

TOWN *of* CLAREMONT

Agenda

ORDINARY COUNCIL MEETING

Tuesday 29 October 2024

Please be advised that an Ordinary Council Meeting will be held at **7:00 pm** on **Tuesday 29 October 2024** in **Council Chambers** at 308 Stirling Highway, Claremont.

Liz Ledger
Chief Executive Officer

DISCLAIMER

Members of the public are cautioned against taking any action as a result of a Council decision 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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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3 DISCLOSURE OF INTERESTS

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5 PUBLIC QUESTION TIME

6 PUBLIC STATEMENT TIME

7 APPLICATIONS FOR LEAVE OF ABSENCE

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That the minutes of the Ordinary Meeting of Council held on 24 September 2024 be confirmed.

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

Nil

11 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

Nil

12 REPORTS OF COMMITTEES

Nil

13 REPORTS OF THE CEO

13.1 LEADERSHIP AND GOVERNANCE

13.1.1 ORDINARY COUNCIL MEETING DATES FOR 2025

File Number: GOV/00199
Author: Emma Heys (Manager Governance and Records), Bree Websdale (Director Governance and People)
Authoriser: Liz Ledger (Chief Executive Officer)
Attachments: 1. Ordinary Council Meeting Dates 2025 [**13.1.1.1** - 1 page]

PURPOSE

For Council to adopt the proposed Ordinary Council Meeting dates for the 2025 calendar year.

BACKGROUND

In accordance with sections 5.3 and 5.4 of the *Local Government Act 1995*, Council is to hold Ordinary Council Meetings, on dates as determined by Council and being not more than 3 months apart.

In accordance with regulation 12 of the *Local Government (Administration) Regulations*, prior to the beginning of each calendar year the CEO is required to publish on the Town’s website the meeting details for Ordinary Council Meetings to be held in that year. Meeting details are defined as ‘*the date and time when, and the place where, the meeting is to be held*’.

At the Ordinary Council Meeting 28 November 2023, Council resolved to hold twelve Ordinary Council Meetings in 2024, commencing at 7pm, generally on the last Tuesday of each month.

To date, eight Ordinary Council Meetings have been held, with two further meetings to be held on 26 November and 17 December 2024. The details of each meeting are provided in the table below:

Meeting Date	Number of Items	Duration
6 February 2024	11	1 hour 6 minutes
27 February 2024	7	38 minutes
26 March 2024	15	35 minutes
22 April 2024 Special Council Meeting	9	1 hour 6 minutes
30 April 2024 Cancelled	N/A	N/A
28 May 2024	12	1 hour 39 minutes
25 June 2024	14	1 hours 29 minutes
30 July 2024	6	24 minutes
6 August 2024 Special Council Meeting	1	2 minutes
27 August 2024	12	1 hour 15 minutes
24 September 2024	13	46 minutes
Average	11	59 minutes

Agenda Briefing Forums are currently held on the Monday evening prior to an Ordinary Council Meeting, commencing at 6pm. The purpose of these Forums is to provide Elected Members with the opportunity to discuss matters that appear on the agenda for the corresponding Ordinary Council Meeting.

DISCUSSION

Ordinary Council Meetings are proposed to continue to be held at 7.00pm on the last Tuesday of each month, with some exceptions, as shown in **Attachment 1** and detailed below:

January	No meeting	July	29
February	18	August	26
March	25	September	30
April	29	October	28
May	27	November	25
June	24	December	16

The exceptions to the proposed Ordinary Council Meeting schedule for 2025 are:

- One meeting in February in the middle of the month. 2024 had two meetings.
- No meeting to be held in January as is the current practice.
- To hold the December Ordinary Council Meeting on the third Tuesday of the month to account for the Christmas/New Year recess (16 December 2025).

Agenda Briefing Forums will continue to be held on the Monday evening prior to an Ordinary Council Meeting, with the exception of the King’s Birthday public holiday on Monday 29 September 2025. On this occasion, the Agenda Briefing Forum will be held at 5:30pm on Tuesday 30 September 2025, prior to the OCM at 7pm.

Additional Council Member Forums and Workshops will be convened at the CEO’s discretion on alternative Mondays and Tuesdays as required.

PAST RESOLUTIONS

Ordinary Council Meeting 28 November 2023, Council Resolution 165/23

That Council approves the Ordinary Council Meeting dates for the 2024 calendar year as detailed in Attachment 1.

CARRIED

FINANCIAL AND STAFF IMPLICATIONS

Council Members are paid an annual meeting attendance allowance in lieu of fees for attending meetings in accordance with Council Policy LG516 - Fees, Allowances and Expenses for Council Members.

Staff resources are utilised in preparing reports, agendas and minutes for Ordinary Council Meetings as well as attendance at meetings.

POLICY AND STATUTORY IMPLICATIONS

Local Government Act 1995

Local Government (Administration) Regulations 1996

COMMUNICATION AND CONSULTATION

Ordinary Council Meeting dates for 2025 will be published on the Town's website before the end of the year in accordance with the *Local Government (Administration) Regulations 1996*.

STRATEGIC COMMUNITY PLAN

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.
- Provide the best possible customer experience throughout every interaction we have with our customers.

URGENCY

The meeting dates for 2025 must be determined and published prior to January 2025.

VOTING REQUIREMENTS

Simple Majority decision of Council (*More than half the Council Members present are required to vote in favour*).

OFFICER RECOMMENDATION

That Council

- 1. That Council approves the Ordinary Council Meeting dates for the 2025 calendar year as detailed in Attachment 1.**



ORDINARY COUNCIL MEETING DATES 2025

Ordinary Council Meetings commence at 7:00pm at the Town of Claremont Council Chambers – Level 1, 308 Stirling Highway, Claremont.

Members of the public and press are welcome to attend all Council meetings.

The dates for Ordinary Council Meetings for the Town of Claremont in 2025 are as follows:

January	No meeting	July	29
February	18	August	26
March	25	September	30
April	29	October	28
May	27	November	25
June	24	December	16

Liz Ledger
Chief Executive Officer

13.1.2 REVIEW OF TOWN OF CLAREMONT PARKING LOCAL LAW 2016

File Number:	LAW/00283
Author:	Emma Heys (Manager Governance and Records), Bree Websdale (Director Governance and People)
Authoriser:	Liz Ledger (Chief Executive Officer)
Attachments:	1. Parking Local Law 2016 [13.1.2.1 - 37 pages]

PURPOSE

In accordance with section 3.16 of the Local Government Act 1995 (the Act), for Council to authorise a review of the Parking Local Law 2016.

BACKGROUND

In 2016, Council adopted the Parking Local Law 2016 (principle Parking Local Law 2012 as amended). The Parking Local Law (PLL) (Attachment 1) prescribes requirements relating to general parking, zoned parking, parking permits and infringements.

Section 3.16 of the Act requires that a local government conduct reviews of its local laws within eight years of adoption or last review and requires Council to invite public submissions on existing local laws and determine whether to repeal, amend or leave the local law as is.

Should the Council resolve to amend or repeal the PLL, section 3.12 of the Act prescribes the process for making a local law.

Since 2019, the local government sector has been considering and implementing a comprehensive package of local government legislative reforms known as Local Government Reform. These reforms have included the Department of Local Government, Sport and Cultural Industries introducing provisions aimed at streamlining local laws to ensure consistency between local governments. These reforms are scheduled for Tranche 2 of Local Government Reform and are yet to be implemented. This review will take into account any requirements from future actions under Local Government Act reform.

DISCUSSION

This is the first stage of a two-stage process and deals with giving notice that Council proposes to review the PLL. The second stage deals with any proposed amendments requiring Council's consideration and ultimately readvertising proposed amendments to the PLL.

In conducting the review of the PLL, the Town will engage with the community and affected stakeholders. This will ensure that the review captures relevant societal and governance changes that may suggest that amendments are required to the PLL.

The outcomes of the review will be presented to Council, with recommendations on any amendments to the PLL which may be required.

PAST RESOLUTIONS

Ordinary Council Meeting, 16 August 2016, Council Resolution 130/16

That Council

- 1. Adopt the town of Claremont Parking Local Laws 2016 (amended to delete clause 7.15 relating to stopping in a parking stall for people with disabilities and correct minor formatting anomalies) in accordance with Section 3.12(4) of the Local Government Act 1995, the purpose and effect of which are:*

Parking Local Law 2016 -

Purpose: To regulate parking of vehicles within the Town of Claremont and provide for management and operation of parking facilities under the control of the Town. This repeals Parking Local Law 2012.

Effect: A person parking a vehicle within the Town is to comply with the provision of this Local Law;
and

2. Authorise the Mayor and Chief Executive Officer to sign the Parking Local Law 2016 and affix the Common Seal.

CARRIED BY ABSOLUTE MAJORITY

Ordinary Council Meeting 17 May 2016 Resolution 83/16

That Council adopt the draft Town of Claremont Parking Local Laws 2016 (with amendments to clause 4.1(3) (b), in accordance with Section 3.12 (5) (6) of the Local Government Act 1995, the purpose and effect of which are:

Parking Local Law 2016-

1. *Purpose:* To regulate parking of vehicles within the Town of Claremont and provide for management and operation of parking facilities under the control of the Town. This repeals Parking Local Law 2012.
2. *Effect:* A person parking a vehicle within the Town is to comply with the provisions of this Local Law.

CARRIED BY AN ABSOLUTE MAJORITY

Ordinary Council Meeting 15 March 2016, Resolution 39/16

That Council advertise the Town of Claremont draft Parking Local Laws 2016, in accordance with Section 3.12 of the Local Government Act 1995-

- (a) *Purpose:* To regulate parking of vehicles within the Town of Claremont and provide for management and operation of parking facilities under the control of the Town. This repeals Parking Local Law 2012.
- (b) *Effect-* A person parking a vehicle within the Town is to comply with the provisions of this Local Law.

CARRIED

Ordinary Council Meeting 4 February 2014, Resolution 5/14

That Council resolves to advertise the Town of Claremont Parking Local Law 2014, in accordance with section 3.12 of the Local Government Act 1995, the purpose and effect of which are:

1. *Purpose:* The purpose of this local law is to review the Parking Local Law 2012.
1. *Effect:* The effect of this local law is to control the parking within the Town of Claremont for the benefit of the community.

Ordinary Council Meeting 20 August 2013 Resolution 249/13

That Council:

1. Amend the Town of Claremont Parking Local Law 2012 by repealing the \$300 modified penalty at item 82 in Schedule 2 and amending this penalty to \$120;
2. Advise the Joint Standing Committee on Delegated Legislation that until the current Notice of Motion in the Legislative Council to disallow the Town of Claremont Parking Local Law 2012 is withdrawn, the \$300 modified penalty will not be enforced;
3. Will not exclude "assistance animals" from Clause 4.1 of the Town of Claremont Dogs Local Law 2012 as defined in section 9(2) of the Disability Discrimination Act 1992 from public places in its district;
4. Will rectify drafting errors identified by the Joint Standing Committee on Delegated Legislation when the Dogs Local Law 2012 is next reviewed;

5. *Ensure the Dogs Local Law 2012 is made publicly available, whether in hard copy or electronic form, it be accompanied by a copy of these undertakings; and*
6. *Provide the Joint Standing Committee on Delegated Legislation with a copy of these minutes.*

Ordinary Council Meeting 19 March 2013, Resolution 43/13

ALTERNATIVE MOTION

That Council adopt the draft Town of Claremont Parking Local Laws 2012 and Dogs Local Law 2012 (as per Attachments), in accordance with Section 3.12 of the Local Government Act 1995, the purpose and effect of which are:

Parking Local Law 2012-

1. *Purpose: The purpose of this local law is to repeal the Parking and Parking Facilities Local Law 2009 and adopt the Parking Local Law 2012.*
2. *Effect: The effect of this local law is to control the parking within the Town of Claremont for the benefit of the community.*

With the following Amendment -

Except for the removal of the nominated days and times from the Local Law Schedule.

Reason: To maintain the lessened restrictions on parking on Sunday's in the Claremont CBD to benefit of the businesses of Claremont trying to build business for Sunday trade, and for the benefit of the general community.

Dogs Local Law 2012-

1. *Purpose: The purpose of this local law is to repeal the Dogs Local Law 2000 and include new dog exercise areas and prohibited areas in the new Dogs Local Law 2012.*
2. *Effect: The effect of this local law is to control dogs within the Town of Claremont for the benefit of the community.*

MOTION TO DEFER BACK

That the item be deferred back to Administration.

Reason: To enable further clarification on a number of clauses and fees proposed within the draft local laws.

Ordinary Council Meeting 21 August 2012, Resolution 157/12

That Council resolves to advertise the Town of Claremont Dogs Local Law 2012 and Town of Claremont Parking Local Laws 2012, in accordance with Section 3.12 of the Local Government Act 1995, the purpose and effect of which are:

Dogs Local Law 2012-

1. *Purpose: The purpose of this local law is to review the Dogs Local Law 2000 and include new dog exercise areas and prohibited areas.*
2. *Effect: The effect of this local law is to control dogs within the Town of Claremont for the benefit of the community.*

Parking Local Law 2012-

1. *Purpose: The purpose of this local law is to review the Parking and Parking Facilities Local Law 2009.*
2. *Effect: The effect of this local law is to control the parking within the Town of Claremont for the benefit of the community.*

FINANCIAL AND STAFF IMPLICATIONS

Where local laws are to be reviewed there are costs associated with the giving of local public notice of the review. These and any other minor associated costs can be satisfied within the current 24/25 budget.

POLICY AND STATUTORY IMPLICATIONS

Local Government Act 1995 - the process for reviewing a local law is governed by section 3.16 of the Act.

COMMUNICATION AND CONSULTATION

Should Council authorise the review of the PLL, the public notice period of 6 weeks will commence 1 November 2024 and conclude 13 December 2024 via the Town's website, social media, noticeboards and the Post Newspaper advising:

- The Town intention to review the Parking Local Law;
- The Parking Local Law is available to view at the Administration Building or on the Town's website; and
- Submissions about the Parking Local Law can be made in writing to the Chief Executive Officer before 13 December 2024.

STRATEGIC COMMUNITY PLAN

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

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

URGENCY

It is desirable that the review is continued in a timely manner. The Parking Local Law has not been reviewed since 2016.

A Council decision is required in order to comply with the statutory requirements of s.3.16 of the Act.

VOTING REQUIREMENTS

Simple Majority decision of Council (*More than half the Council Members present are required to vote in favour*).

OFFICER RECOMMENDATION

That Council commence a review of the Parking Local Law 2016 in accordance with s 3.16 of the Local Government Act 1995.

TOWN OF CLAREMONT

Local Government Act 1995

Parking Local Law 2016

Local Government Act 1995

Town of Claremont

Parking Local Law 2016

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Local Government Act 1995

Town of Claremont

Parking Local Law 2016

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Town of Claremont resolved on 16 August 2016 to make the following local law.

Part 1 - Preliminary

1.1 Citation

This local law may be cited as the *Town of Claremont Parking Local Law 2016*.

1.2 Commencement

This local law will come into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Repeal

The *Town of Claremont Parking Local Law 2012* as published in the *Government Gazette* on 23 May 2013 is repealed.

1.4 Interpretation

In this local law unless the contrary intention appears:

Act means the *Local Government Act 1995*;

authorised person means a person appointed by the local government under section 9.10 (1) of the Act, to perform any of the functions of an authorised person under this local law;

authorised vehicle means a vehicle authorised by the local government, the CEO, or an authorised person or by any written law to park on a thoroughfare or parking facility;

bay includes stall and space;

bicycle has the meaning given to it in the Code;

bus has the meaning given to it in the Code;

bus embayment has the meaning given to it in the Code;

bus stop has the meaning given to it in the Code;

bus zone has the meaning given to it in the Code;

caravan has the meaning given by the *Caravans Parks and Camping Grounds Act 1995*;

carriageway has the meaning given to it in the Code;

centre has the meaning given to it in the Code;

centre has the meaning given to it in the Code;

CEO means the Chief Executive Officer of the local government;

children's crossing has the meaning given to it in the Code;

Clearway has the meaning given to it in the Code;

Code means the *Road Traffic Code 2000*;

coin means any coin which is legal tender under the *Currency Act 1965* (Commonwealth);

commercial vehicle means a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers, and includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;

detection device means an electronic device placed in any position to detect or record the parking time of a vehicle on any road, parking station or other public place and includes any instruments, display panels or transmitting apparatus associated with the device;

disability parking permit has the meaning given to it in the local government (Parking for People with Disabilities) Regulations 2014;

Footnote:

Regulation 4 of the Local Government (Parking for People with Disabilities) Regulations 2014 provides:

disability parking permit means a current document issued by the National Disability Service (ACN 008 445 485), consisting of-

- (a) an Australian Disability Parking Permit; and
- (b) an ACROD Parking Program Card.

district means the district of the local government;

driver means any person driving or in control of a vehicle;

driveway means the portion of land which lies between the boundary of a carriageway and the adjacent property line that is constructed for the purpose of ingress and egress to and from the property, not being the footpath and evidenced, for example, by paving or concrete and also includes the term cross- over;

edge line has the meaning given to it in the code;

emergency vehicle has the meaning given to it in the Code;

fire hydrant has the meaning given to it in the Code;

footpath has the meaning given to it in the Code;

GVM (which stands for "gross vehicle mass") has the meaning given to it in the Code;

kerb means any structure, mark, marking or device used to delineate or indicate the edge of a carriageway;

loading zone has the meaning given to it in the Code;

local government means the Town of Claremont;

mail zone has the meaning given to it in the Code;

median strip has the meaning given to it in the Code;

Maximum period means the maximum period for which a vehicle may be parked as stated on a ticket issuing machine or sign in the ticket machine zone.

metered bay means a section or part of a metered zone that is marked or defined by painted lines or by metallic studs or similar devices for the purpose of indicating where a vehicle may be parked on payment of a fee or charge;

metered zone means any thoroughfare or reserve, or part of any thoroughfare or reserve, in which parking meters regulate the parking of vehicles;

motorcycle has the meaning given to it in the Code;

motor vehicle has the meaning given to it by the Code;

no parking area means;

- (a) a portion of carriageway to which a “no parking” sign applies; or
- (b) an area to which a “no parking” sign applies;

no parking sign means a sign with the words “no parking” in red letters on a white background, or the letter “P” within a red annulus and a red diagonal line across it on a white background;

no stopping area means;

- (a) a portion of carriageway to which a “no stopping” sign applies; or
- (b) an area to which a “no stopping” sign applies;

no stopping sign means a sign with the words “no stopping” or “no standing” in red letters on a white background or the letter “S” within a red annulus and a red diagonal line across it on a white background;

occupier has the meaning given to it in the Act;

owner;

- (a). where used in relation to a vehicle licensed under the Road Traffic Act, means the person in whose name the vehicle has been licensed under that Act;
- (b). where used in relation to any other vehicle, means the person who owns, or is entitled to possession of that vehicle; and
- (c) where used in relation to land, has the meaning given to it by the Act;

park, in relation to a vehicle, means to permit a vehicle, whether attended or not by any person, to remain stationary except for the purpose of:

- (a). avoiding conflict with other traffic; or
- (b) complying with the provisions of any law; or
- (c) taking up or setting down persons or goods (for a maximum of two minutes);

parking area has the meaning given to it in the Code;

parking facilities includes any land, buildings, shelters, road, parking area, metered zone, ticket machine, parking bay, parking station, attended parking station, parking stalls or other facility open to the public generally for the parking of vehicles whether or not a fee is charged, and includes any signs, notices and facilities used in connection with the parking of vehicles;

parking meter includes the stand on which the meter is erected and a ticket issuing machine;

parking region means the area described in Schedule 1;

parking stall means a section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked, but does not include a metered space;

parking station means any land or structure provided for the purpose of accommodating vehicles;

parking ticket means a ticket which is issued from a ticket issuing machine and which authorises the parking of a vehicle in a parking stall or a parking station or part of a parking station;

path has the meaning given to it by the Code;

pedestrian crossing has the meaning given to it in the Code;

permit means a permit issued under this local law;

permitted period means the period stated on the ticket issuing machines in the parking station during which the parking of vehicles is permitted upon the purchase of a parking ticket;

public place means any place to which the public has access whether or not that place is on private property and whether or not a fee is payable for such access;

reserve includes any land:

- (a) owned by or vested in the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an 'otherwise unvested facility' within section 3.53 of the Act;

right-of-way means any lane, passage, thoroughfare, way, whether private or public, over which any person in addition to the owner has a right of carriageway;

road means a highway, road or street open to, or used by, the public and includes every carriageway, footpath, reservation, median strip and traffic island thereon;

Road Traffic Act means the *Road Traffic Act 1974*;

Schedule means a Schedule to this local law;

shared zone has the meaning given to it in the Code;

sign includes a traffic sign, inscription, road marking, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking or stopping of vehicles;

special purpose vehicle has the meaning given to it in the Code;

stop in relation to a vehicle means to stop a vehicle and permit it to remain stationary, except for the purposes of avoiding conflict with other traffic or of complying with the provisions of any law

taxi has the meaning given to it in the Code

taxi zone has the meaning given to it in the Code;

thoroughfare has the meaning given to it in the Act;

ticket issuing machine means a parking meter which issues, as a result of money being inserted in the machine or such other form or payment as may be permitted to be made, a ticket showing the period during which it is lawful to remain parked in a metered space to which the machine is referable;

ticket machine zone means a parking facility in which a ticket issuing machine is installed;

traffic-control signal has the meaning given to it by the Code

traffic island has the meaning given to it in by the Code;

trailer has the meaning given to it in the Code

vehicle has the meaning given to it in the Code; and

verge means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line but does not include a footpath.

1.5 Application

- (1) For the purposes of the application of the definitions “no parking area”, “no stopping area” and “parking area” an arrow inscribed on a sign erected at an angle to the boundary of the carriageway is taken to be pointing in the direction in which it would point, if the signs was turned at an angle of less than 90 degrees until parallel with the boundary.
- (2) Unless the contrary intention appears, where a term is used, but not defined, in this local law, and that term is defined in the Road Traffic Act or in the Code, then the term is to have the meaning given to it in that Act or the Code.

1.6 Application and pre-existing signs

- (1) Subject to sub-clause (2), this local law applies to the parking region.
- (2) This local law, except for clause 4.10 of this local law, does not apply to a parking facility or a parking station that is not occupied by the local government, unless the local government and the owner or occupier of that facility or station have agreed in writing that this local law is to apply to that facility or parking station.
- (3) The agreement referred to in sub-clause (2) may be made on such terms and conditions as the parties may agree.
- (4) Where a parking facility or a parking station is identified in Schedule 4, then the facility or station is taken to be a parking station to which this local law applies and it must not be necessary to prove that it is the subject of an agreement referred to in sub-clause (2).
- (5) A sign that -
 - (a) was erected by the local government or the Commissioner of Main Roads prior to the coming into operation of this local law; and
 - (b) relates to the parking of vehicles within the parking region,is to be deemed to have been erected by the local government under this local law.
- (6) An inscription on a sign referred to in sub-clause (5) operates and has effect according to its tenor, and where the inscription relates to the stopping of vehicles, is taken for the purposes of this local law to operate and have effect as if it related to the parking of vehicles.
- (7) The provisions of Parts 2, 3, 4 and 5 do not apply to a bicycle parked at a bicycle rail or bicycle rack.

1.7 Classes of vehicles

For the purpose of this local law, vehicles are divided into classes as follows:

- (a) buses;
- (b) commercial vehicles;
- (c) motorcycles and bicycles;
- (d) taxis; and
- (e) all other vehicles.

1.8 Part of thoroughfare to which sign applies

Where under this local law the parking of vehicles in a thoroughfare is controlled by a sign, the sign is to be read as applying to that part of the thoroughfare which:

- (a) lies beyond the sign; or

- (b) lies between the sign and the next sign beyond that sign and is on that side of the thoroughfare nearest to the sign.

1.9 Powers of the local government

The local government may prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this local law.

Part 2 - Metered zones

2.1 Determination of metered zones

- (1) The local government may, by resolution, constitute, determine and vary and metered spaces and metered zones.
- (2) Where the local government makes a determination under subclause (1) it shall erect signs to give effect to the determination.

2.2 Parking fee to be paid

Subject to clause 2.5, a person must not park a vehicle in a metered bay unless the appropriate fee as indicated by a sign on the parking meter referable to the space is inserted into the parking meter.

2.3 Limitation on parking in metered bay

The payment of a fee under clause 2.2 entitles a person to park the vehicle in a metered bay for the period shown on the parking meter, but does not authorise the parking of the vehicle during any time when parking in that bay may be prohibited in accordance with this local law.

2.4 No parking when meter is expired

Subject to clause 2.5, a person must not leave or permit a vehicle to remain parked in a metered bay during the hours when a fee is payable to park the vehicle in the space when the parking meter referable to that space exhibits the sign "Expired" or a negative time.

2.5 Suspension of requirement to pay fee

The local government may from time to time by a resolution declare that the provisions of clauses 2.2 and 2.4 are not to apply during the periods and days specified in the resolution.

2.6 Vehicles to be within metered bay

- (1) Subject to sub-clause (2), a person must not park a vehicle in a metered bay in a thoroughfare otherwise than parallel to and as close to the kerb as practicable and wholly within the bay, provided that where a metered bay is set out otherwise than parallel to the kerb the vehicle need only park wholly within the bay.
- (2) If a vehicle is too long or too wide to fit completely within a single metered bay then the person parking the vehicle must do so within the minimum number of metered bays needed to park that vehicle.

- (3) A person must not park a vehicle partly within and partly outside a metered zone.

2.7 Permitted insertions in parking meters

- (1) A person must not insert into a parking meter anything other than the designations of coin or banknote or such other permitted form of payment indicated by a sign on the parking meter.
- (2) The insertion of a coin or banknote into any parking meter or the making of payment in such other form as may be permitted is to be effected only in accordance with the instructions printed on that particular meter.

2.8 Parking ticket to be displayed

A person shall not stop or park a vehicle in a metered zone which is regulated by a ticket issuing machine during any period for which a fee is payable unless an unexpired parking ticket applicable to that metered zone is displayed inside the vehicle, so that the date, expiry time and the number (if any) on the ticket are clearly visible to and able to be read by an authorised person from outside the vehicle, at all times while the vehicle remains stopped or parked in that metered zone.

2.9 One vehicle per metered bay

A person must not park or attempt to park a vehicle in a metered space in which another vehicle is parking.

2.10 No parking when hood on meter

Notwithstanding any other provision of this local law and notwithstanding any other sign or notice, a person must not park a vehicle in a metered space if the parking meter referable to the metered bay has a hood marked "No Parking", "Reserved Parking" or "Temporary Bus Stand" or equivalent signage depicting these purposes except with the written permission of the local government or an authorised person.

Part 3 - Parking stalls and parking stations

3.1 Determination of parking stalls and parking stations

- (1) The local government may, by resolution, constitute, determine and vary:
 - (a) parking stalls;
 - (b) parking facilities;
 - (c) permitted time and conditions of parking in parking stalls and parking stations which may vary with the district;
 - (d) permitted classes of vehicles which may park in parking stalls and parking stations;
 - (e) permitted classes of persons who may park in specified parking stalls or parking stations;
 - (f) the manner of parking in parking stalls and parking stations;
 - (g) metered bays and metered zones; and

(h) ticket issuing zones.

(2) Where the local government makes a determination under subclause (1), the local government is to erect signs to give effect to the determination.

3.2 Vehicles to be within parking stall on thoroughfare

(1) Subject to sub-clause (2) and (3), a person must not park a vehicle in a parking stall in a thoroughfare otherwise than:

(a) parallel to and as close to the kerb as is practicable;

(b) wholly within the stall; and

(c) headed in the direction of the movement of traffic on the side of the thoroughfare in which the stall is situated.

(2) Subject to sub-clause (3) where a parking stall in a thoroughfare is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.

(3) A person must not park a vehicle partly within and partly outside a parking area.

3.3 Payment of fee to park in a parking station

A person shall not park a vehicle or permit a vehicle to remain parked in any parking station during any period for which a fee is payable unless:

(a) in the case of a parking station having an authorised person on duty, the appropriate fee is paid when demanded; or

(b) in the case of a parking station equipped with parking meters, the appropriate fee is inserted in the meter or the required payment is made in such other form as may be permitted.

3.4 Suspension of parking station restrictions

The local government may by resolution declare that the provisions of clause 3.3 do not apply during periods on particular days in relation to particular parking stations as specified in such resolution.

3.5 Vehicle not to be removed until fee paid

A person shall not remove a vehicle which has been parked in a parking station until there has been paid the appropriate fee for the period for which the vehicle has been parked.

3.6 Entitlement to receipt

A person paying a fee at a parking station is to be entitled to receive a receipt on demand showing the period of parking covered by such payment.

3.7 Parking ticket to be displayed

A person shall not stop or park a vehicle in a parking station which is equipped with a ticket issuing machine during any period for which a fee is payable unless an unexpired

parking ticket applicable to that parking station is displayed inside the vehicle, so that the date, expiry time and the number (if any) on the ticket are clearly visible to and able to be read by an authorised person from outside the vehicle, at all times while the vehicle remains stopped or parked in the parking station.

3.8 Parking prohibitions and restrictions

- (1) A person must not:
 - (a) park a vehicle so as to obstruct an entrance to, or an exit from a parking station or parking stall, or an access way within a parking station or parking stall;
 - (b) except with the written permission of the local government or an authorised person, park a vehicle on any part of a parking station or parking stall contrary to a sign referable to that part;
 - (c) permit a vehicle to park on any part of a parking station or parking stall, if an authorised person directs the driver of such vehicle to move the vehicle;
 - (d) park or attempt to park a vehicle in a parking stall or parking station in which another vehicle is parked but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a stall marked "M/C", if the bicycle is parked in accordance with sub-clause (2); or
 - (e) park a vehicle in a parking station otherwise than wholly within a parking stall.
- (2) No person must park any bicycle in a parking stall other than in a stall marked "M/C".

Part 4 - Parking generally

4.1 Restrictions on parking in particular areas/facilities

- (1) Subject to sub-clause (2), a person must not park a vehicle in a thoroughfare or part of a thoroughfare, or part of a parking station:
 - (a) if by a sign it is set apart for the parking of vehicles of a different class;
 - (b) if by a sign it is set apart for the parking of vehicles by persons of a different class; or
 - (c) during any period when the parking of vehicles is prohibited by a sign.
- (2) A person must not park a vehicle:
 - (a) in a no parking area;

- (b) in a parking facility, except in accordance with both the signs associated with the parking facility and with this local law;
 - (c) in a stall marked “M/C” unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle.
- (3) A person must not, without the prior written permission of the local government, the CEO, or an authorised person, park a vehicle in an area designated by a sign stating “Authorised Vehicles Only”.

4.2 Parking vehicle on a carriageway

- (1) A person parking a vehicle on a carriageway other than in a parking stall must park it:
- (a) in the case of a two-way carriageway, so that it is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
 - (b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
 - (c) so that at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or any continuous line or median strip, or between the vehicle and a vehicle parked on the farther side of the carriageway;
 - (d) so that the front and the rear of the vehicle respectively are not less than 1 metre from any other vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this local law; and
 - (e) so that it does not obstruct any vehicle on the carriageway, unless otherwise indicated on a parking regulation sign or markings on the roadway.
- (2) In this clause, “continuous dividing line” means –
- (a) a single continuous dividing line only;
 - (b) a single continuous dividing line to the left or right of a broken dividing line; or
 - (c) 2 parallel continuous dividing lines.

4.3 When parallel and right-angled parking apply

Where a traffic sign associated with a parking area is not inscribed with the words “angle parking”, then unless a sign associated with the parking area indicates, or marks on the carriageway indicate, that vehicles have to park in a different position, where the parking area is:

- (a) adjacent to the boundary of a carriageway, a person parking a vehicle in the parking area must park it as near as practicable to and parallel with that boundary; and

- (b) at or near the centre of the carriageway, a person parking a vehicle in that parking area must park it at approximately right angles to the centre of the carriageway.

4.4 When angle parking applies

- (1) This clause does not apply to:
 - (a) a passenger vehicle or a commercial vehicle with a mass including any load, of over three tonnes; or
 - (b) a person parking either a motorcycle without a trailer or a bicycle.
- (2) Where a sign associated with a parking area is inscribed with the words “angle parking”, a person parking a vehicle in the area must park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway.

4.5 General prohibitions on parking

- (1) This clause does not apply to a vehicle parked in a parking stall nor to a bicycle in a bicycle rack.
- (2) Sub-clauses (3)(c), (e) and (g) do not apply to a vehicle which parks in a bus embayment.
- (3) Subject to any law relating to intersections with traffic-control signals and unless a mark or other sign on the carriageway indicates otherwise a person must not park a vehicle so that any portion of the vehicle is:
 - (a) between any other stationary vehicles and the centre of the carriageway;
 - (b) on or adjacent to a median strip;
 - (c) obstructing a right of way, private drive or carriageway or so close as to deny a vehicle reasonable access to or egress from the right of way, private drive or carriageway;
 - (d) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the vehicle would obstruct traffic;
 - (e) on or within 10 metres of any portion of a carriageway bounded by a traffic island;
 - (f) on any footpath or pedestrian crossing;
 - (g) on a bridge or other elevated structure or within a tunnel or underpass;
 - (h) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of a carriageway nearer to the continuous line, unless there is a distance of at least 3 metres clear between the vehicle and the double longitudinal line;

- (i) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
 - (j) within one metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug;
 - (k) within 3 metres of a public letter pillar box, unless the vehicle is being used for the purposes of collecting postal articles from the pillar box;
 - (l) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is parked; or
 - (m) in a cul de sac so as to obstruct the turning of vehicles within the cul de sac unless a sign or markings on the carriageway indicate otherwise.
- (4) A person must not park a vehicle so that any portion of the vehicle is within 10 metres of the departure side of:
- (a) a sign inscribed with the words “Bus Stop” or “Hail Bus Here” unless the vehicle is a bus stopped to take up or set down passengers; or
 - (b) a children’s crossing or pedestrian crossing.
- (5) A person must not park a vehicle so that any portion of the vehicle is within 20 metres of the approach side of:
- (a) a sign inscribed with the words “Bus Stop” or “Hail Bus Here” unless the vehicle is a bus stopped to take up or set down passengers; or
 - (b) a children’s crossing or pedestrian crossing.
- (6) A person must not park a vehicle so that any portion of the vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing.

4.6 Authorised person may order vehicle on thoroughfare to be moved

The driver of a vehicle must not park or leave a vehicle on any part of a thoroughfare in contravention of this local law after an authorised person has directed the driver to move it.

4.7 Authorised person may mark tyres

- (1) An authorised person may mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers.
- (2) A person must not remove a mark made by an authorised person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

4.8 No movement of vehicles to avoid time limitation

- (1) A person shall not stop or park a vehicle so that the vehicle or any part thereof is present upon a part of a road, where such part has a maximum time limit specified by a sign, for more than that maximum time limit, unless the vehicle

has been removed from that road during or upon the completion of such maximum time limit for a period of at least one hour.

- (2) A person shall not stop or park a vehicle so that the vehicle or any part thereof is present upon a part of a parking station, where such part has a maximum time limit specified by a sign, for more than that maximum time limit, unless the vehicle has been removed from that parking station during or upon the completion of such maximum time limit for a period of at least one hour.

4.9 No parking of vehicles exposed for sale and in other circumstances

A person must not park a vehicle on any portion of a thoroughfare:

- (a) for the purpose of exposing it for sale;
- (b) if that vehicle is not licensed under the Road Traffic Act;
- (c) if that vehicle is a trailer or a caravan unattached to a motor vehicle; or
- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a thoroughfare.

4.10 Parking on private land

- (1) In this clause a reference to "land" does not include land:
 - (a) which belongs to the local government;
 - (b) of which the local government is the management body under the *Land Administration Act 1997*;
 - (c) which is an "otherwise unvested facility" within section 3.53 of the Act;
 - (d) which is the subject of an agreement referred to in clause 1.6(2); or
 - (e) which is identified in Schedule 4.
- (2) A person must not park a vehicle on land without the consent of the owner of the land on which the vehicle is parked.
- (3) Where the owner of the land, by a sign referable to that land or otherwise, consents to the parking of vehicles of a specified class or classes on the land for a limited period, a person must not park a vehicle on the land otherwise than in accordance with the consent.

4.11 Parking on reserves

No person other than an employee of the local government in the course of his or her duties or a person authorised by the local government must drive or park a vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose.

4.12 Suspension of parking limitations for urgent, essential or official duties

- (1) Where by a sign the parking of vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government, the CEO or an authorised person may, subject to the Code, permit a person to park a vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.
- (2) Where permission is granted under sub-clause (1), the local government, the CEO or an authorised person may prohibit the use by any other vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

Part 5 - Parking and stopping generally

5.1 No stopping

A driver must not stop on a length of carriageway, or in an area, to which a “no stopping” sign applies.

5.2 No parking

A driver must not stop on a length of carriageway or in an area to which a “no parking” sign applies, unless the driver -

- (a) is dropping off, or picking up, passengers or goods;
- (b) does not leave the vehicle unattended; and
- (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.

Unattended, in relation to a vehicle, means that the driver has left the vehicle so that the driver is more than 3 metres from the closest point of the vehicle.

5.3 No stopping on a carriageway with yellow edge lines

A driver must not stop at the side of a carriageway marked with a continuous yellow edge line.

5.4 Parking or stopping in a clearway

A driver shall not stop or park on a length of carriageway to which a clearway sign applies.

5.5 Parking or stopping in rights-of-way

A person shall not park or stop a vehicle in a right-of-way so as to obstruct the right-of-way.

Part 6 - Stopping in zones for particular vehicles

6.1 Stopping in a loading zone

A person shall not stop a vehicle in a loading zone unless it is:

- (a) a commercial vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods; and
 - (b) in accordance with the sign associated with the loading zone,
- and, in any event, shall not remain in that loading zone:
- (c) for longer than a time indicated on the 'loading zone' sign; or
 - (d) longer than 15 minutes (if no time is indicated on the sign).

6.2 Stopping in a taxi zone or a bus zone

- (1) A driver must not stop in a taxi zone, unless the driver is driving a taxi.
- (2) A driver must not stop in a bus zone unless the driver is driving a public bus, or a bus of a type that is permitted to stop at the bus zone by information on or with the "bus zone" sign applying to the bus zone.

6.3 Stopping in a mail zone

A person must not stop a vehicle in a mail zone.

6.4 Other limitations in zones

A person must not stop a vehicle in a zone to which a traffic sign applies if stopping the vehicle would be contrary to any limitation in respect to classes of persons or vehicles, or specific activities allowed, as indicated by additional words on a traffic sign that applies to the zone.

Part 7 - Other places where stopping is restricted

7.1 Stopping in a shared zone

A driver must not stop in a shared zone unless:

- (a) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law;
- (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law;
- (c) the driver is dropping off, or picking up, passengers or goods; or
- (d) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

7.2 Double parking

- (1) A driver must not stop a vehicle so that any portion of the vehicle is between any other stopped vehicle and the centre of the carriageway.
- (2) This clause does not apply to:
 - (a) a driver stopped in traffic; or

- (b) a driver angle parking on the side of the carriageway or in a median strip parking area, in accordance with this local law.

7.3 Stopping near an obstruction

A driver must not stop on a carriageway near an obstruction on the carriageway in a position that further obstructs traffic on the carriageway.

7.4 Stopping on a bridge or in a tunnel, etc.

- (1) A driver must not stop a vehicle on a bridge, causeway, ramp or similar structure unless:
 - (a) the carriageway is at least as wide on the structure as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
 - (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.
- (2) A driver must not stop a vehicle in a tunnel or underpass unless:
 - (a) the carriageway is at least as wide in the tunnel or underpass as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
 - (b) the driver of a motor vehicle stops at a bus stop, or in a bus zone or parking area marked on the carriageway, for the purpose of setting down or taking up passengers.

7.5 Stopping on crests, curves, etc.

- (1) Subject to sub-clause (2), a driver must not stop a vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking vehicle, from a distance of 50 metres within a built-up area, and from a distance of 150 metres outside a built-up area.
- (2) A driver may stop on a crest or curve on a carriageway that is not in a built-up area if the driver stops at a place on the carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

7.6 Stopping near a fire hydrant, etc.

- (1) A driver must not stop a vehicle so that any portion of the vehicle is within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless:
 - (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and does not leave the bus unattended; or
 - (b) the driver is driving a taxi, and the driver stops in a taxi zone and does not leave the taxi unattended.
- (2) In this clause, a driver leaves the vehicle "unattended" if the driver leaves the vehicle so the driver is over 3 metres from the closest point of the vehicle.

7.7 Stopping at or near a bus stop

- (1) A driver must not stop a vehicle so that any portion of the vehicle is within 20 metres of the approach side of a bus stop, or within 10 metres of the departure side of a bus stop, unless:
 - (a) the vehicle is a public bus stopped to take up or set down passengers; or
 - (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.
- (2) In this clause:
 - (a) distances are measured in the direction in which the driver is driving; and
 - (b) a trailer attached to a public bus is taken to be a part of the public bus.

7.8 Stopping on a path, median strip, or traffic island

The driver of a vehicle (other than a bicycle or an animal) must not stop so that any portion of the vehicle is on a path, traffic island or median strip, unless the driver stops in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

7.9 Stopping on verge

- (1) A person must not:
 - (a) stop a vehicle (other than a bicycle);
 - (b) stop a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle; or
 - (c) stop a vehicle during any period when the stopping of vehicles on that verge is prohibited by a sign adjacent and referable to that verge,so that any portion of it is on a verge.
- (2) Subclause (1)(a) does not apply to the person if he or she is the owner or occupier of the premises adjacent to that verge, or is a person authorised by the occupier of those premises to stop the vehicle so that any portion of it is on the verge.
- (3) Subclause (1)(b) does not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the commercial vehicle is parked, provided no obstruction is caused to the passage of any vehicle or person using a carriageway or a path.

7.10 Obstructing access to and from a path, driveway, etc.

- (1) A driver must not stop a vehicle so that any portion of the vehicle is in front of a path, in a position that obstructs access by vehicles or pedestrians to or from that path, unless:
 - (a) the driver is dropping off, or picking up, passengers; or
 - (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under this local law.
- (2) A driver must not stop a vehicle on or across a driveway or other way of access for vehicles travelling to or from adjacent land, unless:
 - (a) the driver is dropping off, or picking up, passengers; or
 - (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under this local law.

7.11 Stopping near a letter box

A driver must not stop a vehicle so that any portion of the vehicle is within 3 metres of a public letter box, unless the driver:

- (a) is dropping off, or picking up, passengers or mail; or
- (b) stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

7.12 Stopping on a carriageway – heavy and long vehicles

- (1) A person must not park a vehicle or any combination of vehicles that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes:
 - (a) on a carriageway in a built-up area, for any period exceeding 1 hour, unless engaged in the picking up or setting down of goods; or
 - (b) on a carriageway outside a built-up area, except on the shoulder of the carriageway, or in a truck bay or other area set aside for the parking of goods vehicles.
- (2) Nothing in this clause mitigates the limitations or condition imposed by any other clause or by any local law or traffic sign relating to the parking or stopping of vehicles.

7.13 Stopping on a carriageway with a bicycle parking sign

The driver of a vehicle (other than a bicycle) must not stop on a length of carriageway to which a "bicycle parking" sign applies, unless the driver is dropping off, or picking up, passengers.

7.14 Stopping on a carriageway with motorcycle parking sign

The driver of a vehicle must not stop on a length of carriageway, or in an area, to which a “motorcycle parking” sign applies, or an area marked “M/C” unless:

- (a) the vehicle is a motorcycle; or
- (b) the driver is dropping off, or picking up, passengers.

Part 8 - Parking permits

8.1 Terms used in this Part

In this Part, unless the contrary intention appears -

parking permit means a parking permit issued by the local government under clause 8.2(4).

8.2 Issue of a parking permit

- (1) A person who is the owner of a dwelling fronting a road on which parking is restricted may apply in writing to the local government for the issue of a parking permit
- (2) The application shall set out -
 - (a) the person’s name;
 - (b) the address of the dwelling in respect of which the parking permit is sought; and
 - (c) the road or precinct in respect of which the parking permit is sought.
- (3) The local government may issue a parking permit to an applicant under sub-clause (1) if in the opinion of the local government-
 - (a) it is impossible or impracticable to obtain vehicular access to a dwelling from a road or right-of-way; or
 - (b) there are other sufficient reasons to issue the parking permit.
- (4) The local government may in respect of an application for a parking permit for the purpose of sub-clause (1) -
 - (a) approve the application;
 - (b) approve the application subject to conditions as the local government considers appropriate; or
 - (c) refuse to approve the application.
- (5) Every parking permit issued for the purpose of sub-clause (1) is to specify:
 - (a) a permit number;
 - (b) the residential road or precinct which the parking permit is issued; and

- (c) the date on which the parking permit expires.

8.3 Effect of a parking permit

- (1) Subject to sub-clause (2), the holder of a current parking permit is exempt from compliance with:
 - (a) any sign prohibiting the parking of a vehicle on any part of the road to which the parking permit relates for more than a specified time, so long as the vehicle is not parked adjacent to retail premises; or
 - (b) any other sign on the road to which the parking permit relates inscribed with the words "Parking Permits Exempt".
- (2) The exemption in sub-clause (1) only applies:
 - (a) to the road or precinct in respect of which the parking permit was issued;
 - (b) if the parking permit is placed on the dashboard or windscreen of the vehicle in a prominent position, unobstructed from view, so that it can be easily read by an authorised person outside the vehicle;
 - (c) if the holder of the parking permit still resides in the road or precinct in respect of which it was issued; and
 - (d) if the parking permit has not expired.

Part 9 - Miscellaneous

9.1 Removal of notices on vehicle

A person, other than the driver of the vehicle or a person acting under the direction of the driver of the vehicle, must not remove from the vehicle any notice put on the vehicle by an authorised person.

9.2 Unauthorised signs and defacing of signs

A person must not without the authority of the local government:

- (a) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government under this local law;
- (b) remove, deface or misuse a sign or property, set up or exhibited by the local government under this local law or attempt to do any such act; or
- (c) affix a board, sign, placard, notice or other thing to or paint or write upon any part of a sign set up or exhibited by the local government under this local law.

9.3 Interfere with or damage Local Government property

- (1) A person shall not interfere with, damage or obstruct the operation of any electronic parking detection device or instrument owned by the local government in any parking station, carriageway or in any other place.

- (2) A person shall not interfere with, damage or obstruct the operation of any display panels or transmitting equipment in relation to parking detection devices or instruments operated by the local government.

9.4 Signs must be complied with

An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this local law.

9.5 General provisions about signs

- (1) A sign marked, erected, set up, established or displayed on or near a thoroughfare is, in the absence of evidence to the contrary, presumed to be a sign marked, erected, set up, established or displayed under the authority of this local law.
- (2) The first three letters of any day of the week when used on a sign indicate that day of the week.

9.6 Special purpose and emergency vehicles

Notwithstanding anything to the contrary in this local law, the driver of:

- (a) a special purpose vehicle may, only in the course of his or her duties and when it is expedient and safe to do so, stop, or park the vehicle in any place, at any time; and
- (b) an emergency vehicle may, in the course of his or her duties and when it is expedient and safe to do so or where he or she honestly and reasonably believes that it is expedient and safe to do so, stop, or park the vehicle at any place, at any time.

9.7 Vehicles not to obstruct a public place

- (1) A person must not leave a vehicle, or any part of a vehicle, in a public place without the written permission of the local government or unless authorised under any written law.
- (2) A person will not contravene sub-clause (1) where the vehicle is left for a period not exceeding 24 hours.

9.8 Causing or attempting to cause damage to Local Government property

A person shall not cause or attempt to cause damage to the property of the local government in any way.

Part 10 - Penalties

10.1 Offences and penalties

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

- (3) Any person who commits an offence under this local law shall be liable, upon conviction, to a penalty not less than \$300 and not exceeding \$5,000. If the offence is of a continuing nature, a person shall be liable to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.
- (4) The amount appearing in the final column of Schedule 2 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

10.2 Form of notices

For the purposes of this local law:

- (a) the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 3;
- (b) the form of the infringement notice referred to in section 9.17 of the Act is that of Form 2 in Schedule 3;
- (c) the form of the infringement notice referred to in section 9.17 of the Act which incorporates the notice referred to in section 9.13 of the Act, is that of Form 3 in Schedule 3; and
- (d) the form of the notice referred to in section 9.20 of the Act is that of Form 4 in Schedule 3.

Schedule 1 - Parking Region

[Clause 1.6]

The parking region is the whole of the district, but excludes the following portions of the district:

- (a) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
- (b) prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
- (c) any road which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that road is carried out subject to the control and direction of the Commissioner of Main Roads or has been delegated by the Commissioner to the local government.

Schedule 2 - Prescribed Offences

Item No.	Clause No.	Nature of offence	Modified Penalty
1	2.2	Failure to pay fee for metered space	80
2	2.3	Parking in excess of period shown on metered bay	80
3	2.4	Parking when meter has expired	80
4	2.6(1)	Failure to park wholly within metered bay	80
5	2.6(3)	Parking outside metered zone	80
6	2.7(1)	Non-permitted insertion in parking meter	200
7	2.8	Failure to display ticket clearly in metered zone	80
8	2.9	Parking or attempting to park a vehicle in a metered bay occupied by another vehicle	80
9	2.10	Parking contrary to a meter hood	80
10	3.1(1)	Failure to park wholly within parking stall	120
11	3.2(3)	Failure to park wholly within parking area	120
12	3.3	Failure to pay parking station fee	80
13	3.5	Leaving without paying parking station fee	80
14	3.7	Failure to display ticket clearly in parking station	80
15	3.8(1)(a)	Causing obstruction in parking stall	80
16	3.8(1)(b)	Parking contrary to sign in parking stall	80
17	3.8(1)(c)	Parking contrary to directions of authorised person	120
18	3.8(1)(d)	Parking or attempting to park a vehicle in a parking bay occupied by another vehicle	120
19	3.8(1)(e)	Parking outside parking stall	120
20	4.1(1)(a)	Parking wrong class of vehicle	80
21	4.1(1)(b)	Parking by persons of a different class	80
22	4.1(1)(c)	Parking during prohibited period	80
23	4.1(2)(a)	Parking in no parking area	80
24	4.1(2)(b)	Parking contrary to signs or limitations	80
25	4.1(2)(c)	Parking vehicle in motorcycle only area	100
26	4.1(3)	Parking without permission in an area designated for "Authorised Vehicles Only"	120
27	4.2(1)(a) or 4.2(1)(b)	Parking against the flow of traffic	120
28	4.2(1)(c)	Parking when distance from farther boundary less than 3 metres	80
29	4.2(1)(d)	Parking closer than 1 metre from another vehicle	80
30	4.2(1)(e)	Causing obstruction	150
31	4.3(b)	Failure to park at approximate right angle	80

Item No.	Clause No.	Nature of offence	Modified Penalty
32	4.4(2)	Failure to park at an appropriate angle	80
33	4.5(3)(a) and 7.2	Double parking	150
34	4.5(3)(b)	Parking on or adjacent to a median strip	120
35	4.5(3)(c)	Denying access to private drive or right-of-way	150
36	4.5(3)(d)	Parking beside excavation or obstruction so as to obstruct traffic	120
37	4.5(3)(e)	Parking within 10 metres of traffic island	120
38	4.5(3)(f)	Parking on footpath/pedestrian crossing	150
39	4.5(3)(g)	Parking on a bridge or in a tunnel	150
40	4.5(3)(h)	Parking contrary to continuous line markings	120
41	4.5(3)(i)	Parking on intersection	120
42	4.5(3)(j)	Parking within 1 metre of fire hydrant or fire plug	120
43	4.5(3)(k)	Parking within 3 metres of public letter box	120
44	4.5(3)(l)	Parking within 10 metres of intersection	120
45	4.5(3)(m)	Parking in cul de sac so as to cause obstruction	120
46	4.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	120
47	4.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	120
48	4.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	120
49	4.6	Parking contrary to direction of authorised person	120
50	4.7(2)	Removing mark of authorised person	120
51	4.8(1)	Exceeding time limitation on a road	80
52	4.8(2)	Exceeding time limitation within parking station	80
53	4.9(a)	Parking in thoroughfare for purpose of sale	120
54	4.9(b)	Parking unlicensed vehicle in thoroughfare	120
55	4.9(c)	Parking a trailer/caravan on a thoroughfare	120
56	4.9(d)	Parking in thoroughfare for purpose of repairs	120
57	4.10(2)	Parking on land that is not a parking facility without consent	120
58	4.10(3)	Parking on land not in accordance with consent	120
59	4.11	Driving or parking on reserve	120
60	5.1	Stopping contrary to a 'no stopping' sign	150
61	5.2	Parking contrary to a 'no parking' sign	150
62	5.3	Stopping within continuous yellow lines	120

Item No.	Clause No.	Nature of offence	Modified Penalty
63	5.4	Parking or stopping in a clearway	150
64	5.5	Parking or stopping in a right-of-way	150
65	6.1	Stopping unlawfully in a loading zone	120
66	6.2	Stopping unlawfully in a taxi zone or bus zone	120
67	6.3	Stopping unlawfully in a mail zone	80
68	6.4	Stopping in a zone contrary to a sign	120
69	7.1	Stopping in a shared zone	80
70	7.3	Stopping near an obstruction	120
71	7.4	Stopping on a bridge or tunnel etc.	120
72	7.5	Stopping on crests, curves, etc.	120
73	7.6	Stopping near fire hydrant, etc.	150
74	7.7	Stopping near bus stop	120
75	7.8	Stopping on path, median strip or traffic island	150
76	7.9	Stopping on verge	120
77	7.10	Obstructing path, a driveway, etc.	150
78	7.11	Stopping near letter box	120
79	7.12	Stopping heavy or long vehicles on carriageway	120
80	7.13	Stopping in bicycle parking area	80
81	7.14	Stopping in motorcycle parking area	120
83	9.7	Leaving vehicle in a public place	150
84		All other offences not specified	80

Schedule 3 - Forms
[Clause 10.2]
LOCAL GOVERNMENT ACT 1995

FORM 1

TOWN OF CLAREMONT PARKING LOCAL LAW 2016
NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date:/...../.....

To: (1)
(2)

It is alleged that on/...../..... at (3).....

at: (4) , your
vehicle

make:

model:

registration:

was involved in the commission of the following offence -
.....
.....
.....
.....

contrary to clause of the Town of Claremont Parking Local Law 2016.

You are required under section 9.13 of the Local Government Act 1995 to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise, you will be taken to have committed the offence unless:

- (a) within 28 days after being served with this notice;
(i) you inform the CEO or another authorised person of the local government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; and

- (ii) you satisfy the CEO that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed;

or

- (b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

(5):

(6)

Insert:

- (1) Name of owner or "the owner"
- (2) Address of owner (not required if owner not named)
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Signature of authorised person
- (6) Name and title of authorised person giving notice

FORM 2

TOWN OF CLAREMONT PARKING LOCAL LAW 2016

INFRINGEMENT NOTICE

Serial No.....

Date:/...../.....

To: (1)

of: (2)

It is alleged that on/...../..... at (3).....

at: (4)

in respect of vehicle

make:

model:

registration:

you committed the following offence:

.....
.....
.....

contrary to clause of the **Town of Claremont Parking Local Law 2016**

The modified penalty for the offence is \$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorised person at (5) within a period of 28 days after the giving of this notice.

If you take no action this infringement notice may be registered with the Fines Enforcement Registry after which your driver's licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

(6):

(7)

Insert:

- (1) Name of alleged offender or "the owner"
- (2) Address of alleged offender
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of authorised person
- (7) Name and title of authorised person giving notice

FORM 3

TOWN OF CLAREMONT PARKING LOCAL LAW 2016

WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No.....

Date/...../.....

To: (1)

of: (2)

Infringement Notice No.dated/...../.....

in respect of vehicle

make:

model:

registration:

for the alleged offence of:

.....

.....

has been withdrawn.

The modified penalty of \$.....

- has been paid and a refund is enclosed.
- has not been paid and should not be paid.
- delete as appropriate.

(3):

(4)

Insert:

(1) Name of alleged offender to whom infringement notice was given or "the owner".

(2) Address of alleged offender.

(3) Signature of authorised person

(4) Name and title of authorised person giving notice

Schedule 4 - Deemed parking stations
[Clause 3.1]

TOWN OF CLAREMONT PARKING LOCAL LAW 2016


Parking Station Number	Description
Parking Station Number 1	Lot 1366 Davies Road, Claremont Lot 50 Davies Road, Claremont Lot 7813 Davies Road, Claremont Lot 301 Davies Road, Claremont Lot 3070 Davies Road, Claremont Lot 2112 Davies Road, Claremont
Parking Station Number 2	Lot 51 Stirling Highway, Claremont Lot 50 St Quentin Avenue, Claremont Lot 21 St Quentin Avenue, Claremont
Parking Station Number 3	Lot 21 St Quentin Avenue, Claremont Lot 103 Stirling Highway, Claremont
Parking Station Number 4	Lot 507 Stirling Highway, Claremont
Parking Station Number 5	Lot 11578 Claremont Crescent, Claremont
Parking Station Number 7	Lot 501 Leura Avenue, Claremont Lot 502 Leura Avenue, Claremont
Parking Station Number 9	Lot 307 Guger Street, Claremont Lot 48 Bay View Terrace, Claremont
Parking Station Number 10	Lot 90 Avion Way, Claremont

Dated... 22nd August 2016

The Common Seal of the Town of Claremont }
was affixed by authority of a resolution }
of the Council in the presence of: }



Mayor/President



Chief Executive Officer

13.1.3 CLAREMONT MUSEUM ADVISORY COMMITTEE REVIEW

File Number: GOV/00050-003
Author: Liz Ledger (Chief Executive Officer)
Authoriser: Liz Ledger (Chief Executive Officer)
Attachments: 1. Terms of Reference - Claremont Advisory Committee [**13.1.3.1** - 2 pages]

PURPOSE

To present a review of the effectiveness of the Claremont Museum Advisory Committee (**Committee**) to Council.

BACKGROUND

The Committee was established prior to 1999 under section 5.8 of the *Local Government Act 1995* to assist Council. The Terms of Reference document (**Attachment 1**) governs the Committee’s purpose, function and procedures.

The functions of the Committee are to:

- a. Consider matters relating to the development, care, funding and policies of the Claremont Museum (**Museum**); and
- b. Make recommendations to Council regarding its findings to allow for an informed decision-making process.

The Committee is comprised of the following members:

Council Member	Cr Kate Main
Council Member	Cr Jill Goetze
Community Representative	Jenny Gregory
Community Representative	Karen Kaard
Community Representative	Greg Simpson

DISCUSSION

Although the Committee has no delegated powers, it is requiring significant administrative time to oversee. The Committee meets at least quarterly as per the terms of reference and staff time is required to:

- Prepare a detailed report each quarter.
- Follow up on any queries or request from committee members.
- Create agenda for the meeting.
- Attend meetings after hours.
- Prepare minutes of the meeting.

The functions of the Claremont Museum are largely operational, with a public education program running 6 months of the year, and a major exhibition running the other 6 months of the year. Not including building depreciation and utility costs, the annual operational budget is just under \$300,000 per annum with a minor amount of income. It has 4 part time staff, which equates to 3 FTE’s.

During the redevelopment of the community space (now known as the Freshwater Gallery), the Committee had more of an advisory role in relation to the planning for the new build, facility names and design concepts, which was filtered back to Council, providing for a more informed decision.

In comparison, neither the Community Hub and Library, nor the Aquatic Centre (both large operations) have or require Advisory Committees. Day to day management decisions are administered by qualified staff, with the strategic direction, policies, operational budgets and fees and charges of these facilities all determined

by Council. It is the belief of the administration that none of these facilities require advisory committees, which would require time and associated costs with minimal benefits.

At the most recently held Advisory Committee meeting held Wednesday 28 June, there was no quorum. The meeting was therefore unable to be held.

PAST RESOLUTIONS

Ordinary Council Meeting 31 October 2023, Resolution 140/23

That Council appoint Jenny Gregory, Karen Kaard and Greg Simpson as community representatives to the Claremont Museum Advisory Committee.

CARRIED BY ABSOLUTE MAJORITY

Ordinary Council Meeting 31 October 2023, Resolution 134/23

That Council:

1. *Appoints Council Members to the following Committees of Council:*

- (a) *Audit and Risk Management Committee*
 - Mayor Jock Barker*
 - Cr Paul Kelly*
 - Cr Graham Cameron*
- (b) *Claremont Museum Advisory Committee*
 - Cr Kate Main*
 - Cr Jill Goetze*
- (c) *Claremont Town Centre Advisory Committee*
 - Mayor Jock Barker*
 - Cr Annette Suann*
 - Cr Jill Goetze*
- (d) *Complaints Committee*
 - Mayor Jock Barker*
 - Cr Sara Franklyn*
 - Cr Paul Kelly*
 - Cr Graham Cameron – Deputy Member*
 - Cr Annette Suann - Deputy Member*

CARRIED BY ABSOLUTE MAJORITY

Ordinary Council Meeting 2 November 2021, Resolution 143/21

That Council

1. Appoint community representatives to the following Committees of Council:

(b) *Claremont Museum Advisory*

<i>Committee Representative Type</i>	<i>Nominee</i>
<i>Community Representative</i>	<i>Karen Wood</i>
<i>Community Representative</i>	<i>Ricki Hewitt</i>
<i>Community Representative</i>	<i>Karen Kaard</i>
<i>Community Representative</i>	<i>Carolyn Winterbottom</i>
<i>Community Representative</i>	<i>Greg Simpson</i>

CARRIED

Ordinary Council Meeting 2 November 2021, Resolution 142/21

That Council:

1. *Appoint Council Members to the following Committees of Council:*
 - (b) *Claremont Museum Advisory Committee (2 Council Members)*
 1. *Cr Jill Goetze*
 2. *Cr Annette Suann*

CARRIED

Ordinary Council Meeting 7 September 2021, Resolution 111/21

That Council adopt each of the Terms of Reference for the following Committees:

- a. *Claremont Museum Advisory Committee as shown in Attachment 3;*
- b. *Lake Claremont Advisory Committee as shown in Attachment 5 subject to the addition of the following provision:*
An additional City of Nedlands Council Member will be appointed as a Deputy Member of the Committee. The Deputy Member may perform the functions of the City of Nedlands Council Member when the member is unable to do so by reason of illness, absence or other cause;
- c. *Foreshore Advisory Committee as shown in Attachment 7; d. Audit and Risk Management Committee as shown in Attachment 9.*

CARRIED

FINANCIAL AND STAFF IMPLICATIONS

Staff resources are currently required to administer and oversee the Committee.

It is estimated that 2-3 hours per week are spent by the administration on the Committee as a minimum. Disbanding this Committee will save the staff time which can be redirected into the operations of the Museum.

POLICY AND STATUTORY IMPLICATIONS

Local Government Act 1995

Town of Claremont Meeting Procedures Local Law 2018

COMMUNICATION AND CONSULTATION

The Chief Executive Officer has previously consulted with Council Members on the Committee in 2023 when this item was poised to be presented to Council. This request has come from the business unit staff members

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.
- Continually assess our performance and implement initiatives that drive continuous improvement.

URGENCY

Not urgent, however the Committee is due to meet next in 2025.


VOTING REQUIREMENTS

Absolute Majority decision of Council (*5 Council Members are required to vote in favour*).

OFFICER RECOMMENDATION

That Council

- 1. Disbands the Claremont Museum Advisory Committee.**
- 2. Requests the CEO to write to the present committee members and thank them for their time and contribution to the success of the Claremont Museum.**

	<p>Claremont Museum Advisory Committee Terms of Reference</p>
<p>Key Focus Area People</p>	<p>Relevant Council Delegation Nil</p>

Objectives of the Advisory Committee

1. The Claremont Museum Advisory Committee (**Advisory Committee**) is a formally appointed Committee of Council and is responsible to that body.
2. The Advisory Committee’s functions are to:
 - a. Consider matters relating to the development, care, funding and policies of the Claremont Museum (**Museum**); and
 - b. Make recommendations to Council regarding its findings to allow for an informed decision making process.

Advisory Committee Membership

3. The Advisory Committee is comprised of two Council Members and up to three community representatives.
4. Current Museum volunteers are not eligible to sit on the Committee.
5. Following each biennial local government election, Council will appoint members to the Advisory Committee as outlined above.
6. Membership to the Advisory Committee will be for a period of two years coinciding with biennial local government elections.
7. In the event of a vacancy due to the resignation of a community representative, Council may resolve to fill the vacancy by appointing a replacement.
8. Members of the Advisory Committee are bound by the Town’s Code of Conduct for Council Members, Committee Members and Candidates.
9. At the first meeting following each biennial local government election, the members of the Advisory Committee will elect a Presiding Member from amongst themselves in accordance with section 5.12(1) of the Local Government Act 1995 (Act).
10. The Presiding Member’s responsibility is:
 - a. To provide leadership and facilitate the achievement of the Committee’s objectives;
 - b. To ensure that appropriate conduct is observed at Committee meetings in line with the *Town of Claremont Meeting Procedures Local Law 2018*; and
 - c. To promote full participation and open debate at meetings so that relevant matters are discussed and effective recommendations are made to Council.
11. If the Presiding Member is absent from a Committee Meeting, the Committee Members are to choose one of themselves to preside at the meeting in accordance with section 5.14 of the Act.

12. The Chief Executive Officer will appoint an employee of the Town as an Administrator to the Advisory Committee. The Administrator’s responsibility is:
 - a. To serve as a secretariat to the Committee by preparing agendas and minutes, and ensuring timely distribution to all members;
 - b. To ensure that meetings are effectively organised and recorded; and
 - c. To provide administrative support for the purposes of the Committee.

Meetings

13. The Advisory Committee shall meet on a quarterly basis. Meetings will be convened by the Presiding Member in consultation with the Chief Executive Officer.
14. All meetings of the Advisory Committee are to be conducted in accordance with the *Local Government Act 1995*, its associated Regulations and the *Town of Claremont Meeting Procedures Local Law 2018*.
15. Quorum for a meeting of the Advisory Committee shall be at least 50% of the number of Committee Members (whether any positions are vacant or not) of the Committee in accordance with section 5.19 of the Act.
16. Meetings of the Advisory Committee are generally closed to the public. Public attendance is permitted only through invitation or prior approval by the Committee.

Reporting

17. The Administration shall report to the Advisory Committee at each meeting on the Museum’s activity during the quarter.
18. Where a matter requires a decision from Council, the Advisory Committee shall resolve in its meeting to recommend a decision to Council at the next practicable Ordinary Council Meeting.

Delegated Powers

19. The Advisory Committee has no delegated powers and no authority to implement its recommendations without resolution of Council.

Document Control Box				
Business Unit:	Claremont Museum			
Legislation:	<i>Local Government Act 1995</i> <i>Town of Claremont Meeting Procedures Local Law 2018</i>			
Organisational:	<i>Town of Claremont Code of Conduct for Council Members, Committee Members and Candidates</i>			
Review Frequency:	Biannual	Next Due:	2025	Records Ref: D-19-34630
Version #	Decision Reference:	Date:	Reference:	
1.	Adopted	17 October 2017	150/17	
2.	Reviewed	15 October 2019	142/19	
3.	Modified	7 September 2021	111/21	
4.	Reviewed	29 August 2023	107/23	
5.	Modified	31 October 2023	136/23	

13.1.4 LIST OF PAYMENTS 1 TO 30 SEPTEMBER 2024

File Number: FIM/00108-003, D-24-30398
Author: Peter Barker (Senior Finance Officer)
Authoriser: Liz Ledger (Chief Executive Officer)
Attachments:

PURPOSE

For Council to note those payments made by the Chief Executive Officer under delegated authority during September 2024.

BACKGROUND

Council has delegated to the Chief Executive Officer (CEO) the exercise of its powers to make payments from the Municipal Fund and Trust Fund.

The CEO is required to present a list to Council of those payments made, under this delegated authority since the last payment list was submitted to Council.

DISCUSSION

Attached is the list of all accounts as paid totalling \$2,825,809.53 during the month of September 2024.

The attached schedule covers:

· Municipal Funds electronic funds transfers (EFT)	\$ 2,500,634.22
· Municipal Fund direct debits	\$ 325,175.31
· Municipal Fund vouchers	\$ -
· Trust Fund electronic funds transfer (EFT)	\$ -
· Trust Fund vouchers (none)	\$ -

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

PAST RESOLUTIONS

Ordinary Council Meeting, 24 September 2024, Resolution 141/24

That Council notes all payments made by the Chief Executive Officer under Delegation DA 2.1.5 for August 2024 totalling \$2,143,047.39, as detailed in Attachment 1 comprising:

\$ 1,512,538.86	Municipal Funds electronic funds transfers (EFT)
\$ 58,903.53	Municipal Funds direct debits
\$ 10,876.43	Municipal Fund vouchers (39681 & 39682)
\$ -	Trust Fund EFT
\$ -	Trust Fund vouchers (none)

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 – DA 2.1.5 Payment of Accounts.

COMMUNICATION AND 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.
- 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, under Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*.

VOTING REQUIREMENTS

Simple Majority decision of Council (*More than half the Council Members present are required to vote in favour*).

COUNCIL RESOLUTION

That Council notes all payments made by the Chief Executive Officer under Delegation DA 2.1.5 for September 2024 totalling \$2,825,809.53 as detailed in Attachment 1 comprising:

\$ 2,500,634.22	<i>Municipal Funds electronic funds transfers (EFT)</i>
\$ 325,175.31	<i>Municipal Funds direct debits</i>
\$ -	<i>Municipal Fund vouchers</i>
\$ -	<i>Trust Fund EFT</i>
\$ -	<i>Trust Fund vouchers (none)</i>

SCHEDULE OF PAYMENTS
September 2024

Date	Ref.	Name	Details	Amount
5/09/2024	EFT02039	A Suann	Allowances - Councillors	\$ 5,302.75
5/09/2024	EFT02039	Abaxa	Locating underground utilities various streets	\$ 1,947.00
5/09/2024	EFT02039	Agent Sales & Services	Aquatic Centre pool chemicals	\$ 2,139.50
19/09/2024	EFT02041	Agent Sales & Services	Aquatic Centre pool chemicals	\$ 86.57
26/09/2024	EFT02042	Alexander Paul Circosta	Celebrate Lake Claremont - MC	\$ 550.00
5/09/2024	EFT02039	All Fence U Rent	Fence hire for Aquatic Centre upgrade work	\$ 909.78
12/09/2024	EFT02040	All Fence U Rent	Fence hire for Aquatic Centre upgrade work	\$ 1,001.00
12/09/2024	EFT02040	Allstate Kerbing & Concrete	Various footpath kerbing	\$ 7,562.87
26/09/2024	EFT02042	Animal Ark (Manning Family Trust)	Celebrate Lake Claremont - Wildlife Display	\$ 1,980.00
12/09/2024	EFT02040	Australia Post - 623462 - Contractor Collect	Postage	\$ 5,656.94
12/09/2024	EFT02040	Australia Post - 673027	Postage	\$ 873.71
12/09/2024	EFT02040	Australian Safety Engineers (WA)	BA cylinder refill and testing	\$ 118.80
5/09/2024	EFT02039	Australian Taxation Office	PAYG withholding PPE 25/8	\$ 59,650.00
19/09/2024	EFT02041	Australian Taxation Office	PAYG withholding PPE 8/9	\$ 59,248.00
5/09/2024	EFT02039	Baileys Fertilisers	Various tree works	\$ 475.20
5/09/2024	EFT02039	BCE Surveying Pty Ltd	Road surveying works	\$ 2,530.00
12/09/2024	EFT02040	BCITF	BCITF levies	\$ 101.75
5/09/2024	EFT02039	Benara Nurseries	Various plant & tree works	\$ 571.45
26/09/2024	EFT02042	Benara Nurseries	Various plant & tree works	\$ 930.05
5/09/2024	EFT02039	Black Swan Horticulture (Laird Wayne Chromiak)	Garden/streetscape maintenance	\$ 757.96
26/09/2024	EFT02042	Black Swan Horticulture (Laird Wayne Chromiak)	Garden/streetscape maintenance	\$ 115.50
26/09/2024	EFT02042	Blair Mcdonald BA20059	Damage bond refund	\$ 1,000.00
26/09/2024	EFT02042	Boults Black & White Light (Boult Nominees Pty Ltd)	Celebrate Lake Claremont - Equipment Hire	\$ 3,035.59
5/09/2024	EFT02039	Boyan Electrical Services	Electrical repairs & maintenance	\$ 1,873.75
12/09/2024	EFT02040	Boyan Electrical Services	Electrical repairs & maintenance	\$ 928.50
19/09/2024	EFT02041	Boyan Electrical Services	Electrical repairs & maintenance	\$ 486.33
12/09/2024	EFT02040	Bree Websdale	Reimbursements	\$ 105.27
26/09/2024	EFT02042	Bridge Removals	Moving truck for Museum 70s exhibition	\$ 561.00
5/09/2024	EFT02039	Brownes Foods Operations Pty Ltd	Aquatic Centre café supplies	\$ 21.78
12/09/2024	EFT02040	Brownes Foods Operations Pty Ltd	Aquatic Centre café supplies	\$ 36.78
19/09/2024	EFT02041	Brownes Foods Operations Pty Ltd	Aquatic Centre café supplies	\$ 98.02
26/09/2024	EFT02042	Brownes Foods Operations Pty Ltd	Aquatic Centre café supplies	\$ 43.56
5/09/2024	EFT02039	Bunnings	Tools, equipment & minor building materials	\$ 400.36
12/09/2024	EFT02040	Bunnings	Tools, equipment & minor building materials	\$ 9.58
19/09/2024	EFT02041	Bunnings	Tools, equipment & minor building materials	\$ 336.01
26/09/2024	EFT02042	Bunnings	Tools, equipment & minor building materials	\$ 1,131.57
12/09/2024	EFT02040	City Of Stirling	Meals on Wheels delivery services	\$ 456.02
5/09/2024	EFT02039	Claremont Nedlands Cricket Club Inc	Grounds maintenance subsidy August 2024	\$ 10,809.34
12/09/2024	EFT02040	Claremont Nedlands Cricket Club Inc	Grounds maintenance subsidy September 2024	\$ 10,446.34
26/09/2024	EFT02042	Clean City Group Pty Ltd	Outdoor cleaning and maintenance works	\$ 6,402.00
19/09/2024	EFT02041	Coca-Cola Europacific Partners Aust	Aquatic Centre café supplies	\$ 588.23
12/09/2024	EFT02040	Compu-Stor	External records storage	\$ 397.47
5/09/2024	EFT02039	Contraflow Pty Ltd	Traffic management various roads	\$ 1,684.05
12/09/2024	EFT02040	Contraflow Pty Ltd	Traffic management various roads	\$ 6,681.13
19/09/2024	EFT02041	Contraflow Pty Ltd	Traffic management various roads	\$ 21,635.17
26/09/2024	EFT02042	Contraflow Pty Ltd	Traffic management various roads	\$ 12,151.06
5/09/2024	EFT02039	Creation Landscape Supplies (Stone Supplies WA Pty Ltd)	Plants for BVCC	\$ 185.90
26/09/2024	EFT02042	CTI Couriers Pty Ltd	Library Book delivery services	\$ 770.66
5/09/2024	EFT02039	Datacom Solutions (AU) Pty Ltd	Employee training workshop	\$ 1,320.00
12/09/2024	EFT02040	Datacom Solutions (AU) Pty Ltd	Software support & subscriptions	\$ 5,748.94
12/09/2024	EFT02040	David Vinicombe	Reimbursement for parking fees	\$ 23.23
5/09/2024	EFT02039	Dell Australia Pty Ltd	Computer equipment	\$ 1,089.00
12/09/2024	EFT02040	Department Of Fire & Emergency Services (DFES)	ESI contribution	\$ 977,752.50
26/09/2024	EFT02042	Destination Perth (Perth Region Tourism Organisation Inc)	Jurassic Adventure Trail advertising	\$ 330.00
19/09/2024	EFT02041	Diamond Hire (Craig Family Trust & The Roberts Trust)	BVCC - Equipment Hire	\$ 440.00
5/09/2024	EFT02039	Distinctive Homes WA BA21221	Damage bond refund	\$ 1,000.00
5/09/2024	EFT02039	DMIRS (BSL)	Building services Levy	\$ 1,098.95
26/09/2024	EFT02042	Dowsing Group Pty Ltd	Road resurfacing works	\$ 8,455.44
12/09/2024	EFT02040	DU Electrical	Reticulation electrical repairs & maintenance	\$ 9,196.00
26/09/2024	EFT02042	DU Electrical	Reticulation electrical repairs & maintenance	\$ 1,785.30
19/09/2024	EFT02041	Eco Faeries Pty Ltd	Celebrate Lake Claremont - Face painting & crafts	\$ 1,940.00
12/09/2024	EFT02040	Emma Humphreys	Night Time Activation Grant	\$ 11,000.00
5/09/2024	EFT02039	Enviro Sweep	CBD & residential area sweeps	\$ 23,166.00
26/09/2024	EFT02042	Envisionware Australia Pty Ltd	Software subscription	\$ 1,594.24
5/09/2024	EFT02039	Equilibrium Interactive	Website performance partnership	\$ 3,850.00
19/09/2024	EFT02041	Explorasaurus (Exhibition Projects Pty Ltd)	Jurassic Adventure Trail prizes for draw	\$ 110.00
5/09/2024	EFT02039	Food Safety Co (Erina Jane Male)	Food business inspections - August 2024	\$ 2,667.50
5/09/2024	EFT02039	Fullworks Fire Safety Australia (Oliver Family Trust)	Fire panel testing - various buildings	\$ 297.00
26/09/2024	EFT02042	Fulton Hogan Industries Pty Ltd	Road resurfacing works	\$ 35,235.96
5/09/2024	EFT02039	G Cameron	Allowances - Councillors	\$ 5,302.75
12/09/2024	EFT02040	Gecko Contracting Turf & Landscape Maintenance (Gas Assets Pty Ltd)	Aquatic Centre mowing - August 2024	\$ 980.10
5/09/2024	EFT02039	Gesha Coffee Co (The Trustee For Lanpa Trust)	Aquatic Centre café supplies	\$ 166.83
19/09/2024	EFT02041	Go2cup	Celebrate Lake Claremont - Go2cup services	\$ 2,816.00
5/09/2024	EFT02039	Good Sammy Enterprises	Bayview Community Centre garden maintenance	\$ 825.00
5/09/2024	EFT02039	Graffiti Systems Australia (Robthor)	Graffiti removal for August 2024	\$ 761.04
19/09/2024	EFT02041	Grandstand Ventures Pty Ltd	Celebrate Lake Claremont - Musician	\$ 385.00
19/09/2024	EFT02041	Greg Miller	Celebrate Lake Claremont - Woodwork workshop	\$ 1,600.00
19/09/2024	EFT02041	GWT Power Music (Power Music Productions)	Celebrate Lake Claremont - Stage and Audio equipment	\$ 3,111.35
12/09/2024	EFT02040	Imagesource	Prints - Ads/promotion	\$ 292.60
5/09/2024	EFT02039	Ixom Operations Pty Ltd	Aquatic Centre chemicals	\$ 207.33
12/09/2024	EFT02040	Ixom Operations Pty Ltd	Aquatic Centre chemicals	\$ 1,859.52

SCHEDULE OF PAYMENTS
September 2024

12/09/2024	EFT02040	J And K Hopkins (The Hopkins Unit Trust)	BVCC Library reception counter	\$ 7,791.00
5/09/2024	EFT02039	J Barker	Allowances - Councillors	\$ 17,728.25
5/09/2024	EFT02039	J Goetze	Allowances - Councillors	\$ 5,302.75
5/09/2024	EFT02039	J&V (Dugite Earthmoving Pty Ltd)	Various heavy machinery works	\$ 38,604.02
12/09/2024	EFT02040	J&V (Dugite Earthmoving Pty Ltd)	Various heavy machinery works	\$ 10,902.44
19/09/2024	EFT02041	J&V (Dugite Earthmoving Pty Ltd)	Various heavy machinery works	\$ 10,707.51
26/09/2024	EFT02042	J&V (Dugite Earthmoving Pty Ltd)	Various heavy machinery works	\$ 3,568.40
19/09/2024	EFT02041	Janice Hoypoy BA23141	Damage bond refund	\$ 1,000.00
5/09/2024	EFT02039	Josh Byrne & Associates	Claremont Foreshore Enhancement Plan	\$ 4,070.00
5/09/2024	EFT02039	K Main	Allowances - Councillors	\$ 5,302.75
26/09/2024	EFT02042	Kalyakoorl (Dylan John Collard)	Celebrate Lake Claremont - Welcome to Country	\$ 1,100.00
12/09/2024	EFT02040	Katherine Witham Jensen	Heritage Maintenance Grant	\$ 5,000.00
26/09/2024	EFT02042	Kelyn Training Services	Employee training course	\$ 620.00
5/09/2024	EFT02039	Kyocera	Photocopier Costs	\$ 405.75
12/09/2024	EFT02040	Kyocera	Photocopier Costs	\$ 122.45
19/09/2024	EFT02041	Landgate - Midland	Title search & Valuation fees	\$ 478.08
12/09/2024	EFT02040	LGISWA	Various Insurance policies	\$ 1,424.86
12/09/2024	EFT02040	Lions Club Of Claremont Nedlands Inc	Flourish Magazine delivery	\$ 2,200.00
26/09/2024	EFT02042	Lock, Stock & Farrell Locksmith	Building locks and security	\$ 661.00
5/09/2024	EFT02039	Markettle Pty Ltd	Claremont Artisan Markets coordination fees	\$ 14,300.00
26/09/2024	EFT02042	Marquee Magic	Celebrate Lake Claremont - Equipment hire	\$ 3,516.00
12/09/2024	EFT02040	Mcleods Lawyers Pty Ltd	Legal Expenses	\$ 192.50
19/09/2024	EFT02041	Md Shahriar Iqbal Shammo	Refund for overpaid parking infringement	\$ 500.00
5/09/2024	EFT02039	Melissa K Rogers	Refund of overpaid 2023/24 Rates	\$ 617.97
12/09/2024	EFT02040	Michael Hancock	Reimbursement for parking fees	\$ 10.55
26/09/2024	EFT02042	Miscellaneous Debtor	Damage bond refund	\$ 1,000.00
26/09/2024	EFT02042	My Lift Co (Alto Lift)	Lift maintenance Admin building	\$ 792.00
19/09/2024	EFT02041	Nature Calls 1 Pty Ltd	Celebrate Lake Claremont - Hire of Portable Toilets	\$ 753.00
26/09/2024	EFT02042	NVMS Pty Ltd	Calibration of equipment	\$ 1,089.00
5/09/2024	EFT02039	Omnicom Media Group Australia	Various advertising	\$ 1,380.50
26/09/2024	EFT02042	Omnicom Media Group Australia	Various advertising	\$ 368.48
5/09/2024	EFT02039	On Hold On Line (K.L & L.R Jones)	On hold messages	\$ 77.00
26/09/2024	EFT02042	One Shade Sails Pty Ltd	Shade sail installation various locations	\$ 2,656.50
5/09/2024	EFT02039	P Kelly	Allowances - Councillors	\$ 7,802.00
11/09/2024	PAYROLL	Pay08092024	PPE 08/09	\$ 215,087.82
25/09/2024	PAYROLL	Pay22092024	PPE 22/09	\$ 253,356.43
5/09/2024	EFT02039	Persolkely Australia Pty Ltd	Temp Officer	\$ 2,328.15
19/09/2024	EFT02041	Persolkely Australia Pty Ltd	Temp Officer	\$ 1,521.06
19/09/2024	EFT02041	Perth Bouncy Castle Hire (KGO Enterprises Pty Ltd)	BVCC - Event hire and face painting	\$ 1,413.50
12/09/2024	EFT02040	Perth Pest Control Pty Ltd	Museum pest control	\$ 418.00
5/09/2024	EFT02039	Peter Telford	ARMC Meeting Attendance Fee	\$ 224.00
26/09/2024	EFT02042	PFDF Food Services Pty Ltd	Aquatic Centre café supplies	\$ 1,398.85
5/09/2024	EFT02039	Phil Johnson Plumbing And Gas	Plumbing works	\$ 538.00
12/09/2024	EFT02040	Phil Johnson Plumbing And Gas	Plumbing works	\$ 242.00
19/09/2024	EFT02041	Phil Johnson Plumbing And Gas	Plumbing works	\$ 2,327.00
12/09/2024	EFT02040	Pipeline Irrigation	Various Irrigation works	\$ 3,319.25
19/09/2024	EFT02041	Pipeline Irrigation	Various Irrigation works	\$ 12,806.20
5/09/2024	EFT02039	Play Check (The Trustee For The Reedy Family Hybrid Discretionary Trust)	Playground Audits at various parks	\$ 2,860.00
19/09/2024	EFT02041	Play Check Pty Ltd	Playground audits - Claremont Pool & Oval	\$ 440.00
5/09/2024	EFT02039	Priestman & Sharp Smash Repair	Vehicle repair	\$ 509.18
5/09/2024	EFT02039	Print & Sign Co (Easy Abc Pty Ltd)	Prints - Ads/promotion	\$ 71.50
12/09/2024	EFT02040	Print & Sign Co (Easy Abc Pty Ltd)	Prints - Ads/promotion	\$ 2,091.10
19/09/2024	EFT02041	Print & Sign Co (Easy Abc Pty Ltd)	Prints - Ads/promotion	\$ 1,320.00
26/09/2024	EFT02042	Print & Sign Co (Easy Abc Pty Ltd)	Prints - Ads/promotion	\$ 1,034.55
5/09/2024	EFT02039	Proarb WA (R Hawkins & CN Jones)	Various tree works	\$ 19,624.00
26/09/2024	EFT02042	Proarb WA (R Hawkins & CN Jones)	Various tree works	\$ 14,278.00
5/09/2024	EFT02039	Quantum Building Services	Claremont Aquatic Centre First Aid Shed	\$ 70,329.19
26/09/2024	EFT02042	Quicksuper (Australiansuper Pty Ltd)	Superannuation for August 2024	\$ 81,385.17
5/09/2024	EFT02039	RAC Businesswise (RAC Motoring Pty Ltd)	Roadside Assistance for Fleet Vehicles	\$ 394.00
26/09/2024	EFT02042	Remida Perth Inc	Community grant funding	\$ 6,736.30
5/09/2024	EFT02039	Ryan Brown	Allowances - Councillors	\$ 5,302.75
5/09/2024	EFT02039	S Franklyn	Allowances - Councillors	\$ 5,302.75
5/09/2024	EFT02039	S Hatton	Allowances - Councillors	\$ 5,302.75
5/09/2024	EFT02039	Safety Tactile Pave/Affirmative (STP Family Trust)	Footpath & paving works	\$ 4,234.91
19/09/2024	EFT02041	Safety Tactile Pave/Affirmative (STP Family Trust)	Footpath & paving works	\$ 4,475.42
26/09/2024	EFT02042	Safety Tactile Pave/Affirmative (STP Family Trust)	Footpath & paving works	\$ 2,499.08
5/09/2024	EFT02039	Satellite Security Services Pty Ltd	Security services & monitoring of Council buildings	\$ 592.90
19/09/2024	EFT02041	Scott McDowell	Youth grant funding	\$ 200.00
12/09/2024	EFT02040	Scott Printers Pty Ltd	Printing Flourish Quarterly Magazine Spring 2024	\$ 4,170.10
19/09/2024	EFT02041	Seek Ltd	Staff recruitment advertising	\$ 2,686.15
5/09/2024	EFT02039	Skyline Landscape Services Group	Town wide garden maintenance for July 2024	\$ 27,594.73
19/09/2024	EFT02041	Skyline Landscape Services Group	Town wide garden maintenance for August 2024	\$ 27,536.70
26/09/2024	EFT02042	Soco Studios (Hayto Trust)	Celebrate Lake Claremont - Event photography	\$ 605.00
26/09/2024	EFT02042	South Beach Eco Trust	Celebrate Lake Claremont - Stage show	\$ 220.00
5/09/2024	EFT02039	South West Corridor Development Foundation Inc	Save Our Snake Necked Turtles contribution	\$ 5,500.00
12/09/2024	EFT02040	Southern Cross Cleaning (DRD Partnership)	Council building cleaning for August 2024	\$ 7,778.21
26/09/2024	EFT02042	Southern Cross Cleaning (DRD Partnership)	Council building adhoc cleaning	\$ 1,882.10
19/09/2024	EFT02041	Speedo Australia Pty Ltd	Aquatic Centre shop stock	\$ 2,974.40
19/09/2024	EFT02041	Sportsworld Of WA	Aquatic Centre shop stock	\$ 2,313.85
5/09/2024	EFT02039	State Library Of Western Australia	Annual Better Beginnings program fee	\$ 671.00
26/09/2024	EFT02042	Steve's Sand Sifting For Playground Services (The Trustee For Story Family Trust)	Playground sand sifting	\$ 2,680.00
12/09/2024	EFT02040	Stratgreen	Various tree works	\$ 1,125.49

SCHEDULE OF PAYMENTS
September 2024

12/09/2024	EFT02040	Subiaco Building Company BA23078	Damage bond refund	\$	3,000.00
26/09/2024	EFT02042	Tamara Yoga (Tamara Anne Graham)	Celebrate Lake Claremont - Yoga workshops	\$	250.00
19/09/2024	EFT02041	Tanks For Hire	Celebrate Lake Claremont - Hire of Hydration Trailer	\$	742.50
5/09/2024	EFT02039	Telstra	Mobile/data/communication expenses	\$	657.01
19/09/2024	EFT02041	The Lane Bookshop	Library book acquisitions	\$	2,600.00
26/09/2024	EFT02042	The Poster Girls (L H Thompson)	Made in 70s poster promotion distribution for Museum	\$	57.75
5/09/2024	EFT02039	The Trustee For Mcdermott Family Trust	Aquatic Centre building repairs	\$	385.00
19/09/2024	EFT02041	Town Of Victoria Park	Bird watering station for park	\$	5,060.00
12/09/2024	EFT02040	Turfworks WA Pty Ltd	Mow parks & various verges	\$	6,379.12
19/09/2024	EFT02041	Turfworks WA Pty Ltd	Mow parks & various verges	\$	473.00
5/09/2024	EFT02039	Veolia Recycling & Recovery (Perth)	Commercial waste collection	\$	1,249.60
26/09/2024	EFT02042	Veolia Recycling & Recovery (Perth)	Commercial waste collection	\$	97,826.41
5/09/2024	EFT02039	Vocus Pty Ltd	Internet & telephone service	\$	463.85
5/09/2024	EFT02039	WALGA	Employee training workshop	\$	654.50
5/09/2024	EFT02039	Way Funky Company Pty Ltd	Aquatic Centre shop stock	\$	4,542.67
12/09/2024	EFT02040	Western Metropolitan Regional Council	Domestic waste collection	\$	29,861.59
26/09/2024	EFT02042	Western Metropolitan Regional Council	Domestic waste collection	\$	29,328.29
12/09/2024	EFT02040	Western Suburbs Building & Landscape Supplies	Sand supply	\$	77.00
19/09/2024	EFT02041	Weston Road Systems	Line marking various locations	\$	330.00
19/09/2024	EFT02041	WINC	Stationery supplies	\$	384.34
19/09/2024	EFT02041	Wonderful Worm Waste (Vicki Lee Power)	Celebrate Lake Claremont - Worm interactive stall	\$	800.00
12/09/2024	EFT02040	Work Clobber	Staff uniform and safety clothing	\$	180.90
5/09/2024	EFT02039	ZBD Pty Ltd BA21075	Damage bond refund	\$	3,000.00
19/09/2024	EFT02041	Zipform Pty Ltd	Printing - 2024/25 Annual Rate Notices	\$	7,392.51
Total EFT				\$	2,500,634.22

Total Number of EFT Transfers

187

CHEQUES ISSUED SEPTEMBER 2024 - MUNICIPAL FUND

Date	Ref.	Name	Details	Amount
Total Cheques				\$ -

Total Number of Cheques

0

DIRECT DEBITS SEPTEMBER 2024 - MUNICIPAL FUND

Date	Ref.	Name	Details	Amount
		Alinta	Gas charges	\$ 74.40
		WATC Loan Repayments	Loan repayments	\$ 254,126.50
		Business Fleet Card	Fuel card expenses	\$ 5,944.23
		Kyocera	Photocopier lease payments	\$ 954.82
		NAB	Various bank fees	\$ 12,186.30
		Nab Purchase Card	Purchase Card expenses	\$ 12,866.29
		Water Corporation	Various water charges	\$ 11,993.16
		Synergy	Various electricity and street lighting	\$ 27,029.61
Total Direct Debits				\$ 325,175.31

TOTAL MUNICIPAL PAYMENTS FOR THE MONTH OF SEPTEMBER 2024

\$ 2,825,809.53

ELECTRONIC FUNDS TRANSFERS SEPTEMBER 2024 - TRUST FUND

Date	Ref.	Name	Details	Amount
Total EFT				\$ -

Total Number of EFT Transfers

\$ -

CHEQUES ISSUED SEPTEMBER 2024 - TRUST FUND

Date	Ref.	Name	Details	Amount
Total Cheques				\$ -

Total number of Cheques

0

TOTAL TRUST PAYMENTS FOR THE MONTH OF SEPTEMBER 2024

\$ -

TOTAL ALL PAYMENTS FOR THE MONTH OF SEPTEMBER 2024

\$ 2,825,809.53

Statement Period 29 Aug 2024 to 27 Sep 2024

Manager Communications and Customer Relations

Posting Date	Tran Date	Supplier	Narrative	Amount
29-Aug-24	27-Aug-24	Intuit Mailchimp	Mailchimp - August	\$136.68
30-Aug-24	28-Aug-24	Linktree* Linktree	Linktree - August	\$14.00
2-Sep-24	29-Aug-24	Bunnings 483000	For front desk	\$12.92
2-Sep-24	29-Aug-24	Stand In Room Pty L	team meeting	\$25.37
2-Sep-24	30-Aug-24	Coles 0299	Staff Milk	\$9.30
2-Sep-24	2-Sep-24	Woolworths Online	Staff Fruit and Milk	\$119.24
4-Sep-24	3-Sep-24	Woolworths Online	Staff Fruit and Milk	\$120.00
9-Sep-24	5-Sep-24	Bunnings 483000	For front desk	\$38.76
9-Sep-24	9-Sep-24	Woolworths Online	Staff Fruit and Milk - Refund	-\$0.64
16-Sep-24	15-Sep-24	Woolworths Online	Staff Fruit and Milk	\$119.52
18-Sep-24	17-Sep-24	Wanewsdti	WA news subscription	\$32.00
19-Sep-24	18-Sep-24	Woolworths Online	Staff Fruit and Milk	\$120.25
20-Sep-24	19-Sep-24	Wanewsdti	Facebook Advertising - Celebrate Lake Claremon	-\$31.72
23-Sep-24	20-Sep-24	Facebk *nvkywa8rv2	Facebook Advertising - Jurassic Trail	\$4.57
23-Sep-24	20-Sep-24	Facebk *tp444buqv2	Facebook Advertising - Events	\$131.55
23-Sep-24	20-Sep-24	Hotjar	Hotjar Monthly Invoice	\$163.31
25-Sep-24	24-Sep-24	Woolworths Online	Staff Fruit and Milk	\$117.21
Total AUD				\$1,132.32

Director Governance and People

Posting Date	Tran Date	Supplier	Narrative	Amount
3-Sep-24	1-Sep-24	Claremont Carwash Pty	Car Washing - Fleet Vehicle	\$32.00
9-Sep-24	8-Sep-24	Catch	Bay View Community Centre Furniture	\$255.00
10-Sep-24	8-Sep-24	Etsy.Com*wearebirdiebirdi	Bay View Community Centre Furniture	\$97.03
10-Sep-24	8-Sep-24	Officeworks	Bay View Community Centre Furniture	\$148.00
10-Sep-24	9-Sep-24	Food Hall	Staff Wellbeing Refreshments	\$120.00
10-Sep-24	9-Sep-24	Bcf Australia Stores	Staff Recognition Gift	\$300.00
11-Sep-24	10-Sep-24	Ikea Pty Ltd	Bay View Community Centre Furniture	\$3,832.00
12-Sep-24	11-Sep-24	4cabling	IT Cables	\$198.00
16-Sep-24	12-Sep-24	Bunnings 483000	Royal Show Equipment	\$17.76
16-Sep-24	12-Sep-24	Bunnings 483000	Royal Show Equipment	\$100.00
16-Sep-24	12-Sep-24	Bunnings 483000	Royal Show Equipment	\$100.00
16-Sep-24	13-Sep-24	Bunnings Group Ltd	Bay View Community Centre Furniture	\$129.00
16-Sep-24	13-Sep-24	Rugaustralia	Bay View Community Centre Furniture	\$382.48
19-Sep-24	17-Sep-24	Claremont Carwash Pty	Car Washing - Fleet Vehicle	\$32.00
19-Sep-24	18-Sep-24	Coles 0299	Refreshments for Royal Show Staff	\$9.50
19-Sep-24	18-Sep-24	Coles 0299	Refreshments for Royal Show Staff	\$95.70
19-Sep-24	18-Sep-24	Coles 0299	Refreshments for Royal Show Staff	\$96.00
23-Sep-24	19-Sep-24	Bunnings 483000	Royal Show Equipment	\$19.00
23-Sep-24	20-Sep-24	Claremont Carwash Pty	Car Washing - Fleet Vehicle	\$34.00

23-Sep-24	20-Sep-24	Claremont Carwash Pty	Car Washing - Fleet Vehicle	\$34.00
23-Sep-24	20-Sep-24	Jb Hi Fi Claremont	Mobile Phone power bank	\$59.95
23-Sep-24	21-Sep-24	Coles Express 6902	Refreshments for Royal Show Staff	\$9.90
23-Sep-24	21-Sep-24	Ikea Perth	Bay View Community Furniture	-\$484.00
23-Sep-24	22-Sep-24	Coles Express 6902	Refreshments for Royal Show Staff	\$9.90
24-Sep-24	21-Sep-24	Bunnings 483000	Royal Show Equipment	\$91.74
Total AUD				\$5,718.96

Director Planning & Development

Posting Date	Tran Date	Supplier	Narrative	Amount
16-Sep-24	12-Sep-24	Bunnings 483000	Plants for Office	\$72.41
20-Sep-24	18-Sep-24	Cop Cultural Centre	Parking fee - Strategy Plan meeting	\$10.10
Total AUD				\$82.51

Administration Officer - Infrastructure

Posting Date	Tran Date	Supplier	Narrative	Amount
29-Aug-24	28-Aug-24	W/s Landscape Supplies	Landscape mix for BVCC	\$70.00
12-Sep-24	10-Sep-24	Sarabs Flowers Pty L	Condolences gift	\$144.90
Total AUD				\$214.90

Manager Tourism & Events

Posting Date	Tran Date	Supplier	Narrative	Amount
29-Aug-24	27-Aug-24	Tickets*futureing C	IOTA24 Conference attendance fee	\$339.75
29-Aug-24	28-Aug-24	Coles 0299	Library morning tea refreshments	\$6.00
30-Aug-24	28-Aug-24	Stand In Room Pty L	Library morning tea refreshments	\$20.29
30-Aug-24	28-Aug-24	Bunnings Group Ltd	Library event supplies	\$37.60
6-Sep-24	4-Sep-24	Advantage Pharmacy	Employee farewell card	\$14.99
16-Sep-24	13-Sep-24	Coles 0299	Celebrate Lake Claremont - Event supplies	\$65.55
16-Sep-24	13-Sep-24	Bunnings 483000	Celebrate Lake Claremont - Event Supplies	\$79.46
20-Sep-24	19-Sep-24	Typika Claremont	Claremont Meanders - refreshments	\$44.79
26-Sep-24	25-Sep-24	Facebk *q53hlcuej2	Facebook boost - CTC Jurassic Adventure Trail	\$47.30
29-Aug-24	28-Aug-24	Amazon Marketplace Au	CTC Jurassic Adventure trail pencils	\$159.84
Total AUD				\$815.57

Manager Environmental Health

Posting Date	Tran Date	Supplier	Narrative	Amount
27-Sep-24	26-Sep-24	Safetyculture	Renewal of Inspection software subscription	\$752.40
Total AUD				\$752.40

Curator Museum

Posting Date	Tran Date	Supplier	Narrative	Amount
3-Sep-24	2-Sep-24	Coles 0299	HIACC - September	\$139.90
4-Sep-24	3-Sep-24	Coles 0299	HIACC - September	\$124.63
9-Sep-24	6-Sep-24	Smart Dollars Western	Sticker prizes	\$14.00
18-Sep-24	17-Sep-24	Coles 0299	Sunday Funday materials	\$10.35
19-Sep-24	17-Sep-24	Educational Art Suppli	Sunday Funday materials	\$85.26
20-Sep-24	17-Sep-24	Bunnings 483000	Hanging equipment for displays	\$191.30
Total AUD				\$565.44

Manager Governance & Records

Posting Date	Tran Date	Supplier	Narrative	Amount
2-Sep-24	29-Aug-24	Bunnings 483000	New Starter - Welcome Pack	\$50.58
10-Sep-24	9-Sep-24	Ultimoctng* Online	EM Workshop Catering 16 Sept 2024	\$203.95
18-Sep-24	17-Sep-24	V/cellars 3278	Refreshments	\$44.00
19-Sep-24	17-Sep-24	Ferjus	Refreshments	\$43.98
25-Sep-24	24-Sep-24	Coles 0299	OCM Catering 24 September 2024	\$35.70
25-Sep-24	24-Sep-24	Coles 0299	OCM Catering 24 September 2024	\$36.75
Total AUD				\$414.96

Manager ICT

Posting Date	Tran Date	Supplier	Narrative	Amount
2-Sep-24	30-Aug-24	Officeworks 0602	IT Hardware	\$69.96
9-Sep-24	6-Sep-24	The Lane Cafe	Meeting refreshments	\$10.96
11-Sep-24	9-Sep-24	Microsoft#g059079963	Microsoft Azure Subscription	\$277.74
26-Sep-24	24-Sep-24	Mwave Lidcombe	IT Hardware	\$570.94
26-Sep-24	25-Sep-24	Altronic Distributor	IT Hardware for BVCC	\$96.10
27-Sep-24	27-Sep-24	1password* Trial Over	Software subscription	\$468.77
Total AUD				\$1,494.47

Manager Aquatic Centre

Posting Date	Tran Date	Supplier	Narrative	Amount
17-Sep-24	16-Sep-24	Foodies Market Clare	Milk for pool café.	\$15.96
Total AUD				\$15.96

Bay View Community Centre Coordinator

Posting Date	Tran Date	Supplier	Narrative	Amount
2-Sep-24	1-Sep-24	Mailchimp *misc	Mail Chimp Marketing Subscription	\$88.46
2-Sep-24	1-Sep-24	Sharon Santoni	Magazine Subscription	\$186.99
11-Sep-24	10-Sep-24	Coles 0299	Employee farewell refreshments	\$24.95
12-Sep-24	10-Sep-24	Jacks Wholefoods &	Employee farewell refreshments	\$12.99
13-Sep-24	11-Sep-24	Jacks Wholefoods &	Employee farewell gift	\$24.99
16-Sep-24	15-Sep-24	Guardian Australia	Magazine Subscription	\$480.00
24-Sep-24	23-Sep-24	Nextmedia Pty Ltd	Magazine Subscription	\$79.00
Total AUD				\$897.38

Administration Officer - Planning and Building

Posting Date	Tran Date	Supplier	Narrative	Amount
19-Sep-24	17-Sep-24	Post Claremont Post Sh	AP Express envelopes for TOC ad letters	\$431.44
Total AUD				\$431.44

Executive Assistant

Posting Date	Tran Date	Supplier	Narrative	Amount
4-Sep-24	3-Sep-24	Coles 0299	Monthly Managers Meeting refreshments	\$36.00
4-Sep-24	3-Sep-24	Coles 0392	Monthly Staff Meeting refreshments	\$36.85
5-Sep-24	3-Sep-24	Stand In Room Pty L	Women in Management Meeting	\$30.44
5-Sep-24	3-Sep-24	Waivpay Pty Ltd	Staff Appreciation Gifts	\$211.80
19-Sep-24	17-Sep-24	Jacks Wholefoods &	Monthly Managers Meeting refreshments	\$14.89
Total AUD				\$329.98

\$12,866.29

**Town of Claremont - Fuel Card Report
August 2024**

Date	Company	Fleet Vehicle Registration	Location	Fuel Type	Total Cost
2/08/2024	Business Fuel Cards	1HHM122	Card Fee		2.19
2/08/2024	Business Fuel Cards	1HGN251	Card Fee		2.19
2/08/2024	Business Fuel Cards	1HNA376	Card Fee		2.19
22/08/2024	Business Fuel Cards	1HNA376	AMPOL NEDLANDS	Diesel	153.26
2/08/2024	Business Fuel Cards	1HKK055	Card Fee		2.19
31/07/2024	Business Fuel Cards	1HKK055	COLES EXPRESS CLAREMONT	Unleaded	52.54
3/08/2024	Business Fuel Cards	1HKK055	COLES EXPRESS CLAREMONT	Unleaded	101.90
7/08/2024	Business Fuel Cards	1HKK055	COLES EXPRESS CLAREMONT	Unleaded	70.37
9/08/2024	Business Fuel Cards	1HKK055	COLES EXPRESS CLAREMONT	Unleaded	39.03
12/08/2024	Business Fuel Cards	1HKK055	COLES EXPRESS CLAREMONT	Unleaded	45.21
14/08/2024	Business Fuel Cards	1HKK055	COLES EXPRESS CLAREMONT	Unleaded	51.40
16/08/2024	Business Fuel Cards	1HKK055	COLES EXPRESS CLAREMONT	Unleaded	49.22
18/08/2024	Business Fuel Cards	1HKK055	COLES EXPRESS CLAREMONT	Unleaded	33.62
21/08/2024	Business Fuel Cards	1HKK055	COLES EXPRESS CLAREMONT	Unleaded	130.29
21/08/2024	Business Fuel Cards	1HKK055	COLES EXPRESS CLAREMONT	Unleaded	56.46
23/08/2024	Business Fuel Cards	1HKK055	COLES EXPRESS CLAREMONT	Unleaded	43.59
27/08/2024	Business Fuel Cards	1HKK055	COLES EXPRESS CLAREMONT	Unleaded	35.73
29/08/2024	Business Fuel Cards	1HKK055	COLES EXPRESS CLAREMONT	Unleaded	38.17
2/08/2024	Business Fuel Cards	1HNU587	Card Fee		2.19
3/08/2024	Business Fuel Cards	1HNU587	COLES EXPRESS BICTON	Diesel	115.63
21/08/2024	Business Fuel Cards	1HNU587	COLES EXPRESS CLAREMONT	Diesel	119.79
2/08/2024	Business Fuel Cards	1GPM 470	Card Fee		2.19
4/08/2024	Business Fuel Cards	1GPM 470	BP NOOKENBURRA	Unleaded	83.08
12/08/2024	Business Fuel Cards	1GPM 470	BP NOOKENBURRA	Unleaded	77.35
17/08/2024	Business Fuel Cards	1GPM 470	EG FEULCO MANJIMUP	Unleaded	77.87
2/08/2024	Business Fuel Cards	1GVR803	Card Fee		2.19
2/08/2024	Business Fuel Cards	1HVV052	Card Fee		2.19
2/08/2024	Business Fuel Cards	1HVV052	COLES EXPRESS CLAREMONT	Unleaded	131.05
12/08/2024	Business Fuel Cards	1HVV052	COLES EXPRESS CLAREMONT	Unleaded	118.71
22/08/2024	Business Fuel Cards	1HVV052	COLES EXPRESS CLAREMONT	Unleaded	133.29
29/08/2024	Business Fuel Cards	1HVV052	AMPOL DAWSVILLE	Unleaded	61.65
2/08/2024	Business Fuel Cards	1HVV050	Card Fee		2.19
30/07/2024	Business Fuel Cards	1HVV050	COLES EXPRESS CLAREMONT	Unleaded	75.10
6/08/2024	Business Fuel Cards	1HVV050	COLES EXPRESS CLAREMONT	Unleaded	67.48
13/08/2024	Business Fuel Cards	1HVV050	COLES EXPRESS CLAREMONT	Unleaded	60.67
27/08/2024	Business Fuel Cards	1HVV050	BP ROSEGARDEN	Unleaded	60.69
2/08/2024	Business Fuel Cards	1HVV051	Card Fee		2.19
5/08/2024	Business Fuel Cards	1HVV051	BP ROSEGARDEN	Unleaded	100.71
16/08/2024	Business Fuel Cards	1HVV051	COLES EXPRESS CLAREMONT	Unleaded	123.41
29/08/2024	Business Fuel Cards	1HVV051	COLES EXPRESS CLAREMONT	Unleaded	133.54

2/08/2024	Business Fuel Cards	1HWY703	Card Fee		2.19
4/08/2024	Business Fuel Cards	1HWY703	PUMA GWELUP	Unleaded	63.28
18/08/2024	Business Fuel Cards	1HWY703	PUMA GWELUP	Unleaded	69.09
2/08/2024	Business Fuel Cards	1HGN250	Card Fee		2.19
13/08/2024	Business Fuel Cards	1HGN250	AMPOL MOSMAN PARK	Diesel	129.52
2/08/2024	Business Fuel Cards	1DJJ817 & 1DFS961	Card Fee		2.19
2/08/2024	Business Fuel Cards	1DJJ817 & 1DFS961	COLES EXPRESS MOSMAN PARK	Unleaded	85.70
8/08/2024	Business Fuel Cards	1DJJ817 & 1DFS961	BP ROSEGARDEN	Unleaded	43.14
11/08/2024	Business Fuel Cards	1DJJ817 & 1DFS961	BP ROSEGARDEN	Unleaded	57.35
14/08/2024	Business Fuel Cards	1DJJ817 & 1DFS961	BP ROSEGARDEN	Unleaded	103.42
20/08/2024	Business Fuel Cards	1DJJ817 & 1DFS961	BP ROSEGARDEN	Unleaded	107.64
27/08/2024	Business Fuel Cards	1DJJ817 & 1DFS961	COLES EXPRESS MOSMAN PARK	Unleaded	109.96
2/08/2024	Business Fuel Cards	1HPN643	Card Fee		2.19
14/08/2024	Business Fuel Cards	1HKK056	COLES EXPRESS CLAREMONT	Diesel	123.09
28/08/2024	Business Fuel Cards	1HKK056	COLES EXPRESS CLAREMONT	Diesel	115.89
2/08/2024	Business Fuel Cards	1HKK056	Card Fee		2.19
7/08/2024	Business Fuel Cards	1HKK056	COLES EXPRESS CLAREMONT	Unleaded	46.07
2/08/2024	Business Fuel Cards	1HPN644	Card Fee		2.19
30/07/2024	Business Fuel Cards	1HPN644	COLES EXPRESS CLAREMONT	Diesel	73.63
6/08/2024	Business Fuel Cards	1HPN644	COLES EXPRESS BANKSIA GROVE	Diesel	103.25
13/08/2024	Business Fuel Cards	1HPN644	COLES EXPRESS CLAREMONT	Diesel	91.59
20/08/2024	Business Fuel Cards	1HPN644	COLES EXPRESS BANKSIA GROVE	Diesel	10.02
20/08/2024	Business Fuel Cards	1HPN644	EG FUELCO BANKSIA GROVE	Diesel	90.91
27/08/2024	Business Fuel Cards	1HPN644	BP ROSEGARDEN	Diesel	123.48
2/08/2024	Business Fuel Cards	1HVW053	Card Fee		2.19
6/08/2024	Business Fuel Cards	1HVW053	BP ROSEGARDEN	Unleaded	126.39
9/08/2024	Business Fuel Cards	1HVW053	CALTEX BYFORD	Unleaded	150.48
25/08/2024	Business Fuel Cards	1HVW053	AMPOL SUBIACO	Unleaded	143.24
29/08/2024	Business Fuel Cards	1HVW053	BP ROSEGARDEN	Unleaded	141.67
19/08/2024	Business Fuel Cards	1IFF055	Card Fee		2.19
20/08/2024	Business Fuel Cards	1IFF055	BP KARDINYA	Unleaded	88.19
19/08/2024	Business Fuel Cards	1IFF054	Card Fee		2.19
28/08/2024	Business Fuel Cards	1IFF054	AMPOL NEDLANDS	Unleaded	109.87
19/08/2024	Business Fuel Cards	1IFF052	Card Fee		2.19
22/08/2024	Business Fuel Cards	1IFF052	AMPOL NEDLANDS	Unleaded	135.60
19/08/2024	Business Fuel Cards	1IFF051	Card Fee		2.19
8/08/2024	Business Fuel Cards	1IFF051	COLES EXPRESS FREMANTLE	Unleaded	107.39
19/08/2024	Business Fuel Cards	1IFF053	Card Fee		2.19
1/08/2024	Business Fuel Cards	1IFF053	AMPOL O'CONNOR	Unleaded	95.56
9/08/2024	Business Fuel Cards	1IFF053	EG FUELCO SOUTH LAKE	Unleaded	73.56
13/08/2024	Business Fuel Cards	1IFF053	AMPOL SOUTH LAKE	Unleaded	78.81
19/08/2024	Business Fuel Cards	1IFF053	AMPOL SOUTH LAKE	Unleaded	55.67
27/08/2024	Business Fuel Cards	1IFF053	AMPOL O'CONNOR	Unleaded	91.77

19/08/2024	Business Fuel Cards	1IFF057	Card Fee		2.19
6/08/2024	Business Fuel Cards	1IFF057	COLES EXPRESS BAYSWATER	Unleaded	96.75
13/08/2024	Business Fuel Cards	1IFF057	COLES EXPRESS BAYSWATER	Unleaded	81.80
20/08/2024	Business Fuel Cards	1IFF057	COLES EXPRESS BAYSWATER	Unleaded	61.00
27/08/2024	Business Fuel Cards	1IFF057	COLES EXPRESS BAYSWATER	Unleaded	93.65
19/08/2024	Business Fuel Cards	1IFF056	Card Fee		2.19
3/08/2024	Business Fuel Cards	1IFF056	SHELL BELLEVUE	Unleaded	94.21
23/08/2024	Business Fuel Cards	1IFF056	CALTEX KALAMUNDA	Unleaded	106.48
29/08/2024	Business Fuel Cards	1IAU153	Card Fee		2.19
29/08/2024	Business Fuel Cards	1IAU171	Card Fee		2.19
4/08/2024	Business Fuel Cards	1IAU171	COLES EXPRESS CLAREMONT	Unleaded	84.50
		REBATE	COLES EXPRESS		-102.71
		REBATE	OTHER FUEL		-14.43
		Business Fuel Cards Total			5,944.23

13.1.5 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 SEPTEMBER 2024

File Number: FIM/0079-002
Author: Ellie Crichton (Accountant), Nicholas Rule (Senior Accountant)
Authoriser: Liz Ledger (Chief Executive Officer)
Attachments: 1. Financial Statements - September 2024 [13.1.5.1 - 9 pages]

PURPOSE

For Council to note the Statement of Financial Activity (Financial Statements) for the period ended 30 September 2024.

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 2024-25 operations to 30 September 2024 and compare year to date expenditure and revenue against the corresponding adopted budget of Council. Please note that the opening position at 1 July 2024 is a preliminary result as the Financial Statements for the 2023-24 financial year are still being finalised and the financial result may be subject to changes.

As shown on **Attachment 1**, the YTD balance of \$18,046,135 to 30 September is compared directly with the budget YTD of \$16,126,460. This is a favourable variance of \$1,919,674.

As detailed below, the \$1,919,674 variance is comprised of the following:

Opening Surplus	Favourable variance of \$1,195,397
Operating Revenue	Favourable variance of \$91,238
Operating Expenditure	Favourable variance of \$551,957
Non-cash adjustments	Favourable variance of \$6
Capital Revenue (non- operating grant, subsidies and contributions)	Favourable variance of \$47,199
Capital Expenditure (purchase of property, plant and equipment, purchase and construction of infrastructure, payment of intangible assets)	Favourable variance of \$33,921
Net borrowings and lease payments	No variance to budget
Net reserve transfers	No variance to budget

In accordance with the *Local Government (Financial Management) Regulations 1996* clause 34, sub regulation (2)(b), material variances between budget estimates and actuals must be explained.

The measurement of the materiality is a percentage or value which is adopted each financial year by Council. The variances shown below have used the threshold of \$20,000 and 20%, as per the Council resolution on 30 July 2024, resolution 109/24.

Operating Revenue	
Rates	No variance analysis required, variance to budget is less than \$20,000 and 20%.
Operating grants, subsidies, and contributions	No variance analysis required, variance to budget is less than \$20,000 and 20%.
Fees and charges	No variance analysis required, variance to budget is less than 20%.
Interest earnings	Favourable variance of \$39,469 primarily due to the interest earned from investments.
Other revenue	No variance analysis required, variance to budget is less than \$20,000.
Profit on disposal of assets	No variance analysis required, no variance to budget.

Operating Expenditure	
Employee costs	No variance analysis required, variance to budget is less than 20%.
Materials and contracts	No variance analysis required, variance to budget is less than 20%.
Utility charges	Favourable variance of \$46,515 primarily due to timing of the utility bills cycle.
Depreciation and amortisation	No variance analysis required, variance to budget is less than \$20,000 and 20%.
Insurance expenses	No variance analysis required, variance to budget is less than \$20,000 and 20%.
Interest expenses	No variance analysis required, variance to budget is less than \$20,000 and 20%.
Other expenditure	No variance analysis required, variance to budget is less than \$20,000 and 20%.
Loss on disposal of assets	No variance analysis required, no variance to budget.
Investing Activities	
Non-operating grants, subsidies, and contributions	Favourable variance of \$47,199 primarily due to receipt of unbudgeted Main Roads Direct Grant for various roads.
Proceeds from disposal of assets	No variance analysis required, no variance to budget.
Purchase of property, plant, and equipment	No variance analysis required, variance to budget is less than 20%.
Purchase and construction of infrastructure	No variance analysis required, variance to budget is less than \$20,000 and 20%.

Payments for intangible assets	No variance analysis required, no variance to budget.
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Financing Activities	
Repayment of borrowings	No variance analysis required, no variance to budget.
Proceeds from borrowings	No variance analysis required, no variance to budget.
Payment for principal portion of lease liability	No variance analysis required, no variance to budget.
Transfer to reserve	No variance analysis required, no variance to budget.
Transfer from reserve	No variance analysis required, no variance to budget.

Loans

As shown on page 6 of Attachment 1, the Town of Claremont has 3 Loans. The table below shows the opening and closing balances for 2024/2025 and the required repayments. Additionally, it sets out the maturity date for each loan.

Loan	Loan 1 Aquatic Centre	Loan 2C 333 Stirling Hwy Claremont	Loan 3 327 Stirling Highway
Opening Balance – 1 July 204	\$467,722	\$4,151,004	\$570,435
Repayment 1- 2024	\$29,632 (16 December)	\$167,607 (13 September) Paid	\$30,073 (27 December)
Repayment 2- 2025	\$30,571 (16 June)	\$171,100 (13 March)	\$30,742 (26 June)
Closing Balance – 30 June 2025	\$407,518	\$3,812,296	\$509,620
Maturity Date	14 December 2030 (no balloon payment)	13 March 2027 (no balloon payment)	26 June 2032 (no balloon payment)

Opening Surplus

The budget for 2024/2025 listed an opening surplus of \$1,866,881. The Town is currently finalising the 2023/2024 Annual Financial Statements. The OAG appointed auditors are currently on site. The estimated final surplus is an additional \$1,195,397.

A report to Council will be presented on the surplus analysis after the finalisation of the statements.

PAST RESOLUTIONS

Ordinary Council Meeting 24 September 2024, Resolution 140/24.

That Council:

1. *Notes the Statement of Financial Activity covering the period 1 July 2023 to 31 August 2024.*

FINANCIAL AND STAFF IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

POLICY AND STATUTORY IMPLICATIONS

Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* and AASB 1031 Materiality.

COMMUNICATION AND CONSULTATION

The Town is required to prepare and submit a report to Council for the Statement of Financial Activity each month, reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d) of the *Local Government (Financial Management) Regulations 1996* for that month.

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.

URGENCY

Monthly Statements of Financial Activity must be submitted within two months after the end of the month to which the statement relates in accordance with regulation 36(4) of the *Local Government (Financial Management) Regulations 1996*.

VOTING REQUIREMENTS

Simple Majority decision of Council (*More than half the Council Members present are required to vote in favour*).

OFFICER RECOMMENDATION

That Council:

1. **Notes the Statement of Financial Activity covering the period 1 July 2024 to 30 September 2024.**



Town of Claremont Financial Statements

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For the Period 01-Jul-2024 to 30-Sept-2024

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Town of Claremont Statement of Financial Activity

By Nature or Type
For the Period 01-Jul-2024 to 30-Sept-2024

	Adopted Budget	Adopted Budget YTD	Actuals YTD	Variance \$	Variance %
Operating Activities					
Net current assets - Opening surplus/(deficit)	1,866,881	1,866,881	3,062,278	1,195,397	64%
Revenue					
Operating grants, subsidies, and contributions	385,408	17,321	16,866	(455)	-3%
Fees and charges	4,047,122	1,392,403	1,431,188	38,785	3%
Interest earnings	853,470	172,719	212,188	39,469	23%
Other revenue	99,042	22,066	35,504	13,438	61%
Profit on disposal of assets	0	0	0	0	0%
	<u>5,385,042</u>	<u>1,604,509</u>	<u>1,695,747</u>	<u>91,238</u>	<u>6%</u>
Expenses					
Employee costs	(9,239,184)	(2,307,796)	(1,930,030)	377,766	-16%
Materials and contracts	(8,421,039)	(1,401,660)	(1,293,990)	107,670	-8%
Utility charges	(664,429)	(166,005)	(119,490)	46,515	-28%
Depreciation and amortisation	(4,473,415)	(1,118,361)	(1,118,355)	6	0%
Insurance expenses	(398,714)	(99,678)	(93,626)	6,052	-6%
Interest expenses	(237,632)	(91,629)	(80,423)	11,206	-12%
Other expenditure	(862,215)	(174,162)	(171,420)	2,742	-2%
Loss on disposal of assets	0	0	0	0	0%
	<u>(24,296,628)</u>	<u>(5,359,291)</u>	<u>(4,807,334)</u>	<u>551,957</u>	<u>-10%</u>
Non-cash amounts excluded from operating activities	4,473,415	1,118,361	1,118,355	(6)	0%
Amount attributable to operating activities	<u>(12,571,290)</u>	<u>(769,540)</u>	<u>1,069,046</u>	<u>1,838,586</u>	<u>-239%</u>
Investing Activities					
Non-operating grants, subsidies, and contributions	0	0	47,199	47,199	0%
Proceeds from disposal of assets	86,000	0	0	0	0%
Purchase of property, plant, and equipment	(1,524,511)	(180,329)	(152,433)	27,896	-15%
Purchase and construction of infrastructure	(4,209,819)	(166,205)	(160,180)	6,025	-4%
Payments for intangible assets	(59,800)	0	0	0	0%
Amount attributable to investing activities	<u>(5,708,130)</u>	<u>(346,534)</u>	<u>(265,414)</u>	<u>81,120</u>	<u>-23%</u>
Financing Activities					
Repayment of borrowings	(459,727)	(167,607)	(167,607)	(0)	0%
Proceeds from borrowings	0	0	0	0	0%
Payments for principal portion of lease liability	(53,707)	(12,270)	(12,270)	0	0%
Transfers to reserves	(9,112)	0	0	0	0%
Transfers from reserves	713,000	0	0	0	0%
Amount attributable to financing activities	<u>190,454</u>	<u>(179,877)</u>	<u>(179,877)</u>	<u>(0)</u>	<u>0%</u>
Surplus/(deficit) before imposition of general rates	<u>(18,088,966)</u>	<u>(1,295,952)</u>	<u>623,754</u>	<u>1,919,706</u>	<u>-148%</u>
Total amount raised by general rates	18,088,966	17,422,412	17,422,380	(32)	0%
Surplus/(deficit) after imposition of general rates	<u>0</u>	<u>16,126,460</u>	<u>18,046,135</u>	<u>1,919,674</u>	<u>12%</u>



Town of Claremont Statement of Net Current Assets

	Balance As At 01-Jul-24	Balance As At 30-Sept-2024
Current Assets		
Cash and cash equivalents	3,787,841	12,306,878
Trade and other receivables	1,106,510	7,556,048
Other Financial Assets	13,871,772	12,022,986
Inventories	10,783	10,783
Other assets	210,731	127,282
Total Current Assets	18,987,638	32,023,978
Current Liabilities		
Trade and other payables	(2,564,343)	(876,984)
Lease Liabilities	(51,065)	(38,795)
Borrowings	(459,727)	(292,120)
Employee provisions	(1,053,491)	(793,333)
Other provisions	0	0
Other liabilities	(192,406)	(192,406)
Clearing accounts	0	0
Total Current Liabilities	(4,321,032)	(2,193,638)
Adjustments to NCA		
Less: Reserves	(12,115,121)	(12,115,121)
Add: Borrowings	459,727	292,120
Add: Lease Liabilities	51,065	38,795
Total Adjustments	(11,604,329)	(11,784,206)
Net Current Assets	3,062,278	18,046,135



Town of Claremont Statement of Financial Position

	Balance as at 01-Jul-24	Balance as at 30-Sept-2024
Assets		
Current Assets		
Cash and cash equivalents	3,787,841	12,306,878
Trade and other receivables	1,106,510	7,556,048
Other financial assets	13,871,772	12,022,986
Inventories	10,783	10,783
Other assets	210,731	127,282
Total Current Assets	18,987,638	32,023,978
Non Current Assets		
Trade and other receivables	378,632	378,632
Property, plant and equipment	121,631,145	121,414,521
Infrastructure	89,819,079	89,229,961
Intangibles	0	0
Right of use assets	58,603	58,603
Other financial assets	701,313	701,313
Total Non Current Assets	212,588,772	211,783,030
Total Assets	231,576,410	243,807,009
Liabilities		
Current Liabilities		
Trade and other payables	(2,564,343)	(876,984)
Lease Liabilities	(51,065)	(38,795)
Borrowings	(459,727)	(292,120)
Employee provisions	(1,053,491)	(793,333)
Other liabilities	(192,406)	(192,406)
Total Current Liabilities	(4,321,032)	(2,193,638)
Non Current Liabilities		
Borrowings	(4,729,436)	(4,729,436)
Lease liabilities	(25,972)	(25,972)
Employee provisions	(287,131)	(287,131)
Total Non Current Liabilities	(5,042,539)	(5,042,539)
Total Liabilities	(9,363,570)	(7,236,176)
Equity		
Retained surplus	(65,204,647)	(65,204,647)
Reserves - cash/financial asset backed	(12,115,121)	(12,115,121)
Revaluation surplus	(144,893,072)	(144,893,072)
Current year (profit)/loss	0.00	(14,357,993)
Total Equity	(222,212,840)	(236,570,832)



Town of Claremont

Statement of Comprehensive Income

By Nature or Type
For the Period 01-Jul-2024 to 30-Sept-2024

	Adopted Budget	Adopted Budget YTD	Actuals YTD
Revenue			
Rates	18,088,966	17,422,412	17,422,380
Operating grants, subsidies, and contributions	385,408	17,321	16,866
Fees and charges	4,047,122	1,392,403	1,431,188
Interest earnings	853,470	172,719	212,188
Other revenue	99,042	22,066	35,504
	23,474,008	19,026,921	19,118,127
Expenses			
Employee costs	(9,239,184)	(2,307,796)	(1,930,030)
Materials and contracts	(8,421,039)	(1,401,660)	(1,293,990)
Utility charges	(664,429)	(166,005)	(119,490)
Depreciation and amortisation	(4,473,415)	(1,118,361)	(1,118,355)
Insurance expenses	(398,714)	(99,678)	(93,626)
Interest expenses	(237,632)	(91,629)	(80,423)
Other expenditure	(862,215)	(174,162)	(171,420)
	(24,296,628)	(5,359,291)	(4,807,334)
Net Operating	(822,620)	13,667,630	14,310,794
Non-operating grants, subsidies, and contributions	0	0	47,199
Profit on disposal of assets	0	0	0
Loss on disposal of assets	0	0	0
	0	0	47,199
Net Result for the Period	(822,620)	13,667,630	14,357,993
Other Comprehensive Income			
Changes in asset revaluation surplus	0	0	0
Total Other Comprehensive Income	0	0	0
Total Comprehensive Income for the Period	(822,620)	13,667,630	14,357,993



Town of Claremont Borrowings & Leases

For the Period 01-Jul-2024 to 30-Sept-2024

					Adopted Budget				Actuals YTD				
Loan Description	Loan Number	Institution	Maturity Date	Interest Rate	Opening Balance	Repayments	Closing Balance	Interest	Opening Balance	Proceeds	Repayments	Closing Balance	Interest
Aquatic Centre Refurb	1	WATC	14/12/2030	3.17%	467,722	(60,204)	407,518	(28,714)	467,722	0	0	467,722	0
Claremont Community Hub	3	WATC	26/06/2032	2.23%	570,435	(60,815)	509,620	(24,715)	570,435	0	0	570,435	0
333 Stirling Hwy	2C	WATC	13/03/2027	4.17%	4,151,004	(338,708)	3,812,296	(169,545)	4,151,004	0	(167,607)	3,983,397	(86,519)
					5,189,161	(459,727)	4,729,434	(222,974)	5,189,161	0	(167,607)	5,021,554	(86,519)

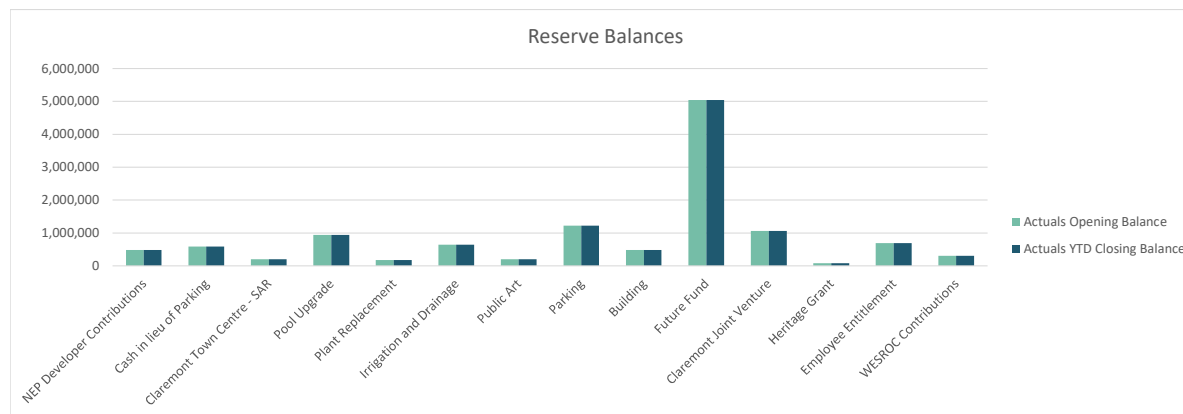
					Adopted Budget				Actuals YTD				
Lease Description	Lease Number	Institution	Maturity Date	Interest Rate	Opening Balance	Repayments	Closing Balance	Interest	Opening Balance	New leases during 2023/24	Repayments	Closing Balance	Interest
Data & Software Storage	EL227	Dell	31/03/2025	2.71%	19,427	(19,427)	0	(2,726)	19,427	0	0	19,427	(526)
Printer/ Copiers	EL228	Kyocera	31/01/2026	2.05%	13,546	(7,939)	5,607	(2,477)	13,546	0	(1,193)	12,354	(278)
Wide Area Network	EL225	TPG	19/04/2026	3.00%	31,599	(15,112)	16,487	(8,229)	31,599	0	0	31,599	(887)
Coffee Machine	PE459	Gesha Coffee Co.	30/09/2024	0.71%	449	(449)	0	(6)	449	0	(298)	151	(3)
Parking Bays - Bunnings	BLD54	Charter Hall	30/06/2025	1.69%	10,779	(10,779)	0	(1,220)	10,780	0	(10,780)	0	(1,220)
					75,800	(53,706)	22,094	(14,658)	75,801	0	(12,270)	63,531	(2,915)



Town of Claremont Reserve Movements

For the Period 01-Jul-2024 to 30-Sept-2024

Reserve	Adopted Budget				Actuals YTD			
	Opening Balance	Transfer To	Transfer From	Closing Balance	Opening Balance	Transfer To	Transfer From	Closing Balance
NEP Developer Contributions	475,244	0	0	475,244	479,751	0	0	479,751
Cash in lieu of Parking	580,544	0	0	580,544	586,049	0	0	586,049
Claremont Town Centre - SAR	184,114	0	0	184,114	199,789	0	0	199,789
Pool Upgrade	796,595	0	(513,000)	283,595	942,310	0	0	942,310
Plant Replacement	167,647	0	0	167,647	178,916	0	0	178,916
Irrigation and Drainage	600,910	0	(50,000)	550,910	638,944	0	0	638,944
Public Art	225,892	9,112	0	235,004	199,502	0	0	199,502
Parking	1,205,890	0	0	1,205,890	1,217,325	0	0	1,217,325
Building	452,067	0	0	452,067	486,972	0	0	486,972
Future Fund	4,830,668	0	0	4,830,668	5,044,478	0	0	5,044,478
Claremont Joint Venture	1,043,814	0	0	1,043,814	1,063,508	0	0	1,063,508
Heritage Grant	75,098	0	0	75,098	81,014	0	0	81,014
Employee Entitlement	661,213	0	(150,000)	511,213	691,720	0	0	691,720
WESROC Contributions	517,576	0	0	517,576	304,843	0	0	304,843
Reserve Total	11,817,272	9,112	(713,000)	11,113,384	12,115,121	0	0	12,115,121

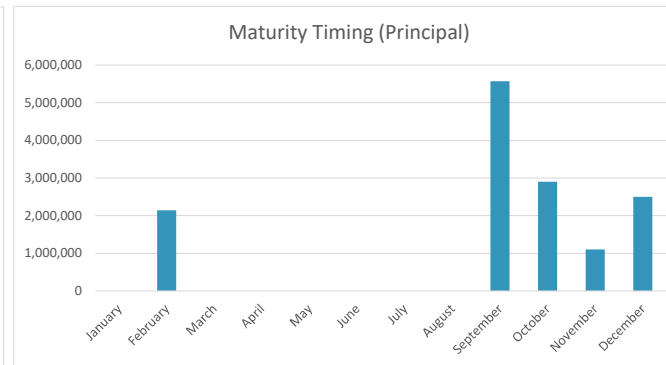
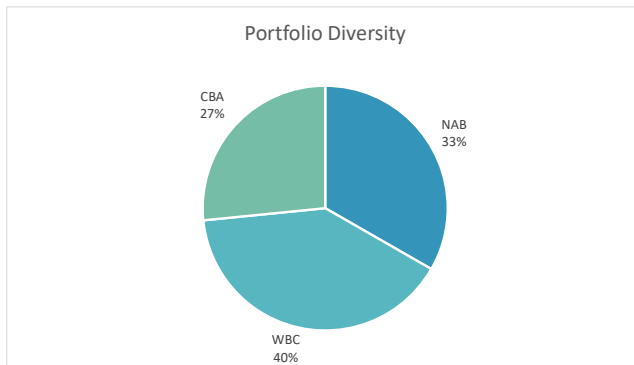




Town of Claremont Investments

For the Period 01-Jul-2024 to 30-Sept-2024

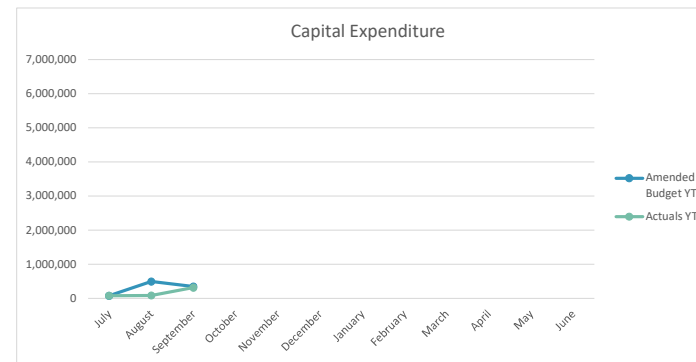
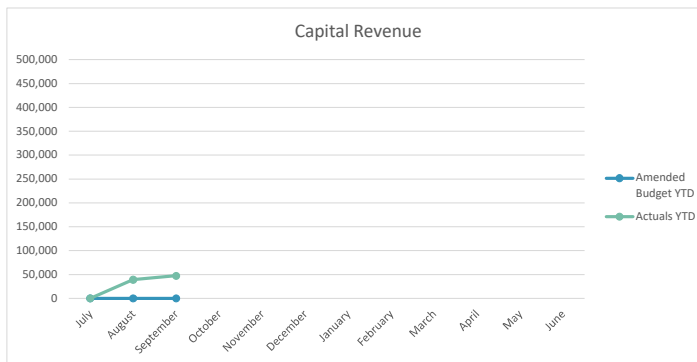
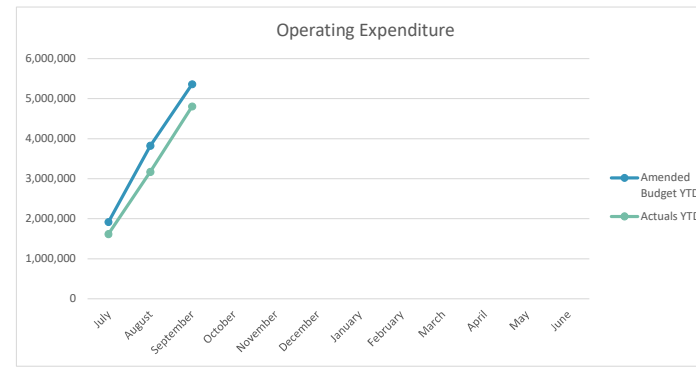
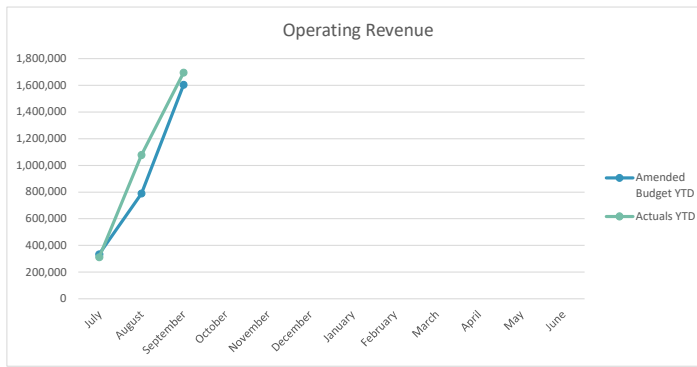
Bank	Type	Reference	Interest Rate	Investment Date	Maturity Date	Term (Days)	Invested Amount
NAB	At Call - Pooled investments		0.38%	1/07/2023			1,804,301
NAB	At Call - Damage Bonds		0.38%	1/07/2023			196,900
CBA	Term Deposit	TD415	4.57%	20/09/2024	19/09/2025	365	2,171,604
WBC	Term Deposit	TD406	5.20%	12/10/2023	11/10/2024	365	1,203,551
WBC	Term Deposit	TD409	5.40%	7/11/2023	7/11/2024	366	1,105,723
NAB	Term Deposit	TD419	4.92%	13/09/2024	12/09/2025	365	3,400,000
WBC	Term Deposit	TD424	4.36%	2/09/2024	2/10/2024	30	1,700,000
CBA	Term Deposit	TD425	5.03%	12/09/2024	12/02/2025	153	2,140,907
WBC	Term Deposit	TD426	5.07%	18/09/2024	18/12/2024	90	2,500,000
							16,222,986





Town of Claremont Graphical Representation

For the Period 01-Jul-2024 to 30-Sept-2024



13.2 LIVEABILITY**13.2.1 PREPARATION OF NEW LOCAL PLANNING SCHEME - LOCAL PLANNING SCHEME NO. 4****File Number:** LND/12/00002**Author:** Michael Hancock (Manager Planning), David Vinicombe (Director Planning and Regulatory Services)**Authoriser:** Liz Ledger (Chief Executive Officer)**Proposed Meeting Date:** 29 October 2024

Attachments:

1. Initiation of Review of Local Planning Scheme No. 3 - 21 August 2018 Minutes [13.2.1.1 - 8 pages]
2. Final Adoption of Review of Local Planning Scheme No. 3 - 18 June 2019 Minutes [13.2.1.2 - 13 pages]

Enabling Legislation: *Planning and Development Act 2005 (PD Act)*
Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regs)

SUMMARY

- The Town's Local Planning Strategy (LP Strategy) is approved subject to minor modifications – these modifications are currently being finalised and it is expected that the Strategy will receive final approval at the end of October/early November 2024.
- The review and preparation of a Local Planning Scheme is identified as a short-term key deliverable of the LP Strategy and has been requested as a priority action by the Department of Planning Lands and Heritage (DPLH).
- The Town seeks Council approval to prepare Local Planning Scheme No. 4 (LPS 4) in accordance with cl. 19(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regs) and s.72(1) of the *Planning and Development Act 2005* (P&D Act).
- Should Council resolve to prepare LPS4, Town Officers will undertake the required notifications and begin preparation of the new local planning scheme with consultants appointed to assist.

PURPOSE

For Council to consider the proposed preparation of a new local planning scheme in accordance with LPS Regs (cl. 19(1)), which when gazetted, will replace the existing Local Planning Scheme No. 3 (LPS3).

BACKGROUND

The Town of Claremont's LPS3 was gazetted on 1 June 1999 and has been maintained to a contemporary standard through various scheme amendments over the years.

The LPS Regs were gazetted on 25 August 2015 and apply to all local government local planning schemes. The LPS Regs include a requirement for local governments to review their local planning schemes every 5 years.

The Town of Claremont undertook a review of LPS3 in 2018, culminating in Scheme Amendment No. 140 initiated by Council at its Ordinary Council Meeting (OCM) on 21 August 2018. Although after advertising of the Amendment, and Council's resolution to seek finalisation of the Amendment (with minor modifications) at the OCM held 18 June 2019, the Town and the Department of Planning Lands and Heritage (DPLH) had divergent views on the approach to reviewing LPS3 and the scheme amendment did not proceed.

In 2021 the Town commenced the preparation of a new LP Strategy. Council resolved to adopt the LP Strategy at its OCM held 14 June 2022, with the LP Strategy forwarded to the Western Australian Planning Commission (WAPC) for consideration and consent to advertise. Following WAPC approval to advertise subject to modifications and formal public consultation, Council resolved at its OCM held 25 June 2024 to seek final approval for the LP Strategy with further modifications from the WAPC. The WAPC's Statutory Planning Committee (SPC) supported the LP Strategy subject to minor modifications (inclusive of the majority of modifications requested by Council) at its meeting held 18 September 2024.

Although the local planning scheme review incorporated into Scheme Amendment No. 140 did not proceed, a further review LPS3 is not required as the Town's LP Strategy has progressed significantly since this time and provides the basis for the preparation of a new local planning scheme.

PAST RESOLUTIONS

At its meeting held on 21 August 2018 Resolution No. 157/18 Council resolved:

THAT Council resolve the following:

1. *In accordance with Section 75 of the Planning and Development Act 2005, initiate Amendment No. 140 to Local Planning Scheme No. 3 as detailed in the reviewed Scheme Text and in accordance with the following:*
 - a. *Insert the deemed provisions contained in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 into Local Planning Scheme No. 3 at the appropriate location of similar provisions under the existing Scheme.*
 - b. *Modify the existing Local Planning Scheme No. 3 provisions to cross reference and acknowledge the inclusion of the deemed provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 and also renumber provisions as required.*
 - c. *Modify the definitions and references in Local Planning Scheme No.3 to remove inconsistencies with the Planning and Development (Local Planning Schemes) Regulations 2015 and replace the definition of Day Care Centre with Child Care Premises from the Model provisions contained in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.*
 - d. *Remove references to the Uniform Building By-laws in clauses 7 and 10 of Local Planning Scheme No. 3.*
 - e. *Amend the existing Local Planning Scheme No. 3 provisions as follows to address current anomalies and inconsistencies in the scheme:*
 - i. *Modify clause 22(5) to correctly reference 'Local Planning Policy 201 – Licenced Premises within the Town of Claremont'.*
 - ii. *Insert '*' and modify the notes at the base of Table 2 to make reference to modified setback and landscaping requirements applicable under clause 37A.*
 - iii. *Modify clause 29 (2) (c) and (d) to rename 'Shop (Indeterminate)' to 'Shop (Intermediate)'.*
 - iv. *Modify Table 3 to remove Note 1 and remove number 2 from the following Note.*
 - v. *Relocate clause 37 ahead of clause 37A and add that the parking calculation is 'subject to discretionary consideration of parking requirements provided elsewhere in this Scheme.'*
 - vi. *Add reference to residential 'land and use or developed property' for clarity under clause 37A.*
 - vii. *Relocate (a) and (b) under subclause 2 of clause 51 from subclause 3.*
 - viii. *Include Avion Way as the heading for clause 64A and redefine lot description (Lot 90) and reference to location in Avion Way.*
 - ix. *Renumber the first clause 65 clause 64B.*
 - x. *Modify Appendix VII to add (Refer clause 14A) next to the title heading.*
 - xi. *Modify Appendix VIII to include new lot description (Lot 90) and reference to location in Avion Way.*
 - xii. *Modify Schedule 1 to add 'Development Zones' (clauses 75A-75D) next to the title heading.*
 - f. *Remove the existing non-conforming use provisions under clause 24 and insert the Non-conforming use provisions detailed in the Model provisions contained in Schedule 1 of Planning and Development (Local Planning Schemes) Regulations 2015.*

2. Advise the Minister for Planning, Lands and Heritage that proposed Amendment No. 140 to Local Planning Scheme No. 3 is to be treated as a 'standard amendment' for the purposes of the Planning and Development (Local Planning Schemes) Regulations 2015, based on the following criteria:
 - a. The amendment will make the scheme consistent with a region planning scheme, and is not a basic amendment.
 - b. The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
 - c. The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
3. Authorise the Mayor and Chief Executive Officer to endorse the Scheme Amendment documents.
4. On receipt of advice from the Environmental Protection Authority under Section 48A of the Environmental Protection Act 1986 indicating that the Amendment need not be subject to an environmental assessment, advertise Amendment No. 140 in accordance the Town Planning Regulations 1967 for not less than 42 days.
5. The Minister for Planning, Lands and Heritage be advised of the Town of Claremont review of Local Planning Scheme No. 3 in accordance with clause 65 of the Planning and Development (Local Planning Schemes) Regulations 2015 as detailed above and subject to Amendment No. 140 to Local Planning Scheme No. 4 (Sic. Local Planning Scheme No. 3).
6. Further, the Minister for Planning, Lands and Heritage be advised that Local Planning Scheme No. 3 has been reviewed on a number of occasions to ensure it meets both the regional and local planning demands of its local residents and businesses and that in addition to the amendments detailed in Amendment No. 140 above, further amendments will be progressed to address emerging planning issues in the Town of Claremont identified under its existing and current strategic planning studies detailed in this report.

Heritage

The Town of Claremont's Heritage List and Local Heritage Survey were adopted by Council in June 2023. The preparation of LPS4 will continue to protect and enhance the Town's local heritage and character.

COMMUNICATION/CONSULTATION

No consultation is required prior to Council considering a request to prepare a new local planning scheme. It is noted however, that the Town's LP Strategy, which will inform the development of LPS4, has undergone significant community consultation and workshops. Council will have further formal and informal opportunities to consider the draft LPS4 prior to undertaking community consultation should Council resolve to prepare the new local planning scheme.

DISCUSSION

Planning and Development Act 2005

The *Planning and Development Act 2005* (P&D Act) gives power to local governments to prepare a local planning scheme within its district and broadly specifies what must be included in a scheme and what may be included in a scheme. Further, the P&D Act provides for the ability for a new scheme to repeal an existing scheme it replaces.

Planning and Development (Local Planning Schemes) Regulations 2015

The Town of Claremont's LPS3 was gazetted on 1 June 1999 and is the statutory basis for zoning, development and land use permissibility within the district. Through regular scheme amendments LPS3 has maintained contemporary relevance and is based on sound planning principles.

The LPS Regs were gazetted in August 2015 and apply to every local planning scheme in the state. The LPS Regs comprise of three main components, the Regulations, the model provisions contained in Schedule 1 and the deemed provisions contained in Schedule 2. Each part is described below:

Regulations

The Regulations outline the process for the review and preparation of local planning schemes within the State and the amendment of schemes thereof. The Regulations also outline the process and requirement for local governments to prepare and maintain an LPS. Following the SPC meeting held 18 September 2024 where the LP Strategy was supported subject to minor changes, the Town can proceed with the preparation of LPS4.

Schedule 1 Model Provisions for Local Planning Schemes

To introduce consistency across the Western Australian planning system, new schemes are required to be prepared in accordance with the LPS Regs Schedule 1 model provisions. This requirement is supported by cl.257A of the P&D Act. Although the local government must prepare a scheme in accordance with the model provisions, the local government can customise the provisions to respond to the district's local context.

Schedule 2 Deemed Provisions for Local Planning Schemes

The deemed provisions contained in schedule 2 of the LPS Regs apply to all new and existing local planning schemes in the state and are to be read as part of, and prevail over, the local planning scheme, as stipulated in P&D Act cl. 257B. In preparing a new local planning scheme the local government must ensure that the scheme is consistent with any deemed provision.

Local Planning Strategy

A local government must prepare and maintain a LP Strategy for the district, as outlined in cl.11(1) of the LPS Regs. The purpose of the LP Strategy is to outline the 15-year vision for how land use change and development will occur within the Town and consider the impact and implementation of the State planning framework. The LP Strategy is not a statutory document itself, but instead forms the basis for the preparation of a new local planning scheme.

The Town and its consultants commenced work on the LP Strategy in 2021, undertaking extensive community consultation and engagement with Council and public engagement with the local community. The LP Strategy was adopted by Council for the purposes of forwarding it to the WAPC requesting consent to advertise at its meeting held 14 June 2022. Following extensive formal consultation, Council resolved on 25 June 2024 to seek final approval from the WAPC subject to minor modifications. The WAPC's SPC supported the LP Strategy subject to minor modifications (inclusive of the majority of modifications requested by Council) at its meeting held 18 September 2024. Final minor modifications are presently being made to address the SPC's request and final approval is expected in late October/ early November 2024.

The LP Strategy includes a key action summary and associated key deliverables to be implemented over the life of the LP Strategy. The review and preparation of a new local planning scheme is identified as a short-term deliverable of the LP Strategy and identified as a priority action by DPLH.

Scheme Amendment No. 140

As outlined above, the Town undertook a review of LPS3 as required by the LPS Regs in 2018, resulting in the initiation of Amendment No. 140 to LPS3. Amendment No. 140 sought to bring LPS3 into consistency with the LPS Regs and satisfy the local government's obligations to review the scheme at that time.

Despite the detailed review and Council's resolution to initiate scheme Amendment No. 140 to LPS3, the DPLH did not agree with the Town's approach and instead directed the Town to prepare a LP Strategy and new local planning scheme.

Future Actions

Should Council resolve to prepare LPS4, the Town will commence the review with the following milestones:

- Publish the resolution on its website and notify the relevant authorities
- Engage project consultant
- Workshop existing LPS3 and Model Scheme Text provision differences with Elected Members

- Preliminary community engagement
- Prepare draft LPS4 for Council adoption for advertising
- Request permission from Minister of Planning to advertise LPS4
- Advertise LPS4
- Consider submissions in report to Council
- Readvertise modification (if required)
- DPLH consideration of submissions
- Minister review and possible request for modifications
- Minister approval
- LPS4 gazetted

The Town notes that the overall timeframe to the gazettal of a new local planning scheme is influenced by many factors and will likely take upwards of two years.

FINANCIAL AND STAFF IMPLICATIONS

Council has approved funds for the engagement of a consultant for the purposes of preparing LPS4 in the 2024/25 Budget. Further, staff time and resources will be required to support the consultants in their work which may impact on Planning Services resources.

POLICY AND STATUTORY IMPLICATIONS

Should Council resolve to prepare LPS4, Town staff will proceed with publishing the resolution on its website and notify the relevant authorities as outlined in LPS Reg cl.20. A report will then be prepared for Council's consideration for the draft LPS4.

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.*

- Balance the Town's historical character with complementary, well designed development.

URGENCY

Council's resolution is required for the Town to commence the preparation of LPS4.

CONCLUSION

The Town's Corporate Business Plan specifies the commencement of LPS4 as an objective of Council. The Town has been working toward this objective through the development of the LP Strategy, which is awaiting final approval. Based on the above, it is recommended that Council resolve to prepare LPS4.

VOTING REQUIREMENTS

Simple Majority decision of Council (*More than half the Council Members present are required to vote in favour*).

OFFICER RECOMMENDATION**That Council:**

1. Notes the Town of Claremont's Local Planning Strategy is pending final approval by the Western Australian Planning Commission and that a further report of review of Local Planning Scheme No. 3 is not necessary.
2. Resolves to prepare a new local planning scheme in accordance with clause 19(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 72(1) of the *Planning and Development Act 2005*.
3. Resolves to publish a notice in accordance with clause 20(1)(a) and notify the relevant authorities in accordance with clause 20(1)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

13.3 PLANNING AND DEVELOPMENT

13.3.1 LOCAL PLANNING SCHEME NO. 3 REVIEW – AMENDMENT NO. 140

File Ref: LND/00125

Attachments: Revised Local Planning Scheme No. 3 (Attachment 1)
Track Changed Version of Revised Local Planning Scheme No. 3 (Attachment 2)

Responsible Officer: David Vinicombe
Director Planning and Development

Author: David Vinicombe
Director Planning and Development

Proposed Meeting Date: 21 August 2018

Date Prepared: 13 August 2018

Financial Implications: NIL

Enabling Legislation: *Planning and Development Act 2005* ('PDA')
Planning and Development (Local Planning Schemes) Regulations 2015 ('LPS Regs')
Local Planning Scheme No.3 ('LPS3')

Summary

- A review of Local Planning Scheme No. 3 ('LPS3') is required in accordance with regulation 65 of the *Planning and Development (Local Planning Schemes) Regulations 2015* ('LPS Regs') by 25 August 2018.
- The first change to note in this report is that as a result of the LPS Regs, Town Planning Scheme No 3 ('TPS3') is officially now known as Local Planning Scheme No. 3 ('LPS3').
- This review (Amendment No. 140 to LPS3):
 - Reconciles LPS3 provisions with the deemed provisions contained in Schedule 2 of the LPS Regs which have overridden the LPS3 provisions since their application September 2015
 - Retains elements of the current LPS3 provisions which are not addressed by the deemed provisions
 - Reviews minor administrative corrections and clarifications to the current provisions of LPS3
 - Updates terminology and legal references
 - Incorporates appropriate provisions contained in Schedule 1 (Model provisions) of the LPS Regs
 - Considers whether LPS3 requires a major overhaul and review, and whether the current provisions are relevant to guide planning outcomes in the Town

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- Confirms that LPS3 has been continually kept up to date with regard to application of its provisions which control the predominant form of residential and commercial development within the Town
 - Identifies matters requiring further review under separate amendments to LPS4 at another time.
 - Recommend Council resolve to initiate Amendment No. 140 to LPS3 and proceed to advertising.

Purpose

For Council to consider the initiation of a review of Local Planning Scheme No.3 ('LPS3') under Amendment No. 140.

Background

The *Planning and Development (Local Planning Schemes) Regulations 2015* ('LPS Regs') were gazetted on 25 August 2015 and came into effect in September 2015. They included deemed provisions which automatically override many provisions of local planning schemes.

Clause 65 of the LPS Regs requires local government to carry out a review of its local planning schemes within five years of its last review, or as in the case of LPS3, within three years of the date of the LPS Regs came into effect. Although the deemed provisions of the LPS Regs did not commence operation until September of 2015, instruction from the Department of Planning, Lands and Heritage ('DPLH') is that the gazettal date of the LPS Regs is the date from which the review period is to apply – by 25 August 2018.

It is noted that the deemed provisions contained in Schedule 2 of the LPS Regs already lawfully apply to LPS3 as the intent of these provisions is to apply a consistent standard to common elements of all local planning schemes through the state. The review therefore is to a degree a simple consolidation of the two planning instruments (LPS3 and deemed provisions) in addition to other matters detailed below.

Past Resolutions

There are no past Council resolutions relevant to this application.

Statutory Considerations

The Town is able to amend its current Town Planning Scheme under Section 75 of the *Planning and Development Act 2005* ('PDA'). Scheme amendments are required to be undertaken in accordance with Part 5 of the LPS Regs.

The LPS Regs requires that amendments must be classified as basic, standard or complex, and that justification for the type of amendment must be stated in Council's resolution. The proposed amendment is classed as 'standard' based on the following criteria as set out in the LPS Regs:

- a) the amendment will make the scheme consistent with a region planning scheme, and is not a basic amendment
- b) the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment

- c) the amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Advice received from DPLH confirms that the scope of issues to be addressed by Amendment No. 140 qualifies the amendment as a standard amendment.

If Council resolves to adopt the amendment it will be referred to the relevant statutory authorities and advertised to the general public for a period of 42 days. Any submissions will be addressed in a second report to Council where Council will determine whether to support the amendment (with or without modification) or not to proceed. Whether the amendment is supported, modified, or not supported, it will be forwarded to the Minister for Planning, Lands and Heritage for determination.

Consultation

Consultation is required to be undertaken in accordance with the LPS Regs following initiation of the amendment.

Discussion

The scope of this review is to include and address the following matters:

Consolidation of LPS3 and LPS Reg Deemed Provisions

The review reconciles LPS3 provisions with the deemed provisions contained in Schedule 2 of the LPS Regs which have overridden the LPS3 provisions since their application September 2015.

The new provisions are identified in italics with direct reference to the deemed provision (e.g. *DP 60 REQUIREMENTS FOR DEVELOPMENT APPROVAL*) and are placed as close as possible to the removed LPS3 provision to provide for consistency within the scheme text architecture. This will allow for both sets of provisions to function together, clear identification in the scheme of Council and LPS Reg provisions and will assist in identification of future changes to the scheme and when the deemed provisions are updated by the WAPC.

Existing provisions of the scheme which have been automatically overridden by the LPS Reg deemed provisions are to be removed from the scheme to avoid confusion. Where an existing LPS3 provision is not addressed by the deemed provisions, they are retained, or in some instance are kept to ameliorate the application of the deemed provisions. For example, clause 25(2) of TPS3 which was the subject of Amendment No. 125 and gazetted in March 2015 dealt with developments which were excluded from applying for Development Approval. DP (deemed provision) 61 also deals with this matter but does not include some elements such as rainwater tanks. These types of development are consequentially included under a new provision 25(A).

Existing LPS3 provisions which cross reference to previous overridden provisions are amended to reference the associate deemed provisions (e.g. clause (DP) 8 and 9 – replacing clause 78 relative to heritage protection). Note – clause 25(3) which links the Heritage List with protection powers under the scheme is retained in a modified form relating to the new DP 8 and 9 Heritage Places and Areas contained in the Heritage List under clause 25.

Clause 5A is added to indicate the scheme has been updated to include the deemed provisions

Update Terminology and Legal References

The LPS Regs introduces a raft of terminology modifications which are automatically updated in LPS3. They include, Local (formerly Town) Planning Scheme, Development (formerly Planning) Application and Approval, Residential Design (formerly Planning) Codes, Local (formerly By-law), Building Permit (formerly Licence), Heritage List (formerly Schedule), Local Government (formerly Municipal) Inventory and a number of new (e.g. Amenity) or modified (e.g. Owner) definitions.

Other definition changes are necessary such as removal 'Uniform Building By-laws' as the term is no longer relevant or applicable (noting also that other references in the scheme in this regard are removed), and changes to 'Day Care Centre' (now defined as 'Child Care Premises' – with associated new legislation (*Child Care Services Act 2007* in lieu of the former *Child Welfare (Care Centres) Regulations 1968*).

Administrative Corrections and Clarifications

Significant formatting changes have been undertaken to consolidate the two sets of provisions. These include at times reformatting existing provisions and the new deemed provisions to enable them to work together under the one scheme architecture.

As indicated below, the currency and suitability of the current scheme provisions is examined in the broad sense, relative to recent and pending changes to the scheme to keep it relevant to the changing planning demands. The review has also identified a number of minor changes necessary to give clarification and correction to existing scheme provisions. These are included in the following table.

Minor Modifications and Clarifications

Current provision	Issue/concern	Proposed change
Cl.22(5) reference to 'planning policy 103 Licenced Premises with the Town of Claremont'	Name change (subject to upcoming Policy review) and incorrect word 'with'	Modify cl.22(5) to correctly reference 'Local Planning Policy 201 – Licenced Premises within the Town of Claremont'
Table 2 references to "**"	A number of reference to * appear in Table 2 relating to setback provisions. These relate to modified development requirements for side and rear setbacks, together with landscaping in some instances for various forms of development	Insert "**" and modify the notes at the base of Table 2 to note reference to modified setback and landscaping requirements applicable under cl.37A
Cl.29(2) (c) and (d) references to Shop (Indeterminate)	Should be Shop (Intermediate)	Modify cl. 29 (2) (c) and (d) to rename Shop (Intermediate)
Note 1 to Table 3 referencing aisle and cap parking space widths in Appendix III	Appendix III was removed as part of the Amendment No. 123 parking provision review	Modify Table 3 to remove Note 1 and remove number 2 from following Note.
Cl.37 provides instruction on calculation of parking requirements for combined land uses	Provision is in wrong location following 37A and is inconsistent with other provisions which provide for discretionary consideration of parking concessions.	Relocate provision ahead of cl.37A and add that the calculation is subject to discretionary consideration provided elsewhere in the scheme
Cl.37A reference specific setback requirements for	The intent of the setback requirements is to protect the	Add reference to residential 'land and use or developed

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commercial development adjoining residential use and zone	amenity of residential property, but only specifically refers to use in the introductory paragraph.	property' for clarity under cl.37A
Cl.51 parts 3(a) and (b) relating to Local-law 132 setback requirements	Confusion in reading clause results from incorrect location of (a) and (b) under 3.	Relocate (a) and (b) under subclause 2 of cl.51
Cl.64A relating to development sites either side of Avion Way	The lot description is changed and no specific reference is made to the location either side of Avion Way	Include heading as per other clauses, new lot description (Lot 90) and reference to location under cl.64A
Cl.65 Walt Drabble Lane	Duplication of clause number with cl.65 Light Industrial Zone application	Renumber clause 64B
Appendix VII – Location Particulars	Lacks clarity relative to clause association	Add (Refer clause 14A) to Appendix VII
Appendix VIII – Requirements applicable to development either side of Avion Way	The lot description is changed and no specific reference is made to the location either side of Avion Way	Include new lot description (Lot 90) and reference to location to Appendix VIII
Schedule 1	Lacks clarity relative to clause association	Add 'Development Zones' (clauses 75A-75D) to Schedule 1

Inclusion of Model Provisions

The Model provisions under Schedule 1 of the LPS Regs provides a standard set of provisions which are consistently applied to more recent schemes across the state. The Model provisions have been reviewed to identify any specific requirements desirable for inclusion under this review. In addition to the revised definition for 'Child Care Premises' as identified above, the only other desirable inclusion relates to the new provisions concerning non-conforming uses. The existing non-conforming use provisions under cl.24 is significantly outdated. Given that inclusion of the Model Non-conforming use provisions will not have an unordinary impact on development within the Town it is appropriate to review the current provisions by replacing them with the Model provisions.

Currency and Suitability of Current Scheme Provisions

The review is to consider whether LPS3 is up-to-date and complies with the LPS Regs, and also may be undertaken in conjunction with a consolidation of the scheme.

Town Planning Scheme No. 3 (TPS3) was originally gazetted on 1 June 1999, but has been subject to over 139 scheme amendments, most of which have been gazetted to address the changing planning demands on the Town since that time.

Over the past 5 years the Town has conducted major reviews of TPS3 provisions relating to car parking (Amendment No. 123) and residential development (Amendment No. 132) standards. These Amendments have in many ways been significant for the Town, and with specific reference to parking, ground breaking in the way cash-in-lieu parking is considered and administered in order to promote commercial development within the Town Centre; and also to address changing residential development standards within the Town.

Other recent amendments, such as Amendments 107 and 130 have provided the basic planning parameters to support Development zones through Structure

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Planning provisions which have facilitated current major development projects such as the 'Claremont in the Park' North East Precinct development surrounding Claremont Oval.

Recent strategic planning exercises undertaken by the Town have identified further potential amendments which are in various stages of preparation. These studies primarily relate to how the Town will address its housing density growth target stipulated by the Western Australian Planning Commission ('WAPC'):

- The Housing Capacity Study (adopted by Council 2013)
- Stirling Highway Local Development Plan (adopted by Council July 2016) and now subject to three Amendments (136, 137 and 138)
- Loch Street Station Precinct Structure Plan (adopted by Council February 2018).

Acknowledging that the planning provisions of TPS3 have been continually up dated to address emerging planning issues in the Town (notwithstanding those minor clarification issues identified above) and as there are a number of separate scheme amendments in various stages of consideration and preparation to address the next phase of planning demands, a comprehensive review of the scheme is not warranted at this point. It is noted however that an emerging issue with regard to tree coverage and a WALGA study into parking standards may provide impetus for further amendments to the scheme and these will be considered in due course. In addition, the Town is in the process of preparing an Activity Centre Plan for its town centre and a planning study for the Swanbourne shopping centre precinct and these will undoubtedly also lead to further round of scheme amendments to prepare the Town for the next stage of evolution.

Accordingly, it is considered that the current scheme serves the planning demands of the Town and its residential and business communities well. While some future amendments are in the state of preparation, they and others will eventuate as a result of the continual review of strategic planning projects in the Town.

Summary

Based on the above, it is recommended that an amendment to TPS3 be initiated as per the Officer's Recommendation.

Voting Requirements

Simple majority decision of Council required.

OFFICER RECOMMENDATION

Moved Cr Main, seconded Cr Franklyn.

THAT Council resolve the following:

1. **In accordance with Section 75 of the *Planning and Development Act 2005*, initiate Amendment No. 140 to Local Planning Scheme No. 3 as detailed in the reviewed Scheme Text and in accordance with the following:**
 - a) **Insert the deemed provisions contained in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations***

2015 into Local Planning Scheme No. 3 at the appropriate location of similar provisions under the existing Scheme.

- b) Modify the existing Local Planning Scheme No. 3 provisions to cross reference and acknowledge the inclusion of the deemed provisions of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and also renumber provisions as required.**
- c) Modify the definitions and references in Local Planning Scheme No.3 to remove inconsistencies with the *Planning and Development (Local Planning Schemes) Regulations 2015* and replace the definition of Day Care Centre with Child Care Premises from the Model provisions contained in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
- d) Remove references to the Uniform Building By-laws in clauses 7 and 10 of Local Planning Scheme No. 3.**
- e) Amend the existing Local Planning Scheme No. 3 provisions as follows to address current anomalies and inconsistencies in the scheme:**
 - (i) Modify clause 22(5) to correctly reference ‘Local Planning Policy 201 – Licenced Premises within the Town of Claremont’.**
 - (ii) Insert ‘*’ and modify the notes at the base of Table 2 to make reference to modified setback and landscaping requirements applicable under clause 37A.**
 - (iii) Modify clause 29 (2) (c) and (d) to rename ‘Shop (Indeterminate)’ to ‘Shop (Intermediate)’.**
 - (iv) Modify Table 3 to remove Note 1 and remove number 2 from the following Note.**
 - (v) Relocate clause 37 ahead of clause 37A and add that the parking calculation is ‘subject to discretionary consideration of parking requirements provided elsewhere in this Scheme.’**
 - (vi) Add reference to residential ‘land and use or developed property’ for clarity under clause 37A.**
 - (vii) Relocate (a) and (b) under subclause 2 of clause 51 from subclause 3.**
 - (viii) Include Avion Way as the heading for clause 64A and redefine lot description (Lot 90) and reference to location in Avion Way.**
 - (ix) Renumber the first clause 65 clause 64B.**
 - (x) Modify Appendix VII to add (Refer clause 14A) next to the title heading.**

- (xi) **Modify Appendix VIII to include new lot description (Lot 90) and reference to location in Avion Way.**
 - (xii) **Modify Schedule 1 to add 'Development Zones' (clauses 75A-75D) next to the title heading.**
 - f) **Remove the existing non-conforming use provisions under clause 24 and insert the Non-conforming use provisions detailed in the Model provisions contained in Schedule 1 of *Planning and Development (Local Planning Schemes) Regulations 2015*.**
2. **Advise the Minister for Planning, Lands and Heritage that proposed Amendment No.140 to Local Planning Scheme No.3 is to be treated as a 'standard amendment' for the purposes of the *Planning and Development (Local Planning Schemes) Regulations 2015*, based on the following criteria:**
- a) **The amendment will make the scheme consistent with a region planning scheme, and is not a basic amendment.**
 - b) **The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.**
 - c) **The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.**
3. **Authorise the Mayor and Chief Executive Officer to endorse the Scheme Amendment documents.**
4. **On receipt of advice from the Environmental Protection Authority under Section 48A of the *Environmental Protection Act 1986* indicating that the Amendment need not be subject to an environmental assessment, advertise Amendment No. 140 in accordance the *Town Planning Regulations 1967* for not less than 42 days.**
5. **The Minister for Planning, Lands and Heritage be advised of the Town of Claremont review of Local Planning Scheme No. 3 in accordance with clause 65 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as detailed above and subject to Amendment No. 140 to Local Planning Scheme No. 4.**
6. **Further, the Minister for Planning, Lands and Heritage be advised that Local Planning Scheme No. 3 has been reviewed on a number of occasions to ensure it meets both the regional and local planning demands of its local residents and businesses and that in addition to the amendments detailed in Amendment No. 140 above, further amendments will be progressed to address emerging planning issues in the Town of Claremont identified under its existing and current strategic planning studies detailed in this report.**

**CARRIED(157/18)
(NO DISSENT)**

13.3.2 FINAL ADOPTION OF LOCAL PLANNING SCHEME NO. 3 REVIEW – AMENDMENT NO. 140

File Ref:	LND/00125
Attachments - Public:	Revised Local Planning Scheme No. 3 (Attachment 1)
Attachments- Restricted:	Track Changed Version of Revised Local Planning Scheme No. 3 (Attachment 2)
Responsible Officer:	David Vinicombe Director Planning and Development
Author:	David Vinicombe Director Planning and Development
Proposed Meeting Date:	18 June 2019
Date Prepared:	6 June 2019
Enabling Legislation:	<i>Planning and Development Act 2005 (PDA) Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regs) Local Planning Scheme No.3 (LPS3)</i>

Summary

- A review of Local Planning Scheme No. 3 ('LPS3') was required in accordance with regulation 65 of the *Planning and Development (Local Planning Schemes) Regulations 2015* ('LPS Regs') by 25 August 2018.
- Council undertook this review at its meeting held 21 August 2018. The review:
 - Considered whether LPS3 requires a major overhaul and review, and whether the current provisions are relevant to guide planning outcomes in the Town.
 - Confirmed that LPS3 has been continually kept up to date with regard to application of its provisions which control the predominant form of residential and commercial development within the Town.
 - Identifies matters requiring further review under separate amendments to LPS4 at another time.
 - Resulted in the initiation of Amendment No. 140 to LPS3 as a "Standard Amendment" which proposed to:
 - Reconcile LPS3 provisions with the deemed provisions contained in Schedule 2 of the LPS Regs which have overridden the LPS3 provisions since their application September 2015
 - Retain elements of the current LPS3 provisions which are not addressed by the deemed provisions
 - Review minor administrative corrections and clarifications to the current provisions of LPS3 Updates terminology and legal references

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- Incorporate appropriate provisions and definitions contained in Schedule 1 (Model provisions) of the LPS Regs.

Amendment No. 140 has been advertised in accordance with the *Planning and Development Act 2005* (PDA) and no submissions were received.

- Amendment No 140 has been legally vetted and further minor administrative modifications are recommended to be included in the Amendment which are considered to be of a “Basic Amendment” nature and therefore are not required to be advertised in accordance with the LPS Regs.
- It is recommended that Council adopt Amendment No. 140 to LPS3 with minor modifications and forward the necessary documents to the Minister for Transport, Planning and Lands.

Purpose

For Council to consider the final adoption of Scheme Amendment No. 140 and to make a resolution in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regs).

Background

The LPS Regs were gazetted on 25 August 2015 and came into effect in September 2015. They included deemed provisions which automatically override many provisions of local planning schemes.

Clause 65 of the LPS Regs requires local government to carry out a review of its local planning schemes within five years of its last review, or as in the case of LPS3, within three years of the date of the LPS Regs came into effect. Although the deemed provisions of the LPS Regs did not commence operation until September of 2015, instruction from the Department of Planning, Lands and Heritage (DPLH) was that the gazettal date of the LPS Regs is the date from which the review period is to apply – by 25 August 2018. This requirement was abided by as detailed below.

It is noted that the deemed provisions contained in Schedule 2 of the LPS Regs already lawfully apply to LPS3 as the intent of these provisions is to apply a consistent standard to common elements of all local planning schemes through the state. The review therefore is to a degree a simple consolidation of the two planning instruments (LPS3 and deemed provisions) in addition to other matters detailed below.

Past Resolutions

At its meeting held 21 August 2018 Council resolved the following:

“THAT Council

- 1 *1. In accordance with Section 75 of the Planning and Development Act 2005, initiate Amendment No. 140 to Local Planning Scheme No. 3 as detailed in the reviewed Scheme Text and in accordance with the following:*
 - 2 a) *Insert the deemed provisions contained in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 into Local Planning Scheme No. 3 at the appropriate location of similar provisions under the existing Scheme.*

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- 3 b) *Modify the existing Local Planning Scheme No. 3 provisions to cross reference and acknowledge the inclusion of the deemed provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 and also renumber provisions as required.*
- 4 c) *Modify the definitions and references in Local Planning Scheme No.3 to remove inconsistencies with the Planning and Development (Local Planning Schemes) Regulations 2015 and replace the definition of Day Care Centre with Child Care Premises from the Model provisions contained in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.*
- 5 d) *Remove references to the Uniform Building By-laws in clauses 7 and 10 of Local Planning Scheme No. 3.*
- 6 e) *Amend the existing Local Planning Scheme No. 3 provisions as follows to address current anomalies and inconsistencies in the scheme:*
- 7 (i) *Modify clause 22(5) to correctly reference 'Local Planning Policy 201 – Licenced Premises within the Town of Claremont'.*
- 8 (ii) *Insert "*" and modify the notes at the base of Table 2 to make reference to modified setback and landscaping requirements applicable under clause 37A.*
- 9 (iii) *Modify clause 29 (2) (c) and (d) to rename 'Shop (Indeterminate)' to 'Shop (Intermediate)'.*
- 10 (iv) *Modify Table 3 to remove Note 1 and remove number 2 from the following Note.*
- 11 (v) *Relocate clause 37 ahead of clause 37A and add that the parking calculation is 'subject to discretionary consideration of parking requirements provided elsewhere in this Scheme.'*
- 12 (vi) *Add reference to residential 'land and use or developed property' for clarity under clause 37A.*
- 13 (vii) *Relocate (a) and (b) under subclause 2 of clause 51 from subclause 3.*
- 14 (viii) *Include Avion Way as the heading for clause 64A and redefine lot description (Lot 90) and reference to location in Avion Way.*
- 15 (ix) *Renumber the first clause 65 clause 64B.*
- 16 (x) *Modify Appendix VII to add (Refer clause 14A) next to the title heading.*
- 17 (xi) *Modify Appendix VIII to include new lot description (Lot 90) and reference to location in Avion Way.*
- 18 (xii) *Modify Schedule 1 to add 'Development Zones' (clauses 75A-75D) next to the title heading.*
- 19 f) *Remove the existing non-conforming use provisions under clause 24 and insert the Non-conforming use provisions detailed in the Model provisions contained in Schedule 1 of Planning and Development (Local Planning Schemes) Regulations 2015.*
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- 20 2. Advise the Minister for Planning, Lands and Heritage that proposed Amendment No.140 to Local Planning Scheme No.3 is to be treated as a 'standard amendment' for the purposes of the Planning and Development (Local Planning Schemes) Regulations 2015, based on the following criteria:
- 21 a) The amendment will make the scheme consistent with a region planning scheme, and is not a basic amendment.
- 22 b) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
- 23 c) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
- 24 3. Authorise the Mayor and Chief Executive Officer to endorse the Scheme Amendment documents.
- 25 4. On receipt of advice from the Environmental Protection Authority under Section 48A of the Environmental Protection Act 1986 indicating that the Amendment need not be subject to an environmental assessment, advertise Amendment No. 140 in accordance the Town Planning Regulations 1967 for not less than 42 days.
- 26 5. The Minister for Planning, Lands and Heritage be advised of the Town of Claremont review of Local Planning Scheme No. 3 in accordance with clause 65 of the Planning and Development (Local Planning Schemes) Regulations 2015 as detailed above and subject to Amendment No. 140 to Local Planning Scheme No. 4.
- 27 6. Further, the Minister for Planning, Lands and Heritage be advised that Local Planning Scheme No. 3 has been reviewed on a number of occasions to ensure it meets both the regional and local planning demands of its local residents and businesses and that in addition to the amendments detailed in Amendment No. 140 above, further amendments will be progressed to address emerging planning issues in the Town of Claremont identified under its existing and current strategic planning studies detailed in this report."

Statutory Considerations

The Town is able to amend its current Local Planning Scheme under section 75 of the *Planning and Development Act 2005* (PD Act). Scheme amendments are required to be undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regs). Scheme amendments are required to be undertaken in accordance with Part 5 of the LPS Regs:

The LPS Regs requires that amendments must be classified as basic, standard or complex, and that justification for the type of amendment must be stated in Council's resolution. The proposed amendment is classed as 'Standard' based on the following criteria as set out in the LPS Regs.

- (a) an amendment relating to a Zone or Reserve that is consistent with the objectives identified in the Scheme for that Zone or Reserve
- (b) an amendment that is consistent with a Local Planning Strategy for the Scheme that has been endorsed by the WAPC

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- (c) an amendment to the Scheme so that it is consistent with a Region Planning Scheme that applies to the Scheme area, other than an amendment that is a 'basic' amendment
 - (d) an amendment to the Scheme map that is consistent with a Structure Plan, Activity Centre Plan or Local Development Plan that has been approved under the Scheme for the land to which the amendment relates if the Scheme does not currently include Zones of all the types that are outlined in the plan
 - (e) an amendment that would have minimal impact on land in the Scheme area that is not the subject of the amendment
 - (f) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area
 - (g) any other amendment that is not a 'complex' or 'basic' amendment.

As Council resolved to adopt the amendment it was referred to the relevant statutory authorities (inclusive of the Environmental Protection Authority for environmental assessment and permission to advertise) prior to advertising, and then advertised to the general public for a period of no less than 42 days. This report is for Council to determine whether to support the amendment (with or without modification) or not to proceed. Whether Council considers that the Amendment is supported, modified, or not supported, it is to be forwarded to the Minister for Planning, Lands and Heritage for determination.

In progressing the Scheme review and Amendment No. 140, discussions have been held with officers from the Department of Planning. Concern was raised that the review did not progress to recommending the review of the existing Local Planning Strategy (LPS) "Clearly Claremont 2101-2025" approved by the WAPC in 2010 and preparation of a new Local Planning Scheme No. 4 (LPS4). As a result of these discussions, the Town has been requested to formally commence a review of the LPS, which will lead to the preparation of LPS4. It is not expected that this matter will prevent the finalisation of Amendment No. 140, however it is expected that the Town will be formally requested to commence the preparation and completion of these documents and provisional advice has been provided by the Town that these documents will be attended to prior to completion of the 2021/22 financial year. As a result, these further reviews will require a considerable amount of resourcing, both in terms of capital and time.

Communication / Consultation

The amendment was advertised in accordance with the LPS Regs for a period of 45 days from the 9 March until the 24 April 2019. The following advertising was undertaken:

- An advertisement was placed in the Post Newspaper on 9 March 2019
- A copy of the amendment was placed on the Town's website
- A copy of the amendment was made available at the front counter.

There were no submissions received by the conclusion of the advertising period.

Discussion

The scope of the Scheme review was to include and address the following matters:

Consolidation of LPS3 and LPS Regs Deemed Provisions

Reconciles LPS3 provisions with the deemed provisions contained in Schedule 2 of the LPS Regs which have overridden the LPS3 provisions since their application September 2015.

The new provisions are identified in italics with direct reference to the deemed provision (e.g. *DP 60 REQUIREMENTS FOR DEVELOPMENT APPROVAL*) and are placed as close as possible to the removed LPS3 provision to provide for consistency within the scheme text architecture. This will allow for both sets of provisions to function together, clear identification in the scheme of Council and LPS Regs provisions and will assist in identification of future changes to the scheme as a when the deemed provisions are updated by the WAPC.

Existing provisions of the Scheme which have been automatically overridden by the LPS Regs deemed provisions are to be removed from the Scheme to avoid confusion. Where an existing LPS3 provision is not addressed by the deemed provisions, they are retained, or in some instance are kept to ameliorate the application of the deemed provisions. For example, clause 25(2) of TPS3 which was the subject of Amendment No. 125 and gazetted in March 2015 dealt with developments which were excluded from applying for Development Approval. DP (deemed provision) 61 also deals with this matter but does not include some elements such as rainwater tanks. These types of development are consequentially included under a new provision 25A.

Existing LPS3 provisions which cross reference to previous overridden provisions are amended to reference the associate deemed provisions (e.g. clauses DP 8 and 9 – replacing clause 78 relative to heritage protection). Note – clause 25(3) which links the Heritage List with protection powers under the scheme and was initially intended to be retained in a modified form relating to the new DP 8 and 9 Heritage Places and Areas contained in the Heritage List under clause 25, however based on legal review, it is recommended that this clause be removed (see further comment below).

Clause 5A is added to indicate the scheme has been updated to include the deemed provisions.

Update Terminology and Legal References

The LPS Regs introduces a raft of terminology modifications which are automatically updated in LPS3. They include, Local (formerly Town) Planning Scheme, Development (formerly Planning) Application and Approval, Residential Design (formerly Planning) Codes, Local (formerly By-law), Building Permit (formerly Licence), Heritage List (formerly Schedule), Local Government (formerly Municipal) Inventory and a number of new (e.g. Amenity) or modified (e.g. Owner) definitions.

Other definition changes are necessary such as removal 'Uniform Building By-laws' as the term is no longer relevant or applicable (noting also that other references in the scheme in this regard are removed), and changes to 'Day Care Centre' (now defined as 'Child Care Premises' – with associated new legislation (*Child Care Services Act 2007* in lieu of the former *Child Welfare (Care Centres) Regulations 1968*).

Administrative Corrections and Clarifications

Significant formatting changes have been undertaken to consolidate the two sets of provisions. These include at times reformatting existing provisions and the new

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deemed provisions to enable them to work together under the one scheme architecture.

As indicated below, the currency and suitability of the current scheme provisions was examined in the broad sense, relative to recent and pending changes to the scheme to keep it relevant to the changing planning demands. The review also identified a number of minor changes necessary to give clarification and correction to existing scheme provisions. These are included in the following table.

Minor Modifications and Clarifications

Current provision	Issue/concern	Proposed change
Cl.22(5) reference to 'planning policy 103 Licenced Premises with the Town of Claremont'	Name change (subject to upcoming Policy review) and incorrect word 'with'	Modify cl.22(5) to correctly reference 'Local Planning Policy 201 – Licenced Premises within the Town of Claremont'
Table 2 references to '**'	A number of reference to * appear in Table 2 relating to setback provisions. These relate to modified development requirements for side and rear setbacks, together with landscaping in some instances for various forms of development	Insert '**' and modify the notes at the base of Table 2 to note reference to modified setback and landscaping requirements applicable under cl.37A
Cl.29(2) (c) and (d) references to Shop (Indeterminate)	Should be Shop (Intermediate)	Modify cl. 29 (2) (c) and (d) to rename Shop (Intermediate)
Note 1 to Table 3 referencing aisle and cap parking space widths in Appendix III	Appendix III was removed as part of the Amendment No. 123 parking provision review	Modify Table 3 to remove Note 1 and remove number 2 from following Note.
Cl.37 provides instruction on calculation of parking requirements for combined land uses	Provision is in wrong location following 37A and is inconsistent with other provisions which provide for discretionary consideration of parking concessions.	Relocate provision ahead of cl.37A and add that the calculation is subject to discretionary consideration provided elsewhere in the scheme
Cl.37A reference specific setback requirements for commercial development adjoining residential use and zone	The intent of the setback requirements is to protect the amenity of residential property, but only specifically refers to use in the introductory paragraph.	Add reference to residential 'land and use or developed property' for clarity under cl.37A
Cl.51 parts 3(a) and (b) relating to Local-law 132 setback requirements	Confusion in reading clause results from incorrect location of (a) and (b) under 3.	Relocate (a) and (b) under subclause 2 of cl.51
Cl.64A relating to development sites either side of Avion Way	The lot description is changed and no specific reference is made to the location either side of Avion Way	Include heading as per other clauses, new lot description (Lot 90) and reference to location under cl.64A
Cl.65 Wait Drabble Lane	Duplication of clause number with cl.65 Light Industrial Zone application	Renumber clause 64B
Appendix VII – Location Particulars	Lacks clarity relative to clause association	Add (Refer clause 14A) to Appendix VII
Appendix VIII – Requirements applicable to development either side of Avion Way	The lot description is changed and no specific reference is made to the location either side of Avion Way	Include new lot description (Lot 90) and reference to location to Appendix VIII
Schedule 1	Lacks clarity relative to clause association	Add 'Development Zones' (clauses 75A-75D) to

		Schedule 1
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Inclusion of Model Provisions

The Model provisions under Schedule 1 of the LPS Regs provides a standard set of provisions which are consistently applied to more recent schemes across the state. The Model provisions have been reviewed to identify any specific requirements desirable for inclusion under this review. In addition to the revised definition for 'Child Care Premises' as identified above, the only other desirable inclusion relates to the new provisions concerning non-conforming uses. The existing non-conforming use provisions under cl.24 is significantly outdated. Given that inclusion of the Model Non-conforming use provisions will not have an unordinary impact on development within the Town it is appropriate to review the current provisions by replacing them with the Model provisions.

Currency and Suitability of Current Scheme Provisions

The review is to consider whether LPS3 is up-to-date and complies with the LPS Regs, and also may be undertaken in conjunction with a consolidation of the scheme.

Town Planning Scheme No. 3 (TPS3) was originally gazetted on 1 June 1999, but has been subject to over 139 Scheme Amendments, most of which have been gazetted to address the changing planning demands on the Town since initial gazettal of the Scheme.

Over the past 5 years the Town has conducted major reviews of TPS3 provisions relating to car parking (Amendment No. 123) and residential development (Amendment No. 132) standards. These Amendments have in many ways been significant for the Town, and with specific reference to parking, ground breaking in the way cash-in-lieu parking is considered and administered in order to promote commercial development within the Town Centre; and also to address changing residential development standards within the Town.

Other recent amendments, such as Amendment No.s 107 and 130 have provided the basic planning parameters to support Development zones through Structure Planning provisions which have facilitated current major development projects such as the 'Claremont in the Park' North East Precinct development surrounding Claremont Oval.

Recent strategic planning exercises undertaken by the Town have identified further potential amendments which are in various stages of preparation. These studies primarily relate to how the Town will address its housing density growth target stipulated by the Western Australian Planning Commission ('WAPC'):

- The Housing Capacity Study (adopted by Council 2013)
- Stirling Highway Local Development Plan (adopted by Council July 2016) and now subject to three Amendments (136, 137 and 138)
- Loch Street Station Precinct Structure Plan (adopted by Council February 2018).

Acknowledging that the planning provisions of TPS3 have been continually up dated to address emerging planning issues in the Town (notwithstanding those minor clarification issues identified above) and as there are a number of separate scheme amendments in various stages of consideration and preparation to address the next phase of planning demands, a comprehensive review of the scheme is not warranted at this point. It is noted however that an emerging issue with regard to tree coverage

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and a WALGA study into parking standards may provide impetus for further amendments to the scheme and these will be considered in due course. In addition, the Town is in the process of preparing an Activity Centre Plan for its town centre and a planning study for the Swanbourne shopping centre precinct and these will undoubtedly also lead to a further round of scheme amendments to prepare the Town for the next stage of evolution.

Accordingly, it was considered that the current Scheme serves the planning demands of the Town and its residential and business communities well. While some future amendments are in the state of preparation, they and others will eventuate as a result of the continual review of strategic planning projects in the Town.

Minor Modifications

Due to time constraints in meeting the LPS Regs timeline for the Scheme review, the original Amendment No. 140, proposals was not legally reviewed. This has since occurred and it is has been recommended that the following minor administrative matters be included in the Amendment, noting that as these are of a clarification and administrative nature, they equate to matters which could be considered as a ‘Minor Amendment’ and accordingly would not necessarily need to be advertised for public comment.

Current provision	Issue and Changes
Clause 6	Modify heading to “ <i>Relationships of Scheme to Local Laws</i> ” and subsequent references in Scheme of “ <i>Local-Laws</i> ” to “ <i>Local Laws</i> ”.
Clauses 9 and 10 Interpretation and definitions	Remove duplication relative to definitions contained within the deemed provisions themselves; align the Child Care Premises definition with that of the Model Scheme Text; include a definition for Home Office (which is a form of Home Occupation which exempt from a Development Approval under the deemed provisions); modify the definition of Aged or dependent person dwelling to better align with the R-Codes; and modify the definition of R-Codes and Residential Design Codes to align the deemed provisions with other references in the Scheme.
Clause 14(d) Special Approval (SA) adverting requirements	Modify to ensure SA uses are advertised in accordance with the deemed provisions.
Clause 22(2) and (3) matters for consideration when dealing with Other Licenced Premises	Remove the current references to cl.86 (former matters of consideration under LPS3) as they are superseded by and inconsistent with deemed provision 67 (to be inserted in the place of cl.86).
Clause 25 Heritage provisions	<p>Modifications required to remove the reference to the Council’s Heritage Survey undertaken in November 1991 (as underlined in proposed cl.25 below) as this is inconsistent with the deemed provisions.</p> <p>It is noted that cl.25 retained some elements which are not covered by the associated deemed provisions 60 and 61 and (also) the Heritage protection provisions under Part 3 of the deemed provisions, such as the considerations underlined below in yellow. Taking into account that the other aspects are not inconsistent with the deemed provisions (by removing references to the Heritage Survey as recommended), the following was considered as a modified cl.25:</p> <p><i>No person shall, unless the consent of the Council is obtained, demolish any building, structure or part thereof that is listed in the Heritage List referred to under clauses (DP) 8 or 9 of Council’s Local Planning Scheme. or is listed on Council’s Heritage Survey undertaken in November 1991 and as</i></p>

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	<p>amended from time to time. Council may refuse to grant Development Approval to any application to demolish any building listed in the Heritage List referred to under clauses (DP) 8 or 9 of Council's Local Planning Scheme or Council's Heritage Survey as amended from time to time which has been identified in that survey as a place which has high intrinsic architectural merit, to be an outstanding example of its kind, to be of historical significance or to substantially contribute to the streetscape.</p> <p>Advice received indicated that the changes above remove the inconsistency with the deemed provisions, but nevertheless retaining the provision is counter-productive as the capacity to refuse demolition where the place is considered to have "high intrinsic architectural merit, to be an outstanding example of its kind, to be of historical significance or to substantially contribute to the streetscape" sets the bar too high to refuse demolition. Under the State Planning Policy and the Town's Local Planning Policies, the starting point is that if a place is on the Heritage List it should generally be retained (subject to its category). If the provision is maintained, it allows an applicant for demolition to argue that unless the place is judged to be of "high intrinsic architectural merit, to be an outstanding example of its kind, to be of historical significance or to substantially contribute to the streetscape" demolition should not be refused, because it is implicit in the Scheme that only buildings which reach that standard should be retained.</p> <p>Accordingly, based on the advice received, it is recommended that cl.25 be entirely removed.</p>
<p>Clause 25A Additional minor works not requiring Development Approval</p>	<p>Modifications proposed to re-organise the Development Approval exemption provision to align more closely with the format of deemed provision 61 exemptions; reinstate signage requirements which are not inconsistent with the deemed provisions; and include other minor works which are inconsequential and address emerging requirements (i.e. – <i>"Charging stations for electric vehicles or the like, which are located within a car parking area of an approved development"</i>) and which are identified as being of an administrative nature such as underground car park anchors extending into road reserves (i.e. <i>"Minor underground works within a road reserve, right of way, public open space or drainage reserve which is under the care, control and management of the local government, where the minor underground works are incidental to approved works on adjacent land, provided that the local government considers the minor underground works do not have the potential to adversely impact the servicing or use of the land controlled by the local government."</i>)</p>
<p>Clauses 30 and 31A Parking concessions</p>	<p>Minor clarifications to parking concessions under clause 30 and 31A to confirm the calculation of the concessions are based on the parking requirement specified under clause 30 by adding "The additional bays required by this clause may be subject to variation under clause 31A." to clause 30 and replacing "Scheme" in clause 31A with "clause".</p>
<p>Clause 37A(1 – 3)</p>	<p>Refine the existing proposed amendments to this clause to clarify its application relative to all residential land.</p>
<p>Clause 75D (Structure Plans) and 75S.5(3 - 5) Development Contribution Plan requirements</p>	<p>Removal of cl.75D and 75S.5(3 – 5) as these clauses are inconsistent with the equivalent deemed provisions 27, 72 and 73.</p>
<p>Clause 92 Compensation</p>	<p>Delete clause as it is dealt with under Part 11 of the P&D Act relative to injurious affection claims, and clarify the timing for</p>

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	making such a claim.
Clause 93 Directions	Delete cl.93 as it is out of date and covered by section 214 of the P&D Act.
Clause 95 Offences	Modify subclause 5 to a separates statement to subclauses 1-4 as it operates independently and also update reference to section 10 of the P&D Act to section 223.

Financial and Staff Implications

The review of LP3 Regs has taken approximately 100 hours of officer time inclusive of approximately \$3,000 legal review. However it is noted that the review that has been undertaken for the Scheme is likely to result in a formal request for the Town to embark on a new review of the Local Planning Strategy and preparation of a new Local Planning Scheme No. 4.

Policy and Statutory Implications

Amendment No. 140 addresses a number anomalies present in the exiting Scheme and pave the way for further reviews of the Scheme following preparation of a new Local Planning Strategy.

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.

Balance the Town's historical character with complementary, well designed development.

Leadership and Governance

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

Our stakeholders are well informed and we provide opportunities for community engagement.

Demonstrate a high standard of governance, accountability, management and strategic planning.

Urgency

Amendment No.140 is required to be considered by Council within 60 days of the end of the submission period and then forwarded to the Minister for Planning, Lands and Heritage for determination.

Conclusion

The proposed Scheme Amendment has been advertised in accordance with the LPS Regs and no submissions were received. Subsequently, it is recommended that Scheme Amendment No.140 be finalised, with minor modifications as outlined above, in accordance with the officer's recommendation below.

Voting Requirements

Simple majority decision of Council required.

Moved Cr Edwards, seconded Cr Main**THAT Council resolve the following:**

1. **Modify Scheme Amendment No.140 text to include the following minor changes:**
 - a) **Modify clause 6 heading to *“Relationships of Scheme to Local Laws”* and subsequent references in the Scheme to *“Local-Laws”* to *“Local Laws”*.**
 - b) **Modify clauses 9 and 10 to remove duplication relative to definitions contained within the deemed provisions, align the Child Care Premises definition with that of the Model Scheme Text, include a definition for Home Office, modify the definition of Aged or dependent person dwelling to better align with the R-Codes, and modify the definition of R-Codes and Residential Design Codes to align the deemed provisions with other references in the Scheme.**
 - c) **Modify clause 14 (d) to ensure SA uses are advertised in accordance with the deemed provisions.**
 - d) **Remove references to clause 86 in clauses 22(2) and 22 (3) as they are inconsistent with and superseded by deemed provision 67.**
 - e) **Remove clause 25 as it is inconsistent with the deemed provisions.**
 - f) **Modify clause 25A to re-organise the Development Approval exemption provision to align more closely with the format of deemed provision 61 exemptions; retain existing signage requirements which are not inconsistent with the deemed provisions; and include other minor works which are inconsequential and address emerging requirements (i.e. – *“Charging stations for electric vehicles or the like, which are located within a car parking area of an approved development”*) and which are identified as being of an administrative nature such as underground car park anchors extending into road reserves (i.e. *“Minor underground works within a road reserve, right of way, public open space or drainage reserve which is under the care, control and management of the local government, where the minor underground works are incidental to approved works on adjacent land, provided that the local government considers the minor underground works do not have the potential to adversely impact the servicing or use of the land controlled by the local government.”*)**
 - g) **Clarify parking concessions under clause 31A to confirm the calculation of the concessions are based on the parking requirement specified under clause 30 by adding *“The additional bays required by this clause may be subject to variation under***

clause 31A.” to clause 30 and replacing “*Scheme*” in clause 31A with “*clause*”.

- h) **Modify clause 37A(1 - 3) to clarify its application relative to all residential land.**
 - i) **Remove clauses 75D and 75S.5(3 – 5) as these clauses are inconsistent with the equivalent deemed provisions 27, 72 and 73.**
 - j) **Delete clause 92 as it is dealt with under Part 11 of the *Planning and Development Act 2005* relative to injurious affection claims, and clarify the timing for making such a claim.**
 - k) **Delete clause 93 as it is out of date and covered by section 214 of the *Planning and Development Act 2005*.**
 - l) **Modify subclause 5 of clause 95 to a separate statement to subclauses 1-4 as it operates independently and also update reference to section 10 of the *Planning and Development Act 2005* to section 223.**
2. **Adopt Scheme Amendment No.140 with modifications (a)-(l) above.**
 3. **Authorise the Mayor and Chief Executive Officer to affix the Common Seal to Scheme Amendment No.140 documents.**
 4. **Forward the modified Scheme Amendment No.140 to the Minister for Planning, Lands and Heritage for final approval and endorsement.**

**CARRIED(69/19)
(NO DISSENT)**

Officer Recommendation

14 ANNOUNCEMENTS BY THE PRESIDING PERSON

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

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

Nil

18 DECLARATION OF CLOSURE OF MEETING

19 FUTURE MEETINGS OF COUNCIL

Ordinary Council Meeting, Tuesday 26 November 2024 at 7.00pm.