



MINUTES

Ordinary Council Meeting Tuesday, 17 September 2019

Date: Tuesday, 17 September 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, 17 SEPTEMBER 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 Bruce Haynes
Cr Paul Kelly
Cr Kate Main
Cr Chris Mews
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)

Eleven members of the Public

One member of the Press

APOLOGIES:

Nil

LEAVE OF ABSENCE:

Cr Jill Goetze

3 DISCLOSURE OF INTERESTS

Nil.

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE AT ORDINARY COUNCIL MEETING HELD 3 SEPTEMBER 2019

File Number: GOV/00060, D-19-31532

Attachments: Nil

Ms Cathy Greatrex, 74 Victoria Avenue, Claremont

Item 13.1.1 Freshwater Bay Museum, Consideration of Petition and Update on Project

Question 1. Will Council carry out a full consultation process of the park users and neighbours in regard to the boundary change of Mrs Herberts Park A Class Reserve Picnic only status? The answer provided to the question submitted to the 20 August 2019 meeting does not state the amalgamated exercised part will be reclassified C Class Reserve which allows a less restrictive control over the new reserve, including the power to lease.

Answer 1. The boundary change of the two reserves that collectively form 'Mrs Herberts Park' has already been approved by Parliament with approvals subsequently issued by the Department of Lands. This process included a public advertising process undertaken by the Department of Lands.

As such it is highly unlikely that the Department of Lands will seek to imminently vary the current outcome and revisit the boundary adjustments as recently approved.

Question 2. Does this open the way to a function centre and café by private operator?

Answer 2. The newly established reserve was sought for the purposes of recreation, museum, cultural centre, car park and café to both reflect the current uses for which the reserve was being used (recreation, museum, cultural centre and car park) as well as the addition of café uses, a concept that had arisen from members of the community during the earlier consultation in 2016.

As can be seen by the proposed design, the concept of a cafe never materialised into forming any part of the proposed development, however due to the considerable period of time taken to formalise the change to the reserve boundaries, the use required no longer reflected the purpose of the proposed redevelopment of the Museum.

The incorporation of café uses (which do not include restaurants as these are an entirely different use under the land use tables) would require considerable changes to the current redevelopment proposal, and have not been suggested in any iteration of the architect's plans, by the Museum Advisory Committee or by the Council.

Question 3. The answer to answer to my Question 4 submitted to the 20 August 2019 does not address the concern of the proposed new dominant building of more than 140m² and 8.2 metres high being placed in the centre of the combined museum and park site standing 11 metres overbearing the amenity of the playground and barbeque area. Can this be addressed?

Answer 3. The height of the building relative to both ground level, and other existing infrastructure within the park will be considered by the newly formed Project Steering Group and ultimately the Council. In the interim additional information such as overshadowing diagrams have been commissioned to further inform these discussions.

Question 4. The response to question 6 from the questions submitted 20/8/169 stated the use of the facility is not a function room, however the plans clearly states it is a function room. Do you intend to change the use?

Answer 4. Whilst the use of the word 'function room' by the architect in their plans might imply that the building is to be used as a function centre (although that is clearly not the intent), the use of words by the architect in their plans and the prevailing land uses provided by the Town Planning Scheme should not be confused.

Land uses and how the building is to be used is still required to comply with the prevailing zoning for the property and is further limited by the purposes for which the management order is issued to the Town.

Question 5. Are the architects aware of the gale force winds mini cyclones that occur on Freshwater Bay that sweep across Mrs Herberts Park park removing trees and boats from the moorings? How does the use of the toilets by attendees to the community facility in these circumstances when all the doors to the toilets are exposed to these circumstances?

Answer 5. Prevailing winds, movement of sun, direction of weather and other climatic conditions are all considered by architects in their building proposals. This is not to suggest that the integration of the toilet block into the proposed Community Building may not be reviewed, and issues such as prevailing weather conditions and how these might impact upon these facilities can readily be considered as part of this process.

Question 6. Will the increase in people cause a higher probability of accidents on an already dangerous bend on Victoria Ave, Claremont? Should the Council do an impact traffic management study before proceeding with the community facility?

Answer 6. In 2018, the traffic count for that section of Victoria Avenue north of the museum was 6085 vehicles per day. Whilst the redevelopment is hoped will generate additional interest in the museum and encourage people to use the new facility and visit the collection, the generation of such additional traffic will be so inconsiderable when compared to the total traffic volume, that there is no reasonable requirement for a traffic management study to be undertaken as part of this project.

Mr James Latto, 70 Victoria Avenue, Claremont

Item 13.1.1 Freshwater Bay Museum, Consideration of Petition and Update on Project

Question 1. Why did the Town of Claremont apply to the State Government to annex 0.4579 hectares that is 1.175 acres, of an A Class reserve, part of land known as Mrs Herbert's Park, without fully informing the ratepayers and residents of Claremont?

Answer 1. The Town of Claremont sought to have the reserve boundary varied to reflect the location of already existing buildings located across the boundary of the two reserves. The buildings constructed in approximately 1982 were considered at that time to have been built within one reserve however subsequent surveys indicated that this was not the case.

The process of varying reserve boundaries is undertaken by the Department of Lands, as the land in question is owned by the Crown and not the Town of Claremont. Public consultation in respect to such variations is undertaken by the Department of Lands in accordance with their own Policies and Procedures

Question 2. Why has café/restaurant zoning been given to a museum redevelopment?

Answer 2. The zoning of the reserve in question has not been varied by this process, and remains zoned Parks and Recreation under the Metropolitan Region Scheme and Local Reserve- Recreation under the Local Planning Scheme.

The reference to café uses is provided within the management order and purpose for the reserve as issued by the Department of Lands, and does not provide any assumption of land use or approval that might be required to facilitate such uses.

The reserve was sought to be vested for the purposes of recreation, museum, cultural community centre, car park and café (not restaurant). This arose as the other uses (recreation, museum, cultural community centre, car park) were consistent with the purposes to which the land was being used. The café use arose from the original community consultation when a number of community members (including park users) suggested the idea of a café/coffee shop type of development within the museum, to support other activities at the Park, might be beneficial.

As you are aware, the concept of the café never progressed through the design process and is not included in the current design for the facility, however given the time the boundary issue took to resolve, the use remained within the management order, but not the zoning for the property.

Question 3. Why did the Council allow the proposed museum extension to be moved from its initial Cart Shed site to the middle of the park above the toilet block without informing the public and gaining feedback from the residents?

Answer 3. The proposal to consider an alternate location was undertaken when the initial Hames Sharley proposal was reviewed, in conjunction with both the Advisory Committee and Council. This proposal considered a number of issues including retention of the existing storage shed, avoidance of considerable earthworks required to accommodate the original location, retention of the open area between the buildings used by the museum within its operations, protection of the pedestrian walkways and the location of the mains sewer line.

The proposed alternate location was articulated away from a north south axis so as to limit the amount of car park that required redevelopment or required further expansion to the west, whilst also limiting the number of mature trees impacted upon by the proposed location.

The final design proposal had only recently been completed and was distributed to the 22 residents surrounding the development as part of the planning consultation requirement, this generated significant feedback, which resulted in the matter being reconsidered by Council at its Ordinary meeting in September 2019.

Whilst your submissions to the Council included other content, this was provided as statements in support of questions or other aspects within your overall submission, and therefore has not been considered as questions taken on notice for the purpose of this response.

Professor Peter Tannock, 61 Victoria Avenue, Claremont

Item 13.1.1 Freshwater Bay Museum, Consideration of Petition and Update on Project

Question 1. Where is the provision made for investigating the impact of the proposed 'community hall' and its surrounds on the beauty, outlook and utility of Mrs Herbert's Park for its current main purposes, children's play, family gatherings ad celebration, picnics, use of the river and foreshore for swimming, boating and other recreation purposes, and visits by local residents for their quite enjoyment?

Answer 1. As part of most recent reviews, view perspectives and shadowing diagrams have been requested from the project architect. These diagrams will show the impact to existing view corridors and to adjacent properties, as well as providing a diagram as to the extent of shadows cast by the community building over the other infrastructure within the park.

These perspectives and diagrams will be considered by the Project Steering Group and ultimately the Council as it continues to review the overall Freshwater Bay Museum project.

Matters such as beauty, outlook and utility are certainly issues of perspective and opinion, and the Council in engaging a highly experienced architectural company, does so with the understanding that these issues (along with many others) will be considered during the design phase.

Whilst it is recognised that the issues of amenity and beauty are subjective, they are also the opinions of the individual, so ultimately the Council must determine what it is happy to consider with respect to these matters and as part of this project and in consideration of both any current or future proposed design, and the opinions of members of the community with respect to those same designs.

Question 2. Where is the provision made for investigating the negative impact on the proposed 'community hall' on the outlook, quality of life, and the value of the physical assets of the many neighbours and nearby residents of Mrs Herbert's Park?

Answer 2. As mentioned in the answer to Question 1, the Council has recently commissioned both view perspectives and shadowing diagrams for the proposed community building.

These reviews, coupled with broader reviews of both building location, articulation and design, and the formation of the Project Steering Group to review the overall project will hopefully result in alternate options for the Council, and the community, to consider.

Question 3. Why is there no provision for the development of an overall master plan for Mrs Herbert's Park, the Museum, and Alex Prior Park such that the beauty, security, history and amenity of the

area is preserved and enhanced for the long-term? Was this not central to the apparently discarded Hames Sharley Report?

Answer 3. The Hames Sharley report, whilst providing a staged approach to the redevelopment of the Museum precinct, which allowed for future expansion of elements proposed, was no more of a master planning approach than that proposed by the current architects, as it simply considered the museum precinct as a discreet section of the broader open space area.

The proposed relocation of the community building to cover the footprint of the toilet block did not prevent any such staged approach to be implemented, neither did it restrict any of the other redevelopments as proposed within the overall project.

There may well be some suggestion that the Hames Sharley proposal better integrates the museum precinct with the foreshore and the boat shed, however similarly the current proposal seeks to amalgamate it with the stand alone public toilets, to create a new such public facility and integrates the museum into the open space areas to the east of the museum precinct.

It is unclear as to what benefit a master planned approach would have on the location, articulation or design of the proposed community building and how this might differ from the current proposal if such a master plan was undertaken, moreover the master plan would simply suggest the location of the community building, which the design would then seek to confirm.

It is evident from community feedback and the formation of the Project Steering Group that the assumptions made by the current design, including locations, integration, key facilities, function and form, may all be subject to review as result of the Project Steering Group being formed, however this will be better understood as the Group is formed and the review process is undertaken.

Question 4. Why is the Project Steering Group for the 'Freshwater Bay Museum Project' constituted as proposed. It should cover the preservation and development of Mrs Herbert's Park. There is no representation from the local community of nearby residents and park users. (the balance of this text was deemed to be a statement rather than a question taken on notice).

Answer 4. The representation of the Project Steering Group as determined by the resolution of Council at its Ordinary Council meeting of the 3rd of September includes the addition of a community representative as suggested by the question. It is considered that the proposed membership of this committee will certainly enable consideration of both preservation and development as part of its work on this project.

Mr Tim Humphry, 68a Victoria Avenue, Claremont

Item 13.1.1 Freshwater Bay Museum, Consideration of Petition and Update on Project

Question 1. Did the March 2016 extensive consultation process in respect to the Freshwater Bay Museum Future directions Plan include or contemplate the excising of a portion of Mrs Herbert's Park for Recreation, Museum, Cultural Centre, car park and café? If not why not and why have the stakeholders not been included in consultation and planning of what is not only a redevelopment of the museum but also a redevelopment of Mrs Herbert's Park?

Answer 1. The March 2016 community consultation did not consider any variation to the prior boundaries of the two reserves that made up 'Mrs Herbert's Park,' as anomalies in respect to the location of buildings over these boundaries had at that time, not been identified.

The suggestion that the development of the Community Building constitutes a redevelopment of Mrs Herbert's Park is not supported as the Community Building is clearly an extension of the footprint of the existing Freshwater Bay Museum.

Question 2. Is the Freshwater Bay Museum Future Directions Plan 2016-2021 which was approved at the Council Meeting of 21 March 2017, still policy or has it been revoked?

Answer 2. The Freshwater Bay Museum Future Direction Plan 2016-2021 was never adopted by Council as Policy, it was however endorsed by the Council as a document, implying that this would form the vision for the project moving forwards.

The Plan was developed in response to community consultation, not so as to generate community consultation, so its findings and recommendations could always be varied by the Council as the Council felt was appropriate and as the project evolved.

Question 3. That Future Directions Plan included The Freshwater Bay Museum Facility Development Plan commissioned from Hames Sharley in October 2016. The Hames Sharley plan showed a modest redevelopment of the Cart Shed to include office space, education space and flexible community and temporary exhibition space. If this is Council Policy why has this Community buildings location and size not been adhered to?

Answer 3. The Freshwater Bay Museum Future Direction Plan 2016-2021 was never adopted as Council Policy.

Question 4. Whose idea reported in November 2017 was it to suggest the alternate location of the Community Building from the Cart Shed to over the current toilet block? Was this an opportunistic use of land grab, which was contemporaneously under application by Council to be transferred out of Mrs Herbert's Park to overcome the previous building by Council, without Parliamentary approval, of the Museum Administration Building and car park, on land zoned A class reserve for picnic use only?

Answer 4. The original proposal to consider an alternate location for the Community Building was suggested by the project architect as a possible alternate, this was provided to Councillors, and was agreed as an appropriate alternative to consider to the prior design.

This was independent of the application to the Department of Lands in respect to varying the reserve boundaries, as this had been initiated as a result of the identification of earlier buildings already having been built over the boundaries, requiring that this boundary variation be sought.

Question 5. Was that building on Mrs Herbert's Park illegal?

Answer 5. The building was 'legal' in that it had the requisite approvals, it was simply built over the boundary of two distinct lots, requiring that the reserve boundaries then had to be varied to accommodate this error.

Question 6. Was this alternate location of the Community Building publicised or consulted to park users and residents prior to the two week window in July this year 2019 when 22 nearby residents were canvassed by letter?

Answer 6. No, the recent consultation undertaken in July 2019 was the first consultation of this proposed alternate location of the Community Building.

Question 7. Is the long period between November 2017 when the alternate location of the community building over the toilets was presented to Councillors and July 2019 when it was presented to residents due to the time it took to obtain Land Department and Parliamentary approval of the excise of the required land from Mrs Herbert's Park

Answer 7. The delays in varying the boundaries of the reserve were a major contributor to the delays in engaging the community, as until these boundary variations could be assured, in whatever form, the entire redevelopment project for the Museum could not be assured that it would be able to progress in its proposed form, or that existing developments would be able to remain in place.

Question 8. Should not the council have consulted with park stakeholders in regards to the alternate Community building location and presented these findings to Parliament so that Parliament could have considered stakeholders views when considering the excise application?

Answer 8. The application to the Department of Lands in respect to varying the reserve boundaries, occurred as a result of the identification of earlier buildings already having been built over the boundaries, requiring that this boundary variation be sought.

The location of the proposed Community Building is exactly that, a proposed location, which would have needed to be accommodated within the resultant reserve created by the Department of Lands, as such the design will need to respond to the boundaries as varied, rather than the proposed location seeking to establish the new boundaries.

Question 9. A concern from residents not noted in Agenda Item 13.1.1 is the industrial and dark block nature of the building and its overbearing impact on the park playground and bbq area immediately below it. It stands more than 10m high above the playground and bbq ground level. Can this concern be included in the architectural review?

Answer 9. The Project Steering Group will be requested to review the entire project, this will obviously include issues relating to location, design, scale and integration with other park facilities. If the extent of the review is insufficient, Council will reserve the right to request further consideration of matters as required.

Question 10. The cropping of the images provided during the July 2019 resident consultation does not change the fact that the building is located in the middle of Mrs Herbert's Park on an E-W axis and near the middle on a N-S axis. It will dominate the park. Can this concern be addressed by the architectural review?

Answer 10. The Project Steering Group will be requested to review the entire project, this will obviously include issues relating to location, design, scale and integration with other park facilities. If the extent of the review is insufficient, Council will reserve the right to request further consideration of matters as required.

Question 11. Will Council pass resolution and by law to ensure use of the redeveloped museum, or even the museum in its present state is for museum purposes only? If this is the intent, as I have been continually told, why did Council request the use of the excised portion be amended from picnic use to recreation, museum, cultural centre, car park and café?

Answer 11. The Town Planning framework provides for the controls that relate to land use, so the adoption of Council Policy that contravenes or seeks to replace planning legislation is considered to be ultra vires. The use of the land in question is ultimately guided firstly by the purposes for which the reserve is set aside (recreation, museum, cultural centre, car park and café) but ultimately by the planning framework that applies to such land uses.

The excised portion was sought for the purposes of recreation, museum, cultural centre, car park and café to both reflect the current uses for which the reserve was being used (recreation, museum, cultural centre and car park) as well as the addition of café uses, a concept that had arisen from members of the community during the earlier consultation in 2016.

As can be seen by the proposed design, the concept of a cafe never materialised into forming any part of the proposed development, however due to the considerable period of time taken to formalise the change to the reserve boundary, the use required no longer reflected the purpose of the proposed redevelopment of the Museum.

Question 12. The proposed project steering committee does not include a representative of the park users nor neighbouring residents. Can such representatives be included in the steering committee?

Answer 12. Council at its meeting held on the 3rd of September 2019, resolved (in part) to "request the Chief Executive Officer establish a Project Steering Group with respect to the Freshwater Bay Museum project, including relevant officers, the project architect, members of the Museum Advisory Committee, and a resident/ratepayer representative as determined by the CEO."

Question 13. In applying for a Lottery West grant did Council advise Lottery West that they had not conducted community consultation on the impact and reduction of the park?

Answer 13. The grant application was not sought in respect to variations to the park boundaries. The grant did however consider the development of the Community Building, which if developed would result in a nett loss of total grassed area in the Park.

A proposal to vary the proposed redevelopment would require the agreement of Lottery West, although unless this materially altered the purpose for which the funds had been allocated, or how they were intended to be used, this would likely have little impact on the approvals that have thus far been received.

Question 14. How as stated by the Department of Lands, can the boundaries of the reserves that comprise Mrs Herbert's Park be varied to "more accurately reflect the purpose for which the reserve

was being used” when no survey had been made of park use? For example the car park is primarily used by park users.

Answer 14. The Department of Lands determines if the primary uses of the reserve are reflected in its management order. In this instance it was felt by the Department that the uses as specified in the management order for the reserve did not reflect its current uses and these required some clarity.

It is also pertinent to consider that many reserve management orders are based on descriptions and uses that are commonly no longer used in management orders, or historical in nature, as such variation to management orders usually seeks to better ‘explain’ the purposes for which a management order is provided, rather than leaving this for 3rd party interpretation.

Question 15. Why was the limited consultation (July 2019) to 22 residents initiated 3 and a half years after the development, Dec 2015-2016, of the Museum Future Direction Plan and after the excise if the land had been granted by Parliament ? Was this not a fait accompli to residents?

Answer 15. This question was posed, albeit in a different format in Question 7, which provided as follows;

The delays in varying the boundaries of the reserve were a major contributor to the delays in engaging the community, as until these boundary variations could be assured, in whatever form, the entire redevelopment project for the Museum could not be assured that it would be able to progress in its proposed form, or that existing developments would be able to remain in place.

Question 16. Has there been consultation on Indigenous significance of the land and the Community building upon it and looking over it? The place Karda Bidi is part of the Wadjuk Trails.

Answer 16. Whilst the Council may elect to undertake such consultation, there is no requirement for this to occur as the vesting of reserves under section 33 of the Land Act 1933 has been found to totally extinguish native title in Western Australia.

As such the Council may choose to engage any proportion of the community, park users or those that have a connection to the reserve.

Question 17. Is the excise of land from Mrs Herbert’s Park in compliance with the Council’s Strategic Community Plan, notably the Liveability Strategy of “Our heritage is preserved for the enjoyment of the community? And the Leadership and Governance Strategy of “our stakeholders are well informed and we provide opportunities for comment and engagement?”

Answer 17. The land has not been ‘excised’, however the boundary has been varied with the aim of preserving the Town’s heritage through Museum and heritage programs. For clarification, this advice to ‘adjoining neighbours’ was part of the planning process for getting comment from these particular residents. As you are now aware the process will involve a project steering group in addition to the other forms of communication planned for the project.

Question 18. Can the Officer recommendation be amended to include 1a) consider the amenity and visual impact of the proposed community building over the playground and bbq areas immediately below the building proposed location? 2. Include representatives of park users and neighbouring residents on this proposal to be provided to the WA Planning Commission?

Answer 18. The Council at its Ordinary meeting of September 3 varied the officer’s recommendation so that the final resolution of Council was as follows;

That Council;

1. Commits to delay any further progression of this project until such time as it has;
 - a) Considered the findings of the architect with respect to both overshadowing impacts generated by the proposed Community Building.
 - b) Considered the potential rearticulation of the proposed Community Building to a more north south axis, including any subsequent impact on view corridors, sight lines and the loss of trees in the Park.

- c) Considered the costs associated with any alternate location of the proposed Community Building inclusive of site works, relocation of the mains sewerage line and any other costs that might be identified by the appointed quantity surveyor.
 - d) Considered the findings of the structural engineer in respect to the storage shed, and the implications of this in respect to the broader Freshwater Bay Museum redevelopment project.
2. Request the Chief Executive Officer establish a Project Steering Group with respect to the Freshwater Bay Museum project, including relevant officers, the project architect, members of the Museum Advisory Committee, and a resident/ratepayer representative as determined by the CEO.
- 2A. Request the Chief Executive Officer make contact with a representative of the WA Museum in relation to the development
3. That the Project Steering Committee refers its finding direct to Council via recommendation of the Chief Executive Officer

Question 19. Does Council have a time frame for recommendation on this proposal to be provided to the WA Planning Commission?

Answer 19. The Museum redevelopment project has been issued with an exemption from the Western Australian Planning Commission from the requirements of a Development Approval. This is common practice sought by local governments and obtained from the WAPC, for local government projects on local government held or owned lands.

5 PUBLIC QUESTION TIME

Ms Cathy Greatrex, on behalf of Mr Tim Humphry, 68a Victoria Avenue, Claremont.

Re: Item 4.1, Response to Questions taken on Notice at Ordinary Council Meeting held 3 September 2019 - Freshwater Bay Museum Project.

Question 1. Council answer to my Question 1 includes a statement that "the suggestion that the development of the Community Building constitutes a redevelopment of Mrs Herbert's Park is not supported".

I refer to the Submission to Parliament Proposal by Town of Claremont dated 29th November 2018 where it proposed "to excise a 3,398 square metre portion of Class 'A' Reserve 885 for inclusion into a new Crown Reserve for the purpose of 'Recreation, Museum, Cultural Community Centre, Carpark and Café'. Reserve 885 is Mrs Herbert's Park of area 7,735 square metres. After excise of the 3,398 square metres, the remaining Mrs Herbert's Park Class 'A' Reserve (now called Lot 301) is 4,375 square metres, a reduction of 43.5% of the size of Mrs Herbert's Park. Is this not a major redevelopment of Mrs Herbert's Park? If not, is a major reduction of Mrs Herbert's Park?

The museum reserve formerly measured 1,391 square metres and with the consolidation of 3,398 square metres measures 4,788sm (now called Lot 300). The new zoning of Lot 300 to Recreation, Museum, Cultural Community Centre, Carpark and Cafe, exceeds in area the remaining portion of Mrs Herbert's Park Class 'A' Reserve zoned picnic which now measures 4,375 square metres. Why did Council not consult residents and Park users about s proposal to almost half the size of Mrs Herbert's Park zoned only for picnic in favour of a new reserve with much broader zoning allowances?

Question 2. In answer to my question six, Council confirmed the only consultation to park users and residents regarding the alternative location of the Community Building was the July 2019 letter correspondence to 22 nearby residents of the park. Will Council undertake to provide a full, open and broad consultation of the Museum redevelopment and changes to Mrs Herbert's Park before making final decisions on the development?

Question 3. Council answer to my Question 8 of the 3 September meeting did not answer my question as to why park stakeholders were not consulted about the location of the new Community

Building and excise of land from Mrs Herbert's Park. Should not stakeholders' views have been presented to Parliament when considered the Town of Claremont's proposal to excise sign vacant land from Mrs Herbert's park for the purpose of museum redevelopment?

Question 4. Council answer to my Question 16 of 3 September did not answer the question of Indigenous consultation regarding the Museum Redevelopment onto a greater portion of Mrs Herbert's Park. Did or will the Council conduct appropriate Indigenous consultation?

Question 5. Council answer to my Question 17 of 3 September denied the land has been 'excised' from Mrs Herbert's Park. The Submission to Parliament Proposal by Town of Claremont dated 29th November 2018 proposed "to excise a 3,398 square meter portion of Class 'A' Reserve 885 for inclusion into a new Crown Reserve for the purpose of 'Recreation Museum Cultural Community Centre, Carpark and Café'. Does the Council agree or deny that land has been excised from Reserve 885 which was Mrs Herbert's Park?

Council's answer to Question 17 did not answer the question regarding Council's whether Council had complied with its Leadership and Governance Strategy of "our stakeholders are well informed and we provide opportunities for comment and engagement". If Council did not comply why published strategy of stakeholder engagement, why not?

Answer. The Mayor took the questions on notice.

Dr James Latto, 70 Victoria Avenue, Claremont.

Re: Item 4.1, Response to Questions taken on Notice at Ordinary Council Meeting held 3 September 2019 - Freshwater Bay Museum Project.

Statement: I felt that I had received an inadequate answer to my first question at the Ordinary Council Meeting on 3rd September 2019 which merely absolved the Council of it's need to inform the community about changes to the land known as Mrs Herbert's Park and put the onus on the Department of Lands, so here is the question again:

Question 1. Why did the Town of Claremont apply to the State Government to annex 3398 square metres of land from Mrs Herbert's Park without fully informing the ratepayers and residents?

Answer. The Town of Claremont did not annex 3398 square metres of land from Mrs Herbert's Park.

Reserves 885 and 5659 collectively make up what is known as Mrs Herbert's Park. The boundaries of the two reserves that make up this Park have been varied resulting in Reserve 885 now being smaller than it was previously, however the total area for Mrs Herbert's Park is accurately the same.

The Town sought to have the boundary of Reserve 5659 varied so that it reflected the existing location of Museum facilities and reflected what was the proposed location of the new facilities proposed for the Freshwater Bay Museum Redevelopment.

The decision to vary the reserve boundary is entirely the decision of the Department of Lands, the relevant Minister and in the case of A Class reserves, both house of parliament. This process includes a process of community engagement so that the State can make decisions on this matter, independent of the Town and its application.

Question 2. Why didn't the Town of Claremont erect a billboard in the park informing the community of the intended changes to this popular picnic area and so allow community feedback.

Answer. It is unclear as to whether this billboard should have been erected to engage with respect to the Freshwater Bay Museum project or the application to vary the reserve boundaries. If it is the latter then this has been answered via the answer to Question 1.

If this relates to the Freshwater Bay Museum project, the use of billboards to engage the community on a matter is not commonly used by local government, however can always be considered by Council.

In this instance letters to adjacent residents were distributed, this resulted in serious concerns being raised, and the Council reviewing the project and establishing a Project Steering Group to reconsider the matter and report back to Council.

Question 3. Why did the CEO Liz Ledger, when discussing the issue with Tim Humphrey and Cathy Greatrex draw a black line outline indicating the amount of park to be annexed when the area is clearly less than 50% of the intended area to be annexed?

Answer . The Town's application to vary the boundary of Reserves 885 and 5659 was not for a specified area, although the town was seeking a revision to the boundary so that it reflected the current location of facilities at the Park.

The decision as to the extent of boundary adjustment was made by the Department of Lands as a recommendation to the two houses of Parliament.

As such the line drawn by the CEO at the meeting mentioned was the approximate location of where the boundary would be located if the request to simply accommodate the existing facilities was taken as the primary purpose for the adjustment. Until formal advice was received in respect to the boundary variation, the Town was not in receipt of any alternate boundary location.

Question 4. Why did Councillor Jill Goetze when discussing the issue with myself and Tim Humphrey outline a very similar area to the suggested area by the CEO Liz Ledger.

Statement: When I first became aware of the proposed changes to Mrs Herbert's Park, I rang Councillor Tulloch and his comment was "but surely you have been kept well informed about the issue". And so to my final question:

Answer . Whilst Cr Goetze is not present at the Council meeting, the boundary adjustment as requested by the Town was understood by the Town to be only that required to accommodate the existing facilities. Therefore the assumed boundary was quite naturally evident to anyone looking at an aerial map.

Question 5. The Question I ask of the Mayor and Councillors is – were you aware and did you all fully understand, and were you kept informed that just over 52% of the Park was to be set aside for Museum and Cultural Centre and that just under 48% of the Park was to be left for its original purpose as a picnic area? and where you all cognisant of the fact that annexed area goes down the hill to the very edge of the sandy children's play area – way past the existing toilet block.

Answer . As has been advised in previous questions, the Town did not request the eventual boundary adjustment of the two reserves that was approved by both houses of Parliament, this was recommended by the Department of Lands.

As such it is not possible for any Councillor to suggest that they were aware of and understood the areas involved, as these had not been specifically requested by the Town.

It is however relevant to suggest that the Question implies that the variation to the boundaries in some way restricts use, prevents the Park from being enjoyed by the community in its original form or in some way lessens the benefit of the Park to the community.

To the average Park user, they will attend the Park and use it, as they have always done, with no knowledge and little interest as to what boundaries of which reserve are located on which alignment.

The uses provided by the variation to Reserve 5659 now include Recreation, Museum, Cultural Centre, Car Park and Café. As explained previously the café use arose from earlier discussions in the community as the attraction of a cafe at the location, this has obviously not been incorporated into any redevelopment plans, so its use type is now of no relevance.

What therefore remains is Recreation, Museum, Cultural Centre and Car Park, so the 3 uses that are already at the Park, Museum, Cultural Centre and Car Park and the remaining Recreation use, which recognises this area as a seamless recreation area for the benefit of the whole community.

To suggest that that these boundary changes or changes in vesting purposes somehow vary how the park is used, how it will be enjoyed or the benefit that will be generated from this park to the community, is simply not correct.

6 PUBLIC STATEMENT TIME

Nil

7 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RESOLUTION 122/19

Moved: Cr Peter Browne OAM, JP

Seconded: Cr Chris Mews

That the minutes of the Ordinary Meeting of Council held on 3 September 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

12.1 CLAREMONT TOWN CENTRE ADVISORY COMMITTEE

12.1.1 MINUTES OF THE CLAREMONT TOWN CENTRE ADVISORY COMMITTEE MEETING HELD ON 29 AUGUST 2019

File Number: GOV/00048-03, D-19-31473

Author: Katie Bovell, Governance Officer

Authoriser: Liz Ledger, Chief Executive Officer

Attachments: 1.  Town Centre Advisory Committee Meeting Minutes - 29 August 2019

RESOLUTION 123/19

Moved: Cr Kate Main

Seconded: Cr Peter Edwards

That the Minutes of the Claremont Town Centre Advisory Committee Meeting held on the 29 August 2019 be received.

CARRIED

12.2 FRESHWATER BAY MUSEUM ADVISORY COMMITTEE

12.2.1 MINUTES OF THE FRESHWATER BAY MUSEUM ADVISORY COMMITTEE MEETING HELD ON 5 SEPTEMBER 2019

File Number: GOV/00050, D-19-31479

Author: Katie Bovell, Governance Officer

Authoriser: Liz Ledger, Chief Executive Officer

Attachments: 1. Freshwater Bay Museum Advisory Committee Meeting Minutes - 5 September 2019 

RESOLUTION 124/19

Moved: Cr Chris Mews

Seconded: Cr Peter Edwards

That the Minutes of the Freshwater Bay Museum Advisory Committee meeting held 5 September 2019 be received.

CARRIED

13 REPORTS OF THE CEO

13.1 LIVEABILITY

13.1.1 58-62 BAY VIEW TERRACE, CLAREMONT - ILLUMINATED HORIZONTAL SIGNS - APPLICATION FOR SIGN LICENCE

File Number: 02SLA/19/5764, D-19-30434

Attachments:

1. Location Map 
2. Photograph 
3. Application Letter 
4. Application Form Sign A 
5. Application Form Sign B 
6. Lighting Impact Assessment 
7. Visual Impact Assessment 
8. Heritage Impact Reports 
9. Revised Content Management Plan dated 10 September 2019 
10. Council Report 5 February 2019 
11. Plans Sign A - Confidential
12. Plans Sign B - Confidential

Author: David Vinicombe, Director Planning and Development

Authoriser: Liz Ledger, Chief Executive Officer

Proposed Meeting Date: 17 September 2019

Date Prepared: 4 September 2019

DA No.: BA19-174 & BA19-175

60/90 Days Due Date: N/A

Property Owner: Spyglass Pacific Pty Ltd

Applicant: Spyglass Pacific Pty Ltd

Lot No.: 501

Area of Lot: 835m²

Zoning: Town Centre, unzoned (subject to proposal for Town Centre Zoning under Amendment No. 137 to LPS) and Primary Regional Road Reservation

Enabling Legislation: Local Planning Scheme No. 3 (LPS3)

Local Law Relating to Signs (Signage LL)

SUMMARY

- The history relating to the development on this site (and the signage proposed) is encapsulated in the attached report to Council on 5 February (Attachment 9).
- In summary, Development Applications (inclusive of the signage proposals) have been granted approval by the Metro West Joint Development Assessment Panel (JDAP) on behalf of the Western Australian Planning Commission (WAPC) and Council as the site is partially contained in the Metropolitan Region Scheme (MRS) Primary Regional Road (PRR) reservation and land controlled under Local Planning Scheme No. 3 (LPS3) – last approvals granted 15 February 2019. The signage component of the applications was not approved under the LPS3 application as it was exempt from requiring Development Approval under the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regs).

- A Building Permit consistent with the Development Approvals was lodged on 7 March 2019 and subsequently issued on 22 March 2019.
- Notwithstanding the Development Approvals granted, the signs also require a Sign Licence in accordance with the Town's Local Law Relating to Signs (Signage LL).
- An application for the Sign Licences was received for two large format illuminated LED signs on 22 March 2019. The signage proposals consisted of two Illuminated Horizontal Signs (Sign A – 9.148m (corrected to 8.357m) x 3m curved screen facing intersection of Bay View Terrace and Stirling Highway, and Sign B - 4.85m x 4.56m screen facing east adjacent Stirling Highway).
- The proposed signs did not comply with the Town's Signage LL as they exceeded the dimension and height requirements for 'Horizontal Sign' and lighting requirements for an 'Illuminated Sign'.
- Council resolved to refuse the applications for Sign Licences on 2 July 2019 (Sign A) and on 16 July 2019 (Sign B). Essentially Council did not consider that the requirements under the Signage LL could be met.
- Since refusal of the Signs, the applicant has been liaising with the Town to determine how to address Council's concerns.
- A revised application for the two signs was lodged on 5 September 2019 (Attachments 3-9, 11 and 12). The signs have the same dimensions as detailed in the previous application with the exception that Sign A is now measured at 8.235m wide consistent with the WAPC Development Approval.
- The revised application includes a Lighting Impact Assessment prepared by Electrolight Australia Pty Ltd which addresses the lighting intensity and associated amenity impacts of the proposed signs, a Visual Impact Assessment prepared by EPCAD Pty Ltd and heritage impact reports prepared by TPG Place Match and Griffiths Architects that were considered by the JDAP in the granting of the Development Approval for the site (including the signage proposals).
- The revised application provides additional justification for the proposed signs by addressing a range of separate and discrete, but interrelated requirements. Significantly, the new applications provide clarity on the remnant amenity and community impact concerns to assist assessment under the Signage LL requirements by:
 - Specifying the terms of local community based messages relating to Town of Claremont events to raise awareness for community events, assist in reducing signage clutter in the Town by providing a central display medium and also contributing to and enhancing the prominence and viability of the local community.
 - Providing for a no commercial advertising during the two day lead-up to ANZAC Day and replacing advertising on these days with ANZAC related messaging which respects the importance of the War Memorial.
 - Confirmation that the signage will be in accordance with Main Roads Guide to Roadside advertising, including a lighting assessment, and annual lighting audit (at the applicant's cost).
 - Agreement to provision of a Lighting Management Plan to further assist with any lighting and luminance level considerations applicable to the property, which will deal with the ability to vary luminance levels according to ambient light conditions.
- The Signage LL requires changes (variations) to be assessed against its provisions contained in cl.4 and 20. Specifically signage proposals must in design, colour and location be erected in such a manner as to be sympathetic and harmonious with the surrounding street, way, footpath, public place or private property and environment and the building or structure to which it is attached or affixed; be implemented in such a way as to preserve and enhance the amenity and character of the Town, should not detrimentally impact upon the special character and ambience of the Town of Claremont, nor detract from the visual beauty of its suburbs, streetscapes, Town Centre and recreational and cultural areas; and should blend with the natural and/or built environment.

- It is considered that the revised Signage applications can be supported as a variation to the Signage LL as the proposal now satisfies the requirements of cl.4 and cl.20.
- It is accordingly recommended that both Sign A and Sign B be approved subject to conditions stated in the report which address ongoing compliance with amenity and safety considerations relative to lighting levels, compliance with the Revised Content Management Plan and additional arrangements relative to both signage in the lead-up to ANZAC Day and provision of community based advertising.

PURPOSE

For Council to consider the applications for Sign Licences for the two Illuminated Horizontal Signs (8.235m x 3m curved screen facing Stirling Highway and Bay View Terrace intersection and 4.85m x 4.56m screen facing east adjacent Stirling Highway).

Sign A and Sign B (Confidential Attachments 11 and 12) propose to vary the Town's Local Law – Relating to Signs (Signage LL) for the following reasons:

1. Signs A and B as 'Illuminated signs' are capable of emitting, and are intended to emit, light at an intensity substantially greater than 25 lumens as required by the Signage LL and consequently do not comply with cl.21.3 of the Signage LL.
2. Signs A and B, as 'Horizontal signs' will have a superficial area greater than 2m² and consequently they do not comply with cl.26.1 of the Signage LL.
3. Signs A and B as 'Horizontal signs' are to be located more than 9m above the ground and will have a height (i.e. a vertical dimension) greater than 900mm. Consequently, they do not comply with cl.26.2 of the Signage LL.

BACKGROUND

1. On 24 June 2016, an application for Development Approval was lodged in respect of Lot 510 (58-62) Bay View Terrace, Claremont. It involved:
 - a) Refurbishing the existing two storey building on the land. The building is included on the Town's Heritage List.
 - b) The addition of a new third storey office; and
 - c) Two illuminated signs attached to the new third storey. One of the Illuminated Horizontal Signs wraps around the south-western corner of the development (south-western sign) and the other is located on the eastern façade of the development (eastern sign). A 0.67m portion of the face of the eastern sign extended beyond the MRS reservation and into the part of the site which is currently un-zoned under Local Planning Scheme 3 (LPS3). This land is the subject of Amendment No 137 to LPS3 and is currently awaiting Ministerial approval and gazettal.
2. On 29 September 2016, the Metro West Joint Development Assessment Panel (JDAP) granted development approval under the Metropolitan Region Scheme (MRS) excluding the signs.
3. On 15 October 2018, the JDAP granted approval under LPS3 for the development but excluded the signs. The minutes of the JDAP meeting include condition 2 which states:

“The illuminated Large Format Digital Signs are not approved as the signs are an unlisted use (third party advertising) which is prohibited by clause 14(5) of Local Planning Scheme No. 3. The Large Format Digital Signs would also have a detrimental effect on the heritage values of the building and the amenity of the locality.”
4. Following a State Administrative Tribunal (SAT) review, the JDAP, in accordance with section 31 of the *State Administrative Tribunal Act 2004* (SAT Act) reapproved the proposed development inclusive of the proposed signage on 8 June 2018.
5. On 17 December 2018, amended plans were lodged by the applicant. The effect of those plans was that the signs were to be located wholly inside the MRS reservation.

6. On 15 February 2019 the JDAP granted approval under the MRS for the development inclusive of the signs with an amended condition 14 which stated:

“All LED sign content shall be in accordance with the Updated Sign Content Management Plan, dated April 2017.”

The Sign Content Management Plan requires:

1. *All content for advertising at the Property will be managed by the Operator, as set out in the management plan, and subject to the terms of any planning approval.*
2. *The content of advertising at the Property is restricted to the following:*
 - a. *Tenants and businesses located within the Claremont Town Centre Precinct;*
 - b. *Products and services of tenants and businesses located within the Claremont Town Centre Precinct;*
 - c. *Road safety messages;*
 - d. *Local Town of Claremont event and tourism messages;*
 - e. *Main Roads Western Australia/Department of Transport advanced warning/traffic messages;*
 - f. *Educational establishments located within the Town of Claremont*
3. *Notwithstanding Clause 2, Signage must not contain any offensive, discriminatory, or distasteful messages, in accordance with the requirements and guidelines published by the Outdoor Media Association of Australia, to the satisfaction of the Chief Executive Officer of the Town of Claremont.*
4. *Given the proximity of the property to the Town of Claremont War Memorial, all electronic advertising will be switched off on ANZAC Day and Remembrance Day.*
5. *Terms referred to above are defined below:*

Property means 58 Bay View Terrace, Claremont.

Claremont Town Centre Precinct means the land bound by Stirling Road, Stirling Highway, Leura Avenue and Guger Street Claremont.

Operator means the person or persons who are responsible from time to time for the management of advertising at the Property.

The application includes a revised Content Management Plan (Attachment 9) which includes switching off of the signs on when the flags are flying at half-mast.

7. On 15 February 2019 the JDAP also granted approval for the development under LPS3, however deleted condition 7 (which proposed to refuse the signage) on consideration of their legal advice that LPS3 approval is not required as the signs are located in the Primary Regional Road reservation under the MRS and on the basis that the condition was inappropriate as it sought to restrict development in the reservation inconsistent with the existing MRS approval.
8. A Building Permit consistent with the Development Approvals was lodged on 7 March 2019 and subsequently issued on 22 March 2019.
9. On 22 March 2019, two applications for the Sign Licence were received from the applicant. The application was reviewed on 16 April 2019 and included:
 - a. Sign A is a 3m (h) x 9.148m (corrected to 8.357m) (w) sign, described as “Hoarding with steel cabinets and steel supports”. The plan stated “illuminated screen 10.5% of Façade” and showed a curved screen facing intersection of Bay View Terrace and Stirling Highway.
 - b. Sign B is a 4.85m (h) x 4.56m (w) sign, described as “Hoarding with steel cabinets and steel supports”. The plan showed a screen facing east adjacent Stirling Highway a stated “illuminated screen”.

PAST RESOLUTIONS

Ordinary Council Meeting 2 July 2019, Resolution No. 82/19:

THAT Council refuse to grant Sign Licence for proposed Sign A at 58-62 Bay View Terrace, Claremont for the following reasons:

1. The proposed sign does not satisfy the philosophy or objectives underlining the Town of Claremont Local Law – Relating to Signs as it will have a detrimental impact on the special character and ambience of the Town of Claremont, specifically its heritage character, streetscapes and areas of cultural significance including the property itself with its southern entrance to the Bay View Terrace Heritage Precinct and adjacent State Heritage Listed Claremont Heritage Area and associated Claremont War Memorial.
2. The sign does not satisfy the Design Principles of the Town of Claremont Local Law – Relating to Signs as the design, lighting intensity, size and location of the signage is not sympathetic or harmonious with the existing heritage building on which it is to be located, or the Bay View Terrace Heritage Precinct, the adjacent State Heritage Listed Claremont Heritage Area and associated Claremont War Memorial, or the future amenity of planned residential development in the Town Centre at this location.

Ordinary Council Meeting 19 July 2019, Resolution No. 89/19:

THAT Council refuse a Sign Licence for proposed Sign B at 58-62 Bay View Terrace, Claremont for the following reasons:

- a. The proposed sign does not satisfy the philosophy or objectives underlining the Town of Claremont Local Law – Relating to Signs as Council considers it will have a detrimental impact on the special character and ambience of the Town of Claremont.
- b. The sign does not satisfy the Design Principles of the Town of Claremont Local Law.
- c. The sign does not meet the design requirements of the Local Law for Horizontal and Illuminated Signs.

Statutory Considerations

Pursuant to cl.4 of the Signage LL:

- *“Any changes to the Local Law Relating to Signs must be implemented in such a way as to preserve and enhance the amenity and character of the Town” (cl.4.1).*
- *“No signage should detrimentally impact upon the special character and ambience of the Town of Claremont, nor detract from the visual beauty of its suburbs, streetscapes, town centre and recreational and cultural areas” (cl.4.1.1).*
- *“Signs should blend with the natural and/or built environment” (cl.4.1.5).*

Clause 20.1 of the Signage LL requires that the signs are erected and maintained or proposed to be erected *“in design, colour and location be sympathetic and harmonious with the surrounding street, way, footpath, public place or private property and environment and the building or structure to which it is attached or affixed”*.

DISCUSSION

With regard to the above Signage LL provisions (cl.4 and cl.20), the following comments are considered relevant in determining the applications for the Sign Licenses:

- The proposed signs have been granted Development Approval by the JDAP on behalf of the WAPC. It is noted that the current Development Approval granted by JDAP for the WAPC included a conditions from the 2 June 2017 approval requiring:

“LED Signage

11 *In accordance with the Transcore Road Safety Assessment Report dated August 2016, and updated by way of letter dated 3 April 2017:*

11.1 *Any illumination of LED signage must be of a low level not exceeding:*

- 11.1.1 *Daytime - 6000 cd/m²*
- 11.1.2 *Dawn/Dusk - 600 cd/m²*
- 11.1.3 *Night - 300 cd/m².*
- 11.2 *All LED signage shall not flash, pulsate or chase.*
- 11.3 *All LED signage shall display only single, 'self-contained' messages. Messages in the form of a sequential series of related messages shall not be permitted.*
- 11.4 *All LED signage messages and static images shall have a 'dwell' duration of not less than 60 seconds.*
- 11.5 *Transitional effects (such as fly-in, fade-out, and scrolling) shall not be permitted on the LED signage.*
- 12 *The LED signage is only permitted to display advertising content between the hours of 5am and 11pm daily, on all days of the year, except ANZAC day (later modified at JDAP on 15 February 2019 to include Remembrance Day and also now to include whenever the flag is flying at half-mast as detailed in the revised Content Management Plan) when no advertising is permitted.*
- 13 *When the LED advertising signs are in operation at night:*
- 13.1 *The external façade of the building shall be externally lit; and*
- 13.2 *The internal lights to the third floor addition shall be internally lit;*
- to the specification of the local government and the satisfaction of the Western Australian Planning Commission."*
- The JDAP decision on behalf of the WAPC took into account and endorsed aspects of the following reports submitted through the SAT proceedings to address amenity and traffic safety considerations:
 - A Lighting Impact Assessment prepared by Electrolight Australia Pty Ltd which addresses the lighting intensity and associated amenity impacts of the proposed signs and concludes:

"The proposed illuminated signage complies with all relevant requirements of AS 4282-1997 Control of Obtrusive Effects of Outdoor Lighting. In complying with these requirements, the proposed signage will not result in unacceptable glare nor will it adversely impact the safety of pedestrians, residents or vehicular traffic. The proposed signage will also not cause any reduction in visual amenity to nearby residences or accommodation."
 - A Visual Impact Assessment prepared by EPCAD Pty Ltd which concludes:

"The proposed illuminated signage is also in keeping with the surroundings and is not highly visible when viewed in the wider urban context. The level of visual impact is likely to be very minor especially given the context of the developing urban setting and the limited viewing ability from heritage places.

Key observations detailed in this report, which support this statement are;

 - *The location of the proposal ensures that it will not be prominent in the landscape and will not adversely affect the landscape character or qualities of the local area;*
 - *The proposed... illuminated advertising signage is not out of place with the general land use and urban character of the local area;*
 - *The proposals built form and aesthetic will be designed sympathetically to retain existing heritage value;*

- *The proposal would only be visible fully from a small section of the adjacent roads and public open spaces;*
 - *The proposal would only be visible from a small number of private residences situated at distance from the site;*
 - *The proposal rarely breaks the skyline created by the existing topography and surrounding built form.”*
- Heritage impact reports prepared by TPG Place Match and Griffiths Architects which conclude:

“The introduction of LED signage to the proposed upper façade of No 58-62 Bay View Terrace, Claremont, would have a minimal impact on the heritage values of the Bay View Terrace Commercial Heritage Precinct in which it is located, provided that (as proposed) the signage is static in nature and the content is related to the offerings and events in the locality. This is because:

 - *Commercial signage is an integral component of a commercial heritage precinct and the proposed content is commensurate with historical signage;*
 - *The potential impact of the signage is limited to views of Sign 1 and those views are restricted to a localised portion at the southern end of the Precinct;*
 - *The restriction of the LED to static display (rather than (sic) moving) will limit visual distraction from appreciation of the Precinct at its southern end; and*
 - *It is part of the commercial evolution of the Precinct that is recognised in its heritage listing and provides potential opportunities for increased public appreciation of the Precinct.”* (TPG Place Match)

“As this impact statement demonstrates, there is no significant impact on the heritage values of (sic) National Bank (fmr) by addition of a third storey.” (Griffiths Architects)
 - The proposed signs are to be located on a third storey addition to the former National Bank which is a significant Federation-era building in the Bay View Terrace Heritage Precinct, with demonstrable special character, aesthetic, social and historic values.
 - The building is included on the Town's Heritage List and is located at the southern end of the Bay View Terrace Heritage Precinct.
 - The building is located opposite the State Listed Claremont Heritage Area which contains the Town's War Memorial. The War Memorial is of cultural significance to the Town. The central and eastern northern boundary is lined with significant trees.
 - Bay View Terrace is the commercial heart of the Town of Claremont, and historically its most important street.
 - Despite not meeting the size and luminosity requirement of the Signage LL, the revised proposals suitably introduce new considerations which provide for significantly improved amenity and community benefit outcomes: The improvements include:
 - Specifying the terms of local community based messages relating to Town of Claremont events (as required by the Content Management Plan – required as a condition of the JDAP WAPC approval). This includes the provision for one Town of Claremont community based advertisement per rotation that can be used for local tourism and community events, safety and community messages and the like. This will assist in reducing signage clutter in the Town by providing a central display medium, and further contributing to and enhancing the prominence and viability of the local community.
 - Providing for a no commercial advertising during the two day lead-up to ANZAC Day and replacing advertising on these days with ANZAC related messaging which respects the importance of the War Memorial, contributes to its sense of place,

highlights the ANZAC spirit and raises awareness for the ANZAC ceremony in the immediate locality.

- Confirmation that the signage will be in accordance with Main Roads Guide to Roadside advertising, including a lighting assessment, and annual lighting audit (at the applicant's cost).
- Agreement to provision of a Lighting Management to further assist with any lighting and luminance level considerations applicable to the property, which will deal with the ability to vary luminance levels according to ambient light conditions.

The Lighting Management Plan will take into account the lighting levels set by condition 11.1 of the JDAP approval stated above, but also provide capacity to automatically reduce the lighting intensity during daytime overcast and rainfall events where ambient light conditions are darker in order to reduce the potential amenity and safety impacts of the signs.

- It is considered that both signs have an improved respect for the special character and ambience of the building and the Bay View Terrace Heritage Precinct streetscape together with the adjacent Claremont Park and associated War Memorial as:
 - The revisions proposed in the current application to further address the amenity and community impacts by significantly improving community activation outcomes.
 - The relationship between the site and the War Memorial (inclusive an improved respectful relationship between advertising arrangements relative to ANZAC Day, Remembrance Day and when the War Memorial flag is being flown at half-mast).
 - The commitment to the provision of a Lighting Management Plan to further reduce amenity impacts and traffic safety during poor daylight ambient conditions.
- Over time proposed Sign A will blend with the natural and/or built environment and be less visually dominant and not detract from the visual appreciation and beauty of the place.
- Sign B will automatically blend with the natural and/or built environment as it will be less visually dominant due to its smaller size and not detract from the visual appreciation and beauty of the place, given its view from Claremont Park is sheltered by a line of significant trees at the northern boundary of the Park.

In summary, it is considered that the conditions proposed will improve the relationship between the Town Centre, Claremont Park (and its associated War Memorial) and will deliver improved local community outcomes for the Town. Accordingly a variation to the Signage LL and approval of the signs is recommended.

FINANCIAL AND STAFF IMPLICATIONS

Significant time and resources have been expended by the Town in relation to this development over the last three years.

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.
- Provide clean, usable, attractive and accessible streetscapes and public spaces.
- Balance the Town's historical character with complementary, well designed development.
- Maintain and upgrade the Town's assets for seamless day to day usage.
- Develop the public realm as gathering spaces for participation, prosperity and enjoyment.

Local Prosperity

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

- Plan for the development of attractive and thriving activity nodes to support small local business.
- Support new and existing local small business and entrepreneurial activity.
- Raise profile of the Claremont Town Centre as a visitor destination.

People

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

- We live in an accessible and safe community that welcomes diversity, enjoys being active and has a strong sense of belonging.
- Effectively manage and enhance the Town's community facilities in response to a growing community.
- Facilitate opportunities for social participation, health, learning and inclusion through programmed activities and events.
- Support local safety and crime prevention.
- Provide opportunities for local community groups that supports their capacity and ongoing sustainability.
- Develop and implement a strategy that supports services for seniors and youths.
- Recognise and celebrate the Town's history and culture through arts and events.
- Promote and encourage an active lifestyle through supporting local community clubs, groups and recreation and leisure facilities.

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.
- Manage our finances responsibly and improve financial sustainability.
- Continually assess our performance and implement initiatives that drive continuous improvement.
- Develop and build partnerships that support the Town's vision.

URGENCY

The Building Permit for the proposed development has been issued. It is noted that there is no statutory time frame for the issue of a Sign Licence under the Signage LL.

CONCLUSION

Based on the above, it is recommended that Sign A and Sign B be conditionally approved for the reasons set out in the Officer's recommendation.

VOTING REQUIREMENTS

Simple majority decision of Council required.

Moved: Cr Sara Franklyn

Seconded: Cr Kate Main

THAT Council approve a variation to the Illuminated Horizontal Sign requirements pursuant to clauses 4 and 20 of the Town of Claremont Local Law – Relating to Signs with respect to proposed Sign A and Sign B at 58-62 Bay View Terrace, Claremont for reasons outlined in the Officer’s report and approve both Sign Licence applications subject to the following conditions:

- 1. The signage is to be in accordance with Main Roads Guide to Roadside advertising, including a lighting assessment, and annual lighting audit at the applicant’s cost.**
- 2. Prior to the use of the signs for commercial advertising, the applicant is to provide a Lighting Management Plan to the satisfaction of the Town of Claremont which ameliorates lighting and luminance levels relative to ambient light conditions, inclusive of adjustments in lighting intensity to address overcast or rainfall daytime conditions and improve amenity and safety outcomes.**
- 3. The applicant providing one advertisement per rotation for community based messages promoting local tourism, community events and community safety managed by the Town of Claremont.**
- 4. Compliance with the Revised Content Management Plan dated 10 September 2019.**
- 5. No commercial advertising is to occur on the two days leading up to ANZAC Day and during this period the signs are to contain messages relating to ANZAC Day and the ANZAC spirit only to the satisfaction of the Town of Claremont.**

RESOLUTION 125/19

EXTENSION OF TIME TO SPEAK

Moved: Cr Peter Edwards

Seconded: Cr Chris Mews

That Cr Haynes be granted an extension of time to speak.

For: Mayor Jock Barker, Cr Peter Edwards, Cr Bruce Haynes, Cr Paul Kelly, Cr Kate Main

Against: Cr Peter Browne OAM, JP, Cr Sara Franklyn, Cr Chris Mews, Cr Alastair Tulloch

CARRIED 5/4

RESOLUTION 126/19

Moved: Cr Sara Franklyn
Seconded: Cr Kate Main

THAT Council approve a variation to the Illuminated Horizontal Sign requirements pursuant to clauses 4 and 20 of the Town of Claremont Local Law – Relating to Signs with respect to proposed Sign A and Sign B at 58-62 Bay View Terrace, Claremont for reasons outlined in the Officer’s report and approve both Sign Licence applications subject to the following conditions:

- 1. The signage is to be in accordance with Main Roads Guide to Roadside advertising, including a lighting assessment, and annual lighting audit at the applicant’s cost.**
- 2. Prior to the use of the signs for commercial advertising, the applicant is to provide a Lighting Management Plan to the satisfaction of the Town of Claremont which ameliorates lighting and luminance levels relative to ambient light conditions, inclusive of adjustments in lighting intensity to address overcast or rainfall daytime conditions and improve amenity and safety outcomes.**
- 3. The applicant providing one advertisement per rotation for community based messages promoting local tourism, community events and community safety managed by the Town of Claremont.**
- 4. Compliance with the Revised Content Management Plan dated 10 September 2019.**
- 5. No commercial advertising is to occur on the two days leading up to ANZAC Day and during this period the signs are to contain messages relating to ANZAC Day and the ANZAC spirit only to the satisfaction of the Town of Claremont.**

For: Mayor Jock Barker, Cr Peter Browne OAM, JP, Cr Sara Franklyn, Cr Kate Main, Cr Alastair Tulloch

Against: Cr Peter Edwards, Cr Bruce Haynes, Cr Paul Kelly, Cr Chris Mews

CARRIED 5/4

13.2 PEOPLE

13.2.1 COMMUNITY SPORT AND RECREATION FACILITIES FUNDING FOR MACKENZIE PAVILION

File Number: GAS/00078-03, D-19-31004
Author: Liz Ledger, Chief Executive Officer
Authoriser: Liz Ledger, Chief Executive Officer
Attachments: Nil

PURPOSE

For Council to consider an application for Community Sport and Recreation Facility Funding (CSRFF) to support the redevelopment of Mackenzie Pavilion.

BACKGROUND

At its Ordinary Meeting 21 May 2019, Council approved the progress of a CSRFF application to the Department of Local Government, Sport and Cultural Industries (DLGSC) to support the redevelopment of Mackenzie Pavilion at Creswell Park.

DISCUSSION

The Town's officers have since liaised with the CSRFF Officer and prepared a funding application as per the requirements established in the grant guidelines. This has also involved seeking feedback from the two main potential users, the Westside Wolves Hockey Club and the Claremont Nedlands Cricket Club.

The application is for the 2020/21 annual and forward planning round, and is seeking a third of the cost to redevelop the new change rooms and ablutions, and increase the storage facilities at the facility for both clubs and other potential user groups. This amount has been estimated through the concept design and quantity surveyor process at \$487,866.00.

Through this funding opportunity, the local government's role is to review and assess all applications that come in, and rate and rank them in order of what we believe is priority. As this is the only CSRFF application for the Town for this financial year, and given the urgent nature of the works required at the Mackenzie Pavilion, the Town has ranked this application as its number 1 priority.

In order to meet the CSRFF guidelines, this application must be lodged to the Department on the last working day of September (Monday 30 September).

After being assessed by the Regional Manager, the application will go to the Minister for Sport and Recreation, with notification on the success in January 2020.

If successful, the Town will receive the funding in the 2020/21 financial year and the building works can commence from 1 October 2020.

PAST RESOLUTIONS

Ordinary Council Meeting 21 May 2019, Resolution 53/19:

That:

- 1. Council approves the Concept Design, Costing and proposed funding model;*
- 2. Council approves the progress of a Funding Application to the Department of Local Government, Sport and Cultural Industries Community Sporting and Recreation Facilities Fund.*
- 3. The Claremont Nedlands Cricket Club and Westside Wolves Hockey Club provide documentation by way of bank guarantee that the amount of \$75,000 each will be paid when called upon to do so by the Town of Claremont.*

**CARRIED
(NO DISSENT)**

FINANCIAL AND STAFF IMPLICATIONS

The funding model for the redevelopment of Mackenzie Pavilion identifies the CSRFF being integral to the success of the project. *Please refer to Table 1. Proposed Funding Model Mackenzie Pavilion.*

If the Town is unsuccessful, the Officers will need to review funding options and provide a further report to Council.

Table 1: Proposed Funding Model McKenzie Redevelopment

FUNDING BODY	AMOUNT	APPROVED
Federal Grant – Communities Development Grants Program	\$1,000,000	Confirmed
Town of Claremont	\$900,000	<u>Confirmed</u> Reserves \$365,000 <u>Budgeted</u> Muni \$235,000 Loan \$300,000
Community Sporting and Recreation Facilities Fund (CSRFF) – Department of Local Government, Sport and Cultural Industries	\$487,866	Not confirmed. Application due to DLGSC by 30 September 2019
Westside Wolves Hockey Club	\$75,000	Verbally committed
Claremont Nedlands Cricket Club	\$75,000	Verbally committed
TOTAL	\$2,537,866 Excl.GST	\$1,900,000 confirmed

COMMUNICATION / CONSULTATION

This major project has been implemented in conjunction with the key representatives from the Hockey and Cricket Clubs. Furthermore, the consultant undertaking the concept design process engaged with other potential user groups to assist with the development of the concept design.

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.

- We live in an accessible and safe community that welcomes diversity, enjoys being active and has a strong sense of belonging.
- Effectively manage and enhance the Town's community facilities in response to a growing community.
- Facilitate opportunities for social participation, health, learning and inclusion through programmed activities and events.
- Support local safety and crime prevention.
- Provide opportunities for local community groups that supports their capacity and ongoing sustainability.
- Promote and encourage an active lifestyle through supporting local community clubs, groups and recreation and leisure facilities.

URGENCY

Prior to 30 September 2019.

VOTING REQUIREMENTS

Simple majority decision of Council required.

RESOLUTION 127/19

Moved: Cr Kate Main

Seconded: Cr Sara Franklyn

That Council:

- 1. Determines that the CSRFF application to support the redevelopment of the McKenzie Pavilion is the number 1 CSRFF funding priority for the 2020/21 financial year.**
- 2. Supports this CSRFF application for an amount of \$487,866 for submission to the DLGSC prior to 30 September 2019.**

CARRIED

13.3 LEADERSHIP AND GOVERNANCE

13.3.1 LIST OF PAYMENTS TO 31 AUGUST 2019

File Number: FIM/00108, D-19-30320

Author: Edwin Kwan, Senior Finance Officer

Authoriser: Liz Ledger, Chief Executive Officer

Attachments: 1. **Schedule of Payments 1 - 31 August 2019** 
 2. **Purchase Card Expenses August 2019** 

PURPOSE

For Council to note the payments made in August 2019.

BACKGROUND

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

DISCUSSION

Attached is the list of all accounts paid totalling \$1,611,853.33 during the month of August 2019.

The attached schedule covers:

• Municipal Funds electronic funds transfers (EFT)	\$	1,142,394.30
• Municipal Fund vouchers (39615-39616)	\$	820.00
• Municipal Fund direct debits	\$	465,642.43
• Trust Fund electronic funds transfer (EFT)	\$	2,996.60
• Trust Fund vouchers	\$	0.00

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

PAST RESOLUTIONS

Ordinary Council Meeting 16 July 2019, resolution 104/19:

That Council notes all payments made for July 2019 totalling \$2,275,585.41 comprising;

<i>Municipal Funds electronic funds transfers (EFT)</i>	\$	1,690,251.37
<i>Municipal Fund vouchers (39611-39614)</i>	\$	7,612.12
<i>Municipal Fund direct debits</i>	\$	558,150.30
<i>Trust Fund electronic funds transfer (EFT)</i>	\$	19,571.62
<i>Trust Fund vouchers</i>	\$	0.00

FINANCIAL AND STAFF IMPLICATIONS

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

STRATEGIC COMMUNITY PLAN

- .
- Develop the public realm as gathering spaces for participation, prosperity and enjoyment.

Local Prosperity

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

- Plan for the development of attractive and thriving activity nodes to support small local business.

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.
- Manage our finances responsibly and improve financial sustainability.

URGENCY

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

VOTING REQUIREMENTS

Simple majority decision of Council required.

RESOLUTION 128/19

Moved: Cr Paul Kelly

Seconded: Cr Bruce Haynes

That Council notes all payments made by the Chief Executive Officer under Delegation DA9 for August 2019 totalling \$1,611,853.33, as detailed in Attachment 1 comprising:

\$1,142,394.30	Municipal Funds electronic funds transfers (EFT)	\$1,142,394.30
\$ 820.00	Municipal Funds vouchers (39615-39616)	
\$ 465,642.43	Municipal Funds direct debits	
\$ 2,996.60	Trust Fund EFT	
\$ 0.00	Trust Fund vouchers	

CARRIED

13.3.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 JULY 2019

File Number: FIM/00079, D-19-30975

Author: Les Crichton, Director Corporate and Compliance

Authoriser: Liz Ledger, Chief Executive Officer

Attachments: 1. **Statement of Financial Activity for period ending 31 July 2019** 
 2. **2019-20 Infrastructure Works - Progress Update to 31 July 2019** 

PURPOSE

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

BACKGROUND

The monthly Financial Statements is 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 July 2019 represents the first month 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 \$17,035,092 (for the period ending 31 July 2019) compares favourably against the budgeted surplus of \$16,695,165. As expected in the first month 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 \$339,926 variance is made up of:

Under budget

Operating expenditure \$161,120

Over budget

Operating revenue \$ 50,433

Capital expenditure (\$ 34,505)

Capital revenue \$162,875

Variance \$339,923

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.

Table 1: Operating Expenditure - \$161,120 under budget

	Budget	Actual	Variance
Employee cost	\$564,537	\$486,640	\$77,897
Utilities	\$45,976	\$24,388	\$21,588
Insurance	\$79,534	\$120,145	(\$40,611)
Other expenses	\$233,768	\$169,657	\$61,111

Contributors to the operating expenditure variations are:

- \$77,987 employee costs is due to payroll timing and position vacancies.
- \$21,588 utilities is result of timing differences.
- \$40,611 insurance overspend is due to premium instalments paid ahead of budgeted schedule.

- \$61,111 in other expenditure is primarily due to timing variances relating to grounds maintenance contributions.

Table 2: Operating Revenue - \$48,612 above budget

	Budget	Actual	Variance
Fees & Charges	\$496,705	\$583,262	\$86,557
Interest earnings	\$60,361	\$31,092	(\$29,269)

The reasons for operating revenue variations are:

- \$86,557 increase in fees and charges is comprised higher than budgeted takings through the pool (\$11k), building (\$11k), food inspections (\$12), parking (\$14k) and timing on annual rental fees issued to lessees in the new financial year.
- \$29,269 is budget timing variance against maturity/rollover of fixed term investments.

Important revenue indicators are:

- Total rates (including arrears, ESL and other charges) and Under Ground Power ('UGP') Levy are \$15.238M with collection to date of \$228,944 or 1.33%.
- Debtors show +90 days outstanding of \$8,737 which is related to works contribution.

Capital Revenue - \$162,875 above budget

The variance reflects the \$180,000 splash pad grant received ahead of time and timing variance on vehicle changeover impacting budgeted proceeds of sale by \$17,125.

Capital Expenditure - \$34,505 above budget

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

\$72,819 under budget in land and buildings, \$20,888 under budget in parks and other infrastructure work and \$105,392 above budget in roadworks, all due to timing against budget schedule. Attachment 2 provides further detail on the projects and variance explanations.

PAST RESOLUTIONS

Ordinary Council Meeting 20 August 2019, Resolution 106/19:

1. *That Council notes the Financial Statement of Activity for the Period 1 July 2017 to 30 June 2019....*

CARRIED

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 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.

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 129/19

Moved: Cr Paul Kelly

Seconded: Cr Bruce Haynes

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

CARRIED

14 ANNOUNCEMENTS BY THE PRESIDING PERSON

Mayor Barker, Cr Browne, and Cr Franklyn reported on their attendance at the citizenship ceremony. Cr Haynes reported on his recent travels to Canada, London and Seattle.

15 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**15.1 NOTICE OF MOTION - PURCHASE OF ARTWORK****File Number: GOV/00057, D-19-31616****Attachments: Nil**

I, Councillor Peter Edwards, give notice that at the next Ordinary Meeting of Council to be held on 17 September 2019, I intend to move the following motion:

That Council consider purchase of *6010 Bay View Terrace* by Naz Sumadi, (Exhibit 53) included in this year's Town of Claremont Art Award & Exhibition.

RATIONALE

The work is local, looks impressive with the 3D effect and would be worthy to hang on the walls of Council.

I commend this Notice of Motion to Council.

CEO Comment

Councils Public Art Collection Policy promotes the acquisition of art through provision of an annual budget of \$5,000 to acquire artwork to add to the Town's Collection.

RESOLUTION 130/19**Moved: Cr Peter Edwards****Seconded: Cr Sara Franklyn**

That Council consider purchase of *6010 Bay View Terrace* by Naz, (Exhibit 53) included in this year's Town of Claremont Art Award & Exhibition.

For: Mayor Jock Barker, Cr Peter Edwards, Cr Sara Franklyn, Cr Chris Mews.**Against: Cr Peter Browne OAM, JP, Cr Bruce Haynes, Cr Paul Kelly, Cr Kate Main, Cr Alastair Tulloch****LOST 4/5**

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 1 October 2019 at 7:00pm.

At 7:56 pm, Cr Peter Browne and Cr Peter Edwards left the meeting.

At 7:57 pm, Cr Peter Browne and Cr Peter Edwards returned to the meeting.

19 DECLARATION OF CLOSURE OF MEETING

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

.....
CHAIRPERSON