



MINUTES

Ordinary Council Meeting Tuesday, 25 July 2023

Date: Tuesday, 25 July 2023

Time: 7.00pm

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

**Liz Ledger
Chief Executive Officer**

DISCLAIMER

Would all members of the public please note that they are cautioned against taking any action as a result of a Council decision tonight until such time as they have seen a copy of the Minutes or have been advised, in writing, by the Council's Administration with regard to any particular decision. This meeting shall be recorded for Administration purposes only.

UNCONFIRMED

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**MINUTES OF TOWN OF CLAREMONT
ORDINARY COUNCIL MEETING
HELD AT THE TOWN OF CLAREMONT, CLAREMONT COUNCIL CHAMBERS, 308 STIRLING
HIGHWAY, CLAREMONT
ON TUESDAY, 25 JULY 2023 AT 7.00PM**

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

His worship the Mayor, welcomed members of the public, press, staff and Councillors and declared the meeting open at 7.01pm.

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

PRESENT:

Mayor Jock Barker
Deputy Mayor Cr Annette Suann
Cr Shelley Hatton
Cr Peter Edwards
Cr Kate Main
Cr Ryan Brown
Cr Jill Goetze
Cr Sara Franklyn
Cr Peter Telford

IN ATTENDANCE:

Liz Ledger (Chief Executive Officer)
Bree Websdale (Director Governance and People)
Marty Symmons (Director Infrastructure)
Alan Ferris (Director Corporate and Community)
Jessica Guy (Manager Governance and Records)
Michael Lee (Corporate Communications Officer)

4 members of the Public, 1 members of the Press

APOLOGIES:

Cr Paul Kelly

LEAVE OF ABSENCE:

Nil

3 DISCLOSURE OF INTERESTS

Nil

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5 PUBLIC QUESTION TIME**Ms Shirley Dyson of 14B Airlie Street, Claremont****Regarding Airlie Street parking**Question 1

I'd like to ask the Council what they can do, or can't do with regards to parking on Airlie Street? Why can't the developer be made to park his tradie cars elsewhere, maybe the showgrounds, and then shuttle his tradies in at short intervals?

Question 2

We have got over 300 more tradies coming in the next couple of weeks (to Airlie Street). What is going to happen, what can Council do?

Question 3

This new development that's coming, will it affect the business, the residents. So surely, I know you have no control over the developer but surely there needs to be something done for developers to stop doing this to us. What can be done?

Questions 1-3 were taken on notice.**6 PUBLIC STATEMENT TIME****Mr Nick Grindrod of Rise Urban, 3/448 Roberts Road, Subiaco regarding Item 13.1.1 - Lot 8 (34) St Quentin Avenue, Claremont - Amendment to Previous Development Approval (Retrospective) - Removal of 3 Staff Bays & Alfresco Area Extension**

Mr Grindrod spoke in support of the Development Application on behalf of the Applicant.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**RESOLUTION 090/23****Moved: Cr Shelley Hatton****Seconded: Cr Peter Telford****That the minutes of the Ordinary Meeting of Council held on 11 July 2023 be confirmed.****For: Mayor Jock Barker, Cr Annette Suann, Cr Shelley Hatton, Cr Peter Edwards, Cr Kate Main, Cr Ryan Brown, Cr Jill Goetze, Cr Sara Franklyn, Cr Peter Telford****Against: Nil****CARRIED 9/0**

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

17.1.1 Acquisition of 288 Stirling Highway Claremont

11 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

Nil

12 REPORTS OF COMMITTEES

Nil

UNCONFIRMED

13 REPORTS OF THE CEO

13.1 LIVEABILITY

13.1.1 LOT 8 (34) ST QUENTIN AVENUE, CLAREMONT - AMENDMENT TO PREVIOUS DEVELOPMENT APPROVAL (RETROSPECTIVE) - REMOVAL OF 3 STAFF BAYS & ALFRESCO AREA EXTENSION

File Number: 01PEA/22/4002, D-23-21069

Attachments:

1. [Location Map](#) [↓](#)
2. [Photographs](#) [↓](#)
3. **Plans - Confidential**
4. [Noise Assessment - Corvo Bar Kitchen](#) [↓](#)
5. [Additional Noise Modelling Letter Dated 4 May 2023](#) [↓](#)
6. [Additional Noise Assessment Letter Dated 13 June 2023](#) [↓](#)

Author: Michael Hancock, Acting Director Planning and Development
Bree Websdale, Director Governance and People

Authoriser: Liz Ledger, Chief Executive Officer

Proposed Meeting Date: 25 July 2023

DA No.: 2022.00045

60/90 Days Due Date: 4 July 2023

Property Owner: Tegra Pty Ltd, Yalaba Pty Ltd, Argyle Holdings Pty Ltd & Youssa Pty Ltd

Applicant: Rise Urban

Lot No.: 8

Area of Lot: 506m²

Zoning: Town Centre Zone

Enabling Legislation: *Planning and Development Act 2005 (PD Act)*
Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regs)
Local Planning Scheme No. 3 (LPS3)
Payment in Lieu of Parking Plan (PLPP)

SUMMARY

- Application for Development Approval received for retrospective approval for the conversion of three staff parking bays to an outdoor dining area, replacement of an awning at the front of the building, removal of aside wall to the front outdoor dining area, an increase in outdoor seating (from 55 to 75 patrons) and amendment of conditions of Development Approval.
- An application to change the use of the existing building from 'Office' to 'Small Bar' was refused by Council at its meeting on 5 November 2013 due to amenity concerns relative to adjacent residents.
- The applicant subsequently lodged an Application for Review with the State Administrative Tribunal (SAT). Following a SAT mediation and the submission of further information and a

revised proposal by the applicant, Council conditionally approved the application on 10 December 2013.

- A condition of the Development Approval required “*Final details of the roofing material and side wall construction proposed for the two outdoor dining areas being submitted and approved prior to the issue of a building permit*”.
- Subsequent to the approval, the applicant has modified the front canopy and side fence to the outdoor dining area fronting the street and constructed a decked dining area at the rear.
- Proposed modifications have been supported by a revised Noise Assessment and the application is recommended for approval subject to similar conditions as initially imposed.

PURPOSE

The application seeks retrospective approval for extension of the outdoor area into the existing parking area, modifications to the front awning and for additional outdoor seating for patrons on the subject site. See location map, **Attachment 1** and photographs of the outdoor area, **Attachment 2**. Also plans shown at **Attachment 3**.

The application requires the Council’s determination due to the commercial nature of the proposal.

BACKGROUND

The following table outlines key dates regarding this proposal:

Date	Item/Outcome
28 April 2022	Application received
29 April 2022	Further information requested
6 May 2022	Application validated – lodgement of Noise Assessment outstanding
7 November 2022	Noise Assessment received from applicant
6 December 2022	Clarification requested on Noise Assessment
12 April 2023	Application referred to DCU
4 May 2023	Additional noise modelling received
23 May 2023	Clarification requested on additional noise modelling
13 June 2023	Additional noise modelling received

At its meeting held on the 5 November 2013 (Resolution 311/13) Council considered an application for the proposed change of use of the subject property from ‘Office’ to ‘Small Bar’ and resolved that it be refused on the basis that it would result in a loss of amenity for residents.

The applicant lodged a subsequent application to the State Administrative Tribunal (SAT) seeking a review of Council’s decision. Through the SAT mediation process the applicant submitted additional and revised details. The applicant undertook to cover a minimum of 50 per cent of the outdoor dining area along the eastern boundary of the site and to construct an awning extending 1.5m from the face of the building and a side wall within the front setback area to provide an additional sound barrier.

On 10 December 2013, Council resolved to approve the application subject to a number of conditions including a condition requiring the submission of final details of roofing materials and the side wall construction for the two outdoor dining areas prior to the issue of a Building Permit. The condition was to ensure that the materials would achieve the necessary noise mitigation.

PAST RESOLUTIONS

At its meeting held on 10 December 2013, Council resolved:

THAT Council grant planning approval for a proposed change of use from ‘Office’ to ‘Small Bar’, internal and external alterations and additions and signage for ‘Asado’ at Lot 8 (43) St Quentin Avenue, Claremont subject to the following conditions and advice notes:

1. *The operation hours of the small bar being restricted to the following:*

Day	Hours of Operation
Monday and Tuesday	7.00am to 10.00pm

<i>Wednesday and Thursday</i>	<i>7.00am to 11.00pm</i>
<i>Friday and Saturday</i>	<i>7.00am to Midnight</i>
<i>Sunday</i>	<i>10.00am to 10.00pm</i>

2. *Customer entry to the venue is to be restricted 30 minutes prior to closure each night.*
3. *The proposed outdoor dining area located between the St Quentin Avenue boundary and the building being closed for use of patrons and staff from 10.00pm Sunday to Thursday where applicable.*
4. *Final details of the roofing material and side wall construction proposed for the two outdoor dining areas being submitted and approved prior to the issue of a building permit.*
5. *Prior to occupation of the approved small bar, the applicant/owner shall satisfy the cash-in-lieu of car parking bays for the shortfall of five car parking bays in accordance with Clause 33 of Town Planning Scheme No 3 by payment of a car parking licence at a fee prescribed by Council.*
6. *Prior to the occupation of the approved small bar a Parking Management Plan is to be submitted and approved detailing the use of and access to/egress from the three staff parking bays located at the rear of the site.*
7. *Prior to the occupation of the approved small bar a final Venue Management Plan and Refuse Management Plan, including the collection of refuse and the disposal of glass outside of the building after 7.00am, is to be submitted and approved and thereafter implemented to the satisfaction of the Town of Claremont.*
8. *All entertainment within the small bar is to be limited to background level noise over which normal levels of conversation can occur.*
9. *The outdoor dining area is to be limited to a maximum of 55 patrons at any one time.*
10. *The recommendations contained in the acoustic report prepared by Lloyd George Acoustics dated 16 October 2013 is to be implemented in full, with details to be submitted and approved prior to the issue of a building permit.*
11. *All rubbish bins, clothes-drying areas and air-conditioning units are to be screened from the view from any public street;.*
12. *A Site and Traffic Management Plan for tradespersons and delivery vehicles being prepared by the applicant and submitted to the Town of Claremont for approval, prior to the issue of a Building Permit;.*
13. *Upon completion of the approved works, all excess articles, equipment, rubbish, and materials are to be removed from the site, and the site is to be left in an orderly and tidy condition, to the satisfaction of the Town of Claremont.*
14. *The external materials and colour finishes of the development are to be to a standard such that they comply with the requirements of Clauses 76 and 77 of the Town of Claremont Town Planning Scheme 3, to the satisfaction of the Town of Claremont.*
15. *All storm water is to be retained on the site. Details are to be provided with the application for building permit.*
16. *In all other respects, development is to occur in accordance with the drawings submitted with the application for planning approval (Planning Application 2013/00121), as amended by these conditions and any modifications noted in red on the approved drawings.*
17. *This approval is valid only if the development is commenced within 24 months of the date of approval.*

ADVICE NOTES

- (i) *The applicant is advised that any change to the hours of operation as detailed in conditions 1 - 3 above are subject to a separate application for planning approval.*

- (ii) Council advises the applicant that the required parking licence fee of \$1,250 per bay (\$6,250) is required to be paid prior to the issue of a building permit as an interim approach to addressing the cash-in-lieu for car parking requirements of Town Planning Scheme No 3 as detailed in condition 5 above. Further, subject to the finalisation of Amendment No. 123 to the Scheme and adoption of Council Policy on Parking in the Town Centre, a final contribution of \$500 per bay (\$2,500) may be required to finally satisfy the Town Planning Scheme parking requirements.
- (iii) In regards to Condition 7 above the Venue Management Plan is to detail how it is proposed to:
- a. Monitor and control noise and patron behaviour;
 - b. A procedure for managing the closure of windows and doors to minimise the impact of noise generated from the venue having regard for the time of day and the capacity of the venue;
 - c. Manage the security and safety of the venue;
 - d. Implement a detailed procedure for assisting to move on patrons from the venue once the venue closes;
 - e. Manage deliveries and waste removal to and from the premises.
 - f. Manage the noise associated with set up and clean up, including disposal of empty bottles;
 - g. Implement a procedure for handling and resolving complaints made in relation to the operation of the venue; and
 - h. Manage any other matters associated with the operation of the venue.
- (iv) Should you be aggrieved by any conditions imposed by Council's decision, you are advised that you may have the right of appeal. Such an appeal should be lodged with the State Administrative Tribunal within twenty eight (28) days of this approval. The appeal forms are available from the Department of Justice web site at www.sat.justice.wa.gov.au.
- (v) This is a planning approval only, and a building permit must be obtained from the Local Government prior to the commencement of any building works. Building permit applications for non-residential development MUST be certified prior to submission.
- (vi) The applicant/owner is advised of the following health requirements from the Town's Health Services. Should advice be unclear, please contact the Town's Health Services on 9285 4300:
- a) Works that are to be undertaken on site are to comply with the Environmental Protection (Noise) Regulations 1997;
 - b) All plant and machinery (such as air conditioners and pool pumps) being suitably sound proofed to comply with the requirements of the Environmental Protection (Noise) Regulations 1997;
 - c) Under the Environmental Protection (Noise) Regulations 1997, no work is to be permitted or suffered to be carried out:
 - (i) Before 7:00am or after 6:00pm between Monday and Saturday inclusive; or
 - (ii) On a Sunday or public holiday; and
 - d) The applicant is to remove any hazardous materials contained within the building including the portion of the building to remain, at their own expense and in accordance with the Code of Practice on Safe Removal of Asbestos (NOHSC:2002 (1988)) as stipulated by the Occupational Health and Safety Regulations 1996, and disposed of in accordance with the Health (Asbestos) Regulations 1992 and the Environmental Protection (Controlled Waste) Regulations 2004.

COMMUNICATION/CONSULTATION

The application was not advertised (nor is it required to be) as the development is existing and is a previously advertised use.

The applicant is aware that a payment in lieu may be applied for the shortfall in parking. The applicant has raised concerns over the capacity for the tenant (not owner) to pay the parking contribution.

DISCUSSION

Description

The application proposes to retrospectively gain Development Approval for the construction of a raised rear deck to seat 30 outdoor patrons over three existing car parking bays, retrospectively remove an awning at the front of the property required as a result of the former SAT mediation process on the initial application and increase outside seating areas from 55 to 75 patrons.

Compliance

The development proposes variations to the provisions of Local Planning Scheme No. 3 (LPS3). Where a LPS3 provision is not satisfied, discretion may only be applied where a variation is provided for under LPS3 provisions. It is noted that any decision of Council taking into account discretionary matters may be subject to an application for review by the SAT.

The development complies with the LPS3, LPP and LL provisions with the exception of the provision of carparking.

Car Parking

The development proposes a shortfall in the provision of car parking under LPS3 (cl.22 (4)(a)) and cl.31A(2) Table 4 as detailed below:

Number of patrons	Parking ratio	Bays Required	Clause 31A(2) Table 4 Concessions	Final Bays Required	Provided / Shortfall
120 (as per initial application)	1/16 patrons	7.5	15% - 1.125	6.375 (6)	5 cash-in-lieu bays 1 bay shortfall

As indicated above, after granting parking concessions under cl.31A(2) of 15% (5% each for the sites location within 400m of Claremont Station (396m) and 100m from a public car park, and for a use which provides a public benefit, compliments the character of the zone and does not adversely impact the amenity of the locality – See Note 1 below), the revised parking requirement for the Small Bar is six bays.

The initial Development Approval required eight bays (rounded up from 7.5 to 8) as the current concessions did not apply at the time. As three bays were initially provided in the rear parking area (see Note 2 below), the applicant was required to pay cash-in-lieu for five bays (see Note 3 below) under the initial approval.

Note 1 – Other concessions under LPS3 relative to the distance of 100m to a bus bay on a frequent bus service do not apply given this distance is exceeded. Reductions for out of peak parking periods do not apply under LPS3 except for different land uses within the same property or where joint use of parking areas on other lots are secured by legal agreement.

The applicant has referenced ride share services as qualifying for further concessions, however these services do not apply under the cl.31A(2) of LPS3, although Council may take these matters into consideration under cl.77D of the LPS Regs (see further comment below). As the property is not heritage listed, further concessions taking into account these types of factors though deemed regulation 12 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regs) do not apply.

Note 2 – Access to the three bays was required through the side accessway/outdoor seating area. When the development commenced operation, use of the parking area for the parking of cars was confirmed however this evolved to allow for parking of motor bikes/scooters etc. and subsequently, although the bays were available, access was to inconvenient and rarely used.

Note 3 – The cash-in-lieu parking requirements that applied to the initial development approval were based on car parking licence requirements which were applied by Council at the time as an interim approach to provide for cash-in-lieu for parking shortfalls while Amendment No. 123 was being progressed. At the time the parking licence fee was \$1,250 per bay (total of \$6,250 for five bays), however once Amendment No. 123 was gazetted, the fee increased, a further \$500 per bay.

Council may in theory be able to request a further \$2,500 from the owner (same as previous) for the outstanding contribution to finalise the former cash-in-lieu obligations under LPS3, however this is not recommended given the time lapse since the initial approval. The recommended position is to consider that the cash-in-lieu parking arrangements for five bays has been satisfied.

Cash in lieu

Given the removal of the three rear parking bays as a result of this application, the previous provision of cash-in-lieu parking for five bays, and the reduction of the parking requirement from eight bays to six bays, the outstanding cash-in-lieu requirement is for one (1) bay.

Council’s Payment in Lieu of Parking Plan (PLPP) were adopted on 27 June 2023 and were prepared in accordance with the new LPS Regs. Parking shortfalls under the PLPP require a cash contribution of \$19,500 per bay.

The LPS Regs provides that where the minimum on-site parking requirements are not satisfied a local government may impose a condition requiring a payment in lieu (Section 77H).

The maximum chargeable is \$19,500 per bay but Council may exercise discretion to charge less than the maximum or waive the fee entirely (Section 77D).

Council is permitted to vary or waive the payment in lieu where it is satisfied that:

- reasonable efforts have been made to comply with the minimum requirement without adversely affecting access arrangements, the safety of pedestrians or persons in vehicles, open space, street trees or service infrastructure (s77D, (2));
- having regard to sufficient off-site parking facilities and the likely use of alternative means of transport.

Council has the following options available to it:

Options	
1	Apply a condition and require \$19,500 for the shortfall of 1 bay
2	Waive the fee entirely
3	Vary the fee i.e. Apply a condition and require an amount between \$0 and \$19,500 for the shortfall of 1 bay

The officer recommendation is Option 2, alternatively Option 3 for the following reasons:

- this is a retrospective application;
- the premises has operated for a number of years without this additional parking space being available. That leads to a reasonable argument that the shortfall of 1 bay has not “adversely affected access arrangements, the safety of pedestrians or persons in vehicles, open space, street trees or service infrastructure”
- the premises has good access to public parking facilities, public transport and ride share services.

If Option 3 is the preferred option, the recommendation is to charge 50% of the maximum fee i.e. \$9,750.

Noise Assessment

The application proposes to increase the outdoor seating area by 20 patrons (from 55 to 75), noting that the total patronage will remain at 120 (maximum for a Small Bar).

The application provides for 30 patrons to be located in the rear courtyard area.

The Noise Assessment Reports (**Attachments 4, 5 and 6**) and related documentation confirm that the increase in patronage does not result in noticeable changes to the overall levels and that the increased outdoor patronage will not increase noise levels beyond the approved and/or assigned levels at nearby sensitive receivers subject to all other the recommendations contained in the 2013 Lloyd George Acoustics report being implemented.

Any potential exceedances in noise levels may be controlled by the application of all other existing conditions regarding hours of operation, closure of the outdoor area from 10.00pm Sunday to Thursday and entertainment being limited to background noise. It is noted that the last requirement does not apply to Friday and Saturday after 10.00pm.

There is potential, as indicated in the Noise Assessment report, that there could be noise level exceedances after 10.00pm relative to the rear courtyard and front patio area. These matters are further addressed below.

The Noise Assessment report indicates the following comments:

Noise from patrons in the venue will need to be carefully managed to reduce potential noise impacts to residents and achieve ongoing compliance with the Noise Regulations. Recommendations for noise management are provided below.

- *We understand that the venue already restricts use of the main alfresco area after 2200 hours Sunday to Thursday. The same restrictions should be applied to the proposed new timber deck.*
- *Management procedures should be used to minimise patron noise as necessary. This will be particularly important during busy night and evening periods and should include:*
 - *Staff being informed of the venue and their own responsibilities for managing noise.*
 - *Noisy patrons in outdoor areas being asked to move inside.*
 - *Restricting the use of outdoor areas for large group bookings during sensitive time periods.*
 - *Closing operable facades to contain noise within the building when required.*
- *Music levels must remain at background levels, as is currently the case for the internal space. Note that it is sometimes necessary to restrict music level controls from unauthorised staff.*
- *Any new speakers outside should be selected and configured so that levels are controlled, particularly at low frequencies. Care will be required in the orientation of any new speakers so that sound is not directed towards noise-sensitive receivers (either directly or via acoustically reflective surfaces).*

The following outcomes are noted for the patron noise assessment:

- *Noise to external receivers can be sufficiently controlled by moving patrons inside and closing facades when required. Under this scenario, compliance can be demonstrated for all time periods (see Table 9).*
- *Noise from patrons outside (existing and new areas):*
 - *has been demonstrated to achieve the day assigned levels at external receivers.*
 - *may exceed the evening assigned levels at external receivers (by up to 4 dB).*
 - *may exceed the night assigned levels at external receivers (by up to 9 dB).*

- *was demonstrated to achieve the internal noise criteria at nearby receivers all times.*

However, managerial controls, including restrictions on the use of outdoor areas at times will be required to reduce potential noise impacts to residents and achieve ongoing compliance with the Noise Regulations. The Corvo management team has confirmed that managerial controls will be implemented.

The advised noise exceedances referenced above have been reviewed on 13 June to be reduced to 1dB (to the west) and 4dB (to the north). It is also noted that with regard to the managerial controls, the applicant has indicated that “no amplified or live music will be played” (relative to the outdoor dining areas). Given this statement conflicts with the Noise Assessment Report statement above, it would be prudent that conditions be applied to address the potential (limited) noise level exceedances in the outdoor areas by requiring no speakers being placed outside, the applicant adhering to the above management arrangements and that openings to the external seating areas being closed after 10.00pm Wednesday – Saturday nights.

In addition, the former front patio and side wall required through the SAT mediation and subsequent s.31 of the *State Administrative Tribunal Act 2004* approval process has been removed from the premises and replaced with a canvas awning structure. While the former patio and side wall were required to mitigate noise concerns relative to the initial approval, the Noise Assessment Report indicates that the revised awning will not result in noticeable changes to the overall levels the approved and/or assigned levels. Further, a heavier awning could provide some small noise level reductions, however the benefits would be limited by reflected sound from the neighbouring buildings. Accordingly, the most beneficial way of reducing noise from this area would be to close the operable facades as necessary and continue to implement the managerial controls as necessary and as recommended in the acoustic report together with measures to shifting noisy patrons inside during sensitive time periods (as addressed above and with the proposed condition).

FINANCIAL AND STAFF IMPLICATIONS

There are no additional staff implications.

If Option 1 is selected, PLPP payment will contribute \$19,500 to the cash-in-lieu parking Reserve Account.

If Option 1 is selected by Council, there is a possibility the Applicant will seek a SAT review of the decision on the basis that Council should vary or waive the fee due to circumstances of the application and a belief that section 77D (2) of the LPS Regs has been satisfied.

POLICY AND STATUTORY IMPLICATIONS

In accordance with deemed provision 68(2) of the LPS Regs, Council is required to determine the application by:

- “(a) granting development approval without conditions; or*
- (b) granting development approval with conditions; or*
- (c) refusing to grant development approval.”*

STRATEGIC COMMUNITY PLAN

Liveability

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

- Provide clean, usable, attractive and accessible streetscapes and public spaces.
- Balance the Town's historical character with complementary, well designed development.

Prosperity

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

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

URGENCY

The application is nearing its 60 day statutory timeframe (excluding ‘stop days’ awaiting further information) for determination.

CONCLUSION

Based on the above, it is recommended that approval be granted subject to the conditions set out below in the officer’s recommendation.

VOTING REQUIREMENTS

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

RESOLUTION 091/23

Moved: Cr Jill Goetze
Seconded: Cr Annette Suann

THAT Council grant Development Approval for proposed modifications to the existing Small Bar at Lot 8 (43) St Quentin Avenue, Claremont subject to the following conditions and advice notes:

1. All development shall occur in accordance with the approved drawings dated 11 July 2023 (Development Application DA2022.00045) as amended by these conditions.
2. The operation hours of the small bar being restricted to the following:

Day	Hours of Operation
Monday and Tuesday	7.00am to 10.00pm
Wednesday and Thursday	7.00am to 11.00pm
Friday and Saturday	7.00am to Midnight
Sunday	10.00am to 10.00pm

3. Customer entry to the venue is to be restricted 30 minutes prior to closure each night.
4. The proposed outdoor dining area located between the St Quentin Avenue boundary and the building, and also on the rear decking being closed for use of patrons and staff from 10.00pm Sunday to Thursday where applicable.
5. All entertainment within the small bar is to be limited to background level noise over which normal levels of conversation can occur.
6. No speakers are to be placed outside and the venue openings to the external seating areas are to be closed after 10.00pm Wednesday – Saturday nights.
7. The applicant adhering to the recommended Marshall Day management arrangements contained in the Noise Assessment Report dated 7 November 2022.
8. The outdoor dining area is to be limited to a maximum of 75 patrons at any one time.

9. The recommendations contained in the acoustic report prepared by Lloyd George Acoustics dated 16 October 2013 is to be implemented in full, with the exception of an assumed maximum of 75 patrons in the alfresco areas.

Advice Notes:

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

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

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

Note 4: An application for a building approval certificate is required to be submitted for all work deemed retrospective. To support this application a private building surveyor will be required to issue a Certificate of Building Compliance and include all supporting documentation.

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

- (a) All plant and machinery (such as air conditioners and pool pumps) must be suitably located and/or sound proofed to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*.
- (b) Under the *Environmental Protection (Noise) Regulations 1997*, no construction work is to be permitted or suffered to be carried out:
 - i) Before 7.00am or after 7.00pm Monday to Saturday inclusive; or
 - ii) On a Sunday or on a public holiday.

Works required to be undertaken outside of approved hours require approval of the Chief Executive Officer of the Town of Claremont (fees apply).

For: Mayor Jock Barker, Cr Annette Suann, Cr Shelley Hatton, Cr Peter Edwards, Cr Kate Main, Cr Ryan Brown, Cr Jill Goetze, Cr Sara Franklyn, Cr Peter Telford

Against: Nil

CARRIED 9/0

Lot 8 (34) St Quentin Avenue, Claremont



Aerial View - Lot 8 (34) St Quentin Avenue, Claremont
(Source – Intramaps)

Sites of Retrospective Development

Lot 8 (34) St Quentin Avenue, Claremont Corvo Bar & Kitchen



Alfresco Area – Rear of 34 St Quentin Avenue, Claremont



View to Alfresco Area (Rear) from 34 St Quentin Avenue, Claremont



Replacement Awning to 34 St Quentin Avenue, Claremont (view West)



Replacement Awning to 34 St Quentin Avenue, Claremont (view East)



MARSHALL DAY 
Acoustics

CORVO BAR & KITCHEN
NOISE ASSESSMENT

Rp 001 r01 20220534 | 7 November 2022



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Project: **CORVO BAR & KITCHEN**

Prepared for: **c/o FJM Property
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Report No.: **Rp 001 r01 20220534**

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Document Control

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Issued	-	-	19 Sep. 2022	B. Beverley	B. Wilson
Revision	1	Descriptions of confirmed & actioned treatments added	07 Nov. 2022	B. Beverley	B. Wilson



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APPENDIX A GLOSSARY OF TERMINOLOGY

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APPENDIX C NOISE MODELLING METHOD

1.0 INTRODUCTION

Marshall Day Acoustics (MDA) has been commissioned to assess noise from the existing Corvo Bar & Kitchen in Claremont. The assessment has been requested as part of a retrospective development application for a new timber-deck alfresco area at the rear of the venue site.

This report includes noise measurement results of the existing operations, desktop modelling predictions for patrons in outdoor areas including the new timber-deck alfresco area, and recommendations for managing noise to nearby receivers.

A glossary of acoustic terminology used in this report is provided in Appendix A.

2.0 SITE DESCRIPTION

2.1 Site and surrounds

The Corvo Bar & Kitchen is located at 34 St Quentin Avenue, Claremont. An aerial photograph showing the site and surrounds is presented in Figure 1. The nearest noise sensitive receivers considered in this assessment are marked in the figure and described in Table 1 below.

Figure 1: Site location and surrounds (Image: Nearmap)

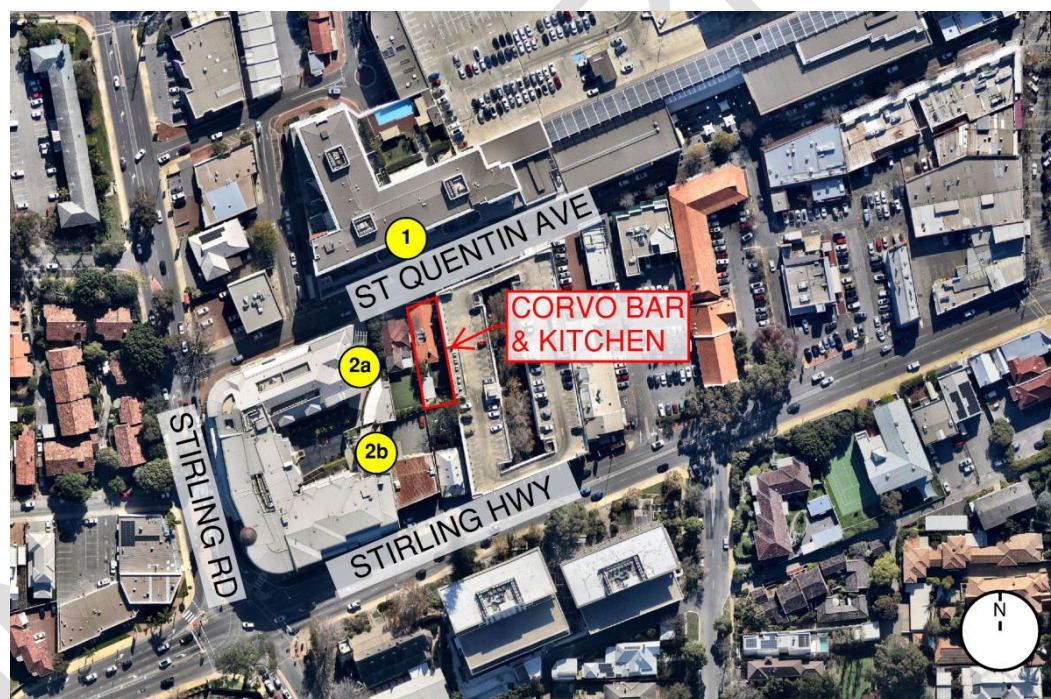


Table 1: Nearest noise-sensitive receivers

Receiver ID	Location	Description
1	Claremont Quarter	Residential apartments above commercial tenancies
2 (a & b)	40 St Quentin Ave	Residential apartments above commercial tenancies

The site and surrounding land are zoned Town Centre under the Local Planning Scheme (LPS) and comprises mixed land uses including residential apartments, restaurants, cafes, supermarkets, and retail outlets.

Extracts from relevant town planning maps showing the land use zoning are included in Appendix B.

2.2 Development description

2.2.1 Existing operations

Corvo Bar & Kitchen commenced operations in March 2022, operating under a small bar licence. The venue includes an indoor restaurant and bar, and an undercover alfresco area along the eastern boundary.

The venue provides seated lunch and dinner service and is licensed to operate under the hours outlined in Table 2.

Table 2: Licensed operating hours

Day of week	Licensed operating hours
Monday to Tuesday	0700 hours to 2200 hours
Wednesdays and Thursdays	0700 hours to 2300 hours
Fridays and Saturdays	0700 hours to midnight
Sundays	1000 hours to 2200 hours

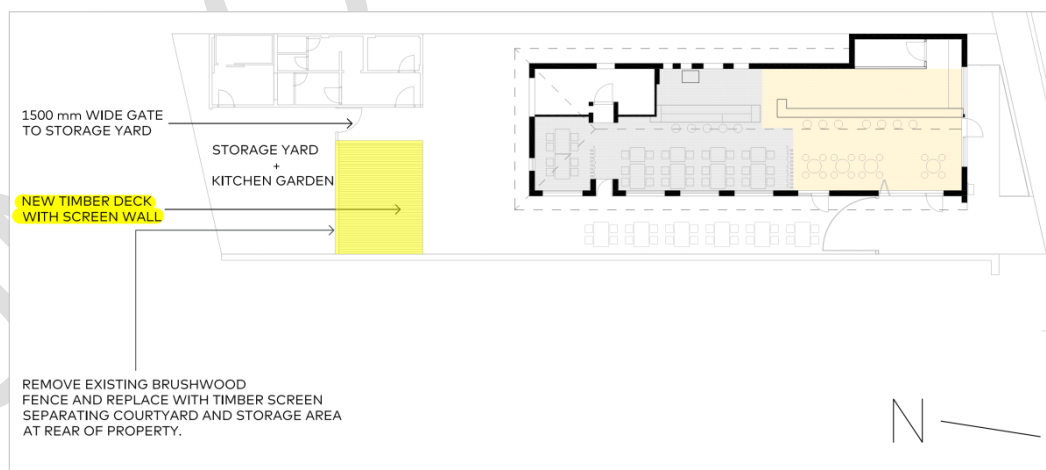
The venue is licensed for 120 patrons, which includes up to 55 patrons in the existing undercover alfresco area. The alfresco area operates until close, except for Sundays to Thursdays when it closes at 2200 hours.

2.2.2 Proposed changes

The venue is proposing to provide additional outdoor seating on a timber deck at the rear of the site. A site plan with the new timber deck highlighted is shown in Figure 2.

The new timber deck alfresco area is proposed to include seating for up to 20 patrons with background music only.

Figure 2: Site plan



3.0 NOISE CRITERIA

3.1 Environmental Protection (Noise) Regulations 1997

External noise emission from patrons, music and other noise sources is governed by the *Western Australia Environmental Protection (Noise) Regulations 1997* (the Noise Regulations). The Noise Regulations are a “prescribed standard” under the *Environmental Protection Act 1986*.

The assessment of noise emission under the Noise Regulations is based on external noise level limits that apply at a receiver position. The calculation of the noise level limits takes into account the local road network, the land use in the surrounding area and the time of day. These noise level limits are known as ‘assigned levels’.

The noise emissions are assessed over an assessment period which can be between fifteen minutes and four hours. The assessment period must be appropriate for the assessment of the emission and depends on the type and character of the noise source(s).

The assigned noise levels are defined in terms of statistical A-weighted and Slow-weighted sound pressure levels and are:

- L_{A10} , this is the noise level not to be exceeded for more than 10% of the assessment period
- L_{A1} , this is the noise level not to be exceeded for more than 1% of the assessment period
- L_{Amax} , this is the noise level not to be exceeded at any time.

In determining the assigned noise levels applicable to the development, reference has been made to the following sources:

- Town of Claremont Local Planning Scheme – Map 01 – Swanbourne and Claremont localities North (dated 10 September 2020)
- Town of Claremont Local Planning Scheme – Map 02 – Claremont Locality South (dated 10 September 2020)

Details of the parameters used in the calculation of the assigned noise levels are provided in Appendix B. Influencing Factors (IF) of 11 dB and 12 dB were calculated for the nearest most affected receivers (40 St Quentin Ave and Claremont Quarter respectively).



3.1.1 Assigned levels

The assigned levels for the nearest receivers are summarised in Table 3.

Table 3: Summary of assigned levels

Type of premises receiving noise	Time of day	Assigned levels (dB)		
		LA10	LA1	L _{Amax}
Noise sensitive premises: highly sensitive area #1. Claremont Quarter	0700-1900 Monday to Saturday	57	67	77
	0900-1900 Sunday and public holidays	52	62	77
	1900-2200 all days	52	62	67
	2200-0700 Monday to Saturday or 2200-0900 Sunday and public holidays	47	57	67
Noise sensitive premises: highly sensitive area #2. 40 St Quentin Ave	0700-1900 Monday to Saturday	56	66	76
	0900-1900 Sunday and public holidays	51	61	76
	1900-2200 all days	51	61	66
	2200-0700 Monday to Saturday or 2200-0900 Sunday and public holidays	46	56	66
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80
Commercial premises	All hours	60	75	80

For brevity in reporting, the assessment periods are referred to as per Table 4.

Table 4: Simplified references to assessment periods

Referred to as	Time of day
Day	0700-1900 Monday to Saturday
Evening	0900-1900 Sunday and public holidays, or 1900-2200 all days
Night	2200-0700 Monday to Saturday, or 2200-0900 Sunday and public holidays

In addition, the noise emissions must be free of annoying characteristics such as: impulsiveness, modulation and tonality. Adjustments are also applicable where the noise emission is music. These adjustments are presented in Table 5.

Table 5: Adjustments for annoying characteristics

Adjustment where noise emission is not music. These adjustments are cumulative to a maximum of 15dB.			Adjustment where noise emission is music	
Where tonality is present	Where modulation is present	Where impulsiveness is present	Where impulsiveness is not present	Where impulsiveness is present
+5 dB	+5 dB	+10 dB	+10 dB	+15 dB



4.0 NOISE ASSESSMENT

A noise assessment has been undertaken based on a measurement survey undertaken at the site, and desktop modelling using SoundPLAN 8.2 software.

4.1 Noise survey

4.1.1 Methodology and conditions

Attended noise measurements were conducted between 1800 – 2000 hours on Friday 5 August 2022. Measurements were obtained using a Brüel & Kjær Type 2250 precision integrating sound level meter¹. The meter calibration was checked prior to and after the measurement survey². No significant drift (>1dB) in the reference sound level checks was observed.

Weather conditions were suitable for noise survey purposes during the time period when measurements were recorded; prevailing weather conditions are not considered to have adversely affected the measurements.

The venue was fully booked inside, with all patrons seated for dining. We were informed by management that it was the busiest time of the night and capacity was typical for a Friday night at this time of year. No patrons were using the outdoor area during the survey however during hotter months, patrons would also be seated outside.

All windows were closed at the time, and the front door was wedged open for access.

4.1.2 Noise levels and noise environment

A summary of the noise measurements and noise environment during the survey is provided in Table 6. The survey results have been used to configure the noise modelling inputs, as described in Section 4.2.

Table 6: Noise levels and noise environment

Source	Noise levels and comments
Patron noise inside the venue	L _{Aeq} 83 dB (L _{A10} 85 dB) was the spatially averaged noise level measured within the venue. The noise consisted primarily of patrons talking. Music was playing at background levels only and was barely audible above patrons talking.
Patron noise outside the venue	There were no patrons in outdoor areas at the time. Noise measurements were taken at various positions around the building to help inform modelling. Noise levels on the street outside 40 St Quentin Ave were mainly influenced by traffic, with patron noise from inside the venue being occasionally audible at times.
Mechanical services	There are kitchen exhaust fans (KEFs) located on the roof of the venue. Noise measurements were taken on the top level of the adjacent public carpark, which overlooks the roof with direct line of sight to the fans. Noise from the fans at this location was L _{A10} 61 dB.

¹ Brüel & Kjær 2250 S/N: 2693808

² Calibration checks made using a 01dB CAL 21 portable reference sound source (S/N: 34134143)



Source	Noise levels and comments
Ambient levels in the area	<p>The ambient noise environment consisted of:</p> <ul style="list-style-type: none"> • Traffic noise from the nearby main roads (Stirling Hwy and Stirling Rd) • Vehicles and pedestrians passing along St Quentin Ave • Distant train noise along the Claremont passenger line • Light music from commercial tenancies within the Claremont Quarter <p>L_{Aeq} 57 dB (L_{A10} 60 dB, L_{A90} 48 dB) was measured in nearby Bovell Lane (the location was considered generally representative of the noise-sensitive receiver locations listed above).</p>

Measurements at noise-sensitive receiver locations (apartments surrounding the venue) were not obtained; however, the survey results show that it would not have been possible to clearly assess noise at receivers due to the high ambient noise environment from sources other than the venue.

4.2 Noise modelling

4.2.1 Methodology

A 3-dimensional digital model of the venue and its surrounding built environment has been created using SoundPLAN proprietary modelling software. Further information on the modelling method is provided in Appendix C.

4.2.2 Modelling inputs

The noise model input parameters are summarised in Table 7.

Table 7: Noise modelling inputs and assumptions

Parameter	Inputs / assumptions
Patrons inside	<p>L_{Aeq} 83 dB has been used for internal patron noise levels. It is noted that the source levels include some contribution from music, but the levels would not be assessable as music at receivers since the patron noise would be dominant. This is consistent with observations made on site.</p> <p>Facade reductions (transmission loss) have been estimated based on measurements taken around the building. Only acoustically 'weak' facade elements that were observed on site have been included in the model. These comprise the front entry door (assumed open for model calibration purposes) and the front and side openable glazing/doors (assumed closed for model calibration purposes).</p>
Patrons outside	<p>Patron noise source levels in outdoor areas modelled using outdoor area sources, with source levels determined using the method outlined in Section C1. The levels are based on the 'restaurant dining' patron category.</p> <p>The assumed distribution of patrons is outlined in Table 8 below.</p>
Mechanical services	<p>Point sources were included for each of the rooftop KEFs, with the source levels adjusted to meet 61 dB L_{A10} at the carpark measurement position (overlooking the venue).</p> <p>The modelled source levels are 85 dB L_{WA} each.</p>



4.3 Assessment locations

The calculated noise levels are presented for the nearest noise-sensitive receivers. Whilst predictions were made to various receiver points (different receivers, facades and floor levels), levels are only presented at the nearest receiver point with the highest estimated noise levels.

Under the Noise Regulations, environmental noise is typically assessed on the basis of external noise levels, however there are provisions for assessments to be conducted on the basis of internal levels and this approach has been applied for other similar assessments. For the patron noise assessment, we present estimated levels both outside and inside the nearest receivers.

4.3.1 Assessment approach for internal noise levels

For the internal noise levels assessment, comparison is made to indoor criteria, derived from the assigned levels, assuming all windows closed. We understand that this approach is often adopted for compliance assessments, particularly in mixed use areas where there is a vibrant nightlife and an expectation that outdoor areas may be impacted by this noise at times.

The noise reductions provided by the receiver building facades will vary depending on the construction of the building, noting that modern apartment buildings tend to have higher performing glazing compared to older residential houses.

MDA has measured the facade performance of an apartment within the Claremont Quarter as part of another venue assessment (the Claremont Hotel). The measurements found that the facade provided a level reduction of D_w 33-35 dB.

The facade build-ups at the receivers considered in this assessment have not been confirmed. We have assumed a facade reduction of D_w 25 dB, which is considered to be a conservative estimate noting the high ambient noise environment in the area (assumed to be considered in the design of the apartments) and the acoustic performance of facades at similar developments such as the Claremont Quarter.

4.4 Patron noise assessment

Noise emissions from patrons at the venue will vary depending on a range of factors. For this assessment, the scenarios detailed in Table 8 have been modelled.

Table 8: Modelled operating scenarios for the venue

Scenario	Openable facades	Patrons outside
1 - Existing	Closed (front entry open)	None
2 - Existing	Open (front and side windows)	None
3 - Existing	Open (front and side windows)	55 total (all in existing alfresco areas)
3 - Proposed	Open (front and side windows)	55 total (35 in the existing alfresco areas, 20 on new timber deck)



4.4.1 External noise levels at receivers

The estimated external patron noise levels at the nearest noise-sensitive receivers are presented in Table 9 to Table 12.

Table 9: Scenario 1 – Existing – Facades closed, no patrons outside (dB LA10)

Receiver	External noise level at receiver	Assigned levels (day / evening / night)	Potential exceedances
40 St Quentin Ave	40	56 / 51 / 46	None
Claremont Quarter	42	57 / 52 / 47	None

Table 10: Scenario 2 – Existing – Facades open, no patrons outside (dB LA10)

Receiver	External noise level at receiver	Assigned levels (day / evening / night)	Potential exceedances
40 St Quentin Ave	49	56 / 51 / 46	3 dB night
Claremont Quarter	54	57 / 52 / 47	7 dB night, 2 dB evening

Table 11: Scenario 3 – Existing – Facades open, 55 patrons outside in existing areas (dB LA10)

Receiver	External noise level at receiver	Assigned levels (day / evening / night)	Potential exceedances
40 St Quentin Ave	50	56 / 51 / 46	4 dB night
Claremont Quarter	56	57 / 52 / 47	9 dB night, 4 dB evening

Table 12: Scenario 4 – Proposed – Facades open, 55 patrons outside in existing and proposed areas (dB LA10)

Receiver	External noise level at receiver	Assigned levels (day / evening / night)	Potential exceedances
40 St Quentin Ave	50	56 / 51 / 46	4 dB night
Claremont Quarter	56	57 / 52 / 47	9 dB night, 4 dB evening

The estimated maximum noise levels (L_{Amax}) at the nearest noise-sensitive receivers from external patrons are also provided in Table 16 for discussion.

Table 13: Maximum noise levels from patrons outside (dB LAmax)

Receiver	External noise level at receiver		Assigned levels (day / evening / night)	Potential exceedances
	From existing areas	From proposed area		
40 St Quentin Ave	62	59	66 / 66 / 76	None
Claremont Quarter	66	62	67 / 67 / 77	None



4.4.2 Internal noise levels at receivers

The estimated indoor noise levels at the nearest noise-sensitive receivers are presented in Table 14 to Table 17. Comparison is made to the L_{A10} assigned levels minus 15 dB for closed windows as per the Noise Regulations.

Table 14: Scenario 1 – Existing – Facades closed, no patrons outside (dB L_{A10})

Receiver	Internal noise level at receiver	Assessment criteria (day / evening / night)	Potential exceedances
40 St Quentin Ave	15	41 / 36 / 31	None
Claremont Quarter	17	42 / 37 / 32	None

Table 15: Scenario 2 – Existing – Facades open, no patrons outside (dB L_{A10})

Receiver	Internal noise level at receiver	Assessment criteria (day / evening / night)	Potential exceedances
40 St Quentin Ave	24	41 / 36 / 31	None
Claremont Quarter	29	42 / 37 / 32	None

Table 16: Scenario 3 – Existing – Facades open, 55 patrons outside in existing areas (dB L_{A10})

Receiver	Internal noise level at receiver	Assessment criteria (day / evening / night)	Potential exceedances
40 St Quentin Ave	25	41 / 36 / 31	None
Claremont Quarter	31	42 / 37 / 32	None

Table 17: Scenario 4 – Proposed – Facades open, 55 patrons outside in existing and proposed areas (dB L_{A10})

Receiver	Internal noise level at receiver	Assessment criteria (day / evening / night)	Potential exceedances
40 St Quentin Ave	25	41 / 36 / 31	None
Claremont Quarter	31	42 / 37 / 32	None

4.5 Mechanical services noise assessment

The estimated external mechanical services noise levels at the nearest noise-sensitive receivers are presented in Table 18.

Table 18: Calculated noise levels at nearest noise-sensitive receiver (dB L_{A10})

Receiver	External noise level at receiver	Assigned levels (day / evening / night)	Exceedance
40 St Quentin Ave	49	56 / 51 / 46	3 dB at night
Claremont Quarter	48	57 / 52 / 47	1 dB at night

5.0 OUTCOMES AND DISCUSSION

5.1 Patron noise

The following outcomes are noted for the patron noise assessment:

- Noise to external receivers can be sufficiently controlled by moving patrons inside and closing facades when required. Under this scenario, compliance can be demonstrated for all time periods (see Table 9).
- Noise from patrons outside (existing and new areas):
 - has been demonstrated to achieve the day assigned levels at external receivers.
 - may exceed the evening assigned levels at external receivers (by up to 4 dB).
 - may exceed the night assigned levels at external receivers (by up to 9 dB).
 - was demonstrated to achieve the internal noise criteria at nearby receivers all times.
- The inclusion of the proposed timber deck area does not affect the calculated L_{A10} noise levels at nearby receivers. This is because the number of patrons outside has not changed, the timber deck area is not significantly closer to receivers than the existing outdoor areas.
- Maximum noise levels (L_{Amax}) from patrons outside are shown to meet the assigned levels under both existing and proposed operating scenarios. It is noted that the levels would increase to receivers at the rear of the site (Receiver 2b as marked in Figure 1) although compliance with the L_{Amax} criteria is predicted for all receivers regardless.
- The variability of patron noise must be noted. As described in Section 4.2.2, the source levels used in the assessment are based on the 'restaurant dining' patron category (per Section C1), which is considered appropriate given that the focus of activity is on seated dining and socialising. Patron noise could however be higher (or lower) than the model predicts at times.

Based on the above, the proposed new timber deck is considered feasible for use as an alfresco dining area, noting that it is unlikely to increase the overall noise levels at the nearest noise-sensitive receivers.

However, managerial controls, including restrictions on the use of outdoor areas at times will be required to reduce potential noise impacts to residents and achieve ongoing compliance with the Noise Regulations. The Corvo management team has confirmed that managerial controls will be implemented.

Recommendations for managing patron noise are provided in Section 6.0.

5.2 Mechanical services noise

Noise from the KEFs was shown to achieve the day and evening assigned levels but had potential exceedances up to 3 dB at night. MDA advised the client of this and have subsequently been advised:

- During the survey, the fans were operating at 100% capacity, which is not normal, and was because the filters had not been cleaned by the previous tenants.
- Following the survey, the operator has had the fans serviced and they are now operating at the correct duty, which is 50% of their capacity.

Fan reductions from 100% to 50% typically result in at least a 3 dB reduction. While this has not been confirmed through a site survey, the assigned levels are likely to be achieved for all time periods, should this level of reduction be achieved.

6.0 NOISE MANAGEMENT

Noise from patrons in the venue will need to be carefully managed to reduce potential noise impacts to residents and achieve ongoing compliance with the Noise Regulations. Recommendations for noise management are provided below.

- We understand that the venue already restricts use of the main alfresco area after 2200 hours Sunday to Thursday. The same restrictions should be applied to the proposed new timber deck.
- Management procedures should be used to minimise patron noise as necessary. This will be particularly important during busy night and evening periods and should include:
 - Staff being informed of the venue and their own responsibilities for managing noise.
 - Noisy patrons in outdoor areas being asked to move inside.
 - Restricting the use of outdoor areas for large group bookings during sensitive time periods.
 - Closing operable facades to contain noise within the building when required.
- Music levels must remain at background levels, as is currently the case for the internal space. Note that it is sometimes necessary to restrict music level controls from unauthorised staff.
- Any new speakers outside should be selected and configured so that levels are controlled, particularly at low frequencies. Care will be required in the orientation of any new speakers so that sound is not directed towards noise-sensitive receivers (either directly or via acoustically reflective surfaces).

The Corvo management team has confirmed these measures will be implemented.

6.1 Engineering noise controls

Breakout noise from the internal space is a notable contributor to noise levels at all receivers when the facades are open, as this is the area with the highest patron capacity and noise level. The internal space was observed to be relatively reverberant; this can lead to increased noise levels as people compete to talk over one another (a phenomenon known as the “Lombard effect”). If reverberation can be reduced in the internal space, noise reductions of up to 4 dB are possible for this source. When the facades are open, some noise reductions will also be realised for the main alfresco area.

The Corvo management team has confirmed that this will be implemented; additional absorption has already been ordered.

Options for additional engineering noise controls for outdoor areas have been discussed with the Corvo management team and are not currently proposed on the basis that these major alterations would offer only incremental improvements to the nearest receivers and so are not practical options.

Careful management and restricting use of the outdoor spaces will be required regardless, and the measures outlined in Section 6.0 are therefore proposed to be the primary means of controlling noise from outdoor spaces.

6.2 Community engagement

Ongoing community engagement will be a key factor to the successful operation of the venue. Procedures for this should be formalised in the venue’s management plan and these should be regularly reviewed as part of the ongoing noise management.

Procedures typically include:

- Venue procedures for notifying residents of any upcoming special events or busy periods where noise levels may be higher than average.



- Contact details that are provided to residents so that they can address any complaints to the responsible person on site.
- Process for managing and registering noise complaints.
- Process for reviewing any complaints received and updating the noise management plan if necessary.

7.0 SUMMARY

Marshall Day Acoustics (MDA) has been commissioned to assess noise from the existing Corvo Bar & Kitchen in Claremont. The assessment has been requested as part of a development application for a new timber-deck alfresco area at the rear of the venue site.

A noise assessment has been undertaken based on measurements of the venue operating with the indoor space at full capacity, as well as typical noise levels for outdoor patrons.

The proposed new timber deck is considered feasible for use as an alfresco dining area, noting that it is unlikely to increase the overall noise levels at the nearest noise-sensitive receivers during worst-case operating scenarios.

The Corvo management team is installing additional absorption to control reverberant noise build-up within the venue and will be using managerial controls, including restrictions on the use of outdoor areas at times to reduce potential noise impacts to residents and achieve ongoing compliance with the Noise Regulations. Recommendations for noise management have been included.

The noise assessment also found that the two rooftop kitchen exhaust fans required noise reductions to meet the night-time assigned levels. The fan has since been serviced and is now running at half the capacity, which is the normally operating duty. While the current noise levels have not been confirmed through a site survey, based on a 50% reduction, the assigned levels are expected to now be achieved for all time periods.

APPENDIX A GLOSSARY OF TERMINOLOGY

Ambient	The ambient noise level is the noise level measured in the absence of the intrusive noise or the noise requiring control. Ambient noise levels are frequently measured to determine the situation prior to the addition of a new noise source.
A-weighting	The process by which noise levels are corrected to account for the non-linear frequency response of the human ear.
dB	<u>Decibel</u> The unit of sound level. Expressed as a logarithmic ratio of sound pressure P relative to a reference pressure of $P_r=20 \mu\text{Pa}$ i.e. $\text{dB} = 20 \times \log(P/P_r)$
Frequency	The number of pressure fluctuation cycles per second of a sound wave. Measured in units of Hertz (Hz).
Hertz (Hz)	Hertz is the unit of frequency. One hertz is one cycle per second. One thousand hertz is a kilohertz (kHz).
L_{A90}	The A-weighted sound level exceeded for 90 % of the measurement period, measured in dB. Commonly referred to as the background noise level.
$L_{Aeq}(t)$	The A-weighted equivalent continuous sound level. This is commonly referred to as the average noise level and is measured in dB.
$L_{A10}(t)$	The noise level exceeded for 10% of the measurement period, measured in dBA. This is commonly referred to as the average maximum noise level.
$L_{A1}(t)$	The A-weighted noise level which is equalled or exceeded for 1% of the measurement period.
L_{Amax}	The A-weighted maximum noise level. The highest noise level which occurs during the measurement period.
Noise	A sound that is unwanted by, or distracting to, the receiver.

APPENDIX B ASSIGNED NOISE LEVEL CALCULATIONS

The determination of the Influencing Factor (IF) which affects the assigned levels applicable at the nearest receivers is based on the following:

- The area of commercial and industrial zoned land surrounding the receiver
- The number of major and secondary roads in proximity to the receiver

The procedure defined in the Noise Regulations considers the land use and road types with two circles centred on the receiver location, one of 450 m radius, and one of 100 m radius.

The land use has been estimated using the following sources:

- Town of Claremont Local Planning Scheme – Map 01 – Swanbourne and Claremont localities North (dated 10 September 2020)
- Town of Claremont Local Planning Scheme – Map 02 – Claremont Locality South (dated 10 September 2020)

An extract of the town planning maps (both combined) is presented in Figure 3 (Receiver 1, Claremont Quarter) and Figure 5 (Receiver 2, 40 St Quentin Ave) with the two area circles overlaid.

Figure 3: Town planning map with 100 m and 450 m radius areas used to determine the IF shown – Claremont Quarter

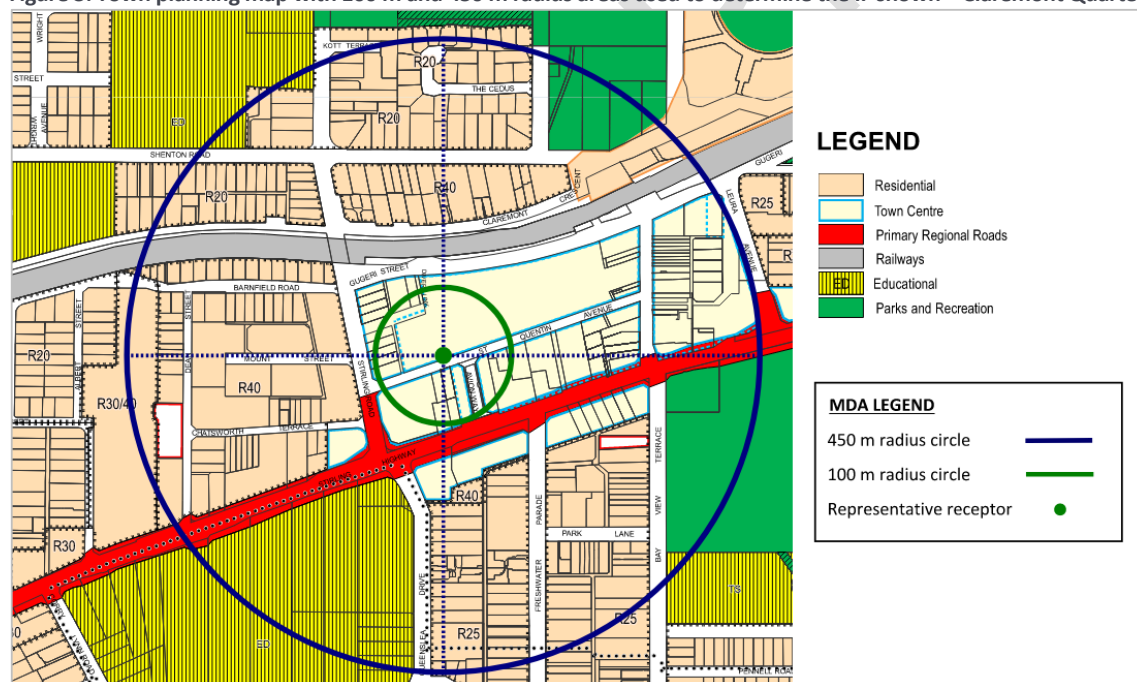
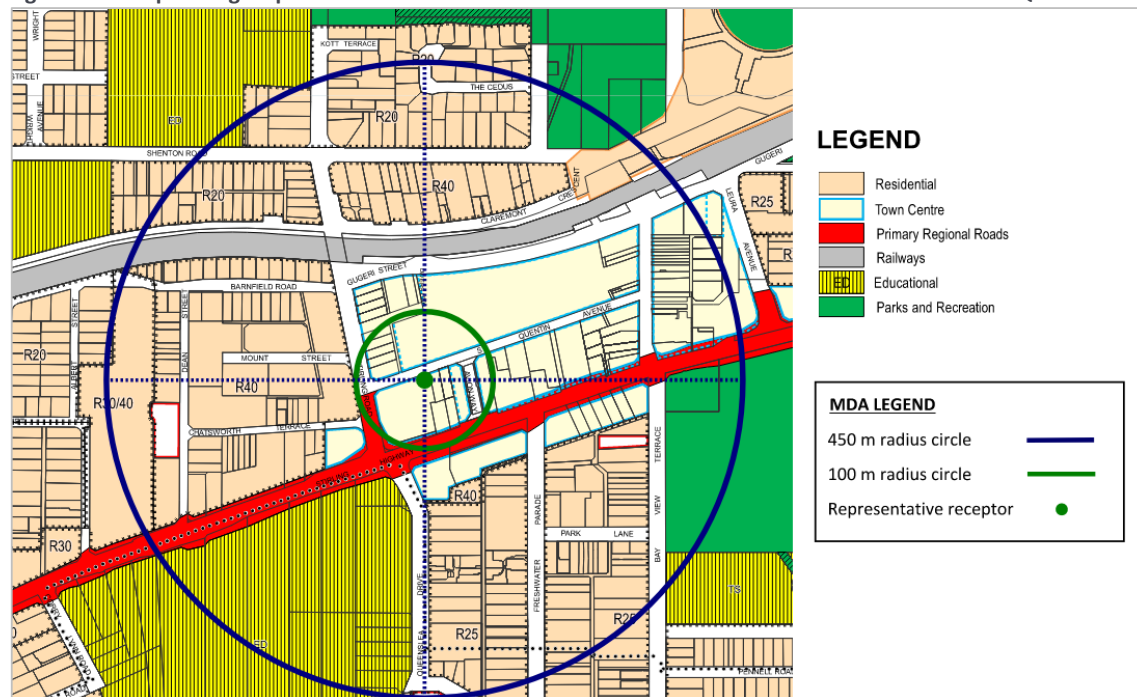


Figure 4: Town planning map with 100 m and 450 m radius areas used to determine the IF shown – 40 St Quentin Ave



Transport factors of 6 dB and 2 dB apply if there are any Major Roads (a road carrying in excess of 15,000 vpd) within the 100 m and 450 m circles respectively. For each Secondary Road (a road carrying in between 6,000 - 15,000 vpd) within the 100 m circle, a 2 dB transport factor applies. The total Transport Factor that is included in the Influencing Factor is limited to 6 dB.

Traffic data for the nearby roads obtained from Main Roads is presented in Table 19.

Table 19: Traffic data and classifications for nearby roads (source: Main Roads)

Road	Average weekday traffic volume (AADT/VPD)	Classification
Stirling Hwy (West of Bay View Tce)	32,112 (2020-2021)	Major Road
Stirling Rd (North of Stirling Hwy)	15,456 (2019-2020)	Major Road

* Traffic data for this location was not available from Main Roads website and has been estimated using data for the Guger St (West of Chancellor St) and Leura Av (North of Stirling Hwy) locations – i.e. 20,001 minus 9,743

Based on the data presented in Table 19, the Transport Factor is 6 dB for both nearest receivers.

The Influencing Factor calculation at each receiver is presented in Table 20.



Table 20: Influencing Factor calculation parameters

Receiver:	#1. Claremont Quarter		#2. 40 St Quentin Ave	
	100m circle	450m circle	100m circle	450m circle
Industrial %	0	4	0	4
Commercial %	88	18	69	17
Major road	Y	n/a	Y	n/a
Secondary roads	n/a	n/a	n/a	n/a
IF calculation	I = 0.4 C = 5.3 TF = 6.0		I = 0.4 C = 4.3 TF = 6.0	
Influencing Factor	IF = 12 dB		IF = 11 dB	

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APPENDIX C NOISE MODELLING METHOD

A 3-dimensional digital model of the venue and surrounding built environment has been created using SoundPLAN proprietary modelling software (version 8.2).

Geometry data for the model has been sourced from public aerial photography, visual inspections of the area, and building heights defined on the basis of standard assumed heights per floor level. The geometries in the model are simplified representations of the built environment that have been configured to a level of detail that is appropriate for noise calculation purposes.

The SoundPLAN digital model has been used to calculate noise levels using the International Standard *ISO 9613-2: 1996 Acoustics – Attenuation of sound during propagation outdoors – Part 2: General method of calculation* (ISO 9613). ISO 9613 is a general environmental noise calculation standard that has been used extensively throughout Australia, New Zealand, and Europe since its publication in 1996.

The implementation of ISO 9613 within proprietary noise modelling software enables multiple sound transmission paths, including reflected and screened paths, to be accounted for in the calculated noise levels. While atmospheric effects are expected to have a negligible effect on the transmission of sound from the venue to neighbouring sensitive receiver locations, it is noted that the ISO 9613 predicts noise levels for conditions which favour the propagation of noise.

The ground surface in the model was set to 100% hard (G=0) throughout.

C1 Patron noise data

The noise of patron areas associated with dining and licensed venues is highly variable according to a wide range of factors including:

- The type of venue
- The function of the space within the venue (i.e. seated areas for dining or standing areas with a focus on alcohol consumption)
- Total crowd numbers
- The composition of the total patron numbers in terms of demographics and group sizes
- Weather
- Alcohol consumption
- Background noise levels
- The acoustic properties of the space

Based on the above considerations, total patron noise emissions will vary significantly between different venues. Further, for a given venue patron noise emissions will vary from day to day and hour to hour according to these types of factors.

C2 Outdoor patron noise levels

To provide a practical basis for assessing the noise from proposed external areas, a simplified method has been developed to characterise the noise emissions of four broad categories of venue type for different number of patrons. The method is based on a single representative vocal effort to characterise the range of emissions of all individuals within the crowd.

It is assumed that one-third of the crowd may be speaking at any given point in time.

In practice, the vocal effort of each individual will vary across the crowd and throughout the assessment period. The portion of the crowd will also vary. The selected values are therefore not considered exact representations of a crowd's patterns. The values have been chosen to enable a simple relationship to be



formulated which provides close agreement with patron noise measurements conducted at a range of venues.

Marshall Day Acoustics and other acoustic consultants in Melbourne have measured patron noise from several different venues. These measurements indicate a large variation in the noise levels of crowds. Variations are due to a number of factors including the situational context of the crowd.

For the purpose of predicting noise levels from a venue, external patron areas are categorised according to the descriptions outlined in Table 21. Reference sound power data for one person is detailed in the 2011 Hayne paper³.

Table 21: Patron area use categories

Area use category	Reference sound power data per one person		Area use definition
	Equivalent	Maximum	
Vertical drinking ('worst-case' crowd)	88 dB <small>L_{Aw}</small>	104 dB <small>L_{Aw}</small>	Standing patrons drinking and talking. Focus of activity on drinking and socialising.
Taverns (typically with significant food offerings)	83 dB <small>L_{Aw}</small>	104 dB <small>L_{Aw}</small>	Predominantly seated patrons, drinking, dining and talking. Focus of activity on drinking, whilst dining and socialising.
Restaurant dining	78 dB <small>L_{Aw}</small>	98 dB <small>L_{Aw}</small>	Seated patrons, drinking, dining and talking. Focus of activity on dining and socialising.
Small smoking areas (<40 patrons)	73 dB <small>L_{Aw}</small>	98 dB <small>L_{Aw}</small>	Patrons using area for smoking. Focus of activity on smoking rather than socialising (data also includes outdoor areas with alcohol consumption).

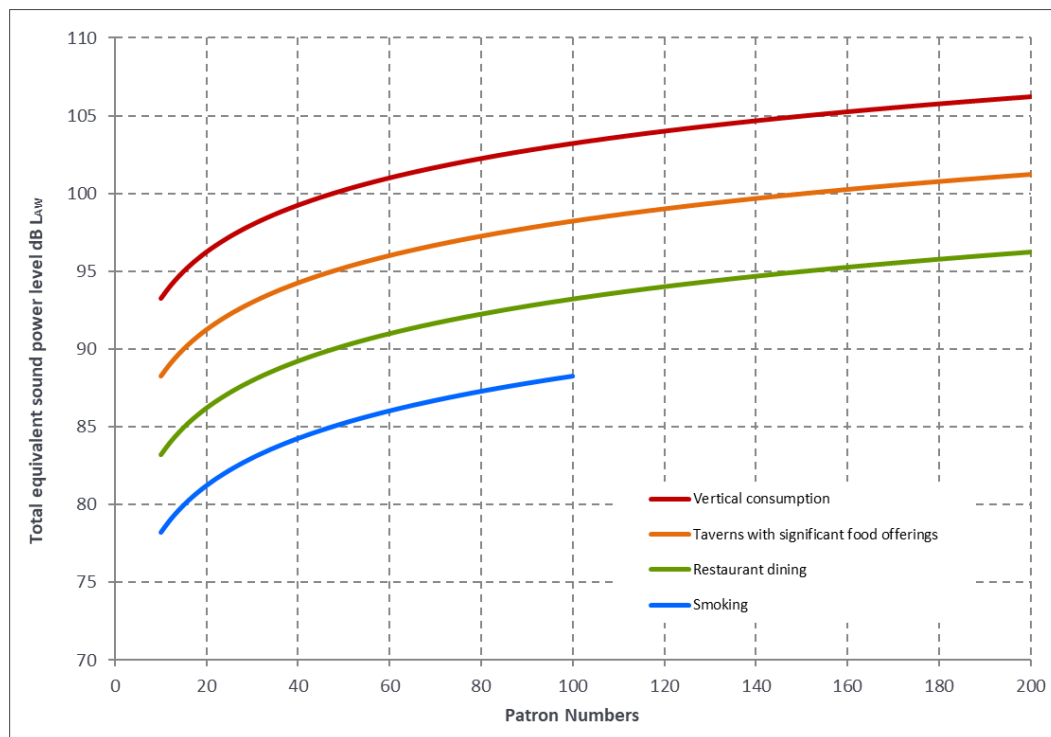
Based on the above reference sound power data and measurements by Marshall Day Acoustics, a simplified empirical relationship to represent the total sound power level for which crowd numbers and character were varied has been derived for determining design equivalent and maximum sound power level as follows:

- Design equivalent sound power level - derived by assuming that one third of the total crowd speaks continuously over the duration of the assessment period, and each of these speakers emit a constant total sound power level over the duration of the assessment period. In practice, the actual number of individuals speaking, the sound power emitted by each individual, and the temporal characteristics of each speaker will vary considerably over the assessment period. The derived values therefore do not represent the actual percentage of patrons speaking, or the emission of each patron, but simply represent the total sound power level for the number of patrons
- Design maximum sound power level - derived by assuming that the maximum noise level occurs as a result of two (2) individuals simultaneously producing a maximum level. Smoking areas and restaurants are considered to have the same maximum sound power level characteristics, as are taverns with significant food offerings and vertical consumption crowds.

Figure 5 provides the total equivalent sound power based on patron numbers.

³ Hayne et al 2011, 'Prediction of noise from small to medium sized crowds', in *Acoustics 2011: Breaking New Ground, Proceedings of the Annual Conference of the Australian Acoustical Society, AAS Queensland Division 2011, Gold Coast*, paper number 133.

Figure 5: Total equivalent sound power based on patron number



Note that patron numbers for smoking areas arbitrarily limited to 100 patrons. Smoking areas typically have less people in practice.

Table 22 provides the octave band spectral correction applied to the calculated patron sound power.

Table 22: Octave band spectral correction (dB)

Source	Octave band centre frequency (Hz)						
	63	125	250	500	1000	2000	4000
Spectral correction	-12	-10	-9	-2	-4	-8	-15



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4 May 2023

Argyle Holdings, Yalaba Pty Ltd, Tegra Pty Ltd, Youssa Pty Ltd
c/o FJM Property
Ground Floor, 338 Barker Road
Subiaco WA 6008

Attention: Bryce Daniel

Dear Bryce,

ADDITIONAL NOISE MODELLING

Marshall Day Acoustics (MDA) were commissioned to assess noise from the existing Corvo Bar & Kitchen in Claremont as part of a retrospective development application.

The assessment was documented in a report entitled *Rp 001 r01 20220534 - Corvo Bar & Kitchen - Noise Assessment* ("DA report", dated 7 November 2022).

Additional supplementary information was provided by MDA in a letter entitled *Lt 001 20220534 - Corvo Bar & Kitchen - Responses to Town of Claremont Comments* (dated 3 February 2023).

It is understood that the Town of Claremont has requested further clarifications regarding the kitchen exhaust fans, as well as updated noise modelling predictions assessing all noise from the venue, as received at the most impacted receivers, during peak operating times.

Details and results from additional noise modelling are presented herein.

The following summarises the findings:

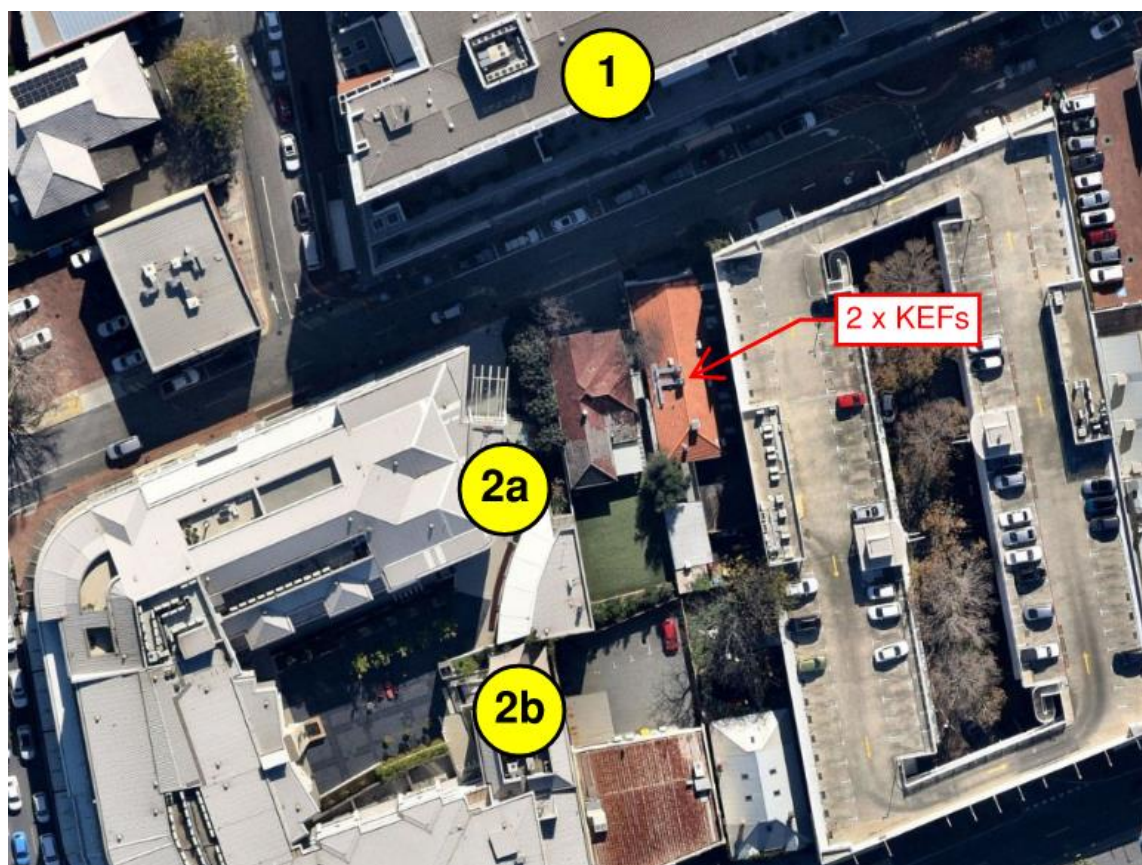
- New kitchen exhaust fans (KEFs) have been installed at the venue, which have been reviewed and modelled by MDA. Noise levels are shown to achieve the assigned levels at the nearest sensitive receivers, provided that the fan operation is managed during night-time periods. Operational noise controls are available and are already being implemented by the venue operator.
- Combined noise levels from the venue (mechanical services and patrons) are presented. The levels are generally consistent with the DA Report, particularly at the most-affected receiver locations, which are the most relevant in terms of overall compliance.
- The noise management procedures outlined in the DA Report are considered to remain appropriate and necessary so that the venue maintains ongoing compliance.



MECHANICAL SERVICES NOISE ASSESSMENT

The venue has two kitchen exhaust fans (KEFs) mounted on the rooftop, as shown in Figure 1. The nearest noise-sensitive receivers considered in the assessment are also marked and referred to below.

Figure 1: Aerial photo showing the 2 x KEFs and noise-sensitive receivers



An initial assessment of the kitchen exhaust fans found that receiver levels could be up to 3 dB above the night period¹ assigned levels and physical or managerial controls were therefore required.

The kitchen exhaust fans have since been replaced for different units (in October 2022), which MDA has been informed are 2 x Fantech CE504VGL centrifugal roof-mounted exhaust fans.

MDA has reviewed manufacturer data for the fan model and updated the noise modelling based on the sound power data presented in Table 1.

Table 1: Equipment sound power levels (dB L_w)

Source	Octave band centre frequency (Hz)						
	63	125	250	500	1000	2000	4000
Fantech CE504VGL (each)	87	87	82	76	73	73	73

Updated noise modelling predictions at the nearest noise-sensitive receivers are presented in Table 2.

¹ Consistent with previous reporting, assessment periods are referred to as 'day', 'evening' and 'night' for brevity of reporting. 'Night' assigned levels apply 2200-0700 Monday to Saturday, or 2200-0900 Sunday and public holidays.



Table 2: Calculated noise levels at nearest noise-sensitive receiver (dB LA10)

Receiver	Ref.	External noise level at receiver	Assigned levels (day / evening / night)	Exceedance
40 St Quentin Ave	2a	46	56 / 51 / 46	-
40 St Quentin Ave	2b	43	56 / 51 / 46	-
Claremont Quarter	1	45	57 / 52 / 47	-

The results show that the new KEFs are 3 dB quieter than the previous models and compliance is demonstrated with both fans running at any time.

Considering there is a low margin for compliance at night (excluding other potential noise sources), managerial controls will need to be included to achieve ongoing compliance. Options for managing KEF noise have been discussed with the venue operator, who has advised MDA:

- The KEFs do not normally operate after 2200 hours since the kitchen closes earlier.
- The venue has the option to use only 1 fan if they are required to operate during night periods (MDA note that this will further reduce noise levels by around 3 dB).

COMBINED NOISE ASSESSMENT

A combined noise assessment is presented for “Scenario 4”, as described in the DA Report, at a peak operating time. The scenario and assessment are summarised as follows:

- Peak operating time (understood to be between around 6-9pm).
- Venue occupancy at 100% capacity in all areas (including 55 patrons outdoors), with operable facades all open.
- Background music is included. As described in the DA Report, the venue provides background music within the internal space and the levels were measured by MDA and have been included in the modelling. Music levels were significantly lower than patron noise (barely audible); therefore, no annoying characteristic adjustments are considered applicable.
- KEFs are both operating at 100% duty.
- Assessments are provided at:
 - External receiver locations (Table 3), as shown in Figure 1.
 - Internal receiver locations (Table 4), as shown in Figure 1, assumptions as described in the DA Report.

Table 3: Maximum estimated noise levels at nearest external receivers (dB LA10)

Receiver	Ref.	External noise level at receiver	Assigned level (evening)	Potential exceedances
40 St Quentin Ave	2a	52	51	1 dB
40 St Quentin Ave	2b	48	51	None
Claremont Quarter	1	56	52	4 dB

Table 4: Maximum estimated noise levels at nearest internal receivers (dB LA10)

Receiver	Ref.	Internal noise level at receiver	Assessment criteria (evening)	Potential exceedances
40 St Quentin Ave	2a	27	36	None
40 St Quentin Ave	2b	23	36	None
Claremont Quarter	1	31	37	None

The outcomes are generally consistent with the DA Report, showing that noise levels could exceed the assigned levels at external receivers when the venue is operating at maximum capacity with the operable facades open. This is primarily due to patron noise. Source contributions with comparison to assigned levels at all time periods are included in **Error! Reference source not found.** for reference.

The noise management procedures outlined in the DA Report are considered to remain appropriate and necessary so that the venue maintains ongoing compliance.



We trust this additional information is of assistance. Please do not hesitate to contact us if further details are required.

Yours sincerely,

MARSHALL DAY ACOUSTICS PTY LTD

A handwritten signature in black ink, appearing to be 'Ben Beverley', enclosed in a hand-drawn oval.

Ben Beverley

Associate

Enclosed: Appendix A Source Contributions

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APPENDIX A SOURCE CONTRIBUTIONS

Source contributions with comparison to assigned levels at all time periods are provided below for reference.

The maximum potential exceedances during the night period are consistent with the DA Report, and again emphasise the importance of careful noise management during sensitive time periods, particularly after 2200 hours. Refer to the DA Report for noise management recommendations.

A1 External noise levels at receivers

Table 5: Scenario 1 – Existing – Facades closed, no patrons outside (dB LA10)

Receiver	Ref.	External noise level at receiver			Assigned levels (day / evening / night)	Potential exceedances
		Patrons	Mech (100% on)	Combined		
40 St Quentin Ave	2a	40	46	47	56 / 51 / 46	1 dB night
40 St Quentin Ave	2b	32	43	43	56 / 51 / 46	-
Claremont Quarter	1	42	45	45	57 / 52 / 47	-

Table 6: Scenario 2 – Existing – Facades open, no patrons outside (dB LA10)

Receiver	Ref.	External noise level at receiver			Assigned levels (day / evening / night)	Potential exceedances
		Patrons	Mech (100% on)	Combined		
40 St Quentin Ave	2a	49	46	51	56 / 51 / 46	5 dB night
40 St Quentin Ave	2b	44	43	46	56 / 51 / 46	-
Claremont Quarter	1	54	45	54	57 / 52 / 47	7 dB night, 2 dB evening

Table 7: Scenario 3 – Existing – Facades open, 55 patrons outside in existing areas (dB LA10)

Receiver	Ref.	External noise level at receiver			Assigned levels (day / evening / night)	Potential exceedances
		Patrons	Mech (100% on)	Combined		
40 St Quentin Ave	2a	50	46	51	56 / 51 / 46	5 dB night
40 St Quentin Ave	2b	45	43	47	56 / 51 / 46	-
Claremont Quarter	1	56	45	56	57 / 52 / 47	9 dB night, 4 dB evening

Table 8: Scenario 4 – Proposed – Facades open, 55 patrons outside in existing and proposed areas (dB LA10)

Receiver	Ref.	External noise level at receiver			Assigned levels (day / evening / night)	Potential exceedances
		Patrons	Mech (100% on)	Combined		
40 St Quentin Ave	2a	50	46	52	56 / 51 / 46	6 dB night, 1 dB evening
40 St Quentin Ave	2b	47	43	48	56 / 51 / 46	2 dB night
Claremont Quarter	1	56	45	56	57 / 52 / 47	9 dB night, 4 dB evening

A2 Internal noise levels at receivers

Calculated noise levels at internal receivers were presented and described in the DA Report. The tables have been updated to include mechanical noise.

Table 9: Scenario 1 – Existing – Facades closed, no patrons outside (dB LA10)

Receiver	Ref.	Internal noise level at receiver	Assessment criteria (day / evening / night)	Potential exceedances
40 St Quentin Ave	2a	22	41 / 36 / 31	None
40 St Quentin Ave	2b	18	41 / 36 / 31	None
Claremont Quarter	1	20	42 / 37 / 32	None

Table 10: Scenario 2 – Existing – Facades open, no patrons outside (dB LA10)

Receiver	Ref.	Internal noise level at receiver	Assessment criteria (day / evening / night)	Potential exceedances
40 St Quentin Ave	2a	26	41 / 36 / 31	None
40 St Quentin Ave	2b	21	41 / 36 / 31	None
Claremont Quarter	1	29	42 / 37 / 32	None

Table 11: Scenario 3 – Existing – Facades open, 55 patrons outside in existing areas (dB LA10)

Receiver	Ref.	Internal noise level at receiver	Assessment criteria (day / evening / night)	Potential exceedances
40 St Quentin Ave	2a	26	41 / 36 / 31	None
40 St Quentin Ave	2b	22	41 / 36 / 31	None
Claremont Quarter	1	31	42 / 37 / 32	None

Table 12: Scenario 4 – Proposed – Facades open, 55 patrons outside in existing and proposed areas (dB LA10)

Receiver	Ref.	Internal noise level at receiver	Assessment criteria (day / evening / night)	Potential exceedances
40 St Quentin Ave	2a	27	41 / 36 / 31	None
40 St Quentin Ave	2b	23	41 / 36 / 31	None
Claremont Quarter	1	31	42 / 37 / 32	None



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13 June 2023

Argyle Holdings, Yalaba Pty Ltd, Tegra Pty Ltd, Youssa Pty Ltd
 c/o FJM Property
 Ground Floor, 338 Barker Road
 Subiaco WA 6008

Attention: Bryce Daniel

Dear Bryce,

EXTERNAL PATRON NUMBERS, FRONT AWNING BENEFITS

Marshall Day Acoustics (MDA) were commissioned to assess noise from the existing Corvo Bar & Kitchen in Claremont as part of a retrospective development application.

The assessment was documented in a report entitled *Rp 001 r01 20220534 - Corvo Bar & Kitchen - Noise Assessment* ("DA report", dated 7 November 2022).

Additional supplementary information has been provided by MDA in the following documents:

- *Lt 001 20220534 - Corvo Bar & Kitchen - Responses to Town of Claremont Comments* (3 February 2023)
- *Lt 002 r01 20220534 - Corvo Bar & Kitchen - Additional Noise Modelling* (4 May 2023)

Subsequently, some further information has been requested by the Town of Claremont and the venue operator, as summarised in Table 1.

Table 1: Additional information requested

Application aspect	Summary of query
External patron numbers	The noise modelling by MDA is based on 55 patrons external to the premises, but the venue has more seats than this outside. What noise levels does the modelling predict for: - 66 patrons outside - 75 patrons outside
Front awning	Documentation for the original venue approval application included a solid front awning structure over the front alfresco area, but no such structure exists. Would the removal (exclusion) of the roofed area have made any material difference from a noise impact perspective to neighbouring residents?

Additional noise modelling has been undertaken by MDA to address these queries. Results and comments are provided below.





External Patron Numbers

The noise model has been updated to review potential noise from additional patrons in the external alfresco dining areas. Table 2 shows the modelled distribution of patrons throughout the venue.

Table 2: Modelled distribution external patrons

Total number of external patrons	Modelled distribution of external patrons		
	Front (by street, existing)	Side (undercover, existing)	Rear (open air, new)
55	5	30	20
66	8	30	28
75	8	37	30

The overall noise level results for each of these scenarios are outlined in the tables below.

Table 3: Maximum estimated noise levels at nearest external receivers (dB LA10)

Receiver	Ref.	External noise level at receiver			Assigned level (evening)	Potential exceedances
		55 patrons	66 patrons	75 patrons		
40 St Quentin Ave	2a	52	52	52	51	1 dB
40 St Quentin Ave	2b	48	49	50	51	None
Claremont Quarter	1	56	56	56	52	4 dB

Table 4: Maximum estimated noise levels at nearest internal receivers (dB LA10)

Receiver	Ref.	External noise level at receiver			Assessment criteria (evening)	Potential exceedances
		55 patrons	66 patrons	75 patrons		
40 St Quentin Ave	2a	27	27	27	36	None
40 St Quentin Ave	2b	23	24	25	36	None
Claremont Quarter	1	31	31	31	37	None

The increased number of external patrons in the modelling does not result in noticeable changes to the overall levels nor the potential exceedances predicted. The primary reasons for this are:

- Breakout noise from the internal space is included and is a significant contributor to the overall calculated levels. The scenario modelled assumes all facades are open ('worst case' for breakout noise).
- Mechanical noise is included, assuming 2 fans are operating (see Lt 002 r02 for further details).

As noted, the modelling of noise from the indoor area remains as per the previous assessments. The internal source levels are based on measurements taken by MDA within the venue during a busy night (as detailed in Rp 001 r01 20220534). However, the venue is licensed to cater for up to 120 patrons and this total number is not proposed to change.

Higher numbers of patrons in external areas will mean lower numbers inside – e.g., 75 patrons outside would only allow for 45 inside. This has not been factored into the modelling (internal source levels remain at 85 dB LA10 as measured), which is a conservative approach.

Front Awning Benefits

An existing shade awning is included to the front alfresco area, as shown in Figure 1.

Figure 1: Street photo showing existing awning (Source: Google Street View)



Noise modelling does not include any noise reductions on account of this lightweight awning.

A heavier awning structure in this area could provide some small noise level reductions; however, the benefits would be limited by reflected sound from the neighbouring buildings.

The most beneficial ways of reducing noise from this area of the venue would be to:

- Close the operable facade as necessary.
- Continue implementing managerial controls as necessary. Recommended procedures are outlined in the Acoustic Report (Rp 001 r01) and include measures such as asking noisy patrons to relocate inside and limiting use of the area during sensitive time periods.

We trust this additional information is of assistance. Please do not hesitate to contact us if further details are required.

Yours sincerely,

MARSHALL DAY ACOUSTICS PTY LTD

Ben Beverley

Associate

13.1.2 CAR PARKING SUBLICENCES - 303 (LOT 507) STIRLING HIGHWAY, CLAREMONT

File Number: LND/00113-003, D-22-39698
Author: Bree Websdale, Director Governance and People
Authoriser: Liz Ledger, Chief Executive Officer
Attachments: 1. Head Licence Agreement - Confidential
2. Car Parking Register - Confidential

PURPOSE

The purpose of this report is for Council to:

1. set the annual sublicence fee for a car bay at 303 Stirling Highway, Claremont.
2. consider the mechanism of allocating vacant car bays.

BACKGROUND

A Licence Agreement currently exists between The Trust Company (Australia) Limited as custodian for the DCSF Claremont Trust (Licensor) and the Town of Claremont (Licensee) to support the provision of 30 car parking bays located at 303 Stirling Highway, Claremont (**Attachment 1**).

By way of background:

- The Licensor is registered as the proprietor of 303 Stirling Highway, Claremont (the Land). The Land is situated within the district of the Town and the Licensor sought development approval for a loading dock, car park modification and signage on the Land (**Development**).
- The Town approved the Development on 31 May 2022 (**Approval**), subject to a number of conditions.
- The Licensor's tenant (Bunnings) initiated a review of the conditions of the Approval, and following a reconsideration, the Town resolved on 26 July 2022 to modify condition 12 to provide as follows:

"12. Prior to the issue of a Building Permit for the proposed development at Lot 507(303) Stirling Highway, Claremont, the owner shall enter into a Parking Licence Agreement with the Town of Claremont on mutually agreed terms to provide the Town with access and parking rights for 30 car parking bays, for a licence fee of \$12,000 per annum for a period of 10 years or until the redevelopment of Lot 507, whichever is sooner. The Parking Agreement is to be prepared by the Council's Solicitors and supported as a Caveat on the Certificate of Title for Lot 507. The owner shall be responsible to pay all reasonable costs associated with the Town's Solicitor's costs of and incidental to the preparation of (including all drafts), stamping and registration of the Caveat an Parking Licence Agreement at Landgate."

The Licence is protected by a caveat lodged against the Certificate of Title of Lot 507 and expires on 28 February 2033 (10 years) or upon redevelopment of Lot 507, whichever is the sooner.

The Town as Licensee, sub licenses the 30 car bays to businesses from the Claremont Town Centre.

DISCUSSIONFee

The fee for a bay in 22/23 was set by Council at \$1,000 (including GST). See Ordinary Council Meeting, 29 November 2022, Resolution 158/22 as set out below.

As set out “Financial and Staff Implications”, there are costs the Town incurs in overseeing this arrangement. As a minimum those costs should be recoverable from the sub licensees.

If the commercial value of the car bay and demand for the car bay is a consideration for Council in setting the fee, the fee should increase.

A number of businesses in Claremont have expressed interest in bays. The Town has a waiting list of several business, all located outside of Old Theatre Lane. Many businesses expressed interest in multiple bays.

All day parking in Times Square is \$8 per day but does not guarantee an available bay. \$8 per day equates to \$2,920 per year.

Allocation of Bays

Currently there are no bays available. The current car bay holders are shown in **Attachment 2**.

All of the current car bay holders (bar 3 sublicensees) are businesses located in Old Theatre Lane. Those 3 sublicensees have held leased the bay for a significant period of time.

The assignment of bays does not require Council approval and is an administrative matter. However, the officer recommendation seeks Council support for the following guiding principles:

1. Step 1: Should a bay become available, it will be offered to all businesses in Old Theatre Lane. Should more than 1 business request the bay, a ballot will be undertaken. The only exception will be if a business who has no bays requests a bay and all other applicants already have a bay, they will be assigned the bay.
2. Step 2: A ballot will be undertaken form the waiting list. Any Claremont business is entitled to place their name on the waiting list.

PAST RESOLUTIONS

Ordinary Council Meeting, 26 July 2022, Resolution 083/22

That Council:

1. *Reconsider its decision of 31 May 2022 to grant development approval for a proposed Bunnings loading dock, car park modification and signage at 303 (Lot 507) Stirling Highway, Claremont and vary that decision by: • Deleting Condition 11; • Modifying Condition 12 to read: “Prior to the issue of a Building Permit for the proposed development at Lot 507 (303) Stirling Highway, Claremont, the owner shall enter into a Parking Licence Agreement with the Town of Claremont on mutually agreed terms to provide the Town with access and parking rights for 30 car parking bays, , for a licence fee of \$12,000 per annum for a period of 10 years or until the redevelopment of Lot 507, whichever is sooner. The Parking Agreement is to be prepared by the Council’s Solicitors and supported as a Caveat on the Certificate of Title for Lot 507. The owner shall be responsible to pay all reasonable costs associated with the Town’s Solicitor’s costs of and incidental to the preparation of (including all drafts), stamping and registration of the Caveat and Parking Licence Agreement at Landgate”; and*
2. *Increase the cost of the annual individual sublicense fee for a car bay to \$1,825. The sub-licensors are responsible to pay all reasonable costs associated with the Town’s Solicitor’s costs of and incidental to the preparation of Parking Licence Agreement.*

Notice of Motion Councillor Goetze, 29 November 2022

That:

1. *The cost of the annual individual sublicense fee for a car bay at 303 Stirling Highway, Claremont be increased gradually over three financial years as follows:*
 - 2022/23 - \$1,000 including GST*
 - 2023/24 - \$1,400 including GST*
 - 2024/25 - \$1,800 including GST*
2. *The Town provide a pro rata refund in this financial year to any businesses who have already paid the sublicense fee increased by virtue of Council Resolution 083/22.*

Ordinary Council Meeting, 29 November 2022, Resolution 158/22

That:

1. *The cost of the annual individual sublicence fee for a car bay at 303 Stirling Highway, Claremont be set at \$1,000 including GST for financial year 2022/23.*
2. *The Town provide a pro rata refund in this financial year to any businesses who have already paid the sublicence fee increased by virtue of Council Resolution 083/22.*

FINANCIAL AND STAFF IMPLICATIONS

Under the current Parking Agreement Licence, the Town pays the owners \$12,000 per annum.

This cost is recovered by charging each of the 30 tenants an annual fee for exclusive use of a car bay, which is currently set at \$1,000 including GST per annum.

This fee contributes to the following costs incurred the Town:

- Preparation of sublicence agreements.
 - It is estimated that at least 30 hours of staff time has been spent on preparing the sub licence agreements (so as to avoid legal costs being incurred by the sub licensee).
 - A further 60 hours has been spent on distributing to sublicence agreements to sublicensee and following up sub licensors to return the agreements.
- Invoicing including following up unpaid invoices.
- Obtaining and programming toggles to allow sub licensees access.
- Responding to queries including requests for bays.
- Responding to access issues.
- Regular patrolling by Community Safety and Parking Officers. This occurs daily.

As a number of these tasks have now been completed, the officer recommendation is to keep the fee at \$1,000 inclusive of GST.

POLICY AND STATUTORY IMPLICATIONS

Not applicable.

COMMUNICATION / CONSULTATION

All sublicensees are aware that the current fee was set by Council until 30 June 2023 and that a new fee will be set by Council and if increased will be applied retrospectively from 1 July 2023.

The Town will advise all sublicensees of this report once the Agenda is available on the Town's website.

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.

URGENCY

Not urgent but advisable that the fee is set promptly.

VOTING REQUIREMENTS

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

RESOLUTION 092/23

Moved: Cr Jill Goetze

Seconded: Cr Annette Suann

That:

1. The cost of the annual individual sublicence fee for a car bay at 303 Stirling Highway, Claremont remain at \$1,000 inclusive of GST for financial year 2023/24.
2. Council support that the CEO approves the assignment of car bays as set out in this report and in the following order of precedence
 - a. Firstly, to a tenant of Old Theatre Lane.
 - b. Secondly, to a business situated in Claremont.

For: Mayor Jock Barker, Cr Annette Suann, Cr Shelley Hatton, Cr Peter Edwards, Cr Kate Main, Cr Ryan Brown, Cr Jill Goetze, Cr Sara Franklyn, Cr Peter Telford

Against: Nil

CARRIED 9/0

13.2 PEOPLE

13.2.1 PUBLIC ART TRAIL

File Number:	REC/00084, D-23-16802
Author:	Liz Ledger, Chief Executive Officer Abbie Lawrence, Manager Tourism and Events
Authoriser:	Liz Ledger, Chief Executive Officer
Attachments:	1. Policy PE403 Public Art Collection ↓

PURPOSE

For council to consider the revised location of two public artworks to create a Town-wide Public Art Trail.

BACKGROUND

At its July 2022 OCM, Council adopted a Lake Claremont Public Art Strategy 2020 to 2025. This document provided a plan of existing and proposed artworks that would create a trail around Lake Claremont.

Since the adoption of this document, the Town has consulted with the Traditional Owners through the Reconciliation Action Plan process. These discussions have led to a review of the artwork trail, and a proposed change in the location of 2 formerly approved artwork locations.

DISCUSSION

Council recognises the significance that the arts and culture play towards community enrichment. Making visual art broadly accessible to the community helps to develop civic pride, creates opportunity for community engagement and contributes to a sense of place. Council has a Policy for the collection of public art (please refer to *Attachment 1 Policy PE403 Public Art Collection*) and a Public Art Working Party (PAWP), which is supported by three elected members.

The Town possesses several public artworks; these have been created and installed over the years and include various murals and sculptures reflecting the history, environmental and culture of the Town.

In 2022-23 and in line with the Council approved Lake Claremont Art Trail, the Town's officers worked on 2 major projects, both within the Lake precinct. The approved budget for public artwork for 22-23 was \$100,000; this was to be split approximately between the 2 projects.

Since receiving feedback from the Traditional Owners of Lake Claremont, officers and the PAWP members have met to review the status of these projects and potential options for progressing these artworks. As such these projects have been on hold.

Artwork 1

Of the 2 artworks, one had the design approved and had commenced fabrication. Following a presentation by the artist Anne Gee, the PAWP agreed that this piece could translate to another similar outdoor location and still be reflective of the artist's creative intent and benefitting the community.

The new proposed location is on the northside of the Tee Box café on the grassed area, west of the car park. This is illustrated by a red circle on Map 1 below.

This area is part of the 'Golf Licence Area' under the lease, allowing the tenants the ability to use these areas nonexclusively.

Artwork 2

The second artwork had been designed but fabrication had not commenced. This artwork is specific to the Lake and consideration of moving it to another area has therefore not been explored.

This is illustrated on Map 2 below.



Map 1



Map 2

Discussion with the PAWP included considering a new design and location for the second artwork. The consensus revealed that Claremont Park next to the herb garden, northeast of the Claremont Recreation Centre, was an ideal location. Between the foreshore and the Town centre there are currently no artworks (noting that the Wall of Faces is soon to be removed); having an artwork in this location provides a perfect link in the Town-wide trail.

PAST RESOLUTIONS

Ordinary Council Meeting 26 July 2022, Resolution 090/22

That Council

1. *adopts the Lake Claremont Public Art Strategy as show in Attachment 1.*
2. *endorses the reallocation of the \$100,000 ART TRA funds from the 22/23 budget Operating Expenditure to Capital Works for the 22/23 ART TRAIL.*

CARRIED

Ordinary Council Meeting 17 November 2020, Resolution 179/20

That Council

1. *Supports progressing with a Public Art Strategy for Lake Claremont, which includes the approval of two artworks for 2020-2021, that being:*
 - *A sculpture to be located in a specified view point at Lake Claremont, acquired through a private donation and installed by the Town, and*
 - *A mural to be located on the Friends of Lake Claremont shed, funded through the Public Art Reserve budget.*
2. *Accepts the donation of a public art sculpture and requests the CEO to thank the private donor for their contribution to the Town's community.*
3. *Authorises the CEO to transfer the total project cost of \$22,500 from Public Art Reserve to the Municipal Fund and to expend these funds in the 2020/21 financial year.*
4. *Consider an allocation in the future budgeting process to support the installation and future maintenance costs.*

CARRIED BY ABSOLUTE MAJORITY

FINANCIAL AND STAFF IMPLICATIONS

Each year Council, in line with Policy PE403, supports the allocation of funds for public art either to the Capital Works Program and / or the Public Art Reserve, which is

To assist with the programmed purchase and development of public art projects throughout the Town.

In 23-24 Draft Budget, Council has included the following:

- \$20,000 from Municipal funds to support a new or contribute to a project
- \$30,000 from the Public Art Reserve to support a new or contribute to a project
- \$53,000 carry forward from 22-23 (remainder of the \$100,000).

POLICY AND STATUTORY IMPLICATIONS

PE403 Public Art Collection.

COMMUNICATION / CONSULTATION

In progressing to this stage, the Town has consulted with the Friends of Lake Claremont, the Lake Claremont Advisory Committee, the Traditional Owners from the Reconciliation Working Group and the Public Art Working Party.

The tenants of the gym and golf course have also been contacted in relation to the location for Anne Gee's artwork.

The Town's Public Art Trail will be promoted as one Trail that can be broken into several smaller trails, depending upon user needs. The Town's Public Art Walking Trail will be promoted to the community and visitors as a tourist attraction supporting economic development. The trails will be made accessible via an interactive map, clicking into locations to see images and details of each of the artworks, and allowing visitors to tailor their own itinerary.

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.

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

People

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

- Recognise and celebrate the Town's history and culture through arts and events.

URGENCY

It is desirable that the proposed new location for Anne Gee's artwork is approved, allowing the artist to finalise the artwork, and remove any requirements for storage costs. This will further allow the progression of the Art Trail with commissioning of future artworks and enable the artists sufficient time to deliver their art works within financial year 23/24.

VOTING REQUIREMENTS

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

RESOLUTION 093/23

Moved: Cr Jill Goetze

Seconded: Cr Kate Main

That Council supports:

1. **A Town-wide Public Art Trail with future locations subject to the approval by the Public Art Working Party members;**
2. **The change of location for Anne Gee's sculpture as indicated in this report; and**
3. **The new location for a new public artwork at Claremont Park.**

For: Mayor Jock Barker, Cr Annette Suann, Cr Shelley Hatton, Cr Peter Edwards, Cr Kate Main, Cr Ryan Brown, Cr Jill Goetze, Cr Sara Franklyn, Cr Peter Telford

Against: Nil

CARRIED 9/0

	<p>PE403 Public Art Collection</p>
<p>Key Focus Area People and Liveability</p>	<p>Responsible Directorate Office of the Chief Executive</p> <p>Relevant Council Delegation Nil</p>

Purpose

To provide a policy framework for the acquisition, management and decommissioning of the Town’s art collection.

Policy

The Town of Claremont (**the Town**) recognises the significance that arts and cultural development plays towards community enrichment. Making visual art broadly accessible to the community helps to develop civic pride and creates opportunity for community engagement. Public art is an integral element of the Town’s vision for Claremont’s cultural identity.

The processes for managing the Town’s public art will be guided and supported by the Public Art Working Party (PAWP – which includes the Chief Executive Officer, two Town staff and up to three Elected Members for a period of two years, in sync with Council elections) as well as the requirements of this policy.

Acquisition and Provision

Council will support the acquisition and provision of public art through the following means:

- Consider an annual budget allocation to a Public Art Reserve to enable the Town to acquire art.
- Consider the provision of public art as part of major developments on Town owned sites undertaken by the Town.
- Consider donations and bequeaths of artwork for the collection.
- Consider funding a biennial Art Award.
- Support a Public Art Local Planning Policy for the provision of public art (or cash-in-lieu of art) for private developments.
- Support the PAWP in determining the provision of art.

Management

The Town will manage its public art collection through the following means:

- Consider provision of an annual budget allocation for the ongoing maintenance of public art. This budget allocation will be based on the outcomes from the Asset Management Plan.
- The Town will maintain a Town owned art register, including acquisition date, valuation and condition assessments.

From time to time, it may be considered appropriate to remove art from the collection. The Town will consider the decommissioning of art where the condition of the art is damaged beyond reasonable repair. Where art is suitable for decommissioning, the Town will either:

- Return the art to its creator or donator (depending on availability).
- Donate the art to a collecting institution.
- Dispose the art in accordance with the requirements of the *Local Government Act 1995*.
- Where the art is beyond repair and where the above options are unsuitable, destroy the art.

Document Control Box			
Business Unit:	Tourism and Events		
Legislation:	<i>Local Government Act 1995</i>		
Organisational:	Town of Claremont Public Art Collection Work Procedure Town of Claremont Public Art Plan - 'Public Art in Our Town'		
Review Frequency:	Annual	Next Due:	2023
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	1 May 2012	62/12
2.	Reviewed	10 December 2013	360/13
3.	Reviewed	9 December 2014	203/14
4.	Modified	5 July 2016	101/16
5.	Reviewed	13 December 2016	206/16
6.	Modified	2 October 2018	182/18
7.	Reviewed	18 December 2018	228/18
8.	Modified	26 July 2022	088/22

13.3 LEADERSHIP AND GOVERNANCE

13.3.1 CLAREMONT MUSEUM ADVISORY COMMITTEE (ITEM WITHDRAWN)

File Number: GOV/00050-003, D-23-23280
Author: Liz Ledger, Chief Executive Officer
 Jessica Guy, Manager Governance and Records
Authoriser: Liz Ledger, Chief Executive Officer
Attachments: 1. [Terms of Reference - Claremont Museum Advisory Committee](#) ↓
 2. [Claremont Museum Advisory Committee Minutes - 7 March 2023](#) ↓

PURPOSE

To consider disbanding 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. Originally the Museum operated predominantly by volunteers. Based on this solid foundation established by volunteers, over the last 20+ years, the facility has evolved and become a reputable, well managed community service. Recently this has included to redevelopment of a public gallery and education space, known as the Freshwater Gallery.

In line with business improvement and best practice, it is timely to review the requirements of the Committee and assess whether this structure is the best option for providing information to Council to make informed decisions about the Museum.

DISCUSSION

Structure of the Committee

The Terms of Reference document (**Attachment 1**) provides the structure for 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 of the community, not necessarily museum or cultural development practitioners, but dedicated and interested supporters of the Museum.

Council Member (Chair)	Cr Jill Goetze
Council Member	Cr Annette Suann
Community Representative	Karen Wood
Community Representative	Ricki Hewitt
Community Representative	Karen Kaard
Community Representative	Greg Simpson

Outcomes of the Committee

The Committee is purely an *advisory committee* and has no delegated powers. Any feedback from the Committee is through the structured (and somewhat restricted) process which requires formal recommendations to Council.

At the most recently held Advisory Committee meeting held Wednesday 28 June, there was no quorum. The meeting was therefore unable to be held and no minutes exist. Therefore, as an example of the outcomes of the meeting, the most recent minutes from 7 March 2023 are at **Attachment 2**.

The Claremont Museum is a community space for telling and promoting stories of the history of Claremont. It achieves this through maintaining a small collection and implementing events and activities. Essentially it has 2 main roles:

- Collection and curation of artefacts that reflect the history of the area (the Museum): and
- Events and activities that promote and educate on the history of the area.

These programs and services are carefully considered and curated by the experienced and qualified staff within the Tourism and Events Business Unit. These operational decisions are aided by seeking a range of feedback and advice, which is filtered through to the professional and experience staff to help develop relevant and creative exhibitions and programs. These in turn are approved by Council through the annual budgeting process. This includes:

Community Feedback	Community Perceptions Survey Museum Exhibition Surveys School attendance feedback Group and event attendance feedback Traditional Owners Volunteers Unsolicited ad hoc feedback from individuals and groups
Professional Advice and Guidance	Local History Leaders in Local government Local Government Curators Meeting WA Museum Staff

These existing processes easily allow the officers the obtain good feedback and data on their programs and activities, from which they can improve or make changes. Furthermore, any expert advice is garnered through established professional groups for free or can be sourced through paid external advice.

Advisory Committees do not exist for the Town’s other community facilities and services (i.e., the Community Hub and Library and Aquatic Centre). 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.

PAST RESOLUTIONS

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

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 2 November 2021, Resolution 143/21

That Council

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

(b) *Claremont Museum Advisory Committee*

<i>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

FINANCIAL AND STAFF IMPLICATIONS

While consideration of disbanding the Committee is not about lessening the workload of the staff or reducing costs, it is relevant to discuss the staff resources currently required to administer and oversee the Committee, as defined in the Terms of Reference below.

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.*

In addition, the Museum Curator and Manager Tourism and Events both attend the meetings and prepare reports which requires time. These reports are generally an overview of the previous events of the quarter (again please refer to Attachment 2).

Each meeting also requires governance administration support to compile the agenda and minutes, which feed into the next OCM. The agenda and minutes are also read and authorised by the CEO.

The annual operational budget (not including building depreciation) is just under \$300,000 per annum with a small amount of income. It has 3 part time staff, which equates to 2 FTE’s plus casual staff. This is the minimal amount of resourcing required to undertake the annual program.

POLICY AND STATUTORY IMPLICATIONS

Local Government Act 1995.

Town of Claremont Meeting Procedures Local Law 2018.

COMMUNICATION / CONSULTATION

An advisory Committee is a committee of Council, and as such is established or disbanded by the approval of Council. Both Council Member representatives have been consulted on their views for the continuation of the Committee.

If Council was to support the Officers' recommendation and disband the Committee, this does not remove the opportunity for the Museum staff to continue to involve current or former Committee members, nor remove the ability for a more informal feedback structure to be established to benefit the Claremont Museum.

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 on 5 September 2023.

VOTING REQUIREMENTS


Absolute Majority decision of Council (*6 Elected 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.**

The Chief Executive Officer, having previously advised Council Members, withdrew this item from consideration.

	<p>Claremont Museum Advisory Committee</p> <p>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 three to five community representatives including at least:
 - a. One representative from the Friends of the Museum community group; and
 - b. One Town of Claremont resident.
4. Membership to the Advisory Committee will be for a period of two years with the nomination year coinciding with local government election years.
5. In the event of a vacancy due to the resignation of a community representative, the Advisory Committee shall fill the vacancy by advertising for a special membership nomination and endorsing the applicant(s) to Council for appointment.
6. A Council Member will be appointed as Chairperson by simple majority of the Advisory Committee. The Chairperson'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; and
 - c. To promote full participation and open debate at meetings so that relevant matters are discussed and effective recommendations are made to Council.
7. 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

8. The Advisory Committee shall meet on a quarterly basis. Meetings will be called by the Chairperson in consultation with the Chief Executive Officer.

9. 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.
10. Quorum for a meeting of the Advisory Committee shall be at least 50% of the number of voting members (whether vacant or not) of the Committee.
11. Meetings of the Advisory Committee are generally closed to the public. Public attendance is permitted only through invitation or prior approval by the Committee.

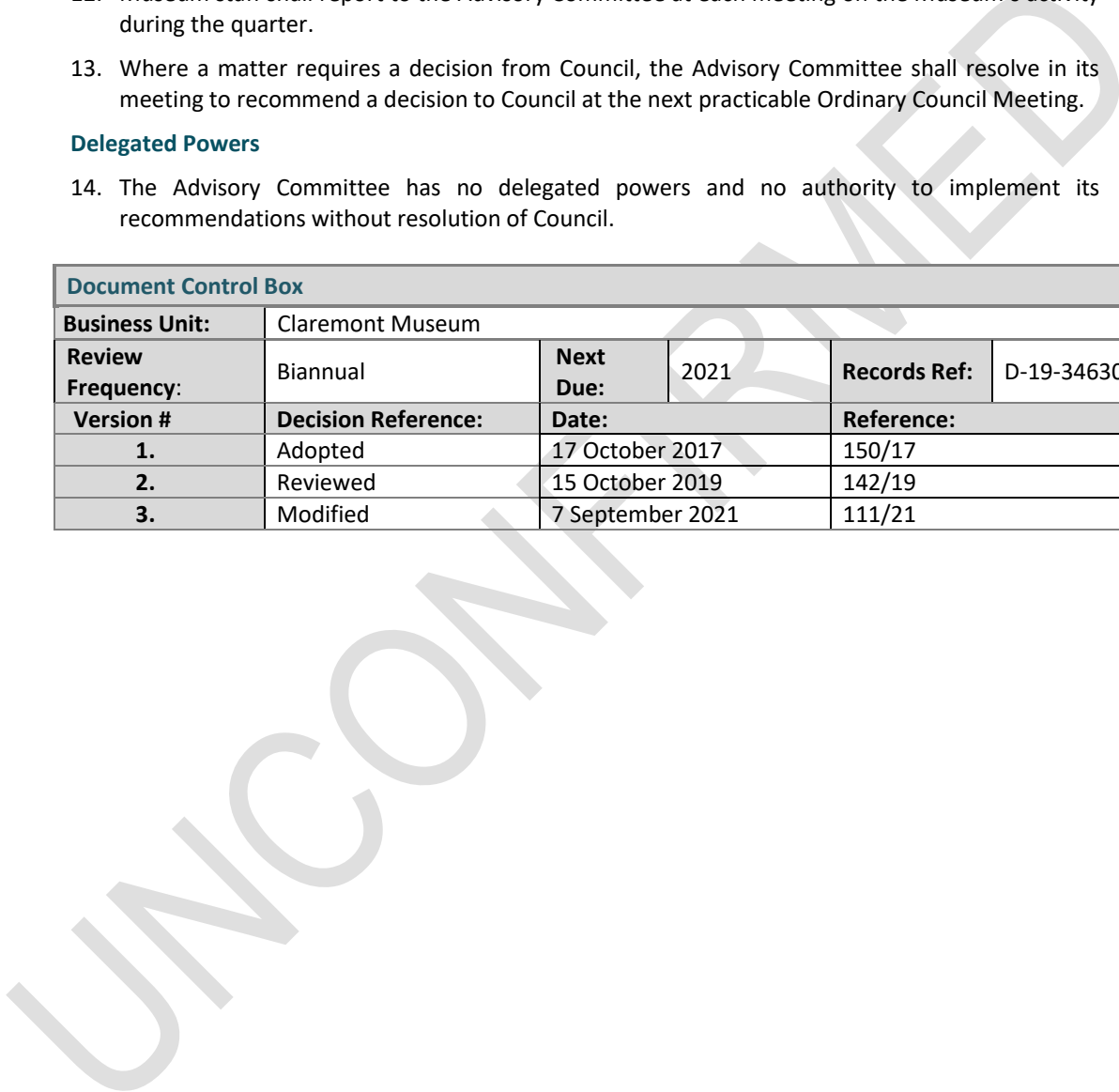
Reporting

12. Museum staff shall report to the Advisory Committee at each meeting on the Museum’s activity during the quarter.
13. 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

14. 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				
Review Frequency:	Biannual	Next Due:	2021	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	





MINUTES

Claremont Museum Advisory Committee

Tuesday, 7 March 2023

Date: Tuesday, 7 March 2023

Time: 5.00pm

Location: Town of Claremont
Claremont Museum
66 Victoria Avenue, Claremont

Liz Ledger
Chief Executive Officer

DISCLAIMER

Persons present at this meeting are cautioned against taking any action as a result of any Committee recommendations until such time as those recommendations have been considered by Council and the minutes of that Council meeting confirmed.

UNCONFIRMED

Order Of Business

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UNCONFIRMED

Claremont Museum Advisory Committee Minutes

7 March 2023

**MINUTES OF TOWN OF CLAREMONT
CLAREMONT MUSEUM ADVISORY COMMITTEE
HELD AT THE TOWN OF CLAREMONT, CLAREMONT COUNCIL CHAMBERS, 308 STIRLING
HIGHWAY, CLAREMONT
ON TUESDAY, 7 MARCH 2023 AT 5.00PM**

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairperson welcomed the meeting attendees and declared the meeting open at 5:10pm.

2 RECORD OF ATTENDANCE / APOLOGIES**PRESENT:**

Cr Jill Goetze
Cr Annette Suann
Ms Ricki Hewitt
Ms Karen Kaard
Ms Karen Wood
Ms Carolyn Winterbottom
Mr Greg Simpson

IN ATTENDANCE:

Fiona Crossan (Museum Curator)
Abbie Lawrence (Manager Tourism and Events)

APOLOGIES:

Nil

LEAVE OF ABSENCE:

Nil

3 DISCLOSURE OF INTERESTS

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**COMMITTEE RECOMMENDATION 001/23**

Moved: Ms Ricki Hewitt
Seconded: Cr Annette Suann

That the minutes of the Claremont Museum Advisory Committee held on 22 November 2022 be confirmed.

For: Cr Jill Goetze, Cr Annette Suann, Ms Ricki Hewitt, Ms Karen Kaard, Ms Karen Wood, Ms Carolyn Winterbottom, Mr Greg Simpson

Against: Nil

CARRIED 7/0

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5 PRESENTATION

Nil

UNCONFIRMED

6 REPORTS OF THE CEO

6.1 CLAREMONT MUSEUM OPERATIONS REPORT FROM DECEMBER 2022 TO FEBRUARY 2023

File Number: GOV/00050-003, D-23-01559

Author: Fiona Crossan, Museum Curator

Authoriser: Liz Ledger, Chief Executive Officer

Attachments: 1. [Speedway memories roar back to life. Post Newspapers 21 January 2023](#)

PURPOSE

To advise the Committee of the Claremont Museum’s activities for the period of December 2022 to February 2023.

BACKGROUND

An updated report is provided to the Committee for each quarter of the year, which includes data on the Education Program, Collection Management, events, and visitation statistics for the quarter.

DISCUSSION

Statistics

Visitor numbers

	2016	2022		2022	2023
December	0	99	January	0	230
			February	125	423 AS OF 23.2.23

Volunteer hours

	2016	2022		2022	2023
December	0	42.24	January	0	53.75
			February	12	39 AS OF 23.2.23

Events and activities

Date	Topic	Detail	Attendance
History in a Coffee Cup			
1 December 2022	Fragments of a 50s Childhood	Ron Banks is presenting – journalist and author. Wrote a memoir about life growing up in the Western Suburbs “Fragments of a 50s Childhood”.	48

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2 February 2023	Claremont Speedway	Con Migro “Mr Speedway” and Claremont Speedway historian Ken Brown shared their stories and a bit of history on the old Claremont Speedway.	68
Lost Skills Program			
20 November 2022	Knitting	Calico and Ivy and members of a local Claremont Knitting group came down to the museum to help kids learn the lost art of knitting.	7
Claremont Meanders			
9 February 2023	Trail of Memories	Volunteer guides gave a walking tour that focused on the history within the East Ward of Claremont.	15

In addition to the above events, the museum hosted a VIP event on the night of Wednesday, February 1st. 70 people attended the event during which the Mayor thanked all of the contributors of the Claremont Speedway exhibition.

The Museum also hosted a Town of Claremont event on December 2nd. The event was to thank all of the Town’s volunteers for their service.

Education Program

This year the education program will run on Mondays and Tuesdays during Terms 2 & 3 instead of 3 & 4 as it was last year. As the weather is more inclement during those months, it is better to have an indoor space for the program and to host the History in a coffee cup events.

Schools have begun to email in booking requests.

Three people have emailed the museum in response to our last newsletter saying that they are interested in volunteering for the education program. All are retired teachers.

Collection Management and Exhibitions

An enormous amount of work was done in the month of December and January for the Claremont Speedway exhibition. Meetings were held with historians, photographers, past drivers, riders and current enthusiasts to gain a better understanding of the Speedway. Those connections also helped the Museum to secure loans of artefacts and seek permission to use photographs and video. Dr Sue Graham-Taylor contributed to the exhibition with her additional research and written text for various panels. Museum staff also had the difficult task of maintaining the records of large incoming loans for display.

The Claremont Speedway exhibition has been extremely popular. Former riders, drivers and fans have enjoyed sharing memories with one another, excitedly retelling iconic moments and even shedding a tear. The exhibition will run until April 9th.

Museum Casuals and volunteers continue to scan documents and accession artefacts.

Volunteers from the Showgrounds Community Men’s Shed continue to scan photographs from the Museum’s collection at a higher resolution for archival quality.

Research Requests

The Convict Depot

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Image of Bob Marshal
Stirling Highway Trolley Bus
Claremont Speedway
Image of Cr Beart
PA Guger
Jaeschke Family
Showgrounds Location History
1 Goldsmith Road
Edwin Lovegrove
2 Vaucluse Avenue
17 Richardson Avenue
Efford Family Images
3 Grange Street
Butler's Swamp Monastery
Image of Claremont Football Club
Cr MacLagan
Arthur Norton
47 Goldsworthy Road

PAST RESOLUTIONS

Claremont Museum Advisory Committee 09/22, on 22 November 2022.

FINANCIAL AND STAFF IMPLICATIONS

Within the budgeted allocation.

POLICY AND STATUTORY IMPLICATIONS

Local Government Act 1995

COMMUNICATION / CONSULTATION**Marketing**

All events and activities for the quarter were:

- Listed on the Town's website on the 'What's on' page.
- Promoted via the Museum Musings e-newsletter.
- The latest exhibition on the Claremont Speedway was promoted via socials and in the Post Newspaper (Please refer to attachment 1).
- Included in the Summer Edition of Flourish: Friday Night is Speedway Night and what's on.
- The Museum's Public Programs Officer was interviewed on 6PR's Remember When with Harvey Deegan on Sunday, November 27th, Sunday, January 29th and Sunday, February 26th. The interviews were about the HIACC scheduled for December, Growing up in the 50s, the New Claremont Speedway exhibition and the March HIACC called dressed in Claremont.
- The Public Programmes Officer was interviewed for a podcast called Talking Speedway recorded by Graeme Sinden.

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- A small article on the Speedway exhibition was included in the February issue of Speedway World.
- Con Migro was interviewed at the Museum on Wednesday, 1 February 2023 as part of the weather report on Network Ten's evening news.
- Con Migro was interviewed on 6PR Breakfast show by Karl Langdon and Steve Mills on Monday 31 January 2023.
- The Public Programs Officer was interviewed on the ABC Breakfast Radio segment with Stan Shaw on 15 February 2023.
- The Dirt Track Nutters are filming podcasts weekly in the Gallery where the Claremont Speedway exhibition is on display. The podcasts are a series of interviews of former riders and drivers. Full episodes can be viewed on the Dirt Track Nutters Facebook page or through YouTube.
- Coverage across the many mediums has seen a large increase in footfall to the museum.

Consultation

Museum staff continued to consult with members of the racing community in December to assist in the creation of the Claremont Speedway exhibition.

STRATEGIC COMMUNITY PLAN**People**

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

- We live in an accessible and safe community that welcomes diversity, enjoys being active and has a strong sense of belonging.
- Facilitate opportunities for social participation, health, learning and inclusion through programmed activities and events.
- Develop and implement a strategy that supports services for seniors and youths.
- Recognise and celebrate the Town's history and culture through arts and events.

URGENCY

Nil.

VOTING REQUIREMENTS

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

COMMITTEE RECOMMENDATION 002/23

Moved: Ms Karen Wood
Seconded: Mr Greg Simpson

That the Claremont Museum's Operation Report form December 2022 to February 2023 be received by the Museum Advisory Committee.

For: Cr Jill Goetze, Cr Annette Suann, Ms Ricki Hewitt, Ms Karen Kaard, Ms Karen Wood, Ms Carolyn Winterbottom, Mr Greg Simpson

Against: Nil

Claremont Museum Advisory Committee Minutes

7 March 2023

CARRIED 7/0

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January 21, 2023



A lunch pint for year 12s?

By LLOYD GORMAN

Could 18-year-old Bob Hawke College students nip next door for a pint during lunch before heading back to class?

The prospect has been raised by Subiaco locals who have noticed an "alarming" recent change to WA planning rules that would allow pubs and bottle shops to operate next to schools.

"It appears pubs, bars, and liquor shops alongside our school spaces are now okay in WA," Preserve East Subiaco Reserve group said this week.

"2023 could see a 20 or 30 plus storey hotel, a Dan Murphy's and short-term or transient high-rise flats on the edge of Bob Hawke College's oval," they said.

"Could students who turn 18 in Year 12 have a pint at lunch or recess or during free periods on the edge of their school oval while watching and interacting with fellow students and then head back to class?"

The group said "flexibility in • Please turn to page 30



Claremont Mayor Jock Barker, left, and former speedway manager Con Migro share memories of the track at the Claremont Museum.

Photo: Billie Fairdough

Speedway memories roar back to life

By BONNIE CHRISTIAN

The Friday night scream of motorbikes and roar of speedcars were once the sounds of summer in Claremont.

The smell of high-octane fuel and the thrill of spurting blue methanol exhaust flames have long disappeared from the Showgrounds Speedway track, but a new exhibition at the Claremont Museum is reviving the stories of racing legends who made it an institution.

"It was the skids, man," bike racer Greg McNeill said.

"It was the place everybody wanted to head to.

"I was riding in England and all the guys there were excited

because they were sending their crates to Claremont."

The Showgrounds Speedway opened in May 1927 and the 23m-wide clay track was ripped up after the final race on March 31, 2000.

"It was the biggest, the fastest and the longest-running speedway track in Australia," Greg said.

"On a good night you'd get 20,000 people there. The last two meetings were just completely sold out, just completely packed, people were hanging from the rafters.

"We'd all go out after, down to Chelsea Pizza, and speak cars and bikes all over the joint."

• Please turn to page 26

Knife terror at Cottesloe beach

By DAVID COHEN and JANE WISHAW

Beachgoers looked on in horror at Cottesloe last Saturday afternoon as a young man allegedly threatened people with a 40cm knife.

"The knife ... was very large and scary looking," Argentinian tourist Delfina Meyer said.

Police swarmed the beach after being alerted by lifeguards. They said two teenagers were charged with assault occasioning bodily harm after an earlier incident at Cottesloe train station.

One of them was charged with being armed to cause fear, over the knife at the beach.

"It was like the scene from a movie when I saw five police cars arriving under emergency lights and sirens," beachgoer Richard Evans said.

Ms Meyer, who was sitting with friends from Spain and Argentina near the groyne, said she watched an older man show police where a knife had been thrown.

"It was easy to see the knife," she said. "It had a long silver blade with a wooden handle. It was around 35 to 40cm long."

Spanish tourist Roger Galito was more sanguine about the drama.

"We laughed a little because in Spain and Argentina it is not so uncommon for things like this to happen on the beach and go unreported," he said.

"But in Cottesloe (you) could see it is a very big thing, very serious, thankfully not common and it was great to see the police act so quickly and efficiently."

Police said lifeguards who saw the alleged offence called the Cottesloe Surf Living Saving Club office, who then called 000.

"Police had received earlier reports a 49-year-old man had been assaulted by two males on a train on the Fremantle line, heading towards Perth," a police spokesman said.

"Officers arrested two males, aged 15 and 16, at the beach and located a large knife nearby."

"The 15-year-old will appear in Perth Children's Court on February 2 on charges of assault occasioning bodily harm, being armed in a way that may cause fear, and possession by juveniles of liquor.

"The 16-year-old will appear on February 7 on a charge of assault occasioning bodily harm."

One of the juveniles put into a paddy wagon screamed and shouted, and kicked the inside of the vehicle.

Another young man was questioned and searched by police, but not charged.



Police question and search two juveniles on Cottesloe's foreshore, south of Indiana, last Saturday. Photo: Jane Wishaw

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Page 26 – POST, January 21, 2023

Speedway memories roar back to life

• From page 1

While it is more professional now, Greg said back in the day riders would often make their own cars and bikes to race.

“Michael Figliomeni was one of the greatest blokes of all time,” he said.

“He and his dad built his speedcars, and his sprintcars, and their operation was out of an old school bus they had.

“He was a talented mechanic and car builder and an extraordinary racer.”

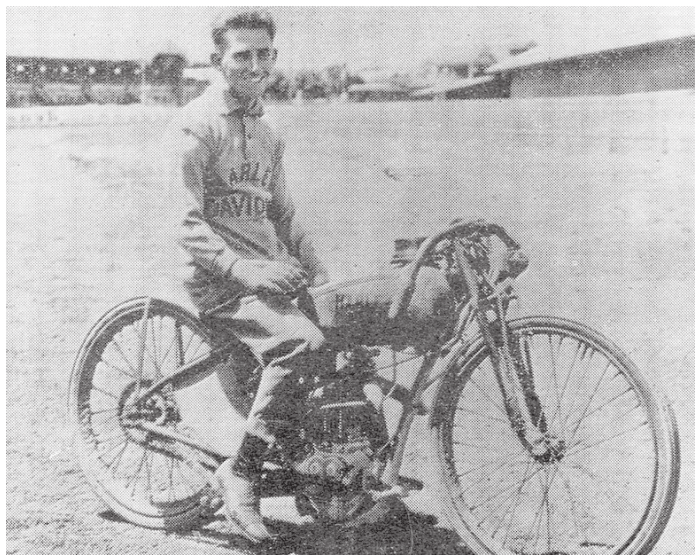
Mick McKeon built engines for world champions.

“When the Americans came out, they’d go to Claremont and they couldn’t get their bikes to go because it’s hotter here,” Greg said.

“It’s such a big track you need to loosen the engines up a bit and be careful what oil you’re using, and the Americans didn’t know any of that.

“They’d come out and blow up their engines on the first lap.

“They’d go see Mick the next



Sig Schlamm was one of Australia’s top bike racers when he was killed aged 25 on the WA Cricket Association track in 1930.

day and by the next week’s race they’d be sorted.”

George Gregson’s TQ, which he built and raced, is on display at the Claremont Museum.

Con Migro, who was Claremont Speedway’s managing director, said the exhibition brings memories flooding back.

“We would sit right up nearly on the track back then,” he said.

“Claremont kind of outgrew the modern cars, they just got bigger and faster, and for the last 10 years I used to pray like hell on a Friday night. I was so frightened someone could ride a wheel and it end up in the crowd.

“The cars would be going close to 100 miles per hour (160km/h) “The motorbikes had an accelerator and clutch, but no brakes.”

There were 19 deaths of

competitors and spectators at the Speedway between 1928 and 1995.

Claremont mayor Jock Barker said he was 16 when Captain Jimmy Woods took him and his brother to the Speedway.

“It was such a thrill as a young boy,” he said.

“Some people are really sad that it left Claremont.”

The museum also highlights the few women who raced at Claremont.

Women-only races were trialled briefly at Claremont in the late 60s and became known as the Powder Puff races.

Irish bike racer Fay T aylour came out from England to race against champion Sig Schlamm, and won.

She was known to wear pink silk pyjamas under her racing

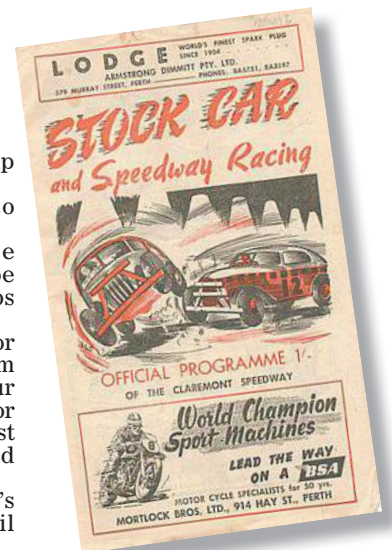
leathers in case she ended up in hospital.

The Speedway moved to Kwinana after 72 years.

Complaints about noise heard as far away as Cottesloe had increased as the suburbs gentrified.

In 2000, then Claremont mayor Peter Olson said the noise from cars and antisocial behaviour after meets had been an issue for 20 years, and he believed most people in the area welcomed the closure.

The Claremont Museum’s exhibition will be open until Sunday April 9.



TOP: Spectacular crashes enticed crowds to Claremont Speedway. ABOVE: Ken Wylie laps the Claremont Showgrounds track in 1947 with the Rocket Car. BELOW: Test firing at the Showgrounds.



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7 OTHER BUSINESS

The President of the Friends of the Claremont Museum gave an update of their activities for the last quarter. During this report, it was noted that plaques at three heritage locations within the Town of Claremont are in need of cleaning. The Museum Curator will follow up with the appropriate Town staff members to have this done.

It was also noted within this report that Claremont Museum would benefit from having a Management Plan.

MOTION

COMMITTEE RECOMMENDATION 003/23

Moved: Ms Ricki Hewitt

Seconded: Ms Karen Wood

That the Museum Advisory Committee wishes to extend their congratulations to the Museum Staff and Team on the excellent Claremont Speedway exhibition and the positive attention it has brought to the Town of Claremont.

For: Cr Jill Goetze, Cr Annette Suann, Ms Ricki Hewitt, Ms Karen Kaard, Ms Karen Wood, Ms Carolyn Winterbottom, Mr Greg Simpson

Against: Nil

CARRIED 7/0

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

Nil.

9 FUTURE MEETINGS OF COMMITTEE

Claremont Museum Advisory Committee Meeting, Tuesday 6 June 2023 at 5.00pm.

10 DECLARATION OF CLOSURE OF MEETING

There being no further business, the presiding member declared the meeting closed at 5:58pm.

.....
CHAIRPERSON

13.3.2 REVIEW OF COUNCIL POLICIES - LEADERSHIP AND GOVERNANCE

File Number: COM/00032, D-23-19629

Author: Bree Websdale, Director Governance and People
Jessica Guy, Manager Governance and Records

Authoriser: Liz Ledger, Chief Executive Officer

Attachments:

1. [LG510 Disposal Policy](#)
2. [LG513 Town of Claremont Branding](#)
3. [LG516 Fees, Allowances and Expenses for Council Members](#)
4. [LG517 Elected Members' Reports on External Organisations, Committees and Formal Meetings](#)
5. [LG519 Council Agenda Briefing Forums, Workshops and Briefing Sessions](#)
6. [LG524 Discretionary Community Consultation](#)
7. [LG532 Financial Hardship Policy](#)
8. [LG534 Risk Management](#)
9. [LG537 Fraud Prevention](#)
10. [LG539 Council Member and CEO Attendance at Events](#)
11. [LG540 Council Member Training and Continuing Professional Development](#)
12. [LG541 Complaints Against Council Members, Committee Members and Candidates](#)
13. [LG545 Livestreaming of Council Meetings](#)
14. [LG546 Flag and Lighting Policy](#)

PURPOSE

For Council to consider a review of existing Leadership and Governance policies referred to in the Discussion section below and the adoption of a:

- Livestreaming of Council Meetings Policy (LG545); and
- Flag and Lighting Policy (LG546).

BACKGROUND

Council is responsible for determining the strategic direction of the Town. This is assisted by the adoption of Council policies reflecting this direction and guiding the Town's decision making processes.

There is no statutory timeframe for reviewing Council policies, this is at the discretion of each local government. However, Council policies should be reviewed at regular intervals to ensure they are clear, concise and contemporary. Council policies should:

- Provide the Town with clear direction to respond to issues and act in accordance with Council decisions and direction.
- Enable Council Members to adequately manage enquiries from external stakeholders relating to the role of Council in particular situations.
- Enable external stakeholders to obtain immediate direction on matters of Council policy.
- Be separate from administrative work procedures (which need to evolve to ensure continuous improvement).
- Should not duplicate section of an Act or Regulations.

DISCUSSION

To assist Council in reviewing the policies, the below table provides a summary of the proposed amendments to and/or reasons for revocation or addition of each policy under consideration.

For the policies proposed to be amended tracked and final versions of the policies have been provided in attachment.

Policy	Status	Comments
LG510 Disposal Policy (Attachment 1)	Amended	<p>This policy was originally adopted by Council on 6 March 2012 and last reviewed on 18 December 2018.</p> <p>The policy has been amended to add the following guiding principles:</p> <ul style="list-style-type: none"> • Every reasonable effort will be made to dispose of assets at the best possible price and in an environmentally friendly manner. • The cost and time associated with disposing of an asset/s should not exceed the estimated market value of the asset/s. • Consideration should be given to donating the assets to charity or a not for profit organisation. • Any sale of assets to staff members and/or their families must first be notified to Council who may direct any alternative disposal process. <p>Further amendments are proposed as shown in the Attachment to allow the CEO additional discretion for the sale of assets to ensure efficiencies in this process.</p>
LG513 Town of Claremont Branding (Attachment 2)	Revoked	<p>This Policy was originally adopted by Council on 5 October 2010 and last reviewed on 18 December 2018. It seeks to provide guiding principles for the use of Town branding.</p> <p>Outside of governing the use of branding by Council Members this policy is considered to cover administrative matters. In relation to the use of Town branding by Council Members, clause 17(2) of the Council Member Code of Conduct provides:</p> <p><i>A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.</i></p> <p>Resources are defined by this clause as including local government property, Town branding is considered to be local government property.</p> <p>Accordingly, this policy is proposed to be revoked.</p>
LG516 Fees, Allowances and Expenses for Council Members (Attachment 3)	Amended	<p>This policy has been amended to state that the Mayoral Allowance is to be paid at the maximum level as set by the Salaries and Allowances Tribunal Determination for Local Government Elected Members (as per current practice). Currently the policy does not provide for the payment level of the Mayoral Allowance within the Determination.</p>

		<p>It is proposed to amend the policy from payment in advance to payment in arrears. Paying in arrears negates the recovery of fees should a Council Member cease to hold their office during a quarter (s 5.102AB of the Act & r.34AE of the <i>Local Government (Administration) Regulations 1996</i>).</p> <p>Additionally, it is proposed to amend the policy to state that:</p> <ul style="list-style-type: none"> • A Council Member may at any time request a replacement iPad. • A replacement iPad will be supplied if a Council Member's iPad becomes damaged or unsuitable.
<p>LG517</p> <p>Elected Members' Reports on External Organisations, Committees and Formal Meetings Training and Continuing Professional Development</p> <p>(Attachment 4)</p>	<p>Revoke</p>	<p>This Policy was originally adopted by Council on 20 September 2005.</p> <p>It is proposed to revoke this policy and continue with the practice of a less formal means of reporting which is working well for the Council and the Town.</p>
<p>LG519</p> <p>Council Agenda Briefing Forums, Workshops and Briefing Sessions</p> <p>(Attachment 5)</p>	<p>Amended</p>	<p>Minor changes are proposed to be made to simplify this policy as shown in tracked changes.</p> <p>Propose to add the following sentences, for clarification:</p> <ul style="list-style-type: none"> • Council Members may request a workshop or briefing session. • External parties and employees of the Town may attend as permitted by the Mayor and CEO.
<p>LG524</p> <p>Discretionary Community Consultation</p> <p>(Attachment 6)</p>	<p>Amended</p>	<p>This policy was originally adopted by Council in October 2010 and last reviewed on 18 December 2018.</p> <p>Minor changes are proposed to simplify this policy as shown in tracked changes. The intention of the policy remains the same.</p>
<p>LG532</p> <p>Financial Hardship Policy</p> <p>(Attachment 7)</p>	<p>Amended</p>	<p>This policy was adopted by Council on 21 April 2020.</p> <p>Minor changes are proposed to this policy as shown in tracked changes as well as:</p> <ul style="list-style-type: none"> • Removal of the reference to COVID-19; and • Clarification that interest accrued on debts is as per the Town's Schedule of Fees and Charges.
<p>LG534</p> <p>Risk Management</p> <p>(Attachment 8)</p>	<p>Amended</p>	<p>No changes are proposed to this policy other than updating the document control box as shown in tracked changes.</p>
<p>LG537</p> <p>Fraud Prevention</p> <p>(Attachment 9)</p>	<p>Amended</p>	<p>Minor changes are proposed to this policy as shown in tracked changes. Namely to replace the reference to a Fraud and Corruption Control Plan with the Integrity Strategy and ensure</p>

		references to documents surrounding the fraud prevention framework are up to date.
LG 539 Elected Member and CEO Attendance at Events (Attachment 10)	Amended	Minor changes are proposed to this policy as shown in tracked changes. Insertion of a provision that the CEO can delegate any approved attendance at an Event to a member of the Executive Team, similar to the Mayor's ability to delegate attendance to the Deputy Mayor or another Council Member under the policy.
LG540 Council Member Training and Continuing Professional Development (Attachment 11)	Amended	There are no substantive changes proposed to the content of this policy, refer tracked changes. That the words "and Council" be inserted to dot point 6 of Council Policy LG540 Council Member Training and Continuing Professional Development after the words "to the CEO".
LG541 Complaints Against Council Members, Committee Members And Candidates (Attachment 12)	Amended	Propose global changes to the policy, add clarification that policy applies to candidates only if elected as per the Model Code and to define 'the Complaints Committee' as ' the Committee' throughout and references to the LG Act and Regulations.
LG545 Livestreaming of Council Meetings (Attachment 13)	New	The Local Government Act reforms will require the Town to publish recordings of Council Meetings on the website and will require band 1 and 2 local governments to livestream their meetings. At present Council Meetings are recorded for administrative purposes only and Council Chambers has the capability to livestream meetings online. This policy proposes to govern the livestreaming of Council Meetings, which can commence following adoption of the policy by Council.
LG546 Flag and Lighting Policy (Attachment 14)	New	The policy proposes that Council adopts and endorses: <ul style="list-style-type: none">• the Australian National Flags Protocol to govern the flying of flags.• Flying of flags at half-mast when requested to do so by the Australian Government and on other appropriate occasions as determined b the CEO and Mayor. The policy proposes that Council supports the Town's administration to arrange the use of external lights on the Town's administration building on the occasions set out in the policy.

Additionally, the following global changes have been made across the policies and are proposed be made across the remainder of the Policy Manual as reviewed by Council:

1. References to Council and the Town have been updated to reflect Council's role in determining policies.
2. References to 'Elected Members' have been updated to 'Council Members' to ensure consistent wording across Town documents (this is the reference used in the Code of Conduct for Council Member, Committee Member and Candidates).

3. References to legislation and internal documents have been updated to ensure they are accurate and consistent.
4. The relevant directorate noted in the Policy header has been removed to ensure currency if there is a change in business units/responsible directorates.

PAST RESOLUTIONS

Ordinary Council Meeting 20 April 2021, Resolution 043/21

That Council

1. *Adopt amended Policies:*
 - a. *LG 516 - Fees, Allowances and Expenses for Elected Members as shown in Attachment 9.*
 - b. *LG 517 – Elected Members’ Reports on External Organisations, Committee and Formal Meetings as shown in Attachment 10.*
 - c. *LG 519 – Council Agenda Briefing Forums, Workshops and Briefing Sessions as shown in Attachment 6.*
2. *With an Absolute Majority, adopt Policies:*
 - a. *LG 539 – Elected Member and CEO Attendance at Events as shown in Attachment 11.*
 - b. *LG 540 – Elected Member Training and Continuing Professional Development as shown in Attachment 8.*

Special Council Meeting 27 September 2022, Resolution 133/22

“That Council requests the Administration to prepare a report regarding Community Flags that provides detail for Council to consider installing a further flagpole that will allow community groups to fly their flag at relevant times throughout the year”.

Special Council Meeting 20 December 2022, Resolution 177/22

That Council:

1. *Considers an allocation in the 2023/24 Draft Budget process to fund the fabrication and installation of a fourth flagpole;*
2. *Requests the Chief Executive Officer to draft a Flag and Lighting of Council Building Policy.*

FINANCIAL AND STAFF IMPLICATIONS

There are no financial implications.

In relation to staff implications, staff time will be spent in the 23/24 financial year workshopping and reviewing Council policies with Council Members and internal stakeholders.

POLICY AND STATUTORY IMPLICATIONS

Local Government Act 1995

Section 2.7 provides:

- (1) *The council —*
 - (a) *governs the local government’s affairs; and*
 - (b) *is responsible for the performance of the local government’s functions.*
- (2) *Without limiting subsection (1), the council is to —*
 - (a) *oversee the allocation of the local government’s finances and resources; and*

(b) determine the local government's policies.

Local Government (Administration) Regulations 1996

COMMUNICATION / CONSULTATION

The policies the subject of this report have been workshopped with Councillors.

The Governance Team has also reviewed the policies in conjunction with the CEO and Executive Team.

Section 29C(2) of the *Local Government (Administration) Regulations 1996* requires a copy of an up-to-date version of each policy of the local government to be available on the Town's website. The Policy Manual is published on a dedicated page on the Town's website.

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

It is important that policies are regularly reviewed to ensure they are clear, concise and contain up to date information.

Policy LG540 Council Member Training and Continuing Professional Development is required to be reviewed after each ordinary election.

VOTING REQUIREMENTS

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

Absolute Majority decision of Council in relation to LG540 Council Member Training and Continuing Professional Development (*6 Elected Members are required to vote in favour*).

OFFICER RECOMMENDATION

Moved: Cr Kate Main

Seconded: Cr Annette Suann

That Council:

1. **Revokes Council policies:**
 - (a) LG513 Town of Claremont Branding; and
 - (b) LG517 Elected Members' Reports on External Organisations, Committees and Formal Meetings Training and Continuing Professional Development;
2. **Adopts amended Council policies:**
 - (a) LG510 Disposal Policy;
 - (b) LG516 Fees, Allowances and Expenses for Council Members;
 - (c) LG519 Council Agenda Briefing Forums, Workshops and Briefing Sessions;
 - (d) LG524 Discretionary Community Consultation;
 - (e) LG532 Financial Hardship Policy;
 - (f) LG534 Risk Management;
 - (g) LG537 Fraud Prevention;

- (h) LG539 Council Member and CEO Attendance at Events;
 - (i) LG540 Council Member Training and Continuing Professional Development (by absolute majority);
 - (j) LG541 Complaints Against Council Members, Committee Members And Candidates;
3. Adopts new Council policies:
- (a) LG545 Livestreaming of Council Meetings; and
 - (b) LG546 Flag and Lighting Policy.

AMENDMENT

Moved: Cr Edwards

That the table in Council Policy LG546 Flag and Lighting Policy listing the dates the Administration will arrange for the use of the External Lights on the Administration building; be amended to add the following dates:

International Women’s Day	8 March
St Patrick’s Day	17 March
Good Friday/ Easter Weekend	4 days in April
Mother’s Day	Second Sunday in May
National Volunteer Week	1 week in May
Foundation Day Weekend	3 days of first Monday of June
Father’s Day	First Sunday of September
Halloween/All Saints Eve	31 October
Victims of Communism Memorial Day	7 November
Seniors Week	12 – 18 November
International Men’s Day	19 November

Reason: Many of these missing dates above are dates that the Council actively celebrates and the lights if used for their intended purpose should be changed for these dates as well as they would support a larger part of the community than some that have been prioritized over the above events.

The Motion lapsed for want of a seconder.

AMENDMENT

Moved: Cr Peter Telford

Seconded: Cr Peter Edwards

That Council Policy LG546 Flag and Lighting Policy be amended to insert the following:

Council supports but does not require the Town’s administration to arrange the flying of flags at the Town’s administration building on the following occasions:

<i>Event</i>	<i>Date</i>	<i>Flag (s)</i>
<i>National Sorry Day</i>	<i>26 May</i>	<i>Aboriginal & Torres Strait Islander flag</i>
<i>National Reconciliation Week</i>	<i>27 May - 3 June</i>	<i>Aboriginal & Torres Strait Islander flag</i>

Town of Claremont Foundation Day	17 June	Council Crest
NAIDOC Week	July	Aboriginal & Torres Strait Islander flag
King’s Birthday	September/October	British flag
United Nations Day	24 October	United Nations flag

A National flag and associated date may be nominated for flying by the public or Elected Member to the Town’s administration. Final decision by the CEO.

Council supports the Town’s administration to fly a National flag or arrange lighting to mark occasions of significance.

Reason: To annotate what the Administration is already doing in terms of flying the Aboriginal & Torres Strait Islander flags on these particular days, acknowledge the foundation day of the Town of Claremont.

For: Cr Peter Edwards, Cr Kate Main, Cr Ryan Brown, Cr Peter Telford

Against: Mayor Jock Barker, Cr Annette Suann, Cr Shelley Hatton, Cr Jill Goetze, Cr Sara Franklyn

LOST 4/5

PRIMARY MOTION WAS PUT

RESOLUTION 094/23

That Council:

- 1. Revokes Council policies:**
 - (a) LG513 Town of Claremont Branding; and**
 - (b) LG517 Elected Members’ Reports on External Organisations, Committees and Formal Meetings Training and Continuing Professional Development;**
- 2. Adopts amended Council policies:**
 - (a) LG510 Disposal Policy;**
 - (b) LG516 Fees, Allowances and Expenses for Council Members;**
 - (c) LG519 Council Agenda Briefing Forums, Workshops and Briefing Sessions;**
 - (d) LG524 Discretionary Community Consultation;**
 - (e) LG532 Financial Hardship Policy;**
 - (f) LG534 Risk Management;**
 - (g) LG537 Fraud Prevention;**
 - (h) LG539 Council Member and CEO Attendance at Events;**
 - (i) LG540 Council Member Training and Continuing Professional Development (by absolute majority);**
 - (j) LG541 Complaints Against Council Members, Committee Members And Candidates;**
- 3. Adopts new Council policies:**
 - (a) LG545 Livestreaming of Council Meetings; and**
 - (b) LG546 Flag and Lighting Policy.**

For: Mayor Jock Barker, Cr Annette Suann, Cr Shelley Hatton, Cr Peter Edwards, Cr Kate Main, Cr Ryan Brown, Cr Jill Goetze, Cr Sara Franklyn, Cr Peter Telford

Against: Nil

CARRIED BY ABSOLUTE MAJORITY 9/0

	<p>LG510 Disposal Policy</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Responsible Directorate Office of the Chief Executive Officer</p> <p>Relevant Council Delegation DA4-DA 2.1.1 – Disposing of Property</p>

Purpose

The purpose of this Policy is ~~To~~ to ensure that minor surplus goods, plant and equipment (assets) are disposed of in an appropriate manner.

Principle Policy

The following principles are to be applied:

- Every reasonable effort will be made to dispose of ~~minor surplus items~~ assets at the best possible price and in an environmentally friendly manner.
- The cost and time associated with disposing of an asset/s of ~~selling surplus items~~ should not exceed the estimated market value of ~~those items~~ the asset/s.
- Consideration should be given to donating the assets to charity or a not for profit organisation.
- Any sale of assets to staff members and/or their families must first be notified to Council who may direct any alternative disposal process.

~~Surplus items with an estimated market value above \$500 should be offered for sale to the general public.~~

~~Surplus items with an estimated market value of \$500 or less may be offered for sale to Council staff first.~~

~~The sale of surplus items by private treaty may be a last resort. Policy~~

~~All goods, plant and equipment with an estimated market value above \$500 should be:~~

- ~~Advertised for sale in a local newspaper; or~~
- ~~Sold by public auction; or~~
- ~~Offered for sale by public tender.~~

~~All goods, plant and equipment with an estimated market value of \$500 or less shall be:~~

- ~~Advertised for sale in an email or notice sent to all staff; or~~
- ~~Offered for sale by seeking bids from staff with a one week closing date for bids to be lodged with the CEO.~~

The CEO may either proceed with such a sale or if appropriate instead donate the property available for sale to suitable not for profit community groups or schools.

In the absence of any sale being made, it shall be at the absolute discretion of the CEO to dispose of any surplus goods, plant and equipment in any manner thought fit by the CEO.

Items of a significant value (\$5,000 and above) are to be disposed in accordance with current budget parameters. Council endorses the following conditions on the disposal of assets:

<u>Estimated Market Value of Item</u>	<u>Guidelines</u>
<u>Combined assets up to the value of \$20,000</u>	<p>CEO discretion to determine the most efficient method of disposal in accordance with the principles set out above and including but not limited to:</p> <ul style="list-style-type: none"> • <u>Advertise for sale in a newspaper;</u> • <u>Advertised for sale on Town website or</u> • <u>Offered for sale at public auction or by tender process.</u>
<u>\$20,000 or more</u>	<p>Refer to DA 2.1.1 and section 3.58 of the <i>Local Government Act 1995</i> and regulation 30 of the <i>Local Government (Functions and General) Regulations 1996</i> being:</p> <ol style="list-style-type: none"> 1. <u>Disposed to the highest bidder at public auction; or</u> 2. <u>Disposed of by public tender; or</u> 3. <u>Disposed by another method provided local public notice of the proposed disposition is given in accordance with section 3.58(3)-(4).</u>

Document Control Box			
Business Unit:	Finance		
Legislation:	<i>Local Government Act 1995</i> , s. 3.58- Location <i>Local Government (Functions and General) Regulations 1996</i> , s. 30(3)		
Organisational:	DA 2.1.14 – Disposing of Property		
Review Frequency:	Annual	Next Due:	2024
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	6 March 2012	23/12
2.	Reviewed	10 December 2013	360/13
3.	Reviewed	9 December 2014	203/14
4.	Reviewed	15 December 2015	226/15
5.	Reviewed	13 December 2016	206/16
6.	Reviewed	18 December 2018	228/18
7.	Modified		

	<h2>LG510 Disposal Policy</h2>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation DA 2.1.1 – Disposing of Property</p>

Purpose

The purpose of this Policy is to ensure that minor goods, plant and equipment (**assets**) are disposed of in an appropriate manner.

Policy

The following principles are to be applied:

- Every reasonable effort will be made to dispose of assets at the best possible price and in an environmentally friendly manner.
- The cost and time associated with disposing of an asset/s should not exceed the estimated market value of the asset/s.
- Consideration should be given to donating the assets to charity or a not for profit organisation.
- Any sale of assets to staff members and/or their families must first be notified to Council who may direct any alternative disposal process.

Council endorses the following conditions on the disposal of assets:

Estimated Market Value of Item	Guidelines
Combined assets up to the value of \$20,000	<p>CEO discretion to determine the most efficient method of disposal in accordance with the principles set out above and including but not limited to:</p> <ul style="list-style-type: none"> • Advertise for sale in a newspaper; • Advertised for sale on Town website or • Offered for sale at public auction or by tender process.
\$20,000 or more	<p>Refer to DA 2.1.1 and section 3.58 of the <i>Local Government Act 1995</i> and regulation 30 of the <i>Local Government (Functions and General) Regulations 1996</i> being:</p> <ol style="list-style-type: none"> 1. Disposed to the highest bidder at public auction; or 2. Disposed of by public tender; or 3. Disposed by another method provided local public notice of the proposed disposition is given in accordance with section 3.58(3)-(4).

Document Control Box			
Business Unit:	Finance		
Legislation:	<i>Local Government Act 1995 s. 3.58</i> <i>Local Government (Functions and General) Regulations 1996, s. 30(3)</i>		
Organisational:	DA 2.1.1 – Disposing of Property		
Review Frequency:	Annual	Next Due:	2024
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	6 March 2012	23/12
2.	Reviewed	10 December 2013	360/13
3.	Reviewed	9 December 2014	203/14
4.	Reviewed	15 December 2015	226/15
5.	Reviewed	13 December 2016	206/16
6.	Reviewed	18 December 2018	228/18
7.	Modified		

UNCONFIRMED

	<p>LG513 TOWN OF CLAREMONT BRANDING</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Responsible Directorate Office of Chief Executive</p> <p>Council Delegation Nil</p>

Purpose

To provide the guiding principles for the use of the Town of Claremont branding to maintain our brand image, the general impression of the Town held by our customers. It is a requirement to maintain a strong and quality reputation through the use of all of the Town’s mediums (publications, website, social media, and facilities) through the use of the Town of Claremont name, crest and logo...

Policy

The Town of Claremont provide local government and council information specific to the Town to its ratepayers, stakeholders and interested parties through

- Facilities
- Events
- Services
- Publications
- Digital Media


The Town of Claremont through the use of the Town name, logo and crest supports the consideration:

1. Official Council information.
2. Information from other local governments, from the State and Federal Governments and their agencies.
3. Mass distribution of publication shall be restricted to Council publications.
4. Petitions shall not be displayed or circulated in Council facilities;
5. State level community information shall be accessed through the State Library of WA.

Document Control Box			
Business Unit:	Office of the Chief Executive		
Legislation:	Nil		
Organisational:	Town of Claremont Style Guide		
Review Frequency:	Annual	Next Due:	2021
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	5 October 2010	210/10
2.	Reviewed	10 December 2013	360/13

3.	Reviewed	9 December 2014	203/14
4.	Modified	13 December 2016	206/16
5.	Modified	18 December 2018	228/18

UNCONFIRMED

	<p>LG516 FEES, ALLOWANCES AND EXPENSES FOR <u>ELECTED COUNCIL MEMBERS</u></p>
<p>Key Focus Area Leadership and Governance</p>	<p>Responsible Directorate Chief Executive Officer</p> <p>Relevant Council Delegation Nil</p>

Purpose

In accordance with Division 8 of Part 5 of the *Local Government Act 1995* (~~the Act~~) elected Council Members ~~members~~ are entitled to receive a fee for meeting attendance, to be reimbursed for expenses and/or to be paid an allowance for certain types of expenses.

The purpose of this policy is for Council to specify the fees, allowances and reimbursements ~~Town elected Council~~ ~~m~~Members are entitled to without applying for.

Elected Council ~~m~~Members are entitled ~~ment~~ to claim other expenses as set out in the *Local Government Act 1995* but are required to apply for these on application.

Policy

Annual Meeting Fee

As per section 5.99 of the Act *Local Government Act 1995*, ~~elected members~~ Council Members will be paid an annual attendance fee in lieu of fees for attending meetings referred to in section 5.98(1).

The annual fee will be paid quarterly in advance and will be calculated on a pro rata basis for any ~~elected member~~ Council Member who commences or ceases office during a quarter.

The annual fee payable for ~~elected members~~ meeting attendance including the Mayor and Deputy Mayor, will be set paid at the current maximum levels as set ~~out~~ by the Determination of the Salaries and Allowances Tribunal on Local Government Chief Executive Officers and Elected Members Salaries and Allowances Tribunal's (SAT) Determination for Local Government Elected members. (Determination).

Mayoral Allowance

As per section 5.98(5) of the Act, the Mayor is entitled to an annual allowance for Mayoral duties. The Mayoral Allowance will be set at the current maximum levels as set by the Determination.

As per section 5.98A of the Act, the Deputy Mayor is entitled to an allowance of 25% of the Mayor's annual allowance.

Information, Communication and Technology Expenses

As per section 5.99 ~~Aa of the Act~~ Local Government Act 1995, ~~elected members~~ Council Members will be paid an annual information and communications technology allowance in lieu of reimbursing expenses.

The annual fee will be paid quarterly in advance and will be calculated on a pro rata basis for any ~~elected member~~ Council Member who commences or ceases office during a quarter.

The annual fee payable for elected members including the Mayor and Deputy Mayor will be set at the current maximum levels as set out by the Determination.

This allowance is to cover ~~an Elected Member's a Council Member's~~ costs in relation to expenses that relate to information and communications technology; ~~(for example telephone rental and call charges and internet service provider fees), and are of a kind prescribed by Regulation 32(1) of the Local Government (Administration) Regulations 1996.~~

Provision of ~~equipment~~ Equipment

Without limiting the application of any other clause in this Policy, the Town will provide ~~to Elected Members~~ Council Members access to resources to enable them to carry out their duties efficiently and effectively.

In accordance with Section 3.1 of the Act-Local Government Act 1995, in order to provide for the good government of persons in the District, ~~any new Elected Member~~ all Council Members will be provided ~~upon request~~ with an iPad. A Council Member may at any time request a replacement iPad. A replacement iPad will be supplied if a Council Member's iPad becomes damaged or out of date or unsuitable.

Any equipment provided in accordance with this Policy can be retained by the ~~Elected Member~~ Council Member at the completion of their term of office, or if they serve a minimum of 24 months as a Council Member ~~an Elected Member~~.

Payments Generally

Individual ~~elected members~~ Council Members may, by written request, elect not to accept, or accept a lesser level of, any or all of the payments.

Any taxation liability arising from the fees is the responsibility of the ~~Elected Member~~ Council Member.

~~The a~~ Allowances will be paid ~~quarterly in advance~~ quarterly in arrears on the first week of the month in for each of the September, December, March and June ~~quarters.~~ _____

Document Control Box			
Business Unit:	Governance		
Legislation:	Local Government Act 1995 Local Government (Administration) Regulations 1996 Salaries and Allowances Act 1975 Determination of the Salaries and Allowances Tribunal on Local Government Chief Executive Officers and Elected Members		
Organisational:	Work Procedure – Processing Council Member Payments		
Review Frequency:	Annual	Next Due:	2021/2024
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	7 July 2009	182/09
2.	Reviewed	5 October 2010	210/10
3.	Reviewed	10 December 2013	360/13
4.	Reviewed	9 December 2014	203/14
5.	Reviewed	15 December 2015	226/15
6.	Reviewed	13 December 2016	206/16
7.	Modified	18 December 2018	228/18
8.	Modified	20 April 2021	043/21
<u>9.</u>	Modified		

UNCONFIRMED

	<p>LG516 FEES, ALLOWANCES AND EXPENSES FOR COUNCIL MEMBERS</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation Nil</p>

Purpose

In accordance with Division 8 of Part 5 of the *Local Government Act 1995 (the Act)* Council Members are entitled to receive a fee for meeting attendance, to be reimbursed for expenses and/or to be paid an allowance for certain types of expenses.

The purpose of this policy is for Council to specify the fees, allowances and reimbursements Council Members are entitled to without applying for.

Council Members are entitled to claim other expenses as set out in the *Local Government Act 1995* on application.

Policy

Annual Meeting Fee

As per section 5.99 of the Act , Council Members will be paid an annual attendance fee in lieu of fees for attending meetings referred to in section 5.98(1).

The annual fee will be paid quarterly in advance and will be calculated on a pro rata basis for any Council Member who commences or ceases office during a quarter.

The annual fee payable for meeting attendance , will be paid at the current maximum levels as set by the Determination of the Salaries and Allowances Tribunal on Local Government Chief Executive Officers and Elected Members (**Determination**).

Mayoral Allowance

As per section 5.98(5) of the Act, the Mayor is entitled to an annual allowance for Mayoral duties. The Mayoral Allowance will be set at the current maximum levels as set by the Determination.

As per section 5.98A of the Act, the Deputy Mayor is entitled to an allowance of 25% of the Mayor’s annual allowance.

Information, Communication and Technology Expenses

As per section 5.99A of the Act, Council Members will be paid an annual information and communications technology allowance in lieu of reimbursing expenses.

The annual fee will be paid quarterly in advance and will be calculated on a pro rata basis for any Council Member who commences or ceases office during a quarter.

The annual fee payable for elected members including the Mayor and Deputy Mayor will be set at the current maximum levels as set out by the Determination. This allowance is to cover a Council Member’s costs in relation to expenses that relate to information and communications technology (for example telephone rental and call charges and internet service provider fees)..

Provision of Equipment

Without limiting the application of any other clause in this Policy, the Town will provide Council Members access to resources to enable them to carry out their duties efficiently and effectively.

In accordance with Section 3.1 of the Act, in order to provide for the good government of persons in the District, all Council Members will be provided with an iPad. A Council Member may at any time request a replacement iPad. A replacement iPad will be supplied if a Council Member’s iPad becomes damaged or unsuitable.

Any equipment provided in accordance with this Policy can be retained by the Council Member at the completion of their term of office, or if they serve a minimum of 24 months as a Council Member.

Payments Generally

Individual Council Members may, by written request, elect not to accept, or accept a lesser level of, any or all of the payments.

Any taxation liability arising from the fees is the responsibility of the Council Member.

Allowances will be paid quarterly in arrears on the first week of the month in September, December, March and June.

Document Control Box			
Business Unit:	Governance		
Legislation:	Local Government Act 1995 Local Government (Administration) Regulations 1996 Salaries and Allowances Act 1975 Determination of the Salaries and Allowances Tribunal on Local Government Chief Executive Officers and Elected Members		
Organisational:	Work Procedure – Processing Council Member Payments		
Review Frequency:	Annual	Next Due:	2024
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	7 July 2009	182/09
2.	Reviewed	5 October 2010	210/10

3.	Reviewed	10 December 2013	360/13
4.	Reviewed	9 December 2014	203/14
5.	Reviewed	15 December 2015	226/15
6.	Reviewed	13 December 2016	206/16
7.	Modified	18 December 2018	228/18
8.	Modified	20 April 2021	043/21
9.	Modified		

UNCONFIRMED

	<p>LG517 Elected Members’ Reports on External Organisations, Committees and</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Responsible Directorate Office of the Chief Executive</p> <p>Relevant Council Delegation Nil</p>

Purpose

To guide Elected Members on reporting to Council on the content of meetings attended which may have an impact on the Town. This is to ensure that Council and the community are informed of any issues that may affect them.

Policy

Any Elected Member appointed to any external organisation as a representative of the Town or being on a committee or organisation by virtue of them being the Mayor or Councillor, is to make that organisations report or minutes available to Council through the Executive, via an appropriate means of communication and in a reasonable timeframe.

An Elected Member is to report matters to Council if, in the opinion of the member, any one of the responses to the following questions is positive:

1. Could there be an impact on the amenity of the Town?
2. Could the Town's Strategic Plan be adversely impacted or need amending?
3. Could the issue contravene any policy or Local Law of Council?
4. Could the issue require a new policy to be developed or change to an existing policy?
5. Could there be a cost to council that is above expenditure already approved by Council?
6. Are there possible legal implications for Council?

The report may take the form of a written report to the Mayor and Councillors and the CEO.

Document Control Box			
Business Unit:	Governance		
Legislation:	Nil		
Organisational:	Nil		
Review Frequency:	Annual	Next Due:	2021
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	20 September 2005	349/05
2.	Reviewed	5 October 2010	210/10
3.	Reviewed	10 December 2013	360/13
4.	Reviewed	9 December 2014	203/14
5.	Reviewed	15 December 2015	226/15
6.	Reviewed	13 December 2016	206/16
7.	Reviewed	18 December 2018	228/18
8.	Modified	20 April 2021	043/21

UNCONFIRMED

	<p>LG519 Council <u>Member</u> Agenda Briefing Forums, Workshops and Briefing Sessions</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Responsible Directorate Governance and People Office of Chief Executive Officer</p> <p>Relevant Council Delegation Nil</p>

Purpose

The purpose of this Policy is to provide guidelines for the scheduling holding of and conduct during Agenda Briefing Forums and, any Council Member workshops and or briefing sessions.

Policy

The following principles apply:

1. All Elected Council Members will have access to the same information when making decisions.
2. All Elected Council Members will be given a fair and equal opportunity to participate.

Agenda Briefing Forums

1. Agenda Briefing Forums will be held prior to every ~~ordinary Ordinary council Council meeting Meeting~~ unless determined otherwise by the Mayor and CEO.
2. Agenda Briefing Forums are utilised to discuss matters that appear on the ~~Council~~ agenda for an Ordinary council Council meeting Meeting and a Special Council Meeting.
3. Agenda Briefing Forums are not decision-making forums and items on the agenda are not to be debated at the Forum. ~~No Elected Members will indicate their voting intentions at an Agenda Briefing Forum.~~
- 2-4. No Elected Council Members will indicate their voting intentions at an Agenda Briefing Forum.
- 3-5. Elected Council Members will only ask questions through the Mayor, who is ~~the~~ chair of the Forum. In the absence of the Mayor, the Deputy Mayor will chair the Forum.
- 4-6. During Agenda Briefing Forums, all Elected Council Members and employees of the Town are ~~required~~ to abide by the standards set out in the Town's Meeting Procedures Local Law, the Westminster system all applicable legislation and act at all times in accordance with their ir respective Codes of Conduct.

- ~~Provisions in the Local government Government Act 1995, its associated Regulations and/or the Code of Conduct dealing with Conflict of Interests shall apply to and during Agenda Briefing Forums.~~

~~5-7.~~ Agenda Briefing Forums will be closed to the public.

~~6-8.~~ External parties may attend as ~~authorised-permitted~~ by the Mayor and CEO.

Workshops and briefing sessions

1. Council Members may request a workshop or briefing session.

~~1-2.~~ Workshops and briefing sessions will be convened at the discretion of the CEO to provide information to ~~ElectedCouncil Members to enable informed decisions to be made. Further, to~~ enable ~~ElectedCouncil~~ Members to:

- explore options and discuss ideas;
- discuss and contribute to strategic direction;
- to be briefed on key ongoing projects and have input prior to the allocation of significant resources in taking forward reports to the Council.

3. External parties and employees of the Town may attend as permitted by the Mayor and CEO.

Document Control Box			
Business Unit:	Chief Executive Officer and Governance		
Legislation:	Local Government Act 1995 Local Government Administration Regulations 1996 Town of Claremont Meeting Procedure Local Law 2018		
Organisational:	Code of Conduct for Council Members, Committee Members and Candidates Employee Code of Conduct		
Review Frequency:	Annual	Next Due:	2024 2
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	19 March 2013	47/13
2.	Reviewed	10 December 2013	360/13
3.	Reviewed	9 December 2014	203/14
4.	Reviewed	15 December 2015	226/15
5.	Reviewed	13 December 2016	206/16
6.	Reviewed	18 December 2018	228/16
7.	Reviewed	20 April 2021	043/21
<u>8.</u>	<u>Modified</u>		

	<p>LG519 Council Member Agenda Briefing Forums, Workshops and Briefing Sessions</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation Nil</p>

Purpose

The purpose of this Policy is to provide guidelines for the scheduling of and conduct during Agenda Briefing Forums and any Council Member workshops or briefing sessions.

Policy

The following principles apply:

1. All Council Members will have access to the same information when making decisions.
2. All Council Members will be given a fair and equal opportunity to participate.

Agenda Briefing Forums

1. Agenda Briefing Forums will be held prior to every Ordinary Council Meeting unless determined otherwise by the Mayor and CEO.
2. Agenda Briefing Forums are utilised to discuss matters that appear on the agenda for an Ordinary Council Meeting and a Special Council Meeting.
3. Agenda Briefing Forums are not decision-making forums and items on the agenda are not to be debated at the Forum.
4. No Council Members will indicate their voting intentions at an Agenda Briefing Forum.
5. Council Members will only ask questions through the Mayor, who is the chair of the Forum. In the absence of the Mayor, the Deputy Mayor will chair the Forum.
6. During Agenda Briefing Forums, all Council Members and employees of the Town are to abide by the standards set out in the Town’s Meeting Procedures Local Law, all applicable legislation and act at all times in accordance with their respective Codes of Conduct.
7. Agenda Briefing Forums will be closed to the public.
8. External parties may attend as permitted by the Mayor and CEO.

Workshops and Briefing Sessions

1. Council Members may request a workshop or briefing session.
2. Workshops and briefing sessions will be convened at the discretion of the CEO to provide information to enable Council Members to:
 - a. explore options and discuss ideas;
 - b. discuss and contribute to strategic direction;
 - c. to be briefed on key ongoing projects and have input prior to the allocation of significant resources in taking forward reports to the Council.
3. External parties and employees of the Town may attend as permitted by the Mayor and CEO.

Document Control Box			
Business Unit:	Chief Executive Officer and Governance		
Legislation:	Local Government Act 1995 Local Government Administration Regulations 1996 Town of Claremont Meeting Procedure Local Law 2018		
Organisational:	Code of Conduct for Council Members, Committee Members and Candidates Employee Code of Conduct		
Review Frequency:	Annual	Next Due:	2024
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	19 March 2013	47/13
2.	Reviewed	10 December 2013	360/13
3.	Reviewed	9 December 2014	203/14
4.	Reviewed	15 December 2015	226/15
5.	Reviewed	13 December 2016	206/16
6.	Reviewed	18 December 2018	228/16
7.	Reviewed	20 April 2021	043/21
8.	Modified		

	<p>LG524 Discretionary Community Consultation</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation Nil</p>

Purpose

This policy provides a set of principles to guide discretionary consultation processes used by the Town of Claremont (Town). The Town of Claremont Council believes that consultation is an important component to assist in achieving the goals of the organisation. While there is are certain mandatory consultation requirements, the Town Council believes it is beneficial to implement discretionary consultation as an important component of the information gathering process, to assist Council in making decisions.

Policy

Community consultation is one part of the information gathering process upon which decisions are based. Other information which may be taken into account includes technical advice, legal advice, third party expert advice and other stakeholder advice.

The Town Council values and encourages feedback from all population groups within the community, and will implement appropriate consultation practices to reach those groups engage.

Council supports the CEO Town will determine which level of participation is appropriate for the situation based on the levels of consultation outlined below:

<p>INFORM</p>	<p>To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.</p>
<p>CONSULT</p>	<p>To obtain public feedback on analysis, consult alternatives and/or decisions.</p>
<p>INVOLVE</p>	<p>To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.</p>
<p>COLLABORATE</p>	<p>To partner with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.</p>
<p>EMPOWER</p>	<p>To place final decision-making in the hands of Empower the public.</p>

Where Council’s decision making is involved, the Town’s administration is responsible for:

- Identifying the consultation opportunity (is it mandated, discretionary or a mix of both).
- ~~Will~~ Implementing practices to ensure an appropriate level of consultation.
- ~~Will~~ Clearly communicating to the community the purpose and aim of the consultation activity.
- ~~Will~~ Providing feedback to the community about how the information gathered was used to inform the decision or outcome.

~~Acknowledges that there are statutory requirements the Town must comply with in consulting with the community about particular issues.~~

- Recommending the appropriate level of consultation.
- Determining and implementing the consultation methodology; and where necessary, and
- Reporting to Council on the outcomes of the consultation process.

Document Control Box			
Business Unit:	Communications and Community Engagement		
Legislation:	<u>Local Government Act 1995 and subsidiary legislation</u>		
Organisational:	<u>Policy LG525 Advertising of Development Applications</u>		
Review Frequency:	Annual	Next Due:	2024 1
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	5 October 2010	210/10
2.	Reviewed	10 December 2013	360/13
3.	Reviewed	9 December 2014	203/14
4.	Reviewed	15 December 2015	226/15
5.	Modified	13 December 2016	206/16
6.	Modified	18 December 2018	228/18
<u>7.</u>	<u>Modified</u>		

	<p>LG524 Discretionary Community Consultation</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation Nil</p>

Purpose

This policy provides a set of principles to guide discretionary consultation by the Town. to assist Council in making decisions.

Policy

Council values and encourages feedback from the community and will implement appropriate consultation practices to engage.

Council supports the CEO determining which level of participation is appropriate for the situation based on the levels of consultation outlined below:

INFORM	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.
CONSULT	To obtain public feedback on analysis, consult alternatives and/or decisions.
INVOLVE	To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.
COLLABORATE	To partner with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.
EMPOWER	To place final decision-making in the hands of the public.

Where Council’s decision making is involved, the Town’s administration is responsible for:

- Identifying the consultation opportunity (is it mandated, discretionary or a mix of both).
- Implementing practices to ensure an appropriate level of consultation.
- Clearly communicating to the community the purpose and aim of the consultation activity.
- Recommending the appropriate level of consultation.
- Determining and implementing the consultation methodology; and where necessary.
- Reporting to Council on the outcomes of the consultation process.

Document Control Box			
Business Unit:	Communications and Community Engagement		
Legislation:	Local Government Act 1995 and subsidiary legislation		
Organisational:			
Review Frequency:	Annual	Next Due:	2024
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	5 October 2010	210/10
2.	Reviewed	10 December 2013	360/13
3.	Reviewed	9 December 2014	203/14
4.	Reviewed	15 December 2015	226/15
5.	Modified	13 December 2016	206/16
6.	Modified	18 December 2018	228/18
7.	Modified		

UNCONFIRMED

	<p>LG532 Financial Hardship Policy</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation DA 2.1.37 – Defer, Grant Discounts, Waive or Write Off Debts DA 2.1.1342 – Agreement as to Payment of Rates and Service Charges</p>

Purpose

~~This Policy is intended~~The purpose of this Policy is for Council to provide a structure to ensure that the Town of Claremont (**Town**) offers fair, equitable, consistent and dignified support to a person (including any ratepayers, tenant, property owner/s, business owner/s, member/s of the community and sporting group/s) suffering financial hardship, while treating all members of the community with respect and understanding.

Policy

This policy applies in relation to:

1. Outstanding rates and service charges as at the date of adoption of this policy and future charges.
2. Outstanding rent, insurance charges, outgoings or any other amounts due pursuant to a lease with the Town as at the date of adoption of this policy and future charges.
3. Any debt owed to the Town including those listed in the Town’s Schedule of Fees and Charges.

Payment difficulties, or short term financial hardship, occur where a change in a person’s circumstance result in an inability to pay. Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants.

It is a reasonable community expectation, that those with the capacity to pay do so. For this reason, this Policy is not intended to provide relief to persons who are not able or not willing to evidence financial hardship. ~~and the~~ The statutory provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* will apply to this Policy.

Financial Hardship Criteria

While evidence of hardship is requested, the Town Council recognises that not all circumstances are alike. The Town will take a flexible and adaptable approach and will consider circumstances including, but not limited to, the following situations:

- Capacity to pay;
- Reduction of income;
- Employment status including recent unemployment or under-employment;

- Injury or illness;
- Dynamic of household including number of dependants;
- Unanticipated circumstances such as caring for and supporting extended family;
- Natural Disaster or other acts of God; and/or
- Any other information provided.

Together with a statutory declaration, ~~the Town Council~~ encourages a person to provide any information about their circumstances that maybe relevant to enable a fair assessment by the Town. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. The Town will consider all circumstances, applying the principles of fairness and equity, integrity and confidentiality whilst complying with ~~our~~ statutory responsibilities.

If ~~you a person is are~~ experiencing financial hardship, the Town can provide additional time to pay and payment arrangement options. Payment arrangements ~~are~~ facilitated in accordance with Section 6.49 of the *Local Government Act 1995* are of an agreed frequency and amount. These ~~arrangements can include~~, but are not limited, to a consideration of the following:

- The payment arrangement will establish a known end date that is realistic and achievable.
- The person will be responsible for informing the Town of any change in circumstance that jeopardises the agreed payment schedule.

The Town will suspend ~~our~~ debt recovery processes for a reasonable period of time:


- Whilst negotiating a suitable payment arrangement.
- Whilst the person is adhering to an approved payment arrangement (which must in writing and signed by the person and the Town).
- For the time period of any agreed deferral.

~~Please be aware that i~~nterest continues to accrue on all debts in accordance with the Town’s Schedule of Fees and Charges.

COVID-19

~~The Town of Claremont recognises the likelihood that COVID19 will increase the occurrence of payment difficulties, financial hardship and vulnerability in our community.~~

Document Control Box			
Business Unit:	Office of the Chief Executive Finance- and Legal		
Legislation:	Local Government Act 1995 <i>Local Government (Financial Management) Regulations 1996E</i>		
Organisational:	DA 7.2.1.3 – Defer, Grant Discounts, Waive or Write Off Debts DA 2.1.1342 – Agreement as to Payment of Rates and Service Charges		
Review Frequency:	Annual	Next Due:	2024 1
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	21 April 2020	043/20
2.	Modified		

	<p>LG532 Financial Hardship Policy</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation DA 2.1.3 – Defer, Grant Discounts, Waive or Write Off Debts DA 2.1.13 – Agreement as to Payment of Rates and Service Charges</p>

Purpose

The purpose of this Policy is for Council to provide a structure to ensure that the Town of Claremont (**Town**) offers fair, equitable, consistent and dignified support to a person (including any ratepayers, tenant, property owner/s, business owner/s, member/s of the community and sporting group/s) suffering financial hardship, while treating all members of the community with respect and understanding.

Policy

This policy applies in relation to:

1. Outstanding rates and service charges as at the date of adoption of this policy and future charges.
2. Outstanding rent, insurance charges, outgoings or any other amounts due pursuant to a lease with the Town as at the date of adoption of this policy and future charges.
3. Any debt owed to the Town including those listed in the Town’s Schedule of Fees and Charges.

Payment difficulties, or short term financial hardship, occur where a change in a person’s circumstance result in an inability to pay. Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants.

It is a reasonable community expectation, that those with the capacity to pay do so. For this reason, this Policy is not intended to provide relief to persons who are not able or not willing to evidence financial hardship. The statutory provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* apply to this Policy.

Financial Hardship Criteria

While evidence of hardship is requested, Council recognises that not all circumstances are alike. The Town will take a flexible and adaptable approach and will consider circumstances including, but not limited to, the following situations:

- Capacity to pay;
- Reduction of income;
- Employment status including recent unemployment or under-employment;
- Injury or illness;

- Dynamic of household including number of dependants;
- Unanticipated circumstances such as caring for and supporting extended family;
- Natural Disaster or other acts of God; and/or
- Any other information provided.

Together with a statutory declaration, Council encourages a person to provide any information about their circumstances that may be relevant to enable a fair assessment by the Town. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. The Town will consider all circumstances, applying the principles of fairness and equity, integrity and confidentiality whilst complying with statutory responsibilities.

If a person is experiencing financial hardship, the Town can provide additional time to pay and payment arrangement options. Payment arrangements are facilitated in accordance with Section 6.49 of the *Local Government Act 1995* are of an agreed frequency and amount. These arrangements can include, but are not limited, to a consideration of the following:

- The payment arrangement will establish a known end date that is realistic and achievable.
- The person will be responsible for informing the Town of any change in circumstance that jeopardises the agreed payment schedule.

The Town will suspend debt recovery processes for a reasonable period of time:

- Whilst negotiating a suitable payment arrangement.
- Whilst the person is adhering to an approved payment arrangement (which must in writing and signed by the person and the Town).
- For the time period of any agreed deferral.

Interest continues to accrue on all debts in accordance with the Town’s Schedule of Fees and Charges.

Document Control Box			
Business Unit:	Finance and Legal		
Legislation:	Local Government Act 1995 Local Government (Financial Management) Regulations 1996E		
Organisational:	DA 2.1.3 – Defer, Grant Discounts, Waive or Write Off Debts DA 2.1.13 – Agreement as to Payment of Rates and Service Charges		
Review Frequency:	Annual	Next Due:	2024
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	21 April 2020	043/20
2.	Modified		

	<p>LG534 RISK MANAGEMENT</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation Nil</p>

Purpose

The purpose of this policy is to articulate Council’s commitment to:

1. Identifying potential risks before they occur so that impacts can be minimised and opportunities realised.
2. Ensuring that the Town of Claremont (the Town) achieves its strategic and corporate objectives efficiently and effectively whilst following and upholding good corporate governance principles.

Definitions

Risk is defined as the “effect of uncertainty on objectives”.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product or process).

Risk Management is defined as “co-ordinated activities to direct and control an organisation with regard to risk”.

Risk Management Framework is defined as “set of components that provide the foundations and organisational arrangements for designing, implementing, reviewing and continually improving risk management throughout the organisation”.

Risk Management Process is defined as “Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk”.

Policy

The Town has quantified its broad risk appetite through the Town’s Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Framework.

All organisational risks are to be assessed according to the Town’s Risk Assessment and Acceptance Criteria to allow consistency and informed decision making.

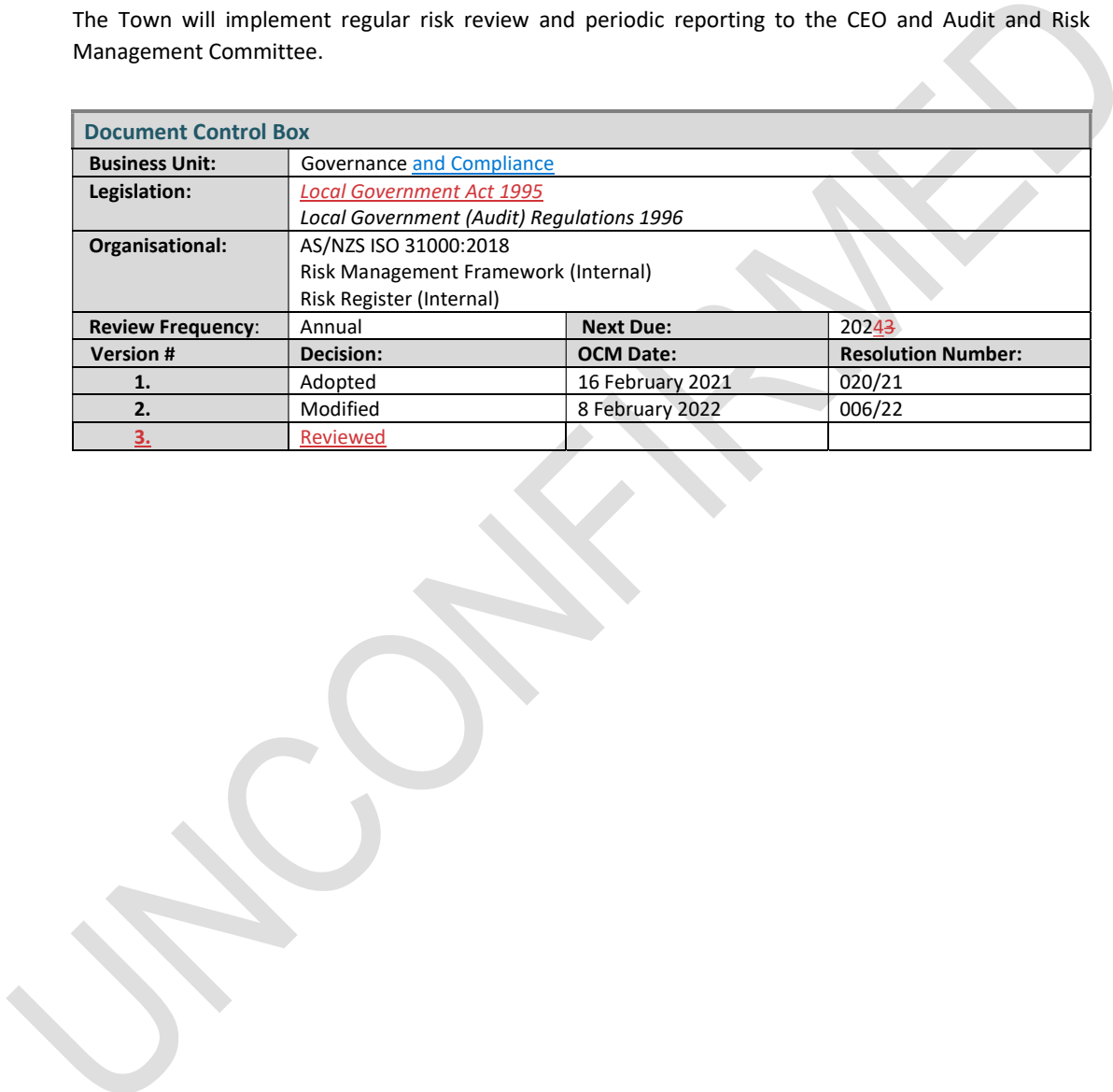
For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisations appetite and are to be noted within the individual risk assessment.

Risk management functions will be resourced to match the size and scale of the Town’s operations and will form part of the Strategic, Operational, and Project responsibilities and be incorporated within the Town’s Integrated Planning Framework.

The Town will strive to achieve the best practices it can, in the management of all risks that may affect the Town meeting its objectives. Risk management functions will be embedded risk management activities across the Town’s operations.

The Town will implement regular risk review and periodic reporting to the CEO and Audit and Risk Management Committee.

Document Control Box			
Business Unit:	Governance and Compliance		
Legislation:	Local Government Act 1995 <i>Local Government (Audit) Regulations 1996</i>		
Organisational:	AS/NZS ISO 31000:2018 Risk Management Framework (Internal) Risk Register (Internal)		
Review Frequency:	Annual	Next Due:	202 4 3
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	16 February 2021	020/21
2.	Modified	8 February 2022	006/22
3.	Reviewed		



	<p>LG534 RISK MANAGEMENT</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation Nil</p>

Purpose

The purpose of this policy is to articulate Council’s commitment to:

1. Identifying potential risks before they occur so that impacts can be minimised and opportunities realised.
2. Ensuring that the Town of Claremont (the Town) achieves its strategic and corporate objectives efficiently and effectively whilst following and upholding good corporate governance principles.

Definitions

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Policy

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All organisational risks are to be assessed according to the Town’s Risk Assessment and Acceptance Criteria to allow consistency and informed decision making.

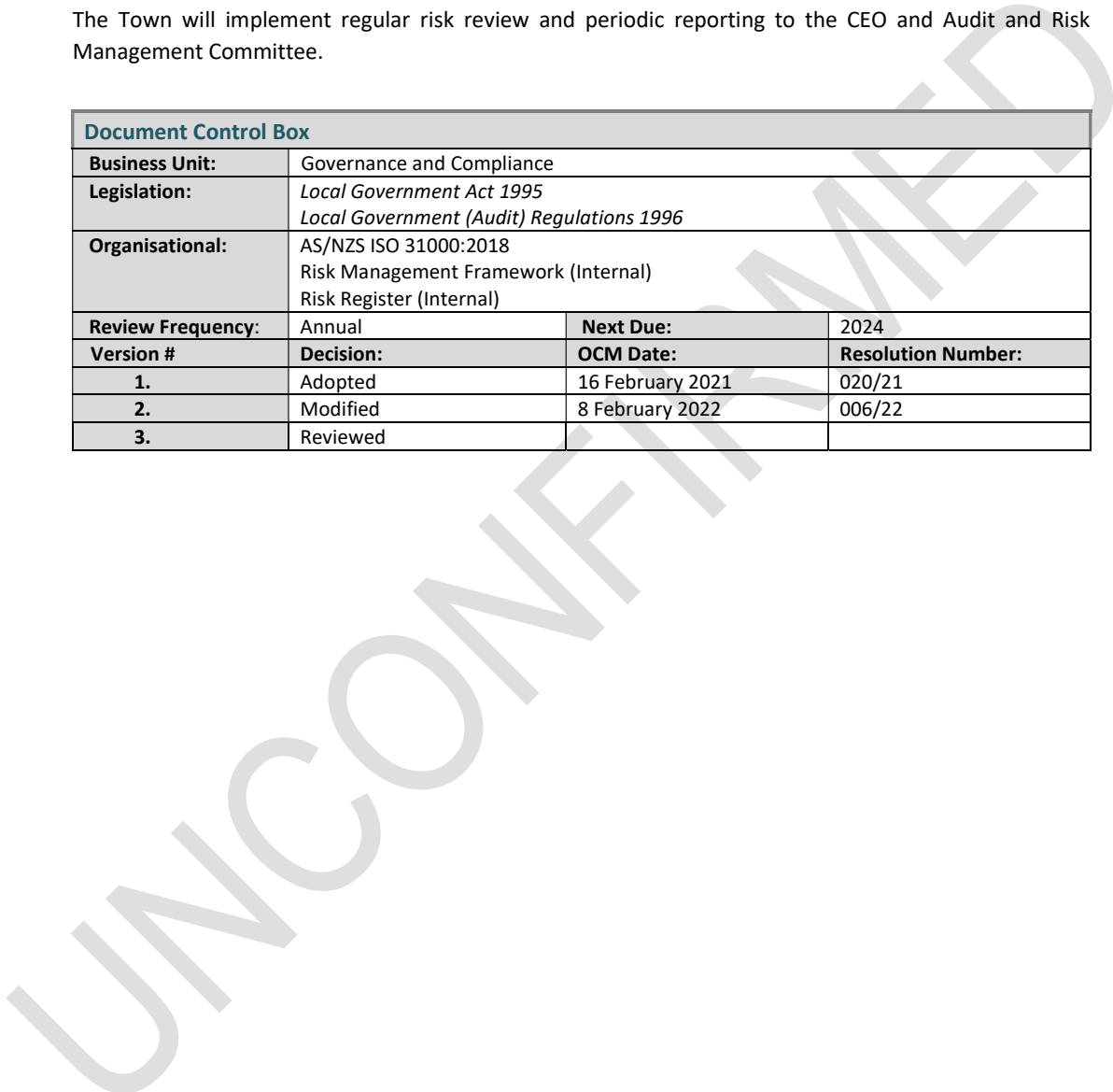
For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisations appetite and are to be noted within the individual risk assessment.


Risk management functions will be resourced to match the size and scale of the Town’s operations and will form part of the Strategic, Operational, and Project responsibilities and be incorporated within the Town’s Integrated Planning Framework.

The Town will strive to achieve the best practices it can, in the management of all risks that may affect the Town meeting its objectives. Risk management functions will be embedded risk management activities across the Town’s operations.

The Town will implement regular risk review and periodic reporting to the CEO and Audit and Risk Management Committee.

Document Control Box			
Business Unit:	Governance and Compliance		
Legislation:	Local Government Act 1995 Local Government (Audit) Regulations 1996		
Organisational:	AS/NZS ISO 31000:2018 Risk Management Framework (Internal) Risk Register (Internal)		
Review Frequency:	Annual	Next Due:	2024
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	16 February 2021	020/21
2.	Modified	8 February 2022	006/22
3.	Reviewed		



	<p>LG537 Fraud Prevention</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Responsible Directorate Governance and People</p> <p>Relevant Council Delegation Nil</p>

Purpose

The purpose of this policy is to articulate the ~~Town of Claremont Council's (the Town):~~

1. Commitment to integrity and zero tolerance of fraud, corruption and bribery in all forms.
2. Support for the development of systems and processes to obstruct fraudulent activities, ensure adequate oversight, separation of duties, detection, identification and reporting of breaches.
3. Requirement that all ~~Elected Council~~ Members, ~~Committee~~ Members and employees are accountable and behave with integrity, ethically and honestly when performing their duties and during their interactions with stakeholders.

Policy

To support this vision ~~Council will provide sufficient resources to enable~~ the Town's administration to ~~will~~ implement a coordinated approach to manage the risk of fraud by:

1. Assessing fraud risks across the organisation.
2. Support~~ing~~ the development of systems and processes to obstruct fraudulent activities, ensure adequate oversight, separation of duties, detection, identification and reporting of breaches.
3. Developing an ~~Integrity Strategy Fraud and Corruption Control Plan~~ and reviewing it ~~at least every 2 years~~ annually.
4. Developing and implementing a periodic fraud awareness and prevention training program for employees ~~and Elected Council Members~~.
5. Ensuring that all conflicts of interest and financial interests are disclosed, recorded and assessed.
6. Creating a strong ethical culture that sets the standard of behaviour, including the identification of fraud risks and reporting mechanisms and obligations to act accordingly.

7. Ensuring clear internal processes and systems to report any potential fraud, including anonymous reporting.
8. Periodic reporting to the CEO and Audit and Risk Management Committee.
9. Investigating all identified or suspected fraudulent or corrupt conduct.
10. Ensuring appropriate reporting, disciplinary action, prosecution and recovery actions are initiated by the Town.
11. Collecting and analysing information received about potential fraud to identify any trends or emerging issues.
12. Maintaining policies and procedures to verify the identity and integrity of employees, contractors and suppliers.

This policy, in conjunction with the Town's Code of Conduct for Council Members, Committee Members and Candidates, the Employee Code of Conduct, the Integrated Risk Management Framework, Integrity Strategy and the Public Interest Disclosure Policy aligns with the Town's corporate culture and values to prevent, detect and respond to potential or actual fraud and misconduct and minimise risks to the Town, its people and its assets.

Document Control Box			
Business Unit:	Governance		
Legislation:	Local Government Act 1995 Local Government (<i>Rules of Conduct</i>) Regulations 2007 (<i>Model Code of Conduct</i>) Regulations 2021 Local Government (Financial Management) Regulations 1996 Local Government (Audit) Regulations 2007 Local Government (Administration) Regulations 2007 Local Government (Functions and General) Regulations 1996		
Organisational:	Employee Code of Conduct Code of Conduct for Council Members, Committee Members and Candidates Integrated Risk Management Framework LG536 – Public Interest Disclosure Policy Gifts and Entertainment Policy LG509 - Purchasing Policy LG512 - Corporate Purchasing Cards Human Resources Recruitment and Selection Guidelines Town of Claremont Integrity Strategy		
Review Frequency:	Annual	Next Due:	2024
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	16 February 2021	020/21
2.	Modified		

	<p>LG537 Fraud Prevention</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation Nil</p>

Purpose

The purpose of this policy is to articulate the Council’s:

1. Commitment to integrity and zero tolerance of fraud, corruption and bribery in all forms.
2. Support for the development of systems and processes to obstruct fraudulent activities, ensure adequate oversight, separation of duties, detection, identification and reporting of breaches.
3. Requirement that all Council Members, Committee Members and employees are accountable and behave with integrity, ethically and honestly when performing their duties and during their interactions with stakeholders.

Policy

To support this vision Council will provide sufficient resources to enable the Town’s administration to implement a coordinated approach to manage the risk of fraud by:

1. Assessing fraud risks across the organisation.
2. Supporting the development of systems and processes to obstruct fraudulent activities, ensure adequate oversight, separation of duties, detection, identification and reporting of breaches.
3. Developing an Integrity Strategy and reviewing it annually.
4. Developing and implementing a periodic fraud awareness and prevention training program for employees.
5. Ensuring that all conflicts of interest and financial interests are disclosed, recorded and assessed.
6. Creating a strong ethical culture that sets the standard of behaviour, including the identification of fraud risks and reporting mechanisms and obligations to act accordingly.
7. Ensuring clear internal processes and systems to report any potential fraud, including anonymous reporting.

8. Periodic reporting to the CEO and Audit and Risk Management Committee.
9. Investigating all identified or suspected fraudulent or corrupt conduct.
10. Ensuring appropriate reporting, disciplinary action, prosecution and recovery actions are initiated by the Town.
11. Collecting and analysing information received about potential fraud to identify any trends or emerging issues.
12. Maintaining policies and procedures to verify the identity and integrity of employees, contractors and suppliers.

This policy, in conjunction with the Town’s Code of Conduct for Council Members, Committee Members and Candidates, the Employee Code of Conduct, Risk Management Framework, Integrity Strategy and Public Interest Disclosure Policy aligns with the Town’s corporate culture and values to prevent, detect and respond to potential or actual fraud and misconduct and minimise risks to the Town, its people and its assets.

Document Control Box			
Business Unit:	Governance		
Legislation:	Local Government Act 1995 Local Government (Model Code of Conduct) Regulations 2021 Local Government (Financial Management) Regulations 1996 Local Government (Audit) Regulations 2007 Local Government (Administration) Regulations 1996 Local Government (Functions and General) Regulations 1996		
Organisational:	Employee Code of Conduct Code of Conduct for Council Members, Committee Members and Candidates Integrated Risk Management Framework LG509 - Purchasing LG512 - Corporate Purchasing Cards Human Resources Recruitment and Selection Guidelines Town of Claremont Integrity Strategy		
Review Frequency:	Annual	Next Due:	2024
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	16 February 2021	020/21
2.	Modified		

	<p>LG539 Elected Council Member and CEO Attendance at Events</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Responsible Directorate Chief Executive Officer</p> <p>Relevant Council Delegation Nil</p>

Purpose

The purpose of this policy is for Council to:

1. enable ~~elected Council~~ members and the Chief Executive Officer (CEO) to attend events as representatives of Council and the Town of Claremont ~~(Town); and~~
2. ~~to~~ provide transparency and accountability around Council Member and CEO attendance at events.

Definitions

Events includes an organised occurrence hosted by a person or organisation on public or private land such as concerts, music festivals, exhibitions, expo’s and fairs, conferences, seminars, functions or sporting events, whether free of charge, at a discounted rate, part of a sponsorship agreement, or paid for by the Town.

Policy

This policy does not apply where an ~~elected Council~~ member or the CEO attends an Event at their own cost and in an entirely personal capacity.

An invitation for a Council Member or CEO to an Event held by any of the following organisations where there ~~is~~ are no costs involved is pre-approved:

1. Western Australian Local Government Association (WALGA);
2. Local Government Professionals Australia WA;
3. Local Government Insurance Scheme (LGIS);
4. Australian Local Government Association;
5. A department of the public service;
6. A government department of another State, a Territory or the Commonwealth;
7. A local government or regional local government;
8. A State or Federal Member of Parliament, other than for party political events or fundraisers;
9. Major professional or industry association(s) relevant to local government activities;
10. A civic / cultural / community sporting organisation within the Town;

11. Educational institutions;
12. A not-for profit organisation; and
13. Where the ~~Elected Council Member~~ Mayor or CEO is attending an Event in an official capacity (and is not being remunerated) as a representative of the Town where the primary purpose of attendance is not for the entertainment of the ~~Mayor individual Elected Council Member~~ or CEO, such as:
 - a. performing a welcoming role;
 - b. participating as a member of a judging panel;
 - c. representing the Town at a sponsorship acknowledgement event or award ceremony,
 - d. presenting awards or prizes to others on behalf of the Town; and
 - e. attending an exhibition or display where the Town, its programs or services are being showcased at the event.

All other invitations for an ~~elected Council Member~~ and/or the CEO to attend an Event should be forwarded in writing to the CEO or the Mayor (if in relation to the CEO) for determination.

In making a decision on attendance at an event, the CEO or Mayor must consider:

- who is providing the invitation or ticket to the event;
- who is responsible for the cost of attending (if any);
- the location of the event;
- what is the Event;
- the role of the ~~elected Council Member~~ when attending the event (participant, observer, presenter) and the value of their contribution;
- the purpose of and benefits to the community from attendance;
- the benefit of ~~the~~ Town having representation at the event;
- ~~the~~ number of invitations / tickets received;
- ~~any perceived or actual conflict of interest;~~
- the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

The CEO or Mayor may elect to prepare a report to Council to determine whether attendance is approved. Any decision in that instance will be made by simple majority.

If ~~the~~ Council determines that a ~~council Council Member~~ or ~~the~~ CEO should attend a paid Event ~~as a representative of the Town~~, the Town will pay the cost of attendance and reasonable expenses, such as travel and accommodation.

The Mayor can delegate any approved attendance ~~to at~~ an Event to the CEO, Deputy Mayor or another ~~elected Council Member~~.

The CEO can delegate any approved attendance at an Event to a member of the Executive Team.

~~An invitation or ticket received personally for a non-approved event which exceeds the value of \$50 is to be considered a gift and must be disclosed and included in the Town's Gift Register. This is above the threshold in the Local Government Act 1995.~~

Nothing in this policy impacts on the requirements in the *Local Government Act 1995* to disclose ~~we~~ conflicts of interest ~~and/or requirements to declare gifts~~.

Document Control Box			
Business Unit:	<u>Governance</u> Office of the Chief Executive		
Legislation:	Local Government Act 1995 - sections 5.62(1)(b), 5.87A, 5.87B and 5.90A		
Organisational:	Code of Conduct for Council Members, Committee Members and Candidates Gifts Register Disclosure of Gifts Form		
Review Frequency:	Annual	Next Due:	2024 2
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	20 April 2021	043/21
2.	<u>Modified</u>		

UNCONFIRMED

	<p>LG539 Council Member and CEO Attendance at Events</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation Nil</p>

Purpose

The purpose of this policy is for Council to:

1. enable Council Members and the Chief Executive Officer (**CEO**) to attend events as representatives of Council and the Town of Claremont (**Town**); and
2. provide transparency and accountability around Council Member and CEO attendance at events

Definitions

Events includes an organised occurrence hosted by a person or organisation on public or private land such as concerts, music festivals, exhibitions, expo’s and fairs, conferences, seminars, functions or sporting events, whether free of charge, at a discounted rate, part of a sponsorship agreement, or paid for by the Town.

Policy

This policy does not apply where a Council Member or the CEO attends an Event at their own cost and in an entirely personal capacity.

An invitation for a Council Member or CEO to an Event held by any of the following organisations where there are no costs involved is pre-approved:

1. Western Australian Local Government Association (WALGA);
2. Local Government Professionals Australia WA;
3. Local Government Insurance Scheme (LGIS);
4. Australian Local Government Association;
5. A department of the public service;
6. A government department of another State, a Territory or the Commonwealth;
7. A local government or regional local government;
8. A State or Federal Member of Parliament, other than for party political events or fundraisers;
9. Major professional or industry association(s) relevant to local government activities;
10. A civic / cultural / community /sporting organisation within the Town;

11. Educational institutions;
12. A not-for profit organisation; and
13. Where the Mayor or CEO is attending an Event in an official capacity (and is not being remunerated) as a representative of the Town where the primary purpose of attendance is not for the entertainment of the Mayor or CEO, such as:
 - a. performing a welcoming role;
 - b. participating as a member of a judging panel;
 - c. representing the Town at a sponsorship acknowledgement event or award ceremony,
 - d. presenting awards or prizes to others on behalf of the Town; and
 - e. attending an exhibition or display where the Town, its programs or services are being showcased at the event.

All other invitations for a Council Member and/or the CEO to attend an Event should be forwarded in writing to the CEO or the Mayor (if in relation to the CEO) for determination.

In making a decision on attendance at an event, the CEO or Mayor must consider:

- who is providing the invitation or ticket to the event;
- who is responsible for the cost of attending (if any);
- the location of the event;
- what is the Event;
- the role of the Council Member when attending the event (participant, observer, presenter) and the value of their contribution;
- the purpose of and benefits to the community from attendance;
- the benefit of the Town having representation at the event;
- the number of invitations / tickets received;
- any perceived or actual conflict of interest;
- the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

The CEO or Mayor may elect to prepare a report to Council to determine whether attendance is approved. Any decision in that instance will be made by simple majority.

If Council determines that a Council Member or the CEO should attend a paid Event as a representative of the Town, the Town will pay the cost of attendance and reasonable expenses, such as travel and accommodation.


The Mayor can delegate any approved attendance at an Event to the CEO, Deputy Mayor or another Council Member.

The CEO can delegate any approved attendance at an Event to a member of the Executive Team.

Nothing in this policy impacts on the requirements in the *Local Government Act 1995* to disclose conflicts of interest and/or requirements to declare gifts

Document Control Box			
Business Unit:	Office of the Chief Executive		
Legislation:	Local Government Act 1995 - sections 5.62(1)(b), 5.87A, 5.87B and 5.90A		
Organisational:	Code of Conduct for Council Members, Committee Members and Candidates Gifts Register Disclosure of Gifts Form		
Review Frequency:	Annual	Next Due:	2024
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	20 April 2021	043/21
2.	Modified		

UNCONFIRMED

	<p>LG540 —ELECTED— Council Member Training and Continuing Professional Development</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation Nil</p>

Purpose

The purpose of this policy is to:

1. Evidence ~~a~~ Council's commitment to providing ~~a~~ budget and resources to support ~~Elected Council~~ Members' training and continued professional development.
2. Provide a framework for ~~Elected Council~~ Members' attendance at conferences, study tours, conventions, seminars, workshops, forums, training development programs and courses

Policy

~~Elected Council~~ Members are encouraged to participate in relevant training and development opportunities in order to acquire or develop skills and knowledge to assist in their capacity as an Elected Member.

Council will ensure there is sufficient budget allocation for any compulsory training required pursuant to the *Local Government Act 1995*.

Training and development should meet one or more of the following criteria:

1. It will assist a new ~~Elected Council~~ Member ~~to~~ transition into the role.
2. There is scope for the ~~Elected Council~~ Member to acquire skills relevant and beneficial to their role ~~as an elected member including their role as an elected Council~~ representative on a Committee or external body.
3. The subject matter will enhance the continuing professional development, knowledge and skills in their capacity as ~~a~~ Elected Council Members.

The Chief Executive Officer (**CEO**) will at first instance review and determine all requests for training and professional development.

If the CEO determines not to approve a request for training or professional development, the affected Council Member has the right to put the matter before Council for consideration and final determination.

The following ~~restrictions-conditions~~ apply to training and development:

- It must be provided by an identified, reputable or industry recognised training provider.
- Where an ~~Elected-Council~~ Member proposes to travel outside of Western Australia, they must obtain ~~the~~ approval of Council.
- ~~Attendance of two or more Elected Members at an interstate conference or seminar will require specific Council approval by absolute majority.~~
- All air travel for ~~Elected-Council~~ Members will be economy class.
- All accommodation for ~~the Elected-Council~~ Members while travelling ~~interstate or overseas~~ should be within reasonable proximity of the ~~conference-training~~ venue and reasonably priced. Other accommodation arrangements may be approved in writing by the CEO provided that there is no significant extra cost to the Town.
- Should an ~~Elected-Council~~ Member wish to upgrade their travel or accommodation standard, add additional travel arrangements or extend their visit for personal reasons, all additional costs are to be paid by the ~~Elected-Council~~ Member.
- An ~~Elected-Council~~ Member who travels under this policy must provide to the CEO and Council a copy of the conference papers and ~~-/~~-or other relevant information they obtained during the course of the conference and, if requested, ~~a~~ report describing the significant outcomes of the conference.
- No ~~Elected-Council~~ Member is permitted to undertake professional development in the last 6 months of ~~his or her~~their term of office, unless approved by Council.

In compliance with the Local Government Act 1995, the Town will prepare and publish on its website a register of all training completed by Elected Members. The Town will also review this policy after each ordinary election.

Document Control Box			
Business Unit:	Office of the Chief Executive		
Legislation:	Local Government Act 1995 s 5.126- 5.128 Local Government (Administration) Regulations 1996 r 35 and 36		
Organisational:	Nil		
Review Frequency:	Annual	Next Due:	2024 2
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	20 April 2021	043/21
2.	<u>Modified</u>		

	<p>LG540 Council Member Training and Continuing Professional Development</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation Nil</p>

Purpose

The purpose of this policy is to:

1. Evidence Council’s commitment to providing budget and resources to support Council Members’ training and continued professional development.
2. Provide a framework for Council Members’ attendance at conferences, study tours, conventions, seminars, workshops, forums, training development programs and courses

Policy

Council Members are encouraged to participate in relevant training and development opportunities in order to acquire or develop skills and knowledge to assist in their capacity as an Elected Member.

Council will ensure there is sufficient budget allocation for any compulsory training required pursuant to the *Local Government Act 1995*.

Training and development should meet one or more of the following criteria:

1. It will assist a new Council Member transition into the role.
2. There is scope for the Council Member to acquire skills relevant and beneficial to their role as a Council representative on a Committee or external body.
3. The subject matter will enhance the continuing professional development, knowledge and skills in their capacity as a Council Member.

The Chief Executive Officer (**CEO**) will at first instance review and determine all requests for training and professional development.

If the CEO determines not to approve a request for training or professional development, the affected Council Member has the right to put the matter before Council for consideration and final determination.

The following conditions apply to training and development:

- It must be provided by an identified, reputable or industry recognised training provider.
- Where a Council Member proposes to travel outside of Western Australia, they must obtain approval of Council.
- All air travel for Council Members will be economy class.
- All accommodation for Council Members while travelling should be within reasonable proximity of the training venue and reasonably priced. Other accommodation arrangements may be approved in writing by the CEO provided that there is no significant extra cost to the Town.
- Should a Council Member wish to upgrade their travel or accommodation standard, add additional travel arrangements or extend their visit for personal reasons, all additional costs are to be paid by the Council Member.
- A Council Member who travels under this policy must provide to the CEO and Council a copy of the conference papers and/or other relevant information they obtained during the course of the conference and, if requested, a report describing the significant outcomes of the conference.
- No Council Member is permitted to undertake professional development in the last 6 months of their term of office, unless approved by Council.

Document Control Box			
Business Unit:	Office of the Chief Executive		
Legislation:	Local Government Act 1995 s 5.126- 5.128 Local Government (Administration) Regulations 1996 r 35 and 36		
Organisational:	Nil		
Review Frequency:	Annual	Next Due:	2024
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	20 April 2021	043/21
2.	Modified		

	<p>LG541 Complaints Against Council Members, Committee Members and Candidates</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Responsible Directorate Office of the Chief Executive</p> <p>Relevant Council Delegation DA 1.157 <u>Complaints Committee</u></p>

Purpose

The purpose of this policy is for Council to:

1. Establish, in accordance with Clause 15(2) of the *Local Government (Model Code of Conduct) Regulations 2021* and the Town of Claremont’s (Town) Code of Conduct for Council Members, Committee Members and Candidates (**Code of Conduct**), the procedure for dealing with complaints about alleged breaches of the behaviour requirements ~~included~~ in Division 3 of the Code of Conduct.
2. ~~To~~ Give effect to the Town’s commitment to an effective, transparent, fair and accessible complaints handling process that supports high standards of behaviour of Council Members, Committee Members and Candidates.

Scope

This Policy applies to:

1. complaints made in accordance with Clause 11 of the Code of Conduct;
2. Council Members, Committee Members, Candidates (if successfully elected as a Council Member) and any person who submits or is involved in a complaint in accordance with this Policy.

Policy

1. Council will appoint at least 1 authorised Complaints Officer to accept complaints.
2. A Complaints Committee (**Committee**) will be established ~~in accordance with section 5.8 of the Act~~ for the purpose of dealing with complaints.
- 2.3. The ~~Complaints~~ Committee will have ~~the~~ delegated authority to make a finding in relation to an alleged breach of the Code of Conduct and also to dismiss a complaint.
3. ~~The membership of the Complaints Committee will be outlined in a Complaints Committee Terms of Reference but must include the CEO and at least 2 Council Members.~~

4. The ~~Complaints~~ Committee must follow all legislative requirements including those set out in the Code of Conduct, ~~and the Act Local Government Act 1995~~ and associated regulations.
5. The ~~Complaints~~ Committee will comply with principles of procedural fairness and natural justice.
6. The ~~Complaints~~ Committee will take all reasonable steps to ensure complaints are dealt with efficiently, cost effectively and in a timely manner.
7. The ~~Complaints~~ Committee will take all reasonable steps to maintain confidentiality when dealing with a complaint. ~~Elected Council~~ Members, Town ~~of Claremont~~ employees and all others who have a role in handling or investigating a complaint will be provided with sufficient information to fulfil their role. ~~They~~ Such persons must manage this information securely and must not disclose or inappropriately use this information.
8. As soon as practicable but within at least 7 days after receiving a complaint, the Complaints Officer will provide written notice to:
 - a. the Complainant, that confirms receipt of the Complaint; and
 - b. the Respondent, that advises ~~that~~ a Complaint has been made in accordance with the Code of Conduct and this Policy and includes a copy of the complaint documentation.
9. As soon as practicable after receiving a Complaint, and after any request of the Complainant or Respondent; for further information has been complied with, the Complaints Officer will call for a meeting of the ~~Complaints~~ Committee, bearing in mind the commitments of the Committee Members.
10. At the ~~Complaints Committee M~~meeting, the ~~Complaints~~ Committee will consider the information available including the nature of the complaint, the complexity and alleged severity of the matter, the time and cost implications of the various options below and determine:
 - a. whether a finding should be made based on evidence available and bearing in mind requirements for procedural fairness and natural justice;
 - b. whether the complaint should be dismissed for reasons such as it is trivial, frivolous, vexatious or not made in good faith or is not a Code of Conduct complaint;
 - c. whether the complaint should be deferred for reasons such as that another body such as (Standards Panel, Public Sector Commission, Police, CCC etc.) are investigating or involved in the complaint;
 - d. whether the complaint should be investigated internally by the Town or by an external investigator or lawyer prior to a finding being made;
 - e. whether another course of action is appropriate prior to a finding, given the circumstances known at that time. This may include informal or formal alternative dispute resolution including mediation or conciliation to be overseen by an employee at the Town, another ~~council Council member Member~~ or an independent person.
11. If the ~~Complaints~~ Committee makes a finding that the alleged breach has occurred the ~~Complaints~~ Committee may consider the following when deciding to take no further action, or prepare and implement a plan to address the behaviour of the person to whom the complaint relates (**Plan**):
 - a. the nature and seriousness of the breach(es);
 - b. the Respondent's submission in relation to the contravention;

- c. whether the Respondent has breached the Code of Conduct knowingly or carelessly;
 - d. whether the Respondent has breached the Code of Conduct on previous occasions;
 - e. the likelihood or not of the Respondent committing further breaches of the Code of Conduct;
 - f. personal circumstances at the time of conduct;
 - g. the impact of the conduct on the Complainant;
 - h. the need to protect the public through general deterrence and maintain public confidence in ~~Local~~ Local Government and the Town; and
 - i. any other matters which may be regarded as contributing to the conduct or mitigating its seriousness.
12. The Plan should be designed to provide the Respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives expressed in the Code of Conduct. The Plan may also outline:
- a. the actions to be taken to address the behaviour(s);
 - b. who is responsible for the actions;
 - c. any assistance the Town will provide to assist achieve the intent of the Plan; and
 - d. a reasonable timeframe for the Plan action(s) to be addressed by the Respondent.
13. The Complaints Officer will monitor the actions and timeframes set out in any Plan.
14. The Complaints Officer must provide a written report advising Council of any failure of the Respondent to comply with a requirement included in a Plan.
15. The ~~Complaints~~ Committee will report to Council by way of a written report at the conclusion of an investigation. The report will set out a summary of the complaint, the process undertaken and the finding made by the ~~Complaints~~ Committee.
16. The ~~Complaints~~ Committee will report to Council on any complaints that are withdrawn.
17. The Town will provide access to counsellors for any ~~council~~ Council ~~m~~Member, ~~e~~Committee ~~m~~Member or employees involved in a complaint.

Document Control Box			
Business Unit:	Office of the Chief Executive		
Legislation:	Local Government Act 1995 Local Government (Model Code of Conduct) Regulations 2021		
Organisational:	Code of Conduct for Council Members, Committee Members and Candidates DA 1.157 – Complaints Committee Complaints Committee Terms of Reference Flow Chart of Complaints Process		
Review Frequency:	Annual	Next Due:	2024 2
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	4 May 2021	054/21
2.	Modified		

	<p>LG541 Complaints Against Council Members, Committee Members and Candidates</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation DA 1.1 Complaints Committee</p>

Purpose

The purpose of this policy is for Council to:

1. Establish, in accordance with Clause 15(2) of the *Local Government (Model Code of Conduct) Regulations 2021* and the Town of Claremont’s (**Town**) Code of Conduct for Council Members, Committee Members and Candidates (**Code of Conduct**), the procedure for dealing with complaints about alleged breaches of the behaviour requirements in Division 3 of the Code of Conduct.
2. Give effect to the Town’s commitment to an effective, transparent, fair and accessible complaints handling process that supports high standards of behaviour of Council Members, Committee Members and Candidates.

Scope

This Policy applies to:

1. complaints made in accordance with Clause 11 of the Code of Conduct;
2. Council Members, Committee Members, Candidates (if successfully elected as a Council Member) and any person who submits or is involved in a complaint in accordance with this Policy.

Policy

1. Council will appoint at least 1 authorised Complaints Officer to accept complaints.
2. A Complaints Committee (**Committee**) will be established for the purpose of dealing with complaints.
3. The Committee will have delegated authority to make a finding in relation to an alleged breach of the Code of Conduct and also to dismiss a complaint.
4. The Committee must follow all legislative requirements including those set out in the Code of Conduct, the Act and associated regulations.
5. The Committee will comply with principles of procedural fairness and natural justice.

6. The Committee will take all reasonable steps to ensure complaints are dealt with efficiently, cost effectively and in a timely manner.
7. The Committee will take all reasonable steps to maintain confidentiality when dealing with a complaint. Council Members, Town employees and all others who have a role in handling or investigating a complaint will be provided with sufficient information to fulfil their role. Such persons must manage this information securely and must not disclose or inappropriately use this information.
8. As soon as practicable but within at least 7 days after receiving a complaint, the Complaints Officer will provide written notice to:
 - a. the Complainant, that confirms receipt of the Complaint; and
 - b. the Respondent, that advises a Complaint has been made in accordance with the Code of Conduct and this Policy and includes a copy of the complaint documentation.
9. As soon as practicable after receiving a Complaint, and after any request of the Complainant or Respondent for further information has been complied with, the Complaints Officer will call for a meeting of the Committee, bearing in mind the commitments of the Committee Members.
10. At the meeting, the Committee will consider the information available including the nature of the complaint, the complexity and alleged severity of the matter, the time and cost implications of the various options below and determine:
 - a. whether a finding should be made based on evidence available and bearing in mind requirements for procedural fairness and natural justice;
 - b. whether the complaint should be dismissed for reasons such as it is trivial, frivolous, vexatious or not made in good faith or is not a Code of Conduct complaint;
 - c. whether the complaint should be deferred for reasons such as that another body (Standards Panel, Public Sector Commission, Police, CCC etc.) are investigating or involved in the complaint;
 - d. whether the complaint should be investigated internally by the Town or by an external investigator or lawyer prior to a finding being made;
 - e. whether another course of action is appropriate prior to a finding, given the circumstances known at that time. This may include informal or formal alternative dispute resolution including mediation or conciliation to be overseen by an employee at the Town, another Council Member or an independent person.
11. If the Committee makes a finding that the alleged breach has occurred the Committee may consider the following when deciding to take no further action, or prepare and implement a plan to address the behaviour of the person to whom the complaint relates (**Plan**):
 - a. the nature and seriousness of the breach(es);
 - b. the Respondent's submission in relation to the contravention;
 - c. whether the Respondent has breached the Code of Conduct knowingly or carelessly;
 - d. whether the Respondent has breached the Code of Conduct on previous occasions;
 - e. the likelihood or not of the Respondent committing further breaches of the Code of Conduct;
 - f. personal circumstances at the time of conduct;

- g. the impact of the conduct on the Complainant;
 - h. the need to protect the public through general deterrence and maintain public confidence in local government and the Town; and
 - i. any other matters which may be regarded as contributing to the conduct or mitigating its seriousness.
12. The Plan should be designed to provide the Respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives expressed in the Code of Conduct. The Plan may also outline:
 - a. the actions to be taken to address the behaviour(s);
 - b. who is responsible for the actions;
 - c. any assistance the Town will provide to assist achieve the intent of the Plan; and
 - d. a reasonable timeframe for the Plan action(s) to be addressed by the Respondent.
 13. The Complaints Officer will monitor the actions and timeframes set out in any Plan.
 14. The Complaints Officer must provide a written report advising Council of any failure of the Respondent to comply with a requirement included in a Plan.
 15. The Committee will report to Council by way of a written report at the conclusion of an investigation. The report will set out a summary of the complaint, the process undertaken and the finding made by the Committee.
 16. The Committee will report to Council on any complaints that are withdrawn.
 17. The Town will provide access to counsellors for any Council Member, Committee Member or employee involved in a complaint.

Document Control Box			
Business Unit:	Office of the Chief Executive		
Legislation:	Local Government Act 1995 Local Government (Model Code of Conduct) Regulations 2021		
Organisational:	Code of Conduct for Council Members, Committee Members and Candidates DA 1.1 Complaints Committee Complaints Committee Terms of Reference Flow Chart of Complaints Process		
Review Frequency:	Annual	Next Due:	2024
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	4 May 2021	054/21
2.	Modified		

	<p>LG545 Livestreaming of Council Meetings</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation Nil</p>

Purpose

The purpose of this policy is to outline Council’s position with respect to the recording and livestreaming of Town of Claremont (**Town**) Council Meetings.

Policy

All Meetings of Council will, wherever possible, be recorded on an audio device and made available by livestream to provide transparency and engagement in Council’s decision making processes.

Meetings will be livestreamed via an appropriate social media page. A link will be available on the Town’s website to access livestreams.

An announcement will be made by the Presiding Member at the commencement of each meeting advising members of the public that the meeting will be recorded and livestreamed.

Other than in accordance with this Policy, a person must not use any electronic, visual or audio recording device or instrument to record the proceedings of a meeting without permission of the Presiding Member.

Livestream of the meeting will be paused where Council resolves to close the meeting to the public in accordance with section 5.23 of the *Local Government Act 1995*.

In accordance with section 9.57A of the *Local Government Act 1995*, the Town is not liable for defamation in relation to matter published on its website as part of a recording or livestream of a Council Meeting.

The Town reserves its’ rights under the *Copyright Act 1968* and prohibits any reproduction and/or distribution of livestreamed Council Meetings without prior written consent.

Recordings of Council Meetings will be retained in accordance with the *State Records Act 2000*.

Document Control Box			
Business Unit:	Governance		
Legislation:	<i>Local Government Act 1995</i> <i>Copyright Act 1986</i> <i>State Records Act 2000</i> <i>Town of Claremont Meeting Procedures Local Law 2018</i>		
Organisational:	Town of Claremont Record Keeping Plan 2020		
Review Frequency:	Annual	Next Due:	2024

Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted		

UNCONFIRMED

	<p>LG546 Flag and Lighting Policy</p>
<p>Key Focus Area Leadership and Governance</p>	<p>Relevant Council Delegation Nil</p>

Purpose

The purpose of this Policy is for Council to endorse:

1. the protocols for flying, displaying and lowering of flags to half-mast for Town of Claremont buildings.
2. the use of external lighting for the Town’s administration building.

Policy

Council adopts and endorses the Australian National Flags Protocol to govern the flying of flags.

Council supports the Town adhering to Australian Government requests for flags to be flown at half-mast.

Council endorses flags being flown at half-mast on specific occasions at the discretion of the CEO and Mayor to commemorate a solemn occasion, including:

- If a current or former Council Member of the Town passes away.
- If a Freeman of the Town passes away.
- If a Town employee passes away.

Council supports but does not require the Town’s administration to arrange the use of external lights on the Town’s administration building on the following occasions:

Event	Date
Chinese New Year	10 February
Australia Day	26 January
Harmony Day	21 March
Anzac Day	25 April
National Sorry Day	26 May
National Reconciliation Week	27 May to 3 June
Pride Month	June
NAIDOC Week	Nominated week in July
Royal Show Week	September & October
Remembrance Day	11 November

Kings Birthday	Last Monday of September
Christmas	December

Document Control Box			
Business Unit:	Office of the CEO		
Legislation:	<i>Flags Act 1953</i> Australian National Flag Protocols		
Organisational:			
Review Frequency:	Annual	Next Due:	
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted		
2.			
3.			
4.			
5.			
6.			

UNCONFIRMED

14 ANNOUNCEMENTS BY THE PRESIDING PERSON

Mayor Barker shared he presided over the Town's Citizenship Ceremony which was also attended by Councillors Goetze and Hatton.

Mayor Barker also advised he met with the Hon. John Carey MLA, Minister for Planning; Lands; Housing; Homelessness together with the Chief Executive Officer and Director Governance and People.

Cr Main shared she attended Claremont's Night Luxe at Claremont Quarter.

Cr Hatton advised she attended the Friends of Lake Claremont Night Chats.

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

Nil

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

Nil

UNCONFIRMED

17 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**RESOLUTION 095/23****Moved: Cr Peter Edwards****Seconded: Cr Kate Main**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 5.23(2) of the *Local Government Act 1995*:

17.1 LEADERSHIP AND GOVERNANCE**17.1.1 Acquisition of 288 Stirling Highway Claremont**

This matter is considered to be confidential under Section 5.23(2) - c of the *Local Government Act 1995*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

For: Mayor Jock Barker, Cr Annette Suann, Cr Shelley Hatton, Cr Peter Edwards, Cr Kate Main, Cr Ryan Brown, Cr Jill Goetze, Cr Sara Franklyn, Cr Peter Telford

Against: Nil

CARRIED 9/0

The doors were closed at 7.40pm.

RESOLUTION 097/23**Moved: Cr Peter Edwards****Seconded: Cr Annette Suann**

That the meeting be opened to members of the public and press.

For: Mayor Jock Barker, Cr Annette Suann, Cr Shelley Hatton, Cr Peter Edwards, Cr Kate Main, Cr Ryan Brown, Cr Jill Goetze, Cr Sara Franklyn, Cr Peter Telford

Against: Nil

CARRIED 9/0

The doors were opened at 7.43pm.

The Presiding Member read aloud the resolution made behind closed doors.

17.1.1 Acquisition of 288 Stirling Highway Claremont

RESOLUTION 096/23

Moved: Cr Peter Telford

Seconded: Cr Jill Goetze

That Council:

- 1. Notes the feedback on the Business Plan for 288 Stirling Highway and the extensive consultation which will inform the Masterplan and future development for this site; and**
- 2. Authorises the obtaining of a loan on the terms set out in this report for the purchase and acquisition of 288 Stirling Highway, Claremont.**

For: Mayor Jock Barker, Cr Annette Suann, Cr Shelley Hatton, Cr Peter Edwards, Cr Kate Main, Cr Ryan Brown, Cr Jill Goetze, Cr Sara Franklyn, Cr Peter Telford

Against: Nil

CARRIED BY ABSOLUTE MAJORITY 9/0

UNCONFIRMED

18 FUTURE MEETINGS OF COUNCIL

Ordinary Council Meeting, Tuesday 29 August 2023 at 7.00pm.

19 DECLARATION OF CLOSURE OF MEETING

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

.....
CHAIRPERSON

UNCONFIRMED