



MINUTES

Ordinary Council Meeting Tuesday, 15 October 2019

Date: Tuesday, 15 October 2019

Time: 7:00pm

Location: Town of Claremont
Claremont Council Chambers
308 Stirling Highway, Claremont

**Liz Ledger
Chief Executive Officer**

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. This meeting shall be recorded for Administration purposes only.

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**MINUTES OF TOWN OF CLAREMONT
ORDINARY COUNCIL MEETING
HELD AT THE TOWN OF CLAREMONT, CLAREMONT COUNCIL CHAMBERS, 308 STIRLING
HIGHWAY, CLAREMONT
ON TUESDAY, 15 OCTOBER 2019 AT 7:00PM**

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

His worship the Mayor, Jock Barker, welcomed members of the public, press, staff and Councillors and declared the meeting open at 7:01pm.

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

PRESENT:

Mayor Jock Barker (Mayor),
Cr Peter Browne OAM, JP (Deputy Mayor),
Cr Peter Edwards,
Cr Sara Franklyn,
Cr Jill Goetze,
Cr Bruce Haynes,
Cr Paul Kelly,
Cr Kate Main,
Cr Alastair Tulloch

IN ATTENDANCE:

Liz Ledger (Chief Executive Officer),
Les Crichton (Director Corporate and Compliance),
Andrew Smith (Director Infrastructure and Assets),
David Vinicombe (Director Planning and Development),
Katie Bovell (Governance Officer)

No members of the Public,

Two members of the Press

APOLOGIES:

Nil

LEAVE OF ABSENCE:

Cr Chris Mews

3 DISCLOSURE OF INTERESTS

Nil

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5 PUBLIC QUESTION TIME

Nil

6 PUBLIC STATEMENT TIME

Nil

7 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

8.1 PETITION - STREET TREES IN SCOTT STREET

RESOLUTION 137/19

Moved: Cr Peter Browne OAM, JP

Seconded: Cr Jill Goetze

That the petition be received.

CARRIED

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RESOLUTION 138/19

Moved: Cr Peter Edwards

Seconded: Cr Paul Kelly

That the minutes of the Ordinary Meeting of Council held on 1 October 2019 be confirmed.

CARRIED

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

Nil

11 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

Nil

12 REPORTS OF COMMITTEES

Nil

13 REPORTS OF THE CEO

13.1 LIVEABILITY

13.1.1 BINDARING PARADE - CONSIDERATION OF PETITION OF PARKING RESTRICTION AMENDMENTS

File Number: RDS/00180, D-19-32446

Author: Nick King, Manager Engineering and Parks

Authoriser: Liz Ledger, Chief Executive Officer

Attachments: 1. Bindaring Parade No Stopping Signs, Proposed Locations 

PURPOSE

To consider the petition as received by Council at the Ordinary Meeting of Council held on 3 September 2019 to consider parking restriction amendments within Bindaring Parade.

BACKGROUND

Clause 6.10(2) of the Town of Claremont Meeting Procedures Local Law 2018, provides that;

Upon receiving a petition, the local government is... to report on the matter that is the subject of the petition.

Council at its meeting held on 20 August 2019 received a petition which stated;

We the undersigned request that there be no parking on Bindaring Parade on school days between 7.30 and 9.00am and between 2.30pm and 4pm. The present parking arrangements cause obstructions to traffic flow and sight lines are blocked, making it dangerous to exit our driveways.

The petition received was signed by 21 people, all of whom are residents living in Bindaring Parade. In considering the matters as raised by the petition a review of the parking restrictions currently in place within the area was undertaken by the Town.

Bindaring Parade parking is mostly unrestricted, meaning parking is allowed at all times of the day and night. Sections of Bindaring Parade including the section north of Anstey Street has a 'no stopping' designation due to the close proximity to the roundabout, similarly the south end of Bindaring Parade from Airlie Street and as it turns into Shire of Peppermint Grove also has the same 'no stopping' restriction in place due to the proximity to the sharp bend.

As with all corners at intersections along Bindaring Parade, 'no stopping' is applied as per the Towns local laws through the use of yellow 'no stopping' line marking and relevant signage.

Adjacent streets that enter Bindaring Parade including Osborne Parade, Anstey Street and Airlie Street also have sections of 'no stopping' or clearways as appropriate.

Osborne Parade on the south side of the road is a designated clearway Monday to Friday between the hours of 7.30am to 9.30am, with the northern side of the road unrestricted with parking allowed at all times. Anstey Street also has the majority of the south side of the road designated as 'no stopping', with only a small section in front of the units 21 Anstey Street being unrestricted.

Airlie Street on both sides of the street is unrestricted, apart from one section on the north side of the road near Stirling Highway and in front of the commercial premises, where parking is allowed on the verge in preference to on the road.

Bindaring Parade is a local distributor as classified by Main Roads WA and varies in road width from 7.5m to 7.8m at its widest point, meaning single lane widths are sufficient at 3.75m or greater. Traffic counts undertaken in August 2016 for this road showed an average weekday traffic volume of 4,420 vehicles per day and an 85th percentile speed of 59.8km/hr in the section between Anstey Street and Airlie Street.

DISCUSSION

Following receipt of the petition officers reviewed the parking restrictions within the area, as further changes to parking restrictions on Bindaring Parade (as requested by the petitioners) may well have an adverse impact on the surrounding streets as people look for alternate locations to park within the immediate vicinity.

The petition received proposes changing parking restrictions on Bindaring Parade to a 'no parking' zone during weekdays between the hours of 7.30am to 9.00am, and again between the hours of 2.30pm to 4.00pm.

During site inspections it was also noted that several properties on Bindaring Parade are undergoing renovations, resulting in trades people's utilities and work vans being parked along the road, which have contributed to a proportion of vehicles parked on the road during that time.

Both traffic flow and sight lines were noted in the petition as the main reasons for suggested parking restriction, however site inspections suggest that sight lines do not appear to be an issue when entering or exiting properties on both sides of Bindaring Parade, as verge widths from front property boundaries to the road edge are approximately 6.0m on both sides, meaning vehicles can exit their property with a clear view in a northerly or southerly direction.

By comparison traffic flow is certainly impacted upon whilst vehicles are parked on both sides of the street as the road effectively becomes a single lane with this narrowing of available width obviously having a detrimental impact on congestion as the natural flow is restricted.

Whilst not designed to function in this way, these restrictions also function as a means of traffic calming, slowing vehicles down during the busiest times of the day.

The introduction of parking restrictions on Bindaring Parade in the form as requested, in addition to generating additional demand for parking on adjacent streets, would also reduce restrictions to traffic flow. Given that the section of Bindaring Parade between Anstey Street and Airlie Street indicated an 85th percentile speed of 59.8km/hr, within a statutory 50km/h zone, introduction of measures that might encourage greater speeds along this road, when residents already have concerns as to their ability to safely exit their property, might well result in greater conflicts between vehicles than the Council might wish to facilitate.

Whilst it is not recommended that full parking restrictions are implemented to both sides of Bindaring Parade as requested, there does appear to be some merit in establishing restrictions to one side of the road at a time, during peak periods. In applying this methodology, using a similar process to that already in place in other streets within this same area, one side of the road is allowed for parking, with the other side becoming a restricted parking area, this effectively reduces the remaining road width to 5m, allowing 2 cars heading in opposite directions to safely pass, but narrowing the road width sufficiently so as to positively impact on traffic speed.

Using this strategy restricted parking zones could be installed Monday to Friday between the hours of 7.30am and 9.00am on the west side of the road and a similar restricted parking zone operating on the east side of the road Monday to Friday between the hours of 3.00pm to 4.30pm.

PAST RESOLUTIONS

None

FINANCIAL AND STAFF IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation. Any costs for signage or line marking changes within Bindaring Parade can be contained within current maintenance budgets.

POLICY AND STATUTORY IMPLICATIONS

Parking local law 2016

Delegation DA31 - Parking and Parking restrictions

Road Traffic Code 2000

Town of Claremont Meeting procedures local law 2018

COMMUNICATION / CONSULTATION

If approved it is proposed to inform the affected residents through letter drop.

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.

Leadership and Governance

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

Urgency of this matter arises in respect to the Councils obligations to consider the petition as provided by the Town of Claremont Meeting Procedures Local Law 2018

VOTING REQUIREMENTS

Simple majority decision of Council required.

OFFICER RECOMMENDATION

That Council:

1. Acknowledges the petition as received from residents of Bindaring Parade in respect to the implementation of parking restrictions and advises of them of the outcome of this resolution once determined.
2. Approves the establishment of restricted parking zones installation of signage in Bindaring Parade, between Osborne Parade and Airlie Street as follows:
 - (i) Monday to Friday between 7.30am and 9.00am on the West side of Bindaring Parade;
 - (ii) Monday to Friday between 3.00pm and 4.30pm on the East side of Bindaring Parade.

ALTERNATIVE MOTION**RESOLUTION 139/19****Moved: Cr Alastair Tulloch****Seconded: Cr Paul Kelly****That Council:**

- 1. Acknowledges the petition as received from residents of Bindaring Parade in respect to the implementation of parking restrictions and advises them of the outcome of this resolution once determined.**
- 2. Subject to satisfactory support for this proposal being provided from residents of Bindaring Parade, as determined by the CEO, approves the establishment of restricted parking zones installation of signage in Bindaring Parade, between Osborne Parade and Airlie Street as follows:**
 - (i) Monday to Friday between 7.30am and 9.00am on the West side of Bindaring Parade;**
 - (ii) Monday to Friday between 3.00pm and 4.30pm on the East side of Bindaring Parade.**

CARRIED

Reason: This will provide the opportunity for the proposal to be subject to further community consultation with those residents on Bindaring Parade, potentially impacted upon by its proposed introduction.

13.2 LEADERSHIP AND GOVERNANCE

Items 13.2.1 to 13.2.2 were carried en bloc.

13.2.1 LIST OF PAYMENTS 1 TO 30 SEPTEMBER 2019

File Number: FIM/00108, D-19-33858

Author: Edwin Kwan, Senior Finance Officer

Authoriser: Liz Ledger, Chief Executive Officer

Attachments: 1. **Schedule of Payments 1 - 30 September 2019** 
 2. **Purchase Card Expenses - 29 August 2019 to 27 September 2019** 

PURPOSE

For Council to note the payments made in September 2019.

Background

Council has delegated to the Chief Executive Officer (CEO) the exercise of its power to make payments from the Municipal Fund or Trust Fund. The CEO is required to present a list to Council of those payments made since the last list was submitted.

Discussion

Attached is the list of all accounts paid totalling \$2,308,304.60 during the month of September 2019.

The attached schedule covers:

• Municipal Funds electronic funds transfers (EFT)	\$	1,723,261.25
• Municipal Fund vouchers (39617-39618)	\$	17,795.50
• Municipal Fund direct debits	\$	554,365.05
• Trust Fund electronic funds transfer (EFT)	\$	12,882.80
• 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 17 September 2019, Resolution 128/19:

That Council notes all payments made for August 2019 totalling \$1,611,853.33 comprising;

<i>Municipal Funds electronic funds transfers (EFT)</i>	\$	1,142,394.30
<i>Municipal Fund vouchers (39615-39616)</i>	\$	820.00
<i>Municipal Fund direct debits</i>	\$	465,642.43
<i>Trust Fund electronic funds transfer (EFT)</i>	\$	2,996.60
<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

Nil

Urgency

The Schedule of Payments is to be presented to the next ordinary meeting of Council after the list has been prepared.

Voting Requirements

Simple majority decision of Council required.

RESOLUTION 140/19

Moved: Cr Bruce Haynes

Seconded: Cr Peter Edwards

That Council notes all payments made by the Chief Executive Officer under Delegation DA9 for September 2019 totalling \$2,308,304.60, as detailed in Attachment 1 comprising:



Municipal Funds electronic funds transfers (EFT)	\$	1,723,261.25
Municipal Fund vouchers (39617-39618)	\$	17,795.50
Municipal Fund direct debits	\$	554,365.05
Trust Fund electronic funds transfer (EFT)	\$	12,882.80
Trust Fund vouchers	\$	0.00
		CARRIED

13.2.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 AUGUST 2019

File Number: FIM/00079, D-19-34381

Author: Les Crichton, Director Corporate and Compliance

Authoriser: Liz Ledger, Chief Executive Officer

- Attachments:**
1. **Statement of Financial Activity for the period ended 31 August 2019**

 2. **2019-20 Infrastructure Works - Progress Update to 31 August 2019**


PURPOSE

That Council note the Statement of Financial Activity (Financial Statements) for the month ending 31 August 2019.

BACKGROUND

The Financial Statements are presented to Council in accordance with *the Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

DISCUSSION

The Financial Statements for the month ending 31 August 2019 represents the first two months of operation within the 2019-20 financial year and compares year to date expenditure and revenue against the corresponding budget. The budget figures incorporates all 2018-19 carry forwards and other budget adjustments, which have been approved to date.

The closing surplus of \$16,588,014 to 31 August 2019 compares favourably against the budgeted surplus of \$15,648,266. As expected in the first months of the new financial year, the variations in timing account for much of the difference between budgeted surplus and actuals reported.

As detailed below, the \$939,744 variance is made up of:

Under budget

Operating expenditure \$651,340
Capital expenditure \$ 68,294

Over budget

Operating revenue \$ 72,985
Capital revenue \$147,125

Variance \$939,744

In accordance with Council’s variance reporting requirements, only the variances above \$20,000 are reported below as major contributors. For further details on variances, refer to Attachment 1.

Operating Expenditure - \$651,340 under budget

	Budget	Actual	Variance
Employee costs	\$1,171,947	\$1,032,077	\$139,870
Material & contracts	\$1,067,898	\$781,364	\$286,534
Utilities	\$91,952	\$45,247	\$46,705
Insurance	\$180,300	\$120,145	\$60,155
Other expenditure	\$256,405	\$174,654	\$81,751

Contributors to the operating expenditure variations are;

- Employee costs is due recognition of \$77,782 accruals from 2018-19 financial year together with \$43,379 in salaries due to vacancies, and \$11,140 indirect expenses (training, workers insurance etc.)
- Materials and contracts
 - \$16,827 in office expenses due to purchase timing.
 - \$50,019 timing variances on consultancy work, \$38,658 in relating to planning matters and the balance in legal provisions.
 - \$83,788 in materials/contracts including \$138,697 in maintenance works (verges, street maintenance, drainage etc.) timing, and WMRC fixed costs (\$120,801) charged ahead of time.
- Utilities underspend is due to mismatch between water and street lighting provisions against suppliers invoicing schedule.
- Insurance invoices for member services are issued in two instalments with second instalment not yet due.
- Other expenditure comprises timing of ground maintenance subsidy payments to sporting clubs, and write back of pre-paid rates.

The reduced operating expenditure is due to timing and does not represent a budget saving.

Capital Expenditure - \$68,294 Under Budget

As detailed within the capital works schedules (note 10), the capital expenditure is comprised of:

- \$123,142 above budget in infrastructure works due to timing. Attachment 2 provides further detail on the projects and variance explanations.
- \$144,213 below budget in land and building is due to timing. Note 10 provides further detail of capital works.
- \$15,725 variance in transfer to reserve is due to timing of interest income.

Operating Revenue – \$72,985 above budget

	Budget	Actual	Variance
Fees & Charges	\$762,047	\$820,007	\$57,960
Interest earnings	\$138,722	\$150,890	\$12,168
Grants, subsidies and contributions	\$155,870	\$165,295	\$9,425

The reasons for operating revenue variations are;

- \$57,960 increase in fees & charges is due to timing differences in building and planning applications and parking permit fees.
- \$12,168 increase in interest earning is due to timing on maturity and rollover of investment funds.
- \$9,425 increase in contributions relating to receipt of parental leave payments.

Capital Revenue - \$147,125 above budget

The major contributor is the \$180,000 Australian Sport grant received towards the Aquatic Centre Splash Pad development. The balance relates to timing of vehicle sales and resulting proceeds. Two vehicles were budgeted for sale within the period however only one has been recorded to date.

PAST RESOLUTIONS

Ordinary Council Meeting 17 September 2019, resolution 129/19,

That Council notes the Statement of Financial Activity for the period of 1 July 2019 to 31 July 2019.

CARRIED

FINANCIAL AND STAFF IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

POLICY AND STATUTORY IMPLICATIONS

Local Government Act 1995. s. 6.4 Financial Report

Local Government (Financial Management) Regulations 1996 Reg. 34 – Financial activity statement required each month

COMMUNICATION / CONSULTATION

The Town is required to prepare and submit a report to Council for the Statement of Financial Activity each month.

STRATEGIC COMMUNITY PLAN**Leadership and Governance**

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

- Demonstrate a high standard of governance, accountability, management and strategic planning.
- Manage our finances responsibly and improve financial sustainability.
- Continually assess our performance and implement initiatives that drive continuous improvement.

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.

RESOLUTION 141/19

Moved: Cr Bruce Haynes





Seconded: Cr Peter Edwards

That Council notes the Statement of Financial Activity for the period 1 July 2019 to 31 August 2019.

CARRIED

13.2.3 APPOINTMENT OF COMMUNITY REPRESENTATIVES TO ADVISORY COMMITTEES**File Number:** GOV/00074, D-19-32956**Author:** Katie Bovell, Governance Officer**Authoriser:** Liz Ledger, Chief Executive Officer

Attachments:

1. Terms of Reference - Audit and Risk Management Committee 
2. Terms of Reference - Foreshore Advisory Committee 
3. Terms of Reference - Lake Claremont Advisory Committee 
4. Terms of Reference - Freshwater Bay Museum Advisory Committee 
5. Terms of Reference - Claremont Town Centre Advisory Committee 
6. Nominations - Audit & Risk Management Committee - Confidential
7. Nominations - Foreshore Advisory Committee - Confidential
8. Nomination - Lake Claremont Advisory Committee - Confidential
9. Nominations - Freshwater Bay Museum Advisory Committee - Confidential
10. Nominations - Claremont Town Centre Advisory Committee - Confidential

PURPOSE

To endorse the Terms of Reference for various Committees of Council and to present Committee membership applications received from community representatives for appointment by Council

BACKGROUND

The Town has established five advisory committees in accordance with section 5.8 of the *Local Government Act 1995* (the 'Act') to assist with its functions. Committee membership is comprised of Elected Members, community members and, as required for some committees, representatives of other organisations. The intent is to give the community more opportunity to provide input into Council's decision-making process. However, as the advisory committees do not have delegated authority, all decisions must still be made by resolution of Council.

The tenure of current committee members expires at the next ordinary election following appointment. The current members were appointed following the 2017 election with their tenure expiring on 19 October 2019, the 2019 local government election day.

Council currently has five committees which have community membership –

- Audit and Risk Management Committee
- Foreshore Advisory Committee
- Lake Claremont Advisory Committee
- Freshwater Bay Museum Advisory Committee
- Claremont Town Centre Advisory Committee

The Committees and vacancies are as follows:

Audit and Risk Management Committee

The Audit and Risk Management Committee has been established to provide an independent oversight of the financial systems of the Town on behalf of the Council, while assisting Council in fulfilling its corporate governance, stewardship, leadership and control responsibilities.

The Terms of Reference for the Audit & Risk Management Committee is included as Attachment 1 and remains unchanged since last reviewed by Council at its 15 October 2017 meeting. Community membership vacancy is as follows:

Representative Type	Positions
Community Representatives	Up to 2

Foreshore Advisory Committee

Management of the Claremont Foreshore will be complementary to the Freshwater Bay Management Plan as adopted by the Swan River Trust Town of Claremont and the Claremont Heritage Trust Advisory Committee 1977. Its objectives are:

- To enhance the identity and character of the foreshore
- To enhance the environment
- To protect and encourage wildlife
- To enhance the amenity for residents and visitors to the foreshore.

The Terms of Reference for the Foreshore Advisory Committee is included as Attachment 2 and remains unchanged since last reviewed by Council. Community membership vacancy is as follows:

Representative Type	Positions
Community Representatives	3

Lake Claremont Advisory Committee

The purpose of the Lake Claremont Advisory Committee is to provide advice to Council on matters relating to:

- The care and maintenance of Lake Claremont and its immediate environment;
- The rehabilitation of Lake Claremont and its environs;
- Plans for amenities proposed to Lake Claremont and its immediate environs;
- Proposals for the Lake from the Friends Group.

The Terms of Reference for the Lake Claremont Advisory Committee is included as Attachment 3. One changes has been made since last reviewed by Council on 7 August 2018 to reflect the return to quarterly meetings as resolved by the Committee at its 15 November 2018 meeting. Community membership vacancy is as follows:

Representative Type	Positions
Community Representatives	2
Scotch College Representative	1
Friends of Lake Representative	1
City of Nedlands Representative	1

Freshwater Bay Museum Advisory Committee

The brief of the Freshwater Bay Museum Advisory Committee is to:

- Advise Council on matters relating to the Museum
- Advise and inform Council of new legislation
- Assist in obtaining local support and develop working relationships with relevant groups
- To promote community awareness of the value and work of the Museum and to assist with funding initiatives and advocacy.

The Terms of Reference for the Freshwater Bay Museum Advisory Committee is included as Attachment 4 and remains unchanged since last reviewed by Council. Community membership vacancy is as follows:

Representative Type	Positions
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Community Representatives	5
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Claremont Town Centre Advisory Committee

The Claremont Town Centre Advisory Committee has been established to consider matters relating to the marketing of the Claremont Town Centre, and is responsible for:

- Providing advice to Council initiatives relating to the Claremont Town Centre
- Contributing to, and working cooperatively with the Town, on the progress of the Claremont Town Centre
- Bringing together retailers, professionals, civic authorities and others, for the purposes of improving the Claremont Town Centre as a destination.

The Terms of Reference for the Claremont Town Centre Advisory Committee is included as Attachment 5 and remain unchanged since last reviewed by Council. Community membership vacancy is as follows:

Representative Type	Positions
Business Representatives from Claremont Town Centre	5

DISCUSSION

Call for nominations for community representatives on Council’s committees were advertised in the local newspapers and on Council’s website from 31 August 2019. Nominations closed 5.00pm Monday 23 September 2019 with the following nominations received:

Audit and Risk Management Committee

Representative Type	Nominee
Community Representative	Meg Anklesaria ¹
Community Representative	Claire Brittain
Community Representative	Andrew Cuthbertson ¹
Community Representative	Aidan Daly

¹ Current Committee members

Four nominations for the two community representative positions have been received and are included as Attachment 6 (Confidential).

It is recommended Council consider the nominations and appoint two to fill the vacant positions.

Foreshore Advisory Committee

Representative Type	Nominee
Community Representatives	Claire Brittain ¹
Community Representatives	
Community Representatives	

¹ Current Committee members

One nomination for the three community representative voting positions has been received and is included as Attachment 7 (Confidential).

It is recommended the above nominee be appointed and Council further advertise for nominations to fill the remaining two vacant positions.

Lake Claremont Advisory Committee

Representative Type	Nominee
Scotch College Representative	David Kyle ¹
Friends of Lake Claremont (FOLC) Representative	Nick Cook ¹
Community Representatives	Karen Wood ¹
Community Representatives	

¹ Current Committee members

One nomination for the two community representative voting positions has been received and included as Attachment 8 (Confidential). Both FOLC and Scotch College have appointed their delegates to the committee as detailed above.

It is recommended the above nominees be appointed and Council further advertise for nominations to fill the remaining vacant position.

Freshwater Bay Museum Advisory Committee

Representative Type	Nominee
Community Representative	Karen Wood
Community Representative	Joan Fisher ¹
Community Representative	Ricki Hewitt ¹
Community Representative	Karen Kaard ¹
Community Representative	Deborah Bray ¹
Community Representative	Rosemary Hunter ¹

¹ Current Committee members

Six nominations for the five community representative voting positions have been received and included as Attachment 9 (Confidential).

It is recommended Council consider the nominations and appoint five to fill the vacant positions.

Claremont Town Centre (CTC) Advisory Committee

Representative Type	Nominee
CTC Business Representative	Scott Greenwood
CTC Business Representative	Michelle Docherty
CTC Business Representative	Hannah Etherington
CTC Business Representative	Lesley Thomas
CTC Business Representative	Eleanor Jones

¹ Current Committee members

Nominations for all five CTC business representative voting positions have been received and included as Attachment 10 (Confidential).

It is recommended the five nominees be appointed.

With community representation being a voluntary role, it is further recommended that Council approve Committee members to attend meetings in accordance with s5.25 (2) of the *Local Government Act 1995* and in line with Reg. 14A of the *Local Government Administration Regulations 1996*. This allows Committee members who are unable to attend a meeting in person due to distance to do so by other means of instantaneous communication, such as telephone, Skype, Facetime, video conference, etc. Such approval can only be applied:

- where a person (other than a person with a disability) attends no more than half of committee meetings in a financial year under this arrangement, and
- is a 150km or further from the place at which the meeting is to be held.

PAST RESOLUTIONS

Ordinary Meeting of Council held 19 February 2019, Resolution 12/19:

That Council appoint Cr Tulloch to the Audit and Risk Management Committee.

CARRIED BY AN ABSOLUTE MAJORITY

Ordinary Meeting of Council held 5 February 2019, Resolution 07/19:

That Council appoints Mrs Michelle Docherty as a business representative to Council's Claremont Town Centre Advisory Committee for the balance of the position tenure ending local government election day for 2019.

CARRIED BY AN ABSOLUTE MAJORITY

Ordinary Meeting of Lake Claremont Advisory Committee held 15 November 2018, Resolution 39/18:

That the Committee supports the end of the bimonthly twelve month trial and revert back to quarterly meetings for the Lake Claremont Advisory Committee.

CARRIED

Ordinary Meeting of Council held 4 September 2018, Resolution 167/18:

That Council appoints Eleanor Jones as a business representative to Council's Claremont Town Centre Advisory Committee for the balance of the position tenure ending local government election day for 2019.

CARRIED BY AN ABSOLUTE MAJORITY

Ordinary Council Meeting held 7 August 2018, Resolution 138/18:

That Council approves the following changes to the Lake Claremont Advisory Committee Terms of Reference, section 3.2 point d) by removing all wording after two community members, including removing items i and ii respectively.

CARRIED

Ordinary Council Meeting held 17 July 2018, Resolution 123/18:

That Council appoints Karen Wood as a Community Representative to Council's Lake Claremont Advisory Committee for the balance of the position tenure ending local government election day 2019.

CARRIED BY AN ABSOLUTE MAJORITY

Ordinary Council Meeting held 21 November 2017, Resolution 168/17:

That Council appoint Cr Kelly as its Deputy Delegate to the Western Metropolitan Regional Council.

CARRIED

Ordinary Council Meeting held 7 November 2017, Resolution 157/17:

That Council appoint the Elected Members as delegates to the following local and regional Committees:

*WALGA Central Metropolitan Zone**1. Cr Kelly – Delegate**2. Cr Main – Delegate**Shine Community Services Management Board**1. Cr Goetze – Delegate**2. VACANT (Deputy Delegate)**CARRIED BY AN ABSOLUTE MAJORITY*

Ordinary Council Meeting held 7 November 2017, Resolution 156/17:

That Council appoint Cr Haynes as Delegate to the Western Metropolitan Regional Council.

CARRIED BY AN ABSOLUTE MAJORITY

Ordinary Council Meeting held 7 November 2017, Resolution 155/17:

That Council appoint the Elected Members to Committees of Council as follows:

*Audit and Risk Management Committee**Mayor Barker**Cr Haynes**Cr Edwards**Cr Kelly**Foreshore Advisory Committee**1. Cr Tulloch**2. Cr Mews**Lake Claremont Advisory Committee**1. Cr Haynes**2. Cr Browne**Museum Advisory Committee**1. Cr Mews**2. Cr Goetze**Claremont Town Centre Advisory Committee**1. Cr Goetze**2. Mayor Barker**3. Cr Tulloch**CARRIED BY ABSOLUTE MAJORITY*

Ordinary Council Meeting held 7 November 2017, Resolution 154/17:

That Council:

1. appoint Elected Members to the following Committees of Council:

a) Audit and Risk Management Committee (4 vacancies incl. Mayor)

b) Foreshore Advisory Committee (2 vacancies)

c) Lake Claremont Advisory Committee (2 vacancies)

d) Museum Advisory Committee (2 vacancies)

e) Claremont Town Centre Advisory Committee (3 vacancies)

2. appoint Elected Members to the following local and regional Committees:

a) WALGA Central Metropolitan Zone (2 vacancies)

b) Western Metropolitan Regional Council (2 vacancies)

c) Shine Community Services Management Board (2 vacancies)

3. appoint Andrew Cuthbertson to the Audit and Risk Management Committee as a community representative with his term expiring on the day of the 2019 local government elections.

4. notes the appointment of Cr Kerry Smyth as the City of Nedlands delegate to Advisory Committee with Cr Cilla De Lacy as deputy.

CARRIED BY AN ABSOLUTE MAJORITY

Ordinary Council Meeting 17 October 2017, Resolution 150/17:

That Council

1. *Adopt the Terms of Reference for the following Committees:*
 - a) *Audit & Risk Management Committee (included as Attachment 1)*
 - b) *Foreshore Advisory Committee (included as Attachment 2)*
 - c) *Lake Claremont Advisory Committee (included as Attachment 3)*
 - d) *Freshwater Bay Museum Committee (included as Attachment 4)*
 - e) *Claremont Town Centre Advisory Committee (included as Attachment 5)*
2. *Appoint the recommended community representatives to the following Committees of Council:*

a) *Audit & Risk Management Committee*

<i>Representative Type</i>	<i>Nominee</i>
<i>Community Representative</i>	<i>Meg Anklesaria</i>

b) *Foreshore Advisory Committee*

<i>Representative Type</i>	<i>Nominee</i>
<i>Community Representative</i>	<i>Ian Hunter</i>
<i>Community Representative</i>	<i>Claire Brittain</i>
<i>Community Representative</i>	<i>Robert Brereton</i>

c) *Lake Claremont Advisory Committee*

<i>Representative Type</i>	<i>Nominee</i>
<i>Friends of Lake Claremont (FOLC)</i>	<i>Nick Cook</i>
<i>Scotch College Youth Representative</i>	<i>David Kyle</i>
<i>Community Representative</i>	<i>Steve McKinney</i>
<i>Community Representative</i>	<i>David Free</i>

d) *Freshwater Bay Museum Advisory Committee*

<i>Representative Type</i>	<i>Nominee</i>
<i>Community Representative</i>	<i>Deborah Anne Bray</i>
<i>Community Representative</i>	<i>Joan Fisher</i>
<i>Community Representative</i>	<i>Ricki Hewitt</i>
<i>Community Representative</i>	<i>Rosemary Hunter</i>
<i>Community Representative</i>	<i>Karen Kaard</i>

e) *Claremont Town Centre Advisory Committee*

<i>Representative Type</i>	<i>Nominee</i>
<i>CTC Business Representative</i>	<i>Paul Loiterton</i>
<i>CTC Business Representative</i>	<i>Alison Reid</i>
<i>CTC Business Representative</i>	<i>Thomas Mildenhall</i>
<i>CTC Business Representative</i>	<i>Marissa Williams</i>

<i>CTC Business Representative</i>	<i>Samantha Monteiro</i>
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3. *Approve attendance to Committee meetings by members in accordance with s5.25(2) of the Local Government Act 1995 and Reg. 14A of the Local Government (Administration) Regulations 1996.*

CARRIED BY AN ABSOLUTE MAJORITY (150/17)

Ordinary Council Meeting 7 February 2017, Resolution 03/17 – Appointment of Council’s local members and local alternate members to the Metro West Joint Development Assessment Panel

Ordinary Council Meeting 20 September 2016, Resolution 148/16 - Appointment of community representative to Lake Claremont Advisory Committee to replace resigning member.

Ordinary Council Meeting 19 April 2016, Resolution 59/16 - Appointment of Friends of Lake Claremont Representative and City of Nedlands Representative to Lake Claremont Advisory Committee.

Ordinary Council Meeting 20 October 2015, Resolution 178/15 – Appointment of Elected Members to Advisory Committees

Ordinary Council Meeting 6 October 2015, Resolution 170/15 – Appointment of Community Representatives to Advisory Committees

Ordinary Council Meeting 17 March 2015, Resolution 38/15 – Appointment to fill vacant community member position of Foreshore Advisory Committee

Ordinary Council Meeting 5 November 2013, Resolutions 315/13 -318/13 – appointment of elected members to Advisory Committees.

Ordinary Council Meeting 1 October 2013, Resolution 281/13 - Appointment of community representatives effective from 2013 Council election and disbandment of Community Safety and Crime Prevention Committee.

Ordinary Council Meeting 16 April 2013, Resolution 69/13 – Appointment of youth representatives from Scotch College and Christ Church Grammar School; increase of membership to include City of Nedlands councillor

Ordinary Council Meeting 7 August 2012, Resolution 143/12 – Elected member motion to disband Strategic Planning and Policy Committee

Ordinary Council Meeting 6 December 2011, Resolution 279/11 – Appointment of Community Representatives to Advisory Committees following 2011 Local Government election

Ordinary Council Meeting 18 October 2011, Resolutions 221/11 to 227/11 – Appointment of Councillors to Advisory Committees following 2011 Local Government election

FINANCIAL AND STAFF IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

POLICY AND STATUTORY IMPLICATIONS

Establishment of committees

5.8 *A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required.*

Types of committees

5.9 (1) *In this section:*

“other person” means a person who is not a council member or an employee.

(2) *A committee is to comprise:*

(a) council members only;

(b) council members and employees;

(c) council members, employees and other persons;

(d) council members and other persons;

(e) employees and other persons; or

(f) other persons only.

Appointment of committee members

5.10 (1) *A committee is to have as its members:*

(a) persons appointed by the local government to be members of the committee (other than those referred to in paragraph (b)); and*

(b) persons who are appointed to be members of the committee under subsection (4) or (5).

** Absolute majority required.*

(2) *At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.*

(3) *Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.*

(4) *If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*

(5) *If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish:*

(a) to be a member of the committee; or

- (b) *that a representative of the CEO be a member of the committee, the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.*

Tenure of committee membership

- 5.11 (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until:*

- (a) *the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;*
- (b) *the person resigns from membership of the committee;*
- (c) *the committee is disbanded; or*
- (d) *the next ordinary elections day,*
whichever happens first.

- (2) *Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until:*

- (a) *the term of the person's appointment as a committee member expires;*
- (b) *the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;*
- (c) *the committee is disbanded; or*
- (d) *the next ordinary elections day,*
whichever happens first.

COMMUNICATION / CONSULTATION

Invitations to nominate for the vacant community positions were advertised in the local newspapers and the Town's website from 31 August 2019 closing on Monday 23 September 2019.

STRATEGIC COMMUNITY PLAN

People

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

- Provide opportunities for local community groups that supports their capacity and ongoing sustainability.

Leadership and Governance

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.
- Develop and build partnerships that support the Town's vision

URGENCY

Appointment of committees is essential to assist Council in performing some of its legislative responsibilities.

VOTING REQUIREMENTS

ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED.

RESOLUTION 142/19

Moved: Cr Jill Goetze

Seconded: Cr Kate Main

That Council

1. **Endorse the Terms of Reference for the following Committees:**
 - (a) **Audit & Risk Management Committee (included as *Attachment 1*)**
 - (b) **Foreshore Advisory Committee (included as *Attachment 2*)**
 - (c) **Lake Claremont Advisory Committee (included as *Attachment 3*)**
 - (d) **Freshwater Bay Museum Committee (included as *Attachment 4*)**
 - (e) **Claremont Town Centre Advisory Committee (included as *Attachment 5*)**
2. **Appoint the recommended community representatives to the following Committees of Council:**

(a) **Audit & Risk Management Committee**

Representative Type	Nominee
Community Representative	Meg Anklesaria
Community Representative	Aidan Daly

(b) **Foreshore Advisory Committee**

Representative Type	Nominee
Community Representative	Claire Brittain
Community Representative	
Community Representative	

(c) **Lake Claremont Advisory Committee**

Representative Type	Nominee
Friends of Lake Claremont (FOLC)	Nick Cook
Scotch College Youth Representative	David Kyle
Community Representative	Karen Wood
Community Representative	

(d) **Freshwater Bay Museum Advisory Committee**

Representative Type	Nominee
Community Representative	Deborah Bray
Community Representative	Ricki Hewitt
Community Representative	Rosemary Hunter
Community Representative	Karen Kaard
Community Representative	Karen Wood

(e) Claremont Town Centre Advisory Committee

Representative Type	Nominee
CTC Business Representative	Scott Greenwood
CTC Business Representative	Michelle Docherty
CTC Business Representative	Hannah Etherington
CTC Business Representative	Lesley Thomas
CTC Business Representative	Eleanor Jones

3. **Approve attendance to Committee meetings by members in accordance with s5.25(2) of the *Local Government Act 1995* and Reg. 14A of the *Local Government (Administration) Regulations 1996*.**
4. **Advertise for nominations to fill the following vacancies -**
 - (a) Foreshore Advisory Committee – two community representatives**
 - (b) Lake Claremont Advisory Committee – one community representative.**

CARRIED BY ABSOLUTE MAJORITY

With nominations exceeding vacant positions, a ballot was conducted to determine appointees to the Audit and Risk Management Committee and Freshwater Bay Museum Advisory Committee.

14 ANNOUNCEMENTS BY THE PRESIDING PERSON

Mayor Barker and Crs Haynes, Edwards, Franklyn, Browne, Goetze, Main and Kelly acknowledged Cr Tulloch’s impending retirement from Council and thanked him for his significant contribution during his time as an Elected Member.

MAYOR BARKER AND CRS HAYNES, EDWARDS, FRANKLYN, BROWNE, GOETZE, MAIN AND KELLY THANKED CR MAIN FOR HER CONTRIBUTION DURING HER TIME AS AN ELECTED MEMBER AND WISHED HER WELL FOR THE UPCOMING ELECTION.

CR BROWNE ANNOUNCED HE WILL NOT RUN FOR ANOTHER TERM AS DEPUTY MAYOR FOLLOWING THE UPCOMING ELECTION.

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

Nil

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

Nil

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

Nil

18 FUTURE MEETINGS OF COUNCIL

Ordinary Council Meeting, Tuesday 5 November 2019 at 7:00pm.

19 DECLARATION OF CLOSURE OF MEETING

There being no further business, the presiding member declared the meeting closed at 7:36pm.

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CHAIRPERSON