

# TOWN OF BASSENDEAN

## MINUTES

### ORDINARY COUNCIL MEETING

HELD IN THE COUNCIL CHAMBER, 48 OLD PERTH ROAD, BASSENDEAN

ON TUESDAY 24 NOVEMBER 2020 AT 6.00PM

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

The Presiding Member declared the meeting open, welcomed all those in attendance and acknowledged the past and present traditional owners and custodians of the land on which the meeting was held.

#### 2.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Mayor acknowledged that there has been a lot of community interest in the matter of 1 Surrey Street and there has been some information circulating that is not entirely accurate. Hopefully this evening the staff can provide some clarification on this issue and the options available to Council.

#### 3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

##### Present

##### Councillors

Cr Renee McLennan, Mayor  
Cr Kathryn Hamilton, Deputy Mayor  
Cr John Gangell  
Cr Hilary MacWilliam  
Cr Sarah Quinton  
Cr Jai Wilson

### **Apologies**

Cr Chris Barty

### **Officers**

Ms Peta Mabbs, Chief Executive Officer  
Mr Paul White, Director Corporate Services  
Mr Luke Gibson, Director Community Planning  
Mr Phil Adams, Executive Manager Infrastructure  
Ms Elizabeth Kania, Manager Governance & Strategy  
Mr Jeremy Maher, Manager Sustainability & Environment  
Mrs Amy Holmes, Minute Secretary

### **Public**

Approximately 15 members of the public were in attendance.

### **Press**

Nil

## **4.0 DECLARATIONS OF INTEREST**

The CEO declared an Impartiality Interest for Item 16.4.

Cr McLennan declared an Impartiality Interest for Item 12.2 as a member of her extended family is on the board of the Perth History Association Inc which has provided a deputation indicating an intention to submit a tender, should Council support the officer recommendation.

## **5.0 PRESENTATIONS OR DEPUTATIONS**

Mark Johnston (President), Joyce Tasma and Ross McDonald of the Bassendean Historical Society Inc addressed the Council on Item 12.2 - Development and use of Town-owned site, 1 (Lot 50) Surrey Street, Bassendean.

## **6.0 STATEMENTS BY MEMBERS OF THE PUBLIC ON AGENDA ITEM**

*It should be noted that public statements are not recorded in the minutes.*

## **7.0 QUESTIONS FROM MEMBERS OF THE PUBLIC**

Mr Paul Bridges, 150 West Road, Bassendean

*In reference to the item on 1 Surrey Street, why was transferring the site to the Crown not listed as an option and would Council consider deferring this item to allow this option to be explored?*

The CEO advised that option 1 can allow for divesting to the Crown.

The Mayor advised that Council has the option to defer this item should they choose to do so.

*Cr Gangell left the meeting at 6.27pm and returned at 6.29pm.*

Mrs Jennie Carter, 8 Hyland Street, Bassendean

*What does Council mean by 'dispose' and what makes you confident that if you transfer this asset at 1 Surrey Street from public to private ownership, you could keep it safe for the community in perpetuity?*

Luke Gibson, Director Community Planning, advised that the recommendation is to commence an exploratory process on what to do with the site. The decision tonight is not to actually dispose of the property, it is the commencement of a process. Staff will assess the merits of the proposals received and bring them to Council for determination. Any commitments of those proposals would need to be formalised under a legal agreement.

The Mayor commented that the staff have provided a number of options in the report. Council can choose any of them or an alternative to explore further. The options are very broad and it depends on what responses are received through the tender process.

*So, the possibility of selling or handing the property over has not been ruled out?*

The Mayor responded that it is one of the options included in the report.

Mr Ross McDonald, 26 Kenny Street, Bassendean

*I don't know of any protection under any caveat where you can regain control of freehold land that you have disposed of. Will you please look into this.*

**Ms Jennie Collins, 24 James Street, Bassendean**

*How much money have you spent on SIA Architects and other reports, around the 1 Surrey Street buildings, over the last 20 years?*

Mr Paul White, Director Corporate Services, advised that in the five years, ending 30 June 2020, the total expenditure on architectural fees is around \$39,500. Funds have also been spent on design and preparation being \$77,000, Project management expenditure of \$32,000, Tendering and contract expenditure of \$7,500, being a total of \$156,000. Also \$93,000 on regular costs associated with the asset, a total of \$250,000.

*How much has been spent in the last 20 years?*

The Mayor advised that staff will take that question on notice.

**Council Resolution**  
**OCM – 1/11/20**

MOVED Cr Wilson, Seconded Cr Quinton, that public question time be extended.

**CARRIED UNANIMOUSLY 6/0**

*What evidence does Council have to show that you actually care, support and value the preservation and conservation of built heritage in the Town?*

The Mayor made the following comments:

The Town has a dedicated Local History Librarian; the Town has worked with the Bassendean Historical Society; Town staff are working on the development of Design Guidelines; Improving relationships with the Indigenous people through the Wadjuk Working Group. There is evidence that we are heading in the right direction, however, we appreciate that there is more to be done but to say that the Council does not care about heritage is not a fair statement.

Mrs Anne Brinkworth, 19 Ida Street, Bassendean

*Where has all this come from? Who is driving this?*

The Mayor responded that the development of this site has a fairly long and convoluted history. The costs to restore and develop this site were far higher than what was estimated. Council has a huge number of ageing assets to manage. In response to the high cost, no tenders were accepted. Council needs to explore other avenues for the future of this site now the option of restoring it has proved to be financially unviable.

*There was no community consultation and the project was rushed through.*

The Mayor commented that this project has been going on for many years. There is a lot to be learnt from this project and if this entire project was to start again, there would need to be more broader community consultation. The Lotterywest grant was extended a number of times, hence the need to move along quickly. The high costs have meant we are no longer able to pursue this project.

## **8.0 PETITIONS**

Nil

## **9.0 CONFIRMATION OF MINUTES**

### **9.1 Ordinary Council Meeting held on 27 October 2020**

#### **Council Resolution/Officer Recommendation – Item 9.1(a)** **OCM – 2/11/20**

MOVED Cr MacWilliam, Seconded Cr Quinton, that the minutes of the Ordinary Council Meeting held on 27 October 2020, be received.

CARRIED UNANIMOUSLY 6/0

#### **Council Resolution/Officer Recommendation – Item 9.1(b)** **OCM – 3/11/20**

MOVED Cr Wilson, Seconded Cr Quinton, that the minutes of the Ordinary Council Meeting held on 27 October 2020, be confirmed as a true record.

CARRIED UNANIMOUSLY 6/0

**9.2 Special Council Meeting held on 4 November 2020**

**Council Resolution/Officer Recommendation – Item 9.2(a)**  
**OCM – 4/11/20**

MOVED Cr Quinton, Seconded Cr MacWilliam, that the minutes of the Ordinary Council Meeting held on 4 November 2020, be received.

CARRIED UNANIMOUSLY 6/0

**Council Resolution/Officer Recommendation – Item 9.2(b)**  
**OCM – 5/11/20**

MOVED Cr Quinton, Seconded Cr MacWilliam, that the minutes of the Ordinary Council Meeting held on 4 November 2020, be confirmed as a true record.

CARRIED UNANIMOUSLY 6/0

**10.0 BUSINESS DEFERRED FROM PREVIOUS MEETING**

Nil

**11.0 EXTERNAL COMMITTEE REPORTS/UPDATES**

<b>Item No. 11.1</b>	<b>Receipt of External Committee and Organisation Minutes</b>
<b>Property Address (if applicable)</b>	Not applicable
<b>Landowner/Applicant (if applicable)</b>	Not applicable
<b>File Ref/ROC</b>	INFM/INTPROP/1
<b>Previous Council Reports (if applicable)</b>	Not applicable
<b>Directorate</b>	Chief Executive
<b>Authority/Discretion</b> <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.

<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 3	<ul style="list-style-type: none"> <li>• WALGA – Annual General Meeting Minutes – 25 September 2020</li> <li>• EMRC – Ordinary Council Meeting – Abridged Minutes – 22 October 2020</li> <li>• EMRC – Ordinary Council Meeting – Delegates Report – 22 October 2020</li> </ul>

## Purpose

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

### **Council Resolution/Officer Recommendation – Item 11.1** **OCM – 6/11/20**

MOVED Cr Hamilton, Seconded Cr MacWilliam, that Council notes the attached minutes from external Committee meetings held within the reporting period.

**CARRIED UNANIMOUSLY** 6/0

## **12.0**      **REPORTS**

### **12.1**      **Adoption of Recommendations En Bloc**

It was agreed that items 12.2, 12.3, 12.5, 12.6 & 12.13 be removed from the en-bloc table and considered separately.

### **Council Resolution/Officer Recommendation – Item 12.1** **OCM – 7/11/20**

MOVED Cr Wilson, Seconded Cr Hamilton, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Meeting Agenda:

Item	Report
12.4	Draft Amended Local Planning Policy No. 7 – Commercial and Mixed Use Development (Final Adoption)
12.9	Quarterly Report for Period Ended 30 September 2020
12.10	Bassendean Local Emergency Management Committee Meeting held on 7 October 2020
12.12	Monthly Financial Report – September and October 2020
12.14	Calendar for December 2020
12.15	Use of Common Seal

**CARRIED UNANIMOUSLY** 6/0

Council was then requested to consider the balance of the Officer recommendations independently.

Item	Report
12.2	Development and use of Town-owned site – 1 (Lot 50) Surrey Street, Bassendean
12.3	Additions to Small Bar - Patio and Café Blinds (Cork and Bottle)
12.5	Proposed Tree Preservation Order
12.6	Draft amended Council Policy 5.2 – Awards
12.7	Annual Budget 2020/21 – November Review
12.8	Meeting Schedule for 2021 - Council Meetings, Briefing Sessions, Committee Meetings and Citizenship Ceremonies
12.11	Audit and Governance Committee Meeting held on 4 November 2020
12.13	Accounts Paid – October 2020
13.1	Notice of Motion – Cr McLennan: 1 (Lot 223) River Street, Bassendean (Success Hill Lodge)
16.1	Use of the Bassendean Seniors and Community Centre Kitchen for the Community Kitchen Pilot Program
16.2	New Lease and Licence Agreements for Funtrain Enterprises Pty Ltd
16.3	Workforce Plan Minor Review (July to September 2020)
16.4	Services Review

<b>Item No. 12.2</b>	<b>Development and use of Town Owned Site – 1 (Lot 50) Surrey Street, Bassendean</b>
<b>Property Address (if applicable)</b>	1 (Lot 50) Surrey Street, Bassendean
<b>Landowner/Applicant (if applicable)</b>	N/A
<b>File Ref/ROC</b>	
<b>Previous Council Reports (if applicable)</b>	28 July 2020
<b>Directorate</b>	Community Planning
<b>Authority/Discretion</b> <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.



<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building permits, applications for other permits/licences (eg under <i>Health Act, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<b>Attachment No. 4</b>	Letter of Agreement - 24/3/2015

## Purpose

The purpose of this report was for Council to consider the future development and use of 1 (Lot 50) Surrey Street, Bassendean, which is currently owned by the Town.

## Officer Recommendation – Item 12.2

That Council:

1. Seeks to dispose of 1 (Lot 50) Surrey Street, Bassendean by public tender in accordance with section 3.58(2)(b) of the *Local Government Act 1995*, with the tender process to require interested parties to demonstrate a genuine community benefit associated with their intended acquisition, which may include financial, heritage restoration and/or community access benefits;
2. Advises Lotterywest that it wishes to relinquish the \$37,500 grant relating to the Pensioner Guard Cottage and thanks Lotterywest for its assistance and support in relation to 1 Surrey Street, Bassendean; and
3. Enters into an agreement with the Bassendean Historical Society to allow access to the Pensioner Guard Cottage.

*Cr Hamilton moved an alternation motion.*

## Council Resolution OCM – 8/11/20

MOVED Cr Hamilton, Seconded Cr Quinton, that:

1. Council seeks to dispose of 1 (Lot 50) Surrey Street, Bassendean by **Expression of Interest (EOI)** in accordance with section 3.58(3) of the *Local Government Act 1995*, with the **EOI** process to require interested parties to demonstrate a genuine community benefit associated with their intended acquisition, which **may include a public/private partnership with the Town of Bassendean and will include, heritage restoration, community access benefits and/or financial benefit;**

2. **The CEO writes to the West Australian branch of the National Trust to provide an update on the direction Council has taken with this resolution and thanks the National Trust for engaging with the Town this year;**
3. **The CEO writes to the Department of Planning, Lands and Heritage to seek their feedback on the potential for the Crown to acquire the property;**
4. Council advises Lotterywest that it wishes to relinquish the \$37,500 grant relating to the Pensioner Guard Cottage and thanks Lotterywest for its assistance and support in relation to 1 Surrey Street, Bassendean;
5. Council enters into an agreement with the Bassendean Historical Society to allow access to the Pensioner Guard Cottage; and
6. **The CEO provides Council with a report on the options available to the Town under the various types of restrictive covenants to protect community access and heritage considerations.**

CARRIED 5/1

*Crs Hamilton, Quinton, McLennan, MacWilliam and Wilson voted in favour of the motion. Cr Gangell voted against the motion.*

<b>Item No. 12.3</b>	<b>Additions to Small Bar - Patio and Café Blinds (Cork and Bottle)</b>
<b>Property Address (if applicable)</b>	Road reserve abutting 77-83 (Lot 144) Old Perth Road, Bassendean
<b>Landowner/Applicant (if applicable)</b>	Robert & Lorraine Hyde
<b>File Ref</b>	A3976
<b>Directorate</b>	Community Planning
<b>Authority/Discretion</b>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input checked="" type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building permits, applications for other permits/licences (eg under <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<b>Attachment No. 5</b>	Development Plans – Cork and Bottle 19 November

## Purpose

The purpose of this report was for Council to consider a development application for Additions to Small Bar - Patio and Café Blinds in the road reserve abutting 77-83 (Lot 144) Old Perth Road, Bassendean (Cork and Bottle).

*Cr Quinton moved the officer recommendation with amendments to Points (e) & (f), as shown in bold.*

## **Council Resolution/Officer Recommendation – Item 12.3** **OCM – 9/11/20**

MOVED Cr Quinton, Seconded Cr Wilson, that Council:

1. Approves the application for development approval for Additions to Small Bar - Patio and Café Blinds (Cork and Bottle) abutting 77-83 (Lot 144) Old Perth Road, Bassendean subject to the following conditions:
  - a) The applicant must hold a current Public Liability Insurance Policy with indemnity of not less than \$20,000,000. If requested, the applicant is to provide a Certificate of Currency to the Town of Bassendean prior to the construction activity commencing;
  - b) The proposed development being kept in good condition and maintained at all times (i.e. no tears, rips etc. to café blinds) to the satisfaction of the Town of Bassendean;
  - c) The road and footpath pavement areas must be kept clean and free of litter at all times;
  - d) Prior to applying for a Building Permit, an Infrastructure Services – Application for Permit for the proposed stormwater disposal must be submitted to and approved by the Town of Bassendean, including the payment of fees in accordance with the Council’s Schedule of Fees and Charges. Any paving removed to accommodate stormwater infrastructure is to be reinstated to the satisfaction of the Town of Bassendean;
  - e) The landowner/applicant must ensure that no damage or obstruction is caused to a **maintenance hole**, inspection pit, fire hydrant, water, gas, electrical or communications infrastructure, drainage or other service, within the **road reserve**;
  - f) Prior to applying for a Building Permit, the landowner/applicant shall pay to the Town of Bassendean the amenity value of the tree to be removed (\$2,264.80) in accordance with Council Policy 1.8 – Street Trees **and for the tree to be transplanted and for the funds to be deposited into the tree reserve account**;

- g) When not being used for any activity authorised by a permit under the Town's *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2010*, the blinds are to remain up, so as to allow free and unimpeded access through the area.
2. Advises the applicant that in accordance with Condition (d) of the approval granted on 25 August 2015, the structure shall be removed on written notice of the Town, if it no longer required for use in connection with the small bar; and
3. Advises the applicant that the use of the space requires the issuance of a permit under the Town's *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2010*.

CARRIED 4/2

*Crs Quinton, Wilson, Gangell, MacWilliam voted in favour of the motion. Crs McLennan and Hamilton voted against the motion.*

<b>Item No. 12.4</b>	<b>Draft Amended Local Planning Policy No. 7 – Commercial and Mixed Use Development (Final Adoption)</b>
<b>Property Address (if applicable)</b>	N/A
<b>Landowner/Applicant (if applicable)</b>	N/A
<b>File Ref/ROC</b>	LUAP/POLCY/12
<b>Previous Council Reports (if applicable)</b>	29 September 2020 (Res 10/09/20)
<b>Directorate</b>	Community Planning
<b>Authority/Discretion</b> <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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<b>Attachment No. 6</b>	<b>Draft Local Planning Policy No. 7 – Commercial and Mixed Use Development</b>

## Purpose

The purpose of this report was for Council to consider adopting draft amended Local Planning Policy No. 7 – Commercial and Mixed Use Development.

### **Council Resolution/Officer Recommendation – Item 12.4**

#### **OCM – 10/11/20**

MOVED Cr Wilson, Seconded Cr Hamilton, that Council, pursuant to Clause 4(3) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, adopts draft Local Planning Policy No. 7 – Commercial and Mixed Use Development (as amended following advertising) as contained in the attachment.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/11/20 6/0**

<b>Item No. 12.5</b>	<b>Proposed Tree Preservation Order</b>
<b>Property Address</b>	36 (Lot 50) Anzac Terrace, Bassendean
<b>Landowner/Applicant</b>	Vicki Andrews & Genevieve Errey
<b>File Ref</b>	ENVM/NOTIF/1
<b>Directorate</b>	Community Planning
<b>Authority/Discretion</b>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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<b>Attachment No. 7</b>	Photographs of Trees - 36 (Lot 50) Anzac Terrace, Bassendean

## Purpose

The purpose of this report was for Council to consider making Tree Preservation Orders (TPO) for five trees located at 36 (Lot 50) Anzac Terrace, Bassendean.

*Cr Hamilton moved the officer recommendation with an amendment as shown in bold.*

**Council Resolution/Officer Recommendation – Item 12.5**  
**OCM – 11/11/20**

MOVED Cr Hamilton, Seconded Cr Quinton, that Council, pursuant to Clause 4.7.7.2 of Local Planning Scheme No. 10, makes Tree Preservation Orders for **four** trees (Tree 1 – Tuart (*Eucalyptus gomphocephala*), Tree 3 – Cape Lilac (*Melia azedarach*), **Tree 4 – Tuart (*Eucalyptus gomphocephala*)** and Tree 5 – String bark (*Eucalyptus gigantean*) located at 36 (Lot 50) Anzac Terrace, Bassendean.

**CARRIED UNANIMOUSLY 6/0**

<b>Item No. 12.6</b>	<b>Draft amended Council Policy 5.2 – Awards</b>
<b>Property Address (if applicable)</b>	NA
<b>Landowner/Applicant (if applicable)</b>	NA
<b>File Ref/ROC</b>	COMR/AWADP/2
<b>Previous Council Reports (if applicable)</b>	Nil.
<b>Directorate</b>	Community Planning
<b>Authority/Discretion</b> <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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<b>Attachment No. 8</b>	<ul style="list-style-type: none"> <li>• Current Council Policy 5.2 – Awards</li> <li>• Draft amended Council Policy 5.2 – Community Awards</li> </ul>

**Purpose**

The purpose of this report was for Council to consider amending Council Policy 5.2 - Awards (CP 5.2).

**Council Resolution/Officer Recommendation – Item 12.6**  
**OCM – 12/11/20**

MOVED Cr Quinton, Seconded Cr MacWilliam, that Council amends the existing *Council Policy 5.2 - Awards* by replacing it with the draft amended *Council Policy 5.2 – Community Awards*.

CARRIED UNANIMOUSLY 6/0

*Cr Gangell left the meeting at 8.13pm.*

<b>Item No. 12.7</b>	<b>Annual Budget 2020/21 – November Review</b>
<b>Directorate</b>	Corporate Services
<b>File Ref/ROC</b>	FINM/BUGTG/2
<b>Authority/Discretion</b> <input checked="" type="checkbox"/> <input type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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<b>Attachment No. 9</b>	<ul style="list-style-type: none"> <li>• Statement of Financial Activity</li> <li>• List of Proposed Budget Amendments included in November Budget Review 2020/21</li> <li>• Amendment to Library Fees and Charges 2020/21</li> </ul>

**Purpose**

The purpose of this report was to present the first review to the Annual Budget 2020/21 for adoption (the November Budget Review).

**Council Resolution/Officer Recommendation – Item 12.7**  
**OCM – 13/11/20**

MOVED Cr MacWilliam, Seconded Cr Wilson, that Council adopts the November Budget Review, as outlined in this report and detailed in the attached list of Proposed Budget Amendments.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

<b>Item No. 12.8</b>	<b>Meeting Schedule for 2021 - Council Meetings, Briefing Sessions, Committee Meetings and Citizenship Ceremonies</b>
<b>Property Address (if applicable)</b>	N/A
<b>Landowner/Applicant (if applicable)</b>	N/A
<b>Ref</b>	GOVN/CCLMEET/1
<b>Directorate</b>	Chief Executive
<b>Authority/Discretion</b>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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<input type="checkbox"/> Information	For the Council/Committee to note.
<b>Attachment</b>	Nil

## Purpose

The purpose of this report was for Council to consider the proposed Meeting Schedule for 2021, for Council meetings, Briefing Sessions, Committee meetings and Citizenship Ceremonies.

## **Council Resolution/Officer Recommendation – Item 12.8** **OCM – 14/11/20**

MOVED Cr Quinton, Seconded Cr MacWilliam, that:

1. Council endorses the following meeting dates and Citizenship Ceremonies for 2021:
  - Briefing Sessions be held on Tuesdays in the Council Chambers, 48 Old Perth Road, Bassendean, commencing at 6.00pm on the following dates:

February	16
March	16
April	20
May	18
June	15
July	20
August	17



September	21
October	19
November	16
December	14

- Ordinary Council Meetings be held on Tuesday in the Council Chambers, 48 Old Perth Road, Bassendean, commencing at 6.00pm on the following dates:

February	23
March	23
April	27
May	25
June	22
July	27
August	24
September	28
October	26
November	23
December	21

- Audit and Governance Committee meetings be held on a Wednesday in the Council Chambers, 48 Old Perth Road, Bassendean, commencing at 5.30pm on the following dates: - 10 March, 9 June, 1 September and 1 December;
  - Bassendean Emergency Management Committee meetings be held on a Wednesday in the Council Chambers, 48 Old Perth Road, Bassendean, commencing at 3.30pm on the following dates: - 3 February, 5 May, 4 August and 3 November;
  - Citizenship Ceremonies be held on:  
Tuesday, 26 January 2021– at Sandy Beach Reserve, West Road, Bassendean; commencing at 9.30am;  
Sunday, 23 May 2021, (venue to be confirmed) commencing at 3.00pm incorporating the inaugural presentation of the Town of Bassendean Community Awards during National Volunteer Week;  
Monday 6 September 2021, 6pm, Bassendean Community Hall. On the night the Town will be commemorating Australian Citizenship Day. (Opportunity for the general community to re-affirm their citizenship);
2. A Special Council Meeting to swear in new Councillors be held on Monday 18 October 2021 in the Council Chambers, 48 Old Perth Road, Bassendean, commencing at 6.00pm; and
  3. The commencement times of Briefing Sessions and Ordinary Council Meetings, be amended to 6pm in Policy 6.2 – Council Meeting Schedule.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

<b>Item No. 12.9</b>	<b>Quarterly Report for Period Ended 30 September 2020</b>
<b>Property Address (if applicable)</b>	N/A
<b>Landowner/Applicant (if applicable)</b>	N/A
<b>File Ref/ROC</b>	
<b>Previous Council Reports (if applicable)</b>	
<b>Directorate</b>	Chief Executive
<b>Authority/Discretion</b> <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans, reports and strategies, accepting tenders, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<b>Attachment No. 10</b>	<ul style="list-style-type: none"> <li>• Quarterly Report</li> <li>• Outstanding Resolutions for Deletion</li> </ul>

### Purpose

The purpose of this report was for Council to receive the Quarterly Report for the period ended 30 September 2020.

### **Council Resolution/Officer Recommendation – Item 12.9**

#### **OCM – 15/11/20**

MOVED Cr Wilson, Seconded Cr Hamilton, that Council:

1. Receives the Quarterly Report for the quarter ending 30 September 2020; and
2. Deletes the Outstanding Council Resolutions attached to the Quarterly Report for the period ending 31 October 2020, that are marked for deletion.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/11/20 6/0**

<b>Item No. 12.10</b>	<b>Bassendean Local Emergency Management Committee Meeting held on 7 October 2020</b>
<b>Property Address (if applicable)</b>	NA
<b>Landowner/Applicant (if applicable)</b>	NA
<b>File Ref/ROC</b>	GOVN/CCLMEET/12
<b>Previous Council Reports (if applicable)</b>	Nil.
<b>Directorate</b>	Community Planning
<b>Authority/Discretion</b> <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<b>Attachment No. 11</b>	Notes of the Bassendean Local Emergency Management Committee Meeting held on 7 October 2020

## Purpose

The purpose of this report was for Council to receive the notes on the Bassendean Local Emergency Management Committee Meeting held on 7 October 2020.

## **Council Resolution/Officer Recommendation – Item 12.10** **OCM – 16/11/20**

MOVED Cr Wilson, Seconded Cr Hamilton, that Council notes that the Bassendean Local Emergency Management Committee meeting scheduled for 7 October 2020 did not achieve a quorum and receives the notes from the informal meeting of the Bassendean Local Emergency Management Committee held on 7 October 2020.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/11/20 6/0**

<b>Item No. 12.11</b>	<b>Audit and Governance Committee Meeting held on 4 November 2020</b>
<b>Property Address (if applicable)</b>	
<b>Landowner/Applicant (if applicable)</b>	
<b>File Ref/ROC</b>	GOVN/CCLMEET/18
<b>Previous Council Reports (if applicable)</b>	
<b>Directorate</b>	Corporate Services
<b>Authority/Discretion</b> <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<b>Attachment No. 12</b> <b>Confidential No. 1</b>	Minutes of the Audit and Governance Committee meeting held on 4 November 2020 Request for Concession - Westcare Audit Risk Register OAG Interim Audit Letter, including Attachment A: Findings Identified During the Interim Audit and Attachment B: Findings Identified During the Information Systems Audit

### **Purpose**

The purpose of this report was for Council to receive the report on the meeting of the Audit and Governance Committee held on 4 November 2020.

### **Council Resolution/Officer Recommendation – Item 12.11** **OCM – 17/11/20**

MOVED Cr Hamilton, Seconded Cr MacWilliam, that Council:

1. Grants a 50% rate concession to Westcare for the property at 28 Hanwell Way, Bassendean for 2020/21 and 2021/22; and

2. Receives the report on the Audit and Governance Committee meeting held on 4 November 2020.

**CARRIED BY AN ABSOLUTE MAJORITY 5/0**

<b>Item No. 12.12</b>	<b>Monthly Financial Report – September and October 2020</b>
<b>File Ref/ROC</b>	FINM/AUD/1
<b>Directorate</b>	Corporate Services
<b>Authority/Discretion</b> <input checked="" type="checkbox"/> <input type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<b>Attachment No. 13</b>	Monthly Financial Report – October 2020 Monthly Financial Report – September 2020

### **Purpose**

The purpose of this report was for Council to receive the monthly financial report for September and October 2020.

### **Council Resolution/Officer Recommendation – Item 12.12** **OCM – 18/11/20**

MOVED Cr Wilson, Seconded Cr Hamilton, that Council receive the monthly financial reports for September and October 2020.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/11/20 6/0**

*Cr Gangell returned to the meeting at 8.16pm.*

<b>Item No. 12.13</b>	<b>Accounts Paid – October 2020</b>
<b>File Ref/ROC</b>	FINM/CREDTS/4
<b>Directorate</b>	Corporate Services
<b>Authority/Discretion</b> <input checked="" type="checkbox"/> <input type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<b>Attachment No. 14</b>	List of Accounts

### Purpose

The purpose of this report was for Council to receive the list of payments for October 2020.

### **Council Resolution/Officer Recommendation – Item 12.13** **OCM – 19/11/20**

MOVED Cr MacWilliam, Seconded Cr Hamilton, that Council receive the list of payments for October 2020.

CARRIED UNANIMOUSLY 6/0

<b>Item No. 12.14</b>	<b>Calendar for December 2020</b>
<b>Property Address (if applicable)</b>	Not applicable
<b>Landowner/Applicant (if applicable)</b>	Not applicable
<b>File Ref/ROC</b>	INFM/INTPROP/1
<b>Previous Council Reports (if applicable)</b>	
<b>Directorate</b>	Chief Executive
<b>Authority/Discretion</b> <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.

<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<b>Attachment</b>	Nil

### Purpose

The purpose of this report was for Council to consider the calendar for October 2020.

### **Council Resolution/Officer Recommendation – Item 12.14** **OCM – 20/11/20**

MOVED Cr Wilson, Seconded Cr Hamilton, that Council adopt the calendar for November 2020.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/11/20 6/0**

<b>Item No. 12.15</b>	<b>Use of Common Seal</b>
<b>Property Address (if applicable)</b>	Not applicable
<b>Landowner/Applicant (if applicable)</b>	Not applicable
<b>File Ref/ROC</b>	INFM/INTPROP/1
<b>Previous Council Reports (if applicable)</b>	Not applicable
<b>Directorate</b>	Chief Executive
<b>Authority/Discretion</b> <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.

<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<b>Attachment</b>	Nil

## Purpose

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

### **Council Resolution/Officer Recommendation – Item 12.15** **OCM – 21/11/20**

MOVED Cr Wilson, Seconded Cr Hamilton, that Council notes the affixing of the Common Seal during the reporting period.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/11/20 6/0**

## **13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

### **13.1 Notice of Motion – Cr McLennan: 1 (Lot 223) River Street, Bassendean (Success Hill Lodge)**

#### **Council Resolution – Item 13.1** **OCM – 22/11/20**

MOVED Cr McLennan, Seconded Cr Wilson and Cr Quinton, that Council:

1. Revokes OCM-18/10/20), which reads:

*“That Council, in accordance with Clause 13(2) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, gives the landowner of 1 (Lot 223) River Street, Bassendean (Success Hill Lodge) a Heritage Conservation Notice requiring the landowner to do the following:*

1. *Carry out the following in accordance with the development approval dated 6 October 2020 (Ref: 2020-117) by 31 March 2021:*
  - *Re-roofing to the main building;*
  - *Provide stormwater drainage away from the building;*
  - and*



- *Replacement of the fascia and guttering of the main roof.*
2. *Obtain development approval for, and thereafter carry out, the following specified repairs to the heritage place in accordance with the Conservation Management Strategy (dated 17 May 2019) by 30 June 2021, specifically:*
    - *Repairs to the Dining Room west wall (internally and externally);*
    - *Repairs to the double hung windows to the Dining Room;*
    - *Reconstruction and stabilisation works, and removal of air vent pipes to the verandah; and*
    - *Investigation and treatment of time for terminate control.”*
  2. In accordance with Clause 13(2) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, gives the landowner of 1 (Lot 223) River Street, Bassendean (Success Hill Lodge) a Heritage Conservation Notice requiring the landowner to carry out the following in accordance with the development approval dated 6 October 2020 (Ref: 2020-117) by 31 March 2021:
    - Re-roofing to the main building
    - Provide stormwater drainage away from the building
    - Replacement of the fascia and guttering of the main roof
  3. Request the landowner to lodge an application and obtain development approval for, and thereafter carry out, the following specified repairs to the heritage place in accordance with the Conservation Management Strategy (dated 17 May 2019) by 30 June 2021, specifically:
    - Repairs to the Dining Room west wall (internally and externally);
    - Repairs to the double hung windows to the Dining Room;
    - Reconstruction and stabilisation works, and removal of air vent pipes to the verandah; and
    - Investigation and treatment of time for terminate control,

by which date, if the works are not substantially commenced a report will be brought back to Council to consider the issuing of a Heritage Conservation Notice for the above works.

CARRIED UNANIMOUSLY 6/0

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

Nil

**15.0 URGENT BUSINESS**

Nil

**16.0 CONFIDENTIAL BUSINESS**

*Cr Quinton left the meeting at 8.20pm.*

**Council Resolution – Item 16.0(a)**  
**OCM – 23/11/20**

MOVED Cr Wilson, Seconded Cr Hamilton, that the meeting go behind closed doors in accordance with Section 5.23 of the Local Government Act 1995, the time being 8.20pm.

**CARRIED UNANIMOUSLY 5/0**

*Cr Quinton returned to the meeting at 8.21pm.*

<b>Item No. 16.1</b>	<b>Use of the Bassendean Seniors and Community Centre Kitchen for the Community Kitchen Pilot Program</b>
<b>Property Address (if applicable)</b>	50 Old Perth Road, Bassendean
<b>Landowner/Applicant (if applicable)</b>	Town of Bassendean
<b>File Ref</b>	COUP/USAGE/7
<b>Directorate</b>	Community Planning
<b>Authority/Discretion</b>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
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<b>Confidential Attachment No. 2</b>	Assessment Report1 (Oct) Assessment Report2 (Nov)

*This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (2) (b) of the Local Government Act 1995, as the officer report discusses information of a personal nature.*

**Council Resolution/Officer Recommendation - Item 16.1**  
**OCM – 24/11/20**

MOVED Cr McLennan, Seconded Cr Hamilton, that Council:

1. Discontinue the Community Kitchen Pilot Program;
2. Advise Mr Grau that any future use of the commercial kitchen will be subject to (i) the Town's standard arrangements for the hire of community facilities, including the payment of the applicable fees and charges relating to community usage and (ii) acquiring all relevant health approvals ; and
3. Classify the commercial kitchen at 50 Old Perth Road, Basssendean, as a small room hire, as per the 2020/21 Fees and Charges.

**CARRIED 4/2**

*Crs McLennan, Hamilton, MacWilliam & Quinton voted in favour of the motion. Crs Gangell & Wilson voted against the motion.*

<b>Item No. 16.2</b>	<b>New Lease and Licence Agreements for Funtrain Enterprises Pty Ltd</b>
<b>Property Address (if applicable)</b>	128 Ivanhoe Street, Eden Hill
<b>Landowner/Applicant (if applicable)</b>	Town of Bassendean
<b>File Ref</b>	LEGL/AGMT/7
<b>Directorate</b>	Community Planning
<b>Authority/Discretion</b>	<input type="checkbox"/> <input checked="" type="checkbox"/>
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<b>Confidential Attachment No. 3</b>	<ul style="list-style-type: none"> <li>• Sample new lease agreement</li> <li>• Current licence agreement – Alf Faulkner Hall</li> </ul>

*This matter was considered as a confidential item under Clause 5.23(2)(b) of the Local Government Act 1995, as the officer report discusses information of a personal nature.*

**Council Resolution/Officer Recommendation – Item 16.2**  
**OCM – 25/11/20**

MOVED Cr Hamilton, Seconded Cr Quinton, that Council endorse new lease and licence agreements to Funtrain Enterprises Pty Ltd (trading as Sparx Early Learning Centre) for the use of 128 Ivanhoe Street and Alf Faulkner Hall, Eden Hill (respectively) for a period from 5 February 2021 to 4 February 2023, with the option of extending both agreements from 5 February 2023 to 4 February 2025.

**CARRIED BY AN ABSOLUTE MAJORITY 6/0**

<b>Item 16.3</b>	<b>Workforce Plan Minor Review (July to September 2020)</b>
<b>Property Address (if applicable)</b>	NA
<b>Landowner/Applicant (if applicable)</b>	NA
<b>Directorate</b>	Office of the CEO
<b>Decision Type</b>	NA
<b>Confidential Attachment No. 4</b>	Workforce Plan Minor Review (July to September 2020)

**Council Resolution/Officer Recommendation – Item 16.3**  
**OCM – 26/11/20**

MOVED Cr McLennan, Seconded Cr Quinton, that Council notes the Workforce Plan Minor Review (July to September 2020) attached to the Ordinary Council Agenda of 24 November 2020.

**CARRIED UNANIMOUSLY 6/0**

*This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (2) (b) of the Local Government Act 1995, as the officer report discusses information of a personal nature.*

<b>Item No. 16.4</b>	<b>Services Review</b>
<b>Property Address (if applicable)</b>	
<b>Landowner/Applicant (if applicable)</b>	
<b>File Ref/ROC</b>	COMS/SVPOVN/12
<b>Previous Council Reports (if applicable)</b>	Confidential report on 26 March 2019
<b>Directorate</b>	Corporate Services
<b>Authority/Discretion</b>	<input type="checkbox"/> <input checked="" type="checkbox"/>

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

*This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (2) (b) of the Local Government Act 1995, as the officer report discusses information of a personal nature.*

### **Council Resolution**

#### **OCM – 27/11/20**

MOVED Cr Quinton, Seconded Cr MacWilliam, that Council:

1. Endorses the Officer's Recommendation shown in the Confidential Report attached to the Ordinary Council Agenda of 24 November 2020; and
2. Resolves that the Confidential Report and its recommendations/resolutions remain confidential until the Plans and Strategies are developed and endorsed by Council.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

### **Council Resolution – Item 16.0(b)**

#### **OCM – 28/11/20**

MOVED Cr Quinton, Seconded Cr Hamilton, that the meeting come from behind closed doors, the time being 8.48pm.

CARRIED UNANIMOUSLY 6/0

**17.0**            **CLOSURE**

The next Briefing Session will be held on Tuesday 8 December 2020. The next Ordinary Council Meeting will be held on Tuesday 15 December 2020.

There being no further business, the Presiding Member declared the meeting closed, the time being 8.48pm.