



TOWN OF

**Bassendean**

## **AGENDA**

# **Briefing Session**

**Tuesday 6 December 2022**

Notice is hereby given of the Briefing Session  
to be held in the Council Chamber

Administration Building

48 Old Perth Road, Bassendean WA 6054

commencing at 6:00 pm

# Meeting Information

## About the Briefing Session

The Mayor will preside at the Briefing Session. In the absence of the Mayor, the session will be presided over by the Deputy Mayor. The Briefing Session is designed as a Question and Answer session only. No decisions by Council are made at this forum.

The meeting is open to all members of the public, except during the consideration of matters deemed confidential in line with the Local Government Act 1995.

## Recording and Live-streaming

All participation in the meeting, except for confidential business, will be audio recorded and live-streamed on the Town's website. The live stream will be archived and made available on the Town's website after the meeting.

## Conduct at Briefing Sessions

The Town is committed to ensuring our Briefing Sessions are a safe work environment, free of risks to the health and wellbeing of Elected Members, Officers and our community. Any person attending is required to be respectful, courteous and have due regard for individual rights and differences. Individuals may be asked to leave should their conduct adversely affect the health and safety of others.

By attending this meeting, you agree to abide by these conditions.

For any questions regarding the Briefing Session or any item presented in the agenda, please contact the Town of Bassendean at [mail@bassendean.wa.gov.au](mailto:mail@bassendean.wa.gov.au).

Tune in to live streaming from the comfort of your own home by going to:  
Town of Bassendean Council - YouTube

or if you miss it live, go to:  
<https://www.youtube.com/channel/UC46mMs3D7vmHuO0ePibihhg>

# Council Role

Each Report presented will identify what Council's Role is in the item

Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative	Includes adopting local laws, town planning schemes and policies.
Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Information	For the Council/Committee to note.

<b>1 Declaration Of Opening; Acknowledgment of Country; Acknowledgment of Visitors; Disclaimer.....</b>	<b>5</b>
<b>2 Attendances and Apologies .....</b>	<b>5</b>
<b>3 Declarations of Interest .....</b>	<b>5</b>
<b>4 Announcements .....</b>	<b>5</b>
<b>5 Petitions .....</b>	<b>5</b>
<b>6 Statements by Members of the Public.....</b>	<b>5</b>
<b>7 Public Question Time.....</b>	<b>5</b>
<b>8 Deputations .....</b>	<b>5</b>
<b>9 Reports.....</b>	<b>6</b>
9.1 Application to keep three dogs - Lot 203 (No. 57) North Road, Bassendean	6
9.2 Potential sale of 11 (Lot 67) Hamilton Street, Bassendean.....	9
9.3 Proposed Demolition - 168 (Lot 329) West Road and 145 (Lot 308) Whitfield Street, Bassendean .....	15
9.4 Rescission of previous Council Resolution - Bindaring Park Wetland Plan	22
9.5 Review of Council Policies: Waste.....	25
9.6 Review of Delegations Register.....	29
9.7 Community Transport Services.....	33
9.8 Youth Engagement Project.....	46
9.9 Review of Strategic Community Plan.....	50
9.10 Proposed Targeted Underground Power Program for Bassendean .....	54
9.11 Arts, Culture and Events Committee Meeting, 29 November 2022.....	62
9.12 Audit and Governance Committee Meeting held on 30 November 2022 ..	67
9.13 RFT 02/2022 Provision of Tree Pruning Services.....	72
<b>10 Motions of which Previous Notice has been given .....</b>	<b>75</b>
<b>11 Confidential Business .....</b>	<b>75</b>
<b>12 Closure.....</b>	<b>75</b>

## **1 Declaration Of Opening; Acknowledgment of Country; Acknowledgment of Visitors; Disclaimer**

### **Acknowledgement of Traditional Owners**

The Town of Bassendean acknowledges the past and present traditional owners of the land on which we gather to conduct this meeting, and pays its respects to their Elders, both past and present.

## **2 Attendances and Apologies**

## **3 Declarations of Interest**

## **4 Announcements**

## **5 Petitions**

## **6 Statements by Members of the Public**

Public statement time will be limited to two minutes per person.  
Statements at a Briefing Session must relate to an item on the agenda.

Members of the public are encouraged to submit their statements in advance by completing the relevant form:

[Online Form - Public Statement Time » Town of Bassendean](#)

Please complete this form and submit it to the Town's Chief Executive Officer by no later than 12noon on the day of the meeting.

*It should be noted that comments are recorded and live streamed via YouTube, and that there is no protection from legal action being taken against you, should it arise from your comments delivered at the meeting.*

## **7 Public Question Time**

## **8 Deputations**

Deputation requests can be submitted prior to the Briefing Session via the online form:  
[Online Form - Request for Deputation » Town of Bassendean](#)

Members of the public are encouraged to submit their online form to the Chief Executive Officer by no later than 12noon on the day of the meeting.

Further information can be found here:  
[About Council Meetings » Town of Bassendean](#)

## 9 Reports

<b>9.1</b>	<b>Application to keep three dogs - Lot 203 (No. 57) North Road, Bassendean</b>
<b>Property Address</b>	Lot 203 (No. 57) North Road, Bassendean
<b>Landowner/Applicant</b>	Murray Woodcock and Caroline Langham
<b>File Reference</b>	LAW/REGSTN/1
<b>Department</b>	Community Planning
<b>Previous Reports</b>	Nil
<b>Authority/Discretion</b>	<p><b>Quasi-Judicial</b></p> <p>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences.</p>
<b>Attachments</b>	1. CONFIDENTIAL - Third Dog App - 57 North Road [9.1.1 - 3 pages]

### Purpose

The purpose of this report is for Council to consider an application to keep three dogs at Lot 203 (No. 57) North Road, Bassendean. The matter requires determination by Council as is outside delegation provided to staff.

### Background

The Town has received an application to keep a third dog at 57 North Road, Bassendean. The Town's *Dogs Local Law 2019* limits the number of dogs that may be kept at a premise to two, unless an exemption is granted under section 26(3) of the *Dog Act 1976*.

### Proposal

The applicant seeks approval to keep a third dog at the property. All three dogs are Cavalier King Charles Spaniels.

### Communication and Engagement

The applicant has consulted the adjoining properties of 59 North Road, 51 North Road and 53 North Road, Bassendean), with all owners signing a declaration advising that the dogs are not a nuisance and they do not object to the applicant having the three identified dogs at the property.

## **Strategic Implications**

Not Applicable

## **Comment**

The Town has not received any complaints regarding the dogs at this property and there is no history of the dogs not being contained within the property. All three dogs are registered, microchipped and are not causing a nuisance to neighbouring properties.

It is recommended that Council grant the exemption to keep the third dog at the property.

## **Statutory Requirements**

Sections 26(1) and (2) of the Act allow a local government to make a local law that limits the number of dogs that may be kept on a property. The Local Law limits that to two dogs per property, unless exempt under section 26(3) of the Act.

Section 26(3) allows a local government to grant an exemption for a person to keep more than the number of dogs permitted under the Local Law. This approval can be subject to any conditions the local government considers appropriate and may be revoked at any time.

## **Financial Considerations**

Nil.

## **Risk Management Implications**

Low. Where a local government refuses to grant an exemption, revokes an exemption or the applicant is aggrieved by any conditions imposed by the exemption, the applicant may apply directly to the State Administrative Tribunal within 28 days of being served the notice of the decision.

## **Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

**Officer Recommendation – Item 9.1**

That Council grants an exemption to keep three dogs at Lot 203 (No. 57) North Road, Bassendean, subject to the following conditions:

1. The approval is only valid for the identified dogs in the application;
2. The dogs remain registered at all times and do not contravene the *Dog Act 1976* or *Dogs Local Law 2019*; and
3. The approval may be revoked if the Town receives proven complaints regarding any of the dogs.

**Voting requirements: Simple Majority**



<b>9.2 11 (Lot 67) Hamilton Street, Bassendean</b>	
<b>Property Address</b>	11 (Lot 67) Hamilton Street, Bassendean
<b>Landowner/Applicant</b>	Town of Bassendean
<b>File Reference</b>	N/A
<b>Department</b>	Chief Executive Officer
<b>Previous Reports</b>	26 July 2016 25 July 2017 22 May 2022
<b>Authority/Discretion</b>	<b>Executive</b> The substantial direction setting and oversight role of the Council.
<b>Attachments</b>	1. CONFIDENTIAL - Justification (submitted by Casa Mia) [9.2.1 - 8 pages] 2. CONFIDENTIAL - Valuation Report 1 (submitted by Casa Mia) [9.2.2 - 40 pages] 3. CONFIDENTIAL - Offer to Purchase (submitted by Casa Mia) [9.2.3 - 1 page] 4. CONFIDENTIAL - Valuation Report 2 (commissioned by the Town) [9.2.4 - 37 pages] 5. CONFIDENTIAL - Valuation Summary [9.2.5 - 1 page]

### Purpose

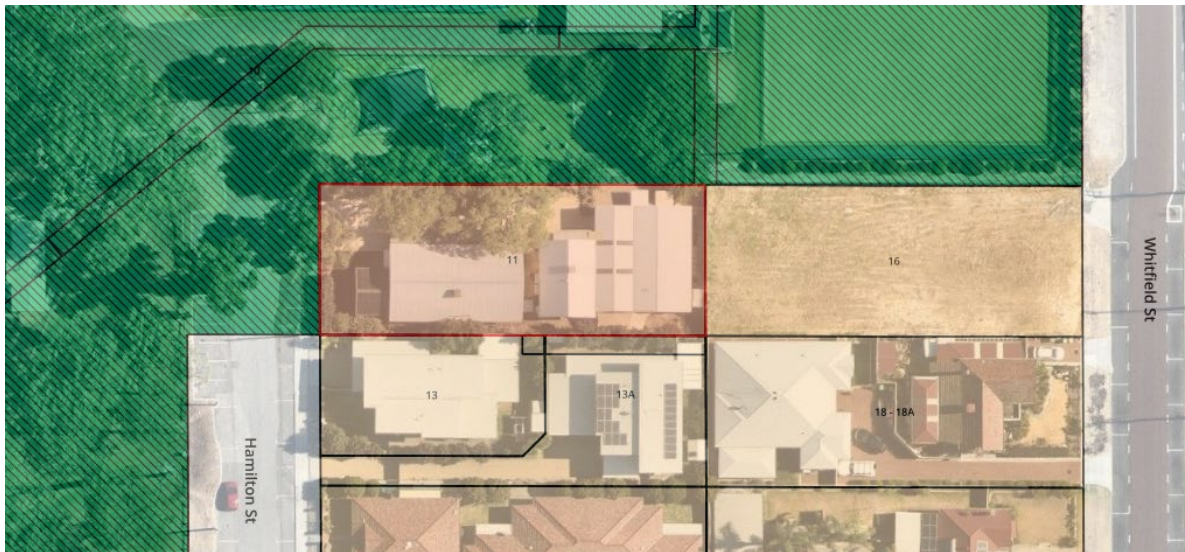
The purpose of this report is for Council to consider a request to sell 11 (Lot 67) Hamilton Street, Bassendean.

### Background

#### Subject site

The subject site is owned by the Town and (in conjunction with a portion of the abutting Crown Reserve 21150) is leased to the Casa Mia Montessori School for use as an Educational Establishment. The lease expires on 31 December 2022, with an option for a further five years. Whilst the site has a Hamilton Street address, it does not have legal frontage to the public road network.

A location plan follows:



### Previous Council Decisions

On 26 July 2016, Council considered a request from the School (i) for a lease extension beyond December 2017 (ii) to purchase Lot 67 from the Town and (iii) for the Town's support for the school to purchase its playground site from the State Government. In response, Council resolved as follows:

- “1. Council grants an extension of the lease to 31 December 2019 for the Casa Mia Montessori School located at 11 Hamilton Street, Bassendean;
2. The lease extension fee for the Casa Mia Montessori School be based on 75% of the gross rental value of 11 Hamilton Street, Bassendean; and
3. Council informs the school it is prepared to consider the sale of 11 Hamilton Street, if the school purchases 16 Whitfield Street, and grants planning approval of the school and allows the ongoing use of the BIC currently used by the school.”

On 25 July 2017, Council considered a request from the School to reconsider its previous position on the sale Lot 67 to the School, and resolved as follows:

- “1. Rescinds OCM – 17/07/16, Point 1, which reads: “MOVED Cr Bridges, Seconded Cr McLennan, that Council grants an extension of the lease to 31 December 2019 for the Casa Mia Montessori School located at 11 Hamilton Street, Bassendean”;
2. Agrees to grant a new 5 year Lease with a 5 year option at the lapsing of the current Lease, being 31 December 2017 over 11 Hamilton Street, Bassendean, and that aspect of the BIC Reserve currently under lease for the School playground; and

3. *Informs the Casa Mia Montessori School that it is only prepared to consider the sale of 11 Hamilton Street, Bassendean, if the School purchases 16 Whitfield Street, Bassendean, or the Crown disposes of the portion of the BIC Reserve leased for playground.”*

In May 2022, Council considered a request to sell 11 (Lot 67) Hamilton Street, Bassendean, and resolved to:

- “1. *Rescind Point 3 of Resolution 17/07/16 from 26 July 2016, which reads:*  
  
*“that Council informs the school it is prepared to consider the sale of 11 Hamilton Street, if the school purchases 16 Whitfield Street, and grants planning approval of the school and allows the ongoing use of the BIC currently used by the school.”;*
2. *Rescind Point 3 of Resolution 10/07/17 from 25 July 2017, which reads:*  
*“that Council informs the Casa Mia Montessori School that it is only prepared to consider the sale of 11 Hamilton Street, Bassendean, if the School purchases 16 Whitfield Street, Bassendean, or the Crown disposes of the portion of the BIC Reserve leased for playground.”;*
3. *Provide for the quiet enjoyment of 11 (Lot 67) Hamilton Street, Bassendean by Casa Mia Montessori School Inc. per the terms of the existing lease agreement, and that any future proposal by the school to purchase that site will be presented to Council for due consideration.”*

The above decision was based upon the following reason:

*“The Casa Mia Montessori School Inc. are entitled to continue operating under the terms of their lease with the Town, until expiry of said lease and option periods. During that time if the school choose to present an offer for the Town owned land upon which the school is located, that will trigger presentation of a report to a future council along with all the attendant formalities associated with the potential disposal of land under the Local Government Act. It is premature for the Town to act in respect to valuations and the like until such an offer to purchase is made.”*

## **Communication and Engagement**

Since that time, Casa Mia Montessori School Inc has made a formal offer to the Town to purchase the subject site in accordance with the terms contained in the confidential attachments.

## **Strategic Implications**

Priority Area 3: Creating a Vibrant Town and Precincts

3.1 Support the town centre to thrive

### 3.2 Increase the residential population close to centres and train stations

#### Priority Area 4: Driving Financial Suitability

##### 4.1 Ensure there is sufficient, effective and sustainable use of assets

#### Comment

#### Land Asset Strategy

In relation to the subject site, Council's adopted Land Asset Strategy, recommends the following:

*"That the lease with Casa Mia not be extended beyond 2027, but the School be provided the opportunity to purchase the site at market rates determined by a licensed land valuer, having regard to the development potential contemplated by the Masterplan [future residential development of up to five (5) storeys].*

*In the event that the School does not seek to purchase the site, it is recommended that the Town seek to redevelop the site, generally in accordance with the adopted Town Centre Masterplan."*

The proposal broadly aligns with adopted Land Asset Strategy, which contemplates a potential sale to the School.

#### Valuation

The offer to purchase made by Casa Mia Montessori School Inc was supported by a valuation prepared by a licensed valuer, although it is noted that the offer is less than the valuation figure. In any event, following receipt of the valuation and associated offer from the School, the Town engaged a valuer to prepare a second valuation, which is contained as a confidential attachment.

The proposed purchase price is less both valuations, meaning that the proposal represents a departure from the recommended valuation approach contained in Council's adopted Land Asset Strategy.

The following options are available to Council:

- Support the submitted offer, noting the departure from Council's adopted Land Asset Strategy.
- Not support the submitted offer.
- Advise the School that it is prepared to sell the site for a figure different to the one contained in the submitted offer.
- 

It is recommended that Council pursue the third option, with the relevant figure to be the mean average of the two valuations.

## Road Access

The subject site does not currently have legal road frontage, although it does front the constructed surface that is effectively the northern extension of Hamilton Street. This matter needs to be resolved by the below 360m<sup>2</sup> portion of BIC Reserve being excised as road reserve, irrespective of whether or not Council elects to dispose of the site to the School and is a matter that is currently being progressed by the Administration.



## BIC Reserve

The Casa Mia Montessori School currently occupies the subject site as well as a portion of BIC Reserve. The use of that portion of BIC Reserve is secured by a lease that is valid until 31 December 2027. The proposed sale relates only to the subject site and does not fetter any future Council decision-making as to a subsequent lease over BIC Reserve.

## **Statutory Requirements**

Disposal of Town-owned land must generally occur in accordance with the requirements of Section 3.58 of the *Local Government Act 1995*, although, Regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996* provides that a disposition is excluded from the application of that section of the Act if it is to a body:

- “(i) *the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*

- (ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;"*

Based on the above, any sale of the subject site to the school would be exempt from the advertising requirements of the Act. It is open to Council however to advertise any proposal for public comment.

### **Financial Considerations**

The future sale of the site will result will generate capital revenue for the Town which can be invested and made available for future projects or initiatives, and operating revenue in the form of additional rates income.

The necessary excision of a 360m<sup>2</sup> portion of BIC Reserve as road reserve will incur some minor surveying expenses.

### **Risk Management Implications**

Medium. There may be some reputational risk if Council refuses to sell the site to the School.

### **Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

### **Officer Recommendation – Item 9.2**

That Council:

1. declines the submitted proposal for the Town to dispose of 11 (Lot 67) Hamilton Street, Bassendean, to the Casa Mia Montessori School Inc;
2. advises that it is prepared to accept, in-principle, a proposal for the Town to dispose of 11 (Lot 67) Hamilton Street, Bassendean, to the Casa Mia Montessori School Inc on the basis of a sale price that is the mean average of the two current valuations that apply to the site; and
3. in the event that Casa Mia Montessori School Inc accepts Council's counter-offer, that Council notes the proposed disposal will be advertised for public comment before being reconsidered by Council.

### **Voting requirements: Simple Majority**

<b>9.3 Proposed Demolition - 168 (Lot 329) West Road and 145 (Lot 308) Whitfield Street, Bassendean</b>	
<b>Property Address</b>	168 (Lot 329) West Road and 145 (Lot 308) Whitfield Street, Bassendean
<b>Landowner/Applicant</b>	Margaret Joan Hams – The Estate Of/ Ashley Hams
<b>File Reference</b>	2022-067
<b>Department</b>	Community Planning
<b>Previous Reports</b>	N/A
<b>Authority/Discretion</b>	<p><b>Quasi-Judicial</b> When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences.</p>
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Applicants Initial Cover letter - Pre Heritage Assessment [9.3.1 - 2 pages]</li> <li>2. Applicants Revised Cover Letter [9.3.2 - 1 page]</li> <li>3. Heritage Assessment - Patrick Irwin Architects [9.3.3 - 22 pages]</li> <li>4. Letter from Patrick Irwin Architects [9.3.4 - 1 page]</li> </ol>

### **Purpose**

The purpose of this report is for Council to consider an application for development approval for the demolition of the heritage listed place at 168 (Lot 329) West Road and 145 (Lot 308) Whitfield Street, Bassendean. The landowner has requested Council determine the application.

### **Background**

#### Site Description

The dwelling is single storey with a hipped roof, constructed circa 1915 over what is now the boundary of two 1,012m<sup>2</sup> freehold lots zoned Residential R20 under Local Planning Scheme No. 10 (LPS 10).

A location plan follows.



### Local Heritage Framework

In accordance with Schedule 2, Part 3, Clause 8(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the Town is required to establish and maintain a Heritage List to identify those places within the Scheme area which are of cultural heritage significance and worthy of conservation.

A Heritage List is a list of places compiled under a local planning scheme for which development approval is required for all demolition, alterations or other development affecting the cultural heritage of the place. In May 2018, Council resolved to adopt the Town's Heritage List, with the house and gardens the subject of this application entered as Place No. 44 on the Heritage List.

Following adoption of the revised Local Heritage Survey by Council on 24 May 2022, the Heritage List was subsequently considered by Council on 26 July 2022. No changes were made to the Heritage List with the exception of the inclusion of a separate property (150 West Road, Bassendean), meaning that the subject site remained on the List.



## Proposal

The applicant is the executor for the estate of the late owner of the subject site, and is seeking to finalise the estate distribution. In doing so, the applicant seeks to demolish the existing house and gardens to increase the viability of the sale of the property as vacant land.

The application documentation includes reference to a draft plan of subdivision, which seeks to four lots, including a 458m<sup>2</sup> lot in front of the existing house, with access via West Road. The layout of the subdivision would provide for the retention of the house, however, would result in removal of the gardens and obstruct views to the house from West Road.

The applicant has not confirmed whether a proposed application for subdivision approval will be lodged with the Western Australian Planning Commission, either in this configuration or otherwise. Notwithstanding, this is a separate process and does not form part of this application, which is for demolition of the existing house and gardens only.

In support of the application, the applicant has provided a Heritage Assessment, including details of the heritage significance and structural integrity of the place, as attached and further discussed in this report.

## Communication and Engagement

The development application to demolish the house and gardens does not require public consultation or referral to external agencies.

Should Council resolve to demolish the place, this would necessitate removal of the place from the Heritage List and the Town would be required to notify the owner and occupier (the executor of the estate), carry out any other consultation it considers necessary and give notice to the Heritage Council of Western Australia.

## Strategic Implications

Priority Area 7: Building Community Identity by Celebrating Culture and Heritage  
7.2 Create a community closely connected to its history and heritage

## Comment

### Local Planning Policy No. 4 – Heritage and Character (LPP 4)

LPP 4 applies to all applications for subdivision or development approval for places included within the Heritage List, and provides guidance on such applications, including proposals to demolish a heritage listed place. An assessment against the relevant provisions of the Policy follows.

Policy objectives	Assessment
(a) To conserve and protect places and areas of heritage and/or character significance.	Demolition of the house and gardens would not result in the conservation or protection of the heritage place.
(b) To ensure that subdivision and development does not adversely affect the significance of a heritage place and/or character areas and that new development is sympathetic to the existing character of the heritage place.	The proposal adversely affects the heritage place by virtue of demolition.
(i) The significance of the heritage place.	<p>In accordance with the Town’s Local Heritage List and Local Heritage Survey, the subject premises is considered to have considerable heritage significance for the following reasons:</p> <ul style="list-style-type: none"> <li>• The place has aesthetic value as a fine, intact example of the Federation Style Bungalow in its original garden setting.</li> <li>• The place has historic value for its association with the development of this more remote portion of Bassendean in the early 20<sup>th</sup> century.</li> <li>• The place has social value as a landmark in the district.</li> </ul> <p>The heritage assessment provided by the applicant confirms the above.</p>
(ii) The feasibility of restoring or adapting the heritage place, or incorporating it into a new development.	<p>The applicant has investigated the following two options for retention of the dwelling:</p> <p><i>Option 1 - Repositioning the house towards West Road such that the house will not traverse the existing lot boundaries. House relocators have advised the applicant that removal of asbestos linings would first be required, and the applicant has advised that there were potential structural issues with the house that could compromise successful repositioning.</i></p> <p>The Town considers that the house is in a fair to good condition; a view which has been supported by the Heritage Assessment.</p>

	<p>It is acknowledged that the internal walls and ceilings are lined with asbestos sheeting, however, the financial implications of asbestos removal are not considered a valid reason to warrant demolition of the house.</p> <p>It is also acknowledged that some of the house stumps are spindly yet are in situ and adequate. Further, the timber-framed laundry building (separate to house) requires treatment for termites, and whilst the brick copper-base is decayed, these matters can be repaired as part of usual maintenance to the property.</p> <p>It is therefore considered feasible to retain the house as is (albeit with maintenance works to the adjacent laundry building).</p> <p><i>Option 2 - A battle-axe subdivision layout to maintain partial views to the place from West Road and retention of the house.</i></p> <p>This proposal is considered contrary to the objectives of LPP 4 as it results in a subdivision layout that has the potential to adversely affect the significance of the heritage place due to removal of the garden, which forms part of the significance of the place. Further, it would largely obstruct views to the place from West Road. In any instance, an application for subdivision approval has not been lodged or determined to reflect this proposal.</p>
<p>(iii) The extent to which the community would benefit from the proposed redevelopment.</p>	<p>The demolition of the house and gardens would not result in community benefit given the place is considered to contribute to the local sense of place.</p>

The house and gardens are considered to have considerable significance to the locality by contributing to the local sense of place, as reflected by the management category 2 listing. Whilst maintenance works can be undertaken to ensure the ongoing preservation of the heritage place, there is little evidence to demonstrate the house and gardens cannot feasibly be maintained. As such, demolition of the heritage listed place is not supported.

## Built Heritage and Cultural Significance

Clause 67 (k) and (l) of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires the local government to have regard to built heritage conservation and the effect of a proposal on the cultural significance of the area.

In considering these matters, the following is relevant:

- The property is considered to have considerable heritage significance due to its aesthetic, historical and social contribution to the district;
- The place has built heritage value as a fine example of a federation bungalow in its original garden setting;
- The place has cultural significance to the area due to its historical association and is considered a landmark of the district. This positively contributes to the local sense of place; and
- The above considerations are confirmed by the category 2 listing of the place.

Demolition of the place will not result in conservation of the built and cultural heritage significance and would adversely impact the built heritage and cultural significance of the local area.

## **Statutory Requirements**

In accordance with Clause 68(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, 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.*

## **Financial Considerations**

Nil.

## **Risk Management Implications**

Low.

Should the applicant be aggrieved by the decision they will have a right of review with the State Administrative Tribunal.

Should Council approve the application, there is some reputational risk on the basis that demolition of a heritage listed house and gardens is inconsistent with the Council-adopted Strategic Community Plan and Heritage List.

## **Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

## **Officer Recommendation – Item 9.3**

That Council refuses the application for development approval for demolition of the dwelling and gardens at 168 (Lot 329) West Road and 145 (Lot 308) Whitfield Street, Bassendean, for the following reasons:

1. The proposal fails to conserve a place that offers considerable built heritage value and demolition will adversely impact the cultural significance of the local area;
2. The proposal does not meet the objectives contained within Clause 3 of Local Planning Policy No. 4 – Heritage and Character, as it does not result in the conservation and protection of a heritage listed place; and
3. The proposal does not comply with the criteria contained within Clause 7.8(b) of Local Planning Policy No. 4 – Heritage and Character by virtue of it:
  - (i) resulting in a loss of community benefit; and
  - (ii) failing to demonstrate that it is not feasible to restore and/or adapt the heritage place and/or incorporate the place into a new development.

**Voting requirements: Simple Majority**

<b>9.4 Rescission of previous Council Resolution - Bindaring Park Wetland Plan</b>	
<b>Property Address</b>	Address here
<b>Landowner/Applicant</b>	Owner/s here
<b>File Reference</b>	GOVN/CCLMEET/33
<b>Department</b>	Office of the CEO
<b>Previous Reports</b>	28 May 2019
<b>Authority/Discretion</b>	<b>Legislative</b> Includes adopting local laws, town planning schemes & policies.
<b>Attachments</b>	1. Bindaring Wetland Concept - Sheet 1 REV E [9.4.1 - 1 page]

### Purpose

The purpose of this report is for Council to consider the rescission of a previous resolution relating to the Bindaring Park Wetland Concept Plan.

### Background

At its meeting of 28 May 2019, Council considered a report on the Bindaring Park Wetland Concept Plan and resolved as follows:

*“That Council:*

1. *Receives the letter attached to the 28 May 2019 Ordinary Council Meeting Agenda from the Department of Biodiversity Conservation & Attractions supporting the Option 1 Bindaring Park Wetland Concept design and feedback regarding the alternative RPMC–2/02/18 concept design;*
2. *Notes the OCM-17/3/18 resolution and requests Coterra Environment amend Option 1 Bindaring Park Wetland Concept design to achieve the following:*
  - *2a – That specifications ensure that space, access and fall to construct bio filters satisfy the Guidelines for Stormwater Bio Filtration Systems and delete the floating wetland;*
  - *2c Coterra Environment to update pathways, as per feedback, and replace with a boardwalk as far as the first Water Corporation’s sewer inspection, including pathways proposed off Watson Street;*
3. *Supports the amended Option 1 Bindaring Park Wetland Concept Plan to be advertised for public comment; and*

4. *Notes that a further report will be provided on the outcomes of the community consultation feedback received.”*

## **Communication and Engagement**

Nil. Whilst Parts 1 and 2 of the resolution are complete, the draft Concept Plan has not yet been advertised for public comment.

## **Strategic Implications**

Priority Area 6: Providing Visionary Leadership and Making Great Decisions

6.3 Ensure operational activities reflect the strategic focus of Council

## **Comment**

Following the 28 May 2019 Council meeting, the draft Concept Plan was updated with the required changes (refer Attachment: updated on 15 August 2019).

In reviewing the matter, it is considered that several additional elements of the draft Concept require review, as follows:

- Potential changes to Parks & Recreation reservation proposed in draft Local Planning Scheme 11, impacting Legend Item 7 and land identified in the Concept as “Proposed land swap”
- Access path to Water Corporation sewer (5): no longer supported due to environmental impacts
- Feasibility of constructing paths that provide universal access on steep banks
- Unclear design intent / feasibility for several items, including boardwalk access from private residences (4), a “reclaimed corner” abutting private property (8) and biofilters.

Given the passage of time and that this body of work is no longer considered a Council priority, it is requested that paragraphs 3 and 4 of the Council resolution be rescinded. These would be effectively replaced with a reference to the need for a future Bindaring Park Masterplan, with that body of work to be incorporated into the future Long Term Financial Plan and associated Corporate Business Plans.

As previously advised to Councillors through the CEO Bulletin and in a Councillor workshop presentation in February 2022, 10 Year Management Plans have been developed for each of the Town’s natural areas (including Bindaring Park), with input received from relevant Bushcare Volunteer Groups. This will be used to guide general maintenance and environmental improvements/ restoration at Bindaring Park, in the absence of a Masterplan.

Alternatively, should Council not wish to rescind the resolution, staff will make arrangements for the proposal to be advertised for public comment, with the results of that consultation to be brought back to a future Council meeting in 2023.

## **Statutory Requirements**

Regulation 10 *Local Government (Administration) Regulations 1996*.

## **Financial Considerations**

Nil.

## **Risk Management Implications**

Low.

## **Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

## **Officer Recommendation – Item 9.4**

That Council:

1. Rescinds Points 3 and 4 of Council Resolution OCM – 7/05/19, which reads:

*“That Council:*

- 3. Supports the amended Option 1 Bindaring Park Wetland Concept Plan to be advertised for public comment; and*
  - 4. Notes that a further report will be provided on the outcomes of the community consultation feedback received”;* and
2. That Council notes that a future Bindaring Park Masterplan project will be considered as part of the future Long Term Financial Plan and associated Corporate Business Plans.

## **Voting requirements:**

**Point 1 - Absolute Majority**

**Point 2 – Simple Majority**



<b>9.5 Review of Council Policies: Waste</b>	
<b>Property Address</b>	N/A
<b>Landowner/Applicant</b>	N/A
<b>File Reference</b>	WSTMNGT/SVPROVN/3
<b>Author</b>	Manager Recycling and Waste
<b>Department</b>	Sustainability and Environment, Sustainability and Environment
<b>Previous Reports</b>	28 July 2020 (Compassionate Waste Services Guidelines) 25 March 2014
<b>Authority/Discretion</b>	<b>Legislative</b> Includes adopting local laws, town planning schemes & policies.
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Draft Waste Services Policy [9.5.1 - 2 pages]</li> <li>2. Waste Services Management Practice [9.5.2 - 9 pages]</li> <li>3. Placement Of Roadside Litter Bins Policy [9.5.3 - 2 pages]</li> <li>4. Bulk Rubbish Greenwaste Pick Up Collections Publicity Policy [9.5.4 - 1 page]</li> <li>5. Bulk Rubbish And Greenwaste Pruning Pick Up Service Policy [9.5.5 - 1 page]</li> </ol>

## Purpose

The purpose of this report is for Council to consider revocation of the following Council Policies:

- 2.12 Bulk Rubbish, Greenwaste Pick Up Collections Publicity Policy;
- 2.13 Bulk Rubbish and Greenwaste Pruning Pick Up Service Policy; and
- 2.14 Placement of Roadside Litter Bins Policy.

And to consider a replacement Waste Services Policy.

## Background

Several Council policies under “Section 2 - Environmental Sustainability and Adaption to Climate Change” as listed below are overdue for review.

2.12 Bulk Rubbish, Greenwaste Pick Up Collections Publicity Policy	Policy Owner: Director Operational Services First Adopted: OCM – 18/4/99 Last Review Date: March 2014 Next Review due by: December 2016
2.13 Bulk Rubbish and Greenwaste Pruning Pick Up Service Policy	Policy Owner: Director Operational Services First Adopted: OCM – 19/4/99 Last Review Date: March 2014 Next Review due by: December 2016
2.14 Placement of Roadside Litter Bins Policy	Policy Owner: Director Operational Services First Adopted: OCM – 4/8/01 Last Reviewed: March 2014 Next Review due by: December 2016

A review has been undertaken to determine the relevance of each policy.

### Proposal

That Council revokes the outdated Waste Services Policies to be replaced with a new Waste Services Policy.

### Communication and Engagement

Nil.

### Strategic Implications

Priority Area 2: Leading Environmental Sustainability

2.1 Demonstrate strong leadership in waste reduction and carbon neutrality

### Comment

Due to the last review date being > 8 years ago , the content of the policies is no longer current.

Two of the current waste policies relate to the previous verge collection service which has now been replaced by a on demand skip bin collection service. These two policies are:

- 2.12 Bulk Rubbish, Greenwaste Pick Up Collections Publicity Policy; and
- 2.13 Bulk Rubbish and Greenwaste Pruning Pick Up Service Policy.

The third policy, 2.14 Placement of Roadside Litter Bins Policy, provides guidance on the placement of roadside litter bins. The considerations in this policy have since been included in the Waste Services Management Practice (the Management Practice).

At the 28 July 2020 meeting, Council adopted the Compassionate Waste Services Guidelines to waive or grant concessions, however this was not supported through any Council Policy.

The Management Practice communicates the Town's waste service levels and how residents and businesses can use each service. The Management Practice will be regularly updated to reflect changes in the Town's service delivery as a result of Council decisions, changes in recycling markets and technology, legislation and service delivery. The Management Practice document is published on the Town's website for the community's information.

The proposed new Waste Services Policy provides guidance for how the Town makes decisions related to waste services. The document will assist staff, Councillors and the community in understanding the Town's position on waste management and embeds the circular economy and waste hierarchy into decisions. It also outlines the premise for providing compassionate waste services.

### **Statutory Requirements**

The *Local Government Act 1995* allows Council to determine its policies.

### **Financial Considerations**

Nil.

### **Risk Management Implications**

Financial Risk

Low

Low. It is open to Council to retain the Policies but it may represent a reputational risk associated with Council's policy suite containing unnecessary / outdated policies.

### **Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

**Officer Recommendation – Item 9.5**

That Council, Pursuant to the Local Government Act 1995:

1. revokes the following Council Policies:
  - 2.12 Bulk Rubbish, Greenwaste Pick Up Collections Publicity Policy;
  - 2.13 Bulk Rubbish and Greenwaste Pruning Pick Up Service Policy;
  - 2.14 Placement of Roadside Litter Bins Policy; and
2. endorses the Waste Services Policy as attached to this report.

**Voting requirements: Absolute Majority**

<b>9.6 Review of Delegations Register</b>	
<b>Property Address</b>	NA
<b>Landowner/Applicant</b>	NA
<b>File Reference</b>	GOV/CCLMEET/06
<b>Department</b>	Office of the CEO, Office of the CEO
<b>Previous Reports</b>	N/A
<b>Authority/Discretion</b>	<b>Legislative</b> Includes adopting local laws, town planning schemes & policies.
<b>Attachments</b>	1. Delegations Register Consolidated Amendment July 2022 (2) [9.6.1 - 152 pages]

### **Purpose**

The purpose of this report is for Council to review the delegations contained in the Delegations Register.

### **Background**

The *Local Government Act 1995* requires that all delegations be reviewed by the delegator at least once every financial year. The Delegations Register was adopted by Council in October 2020 and was last reviewed by Council in July 2021.

Any review does not preclude Council from further reviewing the Delegations Register in the same financial year, if required.

### **Communication and Engagement**

Councillors were provided with a copy of the consolidated Delegations Register (inclusive of proposed amendments) through the CEO Bulletin dated 11 November 2022.

Comments were received from one Councillor requesting amendment be made to delegation 1.2.11 - Expressions of Interest for Goods and Services. The requested amendment would significantly impede the efficiency of the Town to administer its contracts. To achieve outcomes that satisfy the concerns of the Councillor whilst enabling the Town to administer its contracts in an agile and efficient manner, it is considered appropriate the delegation remain unaltered for the purpose of the review, and be brought to a Council Workshop in February or March 2023 for further discussion. If required, it could then be brought to Council for amendment.

Delegation 1.2.12 - Tenders for Goods and Services

## Strategic Implications

Priority Area 6: Providing Visionary Leadership and Making Great Decisions

6.4 Reinforce a culture of collaboration, trust and demarcation between Council, administration and the community

6.5 Foster an environment of innovation and leadership

## Comment

The review of the duties to be performed, conditions and legislation of the current delegations has been undertaken in accordance with section 5.46(2) of the *Local Government Act 1995*. The review was undertaken to determine the appropriateness of the delegations and whether any further delegations were necessary to the Chief Executive Officer to ensure the efficiency of decision-making.

The proposed amendments are as follows. A copy of the draft amended Delegations Register has been attached to this report (Attachment 1), with proposed amendments highlighted in red.

Amendment	Justification
<p><b><i>Delegation 1.2.15 - Defer Payment, Grant Discounts, Waive Fees or Write Off Debts</i></b></p> <ul style="list-style-type: none"> <li>• Amend by inserting the words “per fee” at the end of the sub-clause that relates to the value of the fee that the CEO may waive; and</li> <li>• Amend by inserting the words “per debt” at the end of the sub-clause that relates to the value of the debt (not including rates or charges) that the CEO may write off.</li> </ul>	<p>Recently, the Town had to deal with a situation where the owner of two dogs was unable to pay the surrender fees of \$130 per dog due to significant financial hardship. The application meant that the fees sought to be waived were \$260. This brought the application over the threshold and the CEO could not exercise the delegation over the entire amount. Further, the clause did not provide clarity over whether the amount to be waived was per application, per event or per person over a period. The insertion of the words per fee and per debt provides some clarity over the exercise of the delegation. It does not limit the number of applications that may be made by an individual over a time period, although in exercising the delegation, that factor would be considered.</p>

<p><b>Delegation 1.2.23 - Administration of Local Laws</b> Amend by deleting reference to the repealed <i>Responsible Cat Ownership Local Law 2006</i> and insert reference to the <i>Cats Local Law 2021</i>.</p>	To provide the correct reference.
<p><b>Delegations 4.1.1 - 4.1.7</b> Amended to delete reference to the repealed <i>Responsible Cat Ownership Local Law 2006</i> and insert reference to the <i>Cats Local Law 2021</i>.</p>	To provide the correct reference.
<p><b>Delegation 3.1.3 - Prohibited Burning Times – Control Activities</b> Amend by deleting the condition on the delegation that states “<i>Decisions by the Mayor under s. 17(7) and (8) must be in accordance with the process and requirements set out in the provisions</i>”. Insert the word “<i>nil</i>”.</p>	The condition was incorrect and has been deleted accordingly.
<p><b>Delegation 5.1.4 - Recovery of Moneys Due Under this Act</b> Amend by deleting the reference to section 29(1) Power to seize dogs as this section has been deleted from the <i>Dog Act 1976</i>. Deletion of clause 1. under the heading Function that states - “<i>Authority to appoint authorised persons to carry out the functions conferred by the Dog Act 1976 [s. 29(1)]</i>”. Deletion of the words “<i>The CEO may not further delegate the powers and duties contained in s. 29(1) of this Delegation,</i>” under the heading Council conditions on this delegation.</p>	This is now a function of the CEO pursuant to the <i>Local Government Act 1995</i> and may no longer be the subject of a Council delegation.
<p><b>Delegation 1.3.6 - Information to be Available to the Public</b> Amending by removing reference to regulation 29(2) and (3) <i>Local Government (Administration) Regulations 1996</i> are deleted. Deletion of Clauses 1 and 5.</p>	This delegation is a delegation by the CEO to officers and is the subject of a CEO review. It is included for Council’s information and noting only.

### Statutory Requirements

*Local Government Act 1995* – s. 5.42 – s. 5.46

*Local Government (Administration) Regulations 1996* – reg. 19

## **Financial Considerations**

Nil.

## **Risk Management Implications**

Nil. Where there is ineffective use of delegation powers this may result in additional financial cost to the Town, through additional administrative resources required to refer minor decisions to Council, and potential financial cost to Customers from slower decision-making.

## **Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

## **Officer Recommendation – Item 9.6**

That Council:

1. in accordance with Section 5.46(2) of the *Local Government Act 1995*, reviews its delegations to the Audit and Governance Committee, Complaints Committee, and to the Chief Executive Officer;
2. in accordance with Section 5.42(1) of the *Local Government Act 1995*, adopts the amended delegations of authority to the Chief Executive Officer as provided in the attachment to this report; and
3. requests the CEO to bring the Delegations Register to a Council workshop in February or March 2023 to review the broader financial management delegations.

**Voting requirements: Absolute Majority**



<b>9.7 Community Transport Services</b>	
<b>Property Address</b>	N/A
<b>Landowner/Applicant</b>	N/A
<b>File Reference</b>	COMS/REPRTNG/3
<b>Department</b>	Community Planning
<b>Previous Reports</b>	22 November 2022
<b>Authority/Discretion</b>	<b>Executive</b> The substantial direction setting and oversight role of the Council.
<b>Attachments</b>	Nil

### **Purpose**

The purpose of this report is for Council to consider the future of the Community Transport Service.

### **Background**

On 22 November 2022, Council considered this item and resolved to defer consideration to the 13 December 2022 Ordinary Council Meeting. This report is prepared in response to that deferral and is substantially similar to the report presented to the 22 November meeting.

The Community Transport Service has been operating since 1984 and was originally formed as a courtesy service to seniors with limited transport to medical appointments and shopping. Currently users should be mobile, living independently and with capacity to make decisions of their own needs, and are required to get in and out of the vehicle without assistance and attend their appointments unaided.

Previously, the Community Transport Service worked with the Town's former Seniors and Disability Services (SDS). Assisted transport to appointments and costs associated with this transport were based on the kilometer rate, typically averaged at approximately \$8-10 each way. A shopper bus also collected five to 10 clients from their homes for trips to the Bassendean Shopping Centre, as well as general group outings on Tuesdays. These services were all delivered through SDS via My Aged Care (MAC) funding.

On 24 November 2020, Council resolved to cease the provision of Home Support Services and to transition those functions to a suitable provider. In considering the matter, Council acknowledged that government policy has shifted to greater consumer choice in the receipt of aged care services, with more flexible funding options and ease of transfer between providers placing a premium on competitiveness in the marketplace.

With a significant market now existing, there was little benefit to the consumer for local government to play a role in meeting the needs of the consumer through direct provision of aged care services.

These same considerations are considered applicable to Community Transport, with clients able to obtain the same services from more well-resourced, specialist aged care service providers.

In respect to the current operation of the Community Transport Service, the service offers transport to residents using two seven-seater vehicles staffed by a team of volunteer drivers and administration personnel. The service is currently used by 44 Town residents who contribute a donation of their choice (per trip), with the same clients using the service regularly. Of the six volunteer drivers and five receptionists who assist in running the service, eight are residents of the Town.

Since November, the Town has been contacting users of the service to assist in transitional arrangements to other providers in either the interim period (in which the service will be discontinued to implement the necessary risk mitigation measures), or more permanently, should Council cease to provide the service. Many of the previous users have already transitioned to other providers, or have provided their MAC details to enable the Town to assist in this respect.

In March 2022, the *Work Health and Safety Act 2020* (WHS Act) came into effect, which introduces new obligations to provide a safe and healthy workplace. The Town is considered a 'person conducting a business or undertaking' (PCBU) and has a primary duty of care to ensure the health and safety of their workers (including volunteers) and others who may be affected by the carrying out of work.

This means, where reasonably practicable, PCBUs take action to eliminate risks to health and safety. If this is not reasonably practicable, the Town is required to make sure those risks are minimised as far as is reasonably practicable. This includes reviewing the strategic, structural, policy and resourcing decisions involved in running the Town's existing services.

Importantly, the WHS Act includes a new offence of industrial manslaughter, with substantial penalties for PCBUs where a WHS duty causes the death of an individual, in circumstances where the PCBU knew the conduct could cause death or serious harm.

The service is currently being operated at a reduced capacity as a result of less demand (due there being greater use of tele-health appointments in response to Covid-19) and having fewer available drivers.

The Town has undertaken a review of the Community Transport Service in light of changes to WHS legislation and in respect to potential risks and financial costs associated with identified risk mitigation measures. The findings are detailed in this report.

## Communication and Engagement

Councillors had previously been advised of the intent to review the Community Transport Service via the Bulletin. Volunteers and clients have also been notified of the intent to review the service. Only registered users of the service were contacted, and not residents of Hyde Retirement Village that were not otherwise existing clients.

In considering the matter on 22 November 2022, Councillors provided commentary in respect to the need for broader community engagement on the matter. It is open to Council to require the Town to undertake broader community consultation in the form of a survey in the interim to gauge community views.

## Strategic Implications

Priority Area 1: Strengthening and Connecting our Community

1.3 Treating people equitably with access to programs and services, regardless of advantage or ability

1.7 Facilitating community connection

Priority Area 4: Driving Financial Suitability

4.1 Ensure there is sufficient, effective and sustainable use of assets

4.2 Ensure community facilities are accessible to and well utilised by a diverse range of community members

Priority Area 5: Facilitating People-Centred Services

5.1 Ensure community members know where and how to access services

Priority Area 6: Providing Visionary Leadership and Making Great Decisions

6.1 Make brave decisions in line with a risk appetite

6.3 Ensure operational activities reflect the strategic focus of Council

## Comment

### Risk Assessment

A review of the current service has identified the following risks:

Area	Details	Risk	Mitigation	Impact
Client Vulnerability	Volunteers currently assessing the health, fitness and memory of clients.	Volunteers are not trained in seniors' service provision.	Annual refresher training for drivers including first aid, driver awareness and manual handling training.	Training costs. Availability of trained drivers.

	Potential deteriorating health and memory of clients given age of clients.	Client injury during service provision. Volunteer driver injury whilst supporting frail clients. Reputational risk. WHS breaches	Town assessing clients to access the service (i.e. Town appointing a staff member with Seniors) Certificate III in Aged Care (CHC30212)	Staff training and resourcing.
Driver Vulnerability	Drivers exposed to difficult situations and potential deteriorating health of drivers given age of drivers.	Accidents, injury to clients and volunteers.	Annual refresher training for drivers including first aid, driver awareness and manual handling training.	Training costs. Availability of trained drivers.
	Ability for drivers to comply with WHS requirements.	Accidents, injury to clients and volunteers.	Annual refresher training for drivers including first aid, driver awareness and manual handling training.	Training costs. Availability of trained drivers.
	Inadequate training.	Accidents, injury to clients and volunteers.	Develop and record information showing driver's orientation / training completed, refresher training / due dates and other relevant information on driver ability.	Training costs. Availability of trained drivers.
Rostering Transport requests / driver rosters	Incorrect information due to legibility of handwritten records.	Accidents, injury to clients and volunteers. Driver stress from increased requests for transportation, cancellation of jobs on rosters impacting clients. Reputational risk to the Town for operation of service.	Volunteer training for online and/or computer bookings. Purchasing scheduling software.	Cost of software/ computers and/or tablets. Staff training and resourcing.

	Booking process not being followed/ adjusted to suit client.	Accidents, injury to clients and volunteers. Driver stress from increased requests for transportation, cancellation of jobs on rosters impacting clients. Reputational risk to the Town for operation of service.	Volunteer training for online and/or computer bookings.  Purchasing scheduling Software.	Cost of software/ computers and/or tablets. Staff training and resourcing.
Shopping Service	Shopping service transports approximately 15 passengers weekly. Shopping assistant volunteer helps deliver shopping into the client's home.	Accidents, injury to clients and volunteers.	Encourage clients of the shopping service to seek assistance for shopping needs via family, friends or other registered providers, including the use of the Taxi User Subsidy Scheme.	Staff resourcing.
Volunteer Professional Boundaries	Potential personal relationships between volunteers and clients resulting in a conflict of interest and bookings outside of the 'Transport Guidelines and Code of Conduct'.	Accidents, injury to clients and volunteers. Reputational risk to the Town for operation of service.	Induction training in accordance with existing volunteer handbook which addresses these matters.  Distribute information from the handbook and other sources to volunteers to reaffirm expectations and requirements of the role.	Staff resourcing.
Volunteer Expectations	Responsibility of volunteers to provide the service in accordance with the requirements stipulated by the Town.	Reputational risk to the Town for operation of service.	Seek feedback from existing volunteers and drivers on how to improve the service and support volunteers. Determine appropriate person to store client information.	Staff resourcing.

<p>Client Confidentiality</p>	<p>Use of hard copy bookings resulting in potential privacy breaches due to unsecure data.</p>	<p>Reputational risk to the Town for operation of service.</p> <p>Litigation associated with breaches in privacy.</p>	<p>Training for compliance with the <i>Privacy Act 1988 and</i> confidentiality requirements of information forms as part of inductions.</p> <p>Volunteer disclosure acknowledging their legislative obligations.</p> <p>Limit volunteer access to level of information, providing details on the drivers' rosters that is necessary for transport service.</p> <p>Provide scheduling programme and tablets for drivers to use when transporting clients.</p>	<p>Cost of software/ computers and/or tablets.</p> <p>Staff training and resourcing.</p>
<p>Managing Volunteers/Drivers</p>	<p>Increasing procedures/ administration to manage situations / respond to incidents as these have occurred.</p>	<p>Volunteer and staff stress.</p> <p>Insufficient resources to complete other duties.</p> <p>Lack of training for difficult/ emergency situations.</p>	<p>Employ a PTE to manage the service.</p> <p>Review policies and procedures for volunteers in accordance with regulatory requirements.</p> <p>Annual refresher training for volunteers including first aid and dealing with aggressive behaviours.</p> <p>Spill kits and training for drivers.</p>	<p>Additional staff costs.</p> <p>Staff training and resourcing.</p>

	Increasing procedures/ administration to manage situations / respond to incidents as these have occurred	Lack of training in incident management.	Review policies and procedures for volunteers in accordance with regulatory requirements. Training for spill procedures, including blood spill.	Costs of PPE, spill kits and training.
Vehicle Suitability	Vehicles do not support all people considered independent with transfers in/out of vehicle (e.g. no ability for wheelchairs). Ageing vehicles will require replacement. Vehicles not equipped to deal with emergency situations.	Limited provision of service can be seen as discriminatory.  Staff and volunteers not trained in aged care service provision. Lack of support systems for drivers in duress. Lack of duress or GPS systems in vehicles.	Annual refresher training for drivers including first aid, driver awareness and manual handling training.  Town ensure vehicles are regularly reviewed and maintained to a high standard.  Vehicle with a hoist requires annual certification.  Aged care specific staff member for service provision.	Replacement vehicle costs.  Maintenance Costs, including annual certification.  Additional staff costs.  Staff training and resourcing.  Cost of installing GPS and duress systems.
Service delivery and maintenance costs	Vehicle maintenance and running costs.  Donation based service does not provide cost recovery.	Charging fee for service will create an expectation that a more comprehensive transport service will be provided.	Updated vehicles would like result in greater economical running costs.  Increase fees for clients. Prescribing a set fee according to distance travelled.	Staff training and resourcing. Software system to manage payments.
Non-compliance in service provision for seniors	Current staff member skill set for volunteering.	Breaches in provision of service to seniors.	Employ a PTE trained in aged care to manage the service.	Additional staff costs.

## Financial Considerations

The following table represents the current cost of providing the service (excluding staff costs).

<b>Current Budget Expenditure (without staffing costs)</b>	
Vehicle Operating Costs	\$20,000
Volunteer Costs (\$10 per day meal vouchers, meeting refreshments)	\$ 8,000
<b>Total</b>	<b>\$28,000</b>
<b>Income</b>	
Donations (median) (Based on typical range of donations received annually - \$3,000 to \$6,000)	\$ 4,500
<b>Net Operating Cost</b>	<b>\$23,500</b>

The following table represents approximate additional costs of risk mitigation measures to enable the service to continue to a standard that was address WHS requirements and reputational risk (excluding existing staff costs).

<b>Risk Mitigation Item</b>	<b>Annually</b>	<b>One Off Cost</b>
<b>Volunteers/ Staff Costs</b>		
Additional part time employee to manage the community transport operations	\$37,492	
Volunteers identified as high risk workers under the Hepatitis Prevention and Vaccination Program are to be offered a Hepatitis Vaccination	\$810	
Under the Drug and Alcohol Policy, Volunteers are to be included as 'High Risk Workers' and are to undergo drug and alcohol testing during the onboarding process and be subjected to random testing	\$200	
Driver volunteers attending fire extinguisher training (every 3 years)	\$450	
Driver volunteers first aid training	\$1,350	
Volunteers to be trained in dealing with aggressive behaviours (external) and made aware of the requirement to report these incidents (internal)	\$675	
Volunteer software training (external) and training in scheduling of bookings (internal)	\$1,000	
Following (internal) medical assessment, referral may be required to the Town's medical provider for further assessment.	\$1,650	
Driver awareness training is to be undertaken by volunteers every 3 years, or as required.	\$1,000	
Volunteers to attend manual handling (LGIS – seniors specific) training every 3 years, or as required	\$317	
<b>Equipment Costs</b>		
Scheduling software	\$1,000	\$5,000
Purchase of tablets for volunteer drivers		\$500
GPS installation to vehicles		\$200
Purchasing trolley or aid to assist volunteers with manual tasks		\$400
Sunscreen for volunteers	\$24	
Duress system implemented for volunteer drivers	\$480	
Spill kits available on each vehicles	\$100	
Cleaning supplies for spills or substances within the vehicles	\$60	
Driver volunteers to be provided with the necessary PPE and equipment so that they can clean up spills and substances		\$30



New Vehicle		
Lease SG Fleet on Kia Carnival	\$5,300	
Registration on Kia Carnival	\$388	
Fuel, tyres, servicing and maintenance	\$3,500	
Modification for wheelchair hoist and certification		\$10,000
<b>Total Annual and One Off Costs</b>	<b>\$55,796</b>	<b>\$16,130</b>
<b>Total Costs</b>		<b>\$71,926</b>

### Alternative Transport Options

#### *Taxi Users' Subsidy Scheme*

The Taxi Users' Subsidy Scheme (TUSS) is a subsidy available to eligible people with disabilities travelling in taxis and taxi cars under the provisions of the *Taxi Act 1994* and *Transport Coordination Act 1966*. Carers can travel with the person using the taxi service.

To be eligible for TUSS a person must demonstrate to the Director General of Department of Transport (through an authorised officer) that they:

- Are a permanent resident in Western Australia;
- Have a disability that will always prevent them using conventional public transport; and
- Are over ten years of age, or less than ten years of age and they use a wheelchair.

To be eligible for TUSS a person must have a disability that falls within one or more of the following three categories:

- Mobility disability;
- Vision disability; and
- Cognitive or intellectual disability

#### *My Aged Care*

Government funding is currently available through MAC for seniors who require access to transport and provide a specialised service with the ability to monitor client's future needs.

The Federal Government offers transport services via MAC. The service can be provided through the Commonwealth Home Support Program (CHSP) or as part of associated Home Care Package. These transport services are provided locally through Amana Living on behalf of the MAC Service. The cost of the package depends on the care level of the client as assessed by the Federal Government when registering for MAC.

*St John’s Community Transport*

St John's Community Transport provides Perth metro residents with a transportation service. The service can be used to travel to community centres and medical appointments, by booking our service at least 24 hours before. A companion service is also offered whereby drivers will wait before, during and after appointments which is extended to passenger carers. Drivers are trained in first aid and vehicles are equipped with first aid supplies, an automated external defibrillator and a fire extinguisher.

*Universal Access – Department of Transport*

For clients of the service that are still able to drive, information on Universal Access for community members including people with disability, seniors, parents with prams and young children is available on the Department of Transport’s website.

The Town is able to assist users of the service in accessing the above options should Council resolve to discontinue the service.

Local Government Services

The Town has identified other local governments providing a similar community transport service including:

<b>Local Government</b>	<b>Overview</b>
Town of East Fremantle	Community transport provided to CHSP/MAC supported seniors only.
City of Nedlands	Community transport provided to CHSP/MAC supported seniors only.
City of Stirling	Volunteer drivers use their own vehicles and City’s vehicles, with volunteers onboarded and inducted, thereafter deployed to the Community Transport Department where they receive more training specific to aged care. Volunteers only transport mobile seniors.
City of Joondalup	Two buses vehicles are used once weekly to pick residents up from their homes and transport them to social activities, driven by volunteers. The service is currently under review.
City of Wanneroo	Two vehicles are used once weekly to pick residents up from their homes and transport them to social activities, driven by volunteers.
City of Vincent	Pre-paid taxi vouchers of up to \$100 for individuals and \$150 for couples (per year).
City of Swan	Club (Group Socialisation) transport drivers are staff, with other transport services delivered by volunteer drivers (medical appointments, shopping, socialisation etc.).  The City has recently reviewed its service and will continue operating a Community Transport Service, however, it is important to note that similar to other local governments, the City only provides services to eligible people from government funded programs (MAC/CHSP and NDIS).

Based on the above, it is evident that:

- Generally, only larger local governments with greater resources provide such a service;
- Where services are provided, they are only available to CHSP/MAC seniors following assessment, similar to the Town's previous involvement in Seniors and Disability Services; and
- There is a recognised need to review such services in light of funding arrangements and changes to the WHS Act.

### Options

Given the new legislation, the following options are available to Council:

1. Discontinue the Town providing the service and refer existing clients to alternative transport options as outlined above. Skills of existing volunteers would be reviewed to determine if there are alternative volunteering arrangements available within the Town.

Given the risk exposure and potential breaches of the WHS Act, this option is recommended. As users have already been notified that the service was under review and to seek alternative arrangements in the event Council resolves to discontinue the service, a transition period of one month is considered appropriate. A longer transition timeframe is not recommended given the ongoing risk exposure.

2. Fund to risk mitigation measures; allowing the recommencing of the service.

This option will involve an annual expenditure of approximately \$80,000, which equates to a significant per-user rate of approximately \$840 per current user. This option is not recommended due to the financial implications of risk mitigation, ongoing financial obligations required in respect to training etc., and the ongoing level of some risk exposure despite mitigation measures being implemented.

This option will involve an initial suspension of the service until such time as the risk mitigation measures have been funded and implemented. This could occur following the allocation of funding as part of the upcoming 2023/24 budget.

### Conclusion

The review of the Community Transport Services has clearly demonstrated that immediate change is required regarding future delivery of the service to mitigate risk and to ensure the Town is compliant with the WHS Act.

Whilst it is acknowledged that the service is highly valued by residents using the service and has been operating for an extensive period of time, continuing to operate the service in its current format with the risks identified results in an unacceptable level of risk to the Town.

As such, it is recommended that discontinue the service, with Town staff assisting existing users of the service to transition to alternative arrangements. It is recommended that the service is suspended on 23 December 2022, which aligns with the normal temporary cessation of the service over the Christmas / New Year period.

### **Statutory Requirements**

In accordance with Part 2, Division 1, Section 17 of the *Work Health and Safety Act 2020*, a duty imposed on a person to ensure health and safety requires the person —

- (a) to eliminate risks to health and safety, so far as is reasonably practicable; and
- (b) if it is not reasonably practicable to eliminate risks to health and safety, to minimise those risks so far as is reasonably practicable.

The *Disability Discrimination Act 1992* makes it unlawful to discriminate against a person, in many areas of public life, including getting or using services and accessing public places, because of their disability. It extends to disabilities that people have had in the past and potential future disabilities, as well as disabilities that people are assumed to have.

It should be noted that Council's adopted Strategic Community Plan recognises the need to treat people equitably with access to programs and services, regardless of advantage or ability. Strategies include ensuring access and inclusion to spaces and places throughout our Town for all, including community members with disabilities, youth, seniors, Indigenous people, and culturally and linguistically diverse people, and enabling programs and services that cater for all.

### **Financial Considerations**

The net operating cost to currently provide the Community Transport Service is \$23,500. Implementation of risk mitigation measures will likely incur additional costs of \$71,926, bringing the total cost to operate the service to \$95,426.

Of the 44 remaining clients, the number of annual journeys range from four to 103, with a total of 1,486 recorded journeys in the period since July 2021. With risk mitigation measures implemented, this equates to the service costing an average of \$2,169 per user. Based on the above number of trips, the average cost per trip is \$64, or as much as \$542 per trip for infrequent users of the service.

## **Risk Management Implications**

High. Continuing the current service without implementing risk mitigation measures will expose the Town to an unacceptable level of risk and may result in breaches of the WHS Act.

Discontinuing the service represents a reputation risk however, this can be mitigated by the Town assisting in transitioning users from the Community Transport Service to appropriate providers as referenced in the report.

## **Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

## **Officer Recommendation – Item 9.7**

That Council:

1. Notes that the Community Transport Service will be suspended on 23 December 2022;
2. Confirms that it does not intend to fund the recommencement of the Community Transport Service; and
3. Notes that the Town will assist in transitional arrangements for clients and volunteers seeking alternative transport support or volunteering opportunities, respectively.

**Voting requirements: Simple Majority**

<b>9.8 Youth Engagement Project</b>	
<b>Property Address</b>	N/A
<b>Landowner/Applicant</b>	N/A
<b>File Reference</b>	GOVN/CLLMEET/1
<b>Department</b>	Community Planning
<b>Previous Reports</b>	N/A
<b>Authority/Discretion</b>	<b>Executive</b> The substantial direction setting and oversight role of the Council.
<b>Attachments</b>	Nil

### **Purpose**

The purpose of this report is for Council to consider a youth engagement project in Ashfield.

### **Background**

At its 26 April 2022 Ordinary Meeting, Council resolved the following in response to a Notice of Motion raised by Cr Wilding:

*“That Council:*

1. *Requests the CEO develop a project proposal for the provision of youth engagement projects in Ashfield, for implementation in the latter half of the 2022-2023 financial year;*
2. *Receives this proposal by December 2022; and*
3. *Allocates \$10,000 for the development and implementation of this proposal in the draft 2022-2023 budget”.*

The reasons for the Notice of Motion provided by Cr Wilding were as follows:

*“The Town of Bassendean currently delivers youth services in the suburb of Bassendean, but these services are only offered in one location. Whilst the district is relatively small in comparison to its surrounds, overcoming the distance between its outer suburbs and existing services can still be a challenge, particularly for young people with limited transport options.*

*In many other local governments, centre-based youth services have been supplemented with outreach programs intended to reach young people who would not typically take the first step in engaging with supports.*

*These projects often utilise existing community organisations or sporting clubs, creating opportunities for connection between young people and their broader community. While Ashfield is not remarkable with regards to crime, the higher than average level of social housing likely indicates that there may be needs that are not currently being met. An engagement project does not need to be extensive, and could be as limited as a few hours once a week. Such an activity would provide an indication of what the current needs are in the Ashfield area, and allow for more comprehensive planning decisions in the future. We should seek to understand the communities we serve, and this proposal is one small part of that.*

*This proposal is not intended to solve crime in the area. Young people are a cohort who deserve resources and support by virtue of being a part of our community, and building more connections between young people, support services, and the broader community can only benefit the Town as a whole.”*

## **Communication and Engagement**

The Town met with Cr Wilding on 18 October 2022 to seek clarification on the type of project required by the Notice of Motion. Cr Wilding advised that the intention of the Notice of Motion was to provide an activity in Ashfield for youth, which may span over a school term or a period of weeks. The project was not specific to art or sport, and it was requested that the Town seek proposal from relevant suppliers for Council's consideration.

## **Strategic Implications**

Priority Area 1: Strengthening and Connecting our Community

1.2 Establishing partnerships with the community that build capacity, connection and sense of belonging

1.7 Facilitating community connection

Priority Area 7: Building Community Identity by Celebrating Culture and Heritage

7.3 Engage the community in arts and culture

## **Comment**

Whilst the value of the project is such that staff can proceed with the purchasing authorisation, given the project was borne from a Notice of Motion, it is considered appropriate that Council determine both the project deliverable and the associated supplier.

The Town has sought project details and estimated costs from five different suppliers as detailed below for Council's consideration below.

Description	Project Details	Approx. Cost
<p><u>Art Jam</u> Art Jam provides workshops design by arts therapy and community arts workshops to help participants achieve a creative flow state as a tool for improving mental health and creating connected communities.</p>	<p>Youth workshop – 10 weeks x 2-hour workshops with an art therapist including:</p> <ul style="list-style-type: none"> <li>• scribble connection drawing</li> <li>• self journaling</li> <li>• vision boarding</li> <li>• comic illustrations</li> <li>• resilience toolkit/coping strategies</li> <li>• mindful marbling</li> <li>• emotional intelligence using self-expression and photo collages.</li> </ul> <p>Art Jam can also tailor a program for the Town which can include interactive temporary mural installations, creating journals and stamps, screen printing onto materials such as shirts and using clay to make art pieces.</p>	\$6,000
<p><u>Stephen Michael Foundation</u> The Stephen Michael Foundation delivers programs that support the development of youth, particularly those from low-socio economic backgrounds or areas with at-risk or disengaged youth.</p>	<p>Can tailor an engagement program to suit the Town. Typical programs involve basketball, football and other sports along with health elements such as nutritional information, protective behaviours and the like.</p>	\$5,000
<p><u>Institute of Indigenous Wellbeing and Sport</u></p>	<p>Koya Aboriginal Corporation proposes to provide a school holiday diversionary program, involving setting up a one-day basketball tournament/cup at an indoor recreational facility, with transport for youth in Ashfield to attend some training sessions with Koya and then to this tournament.</p> <p>It is noted that the Town does not have the required facilities, and Swan Active Beechboro would likely be used.</p> <p>The funding would be used to set up the tournament, including venue hire, transport (bus to and from the venue), bibs/jerseys, medals and trophies, umpires and officials, marketing and promotion, videographer and a BBQ for approximately 150 people.</p>	\$9,825
<p><u>Binar Sports</u> Binar offers cultural awareness and basketball clinics, and brings young Australian's into contact with First Nations culture.</p>	<p>No response received.</p>	N/A



<p><u>Dismantle – Bike Rescue</u> Bike Rescue is a youth development program that uses hands-on skill-building to engage and mentor youth people in need of support.</p>	<p>No response received.</p>	<p>N/A</p>
<p><u>Reside in Movement</u> Personal training services operating from Ashfield Reserve.</p>	<p>The Town contacted Reside in Movement, as a local provider, with a view to tailor a program such as ‘ninja warrior’. The operators advised that they were not in a position to provide such a service at this point in time, however, could consider this in future.</p>	<p>N/A</p>

With the available budget of \$10,000, it is open to Council to engage any one of the three providers that provided a response. Alternatively, it is open for Council to not proceed with a youth engagement project at this point in time, and instead recommit the funds for future allocation in a coordinated manner via the Arts, Culture and Events Committee.

### **Statutory Requirements**

Nil.

### **Financial Considerations**

A budget allocation of \$10,000 for community capacity building initiatives is included in the 2022-2023 adopted budget.

### **Risk Management Implications**

No Risks Identified.

### **Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

### **Officer Recommendation – Item 9.8**

That Council advises of its decision in relation to the youth engagement project (*this section is required to be reworded at the Ordinary Council Meeting*).

### **Voting requirements: Simple Majority**

<b>9.9 Review of Strategic Community Plan</b>	
<b>Property Address</b>	N/A
<b>Landowner/Applicant</b>	N/A
<b>File Reference</b>	TBA
<b>Department</b>	Office of the CEO
<b>Previous Reports</b>	26 May 2020 27 July 2020
<b>Authority/Discretion</b>	<b>Executive</b> The substantial direction setting and oversight role of the Council.
<b>Attachments</b>	1. Existing SCP [9.9.1 - 13 pages] 2. Draft amended SCP [9.9.2 - 19 pages]

### **Purpose**

The purpose of this report is for Council to consider the review of the Strategic Community Plan (SCP) and determine with the draft amended document is suitable for advertising.

### **Background**

The SCP was adopted by Council in July 2020. In accordance with regulation 19C of the *Local Government (Administration) Regulations 1996*, a local government is required to review its SCP at least once every four (4) years.

In reviewing the SCP, the Town is to have regard to (a) the capacity of its current resources and the anticipated capacity of its future resources; (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and (c) demographic trends.

### **Communication and Engagement**

During April and May of 2022, the Town conducted the MARKYT Community Survey, which involved a Community Survey being sent to all residents within the district to evaluate community needs and aspirations in order to inform budget decisions, strategic planning and performance evaluation for the Town.

The results of the survey were presented to Councillors at a workshop on 12 July 2022.

On 7 October 2022, a draft amended SCP was provided to Councillors via the CEO Bulletin, ahead for the 11 October 2022 workshop, when the matter was discussed with Councillors.

On 14 October 2022, the workshop presentation was provided to Councillors, with an invitation for Council to provide comment, feedback and suggestions on the draft modified SCP. Feedback was received from four (4) Councillors.

On 25 November 2022, Councillors were provided with the further amended version of the draft SCP.

## **Strategic Implications**

Priority Area 6: Providing Visionary Leadership and Making Great Decisions

6.2 Ensure major decision making is informed by community feedback

6.3 Ensure operational activities reflect the strategic focus of Council

6.4 Reinforce a culture of collaboration, trust and demarcation between Council, administration and the community

6.5 Foster an environment of innovation and leadership

## **Comment**

### Review

Since 2020, it is evident that there has been a shift in the community's priorities. The 2020 SCP is COVID-centric and requires review in light of the Town transitioning from the pandemic, with a resultant change in the focus of the district and the goals and aspirations of the community.

An initial desktop review of the SCP found that it required modification due to the following:

- It was developed during the period of COVID-19 and was therefore heavily influenced by that event, and narrowly focused;
- That it did not align with the community aspirations and values, which had changed from 2019/20, as evidenced by the results of the recent MARKYT Community Scorecard; and
- It contained seven pillars that were broadly defined, not overly strategic and therefore, of limited utility.

The two-yearly desktop review is intended to track progress and refine the focus to ensure the size and scope of the four-yearly review appropriately responds to any changes in community aspirations and/or expectations. The review is designed to support the Town in continuing to be an agile Local Government that is alert and responsive to the community's needs and desires.

The proposed modifications to the SCP seek to refine the focus of the document, as follows:

- the reduction of the strategic areas from seven to three, and the acknowledgement that financial sustainability underpins those priority areas;
- Priority areas 5, 6 and 7 have been consolidated into Priority Area 1;
- Removal of the reference to COVID-19;
- Updates to the Town's statistics in accordance with the 2021 Census Data;
- Updates to Part 3 of the SCP to reflect changes in the community's goals as a result of the 2022 Catalyse Survey;
- The inclusion of an explanatory paragraph on the Integrated Planning and Reporting Framework; and
- The inclusion of a reference to Council's decision-making framework.

### Public Consultation

During the process of review, it is important that the electors and ratepayers of the district are consulted. To meet this requirement, the modified SCP should be advertised to the community for a public submission period. The draft modified SCP will then be provided to Council for adoption.

Once adopted, the CEO will need to provide local public notice that modifications to the plan have been adopted and upload the SCP to the Town's website.

### **Statutory Requirements**

Regulation 19C of the *Local Government (Administration) Regulations 1996* requires a local government to undertake a major review its SCP at least once every four years. In reviewing its SCP, a local government is to have regard to:

- (a) the capacity of its current resources and the anticipated capacity of its future resources;
- (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
- (c) demographic trends.

Further, residents and ratepayers of a local government district must be consulted when preparing modifications to its SCP. A description of the involvement of electors and ratepayers of the district in the modifications, must be included in the SCP.

## **Financial Considerations**

The cost of advertising the draft amended SCP can be funded by the Town's operational budget. Whilst not required until the document has been fully adopted by Council, the cost of any graphic design can be funded by the Town's operational budget.

## **Risk Management Implications**

Medium. Adoption of an SCP that is misaligned with the aspirations and values of the community would lead to a disjoint between the priorities and the setting of the Strategic Direction by Council, and the community that it represents.

## **Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

## **Officer Recommendation – Item 9.9**

That Council:

1. Endorses the draft amended Strategic Community Plan for the purposes of public consultation; and
2. Notes that the draft amended Strategic Community Plan will be advertised for a period of at least two months, before being presented to Council for determination in the first quarter of 2023.

## **Voting requirements: Simple Majority**

<b>9.10 Proposed Targeted Underground Power Program for Bassendean</b>	
<b>Property Address</b>	Address here
<b>Landowner/Applicant</b>	Owner/s here
<b>File Reference</b>	ESAT/CONCTN/2
<b>Department</b>	Corporate Services, Corporate Services
<b>Previous Reports</b>	N/A
<b>Authority/Discretion</b>	<b>Executive</b> The substantial direction setting and oversight role of the Council.
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Draft MOU - Eden Hill [9.10.1 - 7 pages]</li> <li>2. Proposed Underground Power Boundary Map [9.10.2 - 1 page]</li> <li>3. Underground Power - Letter [9.10.3 - 2 pages]</li> <li>4. Flyer - Underground Power [9.10.4 - 3 pages]</li> <li>5. Community Survey [9.10.5 - 5 pages]</li> </ol>

### Purpose

The purpose of this report is for Council to consider entering into a Memorandum of Understanding (MOU) with Western Power for a Targeted Underground Power Program (TUPP) in the suburbs of Bassendean and Eden Hill.

### Background

The Targeted Underground Power Program is a new program, following on from the State Underground Power Program (SUPP), with the final SUPP projects expected to be completed in 2024.

The TUPP is a partnership between the State government, Western Power and local governments, with funding shared between the three program partners. It has been designed to maximise Western Power’s contribution to project costs, target parts of the network most in need of replacement and direct State government funding to lower socio-economic areas through tiered levels of State government support.

Western Power has initiated discussions with 12 local governments, including the Town, and will generate a pipeline of projects meeting its network replacement needs, as well as the needs of local governments and customers.

For the Town to progress the proposed project with Western Power, it must enter into the attached MOU. The purpose of the MOU is to outline the relative intentions of both Western Power and the Town to develop a project under the principles of mutual understanding, mutual benefits, common interest, shared goals and mutually complementary activities. The objective is to jointly develop the project in the project area as identified by Western Power.

Should Council resolve to enter into the MOU, Western Power will engage in project planning and design, before providing a Co-Funding Agreement to the Town in late 2023, which will be presented to Council. Should Council resolve to enter into the Co-Funding Agreement with Western Power, Western Power will undertake the required work to enter into a construction contract. Following execution of that contract, Western Power will provide details of the final project cost to the Town. Construction is expected to commence in late-2023 or early-2024 and be complete by mid-2025.

The Town and Western Power have recently completed a Network Renewal Underground Power Project (NRUPP) in Eden Hill and parts of Bassendean. NRUPP projects are driven by Western Power and target areas with a high density of aging overhead assets. For the recently completed project at the Town, the overhead assets were so aged that Western Power funded the entire cost of undergrounding the capital infrastructure, with property owners required to fund the cost of the consumer mains connection, being the cost of converting the overhead connection to an underground connection from the property to the green dome. NRUPP projects are unusual, with only four projects proposed or completed (Eden Hill, Scarborough, Hilton and St James).

The key difference with the proposed TUPP project is the greater useful life remaining in the Western Power infrastructure. This means that the Town is required to fund a portion of the Western Power infrastructure, to reflect the higher cost of undergrounding that infrastructure compared to a like-for-like replacement, as well as the cost of the required consumer mains connections.

For the NRUPP project, property owners with an existing underground consumer mains connection were not required to contribute to the cost of the project (because there was no associated cost to be paid by the Town). For the proposed TUPP project, it is anticipated that all owners of property within the project area will be required to contribute toward the cost of the Western Power infrastructure, with a discount applicable for properties that do not require an underground consumer mains connection.

A further key difference between the proposed TUPP project and the earlier NRUPP project is that the State government has developed a funding model for TUPP projects, with different levels of contribution applicable based on the median house price in the project area. For the proposed TUPP project at the Town, the State government contribution is expected to be 25% of the capital cost (which excludes the cost of the required consumer mains connections).

Should the Town subsequently enter into a Co-Funding Agreement with Western Power, it would be required to make cash call payments to Western Power in amounts and on dates to be determined, sufficient to fund the Town's contribution to the capital costs of the project, plus the cost of required underground consumer mains connections. The Town will need to levy a service charge on property owners for their proportion of the cost and borrow funds sufficient to make the cash call payments to Western Power.

### **Proposal**

That Council enters into the MOU with Western Power attached to this report for proposed TUPP project 271 in Bassendean.

### **Communication and Engagement**

Western Power representatives presented to Councillors at a workshop on 6 September 2022, outlining the proposed project, including providing a proposed boundary and an E30 cost estimate for the project. An E30 cost estimate is accurate to plus or minus 30%.

Western Power and the Town co-presented a community information session in Old Perth Road on 5 October 2022. The Town wrote to all property owners within the proposed project boundary inviting them to the community information session. A copy of the letter sent to property owners and a copy of the flyer distributed at the community information session is attached.

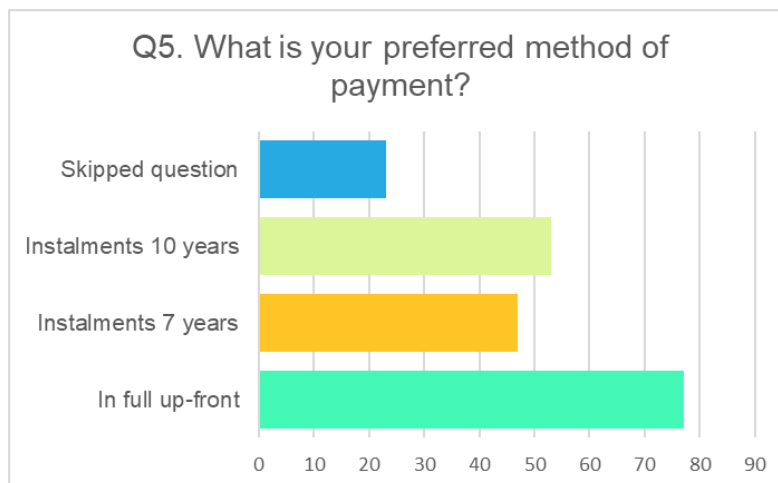
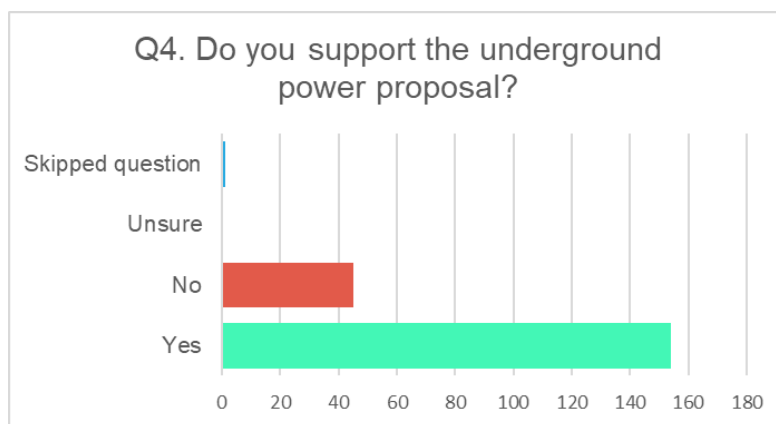
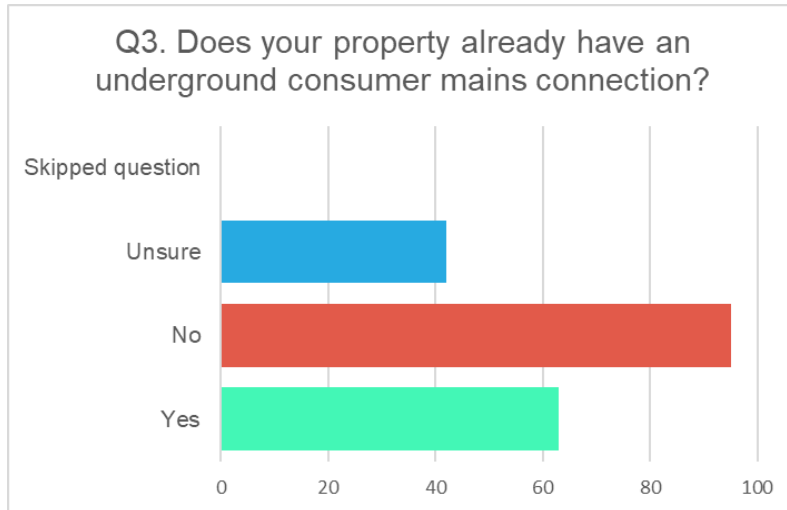
On 15 November 2022, the Town mailed out a short survey to property owners within the project area, which could be completed and mailed back by 25 November 2022 or completed online by 27 November 2022. A copy of the survey is attached.

In response, the Town received 44 survey responses by mail, and 200 online surveys were completed.

Of the 44 respondents who completed a mail survey, 30 respondents indicated support for the project, while 14 respondents were against the project.

For the online surveys, the results are shown in the following charts:





As demonstrated above, there is strong support for the project, with 184 (or 75.4% of) respondents in support compared to 59 (or 24.2% of) respondents against the project (one respondent skipped the question).

For those against the project, many online respondents cited the cost of the project as the reason, with drivers being either that the cost is substantial in difficult economic times (with rising prices and interest rates) or that the cost should be borne by the State and/or Local Government.

Interestingly, 77 online respondents (or 43.5% of those who answered the question) indicated a preference for payment in full up front. The remaining 100 respondents who answered the question indicated a preference for payment by instalments, with a period of 10 years being a slight preference (53%).

Further information and analysis of survey responses will be provided prior to the Council briefing session on 6 December 2022.

### **Strategic Implications**

Priority Area 1: Strengthening and Connecting our Community

1.4 Creating an environment where people feel welcome and safe

Priority Area 2: Leading Environmental Sustainability

2.6 Support the creation of a more green and shaded Town

Priority Area 4: Driving Financial Suitability

4.1 Ensure there is sufficient, effective and sustainable use of assets

Priority Area 6: Providing Visionary Leadership and Making Great Decisions

6.1 Make brave decisions in line with a risk appetite

6.4 Reinforce a culture of collaboration, trust and demarcation between Council, administration and the community

### **Comment**

Entering into the MOU with Western Power is consistent with Council's Underground Power Policy.

The benefits of underground power are well-known, and are summarised on Western Power's website, as follows:

- **Improved public safety** – with improved street lighting neighbourhoods are safer, and by removing poles there are less car collisions.
- **Improved reliability and security** – once the power is underground, you'll experience fewer disruptions after major storm events, which means fewer power outages.
- **Improved street appearance** – who doesn't want to live on a nice looking street? No power lines create a more aesthetically pleasing neighbourhood.
- **Increased property value** – the absence of poles and wires and the inclusion of new street lighting has a positive impact on property values.
- **Reduction in street tree pruning** – no need to worry about trees getting in the way of poles anymore! Property owners and Local Government Authorities (LGAs) also save on maintenance costs, while also allowing the tree canopy to flourish.

- **Lower life-cycle costs** – underground power has minimal maintenance and operating costs.
- **Improved opportunity for emerging technologies** – helps pave the way for innovation and caters better to future power demand.

The proposed TUPP project is a natural progression from the recently completed NRUPP project in Eden Hill and parts of Bassendean, and the earlier SUPP project in Ashfield. It is therefore recommended that Council agree to enter into the MoU with Western Power.

### Statutory Requirements

There is no relevant statutory requirement for entering into the MOU.

Council may impose a service charge as part of the annual budget process, which will be the subject of separate reports.

### Financial Considerations

There are no financial implications associated with this specific decision.

That notwithstanding, Western Power has provided an E30 cost estimate for the project. E30 means the cost may increase or decrease by up to 30%. Western Power will provide the Town with an E10 cost estimate as part of the Co-Funding Agreement, which is intended to be accurate to within 10%. Following execution of a contract with the successful tenderer, Western Power will provide the Town with the final cost for the project.

The current E30 cost estimate is shown below:

## E30 estimate – total project

Total Project Cost (E30 Estimate): **\$13.18M**

Location	E30 Capex			Service Connection (LGA to found)	Total LGA Contribution	Meter #
	Total	WP Contribution	LGA Contribution			
2. Bassendean	\$11.86M	\$8.65M	\$3.21M	\$1.32M	\$4.53M	1,221
		73%	27%			

Western Power has advised that the figures quoted in the above table include costs associated with the portion of the project area within the City of Bayswater, of around \$60,000.

The Town has used the E30 cost estimate provided by Western Power to estimate the service charge payable by property owners, as follows:

Estimates	Overhead Conversion Required	Overhead Conversion not Required
<b>Net Cost</b>	\$4,337	\$1,972
<b>Loan Interest (7 years)</b>	\$985	\$448
<b>Loan Interest (10 years)</b>	\$1,441	\$655
<b>Project Management/Admin (5%)</b>	\$217	\$99
<b>Total (7 Years)</b>	\$5,539	\$2,518
<b>Total (10 Years)</b>	\$5,995	\$2,725

In considering the above figures, the following notes are relevant:

- Loan interest calculated at 6% per annum;
- For properties that require an underground consumer mains connection, the property owner will be required to contribute to both the Capex component and the Service Connection component; and
- For properties with an existing underground consumer mains connection, the property owner will be required to contribute to the Capex component only.

The Town will need to levy a service charge on property owners to recover the cost of the project. This will be the subject of future reports to Council, requiring decisions on various matters, including:

- The amount of the service charge
- Discounts or a reduced service charge for various factors, including:
  - Existing underground consumer mains connection
  - Payment in full in year one
  - Multi-unit development sites
  - Sites with high-transmission lines that will not be undergrounded
- The timing of commencement of the service charge
- The period over which the service charge is to be levied.

The Town will need to borrow funds to fund the required cash call payments to Western Power under any Co-Funding Agreement.

The loan is necessary because the Town will have to pay the full cost to Western Power during the life of the project (18 months), but Council is likely to allow a much longer period for property owners to pay the service charge.

It should be noted that the financial implications of the project will be considered in more detail as part of future reports to Council.

### **Risk Management Implications**

High. If the Town does not enter into an agreement for underground power, Western Power will replace the existing infrastructure with like-for-like infrastructure (overhead poles and wires) as part of its normal maintenance program. If that occurs, the Town may not have another opportunity to affordably install underground power in the project area for 40 to 50 years.

### **Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

### **Officer Recommendation – Item 9.10**

That Council enters into the MOU with Western Power attached to this report for proposed TUPP project 271 in the suburbs of Bassendean and Eden Hill.

### **Voting requirements: Simple Majority**

<b>9.11 Arts, Culture and Events Committee Meeting, 29 November 2022</b>	
<b>Property Address</b>	N/A
<b>Landowner/Applicant</b>	N/A
<b>File Reference</b>	GOVN/CCLMEET/.41
<b>Department</b>	Community Planning
<b>Previous Reports</b>	N/A
<b>Authority/Discretion</b>	<b>Executive</b> The substantial direction setting and oversight role of the Council.
<b>Attachments</b>	1. Arts Culture and Events Committee Minutes 29 November 2022 [9.11.1 - 15 pages]

### Purpose

The purpose of this report is for Council to receive the minutes of the meeting of the Arts, Culture and Events (ACE) Committee held on 29 November 2022.

### Background

The ACE Committee will meet at least four times each year in carrying out its functions, with the scope of the Committee being to undertake the following:

- Provide high-level strategic direction regarding matters relating to the community arts, culture and/or events that assist fostering strong community expression, identity and pride;
- Provide advice on the formulation and adoption of the annual budget, as it relates to matters of arts, culture and/or events;
- Review and provide feedback on any proposed strategies, plans or policies that relate to matters of arts, culture and/or events;
- Provide advice on the acquisition and decommissioning of art works under Council's *Art Acquisition, Management and Decommissioning Policy*; and
- Review and provide feedback on the procurement of public art, either under Local Planning Policy 15 – Public Art or via municipal funding.

### Strategic Implications

Priority Area 1: Strengthening and Connecting our Community

1.2 Establishing partnerships with the community that build capacity, connection and sense of belonging

Priority Area 4: Driving Financial Suitability

4.1 Ensure there is sufficient, effective and sustainable use of assets

Priority Area 6: Providing Visionary Leadership and Making Great Decisions

6.2 Ensure major decision making is informed by community feedback

6.3 Ensure operational activities reflect the strategic focus of Council

6.4 Reinforce a culture of collaboration, trust and demarcation between Council, administration and the community

Priority Area 7: Building Community Identity by Celebrating Culture and Heritage

7.2 Create a community closely connected to its history and heritage

7.3 Engage the community in arts and culture

**Comment**

The minutes of the meeting are attached to this report. In summary, the Committee considered the following items:

Election of roles

Given this meeting was the inaugural meeting of the Committee, election of the presiding and Deputy Presiding Member was required, with Cr Ames and Cr Carter elected to these positions respectively.

Strategic Budget Planning 2023/24

The purpose of this item was to consider future budget allocations and the scale of projects for arts, culture and events to be considered by Council in subsequent budget processes.

Committee noted the scale of events to be delivered for the balance of the 2022/23 financial year, and recommended that the Town commence valuations for the Town's collection ahead of the 2023/24 budget, given the likely nominal cost of \$2,500 to obtain a valuation.

Draft Arts, Culture and Events Strategy

The purpose of this item was to consider a draft Arts, Culture and Events Plan (ACE Strategy) for the purposes of advertising.

Committee considered the actions contained within the draft ACE Strategy, and recommended consideration of an event celebrating Pride, as well as liaising with Swan Districts Football Club to partner in providing an event to celebrate NAIDOC week.

Community Cultural Engagement Project

The purpose of this item was to consider whether the Town proceeds with the Community Cultural Engagement Project.

Committee acknowledged that the artist was currently commencing the project with Bassendean Primary School, and that the Town could remain involved in the project via promotion of the artwork, providing community connections and showcasing the artwork at future events where suitable.

### Australia Day 2023

The purpose of this item was to consider how the Town will recognise Australia Day in 2023.

Committee noted that the Town intends to deliver a similar event to the 2022 celebrations at Mary Crescent Reserve, including a celebration of Birak (Season of the Young), Citizenship Ceremony, BBQ breakfast and activations and entertainment, with promotion of the event intended to occur in early January 2023.

It was also noted that the Town had been successful in obtaining an \$18,000 grant towards the event.

### **Statutory Requirements**

Part 5, Division 2 of the *Local Government Act 1995*

Council's Meeting Procedures Local Law 2020 states that a committee is to report on its activities when, and to the extent, required by the Council.

### **Financial Considerations**

Nil.

### **Risk Management Implications**

No Risks Identified

### **Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.



### **Officer Recommendation – Item 9.11**

That Council:

1. Receives the minutes of the meeting of the Arts, Culture and Events (ACE) Committee held on 29 November 2022;
2. Notes that the Town will deliver local, neighbourhood and district scale events for the remainder of the 2022/23 financial year;
3. Notes that the Town will undertake an evaluation of art works, to guide potential future disposal of artworks consistent with Council Policy 4.2 - Art Acquisition, Management and Decommissioning;
4. Adopts the draft Arts, Culture and Events Strategy for the purposes of advertising, subject to the inclusion of (i) an event for Pride Week in November 2023 and (ii) collaboration with Swan Districts Football Club for a NAIDOC event in July 2023;
5. Notes that the Town will continue to work with the artist and Bassendean Primary School on a Community Cultural Engagement Project;
6. Notes that the balance of funds (\$18,640) from the Community Cultural Engagement Project will be recommitted to the community events, activations and cultural activities budget, as part of the upcoming mid-year budget review; and
7. Notes the Town will continue to deliver a neighbourhood level event for residents to recognise Australia Day.

**Voting requirements: Simple Majority**



<b>9.12 Audit and Governance Committee Meeting held on 30 November 2022</b>	
<b>Property Address</b>	N/A
<b>Landowner/Applicant</b>	N/A
<b>File Reference</b>	GOVN/CCLMEET/18
<b>Author</b>	Paul White
<b>Department</b>	Director Corporate Services
<b>Previous Reports</b>	N/A
<b>Authority/Discretion</b>	<b>Executive</b> The substantial direction setting and oversight role of the Council.
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Audit and Governance Committee Minutes of 30 November 2022 [9.12.1 - 25 pages]</li> <li>2. Audit and Governance Committee Minutes 7 September 2022 [9.12.2 - 11 pages]</li> <li>3. Investment Policy [9.12.3 - 7 pages]</li> <li>4. Draft Amended Investment Policy - Nov 2022 - Tracked Changes [9.12.4 - 8 pages]</li> <li>5. Draft Amended Investment Policy - Nov 2022 [9.12.5 - 5 pages]</li> <li>6. CONFIDENTIAL - Audit Risk Register [9.12.6 - 6 pages]</li> <li>7. OAG Audit Committee Chair October 2022 Summary [9.12.7 - 2 pages]</li> <li>8. OAG Audit Committee Chair October 2022 Caroline Spencer [9.12.8 - 27 pages]</li> <li>9. OAG Report 20 Fraud Risk Management Better Practice Guide [9.12.9 - 64 pages]</li> </ol>

### Purpose

The purpose of this report is for Council to receive the report on the meeting of the Audit and Governance Committee held on 30 November 2022.

### Background

The Town's Audit and Governance Committee meets at least four times each year in carrying out its functions under the Instrument of Appointment and Delegation (the Instrument). The Instrument specifies the authority, objectives and responsibilities of the Committee and governs its membership and meeting requirements.

## Proposal

For Council to receive the report on the meeting of the Audit and Governance Committee held on 30 November 2022.

## Communication and Engagement

To ensure openness, accountability and integrity, Council has appointed two community representatives to be members of the Audit and Governance Committee and an independent advisor to the Committee.

## Strategic Implications

Priority Area 5: Facilitating People-Centred Services

5.2 Deliver efficient and well-connected internet and computer technology systems

Priority Area 6: Providing Visionary Leadership and Making Great Decisions

6.1 Make brave decisions in line with a risk appetite

6.4 Reinforce a culture of collaboration, trust and demarcation between Council, administration and the community

## Comment

The Committee considered the following items:

### Review of Investment Policy

The purpose of this report was for the Audit and Governance Committee to review Council's Investment Policy and make a recommendation to Council as to the interest rate differential and maximum basis point differential that should be accepted for investment with non-fossil fuel lenders.

While the core components of the Investment Policy remain valid, it is considered a major review of the policy is required to:

- Simplify the policy in alignment with the Town's other more recent policies;
- Remove provisions that are incapable of application in practice; and
- Remove unnecessary content.

Further, review of the policy presents an opportunity to give practical effect to Council's desire for a focus on investment with non-fossil fuel lending institutions by setting an interest rate differential and maximum basis point differential for investment with non-fossil fuel lenders.

The Committee resolved to recommend that Council adopts the draft amended Investment Policy attached to the Committee report, subject to clause 8.1.2 being amended to read as follows:

*The interest rate is at least 5% of, and no more than 25 basis points below, the interest rate available for comparable investment options available at the time.*

### Audit Risk Register

The purpose of this report was to provide the Committee with the Town's Audit Risk Register, with updated actions since the meeting of the Committee on 7 September 2022.

The Audit Risk Register presents a summary of the audit risks and recommendations made in recent internal and external audit reports relating to the Town and provides an update on actions taken or proposed to address the identified risks.

The Committee resolved to receive the Audit Risk Register and note the action taken or proposed to address the identified risks.

### OAG Audit Committee Chair Forum, October 2022

The purpose of this report was to inform the Committee of the most recent Audit Committee Chair Forum held by the Office of the Auditor General, on 13 October 2022, and to draw the Committee's attention to the Auditor General's Fraud Risk Management – Better Practice Guide.

The Better Practice Guide draws from Australian Standard AS8001-2021 and the Town's Fraud and Corruption Control Plan is broadly consistent with the Better Practice Guide.

A focus of the Better Practice Guide is guiding those responsible for developing and implementing an entity's fraud risk management program, and it includes some useful resources designed to support the fraud risk management process. The Town will review its Fraud and Corruption Control Action Plan in light of the Better Practice Guide, to incorporate elements appropriate for the Town.

The Committee noted the Auditor General's presentation and the Fraud Risk Management – Better Practice Guide.

### Delay to the Audited Annual Financial Statements for 2021/22

The purpose of this report was to inform the Committee of a delay in the Town receiving the audited annual financial statements for 2021/22 and the reason for the delay.

The Town had planned to present the annual report, including the audited annual financial statements for 2021/22 to Council for acceptance at the Ordinary Council Meeting, on 13 December 2022, and to propose the annual meeting of electors be held in early-February 2023. However, this is no longer possible due to a significant delay regarding the revaluation of the Town's assets required for the annual financial statements.

The Committee noted the delay, and the consequential effect on the timing of the general meeting of electors and recommended that a supplementary meeting of the Audit and Governance Committee be held on 8 February 2023.

### Audit and Governance Committee Minutes – 7 September 2022

The Committee minutes of 7 September 2022 were not noted at the meeting and are included as an attachment to this report. Council is requested to confirm these minutes.

### **Statutory Requirements**

Section 7.1A of the *Local Government Act 1995* requires a local government to establish an audit committee consisting of three or more persons to exercise the powers and discharge the duties conferred on it. The local government appoints the members of the audit committee and at least three of the members, and the majority of the members, are to be council members.

Regulation 16 of the *Local Government (Audit) Regulations 1996* specifies the functions of the audit committee.

### **Financial Considerations**

Implementation of some audit recommendations may require additional funds and will be the subject of separate budget submissions as and when required. The Town's Purchasing Policy and Procurement Guidelines will govern any required engagements.

### **Risk Management Implications**

Financial Risk  
High

The Audit and Governance Committee considered risks captured in the Town's Audit Risk Register. If improvement opportunities relating to the identified risks are not progressed, the risks may not be adequately mitigated.

## Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

## Officer Recommendation – Item 9.12

That Council:

1. Confirms that the minutes of the Audit and Governance Committee dated 7 September 2022 are a true and correct record;
2. Adopts the draft amended Investment Policy attached to this report, subject to clause 8.1.2 being amended to read as follows:

*“The interest rate is at least 5% of, and no more than 25 basis points below, the interest rate available for comparable investment options available at the time”;*

3. Receives the Audit Risk Register and notes the action taken or proposed to address the identified risks;
4. Notes the Auditor General’s presentation and the Fraud Risk Management – Better Practice Guide;
5. Notes the delay in the Town receiving the Audited Annual Financial Statements for 2021/22 and the reason for the delay, and the consequential effect on the timing of the General Meeting of Electors; and
6. Holds an additional meeting of the Audit and Governance Committee be held on Tuesday 8 February 2023, commencing at 5.30pm.

**Voting requirements: Simple Majority**

<b>9.13 RFT 02/2022 Provision of Tree Pruning Services</b>	
<b>Property Address</b>	NA
<b>Landowner/Applicant</b>	NA
<b>File Reference</b>	PARE/TENDNG/78
<b>Author</b>	Coordinator, Procurement, Contracts and Leases
<b>Department</b>	Corporates Services
<b>Previous Reports</b>	NA
<b>Authority/Discretion</b>	<b>Executive</b> The substantial direction setting and oversight role of the Council.
<b>Attachments</b>	1. CONFIDENTIAL - RFT 02 2022 TENDER EVALUATION REPORT ( Confidential) [9.13.1 - 11 pages]

### **Purpose**

The purpose of this report is to present to Council a summary of tenders received for RFT 02/2022 Provision of Tree Pruning Services for the Town of Bassendean and recommend appointment of a contractor considered to provide the best value for money to the Town.

### **Background**

The Town has a requirement to engage a contractor to provide Tree Pruning Services. The Town does not have the internal resources to undertake the required services and as such requires an appropriate external service provider.

The Town has a single contract for this service with Beaver Tree Services Aust Pty Ltd T/A Beaver Tree Services, which is due to expire on 12 January 2023.

### **Communication and Engagement**

The Request was advertised in The West Australian Newspaper on Saturday, 17 September 2022 and closed at 11:00am on Tuesday, 4 October 2022.

### **Strategic Implications**

Priority Area 2: Leading Environmental Sustainability

2.4 Conserve, protect and enhance our natural environment and biodiversity



## Comment

Submissions were received from following two (2) Tenderers:

- Beaver Tree Services Aust Pty Ltd T/A Beaver Tree Services; and
- Radiant Nominees Pty Ltd T/A Trees Need Tree Surgeons.

The Evaluation Panel for this tender comprised three members with the appropriate technical expertise and experience. The Panel carried out the assessment of submissions in a fair and equitable manner.

Both Tenderers met the compliance requirements of the Tender and were evaluated against the qualitative criteria and weightings shown in the following table. The predetermined qualitative threshold was set at 70% for this tender.

QUALITATIVE CRITERIA	WEIGHTING
Capacity	30%
Demonstrated Experience	30%
Demonstrated Understanding of the Requirements	40%

Following the qualitative assessment, the panel carried out a comparison of the rates offered by each tenderer qualified for stage two to assess value for money to the Town.

Pricing is regarded as commercial in confidence and is included in the attached confidential Tender Evaluation Report.

## Statutory Requirements

A public tender was advertised, opened and evaluated in accordance with clauses 11(1) and 18(4) of Part 4 of the *Local Government (Functions and General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is, or is estimated to be, more, or worth more, than \$250,000.

## Financial Considerations

The costs associated with this contract will be included in the Town of Bassendean's Operational Budget for each year of the contract.

## Risk Management Implications

Financial Risk  
Medium

## **Declaration of Conflicts of Interest**

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

## **Officer Recommendation – Item 9.13**

That Council accepts the offer submitted by Radiant Nominees Pty Ltd trading as Trees Need Tree Surgeons to provide the Tree Pruning Services for the Town of Bassendean as specified in RFT 02/2022 for a period of three (3) years at the submitted schedule of rates.

**Voting requirements: Absolute Majority**

## **10 Motions of which Previous Notice has been given**

## **11 Confidential Business**

## **12 Closure**

The next Briefing Session will be held on Tuesday 21 February 2023 commencing at 6pm.

The next Ordinary Council meeting will be held on 28 February 2023 commencing at 6pm.