manager Engineering Services
Proposed Meeting Date:	06 September 2016

Purpose

For Council to consider the submissions received regarding “No Entry” of Cliff Way from the Cliff Road and Brae Road intersection by partial closure of Cliff Way near this intersection.

Background

At its meeting held on 4 August 2015, Council resolved to commence the above partial road closure process as required by s.3.50 of the *Local Government Act 1995* (the Act). The intention was to do a trial partial closure for six months and review the impact before making a final decision to make it permanent or remove the restriction. If it is advertised and approved only as a trial for six months, then there is a requirement for the Council to follow the above Act process again before making the decision to close it permanently. For that reason, after discussing with the Department of Local Government, it was advertised as a permanent closure. In the event that Council approves the partial closure, it will give the Council an opportunity to review the effectiveness and impact after a period of six months of implementation. Community could also give their comments. Then a decision could be made by the Council to continue with the partial closure or not to proceed with the partial closure, without following the Act process.

The Council resolution was based on consultation with owners and residents being undertaken to all properties in Cliff Way, Cliff Road, Brae Road, Corry Lynn Road and Richardson Avenue (between Stirling Hwy and Cliff Way) and two local schools (Methodist Ladies College and Christ Church Grammar School).

Discussion

The partial road closure will prevent entry into Cliff Way from Brae Road and Cliff Road, while still allowing vehicles to exit from Cliff Way at this intersection. Cliff Way between Brae Road and Richardson Avenue will still be two way for residents. The entrance to Cliff Way is only from the western end (at the intersection of Richardson Avenue).

Public notice of the proposed partial closure was published in the West Australian newspaper on 16 July 2016, advising of the relevant proposal and the submissions closed on 5 August 2016.

A copy of the contents of the notice was sent to the Commissioner of Main Roads appointed under the *Main Roads Act 1930*. The department's response was against the proposed closure due to rubbish truck accessibility issues, requirement for the WA Police to enforce the closure, and the possible congestion in surrounding streets.

A letter regarding the proposed closure was delivered to all owners/residents of the properties on Cliff Way, Cliff Road, Brae Road, Corry Lynn Road and Richardson Avenue (between Stirling Highway and Cliff Way), and two local schools (Methodist Ladies College and Christ Church Grammar School), inviting submissions.

Notice of the proposed closure was also forwarded to utility services, emergency services and WA Police. The Town has received replies from Water Corporation, ATCO Gas and WA Police advising they have no comments regarding the proposal.

Council is now required to consider the proposal and the submissions received and make a decision to partially close Cliff Way ("No Entry" from Cliff Road and Brae Road intersection) for a period of six months and to reassess at that stage whether to continue with the partial closure or not to proceed with the partial closure.

From the 39 submissions received four (10.3%) were neither for, or against the proposal, with these predominantly coming from service authorities. Fourteen (33.3%) submissions were for the partial closure, listing a range of reasons including the existing width of Cliff Way being too narrow for two vehicles, let alone trucks. Twenty two (56.4%) submissions were against the proposal, also listing a range of reasons including possible congestion of Cliff Road and Corry Lynn Road near Stirling Highway.

Recent crash data dating back from January 2011 until December 2015 notes that no crashes occurred within Cliff Way between Richardson Avenue and Cliff Road/Brae Road. The 85th percentile speed and average weekday vehicles per day (vpd) from the traffic counts taken in November 2011 and August 2016 are 27km/h and 24km/h and 909vpd and 685vpd respectively.

No reported crashes in the last five years in Cliff Way may be due to very low speed environment, created by existing speed humps and varying minimal width of the road from 4.35m to 5.4m (most of the section is 5m).

A concept plan to close Brae Road to westerly traffic entering from Corry Lynn Road was not supported by the local community, hence the Council didn't proceed with that treatment.

Another suggestion to restrict entry to Cliff Way from Brae Road and Cliff Road during school times only, was discussed with Main Roads WA. It was not supported by Main Roads WA as it is hard to enforce with drivers illegally entering and causing accidents.

Considering no reported crashes, very low speed environment, existing speed humps, recently installed path and the reasons given by Main Roads WA, it is recommended not to implement the partial road closure in Cliff Way near the Cliff Road and Brae Road intersection. Additionally the majority of submissions received from the local community were against the proposed partial road closure.

Past Resolutions

Ordinary Council Meeting 4 August 2015, Resolution 144/15:

That Council:

1. *APPROVES to commence the partial road closure process under section 3.50 of the Local Government Act 1995 for the temporary trial partial closure of Cliff Way, prohibiting entry from the Brae Road and Cliff Road intersection for a period of six months, upon which time assess the traffic flows and volumes and survey the affected residents to assess the effectiveness and suitability of the treatment;*
2. *CONSULTS the owners/residents of the properties on Cliff Way, Cliff Road, Brae Road, Corry Lynn Road and Richardson Avenue (between Stirling Hwy and Cliff Way) and two local schools (Methodist Ladies College and Christ Church Grammar School), inviting submissions from them regarding the temporary partial road closure of Cliff Way on a six month trial basis; and*
3. *NOTES that a further report, together with any submissions received at the conclusion of the six month trial period, will be submitted to Council.*

CARRIED

Ordinary Council Meeting 7 April 2015, Resolution 51/15:

That Council

1. *Approves, for consultation with the community in the local precinct (Brae Road, Corry Lynn Road, Cliff Way, Cliff Road) and Methodist Ladies College and Christ Church Grammar School, the draft concept plan to close Brae Road to westerly traffic entering from Corry Lynn Road;*
2. *Receives a further report following completion of consultation.*

CARRIED

Ordinary Council Meeting 18 March 2014, Resolution 38/14:

That Council include for consideration in the 2014-15 Budget;

1. *Construction of a temporary "nib" for a 6 month trial period at the north east corner of the junction of Cliff Way and Brae Road to be followed by community consultation;*
2. *A "Give Way sign" with appropriate road markings on the traffic lane on Brae Road heading west; and*
3. *Construction is to commence after the footpath has been completed.*

CARRIED

Ordinary Council Meeting 10 December 2013, Resolution: 362/13

THAT Council

Confirms that a footpath is required in Cliff Way for the safety of pedestrians, in particular school children, and

Requests an officer report for consideration of prioritising the Cliff Way footpath at the mid-year budget review.

Reasons

- *To encourage school children to walk to school and to support the nearby school's campaign to encourage students to "walk a little way".*
- *To provide the missing link from the Richardson Ave footpath to Brae Rd so pedestrians can walk safely.*
- *Community consultation regarding the footpath has already been completed as part of the "One Way" survey and there was 100% support for a footpath from the residents of Cliff Way.*
- *The project is an important road safety initiative and should be approved now to allow works to be commenced as soon as possible, ideally to be completed as soon as possible in the 2014 school year.*
- *The project is worthy of priority if funds are available at the mid-year budget review.*

CARRIED

Ordinary Council Meeting 10 December 2013, Resolution: 363/13

That for a trial period of six months using temporary rubber kerbing bolted to the road, Council install a chicane and slow point on Cliff Way, close to the junction with Brae Road and install a sign on Cliff Way to the north of the slow point stating – 'Give Way'.

This installation must be completed before the start of the 2014 school year. Consultation is to take place with the residents at the end of the trial period.

Reasons

- *Improve safety for children walking to school.*
- *Discourage two –way traffic during peak periods before and after school.*
- *Minimise adverse affects on residents of Brae, Cliff and Corry Lynn Roads.*
- *Low cost and temporary solution.*

MOTION BE DEFERRED

That the motion be deferred.

Reason:

For Administration to provide further information to Council on the proposed options so an informed decision can be made.

CARRIED

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

Local Government Act 1995.

Communication / Consultation

Local community and local schools (MLC and CCGS) will be informed of the Council decision. An article will be included in the Town Talk.

Strategic Community Plan**Liveability**

We are an accessible community, with well maintained and managed assets, and our heritage preserved for the enjoyment of the community.

- Clean, usable, attractive, accessible streetscapes and public open spaces.
- Maintain and upgrade infrastructure for seamless day to day usage.

Urgency

N/A

Voting Requirements

Simple majority decision of Council required.

Moved Cr Kelly, seconded Cr Main**THAT Council**

1. **Not approve the partial road closure of Cliff Way restricting entry from Cliff Road and Brae Road intersection;**
2. **Inform rate payers and residents in Cliff Way, Cliff Road, Brae Road, Corry Lynn Road and Richardson Avenue between (Stirling Highway and Cliff Way), the local schools (Methodist Ladies' College and Christ Church Grammar School), Main Roads WA, WA Police, emergency services, public utilities.**

**CARRIED(139/16)
(NO DISSENT)**

13.2.2 GUGERI STREET LANDSCAPE UPGRADE BETWEEN STIRLING ROAD AND BAY VIEW TERRACE

File Ref:	RDS00210
Attachments:	Gugeri Street Concept 2016 Gugeri Street Upgrade Current Proposal Artist Impression Gugeri Street Upgrade Alternative Proposal Claremont Quarter Landscaping 2009
Responsible Officer:	Saba Kirupananther Executive Manager Infrastructure
Author:	Andrew Head Manager Parks and Environment
Proposed Meeting Date:	6 September 2016

Purpose

For Council to consider the proposed upgrade to landscaping in the medians of Gugeri Street between Stirling Road and Bay View Terrace.

Background

At the Ordinary Council Meeting of 4 April 2006, the Council approved the development of 23 St Quentin Avenue 'Claremont Quarter', subject to a number of conditions being met. The conditions relating to the landscaping requirements of the development are set out in past resolutions.

In January of 2009 the Town signed off the two conditions relating to landscaping after the design (attachment 4) was submitted to the Town for approval and satisfied the conditions.

Until the summer of 2013 the median garden beds on Gugeri Street were densely planted with Lomandra grasses. Over time many of these grasses died from irrigation problems and trampling by pedestrians crossing the road.

Towards the end of 2014 the pressure of the scheme water irrigation system (connected to Claremont Quarter) deteriorated. The landscape further declined.

The median is now maintained as a mulched area under an avenue of Cut Leaf Plane Trees.

At the Ordinary Council Meeting of 19 July 2016 this report was referred back to administration to address concerns relating to unintended access by pedestrians when crossing the road and the subsequent damage to plantings which may occur as a result of trampling.

Discussion

The Town could use this opportunity to work with Claremont Quarter to achieve a far greater presentation standard of this important streetscape through the Town.

To achieve this desired outcome, a bore and pump installation would be required to provide a good reliable water source. Once installed this set up would provide adequate water pressure to the existing reticulation network without significant modifications required to the median. This would also reduce the reliance on scheme water from the Claremont Quarter for irrigation purposes.

Once a reliable water source is installed, the Town has an opportunity to create a big entry statement by landscaping this median with dense and colourful plantings of green ivy and red geraniums (as used in other locations within the Town). Large blocks will be used for effect as per the attached concept. This treatment would assist in the reduction of radiant heat on the northern side of Claremont Quarter.

Trampling could be significantly reduced or eliminated by incorporating concrete beams around 300mm wide between the planting beds alternating between ivy and geranium to act as casual access across the median while also clearly delineating the planted beds.

An option explored by the Town was to relocate the traffic signals directly in front of Claremont Lane. This proposal was discussed with Main Roads WA and they would not support the relocation due to the short distances between control signals, there was a strong reluctance to create another signalised point along this stretch of road with close proximity to existing signals as this would greatly affect car stacking lengths.

To further improve protection of these plantings a fence could be installed to act as a barrier to unintended access which will reduce trampling. There would be additional cost associated with this extra infrastructure. As the trees mature the fence panels would need to be shortened to allow the tree trunks some room to expand.

Another option could include the installation of a hedge with a width and height of 900mm to act as a barrier to access. This would require time (Around 2 years) to establish during which time the hedge would need to be protected from damage and vandalism. This could be done by making a combination treatment which has a hedge that is protected by a fence. As the trees grow and the hedge matures there may be opportunity to remove the fence panels at that time.

Consideration needs to be given for the desire by pedestrians to take the shortest route. By providing a barrier in the median most pedestrians will either use the pedestrian crossing to the west of Claremont Lane (external Food Court linkage) or walk much further east before crossing the road. This is why a fence is recommended in the centre of the median as per the attached concept plan 2016.

An additional irrigation line is proposed for the northern verge to assist with the installation of more trees, shrubs and understory to help screen the rail line and improve the quality of vegetation along the rail reserve which is part of the WESROC greening plan.

Further additions (as part of a second stage of this project) to the system could be made to allow the landscaping of areas around the Stirling Road underpass as another entry statement during the next capital works program.

Past Resolutions

Ordinary Council Meeting 19 July 2016, Resolution 114/16:

That the item be deferred.

Reason: To enable Administration to bring forward a range of alternate options including a fence in the median strip to protect vegetation and public safety.

CARRIED

Ordinary Council Meeting, 4 April 2006, Resolution 104/06:

A report was presented to Council outlining the landscaping requirements set for the Claremont Quarter development. Below is an excerpt of the Council Resolution:

- 1.40 A minimum of 5% of the site area being utilised for landscaping in accordance with the definition incorporated in Town Planning Scheme at the time of lodgement of the relevant building licence.*
- 1.41 Three (3) copies of a Landscape Plan shall be lodged with the Town by the proponent, showing plant species by a numerical code the botanical names, quantity and ultimate size of all plant types to be planted, paving styles, street furniture and detailed layout for the town square, new roads and existing road frontages, to the satisfaction of the Chief Executive Officer prior to the issue of a Building Licence . The development is to proceed and thereafter to be maintained at the cost of the landowner in accordance with the approved plans;*
- 1.42 All landscaping within the subject land shall be well maintained and all vegetation landscaping shall be kept in a healthy condition at all times. Should any tree die it shall be replaced by the landowner with a tree of the same species and a similar height within 30 days. All landscaping shall be installed and reticulated prior to occupation;*

CARRIED

Financial and Staff Implications

There is an allocation of \$148,500 in the 2016-17 budget, which will cover the proposed landscape upgrade.

That being \$80,500 for bore and irrigation works and \$68,000 for landscaping and hardscape.

The cost estimates are for;

- Bore, cabinet, controller and pump - \$27,000
- Power Supply - \$40,500
- Reticulation modifications quoted at \$39,150
- Landscaping which includes concrete separation - \$54,000
- Traffic management during landscaping works - \$10,800
- Barrier Fence in median - \$25,000.

It is proposed that the funding of the items be broken down as follows;

Town of Claremont

- Bore, cabinet, controller and pump - \$27,000
- Power Supply - \$40,500
- Barrier Fence - \$25,000
- Subtotal - \$92,500.

Claremont Quarter and Town of Claremont

- Reticulation modifications quoted at \$39,150
- Landscaping which includes concrete separation - \$54,000
- Traffic management during landscaping works - \$10,800
- Subtotal \$103,950 (Split equally between Claremont Quarter and the Town).

Ongoing Maintenance by Town of Claremont

- Monthly Garden Maintenance - \$21,600 per year
- Reticulation inspections - \$4,725 per year
- Replacement planting each winter - \$2,025 per year.
- Subtotal \$28,350.

It is proposed that Claremont Quarter be asked to contribute \$51,975 and the Town of Claremont would pay the remaining \$144,475 for the construction with an additional \$28,350 per year for maintenance.

The Towns budget allocation of \$148,500 would cover the project contribution from the Town. This would not include funding for the first twelve months of maintenance.

To install a fence of around 110m in length would increase the project costs by \$25,000 and a request for additional funding would be required as the current budget will be insufficient to cover this additional infrastructure.

Policy and Statutory Implications

Local Government Act 1995.

Communication / Consultation

The Town had discussions with Claremont Quarter regarding the proposal, cost estimates and funding contribution.

An item will be included in the Town Talk.

Strategic Community Plan

Liveability

We are an accessible community, with well maintained and managed assets, and our heritage preserved for the enjoyment of the community.

- Clean, usable, attractive, accessible streetscapes and public open spaces.
- Develop the public realm as gathering spaces for participation and enjoyment.
- Maintain and upgrade infrastructure for seamless day to day usage.

Prosperity

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

- Reduce unnecessary barriers to new business and support the success of existing local businesses.

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.

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.
- Constantly seek and implement best options for waste management and water usage.

Urgency

The medians are presenting well below the Claremont Town Centre standard and this cannot be resolved until water supply is improved.

Voting Requirements

Simple majority decision of Council required.

Officer Recommendation

That Council approves;

1. The modification of the existing Guger Street median scheme water supply for landscaping by:
 - a. Disconnecting the existing mainline from south side of Guger Street; and
 - b. Installing a power supply, reticulation control cabinet, bore and pump on the north side of Guger Street.
 2. The proposed landscaping of the Guger Street medians as per the attachment.
 3. All costs associated with the irrigation modifications to be undertaken at the Town's cost.
 4. All costs associated with the landscaping of Guger Street median to be shared between Claremont Quarter and the Town of Claremont (Claremont Quarter share not exceeding \$52,000).
-

5. All future maintenance costs for maintaining Guger Street medians to be funded by the Town.
6. An increase of \$28,350 to the annual maintenance budget for street gardens in year one and with CPI thereafter.

ALTERNATIVE MOTION**Moved Cr Wood, seconded Cr Haynes****That Claremont Quarter abide by the Development Approval condition approved by Council on 4 April 2006 for them to landscape and maintain the strip of the median to the Town's satisfaction.**

Reason: It is unreasonable for the Town to pay the full cost of the irrigation and upgrade when the responsibility lies with the Quarter.

**CARRIED(140/16)
(NO DISSENT)**

14 ANNOUNCEMENTS BY THE PRESIDING PERSON

Cr Wood attended a performance at the ballet school on Graylands Road.

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

Moved Cr Haynes, seconded Cr Wood

That Council convey its condolences to Stephen and Shirley Goode on the loss of daughter Tonia.

**CARRIED
(NO DISSENT)**

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 Wood

OFFICER RECOMMENDATION

That in accordance with Section 5.23 (2) of the *Local Government Act 1995* the meeting is closed to members of the public with the following aspect of the Act being applicable to this matter:

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

**CARRIED(141/16)
(NO DISSENT)**

Mayor Barker adjourned the meeting at 7:54PM.

Mayor Barker reconvened the meeting at 7:54PM.

ATTENDANCE

Mayor Barker

Cr Peter Browne

West Ward

Cr Peter Edwards

West Ward

Cr Chris Mews

South Ward

Cr Jill Goetze

South Ward

Cr Paul Kelly

South Ward

Cr Bruce Haynes

East Ward

Cr Kate Main

East Ward

Cr Alastair Tulloch

East Ward

Ms Liz Ledger (Acting Chief Executive Officer)

Mr Les Crichton (Executive Manager Corporate and Governance)

Ms Katie Bovell (Governance Officer)

17.1 CORPORATE AND GOVERNANCE**17.1.1 SALE OF PROPERTY TO CLEAR RATES**

File Ref: 5049
Responsible Officer: Les Crichton
Executive Manager Corporate and Governance
Author: Peter Scasserra
Coordinator Property and Leasing
Proposed Meeting Date: 6 September 2016

Purpose

The following item was considered in closed session.

Moved Cr Haynes, seconded Cr Kelly

That the report and resolution remain confidential in accordance with Section 5.23(2) of the *Local Government Act 1995*.

**CARRIED(142/16)
(NO DISSENT)**

MOTION TO OPEN DOORS

Moved Cr Haynes, seconded Cr Main

That the doors be opened.

**CARRIED(143/16)
(NO DISSENT)**

The doors opened at 7.56PM.

THE MAYOR READ ALOUD THE RESOLUTION MADE BEHIND CLOSED DOORS.

18 FUTURE MEETINGS OF COUNCIL

Ordinary Council Meeting, 20 September 2016 at 7:00PM.

19 DECLARATION OF CLOSURE OF MEETING

There being no further business, the presiding member declared the meeting closed at 7:57pm.

Confirmed this day of 2016.

PRESIDING MEMBER