



MINUTES

Ordinary Council Meeting Tuesday, 17 March 2020

Date: Tuesday, 17 March 2020

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.

Order Of Business

1	Declaration of Opening/Announcement of Visitors.....	4
2	Record of Attendance/Apologies/Leave of Absence (Previously Approved)	4
3	Disclosure of Interests	4
4	Response to Previous Public Questions Taken on Notice	4
	Nil	
5	Public Question Time	5
6	Public Statement Time	5
7	Applications for Leave of Absence	5
8	Petitions/Deputations/Presentations.....	5
9	Confirmation of Minutes of Previous Meetings	5
10	Announcement of Confidential Matters for which the Meeting may be Closed to the public.....	5
11	Business Not Dealt with From a Previous Meeting	5
	Nil	
12	Reports of Committees	6
	Nil	
13	Reports of the CEO.....	7
13.1	Liveability	7
13.1.1	Lot 601 (3) Davies Road, Claremont - Reconsideration of Retrospective Signage (Claremont Football Club Stadium)	7
13.2	Leadership and Governance	15
13.2.1	2019/20 Mid year budget review.....	15
13.2.2	Monthly Statement of Financial Activity for the Periods ending 31 January 2020.....	20
13.2.3	List of Payments 1 to 29 February 2020	23
14	Announcements by the Presiding Person	25
15	Elected Members’ Motions of which Previous Notice has been Given	25
	Nil	
16	New Business of an Urgent Nature Approved by the Presiding Person or by Decision of Meeting.....	26
16.1	Leadership and Governance	26
16.1.1	Remote Attendance - Ordinary Council Meetings.....	26
17	Confidential Matters for which the Meeting may be Closed to the Public	28
18	Future Meetings of Council.....	29
19	Declaration of Closure of Meeting	29

**MINUTES OF TOWN OF CLAREMONT
ORDINARY COUNCIL MEETING
HELD AT THE TOWN OF CLAREMONT, CLAREMONT COUNCIL CHAMBERS, 308 STIRLING
HIGHWAY, CLAREMONT
ON TUESDAY, 17 MARCH 2020 AT 7.00PM**

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

His worship the Mayor, 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
Deputy Mayor Cr Jill Goetze
Cr Peter Browne OAM, JP
Cr Peter Edwards
Cr Paul Kelly
Cr Kate Main
Cr Annette Suann
Cr Peter Telford

IN ATTENDANCE:

Liz Ledger (Chief Executive Officer)
Andrew Smith (Director Infrastructure and Assets)
Bree Websdale (Director, Governance and People)
Cary Green (Director Corporate and Compliance)
David Vinicombe (Director Planning and Development)
Kerith Barbetti (Administration Officer, Governance)

3 members of the Public, 2 members of the Press

APOLOGIES:

Cr Sara Franklyn

LEAVE OF ABSENCE:

Cr Bruce Haynes

3 DISCLOSURE OF INTERESTS

Nil

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5 PUBLIC QUESTION TIME

Nil

6 PUBLIC STATEMENT TIME

MR DARCY COFFEY OF 3 DAVIES ROAD, CLAREMONT

RE: ITEM 13.1.1 LOT 601 (3) DAVIES ROAD, CLAREMONT RECONSIDERATION OF RETROSPECTIVE SIGNAGE

CLAREMONT FOOTBALL CLUB STADIUM

MR COFFEY SHARED A STATEMENT IN SUPPORT OF THE PROPOSED PLANNING APPLICATION.

MS INGRID MAHER FROM PLANNING SOLUTIONS OF LEVEL 1, 251 ST GEORGES TERRACE, PERTH

RE: ITEM 13.1.1 LOT 601 (3) DAVIES ROAD, CLAREMONT RECONSIDERATION OF RETROSPECTIVE SIGNAGE

CLAREMONT FOOTBALL CLUB STADIUM

MS MAHER SHARED A STATEMENT IN SUPPORT OF THE PROPOSED PLANNING APPLICATION.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RESOLUTION 017/20

Moved: Cr Paul Kelly

Seconded: Cr Peter Browne OAM, JP

That the minutes of the Ordinary Meeting of Council held on 3 March 2020 be confirmed.

CARRIED NO DISSENT

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

17.1.1 Interim and back rating on updated GRV Valuations

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 LOT 601 (3) DAVIES ROAD, CLAREMONT - RECONSIDERATION OF RETROSPECTIVE SIGNAGE (CLAREMONT FOOTBALL CLUB STADIUM)****File Number:** 01SAT/20/5772, D-20-05891

Attachments:

1. Location Map 
2. Photograph 
3. Applicant's Letter 
4. Plans - Confidential

Author: Lisa Previti, Manager Planning and Building
David Vinicombe, Director Planning and Development

Authoriser: Liz Ledger, Chief Executive Officer**Proposed Meeting Date:** 17 March 2020**Date Prepared:** 13 February 2020**DA No.:** 2019.00113**60/90 Days Due Date:** 25 November 2019**Property Owner:** Claremont Football Club Inc.**Applicant:** Oldfield Knott Architects Pty Ltd.**Lot No.:** 601**Area of Lot:** 3,555m²**Zoning:** Development Zone

Enabling Legislation: *Planning and Development Act 2005 (PD Act)*
Planning and Development (Local Planning Schemes) Regulations 2105 (LPS Regs)
State Administrative Tribunal Act 2004 (SAT Act)
Local Planning Scheme No. 3 (LPS3)
Local Law Relating to Signs (Signage LL)
Local Planning Policy 128 - NEP Design Guidelines (LPP 128)

SUMMARY

- Application for a retrospective Development Approval received for two horizontal signs to the eastern façade of the Claremont Football Club (CFC) stadium facing the oval, and another on the western façade of the CFC stadium facing Davies Road as a Section 31 reconsideration of the *State Administrative Tribunal Act (SAT Act)*.
- Proposal does not meet the provisions of the Town's Local Law Relating to Signs (Signage LL) relating to the superficial area of the horizontal signage.
- Neighbour consultation was not undertaken as the proposed signage was not considered to have an adverse impact on the amenity of any surrounding property.
- A Sign Licence consistent with the Signage LL has been issued to the applicant for five signs, including the two within this application. The signage was not constructed in accordance with the Sign Licence and thus requires consideration for retrospective Development Approval.

- 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.
- The proposed signage also requires consideration under the provisions of Local Planning Policy 128 - NEP Design Guidelines (LPP 128).
- A similar application which included an additional 11.04m² of new signage was refused by Council at its meeting held 3 December 2019. The applicant subsequently lodged an application for review with the State Administration Tribunal (SAT).
- A SAT Mediation was held on site on 6 February 2020 and as a result a couple of alternative options to reduce the size of signage was discussed. The SAT ordered that a modified application be reconsidered by Council in accordance with Section 31 of the SAT Act.
- Amended plans received 13 February 2020 seek retrospective approval for the existing unauthorised horizontal signs (not including the former proposal for 11.04m² of new signage).
- It is considered that the revised Signage applications can be supported as a variation to the Signage LL as the proposal satisfies the requirements of cl.4 and cl.20, and also LPP 128.
- Recommended for approval, subject to relevant conditions.

PURPOSE

The revised Section 31 of the SAT Act application proposes retrospective approval for the two horizontal signs on the western and eastern façades of the stadium.

The application requires the Council's determination due to the proposed variation to the Town's Local Law Relating to Signs (Signage LL) and Local Planning Policy 128 - NEP Design Guidelines (LPP 128). If the Development Application is approved, an application for a Sign Licence may also be approved by the Town.

BACKGROUND

The following table outlines key dates regarding this proposal:

Date	Item/Outcome
16 August 2019	Sign Licence issued.
29 August 2019	Advised applicant that Retrospective Development Application required for signage.
24 September 2019	Retrospective Development Application received by Council.
27 September 2019	Additional information requested from applicant.
10 October 2019	Additional information received from applicant.
10 October 2019	Referral to Department of Planning Lands and Heritage (DPLH) for comment.
14 October 2019	DPLH comment received.
20 November 2019	Report prepared for Council.
3 December 2019	Proposed signage refused by Council.
6 February 2020	SAT mediation.
13 February 2020	Revised plans received.
6 March 2020	Report prepared for Council.

PAST RESOLUTIONS

A recommendation for Council to approve the original signage application was considered by Council on 3 December 2019 and was lost for the following reasons:

Reason:

1. *Proposal does not meet the provisions of the Town's Local Law Relating to Signs (Signage LL) relating to the superficial area of the horizontal signage.*
2. *The signage was not constructed in accordance with the Sign Licence and thus requires consideration for retrospective Development Approval. The applicant is also proposing to add 11.04m² of lettering to the horizontal sign on the eastern façade of the stadium as part of this application.*
3. *The area of the existing and proposed signs is much greater than permitted under the Sign LL so that the application is outside the limits of discretion that Council may reasonably exercise. Signage LL horizontal signage requirements for the eastern façade with a superficial area of 31.56m² in lieu of 2m². Signage LL horizontal signage requirements for the western façade with a superficial area of 5.6m² in lieu of 2m².*

Prior to this, Council was advised of the following on 16 August 2019:

Claremont Football Club Stadium

Claremont Football Club has entered into sponsorship arrangements with Revo Fitness – their major tenant. The initial proposal was to rename the “Claremont Oval” to “Revo Fitness Oval”. Concerns were raised by the Town at this proposal and the revised sponsorship approach has now been to name the building “Revo Fitness Stadium” (consistent with other sport venues such as “Optus Stadium”). To facilitate this, applications for Sign Licences were lodged with the Town. As the signage proposals are compliant with the requirements of the Town's Local Laws Relating to Signs, approval has been granted consistent with Delegation DA 36.

Statutory Considerations**Metropolitan Region Scheme (DPLH Referral).**

The subject site is located partially within a Metropolitan Region Scheme (MRS) reserve for ‘Parks and Recreation’.

The initial application was referred to the DPLH for comment and no objections to the signs were raised.

Local Planning Scheme No. 3 (LPS3)

Clause 25(2) (h) of LPS3 requires a Development Approval for signage which does not comply with the Town's Signage LL and any Local Planning Policy.

Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regs)

Deemed provision 3(5) of Schedule 2 of the LPS Regs requires Council to have regard to Local Planning Policies to the extent that they are consistent with the Scheme.

State Administrative Tribunal

As indicated above, further to the Town's decision not to support the recommendation for approval of the original proposal, the applicant lodged an application for review with the SAT. Following the SAT mediation process between the Town's Director Planning and Development and the applicant, the SAT has made an order for a Section 31 reconsideration under the SAT Act. The Town is required to reconsider the application and provide the applicant with a determination. If the applicant is satisfied with the determination the application for review will be withdrawn.

Local Law Relating to Signs (Signage LL)

Where a Signage LL requirement is not satisfied, discretion may only be applied where a variation is considered under clauses 4 and 20 of the Signage LL. It is noted that any decision of Council taking into account discretionary matters may be subject to an application for review by the State Administrative Tribunal (SAT).

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”.*

Local Planning Policy 128 - NEP Design Guidelines (LPP 128)

Clause 4.10 Signage of LPP 128 requires the following with regard to signage in the North East Precinct (Claremont on the Park development):

Objectives:

- *Ensure signage is integrated into building design and improves the overall appearance and legibility of the public realm.*
- *Promote well designed commercial signage that is complementary to the business and its location.*
- *Balance the commercial and way finding needs of tenants and visitors whilst maintaining visual quality throughout the development.*

Development Controls:

- *Signage must be limited to being located on a maximum of one wall for each commercial tenancy within a building, except where a tenancy, or building has more than one street frontage.*
- *All signage must meet criteria noted in current Local Town Planning Scheme and relevant bylaws.*
- *Each development must have an approved signage strategy (for signage on walls and in windows) in place prior to placement of any signage or advertising.*
- *All signage must be relative to the activity/use of the building to a scale and design character that complements the pedestrian experience, rather than relating to views from passing traffic.*
- *Signage of all types must relate to the architectural composition of the building it serves, without obscuring any of the building’s architectural features.*
- *Pole/ pylon signs are prohibited.*

Design Guidance:

- *A preference is given to promoting way finding for occupants and visitors that is defined through design, rather than signage.*

Council may exercise discretion and vary the requirements of LPP 128 consistent with the requirements of the LPS Regs.

Heritage

The property is not included on the Town's Heritage List.

COMMUNICATION/CONSULTATION

No neighbour consultation was undertaken as part of this application as the proposed signage was not considered to have an adverse impact on the amenity of any surrounding property.

DISCUSSION

Description

The revised application seeks retrospective approval for the two existing horizontal signs affixed to the eastern and western facades of the CFC Stadium. Retrospective approval for these signs is being sought as the signage has not been installed in accordance with the approved Sign Licence.

The signage to the eastern façade, fronting Claremont Oval, being the words 'Revo Fitness' have been installed with a superficial area of 6.33m² and 10.692m² respectively in lieu of 2m² and 2m² approved under the Sign Licence. The additional word 'Stadium' with an area of 11.04m² which was initially proposed has been dropped from the current proposal. The entire sign would have had a total superficial area of 31.56m² (total area of words 28.062m² plus spaces between), however the revision reduces the area of the words to 16.986m².

The signage, being the words 'Revo Fitness', to the western façade, facing Davies Road, has been installed with a superficial area of 5.6m² in lieu of 2m² approved under the Sign Licence.

The signage is made up of independent lettering fixed flat to the facades of the building, thus not presenting as a continuous solid backing. None of the signage within this application is to be illuminated.

Compliance

The development proposes variations to the requirements of the Town's Signage LL and LPP 128.

The development complies with the Signage LL and LPP 128 provisions other than in relation to the following:

1. Signage LL horizontal signage requirements for the eastern facade with a superficial area of 16.986m² in lieu of 2m².
2. Signage LL horizontal signage requirements for the western facade with a superficial area of 5.6m² in lieu of 2m².
3. LPP 128 signage requirements relating to the number of signs on the building relative to street frontages, compliance the Signage LL and provision of a Signage Strategy.

With regard to 1 above, the following comments are considered relevant in determining the application for the eastern facade horizontal signage relative to cl.4 and cl.20 of the Signage LL:

- The proposed signage is to be fixed to the internal façade of the Claremont CFC stadium. The signage is not be visible from the primary street (Davies Road), and will predominantly be screened from the public realm by the large apartment developments that surround Claremont Oval. No portion of the signage will be illuminated to ensure that the impact of the sign is minimised for the residents in the dwellings that overlook the oval. In terms of the beauty of recreational and cultural areas, the signage will provide a modest contrast to what would otherwise be a large blank concrete wall, and the size of the sign is commensurate with the large size of the stadium.
- The signage will be fixed flat to the wall, with independent lettering and no solid backing, thus not causing any safety concerns for spectators within the stadium.
- The proposed signage includes bold independent black and red lettering that will not be illuminated and therefore sympathetic to residents in the apartments bordering the oval. As this signage will have no impact on the streetscape or the public realm, it is considered an appropriate sign for the unique land use and large scale of the stadium.
- The reduced size of the retrospective signage (16.986m²) is at a mediated size which approximates at a midway point between what could be allowed under the Signage LL for three horizontal signs (6m² - former application) and 28.062m² under the initial proposal.

With regard to 2 above, the following comments are considered relevant in determining the application for the western facade horizontal signage relative to cl.4 and cl.20 of the Signage LL:

- The proposed signage has a maximum height of only 0.515m² and is fixed flat against the wall. As with the larger horizontal sign, the lettering will not have a solid backing and will not be illuminated, limiting the scale of the sign when viewed from Davies Road. The signage will be opposite a large car parking area, therefore it will not impact on the amenity of any residential property. The façade to which the sign will be affixed is also stepped back from the façade of the adjoining apartment wall which screens the signage for a distance when travelling north along Davies Road and therefore localises its impact.
- As with the larger horizontal signage, the proposed signage is to be fixed flat against the façade of the stadium with bold, independent black and red lettering. The signage is scaled proportionately to the building and consistent with the prevailing streetscape.
- It is noted that this sign has not been modified under the current application as there are no major concerns raised with its size relative to the frontage and façade of the building.

With regard to 3 above, the following comments are considered relevant in determining the horizontal signage relative to LPP 128:

- Revo Fitness has expanded from its initial occupation on the ground floor to include floor space on the first floor. The total signage provided is relative to the three facades of the building, with frontages to Davies Road, the southern Pedestrian link and the oval, and also of a size commensurate with statue of the stadium.
- Should Council approve this application, the proposal is consistent with the provisions of LPS3 and the Signage LL.
- Although no Signage Strategy has been approved for the stadium, the signage erected and proposed under this application is commensurate with the statue of the building and not out of keeping with the theme of the Claremont on the Park development in that one of its core focuses is to promote development around Claremont Oval as the 'Home of the Tigers' and the CFC. As Revo Fitness has a key sponsorship arrangement with the CFC to promote football and the club, the proposed signage is consistent with what would normally be included in a Signage Strategy. The naming of the stadium is also consistent with other sporting venues throughout Perth and is not to be construed as renaming Claremont Oval, which, as advised above, was not supported by the Town. Notwithstanding, any further signage at the stadium should be approved under a Signage Strategy, which is to be submitted for Council approval by the CFC prior to any further signage applications.

Given the above the application is considered to satisfy the associated discretionary requirements under cl.4 and 20 of the Signage LL and LPP 128, it is considered that the application for Development Approval (and subsequent Sign Licence) can be supported as a reasonable mediated outcome for the signage proposal.

FINANCIAL AND STAFF IMPLICATIONS

Nil

POLICY AND STATUTORY IMPLICATIONS

Nil

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.

- Provide clean, usable, attractive and accessible streetscapes and public spaces.
- Develop the public realm as gathering spaces for participation, prosperity and enjoyment.

People

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

- Promote and encourage an active lifestyle through supporting local community clubs, groups and recreation and leisure facilities.

URGENCY

Council is required to determine this application at this meeting in order to meet the SAT directions timetable.

CONCLUSION

Based on the above, it is recommended that Development Approval be granted subject to the conditions in the officer's recommendation and a subsequent Sign Licence also be issued.

VOTING REQUIREMENTS

Simple majority decision of Council required.

RESOLUTION 018/20

Moved: Deputy Mayor Cr Jill Goetze

Seconded: Cr Peter Browne OAM, JP

THAT Council grant Development Approval and a Sign Licence for two retrospective horizontal signs at Lot 601 (3) Davies Road, Claremont in accordance with Section 31 of the *State Administrative Tribunal Act 2004*, with the Development Approval being subject to the following conditions and advice notes:

1. All development shall occur in accordance with the approved drawings (Development Application DA2019.00113), as amended by these conditions.
2. Any further proposals for signage at the Claremont Football Club requires the prior submission of a Signage Strategy for the building by the Claremont Football Club for Council approval.

Advice Notes:

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

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

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

Note 4: This is a Development Approval only and a Sign Licence must be obtained from the Local Government prior to the commencement of any building works. Permits for non-residential development must be certified prior to submission.

Note 5: The applicant/owner is advised of the following requirements from the Town's Health Services. Should any advice be unclear, please contact the Town's Health Services on 9285 4300:

Under the *Environmental Protection (Noise) Regulations 1997*, no construction work is to be permitted or suffered to be carried out:

- i. Before 7.00am or after 7.00pm Monday to Saturday inclusive; or
- ii. On a Sunday or on a public holiday.

CARRIED

13.2 LEADERSHIP AND GOVERNANCE

13.2.1 2019/20 MID YEAR BUDGET REVIEW

File Number: FIM/00204, D-20-07710

Author: Cary Green, Director Corporate & Compliance

Authoriser: Liz Ledger, Chief Executive Officer

Attachments: 1. Mid-Year Budget Review Report 

PURPOSE

The report presents the outcome of review of Council's financial performance against the 2019/20 Annual Budget to 31 December 2019. The 2019/20 Budget was adopted by Council on 18 June 2019.

BACKGROUND

The Mid-Year Budget Review is presented in accordance with the *Local Government Act 1995* and associated regulations.

The *Local Government Act 1995* requires Council to complete a mid-year review of its adopted Annual Budget by 31 March each year.

The Mid-Year review is part of Council's annual budget round and provides the opportunity to identify variances in expenditure and revenue against budget, consider both for the remainder of the financial year, and reforecast where necessary to provide an updated view on Council's financial position as at 30 June 2020.

The Statement of Budget Review (*Nature or Type and Statutory Reporting Program*) compares the amended Annual Budget with the year-to-date (YTD) actual performance to 31 December 2019. Those permanent variances which directly impact the year end result (Closing Funding Surplus/Deficit) are detailed in note 4. The Statement includes the following notes:

- Note 1 - outlines the accounting framework on which the statements are based;
- Note 2 - provides graphical comparisons of the amended budget against year-to-date actual and forecast operating and capital income and expenditure;
- Note 3 - provides liquidity comparisons against year to date and the previous two years;
- Note 4 - provides a list of budget amendments to the original budget since budget adoption.

DISCUSSION

Following a comprehensive review of Council's financial performance against budget to 31 December 2019, a Closing Funding Surplus (CFS) of \$396,401 is forecasted as at 30 June 2020. This compares favourably against the amended budgeted surplus of \$95,134 and represents \$301,267 in identified savings across operational and capital programs.

This net position is result of:

- i. a projected increase in net operating revenue of \$362,427.
- ii. a projected decrease in operating expenditure of \$15,413.
- iii. no anticipated movement in capital revenue; and
- iv. a projected decrease in capital expenditure of \$76,573.

An overview of each of these areas are outlined below and detailed within the attached notes.

In accordance with Council's variance reporting requirements, only the variances above \$20,000 are reported. For further details on variances, refer to Note 4 of attachment 1.

i. Operating Revenue

A permanent net increase of \$362,427 has been determined. As detailed in Note 4 of the attached financial report, areas of increase and decrease in revenue include:

- Re-imbursments - \$70,727, Increase in general re-imbursments.
- Grants, Subsidies and Contributions - \$28,000: Increase in grants
- Interest - \$8,000 relates to interest on damage bonds not budgeted.
- Fees and Charges – \$228,500:
 - \$95k Increase in Development application fees,
 - \$115k Increase in Building permit fees.
- Other Revenue – \$17k Community development try booking commissions not budgeted.

ii. Operating Expenditure

A net decrease in operating expenses of \$15,413 has been identified. As detailed in Note 4, areas of decrease and increase in expenditure include:

- Employee Expenses – (\$87,865) increase which is offset by a transfer of budget from contract labour. Including \$14,865 sick leave payout.
- Office Expenses – (\$32,513), Increase related to \$26K increase in Audit fees.
- Consultancy – \$52,000, overall saving in other consultants expenses.
- Material and Contracts – \$68,281 overall savings in various materials and contracts accounts.
- Building Maintenance – (\$29,800), increase in building maintenance, including \$20k increase in aquatic centre maintenance.
- Insurance Expenses – \$15,358, savings relates to decrease in public liability insurance expenses.
- Other Expenses – \$34,500, savings in other expenses, including \$25k from regional Co-operation initiatives for WRMC.

iii. Net Capital

A net Capital decrease of \$76,573 is predicted including:

- Decrease in infrastructure assets of \$67,277
- \$84k Transfer to reserves for unspent capital expenditure for Claremont park playground.

Adjusted Expenditure

The below items identify those adjustments to current or completed projects, above \$20,000 reporting threshold and incorporated with the projected CFS, that require Council endorsement.

Description	Increase in \$	Decrease in \$	Amended Budget Balance
Budget Adoption - Closing Balance	40,846		40,846
EOY report - Carry forward projects	54,288		95,134
Mid-Year Budget Review amendments			
Additional grant funding - Better Bins project	48,000		143,134
Lottery-West Community Development Grant wasn't successful		(20,000)	123,134
Increase in Building Permit applications fees (IRIS & St Louis)	115,000		238,134
Increase in Development Application fees	95,000		333,134
Larger LGIS surplus than budgeted	41,000		374,134
Transfer funds from Contract Labour external - Building Services		(73,000)	301,134
Increase in audit fees due to OAG requirements.		(26,000)	275,134
Savings in Waste Consultancy budget	20,000		295,134
Swanbourne Street Festival funds transferred to Community Development Activities / Events	30,000		325,134
Savings in Infrastructure consultancy as Bike Plan study is now being performed by Dept. of Transport.	23,000		348,134
Sand Management Plan – Freshwater bay foreshore (50% grant funded from the Swan River Trust)		(20,800)	327,334
Decrease in waste expenses - Diacom	90,000		417,334
Transfer of budget to - (Building Services, Salaries)	61,000		478,334
Increase to activities & events for Community Development. (offset above)		(33,306)	445,028
Increase in Aquatic Centre building maintenance		(20,000)	425,028
Capital expense for Aquatic Centre building renewal		(57,600)	367,428
Savings in Regional Cooperation Initiatives for WMRC	25,000		392,428
Costs for Pool Cleaner & Water Testing machine.	31,500		423,928
Increase costs for - Go Bins replacement program, due to greater take-up than expected.		(23,500)	400,428
Overall savings in Infrastructure capital projects including a transfer to Reserve for unspent budget for Claremont Park Playground (\$84K)	67,277		467,705
Transfer of unspent capital expenditure for Claremont Park Playground		(84,000)	383,705
Immaterial budget amendments (for more detail see note 4)	22,696		396,401
	764,607	(301,267)	\$396,401

Comments

1. A project proposal of \$10,000 has been included to fund a Feasibility study for Environmental and Indigenous Education Centre. This request is to be covered from GL 27790 – Other consultants.
2. A project proposal of \$12,000 has been included to fund the upgrade of the footpath from meals on wheels to the Town of Claremont administration building. This project will be funded through the current footpath budget allocation.
3. A project proposal of \$57,600 has been included to fund an upgrade to the male and female change rooms at the Aquatic Centre. Stage 1 of the upgrade includes, electrical, lighting and the ceiling work to the change-rooms.
4. There has been an increase in revenue to recognise the \$10,000 grant from the Swan River Trust for the sand management plan at the Freshwater Bay Foreshore.
5. There has been an increase in the fees received from Building permit applications and Development applications totalling \$210,000. It is proposed for these funds to be prioritised in the 2020/21 Annual Budget to fund the continuation of the Local Planning Strategy and the Town Centre Activity Centre Plan.
6. There is a proposed increase of \$10,000 for the renewal of the air-conditioning unit at the Typika building.
7. There has been a decrease in the rent received for the Typika building totalling \$20,000. This decrease in revenue will not affect the final financial position, as there will be a corresponding decrease in the transfer to reserve.

Closing Funding Surplus

The review of the 2019/20 Budget has included a comprehensive analysis of the Town's financial performance against the amended budget. All business units' income and expenditure results have been assessed against budgets with variances considered material and directly impacting the 2019/20 Budget identified.

The net result provides a positive variance of \$301,267 to the amended Budget and anticipates a revised Closing Fund Surplus of \$396,401. All projects have been reviewed and considered achievable within the second half of the year. It is recommended Council adopt the mid-year review as presented.

PAST RESOLUTIONS

Ordinary Council Meeting 20 August 2019, resolution105/19, EOY closing balance \$95,134.

FINANCIAL AND STAFF IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

POLICY AND STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996

Clause 33A. Review of budget:

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2a) *The review of an annual budget for a financial year must —*
 - (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) *consider the local government's financial position as at the date of the review; and*
 - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*

- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
- *Absolute majority required.*
- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department*

COMMUNICATION / CONSULTATION

Consultation has occurred across the business.

STRATEGIC COMMUNITY PLAN LEADERSHIP AND GOVERNANCE

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

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

URGENCY

A review of the annual budget is required to be carried out between 1 January and 31 March in each financial year, and is to be submitted to Council within 30 days of completion. Once considered by Council, a copy of the review and determination is to be forwarded to the Department of Local Government.

VOTING REQUIREMENTS

ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED.

RESOLUTION 019/20

Moved: Cr Paul Kelly

Seconded: Cr Peter Telford

That Council:

- 1. Adopt the 2019/20 Mid-Year Budget review.**
- 2. Adjusts the 2019/20 Amended Budget by \$301,267 as detailed in the attached Review of Budget Report to provide a Closing Funding Surplus at 30 June 2020 of \$396,401.**
- 3. Note and endorse the Mid-Year budget review material amendments (note 4)**

CARRIED BY ABSOLUTE MAJORITY

13.2.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIODS ENDING 31 JANUARY 2020

File Number: FIM/00079, D-20-08407

Author: Cary Green, Director Corporate & Compliance

Authoriser: Liz Ledger, Chief Executive Officer

Attachments: 1. **Statement of Financial Activity - January 2020** 
 2. **Infrastructure Report - January 2020** 

PURPOSE

That Council note the Statement of Financial Activity (Financial Statements) for the months ending 31 January 2020.

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 represent 2019-20 operations to 31 January 2020 and compares year to date expenditure and revenue against the corresponding budget. The budget figures incorporate all 2018-19 carry forwards and other budget adjustments, which have been approved to date.

The closing surplus of \$10,722,369 to 31 January 2020 compares favourably against the budgeted surplus of \$9,973,345.

As detailed below, the \$749,026 variance is made up of:

Under budget

Operating expenditure	\$	1,298,602
Rates Revenue	(\$	24,646)
Capital revenue	(\$	1,630,288)
Capital expenditure	\$	570,377

Over budget

Operating revenue	\$	450,765
Opening surplus	\$	5,616

Variance \$ 749,026

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 - \$1,298,602 under budget

	Budget	Actual	Variance
Employee costs	\$4,351,384	\$4,155,094	\$196,290
Material & contracts	\$4,077,383	\$3,300,531	\$776,853
Utilities	\$321,832	\$282,504	\$39,328
Depreciation	\$1,709,316	\$1,784,241	(\$74,925)
Internal Allocation	(\$78,650)	(\$173,478)	\$94,828
Other expenditure	\$753,761	\$526,047	\$227,714

Contributors to the operating expenditure variations are;

- Employee costs is due to vacancies, and \$34,586 indirect expenses (training, OH&S, workers insurance etc.).
- Materials and contracts
 - \$46,372 in IT office expenses due to purchase timing.
 - \$401,879 timing variances on consultancy work.
 - \$401,882 in materials/contracts including \$160,668 in maintenance works (verges, street maintenance, drainage and parks etc.) timing, timing of waste expenses \$121,488 and timing of artists expenses \$-16,129.
- Utilities underspend is due to mismatch between water and street lighting provisions against suppliers invoicing schedule.
- Depreciation expenses are higher than anticipated and is affected by the timing of asset disposals and acquisitions.
- The internal allocation variance is a direct reflection of the under spend in operating expenses, which are predominantly timing issues.
- Other expenditure comprises timing of ground maintenance subsidy payments to sporting clubs, and underspend on debt collection expenses.

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

Rates Revenue - \$24,646 under budget

- \$24,646 under budget in Interim Rate revenue, interim rates are lower than expected for this time of year and it is expecting to increase when we receive the GRV schedule in March.

Capital Expenditure - \$570,377 under budget

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

- \$558,722 above budget in infrastructure works due to timing. Attachment 2 provides further detail on the projects and variance explanations.
- \$445,077 below budget in land and building is due to timing. Note 10 provides further detail of capital works.
- \$340,860 below budget in plant and equipment due to timing. Note 10 provides further detail of plant and equipment purchases.
- \$57,759 variance in transfer to reserve is due to timing of interest income.

Operating Revenue – \$450,765 above budget

	Budget	Actual	Variance
Fees & Charges	\$2,163,920	\$2,392,074	\$228,154
Grant, Subsidies and Contributions	\$248,775	\$385,540	\$136,765
Reimbursements	\$74,899	\$135,951	\$61,052
Interest Earnings	\$327,277	\$365,753	\$38,476

The reasons for operating revenue variations are;

- \$228,154 increase in fees & charges is due to an increase in building and planning applications, infringements and Aquatic Centre admissions.
- \$136,765 variance in grant, subsidies and contribution is due to timing of the payment received.
- \$61,052 increases in reimbursement is due to refund from the LGIS surplus distribution and refund from Water Corporation for previous project costs.
- \$38,476 over budget is due to timing of investment maturity in early part of financial year.

Capital Revenue - \$1,630,288 under budget

The major variance is due to \$1.45M grant for McKenzie Pavilion not yet received and timing of other road work grants.

PAST RESOLUTIONS

Ordinary Council Meeting 17 December 2019, resolution 204/19,

That Council notes the Statements of Financial Activity for the periods of 1 July 2019 to 30 October 2019 and 30 November 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.

Items 13.2.2, were carried en bloc.

RESOLUTION 020/20

Moved: Cr Peter Edwards

Seconded: Deputy Mayor Cr Jill Goetze

That Council:

1. **Notes the Statement of Financial Activity for the period 1 July 2019 to 31 December 2019.**

CARRIED

13.2.3 LIST OF PAYMENTS 1 TO 29 FEBRUARY 2020

File Number: FIM/00108, D-20-09279
Author: Cary Green, Director Corporate & Compliance
Authoriser: Liz Ledger, Chief Executive Officer
Attachments: 1. Payment Listing - February 2020 

PURPOSE

For Council to note the payments made in February 2020.

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 \$1,279,267.65 during the month of February 2020.

The attached schedule covers:

• Municipal Funds electronic funds transfers (EFT)	\$	713,318.81
• Municipal Fund vouchers (39620)	\$	87.35
• Municipal Fund direct debits	\$	553,418.58
• Trust Fund electronic funds transfer (EFT)	\$	12,442.91
• 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 18 February 2020, resolution 011/20:

That Council notes all payments made for January 2020 totalling \$2,243,395.28 comprising;

<i>Municipal Funds electronic funds transfers (EFT)</i>	\$	1,754,723.23
<i>Municipal Fund vouchers ()</i>	\$	0.00
<i>Municipal Fund direct debits</i>	\$	486,547.11
<i>Trust Fund electronic funds transfer (EFT)</i>	\$	2,124.94
<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 IMPLICATIONS**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

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.

Items 13.2.3 were carried en bloc.

RESOLUTION 021/20

Moved: Cr Peter Edwards

Seconded: Deputy Mayor Cr Jill Goetze

That Council notes all payments made by the Chief Executive Officer under Delegation DA9 for February 2020 totalling \$1,279,267.65, as detailed in Attachment 1 comprising:

\$ 713,318.81 Municipal Funds electronic funds transfers (EFT)

\$ 87.35 Municipal Funds vouchers (39620)

\$ 553,418.58 Municipal Funds direct debits

\$ 12,442.91 Trust Fund EFT

\$ 0.00 Trust Fund vouchers

CARRIED

14 ANNOUNCEMENTS BY THE PRESIDING PERSON

Cr Goetze reported she attended the Shine and the Freshwater Bay Primary school board meetings.

Cr Main attended the opening of the Goods Shed.

Cr Kelly reported his attendance at a JDAP meeting.

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**16.1 LEADERSHIP AND GOVERNANCE****16.1.1 REMOTE ATTENDANCE - ORDINARY COUNCIL MEETINGS****File Number:** GOV/00026, D-20-10519**Author:** Bree Websdale, Director Governance and People**Authoriser:** Liz Ledger, Chief Executive Officer**Attachments:** Nil

PURPOSE

To approve a council member who is prevented from being physically present at a meeting of council to attend simultaneously in audio contact, by telephone or other means of instantaneous communication.

BACKGROUND

The World Health Organization (WHO) has announced that COVID-19 (Coronavirus) is a pandemic. Coronavirus is a respiratory illness caused by a new virus. Symptoms range from a mild cough to pneumonia. There is evidence that it spreads from person to person. Standard recommendations to prevent infection spread include regular hand washing, covering mouth and nose when coughing and sneezing and avoid close contact with others.

With the view to minimise risk, it is suggested that Council consider approving attendance of council members to future meetings of council via telephone or other electronic means such as ZOOM or Skype for Business etc. whilst COVID-19 is active and a pandemic.

DISCUSSION

NIL

PAST RESOLUTIONS

NIL

FINANCIAL AND STAFF IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

POLICY AND STATUTORY IMPLICATIONS

Local Government (Administration) Regulations 1996

14B. Attendance by telephone etc. after natural disaster

(Act s. 5.25(1)(ba))

COMMUNICATION / CONSULTATION

NIL

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

URGENCY

Urgent

VOTING REQUIREMENTS

ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED.

RESOLUTION 022/20

Moved: Cr Peter Edwards

Seconded: Cr Kate Main

That Council:

1. **Approve all members who are prevented from being physically present at a meeting of council to attend simultaneously in audio contact, by telephone or other means of instantaneous communication whilst COVID-19 (Coronavirus) remains a pandemic.**

CARRIED BY ABSOLUTE MAJORITY

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

MOTION TO CLOSE DOORS

RESOLUTION 023/20

Moved: Cr Peter Edwards
Seconded: Cr Annette Suann
That the doors be closed.

CARRIED

The doors closed at 7:39pm.

RECOMMENDATION

THAT COUNCIL CONSIDERS THE CONFIDENTIAL REPORT LISTED BELOW IN A MEETING CLOSED TO THE PUBLIC IN ACCORDANCE WITH SECTION 5.23(2)(E)(III) OF THE LOCAL GOVERNMENT ACT 1995

17.1 LEADERSHIP AND GOVERNANCE

17.1.1 INTERIM AND BACK RATING ON UPDATED GRV VALUATIONS

This matter is considered to be confidential under Section 5.23(2) e(iii) of the Local Government Act and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed would reveal information about the business, professional, commercial or financial affairs of a person.

RESOLUTION 024/20

Moved: Deputy Mayor Cr Jill Goetze
Seconded: Cr Paul Kelly

CARRIED

MOTION TO OPEN DOORS

RESOLUTION 025/20

Moved: Deputy Mayor Cr Jill Goetze
Seconded: Cr Kate Main
That the doors be opened.

CARRIED

The doors opened 7:43pm

18 FUTURE MEETINGS OF COUNCIL

Ordinary Council Meeting, Tuesday 7 April 2020 at 7.00pm.

19 DECLARATION OF CLOSURE OF MEETING

There being no further business, the presiding member declared the meeting closed at 7.44pm.

.....
CHAIRPERSON