



ORDINARY MEETING OF COUNCIL

Tuesday 26 February 2019

Agenda



Notice is hereby given of the Ordinary Council Meeting to be held in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 7.00pm.

Peta Mabbs
CHIEF EXECUTIVE OFFICER

22 February 2019

INTRODUCING OUR COUNCILLORS



**Mayor
Renee McLennan**



**Deputy Mayor
Bob Brown**



Cr John Gangell



Cr Melissa Mykytiuk



Cr Jai Wilson



Cr Sarah Quinton



Cr Kathryn Hamilton

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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.

Members of the public are requested to sign the attendance sheet located on the table at the rear of the Council Chamber.

2.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

It should be noted that public questions and 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.

2.1 Public Question Time

Members of the public who wish to do so may ask questions at this point in the agenda.

2.2 Address by Members of the Public

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

4.0 DEPUTATIONS

5.0 CONFIRMATION OF MINUTES

5.1 Ordinary Council Meeting held on 18 December 2018 (Attachment No. 1)

OFFICER RECOMMENDATION – ITEM 5.1(a)

That the minutes of the Ordinary Council meeting held on 18 December 2018, be received.

OFFICER RECOMMENDATION – ITEM 5.1(b)

That the minutes of the Ordinary Council meeting held on 18 December 2018, be confirmed as a true record.

6.0 ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT DISCUSSION

7.0 PETITIONS

8.0 DECLARATIONS OF INTEREST

9.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

10.0 REPORTS

10.1 Adoption of Recommendations En Bloc

The following information is provided to Councillors for guidance on the use of en bloc voting as is permissible under the Town's Standing Orders Local Law 2011.

Standing Orders Local Law 2011, Clause 5.4 states:

- (1) In this clause adoption by en bloc voting means a resolution of the Council that has the effect of adopting, for a number of specifically identified reports, the officer recommendation as the Council resolution.
- (2) Subject to subclause (3), Council may pass an adoption by en bloc voting.
- (3) An adoption by en bloc voting may not be used for a matter –
 - (a) that requires a 75% majority or a special majority;
 - (b) in which an interest has been disclosed;
 - (c) that has been the subject of a petition or deputation;
 - (d) that is a matter on which a member wishes to make a statement; or
 - (e) that is a matter on which a member wishes to move a motion that is different to the Officer recommendation.

Councillors should be aware that should they wish to declare an interest in any of the items listed in the en bloc voting table, and have not done so under Item 8.0, Declarations of Interest, they should do so at this point of the agenda.

OFFICER RECOMMENDATION – ITEM 10.1

That Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda of 26 February 2019:

Item	Report
10.2	Station Access Cycle & Pedestrian Upgrade – Broadway, Bassendean
10.3	General Meeting of Electors Minutes held on 5 February 2019
10.4	Call for Notices of Motions - National General Assembly 2019
10.5	Waste Local Law
10.6	Animals, Environment, Nuisance & Pests Local Law
10.7	Proposed Amendment 11 to Local Planning Scheme No. 10
10.8	Request to the Minister of Lands to Dedicate the Laneway between Guildford Road and Kenny/Kathleen Streets as a Public Road
10.9	Proposed Review of Local Planning Policy No. 4 – Floodplain Management and Development Policy
10.11	Town of Bassendean Access and Inclusion Plan 2019 – 2024
10.12	Appointment of Community Members to Working Groups
10.14	Quarterly Report for Period Ended 31 December 2018
10.15	Determinations Made by the Principal Building Surveyor
10.16	Determinations Made by Development Services
10.19	Accounts for Payment – December 2018 and January 2019
10.20	Financial Statements – December 2018
10.21	Use of the Common Seal
10.22	Calendar for March 2019
10.23	Implementation of Council Resolutions

Council is now requested to consider the balance of the Officer recommendations independently.

Item	Report
10.10	Community Group Funding Request received from Eden Hill Community Action Network
10.13	Draft Policy - Annual Performance Review, Chief Executive Officer
10.17	Audit & Governance Committee Meeting held on 6 February 2019
10.18	Town Assets Committee Meeting held on 6 February 2019
13.1	Nominations for Freeman of the Town

10.2 Station Access Cycle & Pedestrian Upgrade – Broadway, Bassendean (Ref: ROAD/DESCONT/7 – David Dwyer, Engineering Technical Coordinator and Ken Cardy, Manager Asset Services)

APPLICATION

In accordance with OCM 7/12/18 resolution, the purpose of this report is to inform Council of outcome of communications with Public Transport Authority (PTA) in relation to opportunities for improving amenity and the planting of trees along the cycle route, including the possibility of median planting within the Station Access Cycle & Pedestrian Upgrade – Broadway, Bassendean Project and to seek a Council resolution to proceed with the project.

ATTACHMENTS

Attachment No. 2:

Broadway Design Drawings

Confidential attachment No. 3

Pre Tender Cost Estimate

BACKGROUND

In March 2018, Council (OCM-27/03/18) provided in principle support to the Public Transport Authority for the implementation of the Station Access Cycling & Pedestrian Upgrade – Broadway, Bassendean Project. Council requested the Public Transport Authority present the draft plans to Council for consideration.

In May 2018, Council (OCM22/05/18) received presentation from Public Transport Authority of concept plans for the Station Access Cycling & Pedestrian Upgrade – Broadway, Bassendean. Council noted the Station Access Cycling & Pedestrian Upgrade – Broadway Bassendean Project concept plan and requested the Public Transport Authority be advised that the Town continued interest in the project and that final determination will be made at Council's 2018/19 Budget consideration. Council (OCM 16/05/18) also resolved to commence a period of public consultation regarding the design, specifically with residents along the affected route

As part of the 2018/209 Capital Budget, Council allocated \$100,000 as a committed to the Station Access Cycling & Pedestrian Upgrade – Broadway, Bassendean Project.

The project aims to make riding or walking to the Bassendean Station a more attractive option for local residents, by improving the separation of these modes from vehicle movements. The project also has the potential to reduce traffic congestion around Bassendean Station by encouraging more people to choose active transport modes when commuting to the station.

The project scope includes the following:

- Upgrading 550m of bicycle lane on either side of the roadway along Broadway;
- Provision of 1.25m wide red asphalt bicycle lanes separated from traffic lanes by a painted buffer using existing roadway and without encroaching on verges or driveways
- Upgrade kerbing and footpaths at the start and finish of the bicycle lanes to improve connectivity with existing bicycle and pedestrian paths; and
- Improvements to pedestrian crossings at the intersection of Broadway/Iolanthe St and Iolanthe St/Railway Parade.

In December 2018, Council (OCM – 7/12/18) received feedback from the community and noted the outcome of community consultation that took place over a period of 2 weeks: commenced on Friday 12 October 2018 concluding on Friday 26 October 2018 and requested that the Town liaise further with the Public Transport Authority before finalisation of the plans for the Station Access Cycle & Pedestrian Upgrade (Broadway, Bassendean), particularly in relation to opportunities for improving amenity and the planting of trees along the cycle route, including the possibility of median planting.

COMMUNICATION CONSULTATION & ENGAGEMENT

In December 2018, community consultation was conducted over a 2 week period. Eight people from the community provided feedback regarding the Bassendean Station Access, Cycle and Pedestrian Upgrade Project (seven via “Your Say” and one via direct email).

On 30 January 2019, between 5:30pm and 7:00pm a second onsite “walk through” was conducted. The Mayor, Elected Members, the Chief Executive Officer, the Engineering Technical Coordinator, the Public Transport Authority and approximately 20 people attended the “walk though” so that the Department of Transport could describe and explain the project.

Listening to the resident comments provided, overall feedback was positive for the project.

On Friday 15 February 2019, a draft Station Access Cycle & Pedestrian Upgrade – Broadway, Bassendean report was included into the Councillor Bulletin and then at the Council Briefing meeting held on Tuesday 19th February 2019, Elected Members discussed a draft report.

The information requested in regards the cross-sections to the rain gardens has been provided into the attached drawings (CI-526-DR-D1) and information relating to Shackleton Street project costs have been provided into the 22 February 2019 Councillors’ Bulletin.

STRATEGIC IMPLICATIONS

Strategic Priority 3: Built Environment

Objectives <i>What we need to achieve</i>	Strategies <i>How we’re going to do it</i>	Measures of Success <i>How we will be judged</i>
3.2 Enhance connectivity between places and people	3.2.1 Connect the Town through a safe and inviting walking and cycling network.	Community / Stakeholder Satisfaction Survey (roads, footpaths and cycle paths) Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.)
	3.2.2 Advocate for improved and innovative transport access and solutions.	
	3.2.3 Enhance the liveability of local neighbourhoods.	
	3.2.4 Enhance road safety through design	

COMMENT

On Wednesday 23 January 2019, Officers (CEO, Acting Director of Operational Services and Engineering Technical Coordinator) held a meeting with the Public Transport Authority (PTA) - Manager Cycling Integration and Project Manager-Network and Infrastructure, to discuss opportunities for improving amenity and planting of trees along the cycle route, including the possibility of median planting.

PTA has advised that the scope of the Bassendean Station Access, Cycle and Pedestrian Upgrade project is to improve pedestrian access and cycle lane within the current road width and that they will not design or fund the construction of median islands, median tree planting or verge tree planting.

PTA has advised that they have include the Town's request for water sensitive designs to be incorporated into design in the form of rain gardens along the route at four existing drainage pit locations as shown on attached design drawings.

As part of the design phase and the requirement to widened existing median islands to comply with current Australian Standards for pedestrian refuges, the Town has identified that the median at the intersection of Broadway and Ivanhoe St could potential have a portion planted with low growing vegetation. Also on the north/west corner of Broadway and Ivanhoe St the footpath will be realigned resulting in a potential for low growing vegetation. PTA has advised that landscaping in these areas are not covered with in the scope of this project. If the Town wishes to landscape these areas it will be performed on completion of this project at the Town's cost.

During the discussion, PTA confirmed that funding for this project has only been secured for this financial year and if the project does not progress to construction there may not be the opportunity for the town to secure funding for this project through PTA in the future.

Due to time restraints to deliver this project this financial year, PTA has advised if a decision is not made in February 2019, there will not be sufficient time to undertake the required construct works.

The verge along Broadway is predominantly planted with two rows of Jacarandas on each side of the road. The row of trees planted closest to property boundary are mature. There are overhead power lines on the North side of Broadway that has limited the ability for existing trees to develop their full canopy cover potential.

The Jacaranda trees planted closest to the road are located 2m to 4m from the existing kerb and are juvenile. Once these trees are mature, it is expected that they will provide shade over the proposed cycle lanes

The Acting Parks Supervisor has inspected the section of Broadway where the cycle lane is proposed to be provided and advised that approximately 20-30 additional Jacaranda trees could be planted in the verge, which would be free of overhead power lines and at maturity would provide shade over verge and on-road cycling lane.

The estimated cost to plant and maintain 20 additional trees for the first 3 years along this route would be approximately \$45,296 based on the 2018/19 Asset Services' fees and charges.

Tree planting along the verge of Broadway is linked to Council's (OCM – 15/06/18) resolution which "in-part" committed the Town to the following:

- a goal of 70% tree canopy cover over a large proportion of the road;
- priority being placed on new plantings in those areas of the Town where the power lines have already been put underground, with the non-power line side of the streets in other areas of the Town being the second priority; and
- Maintaining the uniformity of existing established avenues.

For more information regarding OCM – 15/06/18 resolution and the proposed 2019 winter tree planting program, please refer item 8.1 of the 6 February 2019 minutes of the Town's Asset Committee meeting, attached to the February 2019, Ordinary Council Meeting agenda.

DESIGN PROGRESS

The PTA appointed Wood and Greve Engineers to develop detailed design in November in consultation with Town of Bassendean's Engineering Officers and PTA Project Manager. 100% design drawings are attached.

Following consultation with external stakeholders - Main Roads and TransPerth and in order to gain necessary approvals, the proposed design vehicle lane width has been increased by 0.1m to 3.2m from the Concept Design presented in GTA Consultants Bassendean Station Access Project – Broadway Phase 3 – Final Report.

There are four locations along the route where the Rain Gardens are proposed to be installed in order to comply with Council's previous direction to install Water Sensitive Urban Designs. If project progresses to construction, it is planned to liaise with Development Services regarding active development applications and the adjacent property owner to determine clashes with current verge use.

STATUTORY REQUIREMENTS

Nil.

FINANCIAL CONSIDERATIONS

Prior to commencing the detailed design phase the initial preliminary cost estimation of \$550,000 was provided to the Town

At the commencement of the this project Council resolved to contribute and listed in the 2018/2019 budget \$100,000.

PTA have now completed the pre tender estimation costs from Rider Levett Bucknall quantity surveyors for the construction of proposed Bassendean - Broadway Cycling and Pedestrian Upgrade. The pre tender cost estimation for construction is \$344,276. Pre-tender estimation excludes design and professional fees, PTA project delivery costs, project contingency, Goods and Services Tax.

In regards to the \$100,000 contribution towards the project, on Friday 22 February 2019, PTA advised that they will cover the cost of construction and that Council's original contribution of \$100k can be utilised for landscaping/streetscaping based upon its requirements. PTA confirmed that the landscape/streetscape works will not form part of the PTA project scope to be undertaken.

OFFICER RECOMMENDATION — ITEM 10.2

That Council:

1. Notes the Perth Transport Authority advise that the Town's \$100,000 contribution towards the Station Access Cycle & Pedestrian Upgrade – Broadway project can be utilised for landscaping/streetscaping based upon Council requirements and the Public Transport Authority will cover the cost of Cycling & Pedestrian upgrades;
2. Notes the feedback from the Perth Transport Authority regarding opportunities for improving amenity and the planting of trees along the cycle route, including the possibility of median planting and that additional tree planting will need to be conducted by the Town at the Town's cost and that medians will not be constructed as part of this project; and
3. Endorses the final Public Transport Authority detailed design for the Station Access Cycle & Pedestrian Upgrade – Broadway, Bassendean and approves the Public Transport Authority proceeding to the construction phase.

Voting requirements: Simple Majority

10.3 General Meeting of Electors Minutes held on 5 February 2019 (Ref GOVN/CCLMEET/6 – Ken Lapham Acting Director Corporate Services)

APPLICATION

The purpose of this report is to consider the minutes of the General Meeting of Electors held on 5 February 2019 in accordance with the Local Government Act 1995.

ATTACHMENTS

Attachment No. 3:

General Meeting of Electors Minutes of 5 February 2019

BACKGROUND

The General Meeting of Electors for the 2017/18 financial year was held on Tuesday 5 February 2019.

Approximately 40 people attending the pre-welcome barbecue. Approximately 60 members of the public attending the meeting and Councillors, the CEO and Executive staff were in attendance. The main content of the meeting was the presentation of the 2017/18 Annual Report and general business.

STRATEGIC IMPLICATIONS

Good Governance

5.1 Enhance organisational accountability	5.1.1 Enhance the capability of our people	Community / Stakeholder Satisfaction Survey (Governance)
	5.1.2 Ensure financial sustainability	
	5.1.3 Strengthen governance, risk management and compliance	Compliance Audit
	5.1.4 Improve efficiency and effectiveness of planning and services	Risk Management Profile
	5.1.5 Ensure optimal management of assets	Financial Ratio Benchmarked. Asset Ratio Benchmarked
5.2 Proactively partner with the community and our stakeholders	5.2.1 Improve customer interfaces and service	Community / Stakeholder Satisfaction Survey (Community engagement and participation)

COMMENT

At the meeting, the 2017/18 Annual Report was received. The Mayor, Cr McLennan, presented the Mayor's report for the year ended 30 June 2018 and spoke on the progress and achievements of the last 12 months:

- Mary Crescent Playground
- Bassendean Men's Shed
- 1 Surrey Street (and Infant Health Clinic)
- Reconciliation Action Plan
- Sandy Beach Playground
- Community Events
- FOGO - Food Organics & Garden Organics
- Plastic Free Bassendean
- Your Move programme
- Appointment of the new CEO, Ms Peta Mabbs

The year ahead:

- Town Centre Vibrancy project
- Town Teams
- Urban Forest
- Community Safety
- Emissions Reduction Plan
- Community Engagement Framework
- "Creating Communities" – Community Engagement Strategy to develop Vision for the Future linked to Local Planning Strategy

The Chief Executive Officer, Ms Peta Mabbs, provided an overview of administrative changes since her commencement, and outlined her three priorities:

- Good governance
- Genuine community engagement
- A plan for the future

There were a number of questions also raised during General Business and attendees discussed the following matters:

- Footpath & Ovals lighting
- Developer contribution schemes
- State & Federal Govt Funding for Roads
- Various Environmental issues
- Various Streetscape issues

STATUTORY REQUIREMENTS

The Local Government Act at Section 5.32 requires the CEO to ensure that minutes of the General Meeting of Electors are available for public inspection and that any decisions made at the meeting are considered at the next Ordinary Council meeting.

It should be noted that apart from receiving the Annual Report, no other decisions were made at the meeting pursuant to Section 5.32 of the Local Government Act 1995.

FINANCIAL CONSIDERATIONS

Nil.

OFFICER RECOMMENDATION – ITEM 10.3

That Council receives the report on the General Meeting of Electors Minutes held on 5 February 2019.

Voting requirements: Simple majority

10.4 Call for Notices of Motions - National General Assembly 2019 (Ref: GOVR/LREGLIA/2 - Sue Perkins, Executive Assistant)

APPLICATION

The purpose of this report is for Council to consider whether it wishes to put forward any notices of motions for inclusion on the agenda for the 2019 National General Assembly.

This item was deferred at the December 2018 Ordinary Council meeting, to allow more time for Councillors to provide notices of motions if they wished to.

BACKGROUND

The National General Assembly of Local Government is to be held from 16-19 June 2019 at the National Convention Centre in Canberra.

This will be the 25th National General Assembly and will focus on the future of local government and local communities. It will consider what Councils can do today to get ready for the challenges, opportunities and changes that lie ahead.

As the major event on the annual local government events calendar, the NGA typically attracts more than 800 mayors, councillors and senior officers from councils across Australia. The NGA is Council's opportunity to contribute to the development of national local government policy and to receive updates on the top policy issues facing local government nationally.

COMMUNICATION & ENGAGEMENT

Draft papers to be considered by Councillors for feedback prior to finalisation.

STRATEGIC IMPLICATIONS

Nil.

COMMENT

Convened annually, the National General Assembly of Local Government (NGALG) is the peak national event for local government associations in Australia. With representatives attending from over 800 local government areas, the NGALG provides an important national platform for local government to share experiences, views and engage directly with the Federal Government. Certain criteria must be addressed to be included in NGALG Business Papers, including:

1. be relevant to the work of local government nationally;
2. be consistent with the themes of the NGA;
3. complement or build on the policy objectives of the local state government association;
4. be from a council which is a financial member of their local state government association;
5. propose a clear action and outcome; and
6. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of local government.

It is proposed to submit a motion for consideration of the NGALG before the closing date of 29 March 2019.

Broadly, the topic would give consideration of opportunities that promote ways for greater collaboration between Federal, State and Local government to progress initiatives at the local level that are aligned with local community and local government vision and priorities.

It is proposed to submit a motion for consideration of the NGALG before the closing date of 29 March 2019. Broadly, there are two topics.

The first would give consideration to opportunities that promote ways for greater collaboration between Federal, State and Local government to progress initiatives at the local level that are aligned with local community and local government vision and priorities.

At the Briefings Session held on Tuesday 19 February 2019, Elected Members also discussed the opportunity for a paper on Waste and how we can work to achieve more ambitious waste reduction targets focusing on specific initiatives.

STATUTORY REQUIREMENTS

Nil.

FINANCIAL CONSIDERATIONS

Nil.

OFFICER RECOMMENDATION – ITEM 10.4

That two papers be prepared addressing government collaboration in achieving community vision; and driving change in waste for consideration at the National General Assembly to be held in Canberra in June 2019.

Voting requirements: Simple Majority

10.5 Waste Local Law (Ref: WSTMNGT/SVPROVN/5, Jeff Somees - Environmental Health Officer and Ariadne MacLeod - Recycling and Waste Officer)

APPLICATION

The purpose of this report is for Council to introduce new Waste Local Laws.

The proposed Town of Bassendean Waste Local Law 2019 is to provide for the regulation, control and management of waste and recycling collection services within the Town.

The effect of this local law is the efficient and orderly separation and removal of general, recycling and organic (FOGO) waste from households within the Town to minimise the impact on landfill and make the best use of these resources.

ATTACHMENTS

Attachment No. 4:

- Town of Bassendean Waste Local Law 2019 (amended 20/2/19)
- Document identifying those portions of the Town of Bassendean Waste Local Law 2019 (as amended 20/2/19) that deviates from the WALGA template Waste Local Law.

BACKGROUND

Since the introduction of the Waste Avoidance and Resource Recovery (WARR) Act in 2007, the management of household refuse has come under this Act, rather than the *Health (Miscellaneous Provisions) Act 1911*. Transition arrangements are in place allowing local governments to continue to use the refuse provisions in their Health Local Laws, however this will no longer be the case as the new Public Health Act is progressively adopted and enforced (the Act received Royal Assent on 25/7/2016).

The attached draft Town of Bassendean Waste Local Law 2019 is based upon the WALGA Waste Local Law template with only minor changes to reflect the waste management services provided by the Town and Town specific requirements relating to the storage of bins.

In part, Part 4, Division 2 of the Town of Bassendean Health Local Law 2001 (Disposal of Refuse) will be repealed as part of the process of adopting this new local law.

COMMUNICATION & ENGAGEMENT

Under Section 3.12 of the Local Government Act 1995, Council is to give State-wide public notice for not less than 6 weeks, stating its intention to introduce a new local law and invite public submissions to be made during this time.

A copy of the draft Waste Local Law will be sent to the Minister for Local Government and Communities and the Minister for the Environment for comment.

A copy of the attached Draft Waste Local Law 2019 was circulated internally to Ranger Services, Asset Services, Planning and Health Services for feedback.

STRATEGIC IMPLICATIONS

Town of Bassendean Strategic Community Plan:

Strategic Priority 2: Natural Environment

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
2.1 To display leadership in environmental sustainability	2.1.2 Reduce waste through sustainable waste management practices	Waste reduction ratio to population

COMMENT

Following the disallowance of a number of waste local laws by the Joint Standing Committee on Delegated Legislation, WALGA developed a template Waste Local Law that addresses the committee's concerns and ensures consistency with the WARR Act.

The Draft Town of Bassendean Waste Local Law 2019 is a key tool to improve the Town's management and enforcement of waste related activities and support the goals of the Town's draft Waste Strategy. These draft laws cover all aspects of the Town's waste management services with provisions relating to the planned three bin service, verge collection, public bins and waste management facilities.

The draft laws will form an integral component of the Town's future approach to waste management and in particular, provide a mechanism to reinforce educational campaigns aimed at changing behaviour and increasing the diversion of materials from landfill.

Bassendean Strategic Waste Plan & Waste Strategy 2030

The Waste Strategy 2030 has been endorsed by Cabinet and was launched by the Premier on 10 February 2019. WALGA's waste plan template, which the Town's waste plan will be based on, will be presented to Council once finalised.

STATUTORY REQUIREMENTS

- *Waste Avoidance and Resources Recovery Act 2007*, Section 64(2)
- *Local Government Functions and General Regulations – Regulation 3*
- *Local Government Act 1995*, Section 3.12
- This local law repeals part 4, division 2 of the *Town of Bassendean Health Local Law 2001*, as published in the Government Gazette on 24 August 2001, except for the following clauses that will be considered for repeal as part of the proposed Town of Bassendean Animals, Nuisance, Environment and Pests Local Laws 2019 currently being drafted.
 - a) clause 4.11; and
 - b) clause 4.16.

The process of making a local law is governed by section 3.12 of *the Local Government Act 1995*.

Section 3.12 (2) of the Act requires the person presiding at the Council meeting to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

PURPOSE AND EFFECT

Purpose

The purpose of this local law is to provide for the regulation, control and management of waste and recycling collection services within the Town.

Effect

The effect of this local law is for the efficient and orderly separation and removal of general, recycling and organics waste (FOGO) from households in the Town to minimise the impact on landfill and make the best use of these materials.

FINANCIAL CONSIDERATIONS

An appropriate budget line exists for the cost of giving public notice and advertising.

ADDITIONAL OFFICER COMMENT

At the Briefings Session held on 19 February 2019, Councillors requested a document showing the areas where the Local Law deviates from the WALGA template Waste Local Law.

In response to this request an additional attachment has been provided showing in highlight the additions made to the WALGA template to accommodate the specific requirements of the Town's Waste Management Services. No clauses have been removed from the WALGA template.

Street Setback

During the Briefings Session, a question was raised about Clause 2.7(a) of the Local Law which requires receptacles (bins) to be screened from public view, and located outside the street setback.

Street setback is defined by the Local Law as follows:

“street setback has the same meaning as in the State Planning Policy 3.1 Residential Design Codes or R-Codes”.

The R-Codes define Street setback as:

“The horizontal distance between the street alignment and a building, measured at right angles (90 degrees) to the street alignment.”

OFFICER RECOMMENDATION – ITEM 10.5

That Council commences the advertising and consultation processes outlined in clauses (3) and (3a) of section 3.12 of the *Local Government Act 1995* for the Draft Town of Bassendean Waste Local Law 2019 as attached to the Ordinary Council Agenda of 26 February 2019.

Voting requirement- Simple Majority

10.6 Animals, Environment, Nuisance & Pests Local Law (Ref: PUBH/LEGLTN/1 - Jeff Somes, Environmental Health Officer)

APPLICATION

The purpose of this report is for Council to introduce new Animals, Environment Nuisance and Pest Local Law.

ATTACHMENTS

Attachment No. 5

- Draft Town of Bassendean Animals, Environment, Nuisance and Pests Local Law 2019.
- Document identifying the portions of the Town of Bassendean Health Local Law 2001 affected by the review and transition to the Town Of Bassendean Animals, Environment, Nuisance and Pests Local Law 2019.

BACKGROUND

The purpose of this draft Local Law is to shift a number of provisions of the Town's existing Health Local Law from the *Health (Miscellaneous Provisions) Act 1911* (Health Act), to the *Local Government Act 1995*. As part of this process, it was also appropriate to review the existing provisions dealing with animals, nuisances and pests to ensure they are contemporary.

The new *Public Health Act 2016* (the Act), which received royal ascent in 2016, will replace the existing Health Act. As part of the transition to the new Act, the Health Act will be repealed including the provision that enables local governments to make Health Local Laws.

A benefit of transferring these local laws to under the Local Government Act 1995, is that it will enable authorised officers to issue infringement notices where education attempts fail. Currently, the only option for enforcement under the Health Act is through a Court of Law, where the solicitors fees routinely exceed the fine and costs the Courts are prepared to award.

Included in these draft local laws are a number of provisions, which are currently dealt with under the Local Government Act, such as light overspill, disused material, unsightly overgrowth and the storing and wrecking of vehicles. Creating local laws to deal with these regulatory issues will provide authorised officers the ability to issue infringement notices. Currently, where enforcement action is required, it has to be through the Courts following the expiry of a Notice.

It is important to note that the option to undertake enforcement through the Courts will remain where it is deemed appropriate.

COMMUNICATION & ENGAGEMENT

Under Section 3.12 of the Local Government Act 1995, Council is to give State-wide public notice for not less than 6 weeks, stating its intention to introduce a new local law and invite public submissions to be made during this time.

A copy of the draft *Animals, Environment, Nuisance and Pests Local Law* will also be sent to the Minister for Local Government and Communities and the Minister for Health, Mental Health, for comment.

A copy of the attached Draft Town of Bassendean Animals, Environment, Nuisance and Pests Local Law 2019, has been circulated internally to Ranger Services, Planning Services and Health Services for feedback.

STRATEGIC IMPLICATIONS

Town of Bassendean Strategic Community Plan:

1.3 Plan for a healthy and safe community	1.3.1 Facilitate safer neighbourhood environments	Community / Stakeholder Satisfaction Survey (Safety, Health and Well-being)
3.3 Enhance the Town's appearance	3.3.1 Improve amenity and the public realm	Community / Stakeholder Satisfaction Survey (heritage, amenity and appearance)

COMMENT

The proposed local law brings together the majority of the environment and nuisance provisions under the one local law.

The provisions in the proposed local law are based upon pro-forma or 'model' local laws, that have previously been vetted by the Joint Standing Committee on Delegated Legislation, so are likely to meet the Committee's approval.

A review of the existing Health Local Law has resulted in minor amendments with the most significant being changes to the keeping of poultry. In particular, the number of poultry permitted to be kept without written approval, is reduced from 20 to 12 birds. This brings the Town into line with the majority of metropolitan local governments and further, it assists in the management of nuisances as lot sizes continue to decline.

The provision relating to the setbacks of poultry enclosures to a dwelling is also amended. The setback of 9 metres to any dwelling will be amended to 9 metres from a neighbouring dwelling and 5 metres to the opening of the dwelling of the person keeping the poultry. The intent of this change is to allow for greater opportunity for residents to keep poultry on smaller parcels of land whilst maintaining the amenity of their neighbours i.e. odour, flies, noise and vermin which are commonly associated with the keeping of poultry.

ADDITIONAL OFFICER COMMENT

At the Briefings Session held on 19 February 2019, Councillors requested a document highlighting the changes to the Health Local Laws 2001 as a result of the review and transition of those laws, in part to the Animals, Environment, Nuisance and Pests Local Laws 2019. To assist in this regards an attachment is provided detailing where and why changes to the Town of Bassendean Health Local Laws 2001 are being considered.

Further at the Briefing Session, a Councillor raised concerns about the prescriptive setbacks and the 20 metres of area required for the keeping of poultry. Given the concerns the following clauses have been that shall provide discretion to the Local Government to reduce these values should circumstances permit.

(2) An owner or occupier of premises, may upon written application to the Local Government, request permission to vary the provisions contained within 2.8(1) (a), (c) and/or (e).

(3) Local Government may cancel the approval granted to an owner/occupier under subsection (2) hereof, upon receipt of a justified complaint relating to the conditions for keeping of poultry in limited numbers.

STATUTORY REQUIREMENTS

- *Health (Miscellaneous Provisions) Act 1911*
- *Public Health Act 2016*
- *Local Government Act 1995, Section 3.12*
- The Town of Bassendean Health Local Law 2001, amended as follows:
 1. Part 4, Division 1 is repealed;
 2. Part 4, Division 2 clauses 4.15 and 4.16 are repealed;
 3. Part 4, Division 3 is repealed;
 4. Part 5, Division 1 is repealed;
 5. Part 5, Division 2 is repealed;

6. Part 5, Division 3 is repealed;
7. Part 5, Division 4 is repealed; and
8. Part 6, is repealed.

The process for making a local law is governed by section 3.12 of the *Local Government Act 1995*.

Section 3.12 (2) of the Act requires the person presiding at the Council Meeting to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

As this is a requirement of the Act, this matter cannot be dealt with en bloc.

Purpose and Effect

Purpose

The purpose of this proposed local law is to provide for the regulation, control and management of animals, pests, nuisances and the prevention of environmental damage within the District.

Effect

The effect of this local law is to establish the requirements with which any person keeping animals, or who's premises is the source of pests, or is undertaking activities that have the potential to have an impact on the environment or create a nuisance, must comply.

FINANCIAL CONSIDERATIONS

An appropriate budget line exists for the cost of giving public notice and advertising.

OFFICER RECOMMENDATION - ITEM 10.6

That:

1. Council gives statewide public notice for a period of not less than 6 weeks that it proposes to make the Town of Bassendean Animals, Environment, Nuisance and Pest Local Law 2019; and
2. At the expiry of the comment period all comments will be considered and reported back to Council for its consideration prior to the local law being recommended for adoption.

Voting requirement - Simple Majority

**10.7 Proposed Amendment 11 to Local Planning Scheme No. 10
(Ref: LPS10.11 – Alex Snadden, Planning Officer)**

APPLICATION

The purpose of this report is for Council to consider initiation of an amendment to Local Planning Scheme No. 10 (the scheme) to modify Table 1 (Zoning Table) of the Scheme to amend the use of 'Convenience Store' from a 'P' use, and the use of 'Service Station' from an 'A' use, to an 'X', not permitted use within the 'Town Centre' zone and 'Local Shopping' zone.

ATTACHMENTS

Attachment No. 6:

- Scheme Amendment Report No. 11.
- Process for standard amendments to Local Planning Schemes flowchart

BACKGROUND

At Council's Ordinary Meeting held on the 17 December 2018, Council resolved to move the following motion:

"That Council:

- 1. Requests staff review and commence the process of changing the permitted use of properties zoned Local Shopping Centre to prohibit development of 'Convenience Stores Providing for the Sale of Fuel and Convenience Goods' and 'Service Stations' at undesirable locations within the Town; and*
- 2. Requests staff to review and commence the process of changing the permitted use of properties zoned Town Centre to prohibit development of 'Convenience Stores Providing for the Sale of Fuel and Convenience Goods' and 'Service Stations' at undesirable locations within the Town's Central Business District."*

STATUTORY REQUIREMENTS

Planning and Development Act 2005

Section 75 of the *Planning and Development Act 2005* allows a local government authority to amend its local planning scheme with the approval of the Minister for Planning.

Planning and Development (Local Planning Schemes) Regulations 2015

Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires a resolution of a local government to adopt an amendment to a local planning scheme which must specify if it is a “basic amendment”, “standard amendment” or “complex” and an explanation of the reason for the local government for forming that opinion.

This amendment is considered to be a “standard amendment” by Town Staff by virtue of it being:

- i. An amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment.
- ii. An amendment that is not a complex or basic amendment.

The process that a standard amendment will follow can be found within the attachments to this report.

COMMUNICATION & ENGAGEMENT

Should the Council resolve to initiate the Amendment, it would then be referred to the Environmental Protection Authority for consent to advertise. Should consent be granted, the Amendment is to be advertised for a minimum period of 42 days commencing on the day on which the notice is published in a newspaper circulating in the scheme area in accordance with section 47 (4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as per the requirements for a standard amendment.

The amendment, in addition to a notice published in a newspaper within the Scheme area, will also be advertised through the ‘Your Say Bassendean Platform’ with links to Facebook and via letters to the owners and occupiers of land within the Town Centre and Local Shopping zones, with the exception of the mixed use development sites and shopping centres where the notification will be sent to the body corporate/managing authority.

STRATEGIC IMPLICATIONS

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
3.1 Plan for an increased population and changing demographics	3.1.3 Plan for Local Neighbourhoods and their Centres	The number of new dwelling approvals granted by the Town against the Perth Peel @ 3.5 million planning framework target for Bassendean (4,200 new dwellings by 2050). The level of community engagement and participation into Local Area Planning (Input into plans and policy development).
3.2 Enhance connectivity between places and people	3.2.3 Enhance the livability of Local Neighbourhoods	Community/Stakeholder Satisfaction Survey

COMMENT

As requested by Council, Town staff have completed a review of the appropriateness of allowing land use activities that permit the sale of petroleum products within the Town Centre and Local Shopping zones.

Currently as it stands the use of a 'Convenience Store' is considered a 'P' use, which means that the use is permitted by the Scheme providing the use complies with the relevant development standards and requirements of the Scheme, within the 'Town Centre' and 'Local Shopping' zones.

Currently as it stands the use of a 'Service Station' is considered an 'A' use which means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the deemed provisions, within the 'Town Centre' and 'Local Shopping' zones.

Officers, as part of that review, consider that land use activities involving the retailing of petroleum products within the Town Centre and Local Shopping zones will contradict the objectives of the zones as well as impacting on the amenity of adjoining (sensitive) land uses through emissions. This has been discussed in detail within the attached Scheme Amendment Report.

Permitting these activities within inappropriate locations opposes the principles of proper and orderly planning. Town Staff therefore recommend that Council resolve to initiate an amendment to the Towns Local Planning Scheme that will result in the land use permissibility of a Convenience Store and Service Station being an 'X' use or not permitted land use within the Town Centre and Local Shopping zones.

The proposed scheme amendment will not have any detrimental impacts on the function of the Towns commercial zones. The commercial zones will still permit a range of uses that allow retailing of convenience goods and products (i.e. Corner Shop and Shop). The 'Convenience Store' land use would remain a 'D' use and a 'Service station; would remain an 'A' use within the 'Light Industry' and 'General Industry' zones, which are considered appropriate locations to support such an activity.

The two convenience stores (No. 310 Collier Road, Bassendean & Unit 1, No. 335 Collier Road, Bassendean) and solitary service station (No. 309 Guildford Road, Bassendean) existing within the Town will not be affected by the amendment and will continue to operate.

FINANCIAL CONSIDERATIONS

The costs of administrating and advertising the proposed amendment will be met for the Town Planning operational accounts.

OFFICER RECOMMENDATION — ITEM 10.7

That:

1. Council resolves to support to initiate proposed Amendment No. 11 to the Town of Bassendean Local Planning Scheme No. 10 to modify Table 1 – Zoning Table by changing the land use permissibility of 'Convenience Store' and 'Service Stations' in the Town Centre and Local Shopping zones to an 'X' use, meaning the use(s) will not be permitted in these zones;
2. Such amendment is a "standard" amendment pursuant to the Planning and Development (Local Planning Schemes) Regulations by virtue of it being:
 - i. An amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment.

- ii. An amendment that is not a complex or basic amendment.
3. The proposal be referred to the Environmental Protection Authority for comment prior to advertising;
4. The amendment be advertised for a period of 42 days in accordance with the requirements for a Standard Amendment; and
5. Following the advertisement period, present the proposal back to Council for further consideration.

Voting requirements: Simple Majority

10.8 Request to the Minister of Lands to Dedicate the Laneway between Guildford Road and Kenny/Kathleen Streets as a Public Road (Ref: ROAD/STMNGT/4 - Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report is to commence the process leading to the dedication of the above right of way to a public road.

ATTACHMENTS

Attachment No. 7:

- Petition presented to the December Council meeting.
- Plan showing the Right of Way and the location of the petitioners.

BACKGROUND

This matter was last considered by Council at its meeting held in December last year when it was resolved by OCM-3/12/18 as follows:

“That Council receive the petition requesting the Town of Bassendean make a request to the Minister of Lands to dedicate the laneway between Guildford Road and Kenny/Kathleen Street as a public road.”

The process that needs to be followed to dedicate the land as a public road is discussed under the comment section of this report.

COMMUNICATION & ENGAGEMENT

If Council wishes to pursue dedicating the land as a public road, consultation will be required to be undertaken with the owner of the right of way and adjoining landowners, public utility providers and the Western Australian Planning Commission.

STRATEGIC IMPLICATIONS

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
3.2 Enhance connectivity between places and people	3.2.1 Connect the Town through a safe and inviting walking and cycling network.	Community / Stakeholder Satisfaction Survey (roads, footpaths and cycle paths)

	3.2.2 Advocate for improved and innovative transport access and solutions.	Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.)
3.2.3 Enhance the livability of local neighbourhoods.		
3.2.4 Enhance road safety through design		

COMMENT

The right-of-way has a length of around 218m and is approximately 5.0m wide. It is owned by the estate of Parker and Kenny, a company that is no longer in existence, which carried many of the original subdivision in the Town.

The right-of-way was created through the subdivision of adjoining land and pursuant to section 167A of the *Transfer of Land Act 1893*, the right of way is for the use and benefit of the abutting lots created on Plan 2787.

Of the 22 properties that adjoin the right-of-way, it appears that only 11 properties have a legitimate right to use the right-of-way.

It is understood that the right-of-way has been paved by the Town in the past.

The City of Bayswater’s Rights of Ways Study includes useful information on the processes to be followed to dedicate the land as a public road, which is summarised below:

PROCESS FOR DEDICATING A RIGHT OF WAY AS A PUBLIC ROAD

This procedure outlines Council's requirements for the dedication of private rights of ways as a public road, and has regard to the requirements of the Department of Land Information and the Western Australian Planning Commission.

1. A private right of way may be dedicated as a public road under Section 56 of the Land Administration Act 1997. This may occur on:
 - a) the request of the owner of the street or right of way made to the local government;
 - b) the request of the owners of rateable property abutting the street or right of way or at least the owners of more than one half of the sum of the rateable values of the abutting properties; or

- c) the request of the Local Government, where the public has had uninterrupted use of the street or right of way for a period of not less than ten years.

A report to Council is to be prepared to initiate the process for dedicating a right of way as a public road. It is noted that there is no requirement to advertise the proposed dedication for public comment, however it is recommended that all adjoining owners be advised of the proposal and given an opportunity to comment.

Following Council's resolution to initiate the dedication process, all adjoining owners, the owner of the land if applicable and all servicing agencies are to be advised of the proposal and provided 30 days to comment.

If objections are received, a further report to Council will be required to consider whether to proceed with the dedication of the land.

PROCESS FOR ACQUIRING A PRIVATE ROAD AS CROWN LAND

1. Under Section 52 of the Land Administration Act, a local government may request the Minister for Land Information to acquire any private road or right of way as Crown land.
2. A report to Council is to be prepared to initiate the process for acquiring a private right of way as Crown land.
3. Following Council's resolution to initiate the acquisition process, the following public advertising must be undertaken:
 - a) Take all reasonable steps to give notice of the intention to acquire the land to the owner of the freehold land and the owners of the land abutting the subject road or right of way;
 - b) Advise all suppliers of public utility services to the subject land;
 - c) Notify the Western Australian Planning Commission of the proposal and seek approval; and
 - d) Provide a 30 day comment period from the date of the notice that persons may lodge an objection to the proposal.
4. If objections to the proposal are received, a further report to Council is required to consider whether to proceed with the acquisition process.

Following on from consideration of actions associated with this right of way, it would also be opportune to consider reviewing all of the Town's rights of ways. Should Council wish to proceed in this manner, a budget allocation may be required should capacity not be available to undertake these works internally.

Additional Officer Comment

The following responses are provided to questions asked at the Council Briefing Session:

(Note: Q: refers to question and R: refers to response)

Q: What is the definition of Right-of-Way and does it include Private Street?

R: The Land Administration Act 1997 defines a private road as follows:

“Private road means alley, court, lane, road, street, thoroughfare or yard on alienated land, or a right of way created under section 167A(1) of the TLA, which –

- (a) is not dedicated, whether under a written law or at common law, to use as such by the public; and*
- (b) is shown on a plan or diagram deposited or in an instrument lodged with the Registrar, and which –*
- (c) forms a common access to land, or premises, separately occupied; or*
- (d) once formed or was part of a common access to land, or premises, separately occupied, but no longer does so; or*
- (e) is accessible from an alley, court, lane, road, street, thoroughfare, yard or public place that is dedicated, whether under a written law or at common law, to use as such by the public; or*
- (f) once was, but is no longer, accessible from an alley, court, lane road, street, thoroughfare, yard or public place that was dedicated, whether under a written law or at common law, to use as such by the public.”*

(Note: TLA refers to the Transfer of Land Act 1893)

The Landgate Glossary of Terms identifies a Right of Way (R.O.W.) as being:

“A right of way is a strip of land available either for use by the general public, or a restricted section of the community, and may be created by subdivision, specific transfer, or continued use over a period of years.”

Q: What costs would be associated with this matter?

R: Planning Bulletin No. 33 – ‘Rights-of-Way or Laneways in Established Areas – Guidelines’ (prepared by the Western Australian Planning Commission) addresses this matter. It explains as follows:

“Under Section 56 of the Land Administration Act 1997 the local government may request the Minister for Lands to dedicate the land as a road. Under this section the owner of the freehold land on which a right-of-way had been used by the public for over ten years is not entitled to claim compensation.”

Q: What is the compulsory acquisition process?

R: The compulsory acquisition process is identified in the Land Administration Regulations 1998 (which are prepared under the Land Administration Act 1997) as shown within the extract from those Regulations, below:

“6. Procedures to be followed by local government before requesting acquisition of private road (Act s. 52(1)(b))

(1) Before requesting the Minister under section 52(1)(b) of the Act to acquire as Crown land any private road (the subject land), a local government —

(a) must give to the Minister written confirmation that the local government has resolved to make the request, details of the date when the relevant resolution was passed and any other information relating to that resolution that the Minister may require; and

(b) must give to the Minister written reasons as to why the local government proposes to request the Minister to acquire the subject land; and

(c) must give to the Minister and to the persons given notice under section 52(3)(a) of the Act a sketch plan showing the proposed future disposition of the subject land after it has been acquired; and

(d) must give to the Minister written advice that the local government has taken all reasonable steps to identify the persons who are required to be given notice under section 52(3)(a) of the Act; and

(e) must give to the Minister —

(i) copies of any submissions (other than objections given under section 52(2)(b) of the Act) relating to the proposed request to acquire the subject land that, after complying with the requirements to give notice and advertise under section 52(3) of the Act, the local government has received; and

(ii) the local government’s comments on those submissions;

and

(f) must give to the Minister written confirmation that the local government has complied with section 52(3) of the Act.

[(2) deleted]

[Regulation 6 amended: Gazette 16 Jun 2000 p. 2943.]”

Conclusion

Advertising a proposal for the Minister of lands to acquire the land as Crown land is supported. This action is a part of a two stage process to dedicate the right-of-way as a public road. It is however necessary for the land to be acquired under section 52 of the Act, prior to taking action under section 56 of the Act for the following reasons:

- the original petition presented to Council was signed by the owners of the land representing 28% of the land adjoining the right- of- way; and
- further work is required to with respect to providing confirmation that the public has had uninterrupted use of the street or right of way for a period of not less than ten years.

STATUTORY REQUIREMENTS

The statutory power to dedicate the right of way as a public road is derived from Section 52 and section 56 of the Land Administration Act 1997.

FINANCIAL CONSIDERATIONS

If the land becomes a public road dedicated to the Town, it will become an asset of the Town and the ongoing costs of maintenance and repair will become the Town’s responsibility.

OFFICER RECOMMENDATION — ITEM 10.8

That:

1. Council initiates the processes under section 52 of the Land Administration Act to acquire P054415 Lot 100 on Plan 054415 as Crown Land.; and
2. A further report be presented to Council to consider carrying out a review of the Town’s rights of ways.

Voting requirements: Simple Majority

10.9 Proposed Review of Local Planning Policy No. 4 – Floodplain Management and Development Policy (Ref: LUAP/POLCY/4 - Christian Buttle, Senior Planning Officer)

APPLICATION

To consider authorising staff to commence a review of Local Planning No. 4 – Floodplain Management and Development Policy (LPP4).

BACKGROUND

LPP4 was adopted by Council following the gazettal of Local Planning Scheme No. 8 in 2008. The policy was also subject to minor review in 2014.

COMMUNICATION & ENGAGEMENT

No communication and engagement has been undertaken at this stage, however, it is anticipated (at a minimum) that communication and engagement would occur with the following parties:

- Affected owners and occupiers (in particular those within the floodway);
- BMT WBM Pty Ltd (Authors of the Swan and Helena Rivers Flood Study and Floodplain Management Plan – Floodplain Development Strategy for the Eastern Metropolitan Regional Council);
- Department of Water and Environmental Regulation (state government agency responsible for floodplain mapping);
- Department of Fire and Emergency Services (Hazard Planning Branch) (hazard management agency for the state);
- Bassendean State Emergency Service (provides trained volunteers to respond to emergencies, including flooding);
- Swan River Trust (advisory body to the Department of Biodiversity, Conservation and Attractions providing independent advice on the protection of the Swan and Canning rivers and related developments); and
- Western Australian Planning Commission/Department of Planning, Lands and Heritage (state government planning authority).

STRATEGIC IMPLICATIONS

The following components of the Town's Strategic Community Plan are of relevance with respect to this matter:

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
2.2 Protect our River, Bushland Reserves, and Biodiversity	2.2.1 Protect and restore our biodiversity and ecosystems	Community / Stakeholder satisfaction Survey (River, Bushland and Reserves) Biodiversity and Bush Condition ("Keighery" Scale of bush condition) measurement
	2.2.2 Sustainably manage significant natural areas	
	2.2.3 Partner with stakeholders to actively protect, rehabilitate and enhance access to the river	
3.1 Plan for an increased population and changing demographics	3.1.1 Facilitate diverse housing and facility choices	The number of new dwelling approvals granted by the Town against the <i>Perth Peel @ 3.5 Million</i> planning framework target for Bassendean (4,200 new dwellings by 2050) The level of community engagement and participation into Local Area Planning (Input into plans and policy development.)
	3.1.2 Implement sustainable design and development principles	
	3.1.3 Plan for local neighbourhoods and their centres	
	3.1.4 Ensure infrastructure is appropriate for service delivery	

COMMENT

Staff consider it an opportune time to carry out a review of LPP4, for the following reasons:

Resolution of Council – August 2017

At its meeting held August 2017, Council resolved as follows:

"11.2 Notice of Motion – Cr Brown: Floodway Contingent Development"

OCM – 24/08/17

COUNCIL RESOLUTION – ITEM 11.2

*MOVED Cr Brown, Seconded Cr Pule, that the Town of Bassendean **supports** subdivision in accordance with current zoning of those properties within the 100 year floodway situated on West Road and Whitfield Street, Bassendean.*

CARRIED 4/2

Crs Brown, Pule, Gangell & Lewis voted in favour of the motion. Crs Bridges & McLennan voted against the motion."

This notice of motion is inconsistent with adopted Council policy and 3 of the 6 Councillors who voted on this matter are no longer Councillors.

Four members of the current Council were not Councillors when this notice of motion was carried.

EMRC Report

On behalf of the EMRC, a report titled "*Swan and Helena Rivers Flood Study and Floodplain Management Plan – Floodplain Development Strategy*" has recently been completed by consultants BMT. This report contains recommendations relating to development within the floodplain. The document can be found at:

<https://www.bassendean.wa.gov.au/documents/688/swan-and-helena-rivers-floodplain-development-strategy>

Recent Subdivision Applications within Floodway

Applications for subdivision for the following properties within the floodway have recently been dealt with by the Western Australian Planning Commission:

- Lot 636 (No. 183) West Road (initially refused and then subsequently approved via an appeal process);
- Lot 631 (No. 184) West Road (refused and then application for review (appeal) dismissed via a SAT review process);
- Lot 630 (No. 186) West Road (application yet to be determined); and
- Lot 638 (No. 193) West Road (application yet to be determined).

State Administrative Tribunal (SAT) Review

The subdivision application for the property at No. 184 West Road was refused by the Western Australian Planning Commission and was then subject to an application for review with SAT. The application for review was subsequently dismissed. The Town has been advised that this SAT decision is now subject to judicial review.

Local Resident Advocacy and Department of Water and Environmental Regulation (DWER) Review

As a result of local resident advocacy, the DWER have given a commitment to undertake a specific review of the alignment of the boundary between the floodway and flood fringe with respect to the 9 residential zoned properties which are currently situated within the floodway south of Villiers Street East. It is anticipated that this review will be complete within the near future (likely Feb/Mar 2019).

Steps Associated with Undertaking Review of LPP4

The likely process to carry out a review of LPP4 will involve:

- Staff review of the current policy;
- Liaison with relevant state government agencies;
- Discussion with Council at a Concept Workshop;
- Presentation of a draft revised policy to Council for consent to advertise for public comment;
- Public consultation (minimum 3 weeks);
- Preparation of a final draft taking into account input provided during public advertising period; and
- Final adoption of revised policy by Council.

Discussion with Council at a Concept Workshop could also be undertaken upfront, if Council were of the opinion that this would be beneficial in guiding the review process.

STATUTORY REQUIREMENTS

Schedule 2 (Deemed provisions for local planning schemes) of the Planning and Development (Local Planning Schemes) Regulations 2015 sets down the procedures for preparing or amending a local planning policy.

FINANCIAL CONSIDERATIONS

If Council agrees that a review of LPP4 should be commenced, limited funds will be expended in conjunction with the public advertising of the policy documents.

OFFICER RECOMMENDATION — ITEM 10.9

Council authorise staff to commence a review of Local Planning Policy No. 4 – Floodplain Management and Development Policy, with a further report to be presented to Council following preparation of a draft revised policy.

Voting requirements: Simple Majority

10.10 Community Group Funding Request received from Eden Hill Community Action Network (Ref: COMMDEV/LIAIS/5 - Graeme Haggart, Director Community Development)

APPLICATION

Council is requested to consider an application for Community Group Sponsorship funding from Eden Hill Community Action Network.

ATTACHMENTS

Attachment No. 8:

Eden Hill CAN Completed Community Group Sponsorship Application

BACKGROUND

Officers have received an application for funding to the value \$4,000 from the Eden Hill Community Action Network (Inc) under the Community Groups Sponsorship category of the Donations, Sponsorship and Grants Policy (Policy 6.11).

Council agreed at the October 2018 Ordinary Council Meeting (OCM – 13/10/18) to adopt the revised Policy 6.11 - Donations, Sponsorships and Grants.

The revised policy includes for sponsorship for Community Groups to a maximum \$5,000 in any one year by the Town. This category of grants now incorporates Community Event Sponsorship.

Eligible activities for funding within the Community Groups sponsorship category includes: events, pilot projects, workshops, activities, brochures/pamphlets, artwork and publicity.

Costs of incorporation can be sought to a maximum \$1,000 and recurrent event grants are now set at a maximum \$3,000. Applicants must demonstrate at least 50% the cost of events are met by in-kind or from other sources.

At that October Council Meeting Council considered a request for Community Event Sponsorship funding from Eden Hill CAN for a Christmas Party being planned for 1 December 2018. Eden Hill CAN submitted the application for Community Event Sponsorship to ensure they were in a position to commit to expenditure for that event.

At the October Council Meeting, Council noted the Eden Hill CAN was wanting to apply for reimbursement of establishment costs, insurance cover premiums and for an event to be conducted in the first half of 2019.

In considering the reviewed Policy, Council stipulated that funding would ordinarily only be made once in a financial year to any community group. In doing so, though, Council sought to be satisfied it has the rights to approve funding on more than one occasion in a financial year to any group at its discretion.

The Sponsorship guidelines provides that applications for Community Group Sponsorship will be considered by the People Services Committee. Referring the application to the People Services Committee would result in the Eden Hill CAN's application coming to Council in the March Ordinary Council Meeting for determination. This application is being referred directly to Council as the Group is desiring to conduct an event on 31 March and require to book and commit to expenses in a timely fashion.

COMMUNICATION & ENGAGEMENT

The Eden Hill CAN has consulted Town Officers regularly during the development of the funding application.

STRATEGIC IMPLICATIONS

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
1.1 Build a sense of place and belonging	1.1.1 Facilitate engagement and empowerment of local communities	Community / Stakeholder Satisfaction Survey (Engagement and Participation)
	1.1.4 Continue to support and facilitate participation on the arts, community festivals and events	
1.2 Ensure all community members have the opportunity to be active, socialise and be connected	1.2.5 Support our volunteers and community groups to remain empowered, dynamic and inclusive	Community / Stakeholder Satisfaction Survey (Activity and connectivity) Volunteer Rate
5.2 Proactively partner with the community and our stakeholders	5.2.3 Advocate and develop strong partnerships to benefit community	Community / Stakeholder Satisfaction Survey (Community engagement and participation)

COMMENT

Eden Hill Community Action Network was formed in February 2018 and became incorporated in August 2018. The Group, at that time, had no funds of its own. The cost of incorporation and insurance premiums were met by members of the Group on the understanding they would be reimbursed when funding permits.

The Group has successfully conducted their first event, being the Christmas Party on 1 December 2018 at the Caledonian Soccer Club facilities for which Council approved a \$1,000 Community Event Sponsorship. More than one hundred Eden Hill residents attended and was deemed highly successful. The funding for this event has been acquitted in a timely fashion.

The group has assisted the Town by providing a barbeque at the Old Perth Road Street Party in December and again on 11 February for the Old Perth Road Town Team Movement gathering from which the group has generated some income. The group has also assisted the Town with the official opening of the Mary Crescent Reserve playground on Saturday 16 February.

As stated above, the Application is for reimbursement of establishment costs and a request for funding to support the group conduct a Neighbours Day event in Eden Hill on 31 March.

Officers have assessed the application as being compliant and recommend Council support the application.

STATUTORY REQUIREMENTS

Local Government Act 1995
Policy 6.11 - Donations, Sponsorships and Grants

FINANCIAL CONSIDERATIONS

A \$30,000 allocation for Community Group Sponsorship was adopted in the 2018/19 Budget, of which \$21,810 remains uncommitted.

At least three other community groups have requested the funding guidelines and are known to be preparing an application.

OFFICER RECOMMENDATION — ITEM 10.10

That Council approves a sponsorship of \$4,000 to Eden Hill Community Action Network (Inc); and that a sponsorship agreement be finalised between the Town and Eden Hill Community Action Network (Inc).

Voting requirements: Absolute Majority

10.11 Town of Bassendean Access and Inclusion Plan 2019 – 2024 (Ref: COMMDEV/PLANNING/2 – Graeme Haggart, Director Community Development)

APPLICATION

The purpose of this report is for Council to adopt the endorsed Access and Inclusion Plan (AIP) as amended following feedback received during a public comment period.

ATTACHMENTS

Attachment No. 9:

Revised endorsed Town of Bassendean Access and Inclusion Plan 2019 – 2024

BACKGROUND

At the 27 November 2018 Ordinary Council Meeting, it was resolved (OCM – 11/11/18) *“that Council endorses for public comment the draft Town of Bassendean Access and Inclusion Plan 2018-2022 as attached to the Ordinary Council Agenda of 27 November 2018.”*

COMMUNICATION AND ENGAGEMENT

A public comment period commenced on 18 December 2018 and closed 31 January 2019.

The project was listed on the *Your Say Bassendean* website and available in hard copy in the Customer Service Centre and Bassendean Memorial Library.

In accordance with legislative requirement, the public comment period was advertised in the Eastern Reporter.

The Town also promoted the public comment period on the Town’s Facebook page, on the Town’s website and with “point of sale” information in the Customer Service Centre and Library. These were provided in varying formats, including electronically and in hard copy.

The Consultant *“the Include Group”* sent a copy of the advertisement to all the people they engaged with in the consultation process for the Plans’ preparation to seek their views on the endorsed Plan.

The endorsed Plan was also forwarded to the Department of Communities (Disability Services) for compliance auditing.

COMMENT

A table of comments received and the actions taken is included in the attachments.

The consultants, “*the Include Group*”, have been forwarded the feedback and have incorporated changes as noted in the comments column of the consolidated feedback table.

The revised endorsed Access and Inclusion Plan that incorporates the feedback received, has been forwarded to the Department of Communities (Disability Services), who confirm it to be compliant.

The revised endorsed Plan is presented as an attachment to this agenda.

The Director Community Development seeks Council adopt the revised endorsed Plan.

STATUTORY REQUIREMENTS

- Local Govt Act 1995
- Disability Discrimination Act (1993)
- WA Disability Services Act (2004)
- Equal Opportunity Act (1988)
- Federal Disability Discrimination Act (1992)

STRATEGIC IMPLICATIONS

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
1.1 Build a sense of place and belonging	1.1.3 Ensure our unique culture and history are shared and celebrated	Community / Stakeholder Satisfaction Survey (Engagement and Participation)
1.3 Plan for a healthy and safe community	1.3.2 Promote and advocate community health and well-being	Community / Stakeholder Satisfaction Survey (Safety, health and well-being)

FINANCIAL CONSIDERATIONS

There are no direct financial implications in this report other than the cost of publishing the adopted Plan.

OFFICER RECOMMENDATION – ITEM 10.11

That Council adopts Town of Bassendean Access and Inclusion Plan 2019-2024 as attached to the Ordinary Council Agenda of 26 February 2019.

Voting requirements: Simple majority

10.12 Appointment of Community Members to Working Groups (Ref: COMDEV/MEETS/4 and COMDEV/MEETS/5 Graeme Haggart, Director Community Development)

APPLICATION

Council is requested to consider appointing community members to Working Groups from nominations received.

ATTACHMENTS

Confidential Attachment No. 1:

List of nominees including their stated credentials (in full)

Attachment No. 10:

- Terms of Reference - Access and Inclusion Working Group
- Terms of Reference - Suicide Prevention Working Group.

BACKGROUND

At the Ordinary Council Meeting held on 25 September 2018, it was resolved in part (OCM – 22/09/18) *“that Council establishes an Access and Inclusion Working Group that reports to the People Services Committee.”*

At the Ordinary Council Meeting held on 23 October 2018, it was resolved in part (OCM – 17/10/18) *“that Council establishes a Suicide Prevention Working Group that reports to the People Services Committee.”*

At the Ordinary Council Meeting held on 27 November 2018, Council adopted (OCM – 12/11/18) Terms of References for both Working Groups.

Officers have sought nominations from the community seeking to be appointed as members of the Working Groups and did so on the Town’s website, facebook page and in the Community Newspaper Group. Community members were asked to complete and submit a Nomination Form that included a statement of credentials in support of their nomination.

COMMUNICATION & ENGAGEMENT

Four community members attended the October People Services Committee where establishing the Suicide Prevention Working Group was discussed. They have since submitted nominations.

Request for nominations was advertised in the Eastern Reporter Newspaper, in a news item on the Town’s website and through multiple Facebook posts.

Two nominations received for Community Group representatives for the disbanded Access and Inclusion Committee agreed for their nominations to be carried forward to the Access and Inclusion Working Group.

STRATEGIC IMPLICATIONS

Objectives <i>What we need to achieve</i>	Strategies <i>How we’re going to do it</i>	Measures of Success <i>How we will be judged</i>
1.2 Ensure all community members have the opportunity to be active, socialise and be connected	1.2.4 Ensure people with disability and those from diverse backgrounds are valued and supported to participate in community life	Community / Stakeholder Satisfaction Survey (Activity and connectivity) Volunteer rate
1.3 Plan for a healthy and safe community	1.3.2 Promote and advocate community health and well-being	Community / Stakeholder Satisfaction Survey (Safety, Health and Well-being)

COMMENT

Suicide Prevention Working Group

A total of 17 nominations have been received seeking to be appointed to the Suicide Prevention Working Group.

Nominees names, residential suburb and a word for word copy of their submitted credentials is included with the attachments.

The Terms of Reference states that membership of the Working Group will comprise:

- At least one appointed Councillor;
- Representatives of organisations who provide mental health services to residents of the Town; and
- Individuals who have skills, experience, interest and commitment to contribute to reducing the incidents of mental health disorders in the community; and
- Capacity to co-opt further members with relevant expertise as required.

It is therefore mute on the size of the Working Party.

Should Council decide to make appointment to the Working Group at this meeting, Council may deem it appropriate to select from within the list of nominees or to invite all nominees to attend and contribute to the Working Group meeting and function.

Officers propose though that prior to the Town initiating a response to suicide prevention that the "community of interest" that has been identified through the Town's expression of interest process, initially participate in a workshop to contribute to building a community asset map.

A community-driven asset mapping exercise is a bottom-up way of working with the community that focuses on community strengths and assets rather than on deficits and problems.

This is a timely exercise as the asset mapping exercise will identify existing skills, services, programs, networks and community groups that contribute to a strong, connected and inclusive community. This provides a strong, intelligence-led foundation that also underpins the development of a proposed Community Safety and Crime Prevention (CSCP) Plan - also a priority for the Town. Similarly, a "community of interest" has been identified for the development of a CSCP Plan also. It is proposed the two groups work together (augmented by other key participants) given their mutual desire to build a strong, connected and inclusive community.

In the first instance, it is anticipated that the Town host a forum with the community members identified to undertake this task. This is likely to comprise a one day facilitated workshop in April. (In addition to the "community of interest", Councillors, Town staff and other key members of the community may attend. The latter could include subject matter experts such as the Local Area Coordinator designated to the Town of Bassendean from the Mental Health Commission who is charged with facilitating local communities to develop suicide prevention strategies.)

Through the asset mapping process it is anticipated community members will gain a better understanding of not only the strengths of our community which can be harnessed and further leveraged but also potential gaps which can be further analysed.

The benefits of commencing with this exercise is that it facilitates:

- Appreciative inquiry which identifies and analyses the community's past successes. This strengthens people's confidence in their own capacities and inspires them to take action.

- The recognition of social capital and its importance as an asset. This focuses on the power of associations and informal linkages within the community, and the relationships built over time between community associations and external institutions.
- Participatory approaches to development, which are based on principles of empowerment and ownership of the development process.
- Efforts to strengthen civil society. These efforts have focused on how to engage people as citizens (rather than clients) in developing responses, and how to make local governance more effective and responsive.

This approach is congruent with the Town of Bassendean's strong philosophy to "work alongside the community".

Following this exercise, it is proposed alternate models of governance be considered at this point depending upon the outcomes of the exercise, desired approach, deliverables and timeframe.

Access and Inclusion Working Group

No additional nominations have been received.

As noted in the report to the September 2018 OCM, the Town is required to maintain an Access and Inclusion Plan and work toward achieving the actions in the Plan. An annual progress report is prepared and sent to the Department of Communities (Disability Services) and a statutory report is provided in the Town's Annual Report. The Town is not required to maintain an Access and Inclusion Committee or Working Group although it is considered best practice to have a mechanism to monitor the implementation progress of the Access and Inclusion Plan actions.

Given the lack of community member nominations for the Committee (now disbanded) and then for the Working Group, it is recommended that the Working Group not proceed. It is further recommended the Director Community Development who is responsible for ensuring the Access and Inclusion Plan is being actioned, make periodic progress reports to the People Services Committee on the implementation of the Access and Inclusion Plan.

STATUTORY REQUIREMENTS

Local Government Act 1995
Disability Services Act 1993

FINANCIAL CONSIDERATIONS

There are no financial implications inherent in this report.

OFFICER RECOMMENDATION — ITEM 10.12

That:

1. Council supports an asset-based community mapping exercise as a critical component in building a response to suicide prevention;
2. Council notes that following the above exercise, further work be undertaken to consider alternate models of governance dependent upon the findings, in addition to the desired approach going forward;
3. Council does not proceed with a Suicide Prevention Working Group and revokes OCM – 17/10/18, part, which reads:

“that Council establishes a Suicide Prevention Working Group that reports to the People Services Committee.”
4. Council does not proceed with an Access and Inclusion Working Group and revokes OCM – 22/09/18, in part, which reads:

“Establishes an Access and Inclusion Working Group that reports to the People Services Committee”;
5. The Director Community Development to periodically provide progress reports to the People Services Committee on the implementation of the Access and Inclusion Plan actions; and
6. All nominees expressing appreciation for their preparedness to contribute to community affairs in the Town be informed of the decision.

Voting requirements:

Parts 1, 2, 5 & 6 - Simple Majority

Part 3 & 4 - Absolute Majority

10.13 Draft Policy - Annual Performance Review, Chief Executive Officer (Ref: GOVN/COUNCILS/1 – Renae Maher, Manager Organisational Development)

APPLICATION

Council is requested to consider adopting a policy which establishes a consistent, transparent, independent and accountable review process in line with section 5.38 of the Local Government Act 1995.

ATTACHMENT

Attachment No. 11:

Draft Policy - Annual Performance Review, Chief Executive Officer

BACKGROUND

Assessing the performance of the CEO is the responsibility of Council. The CEO is the link between the Council and the administration and ensuring the CEO's KPI's are aligned to the Town's Corporate Business Plan Strategies and Council priorities are imperative for the delivery of an effective community service.

The formalised review policy and process is an opportunity to pro-actively discuss, set and measure the expected performance standards, establish key objectives, identify goals and enhance professional development.

The process also enables Council to determine what needs to be delivered in order to continually achieve good governance, sustainable management of resources and highly responsive community engagement and collaboration.

COMMUNICATION AND ENGAGEMENT

This policy has been developed as an internal process for Council to review the CEO's performance. Further community consultation or engagement is considered unnecessary for the purpose of this policy.

STRATEGIC IMPLICATIONS

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
5.1 Enhance organisational accountability	5.1.1 Enhance the capability of our people	Community / Stakeholder Satisfaction Survey (Governance)
	5.1.2 Ensure financial sustainability	
	5.1.3 Strengthen governance, risk management and compliance	Compliance Audit
	5.1.4 Improve efficiency and effectiveness of planning and services	Risk Management Profile
	5.1.5 Ensure optimal management of assets	Financial Ratio Benchmarked. Asset Ratio Benchmarked

STATUTORY REQUIREMENTS

Section 5.38 of the *Local Government Act 1995*, requires the performance of each employee who is employed for a term of more than one year, including the CEO, be reviewed at least once in relation to every year of employment.

Adopting the proposed Policy, supports and strengthens Council's compliance to the Act.

FINANCIAL CONSIDERATIONS

Nil

COMMENT

At the Briefings Session held on 19 February 2019, Councillors discussed amending the proposed policy to increase the membership of Councillors on the Review Panel from 3 (includes the Mayor) to 7. Should this be endorsed, the draft policy will be amended accordingly.

It should be noted that members on the Review Panel are required to attend a WALGA CEO's Performance assessment training session.

OFFICER RECOMMENDATION – ITEM 10.13

That:

1. Council adopts the Annual Performance Review – Chief Executive Officer Policy as attached to the Ordinary Council Agenda of 28 February 2019;

or

2. The Annual Performance Review – Chief Executive Officer Policy as attached to the Ordinary Council Agenda of 28 February 2019, be amended where required to include the Mayor and 6 Councillors as members of the CEO Performance Review Panel.

Voting requirement: Simple majority

10.14 Quarterly Report for Period Ended 31 December 2018 (Ref: FINM/AUD/1 – Peta Mabbs, Chief Executive Officer)

APPLICATION

The purpose of this report is for Council to receive the Quarterly Report for the period ended 31 December 2018.

ATTACHMENTS

Attachment No. 12:

Quarterly Report P/E December 2018

BACKGROUND

Council’s Quarterly Report format addresses progress against the CEO’s Key Performance Indicators, as well as providing a progress report on budget deliverables in the 2017-2027 Corporate Business Plan, where those deliverables will commence in the current financial year.

The Quarterly Report also provides information on the progress of cash in lieu projects and grants applied for and received in each quarter.

STRATEGIC IMPLICATIONS

Strategic Priority 5: Good Governance

Objectives <i>What we need to achieve</i>	Strategies <i>How we’re going to do it</i>	Measures of Success <i>How we will be judged</i>
5.1 Enhance organisational accountability	5.1.1 Enhance the capability of our people	Community / Stakeholder Satisfaction Survey (Governance)
	5.1.2 Ensure financial sustainability	
	5.1.3 Strengthen governance, risk management and compliance	Compliance Audit
	5.1.4 Improve efficiency and effectiveness of planning and services	Risk Management Profile
	5.1.5 Ensure optimal management of assets	Financial Ratio Benchmarked. Asset Ratio Benchmarked

OFFICER RECOMMENDATION – ITEM 10.14

That Council receives the Quarterly Report for the quarter ended 31 December 2018.

Voting requirements: Simple majority

**10.15 Determinations Made by the Principal Building Surveyor
Ref: LUAP/PROCED/1 – Kallan Short, Principal Building
Surveyor)**

The Principal Building Surveyor made the following building decisions under Delegated Authority:

Building Applications Determined in the Month of December 2018		
Application No	Property Address	Description
201800282	20 BLACKTHORN ROAD, EDEN HILL	PERGOLA SHADE CLOTH
201800281	43 ESTHER STREET, EDEN HILL	RESIDENTIAL DWELLING
201800285	7 KENMURE AVENUE, ASHFIELD	RETAINING WALL FENCING & VINE FRAMEWORK (RETROSPECTIVE)
201800283	190 ANZAC TERRACE, BASSENDEAN	STEEL FRAME ROOM TO EXISTING PATIO
201800264	34 NORTH ROAD, BASSENDEAN	DWELLING
201800268	16 ROSETTA STREET, BASSENDEAN	FULL DEMOLITION DWELLING
201800267	8 ATKINS WAY, EDEN HILL	RETROSPECTIVE PATIO & SHED
201800263	1 ASHFIELD PARADE, ASHFIELD	SWIMMING POOL & FENCE
201800269	38 GERALDINE STREET, BASSENDEAN	SWIMMING POOL & FENCE
201800218	96 KENNY STREET, BASSENDEAN	FLAT PATIO
201800278	20 KENMURE AVENUE, ASHFIELD	2 STOREY DWELLING (AMENDMENT TO 201800153)
201800270	81 KATHLEEN STREET, BASSENDEAN	DEMOLITION GARAGE AND HOUSE
201800272	176 WALTER ROAD EAST, BASSENDEAN	FULL DEMOLITION
201800275	186 WALTER ROAD EAST, BASSENDEAN	DEMOLITION SINGLE STOREY RESIDENTIAL DWELLING
201800271	23 PURSER LOOP, BASSENDEAN	ADDITIONS/ALTERATIONS
201800279	6 CLARKE WAY, BASSENDEAN	RETROSPECTIVE PATIO (ENCLOSURE)
201800277	73 SECOND AVENUE, BASSENDEAN	FULL DEMOLITION
201800273	176 MORLEY DRIVE, EDEN HILL	PATIO
201700264	98 KENNY STREET, BASSENDEAN	SHED & PATIO WITH DECK

Building Applications Determined in the Month of January 2019		
Application No	Property Address	Description
201800284	20 SUCCESS ROAD, BASSENDEAN	STEEL FRAME / STEEL ROOF PATIO
201800288	14 PALMERSTON STREET, BASSENDEAN	RELOCATION OF DWELLING & SHED
201800286	18 THIRD AVENUE, BASSENDEAN	STORAGE SHED / WORKSHOP
201800289	31 ANZAC TERRACE, BASSENDEAN	ADDITIONS / ALTERATIONS TO EXISTING DWELLING
201800287	8 HANWELL WAY, BASSENDEAN	SOLAR PANEL

201800245	144 MORLEY DRIVE, EDEN HILL	SHED
201800266	62 IVANHOE STREET, BASSENDEAN	PATIO
201800290	54 RUGBY STREET, BASSENDEAN	RETROSPECTIVE APPROVAL - PATIO
201900010	79 VILLIERS STREET WEST, BASSENDEAN	PATIO
201900002	11 SUCCESS ROAD, BASSENDEAN	RETROSPECTIVE APPROVAL - 2X PATIO & 1X STOREROOM / SHED
201900006	117 FIRST AVENUE, BASSENDEAN	2 X PATIO
201900004	31 TROY STREET, BASSENDEAN	FRONT FENCE APPLICATION
201900008	50 LORD STREET, EDEN HILL	RESIDENTIAL ADDITIONS & ALTERATIONS
201900007	90 BROADWAY, BASSENDEAN	TWO STOREY DWELLING
201900003	13A GALLAGHER STREET, EDEN HILL	POOL & FENCE
201900009	47 SEVENTH AVENUE, BASSENDEAN	CARPORT
201900005	90 BROADWAY, BASSENDEAN	RETAINING WALL
201800166	39 FIFTH AVENUE, BASSENDEAN	RESIDENTIAL ADDITIONS/ALTERATIONS
201800176	33A FOURTH AVENUE, BASSENDEAN	DWELLING & GARAGE

OFFICER RECOMMENDATION – ITEM 10.15

That Council notes the decisions made under delegated authority by the Principal Building Surveyor.

Voting requirement: Simple majority

10.16 Determinations Made by Development Services (Ref: LUAP/PROCED/1 – Brian Reed, Manager Development Services)

The Manager Development Services made the following planning decisions under Delegated Authority since those reported to the last Council meeting:

Planning and Subdivision Applications Determined to 1 February 2019			
Applic No.	Property Address	Description	Determination
2018-053	90 BROADWAY BASSENDEAN 6054	ADDITIONAL DWELLING TO REAR OF EXISTING TO FORM TWO GROUPED DWELLINGS	Delegate Approved
2018-078	67 HAMILTON STREET BASSENDEAN 6054	ADDITIONAL DWELLING TO REAR OF EXISTING TO FORM TWO GROUPED DWELLINGS	Delegate Approved
2018-113	188 ANZAC TERRACE BASSENDEAN 6054	TWO GROUPED DWELLINGS	Delegate Approved
2018-120	20 KENMURE AVENUE ASHFIELD 6054	AMENDED APPLICATION FOR SINGLE HOUSE (INCREASE PROPOSED FINISHED FLOOR LEVELS)	Delegate Approved
2018-125	19B JAMES STREET BASSENDEAN 6054	SINGLE HOUSE	Delegate Approved
2018-126	7 KENMURE AVENUE ASHFIELD 6054	AMENDED APPLICATION FOR ADDITIONS AND ALTERATIONS TO SINGLE HOUSE AND ANCILLARY DWELLING	Delegate Approved
2018-134	143 FIRST AVENUE EDEN HILL 6054	SINGLE HOUSE	Delegate Approved
2018-138	186 WALTER ROAD EAST BASSENDEAN 6054	SINGLE HOUSE	Delegate Approved
2018-141	184 RAILWAY PARADE BASSENDEAN 6054	WAREHOUSE AND ASSOCIATED OFFICE	Delegate Approved
2018-142	12C CENTENARY COURT BASSENDEAN 6054	PATIO	Delegate Refused
2018-143	34 PALMERSTON STREET BASSENDEAN 6054	AMENDED APPLICATION FOR ADDITIONS AND ALTERATIONS TO SINGLE HOUSE TO EXTEND PERIOD OF VALIDITY OF APPROVAL	Delegate Approved
2018-144	45 KATHLEEN STREET BASSENDEAN 6054	OUTBUILDING	Delegate Approved
2018-146	57 HARDY ROAD ASHFIELD 6054	SINGLE HOUSE	Delegate Approved

2018-147	43 ESTHER STREET EDEN HILL 6054	SINGLE HOUSE	Delegate Approved
2018-148	18A THIRD AVENUE BASSENDEAN 6054	OUTBUILDING	Delegate Approved
2018-151	2 SHACKLETON STREET BASSENDEAN 6054	SINGLE HOUSE	Delegate Approved
2018-152	35 CLARKE WAY BASSENDEAN 6054	SINGLE HOUSE	Delegate Approved
2018-153	39 FIFTH AVENUE BASSENDEAN 6054	ADDITIONS AND ALTERATIONS TO SINGLE HOUSE	Delegate Approved
2018-154	144 MORLEY DRIVE EDEN HILL 6054	OUTBUILDING	Delegate Approved
2018-155	3/62 IVANHOE STREET BASSENDEAN 6054	PATIO	Delegate Approved
2018-156	96 KENNY STREET BASSENDEAN 6054	PATIO	Delegate Approved
2018-157	10 PERWAY LANE BASSENDEAN 6054	PATIO	Delegate Approved
2018-159	91 FREELAND WAY EDEN HILL 6054	OUTBUILDING	Delegate Approved
2018-160	16 ROSETTA STREET BASSENDEAN 6054	SINGLE HOUSE	Delegate Approved
2018-162	73 SECOND AVENUE BASSENDEAN 6054	SINGLE HOUSE	Delegate Approved
2019-004	LOT 2 WEST ROAD BASSENDEAN WA 6054 (HAWAIIAN BASSENDEAN SHOPPING CENTRE)	CHANGE OF USE FROM SHOP (TASTY PEAR POP UP SHOP) TO PRIVATE RECREATION (PILATES STUDIO)	Delegate Approved
2019-005	1 NURSTEAD AVENUE BASSENDEAN 6054	DEMOLITION (HOUSING AUTHORITY)	Statutory Advice (Recommend Approval)
	Subdivision Applications		
1244-18	58 SCADDAN STREET BASSENDEAN 6054	TWO LOT SURVEY STRATA	Statutory Advice (Recommend Approval)
1268-18	39 HAIG STREET ASHFIELD 6054	TWO LOT SURVEY STRATA	Statutory Advice (Recommend Approval)
1319-18	7 MANN WAY BASSENDEAN 6054	THREE LOT SURVEY STRATA	Statutory Advice (Recommend Approval)
157495	20 BRADSHAW STREET EDEN HILL 6054	TWO LOT SUBDIVISION	Statutory Advice (Recommend Approval)

OFFICER RECOMMENDATION – ITEM 10.16

That Council notes the decisions made under delegated authority by the Manager Development Services.

Voting requirement: Simple majority

10.17 Audit & Governance Committee Meeting held on 6 February 2019 (Ref: GOVNR/LREGLIA/3 – Ken Lapham, Acting Director Corporate Services)

APPLICATION

The purpose of this report is for Council to receive the report on a meeting of the Audit & Governance Committee held on 6 February 2019, and adopt the following recommendations from the Committee:

AGC-6/2/2019 – Role of Internal Audit and Audit Focus for 2018/19.

ATTACHMENTS

Attachment No. 13:

Minutes of the Audit & Governance Committee held on 6 February 2019.

COMMUNICATION & ENGAGEMENT

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

COMMENT

The Audit & Governance Committee was requested to consider the CEO's review of the appropriateness and effectiveness of the Town's Audit and Governance Committee's Instrument of Appointment.

COMMITTEE RECOMMENDATION – ITEM 10.17

That:

1. In seeking to further enhance assurance, that the Town's Internal Auditors have:
 - a functional reporting line to the Audit and Governance Committee; and
 - an administrative reporting relationship to the Chief Executive Officer;
2. In light of the above and to facilitate a functional reporting line to the Audit and Governance Committee, that a standing invitation to all Audit & Governance Committee meetings be extended to the Town's Internal Auditor;

3. The Audit and Governance Committee's Instrument of Appointment be updated (as highlighted) to reflect the above changes outlined in Points 1 and 2;
4. The internal auditors undertake an organisational risk assessment; assessment of internal controls; and assessment of legislative compliance to meet the requirements of Regulation 17 of the *Local Government (Audit) Regulations 1996*; and Regulation 5 (2) (c) of the *Local Government (Financial Management) Regulations 1996*;
5. A report to the Audit and Governance Committee on the outcomes of the organisational risk assessment; assessment of internal controls; and assessment of legislative compliance be provided by 30 June 2019; and
6. The Strategic Audit Plan for 1 July 2019 onwards be informed by the issues listed in recommendation 5.

Voting requirement:

1, 2, 4 to 6: Simple majority

Point 3: Absolute majority

**10.18 Town Assets Committee Meeting held on 6 February 2019
(Ref: GOVNCCL/MEET/37 – Simon Stewert-Dawkins,
Director Operation Services)**

APPLICATION

The purpose of this report is for Council to receive the report on a meeting of the Town's Asset Committee held on 6th February 2019, and adopt the following recommendations from the Committee:

- TAC - 3/02/19 Draft Underground Power Policy - revised
- TAC - 4/02/19 Padbury Reserve playground –future use
- TAC – 7/02/19 Urban Forest Strategy and Tree Planting Program for 2019
- TAC – 8/02/19 Palmerston Square Reserve –future use

ATTACHMENTS

Attachment No. 14:

- Minutes of the Town Assets Committee meeting of 6 February 2019
- Draft Underground Power Policy - revised

COMMENT

The following items were discussed:

- Draft Underground Power Policy revisions
- Padbury Reserve Playground and community engagement strategies on future use
- Urban Forest Strategy and Tree Planting Program for 2019
- Palmerston Square Reserve and community engagement strategies on future use

The Draft Underground Power Policy was revised at the meeting, and changes are coloured red in the attached document. Recommendation was made that Council endorse the revised policy. As the policy requires adoption, rather than endorsement, the wording of the recommendation is changed in the below.

COMMITTEE RECOMMENDATION – ITEM 10.18

That Council:

1. Receives the report on a meeting of the Town Assets Committee held on 6 February 2019;
2. Adopts the revised draft Underground Power Policy, attached to the 26 February 2019 Ordinary Council Agenda;
3. Requests Town officers prepare a report for Council on engaging with local community stakeholders on the future use of Padbury Reserve;
4. Revokes the Street Tree Master Plan to enable staff to enact Council Resolution OCM 1-3/12/09;
5. Requests an Arborist be engaged to procure the best stock available to meet the requirements of OCM 1-3/12/09 within the budget available for the 2019 winter planting season;
6. Requests a community engagement programme be developed to identify residents who want trees planted on their verge in Ashfield, the west half of Eden Hill and areas not compromised by powerlines;
7. Requests any surplus trees be planted in identified suitable locations and in parks in Ashfield and Eden Hill where the power is underground;
8. Continues to develop a long term tree planting programme for 2020 and beyond; and
9. Requests Town officers prepare a report for Council on engaging with local community stakeholders on the future use of Palmerston Square Reserve.

Voting requirement:

Point 4 - Absolute majority

Points 1, 2, 3, 5 to 9 - Simple majority

10.19 Accounts for Payment – December 2018 and January 2019
(Ref: FINM/CREDTS/4 – Jill Brazil, Acting Manager
Corporate Services)

APPLICATION

The purpose of this report is for Council to receive the Accounts for Payment in accordance with Regulation 13 (3) of the Local Government (Financial Management) Regulations 1996.

ATTACHMENTS

Attachment No. 15:

List of payments made under delegated authority for the period December 2018 and January 2019

BACKGROUND

The monthly payments made for the period December 2018 and January 2019 are presented to Council, with details of payments made by the Town in relation to goods & services received.

STRATEGIC IMPLICATIONS

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
5.1 Enhance organisational accountability	5.1.1 Enhance the capability of our people	Community / Stakeholder Satisfaction Survey (Governance)
	5.1.2 Ensure financial sustainability	
	5.1.3 Strengthen governance, risk management and compliance	Compliance Audit
	5.1.4 Improve efficiency and effectiveness of planning and services	Risk Management Profile
	5.1.5 Ensure optimal management of assets	Financial Ratio Benchmarked. Asset Ratio Benchmarked

STATUTORY REQUIREMENTS

Local Government (Financial Management) Regulations 1996

FINANCIAL CONSIDERATIONS

All payments are authorised prior to disbursement in accordance with their allocated budget.

OFFICER RECOMMENDATION - ITEM 10.19

That in accordance with Regulation 13(3) Local Government (Financial Management Regulations 1996) the List of Accounts paid for December 2018 and January 2019 be received.

Voting Requirements: Simple majority

10.20 Financial Statements – December 2018 (Ref: FINM/AUD/1 – Jill Brazil, Acting Manager Corporate Services)

APPLICATION

The Local Government Financial Management Regulations, Clause 34(1) requires that a monthly financial report be presented to Council. A Local Government is to prepare each month a statement of financial activity that clearly shows a comparison of the budget estimates with the actual revenue and expenditure figures for the year to date.

ATTACHMENTS:

Attachment No. 16:

Financial Reports for December 2018

BACKGROUND

Regulations require a local government to prepare a monthly statement of financial activity, reporting on the revenue and expenditure as set out in the Annual Budget. In accordance Regulation 34(3), the reports can be presented by nature & type classification, statutory program or Business Unit.

A statement of financial activity and accompanying documents are required to be presented to Council within 2 months after the end of the month to which the statement relates.

In addition to this and in accordance with Regulation 34 (5) of the Local Government (Financial Management) Regulations 1996 each year Council is required to adopt a percentage or value to be used in the reporting of material variances. For the 2018/19 financial year the variance amount is \$5,000 or 5% whichever is the greater.

STRATEGIC IMPLICATIONS

Good Governance

Strategic Priority 5: Good Governance

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
5.1 Enhance organisational accountability	5.1.1 Enhance the capability of our people 5.1.2 Ensure financial sustainability 5.1.3 Strengthen governance, risk management and compliance	Community / Stakeholder Satisfaction Survey (Governance) Compliance Audit Risk Management Profile Financial Ratio Benchmarked. Asset Ratio Benchmarked

COMMENT

The attached monthly financial statements as presented represent the adopted & revised 2018/19 Budget estimates & actual income and expenditure amounts for the period ending 31 December 2018.

The Summary of Financial Activity (Income by Nature & type) is indicating that income for the Year to date is on target. Operating Grants and rates revenue are slightly behind budget estimates. Fees & charges, Interest Earnings, & other revenue are well ahead of Budget estimates.

Expenditure by nature & type is 7% lower than budget forecasts. Materials & contracts is well under budget estimates, Employee Costs & Insurance costs are marginally over budget with utilities; Interest expenses and other expenditure are all under budget expectations in the current reporting period.

Capital Expenditure Summary:

Expenditure on Infrastructure Capital projects has commenced, it is anticipated that significant progress will be made in the early part of the New Year.

The Statements provide a comparison between actual and budget income and expenditure on year to date basis. The Notes accompanying the statements provide a detailed breakdown of the amounts.

Budget Amendments

There are no Budget amendments identified for 31 December 2018, which requires Council adoption.

STATUTORY REQUIREMENTS

Local Government (Financial Management) Regulations 1996.

FINANCIAL CONSIDERATIONS

The Financial Statements provide an overview of the income and expenditure for the appropriate period. There are no direct financial implications arising from this report.

OFFICER RECOMMENDATION – ITEM 10.20

That the Financial Reports for the period ending 31 December 2018 be received.

Voting Requirements: Simple majority

10.21 Use of the Common Seal (Ref: INFM/INTPROP/1 – Yvonne Zaffino, Council Support Officer)

The Chief Executive Officer and the Mayor have been delegated the responsibility for affixing the Common Seal to documents requiring signing and sealing, and for reporting the exercise of that delegation to the next available Ordinary Meeting of the Council.

The Common Seal was attached to the following documents during the reporting period:

15/02/2019 Licence Agreement for WonderRealm Bassendean Festival 15 February to 17 February 2019

17/01/2019 Town of Bassendean Dust and Building Waste Local Law

17/01/2019 Town of Bassendean Bee Keeping Local Law

17/01/2019 Town of Bassendean Repeal Local Law

OFFICER RECOMMENDATION – ITEM 10.21

That Council notes the affixing of the Common Seal to the documents during the reporting period.

Voting Requirements: Simple majority

10.22 Calendar for March 2019 (Ref: Yvonne Zaffino, Council Support Officer)

Tue	5 Mar	3.00pm	River Parks Committee Meeting – Committee Room (Crs Brown, Mykytiuk & Hamilton)
Tue	5 Mar	6.00pm	Concept Workshop – Council Chamber
Wed	6 Mar	3.30pm	Bassendean Local Emergency Management Committee Meeting – Council Chamber (Crs Brown & Mykytiuk)
Wed	6 Mar	7.00pm	People Services Committee – Council Chamber (McLennan, Gangell & Quinton)
Tue	12 Mar	6.00pm	Concept Workshop – Council Chamber
Wed	13 Mar	5.30pm	Sustainability Committee – Council Chamber (McLennan, Hamilton & Quinton)
Wed	13 Mar	7.00pm	Economic Development Committee – Council Chamber (Crs Brown & Gangell)
Thu	14 Mar	6.00pm	EMRC Strategy/Briefing Session – If required EMRC (Crs Mykytiuk & Wilson)
Tue	19 Mar	7.00pm	Briefings Session – Council Chamber
Thu	21 Mar	6.00pm	EMRC Council Meeting – EMRC (Crs Mykytiuk & Wilson)
Thu	21 Mar	6.00pm	WALGA East Metropolitan Zone Meeting – City of Bayswater (Crs McLennan, Gangell & Quinton)
Tue	26 Mar	7.00pm	Ordinary Council Meeting – Council Chamber
Fri	29 Mar	5.00pm	Youth Advisory Council Meeting – Youth Services

OFFICER RECOMMENDATION - ITEM 10.22

That the Calendar for March 2019 be adopted.

Voting Requirements: Simple majority

10.23 Implementation of Council Resolutions (Ref: GOVN/CCLMEET/1 – Yvonne Zaffino, Council Support Officer)

At the Ordinary Council meeting held on 14 December 2010, it was resolved that only those items that are to be deleted from the implementation of Council resolutions be referred to Council, and all other items in progress be included in the Councillors’ Bulletin on the last Friday of the month.

STRATEGIC IMPLICATIONS

Strengthen Council governance and compliance.

COMMENT

The following tables detail those resolutions of the Council that are recommended for deletion:

REC_NO.	OFFICER	BRIEF_DESCRIPTION	ACTION_TAKEN
ROC18/64872	ALEXANDER SNADDEN	OCM-5/12/18 - AMENDED DELEGATION ARRANGEMENTS TO RESPOND TO SUBDIVISION APPLICATIONS INVOLVING LOTS THAT COMPLY WITH WAPC DEVELOPMENT CONTROL POLICY 2.2 – RESIDENTIAL SUBDIVISION	DELEGATION REGISTER HAS BEEN UPDATED. RECOMMEND DELETION
ROC18/64227	ANTHONY DOWLING	OCM-7/10/18 - REQUEST FOR APPROVAL - PUBLIC ADVERTISING OF RESIDENTIAL DENSITY SCENARIOS AND ASSOCIATED PRELIMINARY KEY DESIGN PRINCIPLES AND ASSOCIATED COMMUNICATIONS PLAN	A SUITABLE CONSULTANT HAS SINCE BEEN COMMISSIONED. A PUBLIC LAUNCH FOR THE COMMENCEMENT OF THE DESIGN OF THE CSES IS SET DOWN FOR 11 MARCH 2019. COUNCIL RESOLUTION OCM-7/10/18 CAN BE DELETED AS THE ACTIONS WITHIN THAT RESOLUTION HAVE NOW BEEN COMPLETED. RECOMMEND DELETION.
ROC17/53665	BRIAN REED	OCM-5/04/07 - REQUEST FOR COUNCIL TO DEVELOP A POLICY ON RIGHTS-OF-WAY AND TO MODIFY A CONDITION OF PLANNING APPROVAL FOR 3 GROUPED DWELLINGS LOT 746 (NO 9) BROADWAY BASSENDEAN	APPLICANT ADVISED OF COUNCIL DECISION RECOMMEND DELETION

ROC18/64879	DAVID DWYER	OCM-12/12/18 - RFT 088 2018-19 PROVISION OF DRAINAGE CURED IN PLACE PIPE (CIPP) RELINING FOR THE TOWN OF BASSENDEAN	OCM OUTCOME NOTED & RECORDED. SUCCESSFUL TENDERER NOTIFIED AND CONTRACT HAS BEEN SIGNED. CONTRACT SUPPORT OFFICER HAS NO FURTHER ACTION. RECOMMEND DELETION
ROC18/64883	GRAEME HAGGART	OCM-24/12/18 - NOTICE OF MOTION – CR QUINTON: EARLY CHILDHOOD AUSTRALIA (WA BRANCH) CAMPAIGN	TOWN WROTE TO EARLY CHILDHOOD AUSTRALIA (WA BRANCH) ENDORING THE CAMPAIGN. RECOMMEND DELETION
ROC18/64600	PETA MABBS	OCM-9/11/18 - GIFT VOUCHERS FOR EMPLOYEES - YEARS OF SERVICE AWARDS	A REVIEW OF “REWARDS AND RECOGNITION” IS UNDERWAY WHICH WILL EFFECTIVELY REPLACE GIFT VOUCHERS FOR STAFF WITH OTHER INCENTIVES TO REINFORCE THE RIGHT BEHAVIOURS VALUES AND PERFORMANCE SUCH AS PROFESSIONAL DEVELOPMENT OPPORTUNITIES. THIS PROJECT WILL CONCLUDE BY 30 JUNE 2019. RECOMMEND DELETION.
ROC18/64876	SIMON STEWERT- DAWKINS	OCM-9/12/18 - RIVER PARKS COMMITTEE – INSTRUMENT OF APPOINTMENT AND DELEGATION	INSTRUMENT OF APPOINT AND DELEGATION UPDATED IN LINE WITH RESOLUTION. RECOMMEND DELETION
ROC18/62735	WILLIAM BARRY	OCM-24/07/18 - ECONOMIC DEVELOPMENT COMMITTEE MEETING HELD ON 10 JULY 2018	SMART BUSY PROGRAMME DELIVERED. RECOMMEND DELETION

OFFICER RECOMMENDATION – ITEM 10.23

That the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 26 February 2019 be deleted from the Implementation of Council Resolutions list.

Voting Requirements: Simple majority

11.0 **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

12.0 **ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**

13.0 **CONFIDENTIAL BUSINESS**

It should be noted that that the audio and live streaming will be turned off whilst confidential items are being discussed.

13.1 **Nominations for Freeman of the Town (Ref: COMR/AWADP/5 Graeme Haggart, Director Community Development)**

The matter is to be considered with members of the public excluded in accordance with Section 5.23(2) (b) of the Local Government Act as it relates to the personal affairs of a person.

14.0 **CLOSURE**

The next Briefings Session will be held on Tuesday 19 March 2019 commencing at 7.00pm.

The next Ordinary Council meeting will be held on Tuesday 26 March 2019 commencing at 7.00pm.