

ORDINARY MEETING OF COUNCIL

23 JUNE 2020

Agenda



The Town of Bassendean is once again participating in the Plastic Free July Challenge.

Residents are encouraged to sign up and help reduce plastic consumption in the community.

More details can found at:
<https://www.plasticfreejuly.org>

In accordance with regulation 12(2) and 14D of the *Local Government (Administration) Regulations 1996*, public notice is hereby given that due to the public health emergency arising from the COVID-19 Pandemic, the Mayor has considered it appropriate for the Ordinary Council meeting to be held by electronic means. The meeting will commence at 5.30pm.

Members of the public may still participate in public question time by providing their written questions to the Town by 12 noon on the day of the meeting for inclusion at the meeting. Questions may be sent to the Town at:
yoursay@bassendean.wa.gov.au.

The Council Agenda and Attachments can be found at:
<https://www.bassendean.wa.gov.au/council-meetings/ordinary-council-meeting/ordinary-council-meeting/409>

You may still watch proceedings from the comfort of your own home by going to:
<https://www.youtube.com/channel/UC46mMs3D7vmHuO0ePibihhg/live>.

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

Peta Mabbs
CHIEF EXECUTIVE OFFICER

19 June 2020



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1.0 DECLARATION OF OPENING; ACKNOWLEDGEMENT OF COUNTRY; ACKNOWLEDGEMENT OF VISITORS; DISCLAIMER

Acknowledgement of Traditional Owners

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

Suspension of Clauses - Meeting Procedures Local Law 2020

Council is requested to move a motion to suspend the operation of clauses 6.8, 6.9, 6.12, and 6.17 of the Town of Bassendean Meeting Procedures Local Law 2020 for the duration of this electronic meeting and that these matters be determined at the discretion of the Presiding Member.

2.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

4.0 DECLARATIONS OF INTEREST

5.0 PRESENTATIONS OR DEPUTATIONS

6.0 STATEMENTS BY MEMBERS OF THE PUBLIC ON AGENDA ITEMS

7.0 QUESTIONS FROM MEMBERS OF THE PUBLIC

8.0 PETITIONS

9.0 CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held on 26 May 2020

Attachment No. 1:

Officer Recommendation – Item 9.1(a)

That the minutes of the Ordinary Council meeting held on 26 May 2020, be received.

Officer Recommendation – Item 9.1(b)

That the minutes of the Ordinary Council meeting held on 26 May 2020, be confirmed as a true record.

10.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

11.0 EXTERNAL COMMITTEE REPORTS/UPDATES

11.1	Receipt of External Committee and Organisation Minutes
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
Ref	INFM/INTPROP/1 - Elizabeth Nicholls, Executive and Research Officer to CEO
Directorate	Chief Executive
Decision Type	Executive
Attachment No. 2	WALGA Special State Council Meeting Minutes – 25 May 2020

Purpose

The purpose of this report is for Council to consider minutes from external Committees and organisations.

Background

Councillors are appointed as members of external Committees and organisations. The minutes are attached for consideration of all Councillors.

Proposal

Not applicable.

Communication and Engagement

Not applicable.

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	5.1.3 Strengthen governance, risk management and compliance	Community / Stakeholder Satisfaction Survey (Governance) Risk Management Profile
	5.1.5 Ensure optimal management of assets	
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)
	5.2.2 Engage and communicate with the community	
	5.2.3 Advocate and develop strong partnerships to benefit community	
5.3 Strive for Improvement and Innovation	5.3.1 Adopt and measure against best practices ensuring a focus on continuous improvement	Local Government Service Review Benchmarks

Comment

The following meeting has been held where Councillors as delegates have attended during the reporting period.

Meeting	Date Held
WALGA Special State Council Meeting Minutes	25 May 2020

Statutory Requirements

Not applicable.

Financial Considerations

Not applicable.

Officer Recommendation – Item 11.1

That Council notes the attached minutes from external Committee meetings held within the reporting period.

Voting requirements: Simple majority

12.0 REPORTS

12.1 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 Council Meeting Procedures Local Law 2020.

Council Meeting Procedures Local Law 2020, 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 4.0, Declarations of Interest, they should do so at this point of the agenda.

Officer Recommendation – Item 12.1

That Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda of 23 June 2020:

Item	Report
12.2	Department of Transport Long Term Cycle Network
12.3	Proposed Eden Hill Network Renewal Underground Program Pilot (NRUPP)
12.6	Northmoor Road Petition
12.10	Draft Land Asset Strategy
12.11	Town Centre Revitalisation
12.12	Old Perth Road Markets
12.13	Audit and Governance Committee Meeting held on 3 June 2020
12.14	Monthly Financial Report – May 2020
12.15	Accounts Paid – May 2020
12.16	Use of Common Seal
12.17	Calendar for July 2020

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

Item	Report
12.4	Draft Local Planning Policy – Design Review Panel – Final Adoption
12.5	Revocation of Council Policy 1.17 – Development Bonds Policy – Compliance With Conditions of Planning Consent
12.7	Review of the Instrument of Appointment and Delegation for the Bassendean Local Emergency Management Committee (BLEMC)
12.8	Draft Local Planning Policy No. 13 – Tree Retention and Provision (Final Adoption)
12.9	Rodent Control

12.2	Department of Transport Long Term Cycle Network
Ref	TRAF/PLANNG/3ROAD/DESCONT/5 - David Dwyer, Engineering Technical Coordinator
Directorate	Infrastructure
Decision Type	Executive
Attachment No. 3	<ul style="list-style-type: none">• Department of Transport - LTCN Endorsement Memo to Town of Bassendean• Department of Transport Presentation

Purpose

The purpose of this report is for Council to consider and endorse the draft aspirational Long Term Cycle Network (LTCN).

A number of edits have been made to this report since the Briefing Session (shown in red text)

Background

The Department of Transport (DoT) is working with 33 local government authorities in Perth and Peel to agree on bicycle routes that link parks, schools, community facilities and transport services, to make bike riding a convenient and viable option.

The aim of the LTCN project is to develop an aspirational blueprint to ensure State and local governments work together towards the delivery of one continuous bicycle network providing additional transport options, recreational opportunities and support for tourism and commercial activity creating a bicycle network catering for all ages and abilities

Communication and Engagement

Whilst no direct community engagement has been conducted on the development of the draft aspirational LTCN, the following documents and community engagement processes have been used to guide its development:

- Town of Bassendean Local Integrated Transport Plan 2020; and
- Town of Bassendean 2012 Bike Plan.

The draft aspirational LTCN has been reviewed by Main Roads Western Australia (MRWA) and the Public Transport Authority (PTA) / Metronet teams to ensure these agencies are aware of the draft aspirational LTCN routes and how the routes relate to State assets.

Future Community Engagement

The DoT will be updating its guidance for local governments in relation to developing local bicycle plans. It is expected that this will require local governments to review their endorsed LTCN as part of the process of developing/updating their bicycle plan.

As part of the process to update the Town’s local bicycle plan, the Town will conduct public consultation to enable the community to assist in shaping the plan. It is envisaged that the Town will seek community comment on the aspirational LTCN as part of this process.

As part of the bike plan review the Town and DoT can work together to modify their endorsed LTCN:

- **New routes can be added to reflect land use changes/new development; and**
- **Existing routes can be realigned to parallel corridors when details become known which excludes a route from being considered in the future (due to engineering constraints/land tenure issues).**

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

Network Planning

The DoT and the Town have worked together to identify and categorise LTCN routes using a simplified three tier route hierarchy of Primary Routes, Secondary Routes and Local Routes. The categorisation of routes has been based on the function of a given route within the network as follows:

Primary Route (Red):

Are high demand corridors that connect to major destinations. They provide high quality, safe, convenient (and where possible uninterrupted) routes that form the spine of the cycle network. These routes are conducive to medium or long distance community/utility, recreational, training and tourism trips.

Secondary Route (Blue):

Have a lower demand than primary routes, but provide similar levels of quality, safety and convenience. These routes provide connections between primary routes and major activity centres, such as shopping precincts, industrial areas or major health, education, sporting and civic facilities.

Local Route (Green):

Are low demand and are predominantly located in residential areas. They provide access to higher order routes and local amenities and recreational spaces.

With consideration to LTCN project objectives and the Town of Bassendean Local Integrated Transport Plan 2020 and Bike Plan 2012 the following routes have been identified (also refer to attached Long Term Cycle Network – Town of Bassendean Route Map).

Local Routes (green routes)

- **Second Ave / Wilson St** – North/South route across Guildford Rd and train line providing connections between Bassendean Town Centre / Old Perth Rd, Perth-Midland PSP, Bassendean Train Station, proposed Anzac Tce and Walter Rd East routes and Mary Crescent Reserve.

This route can be used to advocate for improved crossing of Guildford Rd and train line connecting north and south of Bassendean.

- **Old Perth Rd / Surrey St** – East/West route providing connections between Bassendean train station, Bassendean Town centre, shopping centre, Bassendean oval, Point Reserve and Swan River. This route will also provide connection to the proposed Second Ave/Wilson St, Whitfield St and North Rd routes.
- **Anzac Tce** - East/West route providing connections between Success Hill Reserve and Swan River, Anzac Terrace Reserve, Anzac Terrace Primary School. This route will also provide connection to the proposed Second Ave/Wilson St, Seventh Ave/Walter Rd East, Ida St routes.
- **Kenny St / Hardy Rd** – North/South route providing connections between Ashfield suburb, Ashfield Flats, Swan River, and Bassendean Train. This route will also provide connection to the proposed Moojebing St, Colstoun Rd, Reid St and Shackleton St routes.
- **Colstoun Rd** – North/South route providing connection through Ashfield suburb, Ashfield Shopping Centre, Ashfield Reserve, Ashfield Community Centre, Ashfield Soccer Club, Perth-Midland PSP, Ashfield Train Station and access across Guildford Rd and Train line. This route will also provide connection to the proposed Hardy Rd and Margaret St Routes.
- **Moojebing St** – North/South route providing connection to Swan River and through Ashfield suburb onto Perth - Midland PSP. This route will also provide connection to the proposed Hardy Rd and Ashfield Parade routes
- **Broadway / Ida St / May Rd** –North/South route providing connection between Bassendean Train station, Perth – Midland PSP, Ida St shopping complex, Eden Hill Primary School and Jubilee Reserve. This route will also provide connection to the proposed Walter Rd East and Anzac Tce Routes.

- **Shackleton St / Bridson St / Hyland St** – East/West route providing provide connection between the proposed North Rd, Whitfield St, Kenny St routes and through to the PSP.
- **Whitfield St** – North/South route providing connection between Perth-Midland PSP, Shopping Centre, Town Centre/Old Perth Rd, Palmerston Reserve, Bassendean Primary School, Sandy Beach Reserve and Ashfield Flats.
- **Railway Pde** - East/West route providing increased access to Ashfield and Bassendean Train stations along the North side of the rail corridor. This route will also provide connection to the proposed Collier Rd and Jackson St routes and through to the PSP.

Secondary Routes (blue routes)

- **North Rd / Bassendean Parade** – North/South route connection between the PSP and multiple river front reserves connecting onto West Rd and Reid St Routes. This route will also provide connection to the proposed Old Perth Rd/Surrey St and Hyland St Routes.
- **West Rd / Ashfield Reserve / Ashfield Parade** – East/West route that continues along the river route proposed for the North Rd/ Bassendean Parade Route. This route also provides connection to Sandy Beach Reserve and Ashfield flats and links to Whitfield Safe Active Street and proposed Moojebing St routes.
- **Reid St / Margaret St / Colstoun St** – East/West route providing connection between Ashfield Train Station, Ashfield shops, Ashfield Primary School, Cyril Jackson Senior Campus, Ashfield Community Centre, Ashfield Soccer Club. This route will also provide connection to proposed West Rd, Bassendean Pde, Kenny St/Hardy Rd and Whitfield St routes.

This route can be used to advocate for improved crossing of Guildford Rd and train line connecting into Perth – Midland PSP and Proposed Jackson St Route.

- **Jackson St / Grey St** – North/South providing connection to Ashfield train station, PSP and Colstoun Rd route south of the train line. Provides cycling options for commuting cyclist to the Bassendean industrial precinct along with Collier Rd Secondary Route and Anzac Tre Local Route.
- **Collier Rd** – Connection through the Bassendean industrial precinct and to the PSP and Jackson St/Grey St Secondary Route.
- **Walter Rd East / Seventh Ave** - East/West route providing connection through Eden Hill and Bassendean from Success Hill train station through to proposed train station at Broun Ave/Tonkin Highway (Ellenbrook train line) this route also picks up Success Hill Reserve, Eden Hill Primary School.

- **Lord St** – this route provides connection to Success Hill train station, Success Hill Reserve and Eden Hill suburb. This route also provides connection to the proposed Walter Rd East/Seventh Ave routes.

Primary Routes (red routes)

- **Railway Pde** – Existing Principal Shared Path with new river crossing adjacent to train bridges to remove awkward dog leg and use of Guildford Rd traffic bridge. This alignment will also tie into City of Swan’s proposed alignment of the PSP

Funding

The DoT is seeking Council endorsement of the draft aspirational LTCN with respect to the following statement:

“Council endorse the aspirational Long Term Cycle Network (LTCN) developed in collaboration between Town officers and the Department of Transport. Endorsement of the LTCN does not commit Council nor State Government agencies to deliver all, or any part, of the LTCN within a particular timeframe – nor does endorsement commit any party(s) to fund any specific route within the LTCN.

Council endorsement confirms support for local and State Government agencies to work together in delivering the aspirational LTCN over the longer term.”

In regard to funding, from July 2020 all WA Bicycle Network Grants for Perth and Peel local governments will be linked to the endorsed aspirational LTCN. As such, only routes within the endorsed LTCN will be eligible for grants, and only local governments with a Council endorsed LTCN will remain eligible for WA Bicycle Network Grants.

As such, endorsement of the draft aspirational LTCN will assist in leveraging additional funding for bicycle infrastructure. In addition, endorsement of the LTCN will assist the State in any discussions/applications regarding Federal funding for bike riding infrastructure, programs and campaigns.

Conclusion

An endorsed LTCN across the Perth and Peel region will assist with planning of the bicycle network and routes by:

- Assisting State agencies (Main Roads WA/PTA/Metronet) with infrastructure planning and delivery;
- Assisting local governments with network planning, cross boundary connectivity and bicycle route prioritization; and
- Guide expenditure of funds allocated to the Town through the WA Bicycle Network Grants Program.

As such, it is recommended that Council endorse the draft aspirational LTCN.

Statutory Requirements

N/A

Financial Considerations

Routes identified on the aspirational LTCN will guide funding allocated through the WA Bicycle Network Grants Program. This program is administered by DoT on a 50-50 funding basis between Local and State Government.

The Town's 50 per cent contribution can include up to 25 percent from other funding sources, such as Federal Government or Private enterprise.

Officer Recommendation – Item 12.2

That Council endorses the Town of Bassendean aspirational Long Term Cycle Network as attached to the Ordinary Council Agenda of 23 June 2020, **subject to Lord Street, between Walter Road East and Guildford Road, to be included as a Secondary Route and reassigning Seventh Avenue as a Local Route.**

Voting requirements: Simple majority

12.3	Proposed Eden Hill Network Renewal Underground Program Pilot (NRUPP)
Ref	ESAT/CONCTN/1 - Phillip Adams, Executive Manager Infrastructure
Directorate	Infrastructure
Decision Type	Executive
Attachment No. 4	<ul style="list-style-type: none"> • Network Renewal Underground Program Pilot (NRUPP) Co-Funding Agreement • Underground Power Zones Map and Funding Model

Purpose

The purpose of this report is for Council to consider the Network Renewal Underground Program Pilot (**NRUPP**) proposed by Western Power. The proposal provides an opportunity for the Town to achieve underground power within the Eden Hill area as defined by the Underground Power Zones Map (**attached**). This underground power proposal provides value to the Town at a reduced cost compared to other programs due to Western Power's requirement to undertake asset renewal.

A number of edits have been made to this report since the Briefing Session (shown in red text)

Background

There are sections of Western Power's metropolitan overhead electricity network that are reaching the end of life and require replacing. Where these sections are clustered together, economies of scale can be achieved to create an investment opportunity to underground the electricity network in that location. Western Power has identified four proposed pilot project areas within the metropolitan area that meet this criteria, Scarborough, Eden Hill, St. James and Hilton. The Public Utilities Office (**PUO**) and the Western Australian Local Government Association (**WALGA**) have been briefed on these proposed NRUPP projects and Western Power has received positive feedback.

Western Power has invited the Town to participate in the NRUPP project for the Eden Hill area. The proposed NRUPP project boundary includes parts of Bassendean and is bounded by Railway Parade, Lord Street, Morley Drive East and Jubilee Reserve (**attached**). The works include undergrounding of the existing overhead network along with the consumer mains.

The investment for the project is made up of a capital expenditure component, by Western Power, and a component for the consumer mains. The capital portion of the project will involve replacing the overhead distribution assets (22kV and below) located in the road reserve with underground assets.

The project will not include the undergrounding of any transmission assets (33kV and above). The consumer mains portion of the project involves replacing the overhead consumer main with an underground connection. The residential consumer mains connection is the underground cable connecting the premises to the connection pillar (typically covered with a green plastic dome) which is typically located within the corner of the property boundary. Please refer to the Funding Model (attached).

Western Power will project manage and deliver both the capital and consumer mains works associated with this project. The arrangement with Western Power stipulates a requirement for the Town to provide a representative for the project team and outlines the responsibilities the representative is required to perform. The Town will be required to fund the costs associated with the Town's representative.

Communication and Engagement

The communication and engagement that has occurred so far, includes:

- (a) regular meetings between the Town's officers and Western Power's project staff commencing in September 2019;
- (b) Executive Manager Infrastructure (ToB) presentation to a Councillor workshop on the 4 February 2020;
- (c) Background information on the proposed project advertised on the 'Your Say Bassendean' platform in February 2020;
- (d) A briefing by Western Power at the Eden Hill Primary School on Tuesday 18 February 2020 for community members and Councillors.
- (e) Announcement by the Energy Minister Bill Johnston on the proposed NRUPP for Eden Hill on Tuesday 18 February 2020.

The Town will be responsible for the broader strategic engagement with residents whereas Western Power will be responsible for customer engagement on technical matters, day to day activities and construction activities (This will be reflected in the agreement with Western Power).

Further community consultation and engagement is proposed once confirmation of the project to proceed is supported by Council.

Strategic Implications

Strategic Priority 1: Social

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>
1.3 Plan for a healthy and safe community	1.3.1 Facilitate safer neighbourhood environments	Community / Stakeholder Satisfaction Survey (Safety, Health and Well-being)
	1.3.2 Promote and advocate community health and well-being	

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>
3.3 Enhance the Town's appearance	3.3.1 Improve amenity and the public realm	Community / Stakeholder Satisfaction Survey (heritage, amenity and appearance)
	3.3.2 Strengthen and promote Bassendean's unique character and heritage	
	3.3.3 Implement design policies and provisions of buildings and places	

Comment

Project Milestones

The business case for the proposed NRUPP project was signed off by Western Power on the 15 January 2020. The NRUPP project is currently in the design phase which is expected to be completed at the end of June 2020. Council approval is required for the Town to enter into an agreement with Western Power to move into the construction phase. If the NRUPP project proceeds, construction will take 12 to 18 months and is expected to be completed by November 2021.

Cash Call Deferral Request

The Town's request to defer the cash call schedule has been agreed to by Western Power. The Town is proposing to seek to recover its costs for this project from ratepayers through a service charge levied as part of its normal rating program over three years, commencing in 2021-22. The Town offers ratepayers instalment payment options which traditionally result in the bulk of rates being paid between September and April.

The agreed cash call arrangement with Western Power for this project is in two instalments (This will be reflected in the agreement with Western Power):

50% on or before 30 September 2021; and
50% on or before 30 September 2022.

Statutory Requirements

Council Policy 1.23 - Underground Power Policy

Financial Considerations

The total cost of the consumer mains portion of the NRUPP project is estimated to be \$2,274,528 and represents approximately 17% of the total project cost. This cost is payable by the Town of Bassendean to Western Power by instalment and outlined in the Indicative Cash Call Schedule as above.

This equates to a residential consumer mains connection cost of \$2,204 (+/-10%) per property. This cost to property owner's will only be required for a new underground residential consumer mains connection and will not be applicable for property owners with a pre-existing underground connection.

The Town will fund the consumer main cost with a low interest loan from the West Australian Treasury. The Town has contacted Treasury to confirm the requirements for the loan application. A loan application can be made once Council resolves to enter into the Agreement with Western Power. The Treasury loan will fund the project until the consumer mains cost is recovered from property owners within the NRUPP project boundary. The loan amount will incur an interest rate of below 1% plus the government fee (unless waived) of 0.7%.

The consumer main cost will be recouped through a service charge levied on property owners via their property rates. The repayment term for the service charge would be over three years and the resident instalment election for payment of rates would apply to this service charge. Eligible property owners may get a discount under the Local Government Rates Rebate Scheme.

Within the arrangement with Western Power provision is made to enable the Town to pass on its administrative overhead costs for this project which is likely to amount to approximately \$250K. In light of the current climate brought about by COVID-19, it is proposed that this cost is not passed on to rate-payers.

Officer Recommendation - Item 12.3

That Council:

1. Approves Western Power's Eden Hill Network Renewal Underground Program Pilot (NRUPP) and the required financial contribution by affected residents;
2. Approves the indicative cash call schedule and the repayment terms for residents required to pay the service charge associated with the provision of underground power to their property;
3. **Approves not passing on the Town's internal administrative overhead costs for the project; and**
4. Supports the CEO endorsing the Network Renewal Underground Program Pilot (NRUPP) Co-Funding Agreement between the Town of Bassendean and Western Power to support this project.

Voting requirements: Simple majority

12.4	Draft Local Planning Policy – Design Review Panel – Final Adoption
Property Address	N/A
Landowner/ Applicant	N/A
Ref	LUAP/POLICY/23
Directorate	Community Planning
Decision Type	Legislative
Attachment No. 5	Draft Local Planning Policy – Design Review (including further amendments following consultation) Schedule of Submissions

Purpose

The purpose of this report is for Council to consider adopting a new Local Planning Policy – Design Review Panel.

A number of edits have been made to this report since the Briefing Session (shown in red text)

Background

At its meeting on 28 April 2020, Council resolved to revoke *Council Policy 1.15 – Design Review Policy – Town of Bassendean* and also to advertise the draft *Local Planning Policy - Design Review Panel*.

Communication and Engagement

Following Council's resolution on the matter, the draft Policy was advertised for public comment for a period of 29 days, being from 30 April 2020 to 29 May 2020, by way of the following:

- Advertisement in a local paper (Eastern Reporter Newspaper);
- Displayed on Your Say Bassendean; and
- Promoted on the Town's Facebook page.

At the close of the public consultation period, three submissions were received; two supporting the intent of the draft policy and one objecting to the draft policy. A schedule of submissions is attached, with the relevant matters raised discussed in the comment section of the report.

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>
3.3 Enhance the Town's appearance	3.3.1 Improve amenity and the public realm	Community / Stakeholder Satisfaction Survey (heritage, amenity and appearance)

Comment

Funding Arrangement

The objecting submission raised concern with the likelihood of the cost of establishing and implementing a Design Review Panels being passed to the applicants. As identified in the previous report that Council, the decision as to what fee (if any) is required to be paid by an applicant will be made as part of the 2020/21 draft budget and is not made as part of consideration of this report.

In any event, given the Town is proposing the shared use of the City of Bayswater's DRP, adopting the same terms of reference as it relates to fee structure was considered appropriate. The City of Bayswater currently charges \$2,500 for the use of the DRP, which is borne by the applicant. This cost is used to cover:

- Appointment and ongoing fees for DRP members;
- Training of Members in Code of Conduct and Terms of Reference; and
- Administration costs associated with the running of meetings and distribution of minutes etc.

Unlike some DRP's, the City of Bayswater's fee provides for an unlimited number of meetings. Given applications typically require multiple reviews, the fee is considered reasonable.

The Town will be required to pay this fee to the City of Bayswater for the use of the DRP. This amount does not include costs incurred by the Town in preparing, administrating, distributing and collating information required by the DRP. As such, the Town will be proposing a fee of \$3,000 in the 2020/21 budget, which would cover the fee required to be paid to the City of Bayswater and partial cost recovery of expenses incurred by the Town.

Whilst it is open to Council to consider appropriating funds through its annual budget to cover the cost of the DRP, this is not considered appropriate for the following reasons:

- Given developers receive the ultimate economic benefits from a proposal, developers should also be responsible for all costs associated with the design, assessment and construction of a project, including the necessary design review;
- It is not considered appropriate that municipal funds should be used to subsidise the cost of assessing private development proposals; and
- Many local governments chose not to charge a fee for the use of DRPs in their inception as design review was new to Western Australia and a fee was seen as a disincentive to encouraging the use of a DRP. DRPs are now an established and accepted component of the planning system and many applicants request the use of the DRP even when it is not mandated, so as to receive expert independent advice on their proposal.

Application of Policy

Comment was made that the application of the Policy should be expanded to include applications that are subject to separate planning frameworks such as Activity Centre Structure Plans and Local Development Plans, but that it should only apply to mandatory Joint Development Assessment Panel applications (i.e. those with a value >\$10 million).

In considering planning frameworks such as Structure Plans and Local Development Plans, the Town can include provisions in these documents that require any applications the subject of such plans to be referred to the DRP. Regardless, the draft policy requires any other proposal, application, planning matter or project that the Town considers may be of a complex or contentious nature to be reviewed by the DRP, which will likely capture these applications. In considering the matter of those planning frameworks however, it is recommended that the draft policy be amended to include a requirement for the frameworks themselves to be reviewed by the DRP, as they establish the future built form outcomes of an area and DRP involvement at that early stage may be beneficial.

The exclusion of the optional Joint Development Assessment Panel applications (i.e. those with a value between \$2 million - \$10 million) is not supported, as these applications can have a significant impact on the amenity of the surrounding locality.

Conclusion

Design review processes have been shown to improve the design quality of built outcomes and reduce project costs by identifying risks early, providing support for design concepts before investment in more detailed design and expedited development approvals following panel endorsement. It is therefore recommended that Council adopt the draft policy.

Statutory Requirements

The *Planning and Development (Local Planning Schemes) Regulations 2015* outline the procedure that the local government must follow after the consultation period, which is to:

- "(a) *review the proposed policy in the light of any submissions made; and*
- (b) *resolve to:*
 - (i) *proceed with the policy without modification; or*
 - (ii) *proceed with the policy with modification; or*
 - (iii) *not proceed with the policy."*

If Council adopts the Policy, the Town is required to publish a notice in a newspaper circulating the Scheme area advising as such.

Financial Considerations

The cost of publishing a notice in a newspaper circulating in the district can be met through Council's approved operational budget.

Officer Recommendation – Item 12.4

That Council, pursuant to Clause 4(3) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, adopts *Local Planning Policy – Design Review Panel* as contained as an attachment to the Ordinary Council Agenda of 23 June 2019.

Voting requirements: Absolute Majority

12.5	Revocation of Council Policy 1.17 – Development Bonds Policy – Compliance With Conditions of Planning Consent
Property Address	N/A
Landowner/Applicant	N/A
Ref	LUAP/POLCY/24
Directorate	Community Planning
Decision Type	Legislative
Attachment No. 6	Council Policy 1.17 – Development Bonds Policy – Compliance With Conditions of Planning Consent

Purpose

The purpose of this report is for Council to consider revoking *Council Policy 1.17 – Development Bonds Policy – Compliance With Conditions of Planning Consent* (CP 1.17).

Background

The purpose of CP 1.17 is to outline the requirement for a monetary bond as a condition of development approval to ensure works associated with the development are completed prior to the issue of a Building Permit. All bond amounts are payable in the form of cash or a bank guarantee

Communication and Engagement

Nil.

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	5.1.3 Strengthen governance, risk management and compliance	Community / Stakeholder Satisfaction Survey (Governance) Risk Management Profile
	5.1.5 Ensure optimal management of assets	
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)
	5.2.2 Engage and communicate with the community	
	5.2.3 Advocate and develop strong partnerships to benefit community	

5.3 Strive for Improvement and Innovation	5.3.1 Adopt and measure against best practices ensuring a focus on continuous improvement	Local Government Service Review Benchmarks
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Comment

Policy Requirements

The premise behind requiring a bond is to incentivise the completion of any works required by conditions of development approval. Such works can include landscaping, reticulation, and parking areas and the bond amount is not returned to the developer until the works are completed to the Town’s satisfaction.

The following outlines the bond amounts required for each type of development:

Development Type	Bond Amount
Grouped dwelling additions to existing single dwellings to form grouped dwelling sites.	\$2,000, or \$1,000 per dwelling unit and including the existing dwelling (whichever is the greater)
New Grouped or Multiple Dwellings	\$1,500, or 1.5% of the estimated cost of the development
Temporary Retention of Existing Dwelling During Construction of New Dwelling	\$5,000
Industrial and Commercial Development	\$2000 or 2% (whichever is the greater)

Issues Associated with Bonds

Whilst the premise behind the requirement for a bond is valid, bonds are problematic for the following reasons:

- Bonds are an additional cost outlay for developers (i.e. a bond for landscaping is required upfront, with the developer then also outlaying the actual cost of completing the landscaping to fulfill the requirements of the condition to have the bond returned). For small scale developers and marginal projects, this can impact the viability of the project.
- In some cases, the value of the bond is often insufficient to encourage the completion of the works (i.e. the cost of the works is greater than the value of the bond);
- The Policy does not require any supporting legal agreement that would allow the Town to enter private property to complete the requisite works. In addition, the bond amount is often insufficient to complete the works and the Town does not have any allocated resources to coordinate work on private lots;
- Whilst Section 6.16 of the *Local Government Act 1995* provides Council the ability to impose Fees and Charges, bonds cannot legitimately be charged against a Building Permit application;

- Conditions of development approval are required to serve a planning purpose, be reasonable, and fairly relate to the development. Given other conditions on the approval require the works to be completed, additional conditions requiring a bond could be considered duplicitous, improper and invalid; and
- There are administrative processes involved in obtaining, retaining and administering bonds which is not covered by the cost of the bond itself.

For the reasons outlined above, it is recommended that the Town no longer collect bonds and instead ensure conditions of approval are enforced through the relevant legislation. In that regard, if a developer commences construction without fulfilling the obligations of the development approval, the Town can undertake compliance action under the *Planning and Development Act 2005*. The maximum penalties under the P&D Act are \$200,000 and, in the case of a continuing offence, a further fine of \$25,000 for each day during which the offence continues.

Existing Bonds

The Town is currently holding \$387,630.98 in development and subdivision bonds and these funds will be returned once the applicant lodges a bond refund request and the works have been completed. If the works have not been completed to the satisfaction of the Town, the Town retains the bond until the outstanding works are completed. The revocation of CP 1.17 will not impact this process as the requirement to complete the works to the satisfaction of the Town is imposed as a condition on the relevant approval.

Conclusion

The Town is actively encouraging development to occur to provide economic stimulus to the local community. Removing the requirement for a bond will assist in this matter as it reduces the upfront costs to developers.

Given the other issues associated with bonds as outlined in this report, and given there are adequate powers under the Act to ensure conditions of development approval can be complied with, it is appropriate to revoke CP 1.17.

Statutory Requirements

Section 2.7(2)(b) of the *Local Government Act 1995* provides Council with the power to determine policies.

Financial Considerations

Nil.

Officer Recommendation – Item 12.5

That Council revokes Council Policy 1.17 – Development Bonds Policy – Compliance With Conditions of Planning Consent.

Voting requirements: Absolute majority

12.6	Northmoor Road Petition
Ref	COUP/MAINT/1 - Phillip Adams, Executive Manager Infrastructure
Directorate	Infrastructure
Decision Type	Executive
Attachment No. 7	Petition

Purpose

The purpose of this report is to respond to the petition lodged by a group of residents in Northmoor Road and provide an update on the Town's urban greening strategy, including planning and delivering our tree planting program and verge enhancement programs.

Background

The Town has various methods to implement our urban greening strategy and increase our tree canopy including our verge treatment guidelines designed to enhance our verges, the newly developed Street Tree Planting Program and our Tree request program where residents may request a particular species of tree for their verge.

These programs are designed to work in conjunction with each other to provide the flexibility for those that seek to take ownership of their verge, to those that would prefer a certain species and for the Town to increase its street tree planting by planning and delivering the planting of 1,000 trees this winter. This is a new initiative designed to drive change and increase our tree canopy and reduce the urban heat effect.

Communication and Engagement

These different programs attract a different type of communication between the Town and residents.

Residents taking up the option of planting their own verge under the Verge Treatment Guidelines, provides the opportunity for residents to take ownership of the verges by designing and implementing their own water friendly verge treatment.

The verge tree request option is also driven by the resident where they can request a certain species from the Town's list of tree varieties.

The newly developed street tree planting program is driven by the Town and designed to plant a large amount of trees each winter to increase the tree canopy across the district.

Through this process, the Town has designed and planned a street tree planting program on mass with a range of species to ensure biodiversity across the District is achieved.

Whilst the Town has planned the tree planting and engagement down to individual verges, there are some instances where residents have preferred not to have any tree planted. As part of the program and to increase acceptance, the Town contacted each resident advising of the intention to plant a tree this current winter and provided the opportunity for the resident to respond.

Through this process, 12% of residents objected. Officers assessed the responses and in most cases, left it open for future planting programs.

The following are examples of these objections:

- “a) As the resident, I wish to advise I do not wish to have a tree planted in the front of my house. Although the proposal is commendable, we still use this verge area to play cricket or kick a ball with our grandchildren. A tree planted would stop these enjoyable times.*
- b) Happy for 1 tree, however, not 2 and Red Flowering Ironbark only – so many young children in our cul-de-sac, worried that the view of the children will be obscured.*
- c) Thank you for the offer of a verge tree, however, we use our whole front yard, including our verge, for numerous things eg: parking, netball and cricket. Therefore we would like to decline the offer as a tree will be a nuisance and in the way.”*

In regards to the residents between 27 and 45 Northmoor Road, Eden Hill, that signed a petition objecting to street verge trees to be planted, of those 10, the Town had previously agreed to half of those objections lodged. When the petition was received, Town staff followed up with the other 5 residents by telephone and in writing to let them know that their objections had also been accepted.

Strategic Implications

Strategic Priority 1: Social

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>
1.3 Plan for a healthy and safe community	1.3.1 Facilitate safer neighbourhood environments	Community / Stakeholder Satisfaction Survey (Safety, Health and Well-being)
	1.3.2 Promote and advocate community health and well-being	

Strategic Priority 2: Natural Environment

2.1 To display leadership in environmental sustainability	2.1.1 Strengthen environmental sustainability practices and climate change mitigation	Waste reduction ratio to population
	2.1.2 Reduce waste through sustainable waste management practices	Carbon emissions (“Planet Footprint”)

	2.1.3 Initiate and drive innovative Renewable Energy practices	
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Strategic Priority 3: Built Environment

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

Project Milestones

As of 5 May 2020, the Town has planted 430 new trees. , The Town is on track to plant a total of 1,000 trees in the early stages of this winter, which is a significant increase from previous years.

Statutory Requirements

Council Policy 1.9 -Verge Treatment Policy

Council Policy 1.11 -Street Tree Pruning, Removal and Replacement Policy

Council Policy 2.1 - Sustainable Bassendean Policy

Financial Considerations

Increasing our street tree planting by approximately 400% from previous years, does result in extra expenditure, which has been provided for in the budget. The tree planting program also comes with additional planning, management and engagement with our residents and staff, along with additional ongoing maintenance which needs to be incorporated into forward budgets.

Officer Recommendation – Item 12.6

That Council notes the approach to the petition received from residents of Northmoor Road.

Voting requirements: Simple majority

12.7	Review of the Instrument of Appointment and Delegation for the Bassendean Local Emergency Management Committee (BLEMC)
Property Address (if applicable)	N/A
Landowner / Applicant (if applicable)	N/A
Ref.	GOVN/CCLMEET/12
Directorate	Community Planning
Decision Type	Executive
Attachment No. 8	<ul style="list-style-type: none"> Existing Instrument of Appointment and Delegation BLEMC Draft revised Instrument of Appointment and Delegation BLEMC

Purpose

The purpose of this report is for Council to consider amendments to the Instrument of Appointment and Delegation for the Bassendean Local Emergency Management Committee (BLEMC).

Background

The current Instrument of Appointment and Delegation (Instrument) for the BLEMC was adopted by Council on 26 September 2017. A review of the Instrument was undertaken in March 2020, which identified that the Instrument required updating to better clarify and support the work of the BLEMC and reflect changes to titles within the organisation. On 1 April 2020 the BLEMC noted that a draft Instrument (draft Instrument) would be submitted for Council consideration at the next scheduled Ordinary Council Meeting.

Communication and Engagement

The draft Instrument was submitted for consideration of the BLEMC on 1 April 2020.

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	5.1.3 Strengthen governance, risk management and compliance	Community / Stakeholder Satisfaction Survey (Governance)
	5.1.5 Ensure optimal management of assets	
	5.2.1 Improve customer interfaces and service	Risk Management Profile

5.2 Proactively partner with the community and our stakeholders	5.2.2 Engage and communicate with the community	Community / Stakeholder Satisfaction Survey (Community engagement and participation)
	5.2.3 Advocate and develop strong partnerships to benefit community	

Comment

The draft Instrument does not alter the function or purpose of the BLEMC, rather it sets out and clarifies elements which are integral for members to understand and apply in the effective function of the BLEMC. This includes for example clarification on membership, voting rights and roles. Added to this, the draft Instrument incorporates changes within the Administration to relevant position titles that attend the BLEMC.

Statutory Requirements

Section 38(1) of the *Emergency Management Act 2005* requires a Local Government to establish a LEMC.

Section 5.10(1)(a) of the *Local Government Act 1995* requires a Council Committee to be comprised of members appointed by Council.

Financial Considerations

Nil

Officer Recommendation – Item 12.7

That Council:

1. Rescinds the existing Bassendean Local Emergency Management Committee’s Instrument of Appointment and Delegation adopted on by Council in September 2017 (OCM1-12/09/17 refers); and
2. Adopts the draft Instrument of Appointment and Delegation for the Bassendean Local Emergency Management Committee, contained in the attachment to the Ordinary Council Agenda of 23 June 2020.

Voting requirements: Absolute majority

12.8	Draft Local Planning Policy No. 13 – Tree Retention and Provision (Final Adoption)
Property Address	N/A
Landowner/Applicant	N/A
Ref	LUAP/POLCY/5
Directorate	Community Planning
Decision Type	Legislative
Attachment No. 9	<ul style="list-style-type: none">• Local Planning Policy No. 13 – Trees on Development Sites• Draft Local Planning Policy No. 13 – Tree Retention and Provision• Schedule of Submissions

Purpose

The purpose of this report is for Council to reconsider adopting draft Local Planning Policy No. 13 – Tree Retention and Provision.

Background

At its meeting on 31 March 2020, Council considered draft Local Planning Policy No. 13 – Tree Retention and Provision and resolved to advertise the draft policy.

Following the conclusion of the public submission period, the draft policy was considered for final adoption at the 26 May 2020 Ordinary Meeting, where it was resolved that Council:

1. *Acknowledges the recent community feedback and defers this item to allow examination of additional measures that may provide greater controls relating to the removal of trees on private property; and*
2. *Requests the administration to thereafter list this matter for discussion at a Concept Workshop prior to bringing it back to Council.*

A Concept Workshop was held on 9 June 2020, which covered the following matters:

- Legislative requirements under the *Planning and Development Act 2005*;
- Victorian State Government requirements under the *Planning and Environment Act 1987* and its operation at a local level;
- A review of other Western Australian Local Government's Policies on the matter;
- The WALGA Urban Forest Working Group and advocacy options; and
- Current statutory protections under Local Planning Scheme No. 10.

Matters raised during the workshop have been included in a revised version of the Policy where relevant, as discussed in this report.

Proposal

A copy of the draft policy is attached. Details of consultation and submissions received are discussed in the following sections.

Communication and Engagement

The draft amended policy was presented to the Design Bassendean Advisory Group on 4 March 2020, which provided broad support for the policy.

Following Council's resolution on the matter, the draft Policy was advertised for public comment for a period of 22 days, being from 9 April 2020 to 1 May 2020, by way of the following:

- Advertisement in a local paper (Eastern Reporter Newspaper);
- Displayed on Your Say Bassendean; and
- Promoted on the Town's Facebook page.

At the close of the public consultation period, 16 submissions were received; 10 supporting the intent of the draft policy and three providing comment and three objecting. A schedule of submissions and consultation report are attached, with the relevant matters raised discussed in the following sections of the report.

Strategic Implications

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	2.1.1 Strengthen environmental sustainability practices and climate change mitigation	Carbon emissions ("Planet Footprint")
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)

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>
3.3 Enhance the Town's appearance	3.3.1 Improve amenity and the public realm	Community / Stakeholder Satisfaction Survey (heritage, amenity and appearance)

Comment

Impact on Development Potential

The draft policy has no impact on development yield per se, however, it is acknowledged that the requirement to provide a tree on site will impact the size of the dwelling that can be accommodated on the lot. Larger dwellings may be required to be two-storey to have the same floor area that would have otherwise been achieved at ground level. In this regard, it is recommended that the draft policy be amended to add a provision that allows the flexible application of development standards, where required to facilitate the retention of existing trees.

Specific comment was made to the split density provisions in LPS 10 which require dwellings to face the street to access the higher density code. Whilst subdivision in those areas often produce narrow lots, it is not considered necessary to clear the entire site to facilitate suitably sized dwellings on narrower lots. It is however recognised that requiring all dwellings to face the street can result in additional crossovers and reduced area available for street tree plantings and as such, this requirement will be considered as part of the Town's review of the local planning framework.

Retention of Mature Trees

Concern was raised that the policy provides for the ability to plant new trees in lieu of retaining existing mature trees; citing the ecological and economic benefits of mature trees compared to the establishment and maintenance cost of planting new trees.

In an attempt to incentivise the retention of existing trees, the number of new trees required to be provided may be reduced by two where a tree subject to a Tree Preservation Order or a medium or large tree is retained on site and protected by a Tree Growth Zone. The Town considers this to be a suitable incentive, as the design of the dwellings on the balance of lots within the subdivision/development will not be obliged to provide an area for a tree or associated growth zone. Where one mature tree is retained, fewer trees are required overall. In addition, it is recommended that the draft policy be amended to add a provision that allows the flexible application of development standards, where required to facilitate the retention of existing trees.

Maintenance of Trees

Where an existing tree is retained, the Town will impose conditions on the relevant approval requiring the retention of the tree in perpetuity and a notification to be registered on the Certificate of Title advising prospective purchasers that the site contains a tree which is required to be retained and protected from development works. For new trees, it is recommended that the draft policy be amended to add a provision requiring trees to be retained in perpetuity. The Town can review aerial photography and undertaken inspections where required to ensure compliance.

Residential Design Codes

Clarification was sought on the applicable sections of the R-Codes that the draft policy was augmenting or replacing, however, the draft policy is not seeking to modify or replace any of the requirements in the R-Codes - Volume 1.

Education and Other Incentives

The Town supports the use of educational material in promoting the value of trees both on private property and within the public realm. The Town can provide additional information on its website to this effect. The Town will also work with WALGA and other local governments through its participation of the Urban Forest Working Group to develop materials that can be used for educational purposes for both existing landowners and the development industry.

Tree Levy

One of the submissions suggested the use of a tree levy, whereby all landowners in the district would be charged a levy as part of their rates which would be refunded where trees were present on the property. This is not considered an appropriate proposal for the following reasons as the proposal is not equitable given some existing developed properties are unable to accommodate trees and developers could clear trees and develop sites, with the levy being passed onto the future owners of the site once the trees had already been removed.

Street Trees

The advertised version of the draft policy provided criteria where the removal of existing street trees will be supported. It is recommended that matters pertaining to the pruning, removing and replacing any street tree be removed from the draft policy to make it clear that this policy relates to trees on private property only. Provisions relating to street trees will be included in a separate Council policy.

Construction Methodology

Comment was made regarding the use of alternative construction methods as opposed to slab construction as a means of protecting trees and their root structures. Whilst slab construction is the most commonly used form of development in Western Australia, neither the Residential Design Codes nor the Building Code of Australia limit the use of appropriate alternatives.

The draft policy seeks to create a balance between development and tree retention and provision, but does not (and cannot) extend to building standards.

Legislative Controls

The definition of development under the *Planning and Development Act 2005* does not extend to the pruning, modification or removal of trees, and as such, development approval is not required for these works. Similarly, the Town has no statutory power to prevent the issue of a building or demolition permit in order to retain a tree.

It is open to Council to advocate to WALGA (via its Urban Forest Working Group) for significant legislative change, however, before that occurs, it is recommended that community consultation is undertaken to gauge views about the preparedness to accept greater regulatory controls relating to trees, particularly controls that would make it an offence to remove a tree without local government approval. If the community supports such controls, Council could advocate accordingly.

Amendments Following Councillor Workshop

In light of comments made regarding other local government local planning policies on the matter, the draft policy has been amended to include reference to the retention of existing mature trees in assessing any application against the Design Principles of the R-Codes – Volume 1.

This will provide the Town the flexibility to consider setback variations and the like where it results in the retention of a mature tree.

Conclusion

The draft policy responds to Council and community concerns regarding the loss of trees as a result of development. It is therefore recommended that Council adopts the draft policy with the following modifications:

- Providing a requirements to maintain new trees in perpetuity;
- Providing the ability to be flexible with development standards if required to retain an existing tree; and
- Deleting reference to street trees.

Statutory Requirements

STATUTORY REQUIREMENTS

The *Planning and Development (Local Planning Schemes) Regulations 2015* outline the procedure that the local government must follow after the consultation period, which is to:

- "(a) *review the proposed policy in the light of any submissions made; and*
- (b) *resolve to:*
 - (i) *proceed with the policy without modification; or*
 - (ii) *proceed with the policy with modification; or*

(iii) *not proceed with the policy."*

If Council adopts the Policy, the Town is required to publish a notice in a newspaper circulating the Scheme area advising as such.

Financial Considerations

The cost of publishing a notice in a newspaper circulating in the district can be met through Council's approved operational budget.

Officer Recommendation – Item 12.8

That Council:

1. Pursuant to Clause 4(3) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, adopts Local Planning Policy No. 13 – Tree Retention and Provision as contained as an attached to the Ordinary Council Agenda of 23 June 2020; and
2. Supports a community consultation process to determine whether or not there is broad support for greater regulatory controls relating to trees.

Voting requirements: Simple majority

12.9	Rodent Control
Property Address	N/A
Landowner / Applicant	N/A
Ref	PUBH/PROGM/3
Directorate	Community Planning
Decision Type	Executive and Legislative
Attachment No. 10	Council Policy 5.7 – Rodent Control

Purpose

The purpose of this report is for Council to consider options for rodent control in the Town and the potential revoking of Council Policy 5.7 – Rodent Control (CP 5.7).

A number of edits have been made to this report since the Briefing Session (shown in red text)

Background

The purpose of CP 5.7 is to ensure that residents have access to a supply of bait so as to control the rodent population within the Town and ensure that rodents do not build up resistance to the poison by receiving sub-lethal doses. The Policy authorises the (then) Manager Development Services or Senior Environmental Health Officer to issue rat bait to residential ratepayers at no charge to the ratepayer where there is a significant rat problem.

In preparing the draft 2020/21 budget, the Town has been reviewing areas where savings could be made with minimal impact to the community. The Rat Eradication Program has been identified as a source of possible savings, and environmental concerns with the use of the baits is a matter that has previously been discussed by Council.

The Town currently provides free Racumin baits to the community, in addition to undertaking baiting in public areas such as reserves and drains. In the 2019/20 adopted budget, \$2,000 is allocated towards the cost of purchasing the baits as part of the Rat Eradication Program.

Since 1 July 2019, the Town has provided 345 baits to 213 residents. In most cases, residents are given just a single pack containing 8-10 pieces, although multiple packs are provided on request. The Town typically receives 50 requests for rodent baits per month during the peak months of September to October and February to March.

Communication and Engagement

The Town, via the Information Bulletin, has previously sought feedback from Council on the continuance of the Rat Eradication Program, and it subsequently requested that the Town investigate the use of an automatic rat trap.

Strategic Implications

Strategic Priority 1: Social

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>
1.3 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

Secondary Poisoning

Concern has previously been raised regarding the possibility of pets or wildlife eating a poisoned rat, resulting in secondary poisoning.

The use of Racumin poses a very low secondary poisoning risk to non-target animals as the active ingredient of Racumin (Coumatetralyl) is metabolised by the rodent as it takes effect, meaning that the residue levels are much lower. Lower residue results in a reduced risk of secondary poisoning. The Town has received no reports of secondary poisoning as a result of the use of the baits.

Use of Rat Traps

An alternative to baiting is trapping. This may be in the form of the traditional snap back traps or more recently the plastic capture box. Live traps must be inspected every morning and any trapped animals killed humanely or released into a suitable location. The available evidence suggests, however, that the survival rate of relocated animals is often very low and releasing animals into a new location is unlikely to be a more humane alternative to killing them quickly and painlessly.

In addition, the use of rat traps represents an OHS/liability issue, given that potential risk if injury to the user.

Alternative Eradication Methods

The Town has investigated the use of automatic traps, which use an internal trigger to set off a piston when a rodent seeks bait, killing the rodents instantly. The piston then retracts, resets with more gas and is ready for the next rodent. A stand and a canister containing the bait is also required for each trap.

It has been suggested that a deposit (bond) system could be used for the automatic traps. Whilst this will cover the cost of any damage to the traps, it does not account for:

- The initial procurement of the traps;
- The costs associated with managing the allocating and retrieving of the traps;

- The ongoing costs associated with replacing the consumables required for the effective use of the traps;
- Service and maintenance of the traps; and
- The time taken to administer the deposit system and requests for assistance.

In addition to the cost, the use of traps by members of the public would present a genuine OHS/liability issue given the nature of the trap and risk of injury.

The use of live traps (catch and release) has also been investigated. Animal Welfare Societies and other wildlife organisations agree that the humaneness of live trapping depend on a number of factors including:

- The design of the trap;
- How frequently the traps are checked;
- Provision of food, water and nesting material within the trap to avoid starvation, dehydration or cold stress; and
- Maintenance of the trap (to ensure the trap mechanism will not catch the tail or limbs of the animal when it closes).

Further to the above, the RSPCA affirm that available evidence suggests the survival rate of relocated animals is often very low, and that releasing them into a new and unfamiliar location is unlikely to be a more humane alternative to killing them quickly and painlessly. PETA (People for the Ethical Treatment of Animals - UK) recommends that rodents are released no more than 100 yards (approx. 91 metres) of where they were trapped. Releasing a mouse or rat into a strange area will almost surely result in the animals' death because relocated animals do not know where to find adequate food, water or shelter and often become weak and succumb to predation. Relocated animals may also face aggression and competition from other rodents already occupying territory in the new area and are likely to be more vulnerable to predation.

Other risks which have been identified in relation to live trapping include:

- Ensuring traps are inspected frequently by the resident;
- Ensuring the welfare of the trapped animal is not compromised;
- Ensuring the trapped animal's survival once released;
- Rats may return to original location if released too close to trapped location;
- Risks to domestic pets being trapped and injured;
- Suitability of the land where the rodent is being translocated to;
- Cleaning and sanitising of traps to eliminate odours, food, bodily discharges, and bacteria e.g. salmonella, leptospira etc; and
- Compliance with the provisions of the Animal Welfare Act 2002, the Biodiversity Conservation Act 2016 and any other relevant legislation.

For these reasons, alternative eradication methods is not recommended.

Cost Comparison

The following represents the costs associated with each method of rat eradication:

Item	Eradication Method (per unit)		
	Rat Baits	Rat Traps	Automatic Traps
Price per bait/trap	\$5.11 (assuming 10 baits/pack)	\$3.23 (traditional wooden trap)	\$189.00
Stand to hold trap	N/A	N/A	\$25.00
Bait per trap (Annually)	N/A	N/A (resident to provide)	\$50.00
Total cost per unit	\$5.11	\$3.23	\$264.00

The above costs having been extrapolated by 50, being the typical amount of requests received for rat baits during peak months as presented below.

Item	Eradication Method (per 50 units)		
	Rat Baits	Rat Traps	Automatic Traps
Price per bait/trap	\$255.59	\$161.50	\$9,450
Stand to hold trap	N/A	N/A	\$1,250
Bait per trap (Annually)	N/A	N/A (resident can provide bait)	\$2,500
Total Cost	\$255.59	\$161.50	\$13,200

As demonstrated above, providing traditional rat traps is the cheapest method of rat eradication.

Council Policy 5.7 (Free Rat Baits)

CP 5.7 provides the Town the ability to issue rat bait to residential ratepayers free of charge. Given there is no statutory obligation for the Town to provide rat baits or traps to the community, Council is able to cease this service. In considering this matter, the following is relevant:

- A comparison of other local governments found that Bayswater and Belmont provide baits but Victoria Park and Swan do not.
- Rat baits are inexpensive and can be purchased by the public at supermarkets and hardware stores.
- The Town can undertake rat baiting in public places such as drains and where it is deemed an issue, or for derelict or vacant properties via a reduced budget allocation of \$300.

Based on the above, it is considered there is not a need for the Town to provide baits for use on private property and it will therefore be recommended that Council revoke CP 5.7

Community Education

Rodent populations can also be controlled by limiting the food and shelter available, and by adhering to the following steps:

- Stacking wood about 40 cm off the ground and away from sides of sheds and fences;
- Removing fruit and nuts from vines and trees at the end of the season, picking up rotten fruit from the ground and removing fruit from palm trees when in bloom;
- Keeping the backyard as clean and free of debris as possible;
- Maintaining rubbish and compost bins in good repair, with secure lids and free from holes;
- Keeping pet dishes clean and storing bulk pet food in closed containers; and
- Regularly removing garden waste from sheds and the yard.

This information is available on the Town's website to assist residents in managing their properties to control rodents.

Conclusion

The ongoing use of the Racumin baits will not result in secondary poisoning to either pets or wildlife, and the Town considers the baits are safe to use as well as being the lowest risk in terms of OHS/liability issues associated with the use of traps. For this reason, the use of traditional or alternative traps is not supported.

Whilst the Town acknowledges that other forms of baiting may present a risk of secondary poisoning, the Town cannot restrict the sale of these products from retail outlets. Rodent baits are inexpensive and readily available at retailers, and as such, there is not considered a need for the Town to provide baits for use on private property.

It is therefore recommended that Council revoke CP 5.7 and no longer provide free baits to the community. The Town will promote education on the safe use of rat baits, and continue to undertake baiting on public land such as reserves and drains through the use of Racumin baits.

Statutory Requirements

Section 2.7(2)(b) of the *Local Government Act 1995* provides Council with the power to determine policies.

Financial Considerations

The Town will recommend an allocation in the draft 2020/21 budget for rat eradication based on the method determined by Council.

Officer Recommendation – Item 12.9

That Council:

1. Revokes Council Policy 5.7 – Rodent Control; and
2. Notes that that Town's Rat Eradication Program will involve the use of Racumin baits by the Town only.

Voting requirements: Point 1: Absolute Majority

Point 2: Simple Majority

12.10	Draft Land Asset Strategy
Property Address	N/A
Landowner/Applicant	N/A
Ref	A46007
Directorate	Community Planning
Decision Type	Executive
Confidential Attachment No. 1	Confidential Draft Land Asset Strategy

Purpose

The purpose of this report is for Council to consider adopting the draft Land Asset Strategy.

Background

The Town owns a number of freehold lots within the Town and also has care and control of a number of Crown land parcels that are vested with the Town. There is a clear need to have good asset management practices, so as to ensure the Town's land assets are managed so as to deliver suitable returns (social, environmental and economic). If any economic potential exists, this should be maximised to reduce the Town's reliance on rates revenue.

Communication and Engagement

The draft Strategy was presented to a Councillor Workshop in June 2020.

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	5.1.3 Strengthen governance, risk management and compliance	Community / Stakeholder Satisfaction Survey (Governance) Risk Management Profile
	5.1.5 Ensure optimal management of assets	
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)
	5.2.2 Engage and communicate with the community	
	5.2.3 Advocate and develop strong partnerships to benefit community	
5.3 Strive for Improvement and Innovation	5.3.1 Adopt and measure against best practices ensuring a focus on continuous improvement	Local Government Service Review Benchmarks

Comment

The Town owns a broad range of assets - land being just one type. Similar to any other asset class, the Town needs to manage and maintain its land and property assets with financial, economic and risk management considerations in mind. Council must understand any risks involved and ensure that any actions do not adversely impact on the financial position of Council, noting that having underutilised land and property assets creates significant real and/or opportunity costs to the Town and impacts the aim for financial diversification and sustainability.

This Strategy applies to all land that is owned in freehold by the Town and a select number of Crown land parcels that are vested with the Town. It also applies to the existing improvements that are accommodated on those land parcels and seeks to provide high-level guidance for future actions. It should be noted that all Public Open Space (POS) lots within the district will be incorporated into a subsequent POS Strategy that will seek to guide and coordinate decisions relating to the provision and standard of POS within the Town, from the strategic level down to the operational level.

The Strategy is intended to provide a high-level overview of the Town's land assets and how each of them should be managed so as to deliver maximum benefit for the community. It is not intended to be a detailed action or implementation plan and Council will have the ability to make detailed implementation decisions in the future, as required. In addition, the Strategy is able to be periodically reviewed so as to ensure that it appropriately reflects Council's view on its land assets.

It is recommended that Council adopt the draft Strategy and that it remain confidential (that is, not accessible to the public) as it contains market sensitive information that if made available, may place the Town in a financially disadvantaged position.

Statutory Requirements

There is no statutory requirement for Council to adopt the draft Land Asset Strategy.

Financial Considerations

There are no financial implications of adopting the draft Strategy.

Officer Recommendation – Item 12.10

That Council:

1. Adopts the draft Land Asset Strategy, as contained in the Confidential Attachment to the Ordinary Council Agenda of 23 June 2020, and notes that any proposal in respect to Town-owned or controlled property would be considered by Council on a case-by-case basis, having regard to the Strategy, the Strategic Community Plan and the Long Term Financial Plan; and
2. Notes that the Strategy is to remain a confidential document.

Voting requirements: Simple majority

12.11	Town Centre Revitalisation
Property Address	N/A
Landowner/Applicant	N/A
Ref	ECOD/PLANNG/1
Directorate	CEO / Community Planning
Decision Type	Executive
Attachments	Nil

Purpose

The purpose of this report is for Council to consider actions to stimulate the ongoing planning and redevelopment of the Bassendean Town Centre, as a key strategic response to the COVID-19 pandemic.

Background

Building on the State Government's agenda focusing on Metronet, creating local jobs and affordable housing, the Town is committed to exploring opportunities for the enhancement and activation of the Bassendean town centre. This is particularly the case now as the Town seeks ways to meaningfully contribute to the important recovery phase of the COVID-19 situation to create sustainable economic and social development opportunities.

Communication and Engagement

The Town recently completed BassenDream Our Future; an extremely comprehensive community engagement project to develop an aspirational vision for the future of Ashfield, Bassendean and Eden Hill. The process included over 3,000 interactions with the community involving a series of workshops, breakfast radio, surveys and an Ideas hub to promote strong community engagement and a strong desire to genuinely understand the thoughts, aspirations and ideas of the community for the future. More specifically, BassenDream Our Future is being used to shape the Town's new Strategic Community Plan and Local Planning Framework.

Relevant to this proposal, the outcomes of BassenDream Our Future suggest that there is broad community support for providing higher density development within 400m of the three railway stations and around the Bassendean town centre as well enhancing and activating the Bassendean town centre (Old Perth Road).

Strategic Implications

Strategic Priority 5: Economic

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>
4.2 Facilitate local business retention and growth	4.2.2 Continue the activation of Bassendean's town centre.	Number of local business and Stakeholder Survey (Engagement and Facilitation of local Business Networks)

Comment

Throughout most of 2019, the Town of Bassendean in partnership with Creating Communities undertook the most extensive community engagement process ever to identify the community's ideas, thoughts and aspirations for the future of the District. This work concluded in late 2019 and has provided a strong base to inform a review of the Local Planning Strategy, the preparation of a new Local Planning Scheme and the development of a new Strategic Community Plan, all of which are underway.

A strong theme emerging from community feedback via the BassenDream project is the development of 'town centre vibrancy'. This was also reinforced in a subsequent Catalyse community survey in November 2019, where the community commented that town centre development and a focus on economic development was needed to make the District even better.

In order to attract investment (both private and government) and resultant development for the revitalisation of the town centre at this critical juncture, the creation of a Town Centre concept masterplan is key. This will enable an integrated and holistic approach to the planning of the town centre. A concept masterplan is not just about the built-form but also understanding what people want from their town centre and what components contribute to that desired outcome.

The ToB will need to do a Town Centre Plan at some stage. Doing this now will help inform and strengthen the work underway at present on the Local Planning Scheme and help facilitate timely progress on the activation of key government sites.

This project provides a strategic response to COVID-19 for our town centre and local economy through creating the right conditions for potential new housing, employment, supporting small business and greater social connection and development. This is not a short term project but one that has the potential to position the Town favorably for years to come.

Proposed Approach and Resourcing

In order to progress this project, it will be necessary to engage external consultant(s) to undertake various aspects of the work, particularly in relation to the critical matter of stakeholder engagement and technical drawing. The work undertaken by the consultant(s) may combine the following elements:

- Project scoping and inception workshop;
- Desktop research;
- Key stakeholder interviews – targeted at key decision-makers and stakeholders ;
- Targeted town centre related surveys/focus groups;
- Development of initial masterplan and design concepts;
- Design workshops to seek feedback on and refinement of design concepts;

- Finalise town centre masterplan and design concepts based on feedback; and
- Final Report (presentation and submission to relevant stakeholders).

It is important to recognise that this is proposed to be a ToB driven project with the requirement for inputs for specialist capabilities that are not available within a small local government. The ToB will provide the appropriate governance to lead and facilitate a multi-disciplinary team approach combining its own skills and expertise with the inputs of external resources to achieve the deliverables and outcomes required from this project.

Conclusion

The town centre concept masterplan is considered a natural follow on from the Bassendean Our Future project of 2019 and will be a key component of the both the LPS and development of the new town planning scheme, both of which are currently being prepared. It will also provide a valuable promotions/marketing tool, to enable the Town to generate interest and excitement about the unique opportunities that will be able to be unlocked in the future.

It is that interest and excitement that will lead to meaningful investment in the town centre, and ultimately, the achievement of the community's vision.

The risk of not preparing a town centre masterplan is that the significant potential of various government controlled sites will not be able to be unlocked, as it limits the ability to prepare future local planning frameworks (potentially including a Local Planning Policy or Precinct Plan) that would further assist in achieving a well-planned and viable town centre.

Statutory Requirements

There is no statutory requirement for Council to agree to this proposal.

Financial Considerations

The cost of appointing **external resources** will be in the vicinity of up to \$100,000.

Officer Recommendation – Item 12.11

That Council:

1. Approves the preparation of a concept masterplan for the Bassendean Town Centre; and
2. Considers allocating up to \$100,000 in the 2020/21 Budget for the above.

Voting requirements: Simple majority

12.12	Old Perth Road Markets
Property Address	N/A
Landowner/Applicant	N/A
Ref	ECOD/EVMNGT/2
Directorate	Community Planning
Decision Type	Executive
Attachments	Nil

Purpose

The purpose of this report is for Council to consider whether or not to stage the Old Perth Road Markets (OPRM).

Background

The OPRM were initially established in 2010 to sell produce and crafts of the local region. The OPRM is located in the west end of Old Perth Road, Bassendean and hosts between 60-100 stallholders, monthly. Today it is recognised as an arts and crafts market catering for local artisans, producers and growers, more recently with a growing focus as a “farmers’ market”.

In terms of the management arrangements for staging the OPRM, the Town initially had a Memorandum of Understanding (MOU) with the Rotary Club Swan Valley (RCSV) which has since been superseded by time-limited Management Agreements. The Town also engages a Coordinator and the Bassendean Men’s Shed (BMS) to implement the traffic management plan in staging the OPRM. In June 2019, a new OPRM Coordinator was appointed on a short-term basis; being until 30 April 2020 in line with existing Management Agreement of the RCSV. All three parties, namely the Bassendean Men’s Shed, Rotary Club Swan Valley and the Coordinator, are paid for their services by the Town of Bassendean.

On 25 February 2020, Council considered options associated with the future of the OPRM and resolved as follows:

- 1. Council extends both the Management Agreement with the Rotary Club Swan Valley and the contract with the coordinator of the Old Perth Road Markets until 30 June 2021;*
- 2. Prior to the conclusion of the contract, the Town of Bassendean will conduct an Expression of Interest review process to determine the future direction of the Old Perth Road Markets. In the event the contract extension is not accepted, Council approves an Expression of Interest process to be conducted regarding the future staging of the Old Perth Road Markets; and*
- 3. Council notes that if required a report will be presented at a future Council meeting outlining the results of the Expression of Interest process.*

Since that time, the COVID-19 situation has led to both an enforced hiatus of the OPRM and a commitment from Council to not provide any financial allocation for events, sponsorship and grants in the draft 2020/21 budget.

Communication and Engagement

Town Officers have maintained communication primarily with the Coordinator during the period of Covid-19. Recently, Town Officers also met with the group to discuss options for the staging of the OPRM if a budget allocation was to be approved, as well as implementing a Covid safety plan. The group indicated that they would require a lead time of at least three weeks in order to secure sufficient stallholders and general planning.

Strategic Implications

Strategic Priority 5: Economic

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>
4.2 Facilitate local business retention and growth	4.2.2 Continue the activation of Bassendean's town centre.	Number of local business and Stakeholder Survey (Engagement and Facilitation of local Business Networks)

Comment

The current management model for the OPRM is a community led four-way arrangement which includes the RCSV, the BMS, a Market Coordinator directly contracted by the Town and the Town itself.

In 2018, as part of the community engagement process for developing the Arts and Cultural Plan 2019-2023, the community was surveyed regarding their experience in terms of "building a sense of place and belonging". 92.8% of respondents indicated that they felt very or somewhat connected to their community, with the reason being that there were the opportunities to attend local arts or cultural events. When surveying the community regarding the events they attended and ranked the importance of each event, the OPRM ranked number one for each question.

In 2019, as part of the *BassenDream Our Future* community engagement process, Town residents responded strongly for markets in some form such as a "fruit and vegie" market or "regular farmer's market" to continue to be staged in the Town of Bassendean. Respondents also positively commented for the Town to continue its "emphasis on building community through the events" and to continue "more of what has already been happening, great café's, pop up street festivals, markets, community events and street art".

In late 2019, the Town engaged a consultant to complete a review of existing information and policy, to compare event focus, spending and staffing levels with four other local governments and collect new data relating to the 2020 Australia Day and WonderRealm Events.

That work concluded that the Town's events are not seen as, nor are they delivering as, a strong external brand lever nor are they delivering significant local economic benefit.

Since that time, the COVID-19 situation has led to both an enforced hiatus of the OPRM and a commitment from Council to not provide any financial allocation for events, sponsorship and grants in the draft 2020/21 budget. Therefore, even with COVID-19-related restrictions gradually easing, unless Council amends the draft budget to provide a financial allocation for events, sponsorship and grants, the OPRM will not be able to be staged.

Alternative Format

It is open to Council to stage the markets using a different format, with options including the following:

- Staging the markets every two or three months, rather than every month; and
- Staging the markets at BIC Reserve so as to avoid the need to fund traffic management (saving \$500 per market).

Conclusion

It is open to Council to maintain its previous/current position or alternatively, change its position by providing a financial allocation for the OPRM. (In any event, a review of the 2020/21 budget is scheduled for November 2020 where the budget settings can be reviewed.)

Statutory Requirements

Nil.

Financial Considerations

If Council resolves to stage the OPRM, it will be necessary to allocate \$4,400 per market within the upcoming 2020/21 budget. The Town normally stages 11 markets from February to December each year.

In terms of Town resources, it is estimated that 22 hours of staff time are allocated to each market, as follows.

Business Unit	Hours
Recreation & Culture	11
Environmental Health	2
Building Maintenance	1
Parks & Gardens	0
Rangers	2
Youth Services	0
Waste & Recycling	5
Volunteering	1
TOTAL	22 (\$1,100)

Based on 11 markets per year, the total staff cost would be \$12,100.

Officer Recommendation – Item 12.12

Option 1

That Council confirms that it will not provide any financial allocation for events, sponsorship and grants in the upcoming 2020/21 budget and acknowledges that such an approach will not facilitate the staging of the Old Perth Road Markets.

or

Option 2

That Council considers allocating \$48,000 within the upcoming 2020/21 budget so as to facilitate the staging of the Old Perth Road Markets.

Voting requirements: Simple majority

12.13	Audit and Governance Committee Meeting held on 3 June 2020
Property Address (if applicable)	NA
Landowner/Applicant (if applicable)	NA
Ref	GOVN/CCLMEET/18
Directorate	Corporate Services
Decision Type	Executive
Attachment No. 11	<ul style="list-style-type: none"> Minutes of the Audit and Governance Committee meeting held on 3 June 2020
Confidential Att No. 2	<ul style="list-style-type: none"> Confidential - Audit Risk Register – High Level Report

Purpose

The purpose of this report is for Council to receive the report on the meeting of the Audit and Governance Committee held on 3 June 2020.

Communication and Engagement

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

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	5.1.3 Strengthen governance, risk management and compliance	Community / Stakeholder Satisfaction Survey (Governance)
	5.1.5 Ensure optimal management of assets	Risk Management Profile
5.3 Strive for Improvement and Innovation	5.3.1 Adopt and measure against best practices ensuring a focus on continuous improvement	Local Government Service Review Benchmarks

Comment

The following items were discussed:

Audit Risk Register

The Audit Risk Register – High-Level Report presents a summary of the Town's audit risks and audit recommendations made in recent internal and external audit reports relating to the Town and provides an update on actions taken to address those recommendations.

The Audit Risk Register – High Level Report is updated and tabled at each meeting of the Committee.

Annual Audit of the Financial Report for 2019-20

The Auditor General became responsible for the Town’s external audit for the 2018-19 financial year. The Auditor General may contract out the audit but maintains overall responsibility for the audit and the audit opinion. The Auditor General has appointed RSM Australia (RSM) as the Town’s auditors for the next three years.

RSM provided the Audit Planning Memorandum to the Town, which outlines the proposed approach by RSM to audit the financial report of the Town for the year ending 30 June 2020.

RSM have also engaged an Information System Auditor specialist to assess the risk of material misstatement imposed by the Information Technology environment.

The Audit Exit Meeting with the Committee is planned for November and will mainly cover the presentation and discussion of the audit closing report, which will outline any significant audit related matters concerning the financial report, management letters and improvement suggestions for future audits.

Internal Audit Schedule 2021-23

The Town’s contract with its current internal auditors, Moore Stephens, expires on 30 June 2020.

Staff have reviewed the Town’s risks for Finance and Information Technology activities and prepared the attached draft internal audit schedule for 2021-23, to test controls over those activities over the next three years.

The Town proposes to conduct an RFQ process for internal audit services for the three years ending 30 June 2021, 2022 and 2023 upon adoption by Council of the draft internal audit schedule.

The draft Internal Audit Schedule - 2020-2021 TO 2022-2023, is shown below:

Internal Audit Modules	2020-2021	2021-2022	2022-2023
Regulation 17 – Local Government (Audit) Regulations 1996:			
Corporate Governance			
Risk Management			
Legislative Compliance			
General Finance Controls:			
Payroll and Employee Leave (after upgrade)			
Purchasing and Creditors (after upgrade)			
Credit Cards and card management system (after upgrade)			
Tenders and Contract Management including Extensions and Variations			

Receipting and Management of Monies held for specific purposes			
Bank Reconciliations			
General and Rate Debtors			
Investments and Cash Flow Management			
Budgeting and cost controls			
Assets			
Information Management and Reporting			
Taxation – GST, FBT			
Information Technology:			
Application and access controls			
IT Governance			
Disaster Recovery & Backup			
Information Security			
Management of IT Risks			
Change Management & Change Controls			
Remote Access/Security considerations for working from home arrangements			
Lease Agreements			
Records Management			
Fraud Prevention and Detection			
On line services – Dog and Cat Renewals, Debtors and Infringements (after implementation of the modules)			
Grant acquittals	As required	As required	As required

Procurement Process Improvements

Many of the audit recommendations presented in the Audit Risk Register – High-Level Report relate to procurement and contract management. The Town has taken a holistic approach to reforming its procurement and contract management practices and has commenced developing a Procurement and Contract Management Framework.

This framework will, once completed, provide a comprehensive, integrated manual to govern all aspects of the Town’s procurement and contract management activities, linking policy, procedures, workflow processes and forms to ensure effective procurement and contract management in compliance with all legislative requirements.

The Town has, over the past six months, made significant progress in developing this framework by introducing a range of improvements to procurement processes, aligned with best practice, to promote efficiency, improve governance and strengthen controls. The paper presented to the Committee summarised those process improvements under the following phases of the procurement lifecycle:

- Need Identification, Decision-Making and Specifications Development
- Documentation Development and Advertisement Phase
- Evaluation and Validation
- Contract Award and Implementation.

The focus to date has been on the Town's higher value procurement activities, involving formal Request for Tender and Request for Quote processes. Subsequent phases of the project will focus on lower level procurement (below \$60,000) and contract management.

Staff are also working on ways to better incorporate local suppliers, social content and sustainability considerations into the procurement evaluation process.

The Procurement and Contract Management Framework is expected to be completed by the end of 2020.

Internal Audit – Accounts Payable and Purchasing

The internal audit of accounts payable and purchasing was conducted by Moore Stephens and completed in May 2020.

The audit found broad compliance with the Town's Purchasing Policy and Procurement Guidelines and found the manual operating controls in place support a culture of staff performing diligent reviews. However, the audit highlighted a need for implementation of system controls to replace manual controls to strengthen the existing internal control environment and recommended the Town consider upgrading the existing financial system to a more contemporary version including automated controls.

Moore Stephens highlighted eleven (11) key findings and risks, seven (7) of which were said to represent a control weakness which may become more serious if not addressed.

Finance staff are in agreement with Moore Stephens regarding the key findings and recommendations and will respond to the risks identified by taking comprehensive action in 2020-21, including:

- Automating its purchasing function;
- Reviewing its Purchasing Policy and Procurement Guidelines;
- Reviewing user access privileges;
- Developing and implementing a fraud and corruption control plan; and
- Reviewing inactive and duplicate suppliers and bank accounts.

Officer Recommendation – Item 12.13

That Council:

1. Receives the report on the Audit and Governance Committee meeting held on 3 June 2020; and
2. Adopts the Internal Audit Schedule for 2021-23, as attached to this report.

Voting requirements: Simple majority

12.14	Monthly Financial Report – May 2020
Ref	FINM/AUD/1
Directorate	Corporate Services
Decision Type	Legislative
Attachment No. 12	Monthly Financial Report, containing the Statement of Financial Activity for May 2020.

Purpose

The purpose of this report is for Council to consider the monthly financial report for May 2020.

Background

The Local Government (Financial Management) Regulations 1996, Regulation 34, requires that a statement of financial activity be prepared each month and presented to Council.

The statement of financial activity is to show a comparison of the budget estimates with the actual revenue and expenditure figures for the year to date and can be presented by nature and type classification, program or Business Unit. The statement of financial activity hereby presented to Council is by nature and type classification and by program.

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

Each year Council is required to adopt a percentage or value to be used in statements of financial activity for reporting material variances. Council adopted 10% or \$5,000, whichever is greater, as part of its 2019-20 Annual Budget.

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	5.1.3 Strengthen governance, risk management and compliance 5.1.5 Ensure optimal management of assets	Community / Stakeholder Satisfaction Survey (Governance) Risk Management Profile

Comment

The Statement of Financial Activity attached represents the adopted 2019/20 Annual Budget estimates and actual income and expenditure amounts for the month ending 31 May 2020.

Statement of Financial Activity (by nature or type)

The Statement of Financial Activity provides 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.

Item	Amended Annual Budget	YTD Budget	YTD Actual	Variance to YTD Budget
	\$m	\$m	\$m	%
Revenue	22.9	22.5	22.5	0.34%
Expenditure	26.5	24.0	22.9	4.56%
Capital Works	5.9	1.6	1.1	28.30%
Non-Operating Grants, Subsidies and Contributions	1.9	0.7	0.7	5.71%

Operating Revenue

Revenue year to date is 0.34% above budget. Operating grants are above budget due to the advance payment for the Financial Assistance grant. Also, seniors grant funding is above budget. This is offset by investment interest below budget due to low interest rates.

Operating Expenditure

Expenditure year to date is 4.56% under budget. Materials and contracts are under budget due to timing (street tree planting program, other projects and refuse collections) and cancellation of events and programs due to COVID-19. Utility charges are under budget due to timing (street lighting) and savings in some building facilities. Other Expenditure is under budget due to timing (administration expenses and projects) and cancellation of programs and projects due to the COVID-19 pandemic.

Capital Works

Expenditure on capital projects is under the year to date budget due to timing and carryover projects to 2020-21.

Cash backed reserves

The closing balance of the cash backed reserves at 31 May 2020 is \$7.0 million. The reserve summary shows all movements to and from reserve deriving the expected closing balance. The report provides information on Town's ability to allocate funds for future projects by providing a closing balance comparison to budget. Transfers to and transfers from reserve to fund capital projects are still to occur.

Statement of Financial Position

The Town has current assets of \$16.4 million. The major components of which are cash and cash equivalents of \$13.9 million and trade and other receivables of \$2.5 million. There are current liabilities of \$5.3 million.

The major components are trade and other payables (includes bonds and deposits) of \$2.9 million and employee provisions of \$2.4 million.

Statement of Cash Flows

Net cash provided by operating activities is \$0.9 million for the year to date and net cash provided by investing activities is \$0.6 million.

Monthly Investment Report

The overall balance of Town's investments is \$11.7 million. This is comprised of municipal investments of \$3.9 million (including restricted bonds and deposits), reserve investments of \$7.0 million and trust investments (including public open space) of \$0.7 million.

The administration uses *Marketforces.org.au* to assist in assessing whether a bank promotes non-investments in fossil fuel related entities. The Town currently has 53% of its funds invested non-fossil fuel ADIs. This is lower than last month due to the need to mature Municipal Investments for cash flow requirements.

Budget Amendments

There are no budget amendments identified in the statements of financial activity for May 2020.

Statutory Requirements

Local Government (Financial Management) Regulations 1996.

Financial Considerations

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

Officer Recommendation – Item 12.14

That Council receives the monthly financial report for May 2020.

Voting requirements: Simple majority

12.15	Accounts Paid – May 2020
Ref	FINM/CREDTS/4
Directorate	Corporate Services
Decision Type	Legislative
Attachment No. 13	List of Payments - May 2020

Purpose

The purpose of this report is for Council to receive the list of payments for May 2020.

Background

The Local Government (Financial Management) Regulations 1996, Regulation 13, requires a list of accounts paid by the CEO each month to be presented to Council at the next ordinary meeting of Council after the list is prepared.

The monthly payments made for May 2020 are presented to Council, with details of payments made by the Town in relation to goods and services received.

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	5.1.3 Strengthen governance, risk management and compliance	Community / Stakeholder Satisfaction Survey (Governance) Risk Management Profile
	5.1.5 Ensure optimal management of assets	

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 12.15

That Council receives the list of payments for May 2020.

Voting requirements: Simple majority

12.16	Use of Common Seal
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
Ref	INFM/INTPROP/1 - Elizabeth Nicholls, Executive and Research Officer to CEO
Directorate	Chief Executive
Decision Type	Executive
Attachments	Nil

Purpose

The purpose of this report is for Council to note the documents affixed with the Common Seal during the reporting period.

Background

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.

Proposal

Not applicable.

Communication and Engagement

Not applicable.

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	5.1.3 Strengthen governance, risk management and compliance	Community / Stakeholder Satisfaction Survey (Governance)
	5.1.5 Ensure optimal management of assets	Risk Management Profile
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)
	5.2.2 Engage and communicate with the community	
	5.2.3 Advocate and develop strong partnerships to benefit community	

5.3 Strive for Improvement and Innovation	5.3.1 Adopt and measure against best practices ensuring a focus on continuous improvement	Local Government Service Review Benchmarks
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Comment

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

Document Sealed	Date Sealed
FOGO Distribution Deed (x7)	17 June 2020

Statutory Requirements

Affixing of the Common Seal is done in accordance with section 9.49A of the *Local Government Act 1995*

Financial Considerations

Not applicable

Officer Recommendation – Item 12.16

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

Voting requirements: Simple majority

12.17	Calendar for July 2020
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
Ref	INFM/INTPROP/1 - Elizabeth Nicholls, Executive and Research Officer to CEO
Directorate	Chief Executive
Decision Type	Executive
Attachments	Nil

Purpose

The purpose of this report is for Council to consider the calendar for July 2020.

Background

Nil.

Proposal

Not applicable.

Communication and Engagement

Not applicable.

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	5.1.3 Strengthen governance, risk management and compliance	Community / Stakeholder Satisfaction Survey (Governance) Risk Management Profile
	5.1.5 Ensure optimal management of assets	
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)
	5.2.2 Engage and communicate with the community	
	5.2.3 Advocate and develop strong partnerships to benefit community	
5.3 Strive for and Innovation	5.3.1 Adopt and measure against best practices ensuring a focus on continuous improvement	Local Government Service Review Benchmarks

Comment

Calendar for July 2020:

Date	Time	Location	Meeting/Event
Tues 23 June 2020	5.30pm	Via Teams	Ordinary Council Meeting
Thurs 25 June 2020	6.00pm	City of Bayswater	WALGA East Metropolitan Zone
Tues 30 June 2020	5.30pm	Via Teams	Concept Workshop
Wed 1 July 2020	3.30pm	Via Teams	BLEMC
Tues 7 July 2020	5.30pm	To be determined	Concept Workshop
Tues 14 July 2020			No Meeting
Tues 21 July 2020	5.30pm	Via Teams	Briefing Session
Tues 28 July 2020	6.00pm	Council Chambers	Ordinary Council Meeting

Statutory Requirements

Not applicable.

Financial Considerations

Not applicable.

Officer Recommendation – Item 12.17

That Council adopt the calendar for July 2020.

Voting requirements: Simple majority

8.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

9.0 CONFIDENTIAL BUSINESS

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

10.0 CLOSURE

The next Briefings Session will be held on Tuesday 21 July 2020, commencing at 5:30pm.

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

14.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

15.0 URGENT BUSINESS

16.0 CONFIDENTIAL BUSINESS

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

17.0 CLOSURE

The next Briefing Session will be held on Tuesday 21 July 2020.

The next Ordinary Council meeting will be held on Tuesday 28 July 2020.