



TOWN OF CLAREMONT

ORDINARY COUNCIL MEETING

MINUTES

TUESDAY 20 MARCH 2018

Liz Ledger

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
20 MARCH 2018
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

Mayor Jock Barker	Town of Claremont
Cr Alastair Tulloch	East Ward
Cr Bruce Haynes	East Ward
Cr Kate Main	East Ward
Cr Chris Mews	South Ward
Cr Jill Goetze	South Ward
Cr Paul Kelly	South Ward
Cr Peter Browne	West Ward
Cr Peter Edwards	West Ward
Cr Sara Franklyn	West Ward

Ms Liz Ledger (Chief Executive Officer)
Mr Les Crichton (Executive Manager Corporate and Governance)
Mr Saba Kirupananther (Executive Manager Infrastructure)
Ms Cathy Bohdan (Executive Manager People and Places)
Mr David Vinicombe (Executive Manager Planning and Development)
Miss Sarah Hingston (Governance Officer)

20 members of the public
Two members of the press

3 DISCLOSURE OF INTERESTS

Elected Member	Item	Nature of Interest
Cr Kelly	13.1.1 Curtin Care Inc. – Wearne Re-Development Master Plan – Lot 555 Cottesloe ('Wearne Cottesloe')	Financial
Cr Haynes	13.3.1 Upgrade of Existing Ablution Facilities and Provision of Universal Access Toilet at 20 Lapsley Road for Golf Course, Aspire Gym and the Public	Impartiality

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4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**Mr Peter Dockett – 59 Graylands Road, Claremont**

- Q1. *What solutions to slowing traffic on Graylands Road are the Council considering in the locations other than the treatment to the Lapsley Road intersection? Given the technical recommendation to Council was for traffic calming in other locations of Graylands Road due to the current high speeds.*
- A1. None at this moment in time, due to the Council decision at the Ordinary Council Meeting on Tuesday, 20 February 2018.
- Q2. *Given the recent success of the Graylands Road bike path consultation, can Council please initiate a similar consultation process with the residents of Graylands Road for traffic claming?*
- A2. The Council did not support any traffic calming treatment for Graylands Road at the Ordinary Council Meeting on Tuesday, 20 February 2018. Therefore, the Town will not initiate consultation. The traffic management treatment for the intersection of Lapsley Road and Graylands Road will be done as approved by the Council previously.
- Q3. *Can Council please consult on two options, one as presented by the Technical Officer's Report and one that includes only the intersection at Lakeway?*
- A3. As mentioned above, the Town will not initiate consultation.

Ms Kylie Waterstrom – 3 Vaucluse Avenue, Claremont

Q1. *The double white lines at the Northern end of Vaucluse Avenue is partially visible.*

Q1.1 *Is it meant to be two double white lines?*

A1.1 No.

Q1.2 *Or has it been removed?*

A1.2 Yes, it is meant to have a single white line.

Q1.3 *If it has been removed why was it removed?*

A1.3 Answered in 1.2 above.

Q1.4 *If it has been removed was a traffic study conducted?*

A1.4 No.

Q1.5 *If it has been removed, was a risk assessment and a Safety Hazard analysis undertaken?*

A1.5 No.

Q2. Safety.

Q2.1 *22 children live on Vaocluse Avenue (approximately 60% being pre-school and primary school age). Speeding is an issue. Do you have a plan to insert another speed hump in the middle of Vaocluse Avenue to reduce the ability of vehicles to speed?*

A2.1 Recent traffic count data show that speeding is not an issue within the street, showing an average vehicle speed of 48 kilometres per hour. No, there are no plans to insert another speed hump as the Councillors are 'anti-speed hump' due to noise related issues.

Q2.2 *Do you have a traffic management plan in place to remedy this situation?*

A2.2 No.

Q2.3 *With the abundance of non-local traffic parking on Vaocluse Avenue Monday to Saturday 7am to 5.30pm, and the combination of speeding vehicles makes this a very unsafe environment for children crossing the road as access neighbours houses and the park at the northern end of the road. Is there a speeding management plan?*

A2.3 No. See answer 2.1 above.

Q2.4 *Will you demark a cross walk at the Rowe Park (northern end) Vaocluse Avenue to allow safe access for children and pedestrians?*

A2.4 No, as speeds around the intersection abutting Rowe Park are relatively slow, while sight lines are very good.

Q3. Non-Resident Parking.

Q3.1 *Clearly this has been an issue for quite some time (a decade I believe). As ratepayer of 3 Vaocluse Avenue, Claremont, please refer to my previous letters for photographic evidence. We are unable to use our own driveway at a full capacity 95% of the time. Does this mean we only have to pay 5% of our rates?*

A3.1 The Town's Rangers have attended the site several times and in all occasions the driveway was accessible. Under the 'Precinct Parking Plan', staggered parking will be introduced for Vaocluse Avenue.

Q3.2 *Our own tradespeople are unable to park to service our properties, our visitors have nowhere to park, large families with more than two cars and who have children at driving age cannot park their vehicles. What are your plans to rectify the lack of non-resident parking?*

A3.2 In late 2017, the Town consulted with all residents regarding the proposed 'Precinct Parking Plan'. All the feedback has been collated and reviewed with recommendations to be put to Councillors shortly. This will include two hour parking Monday to Saturday with parking permits being exempt from the time restrictions.

This will not only apply for Vaocluse Avenue, but includes the car park next to Rowe Park where residents and tradespeople with parking permits can park.

- Q3.3 *Do you have an alternative parking contingency plan to alleviate the non-resident parking?*
- A3.3 MIRVAC and Blackburn have made alternative arrangements for their construction staff. Claremont Quarter provides parking for staff for a small fee; however, it is their responsibility to arrange this directly with Claremont Quarter.
- Q3.4 *The majority of the non-resident parking are the tradespeople from the Mirvac and construction across the road near the showgrounds. Typically, the workers arrive 6.30am and depart at 4pm, and the Claremont Quarter staff approximately 8am to 5.30pm. With regards to a short term remedy to the non-resident parking can you please approach the owners of the showgrounds and agree on a parking agreement for when the showgrounds are not being used? (I.e. \$2-\$5 per day for parking?).*
- A3.4 The Showgrounds have been approached directly by various organisations regarding parking, but due to events they have declined any arrangements at this time. The Town is not operationally responsible for the Showgrounds and any request for parking goes directly to the Royal Agricultural Society and it is at their discretion.

Q4. Future Traffic/ Town Planning

- Q4.1 *Do you have a plan to partially block (allowing for one-way entrance at the southern end) Vaucluse Avenue like you have done with Langsford Street?*
- A4.1 No.
- Q4.2 *When you agree to make Vaucluse Avenue single lane, when will this happen?*
- A4.2 No, Vaucluse Avenue is considered a local road with traffic numbers proving this.
- Q4.3 *Is there a traffic management plan in place to allow for the 2,000 to 4,000 population increase once the Claremont Oval development is complete?*
- A4.3 Yes, a traffic study was undertaken as part of the 'Claremont on the Park' project, which showed that the majority of traffic will flow through Davies Road, Graylands Road, Shenton Road and Guger Street.
- Q4.4 *Will Guger Street ever be dual lane?*
- A4.4 Guger Street is dual lane in some places east of Melville Street; however, no plans are in place to make it dual lane west of Melville Street.
- Q4.5 *Stirling highway traffic management. The traffic flow (or lack thereof) is becoming increasing worse around from 2.30pm to 6pm. Is there a traffic management plan in place for future urban growth? (I.e. a tunnel running below Stirling highway from (roughly) Wellington St Mosman park to the end of Nedlands and or diversions along Stirling highway for school traffic?)*
- A4.5 Stirling Highway is under the care and control of Main Roads WA and although the MRS Amendment has been finalised for Stirling Highway, details of future carriageways and interaction with the local streets is still to be determined.

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5 PUBLIC QUESTION TIME**Mrs Joy Reeson – 3A Kingsmill Street, Claremont**

- Q1. *Has the Council considered methods of alleviating these problems either with re-design or alternatives to the new development?*
- A2. The report to Council addresses two minor alterations, firstly to reduce the impact on the Heritage Areas in Albert Street and secondly to reduce the total plot ratio capacity on the Central Precinct. Any further modifications will be considered tonight as part of the Council meeting tonight.
- Q2. *For instance, would Council consider cutting off access to Albert Street from Kingsmill Street and granting Kingsmill Street residents dedicated registered parking?*
- A2. These matters are separate to the Council determination at hand.
- Q3. *Applying speed limits in the street to protect the young children and local families?*
- A3. This matter is separate to the Council determination at hand.

Ms Carol Rossiter – 19 Albert Street, Claremont

- Q1. *Please provide the expected timeframe for the proposed development of the central precinct from the provision of planning approval to completion of the new buildings?*
- A1. The central buildings will be constructed in Stage 3 following completion of Stage 1 (buildings fronting Dean Street) and Stage 2 (buildings fronting Albert Street). Stage 1 would commence early next year (2019). Stage 2 would commence three to four years later (2022-23) and Stage 3 is not expected to commence for a further four years (2026/27).
- Q2. *Please provide the total gross floor areas for the existing buildings in the South, Central and North portions of the site as identified in the draft development plan?*
- A2. The draft Local Development Plan only deals with the Central Precinct – for which the existing buildings (19 Grouped Dwellings and 28 Multiple Dwellings) will be demolished and replaced with the 75 Multiple Dwellings with a plot ratio floor space of 8,840m² (average 117.87m²). The applicant has provided the following floor space calculations in the Masterplan Report:
- Site area for Grouped Dwellings: South Precinct 1,027m² and North Precinct– 2,493m²
 - Plot ratio for Multiple Dwellings: South Precinct – 5,518m², North Precinct – 352m² and Central Precinct – 8,840m².
- Q3. *Councillors, as our elected representatives on the Council, I would like to understand why there was reluctance for you to meet with the residents and rate payers in Albert Street when requested in January?*
- A3. Councillors were advised at the time of their obligations in this quasi-judicial process, particularly to avoid conflict/ bias or the appearance of conflict/ bias. There was a concern that attendance at the meeting by an Elected Member may give the perception of bias and this should be avoided. Councillors were

further advised at the time that as the matter is currently subject of consultation, the results of which will be presented to Council with all other information to enable an informed decision be made. They were also advised that residents are entitled to make submissions individually or collectively as they see fit as part of this process, and that the proposed resident meeting is not part of the formal planning or consultation process and attendance may only undermine Council's final determination.

It is noted that the submission also raises comments on:

- The St Louis Resident Survey and queries why this was not available for the submission period – This is not a formal consultation requirement and is provided to Council for consideration as previously requested.
- Parking – incorrect parking assessment is provided. See responses on this in the Bianca Sandri email response.
- Building height – incorrect standards quoted as TPS3 overrides the RDC requirements.

6 PUBLIC STATEMENT TIME

Mr Simon Cowling – 6 Dean Street, Claremont

Re: Item 13.4.1 St Louis Masterplan and Local Development Plan

Mr Cowling spoke against the Officer's Recommendation.

Mrs Joy Reeson – 3A Kingsmill Street, Claremont

Re: Item 13.4.1 St Louis Masterplan and Local Development Plan

Mrs Reeson spoke against the Officer's Recommendation.

Ms Carol Rossiter – 19 Albert Street, Claremont

Re: Item 13.4.1 St Louis Masterplan and Local Development Plan

Mrs Rossiter spoke against the Officer's Recommendation.

Ms Daniella Mrdja – 231 Bulwer Street, Perth

Re: Item 13.4.1 St Louis Masterplan and Local Development Plan

Ms Mrdja spoke against the Officer's Recommendation.

Mr Ed Janes – 17C Dean Street, Claremont

Re: Item 13.4.1 St Louis Masterplan and Local Development Plan

Mr Janes spoke against the Officer's Recommendation.

Mr Sean McGivern – 10 Albert Street, Claremont

Re: Item 13.4.1 St Louis Masterplan and Local Development Plan

Mr McGivern spoke for the Officer's Recommendation.

Mr Ed Wilson – 10 Albert Street, Claremont

Re: Item 13.4.1 St Louis Masterplan and Local Development Plan

Mr Wilson spoke for the Officer's Recommendation.

MOTION

Moved Cr Mews, seconded Cr Browne.

That Item 13.4.1 St Louis Masterplan and Local Development be considered as the next item in the order of business.

**CARRIED(34/18)
(NO DISSENT)**

Council moved to Item 13.4.1 on page 37 of the Agenda.

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7 APPLICATIONS FOR LEAVE OF ABSENCE

Moved Cr Goetze, seconded Cr Kelly.

That Cr Main be granted leave of absence for the Ordinary Council Meeting on 3 April 2018.

That Cr Browne be granted leave of absence for the Ordinary Council Meeting on 3 July 2018.

**CARRIED(37/18)
(NO DISSENT)**

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

NIL

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Officer Recommendation

Moved Cr Haynes, seconded Cr Mews.

That the minutes of the Ordinary Meeting of Council held on 6 March 2018 be confirmed.

**CARRIED(38/18)
(NO DISSENT)**

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

NIL

11 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

NIL

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12 REPORTS OF COMMITTEES

12.1 FRESHWATER BAY MUSEUM ADVISORY COMMITTEE

Attachments: Freshwater Bay Museum Advisory Committee Meeting Minutes – 8 March 2018

Responsible Officer: Cathy Bohdan
Executive Manager People and Places

Meeting Date: 8 March 2018

Officer Recommendation

Moved Cr Goetze, seconded Cr Mews.

That the minutes of the Freshwater Bay Museum Advisory Committee meeting held on 8 March 2018 be received.

**CARRIED(39/18)
(NO DISSENT)**

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Cr Kelly declared a financial conflict of interest and left the meeting at 8:30pm.

13 REPORTS OF THE CEO

13.1 CHIEF EXECUTIVE OFFICER

13.1.1 CURTIN CARE INC. – WEARNE REDEVELOPMENT MASTER PLAN - LOT 555 COTTESLOE ('WEARNE COTTESLOE')

File Ref: COP/00066

Attachments: Curtin Care Inc. – Wearne Redevelopment Master Plan (Attachment 1)

Responsible Officer: Liz Ledger
Chief Executive Officer

Author: Liz Ledger
Chief Executive Officer

Proposed Meeting Date: Tuesday 20 March 2018

Purpose

To present the Curtin Care – Wearne Redevelopment Master Plan for approval to advertise for public consultation.

Background

Curtin Aged Persons Homes Inc., trading as Curtin Care, was founded in 1979 by Councillors of the Town of Cottesloe to ensure there would always be quality aged care for residents in Cottesloe, Mosman Park, Claremont and Peppermint Grove.

Curtin Care is a not-for-profit, registered charity with the Australian Charities and Not-For-Profits Commission (ACNC) and has Public Benevolent Institution (PBI) status. Curtin Care currently provides quality residential aged care at two facilities, at Wearne Cottesloe (88 bed licences) and at RiverSea Mosman Park (44 bed licences), as well as offering 14 retirement living accommodation units at RiverSea Village.

The land on which Wearne Cottesloe is situated is owned by the four Councils of Claremont, Cottesloe, Peppermint Grove and Mosman Park, and is leased to Curtin Care.

The ownership of the site is a conditional tenure, under section 75 of the *Land Administration Act 1997*. The tenure provides ownership so long as the conditions on the title are met. In this instance, the title limits the use of the land to '*the provision of care, accommodation and residential facilities for aged persons and all activities and matters relating to the provision of such care, accommodation and residential facilities*'. Letters from the relevant department state that this includes the provision of a facility under the *Retirement Villages Act 1992*.

In 2016, Curtin Care embarked on a proposal to redevelop Wearne Cottesloe with the intent to meet the needs of the ageing population in the local community and continue to deliver high quality care.

At its meeting held on 5 April 2016, Council entered into an Agreement to Lease and Redevelop ('the Agreement') between the four local Councils that own the land on which Lot 555 Cottesloe (Wearne Cottesloe) is situated and Curtin Aged Persons Home Inc., now trading as Curtin Care.

The Agreement defines the obligations of all parties for the duration of the redevelopment and establishes the parameters for a new 25-year lease that commences upon the conclusion of the Stage 1 redevelopment works.

Under the terms of the Agreement, Curtin Care is obliged to produce a Masterplan which addresses development parameters ahead of the completion of more detailed design.

The Masterplan identifies a development of a 129 bed residential aged care facility and 76 retirement apartments, along with a small allocation of space for complementary uses as permitted under the Lease and the conditional tenure of the land.

Discussion

The Agreement to Lease and Redevelop requires Curtin Care to submit a Masterplan to the four co-owners for approval as a condition precedent to the new lease.

It is anticipated that the four co-owners will require the Masterplan to be subject to public consultation prior to approving the document.

Following the consultation process the Masterplan will be submitted to the four Councils for adoption after considering community feedback on the concept plans.

Under the terms of the Agreement to Lease and Redevelop, the Masterplan approvals provided by Council are limited to the capacity of a registered proprietor and lessor of the land, and not as a responsible local authority.

Once the Masterplan has been formally adopted by the four co-owners, The Town of Cottesloe will incorporate the Masterplan into a Local Planning Policy ('LPP') which will be advertised for public comment. The Town of Cottesloe is the approval authority for the LPP. After the LPP has been adopted, Curtin Care will prepare a Development Application which the four co-owners are required to sign before it can be lodged.

A number of subsequent obligations exist within the Agreement where Curtin Care is required to provide information to the landowning Councils at key milestones to ensure the development continues to satisfy the needs of the landowners.

In addition to compliance with all relevant laws, codes and approvals, these obligations include but are not limited to:

- The Lessee must prepare and submit to the Lessor a risk management plan for the redevelopment project

- Following the issue of the Development Approval, the Lessee must submit to the Lessor a works programme
- The Lessee must provide a genuine pre-estimate of the total actual cost the Lessee will incur in respect of the redevelopment project
- The Lessee must provide confirmation of funding for the redevelopment project, and
- (Once development works have commenced) the Lessee must provide a report every 6 months which contains particulars of the works completed during the previous 6 months and a financial report showing costs against projected budget to date.
- The Lessee assumes all risks associated with the redevelopment project. At the conclusion of the lease (should the lease not be extended beyond the next 25 year term) the ownership of the buildings and land remains with the four co-owners.

The Proposed Development

The Masterplan identifies a development of a 129 bed residential aged care facility and 76 retirement apartments, along with a modest allocation of space (less than 5 percent) for complementary uses as permitted under the Lease and the conditional tenure of the land.

Curtin Care has identified the proposed complementary uses to include a café, allied health services and arts space, to be provided on a not for profit basis if possible. The Lease provisions allow commercial uses if the Lessor is reasonably satisfied that they are ancillary to the Permitted Purpose. Previous advice from McLeod's Barristers and Solicitors confirmed that all of these are complementary to the permitted use. In addition the Draft Master Plan has been forwarded to the Minister for Lands for confirmation that the Draft Master Plan complies with the restrictions on the certificate of title regarding alternative uses for the site.

Stage 1 of the redevelopment is proposed to be sequenced into phase 1a and 1b to ensure continuity of care for existing residents while the new residential aged care facility is constructed.

Phase 1a is proposed to include:

- Early works / Enabling works
- 129 bed residential aged care facility
- 33 Independent living apartments.

Phase 1b is proposed to include:

- Heritage building restoration works
- 43 Independent living apartments
- Recreational and community facilities
- Non-residential spaces (café, allied health)
- Heritage gardens.

Under the *Retirement Villages Act 1992* independent living apartments must be provided on a 'lease for life' basis.

Pre-Estimate of Cost and Feasibility Study

Curtin Care has undertaken detailed feasibility analysis based on the concept plans presented in the Master Plan. The analysis conducted to date includes independent market research, consumer research, cost analysis conducted by quantity surveyors and detailed financial feasibility research conducted by Grant Thornton.

The preliminary cost estimate indicates the total cost of the development to be in the order of \$117 million, inclusive of construction costs, professional fees, statutory fees and charges, headworks, fixed furniture and equipment, escalation and contingency.

Approximately \$72 million of the expenditure will be incurred during phase 1a, with the remainder of the redevelopment costs associated with phase 1b.

The cost analysis, market and consumer research and financial feasibility model will continue to be refined on an iterative basis as the redevelopment project progresses through the formal planning process and detailed design.

Funding approval will be sought at the appropriate stage of the project, following the approval of the Masterplan and LPP, and the subsequent completion of detailed design for the development. The development will be funded with cash reserves, resident contributions (as permitted under the Aged Care Act) and senior debt. Peak debt is anticipated to be less than \$50 million.

Confirmation of finance approval will be provided in accordance with the Schedule of the Agreement to Lease and Redevelop.

Delegation of Authority

There are various matters in the documentation which require the Lessee to satisfy conditions to the satisfaction of the Lessor. It was determined that the only mechanism with legal validity to achieve an effective way to manage issues in the Agreement to Lease and the Lease is through delegation by each Council to its Chief Executive Officer.

The *Local Government Act 1995* Section 5.42 allows Council to delegate powers to the Chief Executive Officer, other than some powers which are excluded by the legislation (Section 5.43). At its meeting held on 5 April 2016, Council approved the delegation to the Chief Executive Officers of the four co-owners, with only matters of material importance to be referred to the Councils for decision.

Past Resolutions

Ordinary Council Meeting 5 April 2016 Council, Resolution 45/16:

That Council:

1. *Approves the Agreement to Lease and Lease (Attachment 2 and Attachment 3);*
2. *Authorises the Mayor and Chief Executive Officer to execute the documents on behalf of Town of Claremont following completion of all statutory requirements pursuant to Section 3.58 of the Local Government Act 1995;*

-
3. *Authorises the Chief Executive Officer in conjunction with the Shire of Peppermint Grove and Towns of Cottesloe and Mosman Park to give local public notice of the proposal to dispose of lot 555 in accordance with the Section 3.58 of the Local Government Act 1995;*
- a) *Pursuant to Section 5.42 of the Local Government Act 1995 delegates to the Chief Executive Officer the duty, power and authority to, in consultation with the CEO's of the co-owners:*
- i. *make and give any determination required by the Lease of lot 555 on behalf of the Lessor, approval, direction or order in relation to the Property; monitor compliance with and enforce as necessary the provisions of the CAPH lease (but this power does not include statutory powers of the Town of Cottesloe); and*
 - ii. *all matters relating to the Agreement to Lease of lot 555 to Curtin Care.*
- b) *In exercising this delegation of authority the Chief Executive Officer shall not make a determination if:*
- i. *the CEO believes the matter for decision is a material change to the terms and conditions of the Lease or Agreement to Lease, or*
 - ii. *the majority of the other co - owner Chief Executive Officers do not agree to exercise their delegated authority.*
- c) *If the Chief Executive Officer declines to give a determination (for reasons set out in part 4(b)) the CEO must report the matter to the Council for decision.*

CARRIED

Ordinary Council Meeting 20 October 2015, Resolution 179/15:

That Council:

1. *Supports a 25 year lease being granted to Curtin Care Inc for Lot 87 Gibney Street Cottesloe for the purposes of the provision of care, accommodation and residential facilities for aged persons and all activities relating to the provision of such care, accommodation and residential facilities on a not for profit basis.*
2. *Authorises the CEO of Town of Claremont to facilitate the preparation of the agreement to lease, and the lease which is to commence from practical completion, the legal costs of which to be shared equally between the local government owners.*

CARRIED

Ordinary Council Meeting 02 June 2015, Resolution 102/15:

That Council:

1. *Agree to participate in a working group as proposed by Mosman Park Council*
2. *Appoint the Mayor and Deputy Mayor to represent Claremont Council*
3. *Appoint Cr Tulloch as the third Council member representative*
4. *Acknowledge that the CEO and Executive Manager Corporate and Governance will be the Town's officer representatives.*

CARRIED

Ordinary Council Meeting 05 May 2015, Resolution 75/15:

That Council

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

MOTION TO DEFER

That the item be deferred back to Administration.

CARRIED

Communication / Consultation

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

Representatives of Curtin Care have consulted with the Town of Cottesloe Executive as the planning authority during the development of the Master Plan.

Curtin Care has undertaken extensive voluntary (non-statutory) consultation with the community and neighbouring residents that facilitated the establishment of a series of design principles from which the Master Plan has since been developed.

The Draft Master Plan has been sent to the Minister for Lands for confirmation that the Draft Master Plan complies with the restrictions on the certificate of title prohibiting alternative uses for the site.

It is proposed in this report that the Draft Master Plan be approved for public consultation. This will be undertaken by the four Local Governments as landowners seeking public feedback on the proposal and will be carried out through each local government's media channels. Once the public feedback is gained it will be collated and brought back to the Councils with any recommendations for adjustment to the Draft Master Plan and the recommendation to then adopt the Master Plan in order for it to be submitted for development approval.

Strategic Community Plan

Governance and Leadership

We are an open and accountable local government; a leader in community service standards.

- Our stakeholders are well informed and we provide opportunities for community engagement.
- Demonstrate a high standard of governance, accountability, management and strategic planning.

Urgency

To support the timeframe for the redevelopment.

Voting Requirements

Simple majority decision of Council required.

Officer Recommendation

Moved Cr Goetze, seconded Cr Franklyn.

That Council approves the Curtin Care – Wearne Redevelopment Draft Masterplan to be advertised for public consultation.

**CARRIED(40/18)
(NO DISSENT)**

Cr Kelly re-entered the meeting at 8:32pm.

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ITEMS 13.2.1 to 13.3.1 WERE CARRIED EN BLOC BY UNANIMOUS DECISION.

13.2 CORPORATE AND GOVERNANCE

13.2.1 LIST OF PAYMENTS 1 TO 31 JANUARY 2018

File No:	FIM/00062-03
Attachments:	OCM Schedule of Payments January 2018 (Attachment 1) NAB Purchase Card Statements 29 November 2017 to 31 January 2018 (Attachment 2)
Responsible Officer:	Les Crichton Executive Manager Corporate and Governance
Author:	Edwin Kwan Finance Officer
Proposed Meeting Date:	20 March 2018

Purpose

For Council to note the payments made in January 2017.

Background

Council has delegated to the CEO the exercise of its power to make payments from the Municipal Fund or Trust Fund.

Discussion

Attached is the list of all accounts paid totalling \$1,404,933.50 during the month of January 2017.

The attached schedule covers:

Municipal Funds electronic funds transfers (EFT)	\$	769,320.60
Municipal Fund voucher (39567)	\$	95.35
Municipal Fund direct debits	\$	525,039.51
Trust Fund electronic funds transfer (EFT)	\$	110,478.04
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 6 February 2018, Resolution 04/18.

That Council notes all payments made for December 2017 totalling \$2,611,341.62 comprising:

<i>Municipal Funds electronic funds transfers (EFT)</i>	<i>\$</i>	<i>1,718,098.97</i>
<i>Municipal Fund vouchers (39566)</i>	<i>\$</i>	<i>16,295.50</i>
<i>Municipal Fund direct debits</i>	<i>\$</i>	<i>684,196.59</i>

<i>Trust Fund electronic funds transfer (EFT)</i>	\$	192,750.56
<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

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

Strategic Community Plan

Governance and Leadership

We are an open and accountable local government; a leader in community service standards.

- Manage our finances responsibly and improve financial sustainability.

Urgency

Nil

Voting Requirements

Simple majority decision of Council required.

Officer Recommendation

Moved Cr Edwards, seconded Cr Mews.

That Council notes all payments made by the CEO under Delegation DA9 for January 2017 totalling \$1,404,933.50 comprising:

Municipal Funds electronic funds transfers (EFT)	\$	769,320.60
Municipal Fund voucher (39567)	\$	95.35
Municipal Fund direct debits	\$	525,039.51
Trust Fund electronic funds transfer (EFT)	\$	110,478.04
Trust Fund vouchers	\$	0.00

**CARRIED(41/18)
(NO DISSENT)**

13.2.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 JANUARY 2018

File Ref:	FIM/0062-03
Attachments:	Financial Report for the Period Ended 31 January 2018 (Attachment 1) Infrastructure Assets 2017-18 Schedule of Work (Attachment 2)
Responsible Officer:	Les Crichton Executive Manager Corporate and Governance
Author:	Hitesh Hans Finance Manager
Proposed Meeting Date:	20 March 2018

Purpose

To present to Council the Statement of Financial Activity for the month ending 31 January 2018.

Background

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

Discussion

The Financial Statements to 31 January 2018 present the operational results for the first seven months of the 2017-18 financial year and compares year-to-date expenditure and revenue against revised budget. The budget figures incorporate all 2016-17 carry-forwards approved as part of the June 2017 end of year report and mid-year budget review adopted by Council on 20 February 2018.

The closing surplus of \$6,559,659 compares favourably against the budgeted surplus of \$5,766,078. The budgeted closing surplus estimates the total (capital and operating) revenue expected at the end of January less the total expenditure expected for the period. Variations in timing typically account for much of the difference between budgeted surplus and actual reported.

As detailed below, the \$793,581 is variance is made up of:

Under budget	
Operating expenditure	\$632,232
Capital expenditure	\$123,179
Capital revenue	(\$52,200)
Over Budget	
Operating revenue	\$90,370
Variance	<u>\$793,581</u>

As per Council's adopted variance reporting requirement for 2017-18 budget, only the variances above 20,000 are reported below as major contributors. For further detail on all variances, refer to Attachment 1.

Operating revenue – 90,370 above budget.

The major contributors to the operating revenue variations are:

	Revenue Budget	Revenue Actual	Variance
Fees and charges	1,808,503	1,885,330	76,827

- Fees and charges - due to timing of income from Aquatic Centre revenue, and planning fees.

Important revenue indicators are:

Total rates (including arrears, ESL and other charges) are \$18.191M with collection to date of \$15.743 M or 86.54%. This compares to 91% collection in the previous financial year for this period.

Debtors show +90 days outstanding of \$23K which relate mainly to parking lease and contribution invoices. Most have been sent to our debt collection agency for further follow up.

Operating expenditure - \$632,232 under budget

The major contributors to the operating expenditure variations are:

	Expenditure Budget	Expenditure Actual	Variance
Employee Cost	4,229,687	4,081,186	148,501
Material and Contracts	6,669,439	6,238,351	431,088
Utilities Charges	320,586	289,927	30,659
Other Expenses	579,714	551,585	28,129

- Employee costs - due to the timing of training and recruitment costs 31K, Superannuation 21K along with timing of employee costs.
- \$431,088 materials and contracts – timing differences of which \$262K relates to material & contracts (infrastructure maintenance) and \$104k relates to office expenses (IT).
- \$30,659 utilities - timing
- \$28,129 - timing of contributions and Wesroc projects.

Some of the more significant variances are:

Capital revenue – (\$52,200) below budget.

This variance is due timing on the proceeds from sale of vehicles.

Capital expenditure – \$123,179 under budget.

As detailed within the capital works schedules (Note 10), the capital expenditure comprises:

- \$47K below budget in infrastructure works due to timing. Attachment 2 provides further detail on the projects and variance explanation.
- \$78K under budget on transfers to reserves due to timing of interest income on reserve investment.

Past Resolutions

Ordinary Council Meeting 20 February 2018, Resolution 16/18:

That Council notes the Financial Statement of Activity for the period 1 July 2017 to 31 December 2017.

Financial and Staff Implications

Resource requirements are in accordance with existing budgetary allocation.

Policy and Statutory Implications

Local Government Act 1995.

Local Government (Financial Management) Regulations 1996.

Communication / Consultation

The Town is required to prepare and submit to Council a financial activity statement each month.

Strategic Community Plan

Governance and Leadership

We are an open and accountable local government; a leader in community service standards.

- Manage our finances responsibly and improve financial sustainability.
- Demonstrate a high standard of governance, accountability, management and strategic planning.

Urgency

Monthly statements of financial activity must be submitted within two months after the end of the month to which the statement relates.

Voting Requirements

Simple majority decision of Council required.

Officer Recommendation

Moved Cr Edwards, seconded Cr Mews.

That Council notes the Financial Statement of Activity for the period 1 July 2017 to 31 January 2018.

**CARRIED(41/18)
(NO DISSENT)**

13.3 INFRASTRUCTURE

13.3.1 UPGRADE OF EXISTING ABLUTION FACILITIES AND PROVISION OF UNIVERSAL ACCESS TOILET AT 20 LAPSLEY ROAD FOR GOLF COURSE, ASPIRE GYM AND THE PUBLIC

File No:	1103/10190
Attachments:	Building Plans of Golf Course Toilet Upgrade (Attachment 1)
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Margaret Brophy Asset Technical Services Officer
Proposed Meeting Date:	20 March 2017

Purpose

To request an increase in Council contribution of \$38,000 for the upgrade of the toilet facilities at 20 Lapsley Road bringing the total contribution from \$35,000 to \$73,000.

Background

The toilet facilities at the original golf course club house were built in 1964 and have long passed their original intended design life. Currently, the building is leased by two different parties: Golf Oracle and Aspire. Due to the scope of refurbishments, the toilet facility had to be upgraded to include a universal access toilet (UAT) mandated by the Department of Planning and the Building Code of Australia for disability access and inclusion. The lessee of the golf course, Golf Oracle, is in the process of undertaking this upgrade, and have received a price from their preferred supplier.

It was anticipated the refurbishment would cost in the vicinity of \$100,000. There was \$35,000 earmarked from the course redevelopment as the contribution from the Town, supplemented by an agreement with Aspire to contribute \$15,000 towards the UAT, and the remaining \$50,000 to be funded by Golf Oracle. However, the cost for the project has been quoted at \$167,350 excluding GST. Golf Oracle has indicated that they are prepared to increase their contribution from \$50,000 to \$80,000 leaving a shortfall of \$37,350. It is proposed this additional amount is paid by the Town.

Discussion

The plans for the upgrade of the ablution block (included as Attachment 1) is to completely renovate the existing facility, including its sewer pipes, to extend the building for the installation of a universal access toilet, and three additional toilets. The increase in number of toilets is to meet public building requirements for the projected maximum occupancy of the restaurant. There will still be showers and lockers for those playing golf or using the gym.

It was agreed with the lessees that these facilities could also be used by members of the public and the Friends of Lake Claremont volunteers. For this reason, the Town is contributing to the upgrade.

To provide a 'value for money' comparison, the following toilet upgrades have recently been conducted within the Town:

Location	Description	Cost
Claremont Park public toilets	<ul style="list-style-type: none"> Three toilets – one of which is universal access This <i>excludes</i> the sewer line extensions 	\$161,000
McKenzie Pavilion universal access toilet	<ul style="list-style-type: none"> Inclusive of the building extension; and external modifications to the entry to meet access requirements 	\$99,000
Jetty Road public toilets	<ul style="list-style-type: none"> Both toilets have universal access cubicles Has vandal proof finish and fittings Inclusive of external concrete works to allow wheelchair access to the building 	\$65,000
Proposed Golf Course public toilet facilities	<ul style="list-style-type: none"> Six toilets, two showers and a universal access toilet and shower 	\$167,350 (Total) \$72,350 (Total Cost to the Town, if the proposed increase of \$37,350 is approved by Council)

With the current upgrade plans having already been approved by both WAPC and the Town, the construction can commence as soon as the funding is finalised.

Past Resolutions

There are no past resolutions relevant to this item.

Financial and Staff Implications

- Cost of upgrade \$167,350 ex GST
- Funding by Golf Oracle initially \$50,000 now increased to \$80,000
- Contribution by Aspire \$15,000
- Contribution by Town allocated during golf course upgrade \$35,000
- Additional contribution from Town \$37,350 to be redirected from the Town Center Toilet funding in 2017-18 budget.

Policy and Statutory Implications

To comply with Universal Access public building requirements and Department of Planning conditions

Communication / Consultation

Inform Golf Oracle and Aspire the Council decision.

Strategic Community Plan**Liveability**

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

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

Urgency

To proceed as soon as possible with the completion of the upgrade including provision of Universal Access Toilet.

Voting Requirements

ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED.

Officer Recommendation

Moved Cr Edwards, seconded Cr Mews.

That Council

1. **Approve additional contribution of \$38,000 to Golf Oracle for the upgrade of the toilet facilities at Golf Course/ Gym for use by their patrons and public.**
2. **Approve the transfer of the above funds from the Town Centre Public Toilet allocation in 2017-18 budget.**

**CARRIED(41/18)
(NO DISSENT)**

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13.3.2 STIRLING ROAD CLAREMONT CRESCENT INTERSECTION REVIEW

File No:	RDS/00244
Attachments:	Modified Roundabout Concept Design (Attachment 1)
Responsible Officer:	Saba Kirupanather Executive Manager Infrastructure
Author:	Marty Symmons Engineering Technical Officer
Proposed Meeting Date:	20 March 2018

Purpose

To investigate the feasibility of installing a roundabout at the Stirling Road Claremont Crescent intersection.

Background

The Claremont Crescent Stirling Road intersection was previously considered a 'Black Spot' location due to the high number of crashes that have occurred in this area. Minor improvements made over the years have made the area much safer, with far fewer crashes occurring, resulting in this location no longer being considered a 'Black Spot'.

The most recent works completed has included the relocation of the pedestrian crossing; the installation of a pedestrian railing; and, the subsequent modification of the railing to allow for 19m long articulated buses to negotiate the corner, utilising some of the footpath.

Despite these improvements, however, it is still not an easy location to negotiate. This is mostly due to the limited sight lines past the underpass, on the south side of the road, and limited reaction times for vehicles turning right from Claremont Crescent onto Stirling Road.

Discussion

Recently, the West Australian Planning Commission (WAPC) confirmed that the resumed land on the northwest quadrant of the intersection will be included as part of the road reserve to be utilised for future road geometry improvements. This, together with the upcoming relocation of power lines and removal of all the aboveground poles, provides an opportunity to redesign the Claremont Crescent Stirling Road intersection to increase safety in this location.

A concept design of a modified roundabout has been drafted and included as Attachment 1. This design demonstrates that a roundabout can, now, be accommodated with all vehicle movements considered.

Due to the intersections proximity to the traffic signals on Stirling Road (at both the Barnfield Road and the Stirling Highway intersections), a proposal to install a roundabout will need to be evaluated by Main Roads WA to determine if they are likely to approve a detailed design.

Prior to sending a proposal to Main Roads WA, it is recommended that a Road Safety Audit of the concept design be completed to reinforce the benefits of the design.

If Main Roads WA advises that a roundabout is likely to be approved, it is recommended that the Town complete a detailed design, and consideration be given to adding the construction of the roundabout to a future budget. Further funding can also be sought by applying for future grant applications using both the Road Safety Audit result, and Main Roads WA recommendation, as supporting documentation.

Past Resolutions

Ordinary Council Meeting 4 July 2017, Resolution 111/17:

That Council

1. *Approves modification/ installation of the pedestrian railing to accommodate 19 metre articulated buses on the understanding that the PTA will be funding the works.*
2. *Conduct a 12 month review to see if the railing is still being damaged on the new alignment. If repeat costly damage is still happening report to Council for a decision to change for an alternate treatment.*

CARRIED

Ordinary Council Meeting 5 April 2016, Resolution 53/16:

That Council

1. *Approve installation of clamped railings pedestrian barrier at south west corner of Stirling Road /Claremont Crescent intersection*
2. *Authorise unbudgeted expenditure of \$10,000 to be funded from projected 2015-16 unallocated surplus.*

Reason: Pedestrians exiting the pedestrian underpass and seeking to cross over Claremont Crescent are too close to the corner of Stirling Road and Claremont Crescent to see any cars coming through the traffic underpass and turning left.

CARRIED

Ordinary Council Meeting 5 August 2014, Resolution 113/14:

That Council

1. *Approves a roundabout at the intersection Claremont Crescent and Stirling Road preferably located to the north of the intersection; and*
2. *Informs the residents of Claremont Crescent between Saladin Street and Shenton Road of the Council's decision.*
3. *Approves submission of an application for Black Spot funding for the proposed works.*

CARRIED

Financial and Staff Implications

The proposed Road Safety Audit of the roundabout concept design, to be completed via engagement of a Senior Road Auditor, will be funded from existing operational budget.

Policy and Statutory Implications

Main Roads WA Policy Standards and Guidelines
Austroads Guide to Road Design

Communication / Consultation

Consult with Main Roads WA.

Strategic Community Plan

Liveability

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

- Promote and support initiatives that improve traffic flow.
- Maintain and upgrade the Town's assets for seamless day to day usage.

Urgency

N/A

Voting Requirements

Simple majority decision of Council required.

Officer Recommendation

Moved Cr Edwards, seconded Cr Browne.

That Council

- 1. Approves the engagement of a Senior Road Safety Auditor to audit the concept roundabout design for the Stirling Road Claremont Crescent intersection**
- 2. Requests Main Roads WA assess the concept design and Road Safety Audit for feasibility and likelihood of approval.**

CARRIED(42/18)

For: Mayor Barker, Cr Browne, Cr Edwards, Cr Goetze, Cr Kelly, Cr Main, Cr Mews, Cr Tulloch.

Against: Cr Franklyn, Cr Haynes.

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13.4 PLANNING AND DEVELOPMENT**13.4.1 ST LOUIS MASTERPLAN AND LOCAL DEVELOPMENT PLAN**

File Ref:	LND/00061
Attachments – Public:	Location and Submission Map (Attachment 1) Proposed Masterplan (Attachment 2) Modified St Louis Estate Local Development Plan (Attachment 3) Submissions Schedule (Attachment 4) St Louis Estate Resident Survey and Results (Attachment 5) Cross Sectional Analysis with 8 Storey Building Inserted (Attachment 6)
Attachments – Restricted:	Submissions received (R-Attachment 1)
Responsible Officer:	David Vinicombe Executive Manager Planning and Development
Author:	Stuart Devenish Planning Consultant David Vinicombe Executive Manager Planning and Development
Proposed Meeting Date:	20 March 2018
Property Owner:	CHC (St Louis) Pty Ltd
Submitted By:	MW Urban
Lot No.:	Lot 901 Albert Street & Lots 123 & 200 Dean Street
Area of Lot:	30,256m²
Zoning:	Residential (Lot 901 R30/40 and Lots 123 & 200 R40)
Financial Implications:	Nil
Enabling Legislation:	<i>Planning and Development Act 2005 (PDA)</i> <i>Town Planning Scheme No. 3 (TPS3)</i> <i>Residential Design Codes (RDC)</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regs)</i> <i>Local Planning Policy 2/2015 – Retention of Heritage Places, Heritage Areas and Heritage Precincts.</i>

Summary

- Application for Council endorsement of a Masterplan (MP) and approval of a Local Development Plan (LDP) for the future development of St Louis Estate Retirement Village (St Louis Estate) was initially received 10 April 2017 and modified following discussions 1 August 2017.
- The owners of St Louis Estate (through their planning consultants) made a submission on the proposed Stirling Highway LDP in 2016. Council resolved on 5 July 2016 to include St Louis Estate as a “designated landmark” site which is subject to the preparation of a MP which informs an LDP to identify and address specific development requirements for the site and guide amendments to TPS3 and/or Local Planning Policy. Further it was resolved that upon presentation of the MP to the satisfaction of Council, the Western Australian Planning Commission (WAPC) be requested provide approval for the preparation of an LDP for the site which links in with the Stirling Highway LDP.
- The proposed MP sets out the arrangements for redevelopment of the central portion of the retirement village site. A total of 47 dwellings are planned to be demolished, with new development providing in the order of 75 two and three bedroom multiple dwellings across 12 separate buildings. Proposed building heights vary between two (fronting Albert Street) and three storeys (fronting Dean Street) and eight storeys in the centre of the site. Two heritage listed buildings are planned to be retained.
- An LDP has been prepared prescribing development standards consistent with the terms of the MP. Council considered both the MP and a draft LDP at its meeting on 21 November 2017, and resolved to advertise the LDP subject to approval of the WAPC.
- The LDP was advertised for a period of 35 days (minimum 14 days required). Separately, the estate owners appointed consultants to undertake an informal resident engagement exercise which surveyed estate residents.
- A total of 35 submissions were received on the advertised draft LDP. A further 25 responses were received by the estate owners as part of their engagement exercise.
- Submissions raised objections and concerns about a range of matters, but primarily around proposed building heights, traffic impacts and the adequacy of on-site parking.
- On assessment, it is considered that the submissions do not warrant refusal or major modification to the LDP. This is on the basis of the dwelling yield being well within the existing R-Code, building heights generally graduating from the streets to the centre of the site, parking being provided in accordance with standard requirements, rationalisation of crossovers and adequacy of the road network to cater for the modest increase in dwelling numbers.
- Two modifications have been made to the LDP to clarify where the Residential Design Code (RDC) requirements apply to Grouped and Multiple Dwelling components of the development and cover off on minor and major variation processes.
- Three further modifications are proposed to the LDP:

- To limit the plot ratio in the Central Precinct to 0.83 (8,840m²)
- Reduce the building envelopes for the Multiple Dwellings in the immediate proximity of the Albert Street Heritage Areas (as listed in the Town's Local Government Inventory and TPS3 Heritage List) to address Local Planning Policy 2/2015 – Retention of Heritage Places, Heritage Areas and Heritage Precincts and also bring the calculated building envelope plot ratios under the MP into closer alignment with the proposed plot ratios
- Correct dimensions contained in the LDP plan.
- The *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regs) requires Council to consider the LDP within 60 days of closure of advertising (i.e. by 29 March 2018). Council may approve the LDP, approve the LDP with modifications or refuse the LDP.
- As the MP is a non-statutory document, formal approval of this plan is not required.
- It is recommended that the MP be supported, the modified LDP be approved with further modifications to address the plot ratio and Albert Street Heritage Area concerns detailed in the report, and advice be provided to the applicant in regards to construction management requirements to address resident concerns. It is further recommended the Council reiterate its previous advice to the applicant regarding the need for separate consideration of ancillary uses at the bungalow at 13 Dean Street.

Purpose

Council is to consider supporting the terms of a Masterplan (MP) (Attachment 2) and approve a Local Development Plan (LDP) (Attachment 3) that will facilitate the redevelopment of a central portion of the St Louis Estate. In doing so, Council is to have regard for public submissions received during the advertising of the LDP.

Key Dates

The following table outlines key dates regarding this proposal:

Date	Item/Outcome
5 July 2016	Council adopted the Stirling Highway LDP including a recommendation concerning St Louis Estate MP and LDP process.
14 November 2017	Council Briefing Session on proposed MP.
10 April 2017	Draft MP submitted.
7 July 2017	Additional information requested from applicant.
1 August 2017	Revised MP and draft LDP submitted by applicant.
26 August 2017	Report prepared for Council.
5 September 2017	Report to Council on 5 September withdrawn from Council.
31 October 2017	Applicant submits Resident Information Framework exercise and requests Council consideration of the matter on 21 November 2017.
9 November 2017	Report prepared.
21 November 2017	Council resolved to support the terms of the proposed MP, subject to WAPC approval for preparation and public advertising of the LDP.

Date	Item/Outcome
29 November 2017	WAPC grant consent to approval of and advertising the draft LDP.
6-week period ending 30 January 2018	Draft LDP advertised for public comment.
12 March 2018	Modified LDP submitted.
13 March 2018	Report finalised.

Past Resolutions

At its meeting on 21 November, 2017 Council resolved as follows:

- A) *Support the terms of the proposed Masterplan for the St Louis Estate Retirement Village dated July 2017, subject to the following:*
1. *Approval being granted by the Western Australian Planning Commission for the preparation of a Local Development Plan for the site as provided for by the Planning and Development (Local Planning Scheme) Regulations 2015.*
 2. *The Local Development Plan being advertised in accordance with the requirements of the Planning and Development (Local Planning Scheme) Regulations 2015 and referred back to Council for determination.*
- B) *Advise the applicant that:*
1. *All results of the Resident Surveys are to be submitted to Council for consideration along with all other public submissions received during the formal public consultation period.*
 2. *A Scheme Amendment may be required for ancillary uses identified for the bungalow at 13 Dean Street, which will be subject to separate consideration and determination.*
 3. *Any support for the Masterplan should not be construed as necessary support for additional uses.*
- C) *Formally request the Western Australian Planning Commission grant approval to the preparation of a Local Development Plan in accordance with Planning and Development (Local Planning Scheme) Regulations 2015 for Lots 901, 123 and 200 Albert and Dean Streets respectively.*

Background

Planning Context

The Town of Claremont Housing Capacity Study 2013 adopted by Council on 20 November 2012 examined the opportunity for increased dwelling yields to meet housing targets in line with the requirements of the WAPC's Directions 2031 and associated sub-regional strategies.

The Town of Claremont Housing Capacity Study formed the basis of the Stirling Highway LDP that was adopted by Council on 5 July 2016. At the time of adoption, Council resolved to identify the St Louis Estate and adjacent Mont Clare sites as “designated landmark” sites, and to be subject to the preparation of a MP as follows:

“Include the St Louis Estate Retirement Village as an identified “designated landmark” site which is subject to the preparation of a masterplan which informs the development of a separate Local Development Plan to identify and address specific development requirements for the site and to guide any future amendment to Town Planning Scheme No 3 and/or Local Planning Policy.”

The Stirling Highway LDP also indicates an increase in R-Coding from R30/40 to R80 within the southern portion of the St Louis Estate. The site is predominantly zoned R30/40, with a relatively small strip adjacent Stirling Highway reserved “Primary Regional Road” under the Metropolitan Region Scheme (MRS). A broader strip of land that was previously subject to the regional road reservation is now unzoned land – brought about by the MRS amendment that substantially reduced the width of the road reservation (and now subject of Amendment No. 138 to TPS3).

The subject site contains two standalone properties contained within the Town’s Heritage List, as follows:

Attribute	Address	Management Category
Federation Bungalow (Homestead)	10 Albert Street	‘B’
Federation Bungalow	13 Dean Street	‘C’

It is noted each bungalow is to be retained by the MP and LDP as recommended by the Heritage List management category assignments. The MP and LDP provide for additions to the bungalow at 13 Dean Street to be removed, enhancing the heritage value of the home. The other bungalow (Homestead), currently containing the administration activities for St Louis Estate, is to be retained.

It is noted that the final proposals for development will need to address the requirements of Local Planning Policy 2/2015 – Retention of Heritage Places, Heritage Areas and Heritage Precincts in terms of respecting and appropriately responding to the Albert Street Heritage Area (under Council’s TPS3 Heritage List) streetscape (see further comment below on this matter).

Site Description

The land subject to the proposed MP and LDP comprise three land titles, all in common ownership of CHC (St Louis) Pty Ltd, described and currently developed as follows:

EXISTING SITE ARRANGEMENTS		
Lot	Land Area	Existing Development
Lot 901	28,417m ²	128 independent living units – 40 grouped dwellings and 88 multiple dwellings.
		Homestead (heritage bungalow) with resident facilities and administration functions.
Lot 123	1,222m ²	Single Dwelling (heritage bungalow)

Lot 200 (subject to two strata lots)	602m ²	Duplex pair
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The existing built form comprises a mix of single storey, two-storey plus basement and three storey buildings. Collectively, the site has frontage to Stirling Highway, Dean and Albert Streets and Barnfield Road. Vehicle access is a combination of direct street frontage and internal accessways. Internal pathways provide pedestrian connectivity between resident facilities and accommodation units.

It is noted the adjacent Mont Clare aged care facility is under separate ownership and not part of the proposed MP or LDP area.

Plan Preparation and Adoption Arrangements

Masterplan

The intention of a MP is to provide guidance to the form of development, and to inform the subsequent preparation of a site specific LDP and ultimately, a development application. The MP is a non-statutory document and as such, does not require formal adoption by Council.

Preparation of a Local Development Plan

The preparation of a LDP is provided by cl.47(d) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regs). This clause allows an LDP where “the Commission and the local government considers that a local development plan is required for the purposes of orderly and proper planning”. The Western Australian Planning Commission (WAPC) provided its agreement to the preparation of the LDP by letter dated 29 November 2017. The WAPC did not specify any requirements in respect to the manner or form of the LDP.

Terms of Masterplan

The MP divides the subject site into three precincts:

PRECINCT	DESCRIPTION
North Precinct and South Precinct	No redevelopment proposals are planned within the foreseeable future. In this regard, the applicant notes: <i>“The owners do not have plans for significant redevelopment of the northern and southern precincts of the estate in the foreseeable future, given the northern area contains attractive, mostly single level dwellings, and the southern area contains newer, modern buildings, including the Albert Street apartments and the Dean Street apartment.”</i>
Central Precinct	Refer to details below

The Central Precinct comprises 10,651m² (approximately 35% of the total site area). The MP provides for the following outcomes within the Central Precinct:

- Demolish existing grouped dwellings (19) and multiple dwellings (28).
- Retain the heritage listed bungalows at 13 Dean Street and 10 Albert Street.
- Remove an addition to the bungalow at 13 Dean Street, improving the heritage value of the building.

- Provide additional uses within the bungalow at 13 Dean Street such as medical consulting and potentially a café.
- Construct 75 multiple dwellings – based on floor areas ranging from 100 - 140m² (noting actual yield may ultimately vary depending on final design floor areas allocated per dwelling).
- Achieve a Central Precinct plot ratio floor space of 8,840m² – (0.83 for Multiple Dwellings only). Over the entire site (including the Northern and Southern Precincts) associated with Multiple Dwelling development (26,721m²), the plot ratio for the Multiple Dwellings is calculated at 0.55 (16,033m², being 0.05 below the deemed-to-comply plot ratio of 0.6 – 1322m²).
- Construction of 12 separate buildings:
 - Four buildings addressing the Albert Street frontage at two storey.
 - Four buildings set behind the buildings fronting Albert Street at three storey.
 - One building of three storey fronting Dean Street.
 - Two buildings set behind the buildings fronting Dean Street at four storey.
 - One building central to the site at eight storey.
- Provide 4m street setbacks to Albert and Dean Streets (see comment below on increasing the Albert Street front setback to 6m).
- Provide a central open space area, with smaller amenity areas distributed across the Precinct.
- Provide car parking in-line with Scheme/RDC requirements, predominantly within basements, with open air visitor parking.
- Reduce the Central Precinct number of crossovers from seven to three:
 - Albert Street - four crossovers reduced to two.
 - Dean Street - three crossovers reduced to one.
- Improve pedestrian linkages with the North Precinct.
- Provide pedestrian and buggy links between all Precincts.

The MP drawings identify building massing, and are not intended as representative of the architectural detail. The further detail in this regard, along with all other specific design detail will be set out within subsequent Development Application(s).

Technical reports in support of the MP include a Preliminary Landscape Design Strategy and Transport Report.

Terms of Local Development Plan

The purpose of an LDP is to set prescribed development standards for the site. The proposed LDP in this regard provides standards in respect to the following:

- Building size –basis of the plot ratio calculation.

- Building height – variations to the RDC to allow building heights as indicated on the MP.
- Street and lot boundary setbacks – minimum setback requirements as indicated on the MP.
- Parking – requirements for development staging and visitor parking.
- Dwelling size – exemptions from deemed-to-comply requirements.
- Vehicle access – nominated access points.

The LDP provisions are set out in report and plan annotation form, and provide standards consistent with the MP. It is noted that on review of the LDP dimensions, it appears that a number of the dimensions are inconsistent with the scaled dimensions. This matter should be rectified as a modification to the LDP to provide further clarity on the LDP and assist the assessment of future Development Applications.

Consultation

Consultation Arrangements

Draft Local Development Plan

The draft LDP was advertised for public comment for a period of approximately six weeks ending on 30 January 2018. The LPS Regs specify that advertising a LDP is to be for a minimum period 14 days, commencing within 28 days of 'preparation' (i.e. commencing before 27 December 2017). It was acknowledged that advertising during the Christmas/New Year period was not ideal, particularly given the Town's office was closed between 22 December and 2 January. In recognition of these constraints, the consultation period was extended from 14 days to 35 days.

Advertising included letters addressed to 413 owners and occupiers in proximity to the site. A Notice was also published in the Public Notices section of the Post newspaper (30 December 2017) and on the Town's website.

It is noted that the MP is not subject to separate referral to government agencies including Main Roads Western Australia (MRWA), however any future Development Applications resulting from the LDP will require referral to MRWA.

Resident Survey

A separate engagement process has been undertaken by the owners of the Estate with its residents. This process concluded on 20 November 2017 with 25 survey responses received.

Submissions

Draft Local Development Plan

A total of 35 separate submissions were received during the public advertising period. Details of each submission, along with a responses by the applicant and Town of Claremont Officers are set out within the Submissions Schedule (Attachment 4), with full copies of the submissions provided (R-Attachment 1).

The submission have been broadly categorised as follows:

Submissions of support:	2
Submissions of objection:	18
Submissions raising concern:	10
Other matters:	5

Common issues raised within the submission are identified and addressed below:

Overall Dwelling Density

Although the actual housing density is not specifically identified as a ground of objection within submissions on the LDP, responses received do comment on issues associated with increased density such as building height, traffic management and the like. In addition, a submission (27 within the Submissions Schedule – Attachment 4) comments on yield calculations.

It is appropriate to note that the floor space/dwelling yield is well within the existing R40 coding for the total site, and as such, the plan does not seek to ‘over-develop’ the site, or require an R-Coding amendment to the TPS3.

At present, the site contains 128 dwelling units (40 grouped dwellings and 88 multiple dwellings). The redevelopment as set out on the MP would result in an additional 28 dwellings (subject to final design/floor space allocations), yielding in the order of 156 dwellings in total. This compares with a theoretical yield of 206 aged or dependent persons grouped dwellings that could be achieved for the total site area.

As indicated above, the Central Precinct achieves a plot ratio floor space of 8,840m² – (0.83 for Multiple Dwellings only). Over the entire site (including the Northern and Southern Precincts) associated with Multiple Dwelling development (26,721m²), the plot ratio for the Multiple Dwellings is calculated at 0.55 (16,033m², being 0.05 below the deemed-to-comply plot ratio of 0.6 – 1322m²). This plot ratio floor space along with an average unit size of 56.67m² determines the development yield of 156 dwellings.

In the context of the total site relating to Multiple Dwelling development a plot ratio of 0.55 is reasonable, however concerns of residents about the intensity of the plot ratio in the Central Precinct (0.83) can be acknowledged. Providing this achieves desirable built form outcomes which do not affect the local amenity, in particular the Heritage Areas in Albert Street (see comment below), this plot ration can be supported.

In interrogating the LDP plan, it is found that the building envelopes provide for approximately 14,927m² floor space. This is compared to a claimed 8,840m² plot ratio floor space for Multiple Dwellings in the Central Precinct. The MP reduces this area to building footprints of 11,718m². Although the MP informs the LDP, it is an informal planning document and the LDP building envelopes regulate the plot ratio calculations. Discussions with Malcolm Mackay (Urban Designer) indicate that as a general rule, plot ratio calculations relating to building envelopes result in two-thirds plot ratio floor space and one third to non-plot ratio area and wastage relative to the building footprint. On this basis it would appear that the building envelope calculation of 14,927m² would result in a plot ratio provision of 9,951m². This is 1,111m² above the provided plot ratio area detailed in the MP (an additional 12.56% plot ratio area) and potentially yielding a further 19 dwellings. This additional development yield has not been factored into

the traffic study, and without justification is difficult to support. Notwithstanding this, detailed comment below on heritage matters identifies an area of the building envelopes fronting Albert Street which could reduce the building envelopes and result in an acceptable plot ratio comparison. On this basis however, it remains that the LDP should be modified to insert plot ratio restrictions for the Central Precinct.

Concern is raised with regard to the control measures relating to plot ratio when it comes to ultimate development (which will most likely be determined by Metro West Joint Development Assessment Panel (JDAP) on behalf of Council. As a result of this, and of concerns detailed above, it is appropriate that the plot ratio be specified in the LDP. Further, given the concerns raised over plot ratio and development yield, additional measures have been added to the LDP to clarify where Grouped Dwelling or Multiple Dwelling requirements of the RDC apply and also to deal with minor and major variations (changes underlined below). Minor variations may be dealt with through the normal planning process, however major variations must be dealt with by Council prior to application for Development Approval and consideration by the JDAP. This will limit the capacity for the applicant to increase the plot ratio and development yield in the Central Precinct without formal Council consideration of a variation to the LDP, separate from the Development Application process:

1. Applications for grouped dwellings will be assessed under Part 5, clause 5.5.2 (aged or dependent persons' dwellings) of the R-Codes, and applications for multiple dwellings will be assessed under Part 6 of the R-Codes, and having due regard to the variations detailed within this Local Development Plan.
2. The local government may approve minor variations to the requirements contained in this Local Development Plan having due regard to the matters listed in clause 67 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, including the relevant design principles of the R-Codes.
3. Major variations to the requirements of this Local Development Plan will require an amendment of the Local Development Plan in accordance with clause 59 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. All major variations to the Local Development Plan shall be approved by Council prior to the lodgement of any Development Application which is to be considered by the Metro West Joint Development Assessment Panel.

Building Height

Concerns are raised in submission in regards to the impact of building heights in respect to the general amenity and heritage attributes of the area. Specific concerns are raised regarding the impact of the proposed eight storey building in the centre of the site on the adjacent streetscapes, sites and wider skyline.

The LDP specifically provides for building heights greater than the standard 6.6m limit prescribed by cl.40 of TPS3. The MP and LDP provide for building heights that graduate from street front locations to a maximum of eight storeys central to the site. More specifically, the plans provide:

- Two storey heights for development fronting Albert Street, consistent with normal height allowances for development along that street (see further comment below with regard to heritage matters).
- Three storey development for one block of dwellings fronting Dean Street is consistent with the streetscape being next to the existing three storey Mont Clare development and adjacent to the ten storey block of flats.
- Four and eight storey buildings centrally located and primarily shielded from the street by the developments provided for along the street frontages of Dean and Albert Streets.

The substantial land area of the site allows for building massing to be positioned in a manner that is generally (with exception perhaps to Albert Street - see comment below) sympathetic to its surrounds. The graduation of building heights from street frontages up to a maximum of eight storeys with substantial street setbacks is considered appropriate in Dean Street and the placement of the multiple dwellings respects the heritage buildings in Dean Street. A cross sectional analysis is provided on page 28 of the MP plans and this has been augmented to insert the proposed eight storey building. The enhanced detail of the cross sectional analysis (Attachment 6) indicated that from the adjacent streets the proposed eight storey building (measured at seven storeys from the crest of the hill on its southern elevation, and eight storeys from the northern elevation as the topography of the site drops) will be well shielded by the buildings proposed around the periphery of the site. From the broader skyline perspective, the eight storey building relates to the existing environment from which contains the ten storey apartments in Dean Street.

Albert Street however contains a number of single storey houses located within Heritage Areas as detailed in the Town's Local Government Inventory and TPS3 Heritage List. Council's Local Planning Policy 2/2015 Retention of Heritage Places, Heritage Areas and Heritage Precincts includes guidelines for development within the immediate locality of Heritage Areas which would apply to all development fronting Albert Street (e.g. development shall not detract from the heritage significance of the Heritage Area, respect the scale and proportions of existing buildings, roof pitches shall reference the (pitched) form of the heritage area, match setbacks of the heritage area and not dominate or overpower buildings within the area).

Most of the heritage matters will be addressed at the Development Application stage, however in response to submissions on these matters and combining the above concerns over plot ratio, an increase in building setback (to 6m) and reduction to the

height of buildings fronting Albert Street would reduce the heritage impacts and result in an improved relationship between the proposed plot ratio and building envelopes provided under the LDP (as described above). By increasing the setbacks and reducing the depth of the upper floors of the two Multiple Dwellings blocks fronting Albert Street (and replacing this area with a pitched roof to respect the heritage streetscape), the building envelope plot ratios would be reduced by 813m² to 9,138m². Although this is still over the proposed plot ratio (8,840m²) by 298m², it is closer to a reasonable development expectation which appropriately addresses the Albert Street Heritage Areas, and together with the plot ratio limitation being included in the LDP, will provide adequate design flexibility for the project.

Visual Privacy

Some concerns are raised in regards to compromised privacy as a result of overlooking from elevated buildings.

The setbacks of the multiple dwelling developments however are mostly well setback from adjacent private property. The applicant will be required to demonstrate compliance with RDC provisions in relation to privacy and overlooking, and it is anticipated that the plans will adequately satisfy the deemed-to-comply provisions.

On-Site Parking

Neighbouring residents have raised concerns regarding the adequacy of on-site parking associated with the increase in the number of dwellings on site.

The MP provides parking for residents, visitors and staff to be provided in accordance with the ordinary requirements of TPS3 and the RDC – predominantly within basements, with open air visitor parking. No variations to the standard requirements are proposed by the terms of the LDP. The actual detail of parking arrangements will be submitted as part of a future Development Application.

Vehicle Access Points

Concerns have been raised about vehicles movements on and off the site generally, and the potential for increased disruption to the local community as a result.

Rationalisation of vehicle crossovers is provided for by the MP, reducing the number of access points from seven to three within the Central Precinct. This will improve the streetscape by increasing uninterrupted verge area, and allowing additional kerbside parking for the community generally.

Traffic Generation

With an increase in development intensity, submission raise concern regarding the impact of additional vehicle movements to and from the site.

The redevelopment is estimated to generate an additional 47 vehicle trips per weekday, with eight of those occurring during peak periods. Movement numbers will maintain acceptable levels of service of the local street network, and are well within the carriageway and intersection capacities.

Construction Management

Concerns are raised with regard to numerous construction matters which have the potential to impact local residents during an extended construction program for the site. The applicant has committed to the preparation of a construction management plan to the Council's satisfaction, addressing measures to minimise disruption to neighbours when works are undertaken. Such measures are expected to address limits on construction hours, delivery times and locations, construction vehicle and worker parking, tree protection, road and footpath closures, noise generation, dust management, rubbish control and the like. In any case a condition of this type would be applied as standard practice to any Development Approval resulting from the LDP and MP and details required to be provided with application(s) for Building Permit(s).

Other Matters

Other matters are raised within submissions are addressed within the Submission Schedule (Attachment 4).

In summary, while concerns raised by the local community are noted, the issues raised in submissions do not warrant refusal or major modification to the LDP. This is on the basis of the dwelling yield being well within the existing R-Code, building heights suitably graduating from the streets to the centre of the site, parking being provided in accordance with standard requirements, rationalisation of crossovers and adequacy of the road network to cater for the modest increase in dwelling numbers. Notwithstanding, as detailed above, modifications to include the proposed plot ratio calculations on the LDP and reduce the built form impacts on the Albert Road Heritage Areas are recommended.

Resident Survey

The St Louise Estate owners have provided the results of the separate engagement process with estate residents. A copy of the survey questions and results is provided (Attachment 5).

The survey attracted responses ranging from estate facilities through to services offered. Key matters identified as in need of improvement included parking, pathways and open space amenity. Parking arrangements is further identified as a priority issue. 60% of responses had no concerns with any future site redevelopment. Of the concerns raised in the balance of submissions, matters included communications with residents, services available to future residents and accessibility to laundry facilities.

Financial and Staff Implications

The LDP will provide the statutory basis for considering development applications, which due to their value, are likely to be determined by the Metro West Joint Development Assessment Panel on behalf of the Town.

The applicant has raised concern over the proposed modifications to the LDP and it is possible that if Council adopts the Officer's recommendation below that the decision may result in the applicant making an application to the State Administrative Tribunal (SAT) for a review of Council's decision.

Appropriate Development Application fees will apply, as would Building fees to subsequent Building Permit applications.

Urgency

Under the terms of the LPS Regs, Council may either approve the plan, require modifications to the plan, or refuse the plan. If such a decision is not made by 29 March 2018 (60 days after close of advertising), then the LDP is deemed to be refused and may be progressed to the SAT for review should the owner seek to address such a Council decision (or lack of decision).

Conclusion

The proposed MP and associated LDP set out arrangement for redevelopment that will provide a higher standard of amenity and functionality for residents by renewing aging accommodation units. The arrangements also provide:

- An overall residential density that is well within the designated R-Code.
- Building heights that are graduated from street front locations to the centre of the site.
- Standard parking provisions as required by TPS3 and the RDC.
- A rationalisation of street crossovers.
- Traffic generation levels that are well within the capacity of the local street network.
- Improvement of heritage values.

Based on the above, it is recommended that the MP be supported, and the modified LDP be approved with further modifications to add the intended plot ratio from the MP, reduce the built form proposals fronting Albert Street in the immediate vicinity of the Albert Street Heritage Areas identified under the TPS3 Heritage List and correctly dimension the LDP plan. Further, advice being provided to the applicant regarding construction management requirements. It is also recommended that Council reiterate its previous advice that additional uses at the Dean Street Bungalow requires separate assessment and that approval of the MP does not prejudice a future consideration of initiation of an amendment to TPS3 addressing this matter.

Voting Requirements

Simple majority decision of Council required.

Officer Recommendation

Moved Cr Mews, seconded Cr Browne.

THAT Council:

- A) **Approved the modified St Louis Estate Local Development Plan in accordance with Clause 45 of Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015* subject to the applicant submitting a revised Local Development Plan which is modified to address the following matters to the satisfaction of the Town of Claremont:**
1. **Inclusion of a Multiple Dwelling Plot Ratio for the Central Precinct of 0.83 – 8,840m².**
 2. **The building envelopes fronting Albert Street in the immediate vicinity of the Albert Street Heritage Areas as identified under the Town's Local Government Inventory and Town Planning Scheme No. 3 Heritage List being modified to increase the front setback to 6 metres and reduce the second storey setback to 10 metres located behind a pitched roof to address concerns raised in the submissions regarding the heritage impacts of the proposal on the locality and specifically the Albert Street Heritage Areas requirements in accordance with the provisions of Council's Local Planning Policy 2/2015 – Retention of Heritage Places, Heritage Areas and Heritage Precincts and the Albert Street Heritage Areas.**
 3. **Modify dimensions on the Local Development Plan to ensure correct measurements apply.**
- B) **Affirm support for the terms of the Masterplan for the St Louis Estate Retirement Village dated July 2017, noting modifications required to the associated Local Development Plan as detailed in A) above.**
- C) **Advise the applicant that a Construction Management Plan will be required to be prepared to the Town of Claremont's satisfaction addressing issues including, but not limited to, limits on construction hours, delivery times and locations, construction vehicle and worker parking, tree protection, road and footpath closures, noise generation, dust management, rubbish control and the like.**
- D) **Reiterate its previous advice to the applicant that an Amendment to Town Planning Scheme No. 3 may be required for ancillary uses identified for the bungalow at 13 Dean Street, which will be subject to separate consideration and determination.**
-

AMENDMENT

Moved Cr Franklyn, seconded Cr Main.

That Part A of the Officer's Recommendation be modified to include the following additional modifications:

4. The central eight storey building being reduced in height by two stories and the proposed plot ratio be redistributed to the proposed four storey buildings with modified dimensions.
5. Additional landscaping consisting of advanced specimen trees being provided along the North boundary of the central precinct.

Reason: To reduce the amenity impact of the proposed development on neighbours to the north.

CARRIED(35/18)

For: Cr Browne, Cr Edwards, Cr Franklyn, Cr Goetze, Cr Kelly, Cr Main, Cr Mews.

Against: Mayor Barker, Cr Haynes, Cr Tulloch.

AMENDED PRIMARY MOTION

Moved Cr Mews, seconded Cr Browne.

THAT Council:

- A) Approved the modified St Louis Estate Local Development Plan in accordance with Clause 45 of Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015* subject to the applicant submitting a revised Local Development Plan which is modified to address the following matters to the satisfaction of the Town of Claremont:
 1. Inclusion of a Multiple Dwelling Plot Ratio for the Central Precinct of 0.83 – 8,840m².
 2. The building envelopes fronting Albert Street in the immediate vicinity of the Albert Street Heritage Areas as identified under the Town's Local Government Inventory and Town Planning Scheme No. 3 Heritage List being modified to increase the front setback to 6 metres and reduce the second storey setback to 10 metres located behind a pitched roof to address concerns raised in the submissions regarding the heritage impacts of the proposal on the locality and specifically the Albert Street Heritage Areas requirements in accordance with the provisions of Council's Local Planning Policy 2/2015 – Retention of Heritage Places, Heritage Areas and Heritage Precincts and the Albert Street Heritage Areas.
 3. Modify dimensions on the Local Development Plan to ensure correct measurements apply.

4. The central eight storey building being reduced in height by two stories and the proposed plot ratio be re-distributed to the proposed four storey buildings with modified dimensions.
 5. Additional landscaping consisting of advanced specimen trees being provided along the North boundary of the central precinct.
- B) Affirm support for the terms of the Masterplan for the St Louis Estate Retirement Village dated July 2017, noting modifications required to the associated Local Development Plan as detailed in A) above.
- C) Advise the applicant that a Construction Management Plan will be required to be prepared to the Town of Claremont's satisfaction addressing issues including, but not limited to, limits on construction hours, delivery times and locations, construction vehicle and worker parking, tree protection, road and footpath closures, noise generation, dust management, rubbish control and the like.
- D) Reiterate its previous advice to the applicant that an Amendment to Town Planning Scheme No. 3 may be required for ancillary uses identified for the bungalow at 13 Dean Street, which will be subject to separate consideration and determination.

CARRIED(36/18)

For: Mayor Barker, Cr Franklyn, Cr Goetze, Cr Haynes, Cr Main, Cr Mews.

Against: Cr Browne, Cr Edwards, Cr Kelly, Cr Tulloch.

Council returned to Item 7. on page 11 of the Agenda.

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14 ANNOUNCEMENTS BY THE PRESIDING PERSON

Cr Franklyn reported on her attendance at the Terrace Nights event.

Cr Browne reported on his attendance at the 'send off' event for the previous Mayor of Mosman Park, Ron Norris. He reported on his attendance at the Terrace Nights event.

Cr Goetze reported on her attendance at the Movies in the Park events and the Terrace Nights event.

Cr Main reported on her attendance at the Terrace Nights event.

Cr Tulloch reported on his attendance at the Terrace Nights event.

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

NIL

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

16.1 SLAB REPLACEMENT ON SHARED PATHS FROM 2017-18 BUDGET

Elected Member: Cr Bruce Haynes (East Ward)

Proposed Date: 20 March 2018

MOTION

Moved Cr Haynes, seconded Cr Browne.

That Council endorse the slab replacement program below, funded from the additional allocation approved as part of the mid-year budget review.

Project	Description	Reason	Location	Project Total	Priority
Stirling Hwy North; Stirling to Dean	Condition 5 slab replacement 210m @ 198/m ²	High risk		\$100,000	17-18
Alfred Road; Brockway to Ashton	Condition 5 slab replacement 110m	High risk		\$31,350	17-18
Loch St West; Chancellor to Melville	Condition 5 slab replacement 160m	High risk		\$45,600	17-18
Shenton Rd South; Servetus to ROW	Condition 5 slab replacement 120m	High risk		\$34,200	17-18
Albert Street West	Slab replacement adjacent to St Louis 170m @ 114/m ²	Vulnerable path user		\$35,000	17-18
Albert Street East	Paving removal as per discussion with Manager St Louis ~50m	Condition 5 high risk		\$4,000	17-18
Walter St East; Smith to Melville	Condition 5 slab replacement 190m	High risk		\$39,000	17-18
SUB TOTAL 2017-18				\$289,150	

Reason: Council needs to commence immediately to meet its undertaking to complete all scheduled infrastructure works before the end of the Financial Year (including the recently approved transfer of funds into the Footpath Budget item). The identified paths are those shown as high risk due for work during 2018-19.

**CARRIED(43/18)
(NO DISSENT)**

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