

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

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

ON TUESDAY 28 JULY 2020 AT 6.00PM

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

This week is the commencement of the FOGO roll out. We are only the fourth metropolitan local government to introduce this service. Thanks to the staff for their hard work in making this project happen.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Present

Councillors

Cr Renee McLennan, Mayor
Cr Kathryn Hamilton, Deputy Mayor
Cr Chris Barty
Cr John Gangell
Cr Hilary MacWilliam
Cr Jai Wilson

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
Mr Jeremy Maher, Manager Sustainability & Environment
Ms Elizabeth Kania, Manager Governance & Strategy
Ms Donna Shaw, Manager Development & Place
Ms Diane Depiazz, Manager Finance
Ms Renae Maher, Manager Organisational Development
Ms Deanie Carbon, Corporate Communications Coordinator
Mr Brice Campbell, Coordinator Recycling & Waste
Mrs Amy Holmes, Minute Secretary

Public

Two members of the public were in attendance.

Press

Nil

Apologies

Cr Sarah Quinton

4.0 DECLARATIONS OF INTEREST

Cr McLennan declared a Proximity Interest for Item 12.4, as she resides at the premise.

5.0 PRESENTATIONS OR DEPUTATIONS

Riley and Ivy Murphy of 1 (Lot 223) River Street, Bassendean (Success Hill Lodge), addressed the Council on Item 12.2.

6.0 STATEMENTS BY MEMBERS OF THE PUBLIC ON AGENDA ITEMS

Nil

7.0 QUESTIONS FROM MEMBERS OF THE PUBLIC

Ms Carolynne McGregor, 12 Thompson Rd, Bassendean

Why is the Mayor not supporting the recommendations of the BassenDream report which has more options for population increases and a greater chance of success?

The Thrive article you are referring to is talking specifically about the Bassendean Town Centre Master Plan that Council will be developing with the community as a key part of our COVID response. Council is currently reviewing our local planning strategy and scheme – this planning framework will define density more broadly throughout the entire Town. The article does state “focusing our increased density requirements around our train **stations**”. Claims that myself and the Councillors are not supporting the recommendations of BassenDream are false and there is no evidence of this. Council is committed to realising the vision contained with the BassenDream report, which was formally adopted unanimously late last year. This commitment is evident by the draft Strategic Community Plan, which is presented for Council adoption tonight. Priority area number 3 on page 19 of the plan identifies one of the key directions for the Town being increasing residential population around our train stations.

As a resident who lives next to a TOD station in the Town, why am I being excluded from logical higher density redevelopment, which seems to be out of step with the State Government's very public Metronet plans for all stations?

The allocation of any increased residential density will occur as part of the review of the local planning framework, including the amendment of the existing local planning strategy and replacement of the existing local planning scheme. This work is well underway and it is expected that Council will consider these documents in the coming months after which they will be put out for public consultation.

Mr Don Yates – 10 Thompson Road, Bassendean

We have again received a very large number of questions from Mr Yates, many of which have already been answered previously and therefore will not be answered again tonight. I would also like to draw Mr Yates' attention to our local law which provides opportunity for community members to ask up to two questions at the Ordinary Council Meeting.

The two properties at 93 Lord Street and 48 Chapman Road were purchased some years ago under the terms of a Section 152, and the community indicated that the benefits of any sale were to be applied to a playground amenity adjoining the Swan River. Could restoration of the 2 recently removed jetties at Pt Reserve be referred to as a "playground amenity adjoining the Swan River"?

On that basis, could funds from the eventual sale of 93 Lord St and/or 48 Chapman Road at least in part be used to restore the 2 jetties at Pt Reserve? Could the cash-in-lieu funds approved by Minister Saffioti also be applied to restore the 2 jetties as a matter of some urgency? If not, why not?

The Town was able to acquire the two sites from the State Government at 5% of the value on the basis that the proceeds from the sales would be directed to the Sandy Beach playground project. The Town would need to seek approval from the Minister to use the proceeds for a different purpose. If that were to occur, it would present an issue for the Sandy Beach playground project, which would more heavily rely on municipal funding.

How is the Strategic Community Plan 2020-2030 to be aligned to the planned Town Revitalisation program, both in the immediate and long term over the next 10 years?

Creating a vibrant town centre is a key priority for our community as identified through the BassenDream Our Future, community engagement project. This has now been reflected as a priority area in our draft Strategic Community Plan. Just last month Council endorsed the development of the Town Centre Masterplan which is aligned to the SCP. This project is in its infancy however over the coming months there will be the opportunity for the community to share their views.

8.0 PETITIONS

Nil

9.0 CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held on 23 June 2020

Council Resolution/Officer Recommendation – Item 9.1(a) **OCM – 1/07/20**

MOVED Cr Barty, Seconded Cr MacWilliam, that the minutes of the Ordinary Council Meeting held on 23 June 2020, be received.

CARRIED UNANIMOUSLY 6/0

Council Resolution/Officer Recommendation – Item 9.1(b) **OCM – 2/07/20**

MOVED Cr Wilson, Seconded Cr Barty, that the minutes of the Ordinary Council Meeting held on 23 June 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

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
Directorate	Chief Executive
Decision Type	Executive
Attachment No. 2	<ul style="list-style-type: none">• EMRC Ordinary Council Meeting Abridged Minutes – 18 June 2020• WALGA East Metropolitan Zone Minutes – 25 June 2020• WALGA State Council Meeting Summary Minutes – 1 July 2020

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 – 3/07/20**

MOVED Cr MacWilliam, Seconded Cr Hamilton, 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, 12.5, 12.16 and 12.21 be removed from the en-bloc table and considered separately.

Council Resolution/Officer Recommendation – Item 12.1 **OCM – 4/07/20**

MOVED Cr Wilson, Seconded Cr Barty, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Meeting Agenda of 28 July 2020:

Item	Report
12.8	Town of Bassendean Animals, Environment, Nuisance and Pests Local Law 2019 – Undertaking to Joint Standing Committee on Delegated Legislation
12.9	Town of Bassendean Waste Local Law 2019
12.11	Appointment of Acting Chief Executive Officer
12.15	Workforce Plan Review 2020
12.17	Bassendean Local Emergency Management Committee Meeting held on 1 July 2020
12.18	Accounts Paid – June 2020
12.20	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	Unauthorised Works – 1 (Lot 223) River Street, Bassendean
12.3	Revocation of Council Policies 5.4 - Fire Risk Management Policy and Management Practices and 5.6 – Graffiti Policy
12.4	Draft amended Local Planning Policy No. 11 – Anzac Terrace Design Guidelines – Final Adoption
12.5	Draft Local Planning Policy No. 6 - Industrial Zones Design Guidelines
12.6	Proposed Council Policy – Street Trees and Revocation of Various Council Policies Relating to Street Trees
12.7	Town of Bassendean Compassionate Waste Services Guidelines
12.10	Amendment to the Town of Bassendean Notices of Motion Policy
12.12	Adoption of the Town of Bassendean Strategic Community Plan 2020 – 2030
12.13	Adoption of the 2020-21 Annual Budget
12.14	RFT 03/2020 Provision of Turf Maintenance at Bassendean Oval, Ashfield Reserve and Jubilee Reserve
12.16	Quarterly Report for Period Ended 30 June 2020
12.19	Financial Statements - 30 June 2020
12.21	Calendar for August 2020
13.1	Notice of Motion – Cr McLennan
16.1	RFT 06/2019 Provision of Restoration and Conservation Works to the Residency and the Pensioner Guard Cottage and Construction of a New Community Space at 1 Surrey St, Bassendean
16.2	Disposal of 48 (Lot 8713) Chapman Street, Bassendean and 93 (Lot 7557) Lord Street, Eden Hill
16.3	Chief Executive Officer Performance Agreement 2020-2021

Item 12.2	Unauthorised Works – 1 (Lot 223) River Street, Bassendean
Property Address	1 (Lot 223) River Street, Bassendean (Success Hill Lodge)
Landowner	Michael John Murphy
Ref	DABC/BDVAPPS/2011-224
Directorate	Community Planning
Decision Type	Executive
Confidential Attachment	Conservation Management Strategy

Purpose

The purpose of this report was for Council to consider action relating to unauthorised works and the maintenance and conservation of 1 (Lot 223) River Street, Bassendean (Success Hill Lodge).

Officer Recommendation – Item 12.2

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 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 no later than 1 October 2020, specifically:

- Re-roofing to the main building;
- Replacement of the fascia and guttering of the main roof;
- Repairs to the dining room west wall (internally and externally);
- Repairs to the double hung windows to the dining room;
- Provide stormwater drainage away from the building;
- Reconstruction and stabilisation works, and removal of air vent pipes to the verandah; and
- Investigation and treatment of time for terminate control.

Cr Hamilton moved an alternative motion.

Alternative Motion – Item 12.2

MOVED Cr Hamilton, Seconded Cr MacWilliam, that

1. 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 **lodge an application for development approval by 1 September 2020;**

2. **That Council, thereafter, receives an update, reporting on the timeline required for completion of the following works:**

- Re-roofing to the main building;
- Replacement of the fascia and guttering of the main roof;
- Repairs to the dining room west wall (internally and externally);
- Repairs to the double hung windows to the dining room;
- Provide stormwater drainage away from the building;
- Reconstruction and stabilisation works, and removal of air vent pipes to the verandah; and
- Investigation and treatment of time for terminate control.

LOST 2/4

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

Cr Wilson moved an alternative motion.

Council Resolution – Item 12.2
OCM – 5/07/20

MOVED Cr Wilson, Seconded Cr Barty, that Item 12.2 be deferred to allow Town staff and the owners of 1 River Street, Bassendean, time to enter into discussions to work towards an agreed schedule of works and timetable to be presented to Council at the October Ordinary Council Meeting.

CARRIED UNANIMOUSLY 6/0

Item 12.13	Adoption of the 2020-21 Annual Budget
Property Address (if applicable)	NA
Landowner/Applicant (if applicable)	NA
Ref	FINM/BUGTG/1
Directorate	Chief Executive & Corporate Services
Decision Type	Legislative
Attachment No. 12	Proposed Annual Budget for 2020-21 Proposed Fees and Charges for 2020-21 Proposed Operational and Capital projects

Purpose

This report provides:

- the strategic context for the Town of Bassendean's proposed 2020-21 Annual Budget together with supporting schedules, such as proposed rates and minimum payments, fees and charges, and operational and capital projects.

- an overview of the proposed 2020-21 Annual Budget presented in its statutory form for Council adoption in accordance with the *Local Government Act 1995* (Act), the *Local Government (Financial Management) Regulations 1996* (Regulations) and Australian Accounting Standards.

MOVED Cr Gangell that \$150,000 be allocated for lighting upgrades for the Swan Districts Football Club. The motion was LOST FOR WANT OF A SECONDER

Council Resolution/Officer Recommendation – Item 12.13

OCM – 6/07/20

MOVED Cr McLennan, Seconded Cr Wilson, that Council:

1. 2020-21 Annual Budget

Adopts, pursuant to the provisions of section 6.2 of the *Local Government Act 1995* and part 3 of the *Local Government (Financial Management) Regulations 1996* and the *Local Government (COVID-19 Response) Ministerial Order 2020*, the Budget for the Town of Bassendean for the 2020-21 financial year, as contained in Attachment 1 to 3, which includes the following:

- a) Statement of Comprehensive Income by Nature or Type showing a net deficit for the year of \$2,169,490;
- b) Statement of Comprehensive Income by Program showing a net deficit for the year of \$2,169,490;
- c) Statement of Cash Flows showing cash at the end of the year of \$9,645,071;
- d) Rate Setting Statement showing the amount required to be raised from rates of \$13,469,709;
- e) Notes to and Forming Part of the Budget;
- f) Transfers to Reserve Accounts \$1,620,000 and from Reserve Accounts \$4,158,458; and
- g) Capital Expenditure and New Initiatives - \$6,419,347, inclusive of the Carried Forward Projects \$635,353.

2. Rates, Instalment Payment Arrangements, Administration Fees and Interest

- a) For the purpose of yielding the deficiency disclosed by the 2020-21 Annual Budget, pursuant to sections 6.32, 6.34 and 6.35 of the *Local Government Act 1995* and the *Local Government (COVID-19 Response) Ministerial Order 2020*, imposes a uniform general rate of 8.323 cents in the dollar on all rateable properties within the district, with the minimum rate being \$1106;
- b) Pursuant to section 6.45 of the *Local Government Act 1995* and regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, nominates the following due dates for the payment of rates in full, and service charges by instalments:

	Due Date
Full payment and 1st instalment	25 September 2020
2nd quarterly instalment	27 November 2020
2nd half instalment and 3rd quarterly instalment	29 January 2021
4th and final quarterly instalment	1 April 2021

- c) Imposes, in accordance with section 6.45 of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, an instalment administration charge where the owner has elected to pay rates (or service charges) through an instalment option, of \$12 for each instalment after the initial instalment is paid (a total of \$36);
- d) Imposes, in accordance with section 6.45(3) of the *Local Government Act 1995* and clause 13 of the *Local Government (COVID-19 Response) Ministerial Order 2020*, an additional interest rate of 5.5% applicable to rate and service charge instalment arrangements, subject to this additional interest rate cannot be applied to an excluded person, as defined in the *Local Government (COVID-19 Response) Ministerial Order 2020*, that has been determined as experiencing genuine financial hardship as a consequence of the COVID-19 pandemic in accordance with Council's Financial Hardship Policy;
- e) Imposes, in accordance with section 6.51(1) of the *Local Government Act 1995* and clause 14 of the *Local Government (COVID-19 Response) Ministerial Order 2020*, an interest rate of 8% applicable to overdue and unpaid rate and service charges subject to this interest rate cannot be applied to an excluded person as defined in the *Local Government (COVID-19 Response) Ministerial Order 2020*, that has been determined as experiencing genuine financial hardship as a consequence of the COVID-19 pandemic in accordance with Council's Financial Hardship Policy.

3. Fees and Charges

Pursuant to section 6.16 of the *Local Government Act 1995*, section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, and regulation 53(2) of the *Building Regulations 2012*, adopts the Fees and Charges included in the 2020-21 Annual Budget as attached to, and forming part of, this report.

4. 2020-21 Fees and Charges Waivers

In furtherance of resolution OCM-13/04/20, Council adopts the following financial assistance measures for booking fees and lease rentals:

- a) Provides a full refund on all COVID-19 pandemic related cancelled bookings at Town properties or facilities from 01 July 2020 to 30 September 2020;
- b) Suspends lease rental payments for sporting and community groups for Town owned buildings from 1 July 2020 to 30 September 2020;
- c) Waives the Bassendean Oval License Fee payable by the Swan Districts Football Club Inc. for the 2020 calendar year;

- d) Waives the naming rights fee for Steel Blue Oval payable by the Swan Districts Football Club for the 2020 calendar year in the event that the Club does not receive any funding for the naming rights of Steel Blue Oval this season; and
- e) Waives food and health inspection fees for targeted small businesses (as defined by the ATO) adversely affected by COVID-19 until 30 September 2020, excluding large retail chains, fast food outlets and supermarkets.

5. Community Events

To facilitate community events, Council resolves to consider civic events and small Town-led community events commensurate with the budget allocated for 2020-21.

6. Elected Members' fees and allowances

- a) Pursuant to section 5.98 of the *Local Government Act 1995* and regulation 34 of the *Local Government (Administration) Regulations 1996*, adopts the following annual fees for payment of Elected Members in lieu of individual meeting attendance fees:
 - i) Mayor \$25,342; and
 - ii) Councillors \$16,367;
- b) Pursuant to section 5.99A of the *Local Government Act 1995* and regulations 34A and 34AA of the *Local Government (Administration) Regulations 1996*, adopts the Information and Communication Technology allowance of \$3,500 for Elected Members;
- c) Pursuant to section 5.98(5) of the *Local Government Act 1995* and regulation 33 of the *Local Government (Administration) Regulations 1996*, adopts the annual local government allowance of \$36,957 to be paid to the Mayor in addition to the annual meeting allowance; and
- d) Pursuant to section 5.98A of the *Local Government Act 1995* and regulation 33A of the *Local Government (Administration) Regulations 1996*, adopts the annual local government allowance of \$9,239 to be paid to the Deputy Mayor in addition to the annual meeting allowance.

7. Reserves – Change in Purpose, Change in use of funds

Pursuant to section 6.11 of the *Local Government Act 1995*, Council approves:

- a) A change in purpose of the Underground Power Reserve to: *“To accrue funds to assist residents facing financial hardship with meeting the property owner contribution costs of undergrounding power;”*
- b) A change in use of part of the funds in the Underground Power Reserve (\$20,000), for the Green Power Purchasing Project;
- c) A change in use of part of the funds in the Waste Management Reserve (\$350,000), for the Spillway Design and Construction at Success Hill; and
- d) A change in use of part of the funds in the Land and Buildings Infrastructure Reserve (\$664,731), for the Sandy Beach Playground.

8. Loan – Underground Power

Pursuant to section 6.20 of the *Local Government Act 1995*, approves the CEO making application to the Western Australian Treasury Corporation for a loan of up to \$2,274,528 and to draw down on that loan as and when required to enable the Town to meet its cash call obligations under the co-funding agreement with Western Power.

9. Materiality

Adopts a material variance of \$5,000 or 10% of the appropriate base, whichever is the higher, for the 2020-21 Financial Activity Statement, for the purpose of reporting under regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* and AASB 1031 Materiality.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item 12.3	Revocation of Council Policies 5.4 - Fire Risk Management Policy and Management Practices and 5.6 – Graffiti Policy
Property Address	N/A
Landowner/Applicant	N/A
Ref	COUP/POLCY/1
Directorate	Community Planning
Decision Type	Legislative
Attachment No. 3	<ul style="list-style-type: none">• Council Policy 5.4 - Fire Risk Management Policy and Management Practices• Council Policy 5.6 – Graffiti Policy

Purpose

The purpose of this report was for Council to consider revoking Council Policies 5.4 - Fire Risk Management Policy and Management Practices (CP 5.4) and 5.6 – Graffiti Policy (CP 5.6)

Council Resolution/Officer Recommendation – Item 12.3

OCM – 7/07/20

MOVED Cr Barty, Seconded Cr Wilson, that Council revokes Council Policy 5.4 - Fire Risk Management Policy and Management Practices and Council Policy 5.6 – Graffiti Policy.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item 12.4	Draft amended Local Planning Policy No. 11 – Anzac Terrace Design Guidelines – Final Adoption
Property Address	1 Anzac Terrace, Bassendean
Landowner /Applicant	N/A
Ref	LUAP/POLCY/16
Directorate	Community Planning
Decision Type	Legislative
Attachment No. 4	<ul style="list-style-type: none"> • Aerial map of area • Existing Local Planning Policy No.11 – LPP11 – Lot 2, 1 Anzac Terrace Design Guidelines • Draft amended Local Planning Policy No.11 – LPP11 – Anzac Terrace Design Guidelines • Schedule of Submissions

Cr McLennan declared a proximity interest and left the meeting at 7.12pm. Cr Hamilton took the Chair.

Purpose

The purpose of this report was for Council to consider adopting draft modified Local Planning Policy No. 11 – Anzac Terrace Design Guidelines.

Council Resolution/Officer Recommendation – Item 12.4 **OCM – 8/07/20**

MOVED Cr Wilson, Seconded Cr MacWilliam, that Council, pursuant to Clause 4(3) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, adopts *Local Planning Policy 11 – Anzac Terrace Design Guidelines*, as attached to the Ordinary Council Agenda of 28 July 2020.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

Cr McLennan returned to the meeting at 7.13pm.

Item 12.5	Draft Local Planning Policy No. 6 - Industrial Zones Design Guidelines
Property Address	N/A
Landowner / Applicant	N/A
Ref	LUAP/POLCY/11
Directorate	Community Planning
Decision Type	Legislative
Attachment No. 5	<ul style="list-style-type: none"> • Local Planning Policy No. 6 – Industrial Zones Design Guidelines • Draft Local Planning Policy No. 6 – Industrial Development

This item was withdrawn.

Item 12.6	Proposed Council Policy – Street Trees and Revocation of Various Council Policies Relating to Street Trees
Property Address	N/A
Landowner/Applicant	N/A
Ref	COUP/POLCY/1
Directorate	Infrastructure and Community Planning
Decision Type	Legislative
Attachment No. 6	<ul style="list-style-type: none">• Council Policy 1.8 - Significant Tree Policy• Council Policy 1.10 - Street Tree Protection• Council Policy 1.11 - Street Tree Pruning, Removal and Replacement Policy• Council Policy 1.12 - Amenity Tree Evaluation• Council Policy 1.14 - Dangerous Trees on Private Property• Draft Council Policy – Street Trees• Schedule of Submissions

Purpose

The purpose of this report was for Council to reconsider adopting draft Council Policy - Street Trees and revoking the following Council policies:

- Council Policy 1.8 - Significant Tree Policy;
- Council Policy 1.10 - Street Tree Protection;
- Council Policy 1.11 - Street Tree Pruning, Removal and Replacement Policy;
- Council Policy 1.12 - Amenity Tree Evaluation; and
- Council Policy 1.14 - Dangerous Trees on Private Property.

Council Resolution/Officer Recommendation – Item 12.6 **OCM – 9/07/20**

MOVED Cr Wilson, Seconded Cr McLennan, that Council:

1. Adopts draft Council Policy – Street Trees attached to the Ordinary Council Agenda of 28 July 2020; and
2. Revokes the following Council Policies:
 - a) Policy 1.8 - Significant Tree Policy;
 - b) Policy 1.10 – Street Tree Protection;
 - c) Policy 1.11 – Street Tree Pruning, Removal and Replacement Policy;
 - d) Policy 1.12 – Amenity Tree Evaluation; and
 - e) Policy 1.14 – Dangerous Trees on Private Property.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item 12.7	Town of Bassendean Compassionate Waste Services Guidelines
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
Ref	WSTMNGT/SVPROVN/3
Directorate	Environment and Sustainability
Decision Type	Legislative
Attachment No. 7	Compassionate Waste Service Guidelines

Purpose

The purpose of this report was for Council to consider delegating to the CEO the power to waive or grant concessions in accordance with the newly proposed Compassionate Waste Services Guidelines.

Council Resolution/Officer Recommendation – Item 12.7 **OCM – 10/07/20**

MOVED Cr Hamilton, Seconded Cr MacWilliam, that Council adopt the Town of Bassendean Compassionate Waste Services Guidelines and delegates to the Chief Executive Officer the power to waive or grant concessions in accordance with these guidelines.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item 12.8	Town of Bassendean Animals, Environment, Nuisance and Pests Local Law 2019 – Undertaking to Joint Standing Committee on Delegated Legislation
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
Ref	LAWE/LOCLWS/2
Directorate	Chief Executive
Decision Type	Legislative
Attachment No. 8	Town of Bassendean Animals, Environment, Nuisance and Pests Local Law 2019

Purpose

The purpose of this report was for Council to consider the undertaking required to be made to the Joint Standing Committee on Delegated Legislation (the Committee) in regards to the *Town of Bassendean Animals, Environment, Nuisance and Pests Local Law 2019* (the Local Law).

Council Resolution/Officer Recommendation – Item 12.8
OCM – 11/07/20

MOVED Cr Wilson, Seconded Cr Barty, that Council:

1. Resolves to make the following undertaking to the Joint Standing Committee on Delegated Legislation:

Undertaking 1

When the *Town of Bassendean Animals, Environment, Nuisance and Pests Local Law 2019* is next amended or reviewed, amend the local law as follows:

- (a) In the definition of authorised person in clause 1.5:
 - i. delete the word ‘caged’
 - ii. delete the word ‘LG’ which appears prior to the word ‘Act’.
- (b) In clause 3.4 delete the word ‘and’ which appears after the first occurrence of the word ‘appearance’;
- (c) In clause 3.6:
 - i. Insert the number (1) before the phrase ‘the owner or occupier of a residential lot shall not –’
 - ii. in clause 3.6(c) delete the word ‘unless;’
 - iii. delete clause 3.6(c)(i) and (ii)
 - iv. create a sub-clause 3.6(2) which provides clause 3.6(1) shall not apply if the vehicle, part or body of a vehicle, vessel or machinery is inside a building or within an area enclosed by a fence or wall not less than 1.8 metres in height and of such a nature as to screen all vehicles, parts of bodies of vehicles or machinery from the street and from adjoining properties.
- (d) In clause 4.5 delete the word ‘truck’ and replace it with the words ‘commercial vehicle’.

Make all necessary consequential amendments.

Undertaking 2

Until the Local law is amended in accordance with undertaking 1:

- (a) Not enforce the Local Law in a manner contrary to undertaking 1.
 - (b) Where the Local Law is made publicly available, whether in hard copy or electronic form (including on the Town’s website), ensure that it is accompanied by a copy of these undertakings.
2. Directs the CEO to advise the Joint Standing Committee on Delegated Legislation of Council’s resolution to make the undertaking.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/07/20 6/0

Item 12.9	Town of Bassendean Waste Local Law 2019
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
Ref	LAWE/LOCLWS/2
Directorate	Chief Executive
Decision Type	Legislative
Attachment No. 9	Town of Bassendean Waste Local Law 2019

Purpose

The purpose of this report was for Council to consider the undertaking required to be made to the Joint Standing Committee on Delegated Legislation (the Committee) in regards to the *Town of Bassendean Waste Local Law 2019* (the Local Law).

Council Resolution/Officer Recommendation – Item 12.9 **OCM – 12/07/20**

MOVED Cr Wilson, Seconded Cr Barty, that Council:

1. Resolves to make the following undertaking to the Joint Standing Committee on Delegated Legislation:

Undertaking 1

When the Local Law is next amended or reviewed, amend the *Town of Bassendean Waste Local Law 2019* to:

- (a) In clause 2.8(1), insert '2.7' after the word 'clause'.
- (b) Make all necessary consequential amendments.

Until the Local law is amended in accordance with undertaking 1:

- (a) Not enforce the Local Law in a manner contrary to undertaking 1.
- (b) Where the Local Law is made publicly available, whether in hard copy or electronic form (including on the Town's website), ensure that it is accompanied by a copy of these undertakings.

2. Directs the CEO to advise the Joint Standing Committee on Delegated Legislation of Council's resolution to make the undertaking.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/07/20 6/0

Item 12.10	Amendment to the Town of Bassendean Notices of Motion Policy
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
Ref	GOVN/CCLMEET/1
Directorate	Chief Executive
Decision Type	Legislative
Attachment No. 10	<ul style="list-style-type: none"> • Current Notices of Motion Policy • Draft Notices of Motion Policy

Purpose

The purpose of this report was for Council to consider amendment to the Town of Bassendean's Notices of Motion Policy to align it with the requirements of the Meeting Procedures Local Law 2020.

Council Resolution/Officer Recommendation – Item 12.10 **OCM – 13/07/20**

MOVED Cr McLennan, Seconded Cr Barty, that Council adopts the amended Notices of Motion policy as attached to the Ordinary Council Agenda of 28 July 2020.

CARRIED BY AN ABSOLUTE MAJORITY 5/1

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

12.11	Appointment of Acting Chief Executive Officer
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
Ref	
Directorate	Chief Executive
Decision Type	Legislative
Attachment No.	Nil

Purpose

The purpose of this report was for Council to approve the appointment of an Acting Chief Executive Officer for the period 3 August to 23 August 2020.

Council Resolution/Officer Recommendation – Item 12.11
OCM – 14/07/20

MOVED Cr Wilson, Seconded Cr Barty, that Council approves the appointment of the Director Community Planning to act as the Chief Executive Officer for the period 3 August to 23 August 2020.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/07/20 6/0

12.12	Adoption of the Town of Bassendean Strategic Community Plan 2020 – 2030
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
Ref	CORM/POLCY/1
Directorate	Chief Executive
Decision Type	Legislative
Attachment No. 11	Town of Bassendean Strategic Community Plan 2020 – 2030

Purpose

The purpose of this report was for Council to adopt the *Town of Bassendean Strategic Community Plan 2020 – 2030*.

Council Resolution/Officer Recommendation – Item 12.12
OCM – 15/07/20

MOVED Cr MacWilliam, Seconded Cr Wilson, that Council adopts the Town of Bassendean Strategic Community Plan 2020 – 2030 as contained as an attachment to the Ordinary Council Meeting Agenda of 28 July 2020.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item 12.14	RFT 03/2020 Provision of Turf Maintenance at Bassendean Oval, Ashfield Reserve and Jubilee Reserve
Ref	PARE/TENDNG/70
Directorate	Corporate Services
Decision Type	Executive
Confidential Attachment No. 1	RFT 03/2020 Tender Evaluation Report

Purpose

The purpose of this report was to present to Council a summary of tenders received for RFT 03/2020 Provision of Turf Maintenance at Bassendean Oval, Ashfield Reserve and Jubilee Reserve and recommend appointment of the contractor considered to provide the best value for money to the Town.

Council Resolution/Officer Recommendation – Item 12.14 **OCM – 16/07/20**

MOVED Cr Barty, Seconded Cr Hamilton, that Council appoints Prestige Property Maintenance Pty Ltd to provide the Provision of Turf Maintenance at Bassendean Oval, Ashfield Reserve and Jubilee Reserve for the Town of Bassendean as specified in Tender RFT 03/2020 for a period of four (4) years, to commence upon Council approval and Contractor acceptance.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

12.15	Workforce Plan Review 2020
Property Address (if applicable)	NA
Landowner/Applicant (if applicable)	NA
Ref	GOVN/CCLMEET/40
Directorate	Human Resources and Organisational Development
Decision Type	NA
Confidential Attachment No. 2	Workforce Plan Review 2020

Purpose

The purpose of this report was for Council to note the Town's Workforce Plan Review for 2020.

Council Resolution/Officer Recommendation - Item 12.15 **OCM – 17/07/20**

MOVED Cr Wilson, Seconded Cr Barty, that Council notes the Workforce Plan Review 2020 attached to the Ordinary Council Agenda of 28 July 2020.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/07/20 6/0

Item 12.16	Quarterly Report for Period Ended 30 June 2020
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
Ref	GOVN/CCLMEET/1
Directorate	Chief Executive
Decision Type	Legislative
Attachment No. 13	Quarterly Report P/E 30 June 2020

Purpose

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

Council Resolution/Officer Recommendation – Item 12.16 **OCM – 18/07/20**

MOVED Cr Barty, Seconded Cr Wilson, that Council:

1. Receives the Quarterly Report for the quarter ending 30 June 2020; and
2. Deletes the Outstanding Council Resolutions attached to the Quarterly Report for the period ending 30 June 2020.

CARRIED UNANIMOUSLY 6/0

Item 12.17	Bassendean Local Emergency Management Committee Meeting held on 1 July 2020
Ref	GOVN/CCLMEET/12 – Luke Gibson, Director Community Planning
Directorate	Community Planning
Decision Type	Executive
Attachment No. 14	BLEMC Minutes of 1 July 2020

Purpose

The purpose of this report was for Council to receive the report on a meeting of the Bassendean Local Emergency Management Committee held on 1 July 2020.

Council Resolution/Officer Recommendation – Item 12.17 **OCM – 19/07/20**

MOVED Cr Wilson, Seconded Cr Barty, that Council receives the report on a meeting of the Bassendean Local Emergency Management Committee held on 1 July 2020.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/07/20 6/0

Item 12.18	Accounts Paid – June 2020
Ref	FINM/CREDTS/4
Directorate	Corporate Services
Decision Type	Legislative
Attachment No. 15	List of Payments – June 2020

Purpose

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

Council Resolution/Officer Recommendation – Item 12.18 **OCM – 20/07/20**

MOVED Cr Wilson, Seconded Cr Barty, that Council receives the List of Payments for June 2020.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/07/20 6/0

Item 12.19	Monthly Financial Report – June 2020
Ref	FINM/AUD/1)
Directorate	Corporate Services
Decision Type	Legislative
Attachment No. 16	Monthly Financial Statement - June 2020

Purpose

The purpose of this report was for Council to consider the draft monthly financial report for June 2020.

Council Resolution/Officer Recommendation – Item 12.19 **OCM – 21/07/20**

MOVED Cr McLennan, Seconded Cr Wilson, that Council:

1. Receives the draft monthly financial report for June 2020; and
2. Adopts the budget amendments listed in the 'Budget Amendments' section of this report.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item 12.20	Use of Common Seal
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
Ref	INFM/INTPROP/1
Directorate	Chief Executive
Decision Type	Executive
Attachments	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 12.20 **OCM – 22/07/20**

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

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/07/20 6/0

Item 12.21	Calendar for August 2020
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
Ref	INFM/INTPROP/1
Directorate	Chief Executive
Decision Type	Executive
Attachments	Nil

Purpose

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

Council Resolution/Officer Recommendation – Item 12.21 **OCM – 23/07/20**

MOVED Cr McLennan, Seconded Cr Hamilton, that:

1. Council receives the calendar for August 2020.
2. **The Audit & Governance Committee meeting be held electronically via Microsoft Teams.**

CARRIED 5/1

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

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13.1 Notice of Motion – Cr McLennan

Council Resolution – Item 13.1 **OCM – 24/07/20**

MOVED Cr McLennan, Seconded Cr Wilson, that:

1. The Town of Bassendean acknowledges the important role prevention programs and non-clinical community mental health organisations play in caring for people with mental health challenges, particularly through the COVID pandemic.
2. The Town formally endorse and support the Prevent Support Heal campaign by:
 - a. Promoting the campaign through their various communications channels;
 - b. Writing to Premier Mark McGowan and Minister for Mental Health Roger Cook requesting funding for mental health prevention and community supports to be increased as a matter of urgency and;
 - c. Exploring ways the State Government can support Local Governments to care for their communities' mental health through the COVID recovery and beyond.

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

Council Resolution – Item 16.0(a)

OCM – 25/07/20

MOVED Cr Wilson, Seconded Cr Barty, that the meeting go behind closed doors in accordance with Section 5.23 of the Local Government Act 1995, the time being 7.29pm.

CARRIED UNANIMOUSLY 6/0

Item 16.1	RFT 06/2019 Provision of Restoration and Conservation Works to the Residency and the Pensioner Guard Cottage and Construction of a New Community Space at 1 Surrey St, Bassendean
Property Address (if applicable)	1 Surrey St, Bassendean
Landowner/Applicant (if applicable)	Town of Bassendean
Ref	PARE/TENDNG/79
Directorate	Corporate Services
Decision Type	Executive
Confidential Attachment No. 5	RFT 06 2019 – Tender Evaluation Report

Purpose

The purpose of this report was to recommend that Council does not appoint a contractor in response to Request for Tender 06/2019 Provision of Restoration and Conservation Works to the Residency and the Pensioner Guard Cottage and Construction of a New Community Space at 1 Surrey St, Bassendean.

This matter was considered with members of the public excluded from the Chambers under Clause 5.23 (2) (c) of the Local Government Act 1995, as the report discusses a contract which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

Council Resolution/Officer Recommendation – Item 16.1

OCM – 26/07/20

MOVED Cr MacWilliam, Seconded Cr McLennan, that Council:

1. Declines all tenders received in response to RFT 06/2019 Provision of Restoration and Conservation Works to the Residency and the Pensioner Guard Cottage and Construction of a New Community Space at 1 Surrey St, Bassendean; and
2. Notes that a report will be provided to Council presenting options for the future of the Pensioner Guard Cottage and adjacent residence at 1 Surrey St, Bassendean.

CARRIED BY AN ABSOLUTE MAJORITY 4/2

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

Item 16.2	Disposal of 48 (Lot 8713) Chapman Street, Bassendean and 93 (Lot 7557) Lord Street, Eden Hill
Property Address	48 (Lot 8713) Chapman Street, Bassendean and 93 (Lot 7557) Lord Street, Eden Hill
Landowner/Applicant	Town of Bassendean
Ref	COUP/ACQ-D/1, A742 & A3280
Directorate	Community Planning
Decision Type	Executive
Attachments	N/A

Purpose

The purpose of this report was for Council to consider the sale of 48 (Lot 8713) Chapman Street, Bassendean and 93 (Lot 7557) Lord Street, Eden Hill, by private treaty.

This matter was considered with members of the public excluded from the Chambers under Clause 5.23 (2) (c) of the Local Government Act 1995, as the report discusses a contract which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

Council Resolution/Officer Recommendation – Item 16.2 **OCM – 27/07/20**

MOVED Cr Barty, Seconded Cr Wilson, that Council:

1. Notes that no submissions were received in response to the tenders to dispose of 48 (Lot 8713) Chapman Street, Bassendean and 93 (Lot 7557) Lord Street, Eden Hill;
2. Endorses the sale of 48 (Lot 8713) Chapman Street, Bassendean and 93 (Lot 7557) Lord Street, Eden Hill by private treaty; and
3. Delegates to the Chief Executive Officer the authority to accept any reasonable offer to purchase either or both of 48 (Lot 8713) Chapman Street, Bassendean and 93 (Lot 7557) Lord Street, Eden Hill.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

All staff (except for the CEO & Minute Secretary) left the meeting at 7.38pm.

Item 16.3	Chief Executive Officer Performance Agreement 2020 - 2021
Property Address (if applicable)	NA
Landowner/Applicant (if applicable)	NA
Ref	P/File
Directorate	Office of the Chief Executive Officer
Decision Type	Council
Confidential Attachment No. 7	CEO Performance Agreement 2020-2021

Purpose

The purpose of this report was for Council to consider adopting the Chief Executive Officer (CEO) Performance Agreement which sets out the agreed key performance indicators for the 2020/21 period.

This matter was considered with members of the public excluded from the Chambers under Clause 5.23 (2) (c) of the Local Government Act 1995, as the report discusses a contract which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

Council Resolution/Officer Recommendation – Item 16.3 **OCM – 28/07/20**

MOVED Cr McLennan, Seconded Cr Wilson, that Council:

1. Adopts the Performance Agreement – CEO Key Performance Indicators 2020/21 attached to the Ordinary Council Agenda of 28 July 2020; and
2. Extends the CEO Annual Performance Review period to be completed by 31 July 2021.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Council Resolution – Item 16.0(b) **OCM – 29/07/20**

MOVED Cr Barty, Seconded Cr Hamilton, that the meeting come from behind closed doors, the time being 7.39pm.

CARRIED UNANIMOUSLY 6/0

17.0 CLOSURE

The next Briefing Session will be held on Tuesday 18 August 2020.
The next Ordinary Council Meeting will be held on Tuesday 25 August 2020.

There being no further business, the Presiding Member declared the meeting closed, the time being 7.39pm.