

# TOWN OF BASSENDEAN

## MINUTES

### ORDINARY COUNCIL MEETING

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

ON TUESDAY 28 SEPTEMBER 2021 AT 6.02PM

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

The Acting 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**

Resident of the Town, Gina Williams, a local Balladong Noongar woman has created an opera sung in the Noongar language which will debut at His Majesty Theatre.

It is the last formal meeting of Council for the following retiring Councillors:

- Cr Sarah Quinton (4 year term)
- Cr Chris Barty (2 year term)
- Cr Jai Wilson (4 year term) noted as an apology

The Acting Presiding Member, Cr Hamilton, provided a gift to departing Councillors and thanked them for their service.

Cr Quinton was granted leave by the Presiding member to address the Council.

Cr Quinton thanked Councillors for the work that Council has done on:

- Sandy Beach Playground
- Other playgrounds
- Providing services to the community from the youngest and oldest.

Cr Quinton spoke highly of the leadership of Cr Renee McLennan and thanked the staff for their friendship, advice and professionalism.

Cr Barty was granted leave by the Presiding member to address the Council.

Cr Barty spoke of his time from being a staff member at the Town of Bassendean 10 years ago to the time spent as a Councillor over the last two years.

Cr Barty advised that he learnt from fellow Councillors, particular thanks to Cr MacWilliam and gave thanks and gratitude to staff.

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

#### **Present**

#### **Councillors**

Cr Kathryn Hamilton, Deputy Mayor – Acting Presiding Member  
Cr Chris Barty  
Cr Hilary MacWilliam  
Cr Sarah Quinton

#### **Apologies**

Cr McLennan – Leave of Absence  
Cr Jai Wilson

#### **Officers**

Ms Peta Mabbs, Chief Executive Officer  
Mr Paul White, Director Corporate Services  
Mr Luke Gibson, Director Community Planning  
Ms Elizabeth Kania, Manager Governance & Strategy

Ms Elizabeth Nicholls, A/Minute Secretary

### **Apologies**

Mr Phil Adams, Executive Manager Infrastructure

### **Public**

Approximately seven members of the public were in attendance.

### **Press**

No members of the press were in attendance.

## **4.0 DECLARATIONS OF INTEREST**

Peta Mabbs declared an impartiality interest in item **12.10** and item 16.1.

Cr Hamilton declared a proximity, financial and impartiality interest in item **8.1**.

## **5.0 PRESENTATIONS OR DEPUTATIONS**

Nil

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

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

Nil

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

Nil

## **8.0 PETITIONS**

### **8.1 Petition - Right of Way No. 5**

A petition has been submitted by Carol Seidel, 55 Broadway, Bassendean, regarding Right of Way No. 5.

**Officer Recommendation – Item 9.1(a)**

1. Council receives the petition submitted by Carol Seidel relating to the Right of Way No. 5; and
2. The petition be considered as part of submissions received for the draft Rights of Way Strategy.

*This item was deferred and is to be considered at the next meeting as Cr Hamilton declared an interest and it would not achieve a quorum to vote on the matter.*

**9.0 CONFIRMATION OF MINUTES**

**9.1 Special Council Meeting held on 29 July 2021**

**Council Resolution/Officer Recommendation – Item 9.1(a)**  
**OCM – 1/9/21**

MOVED Cr MacWilliam, Seconded Cr Barty, that the minutes of the Special Council meeting held 29 July 2021, be received.

CARRIED UNANIMOUSLY 4/0

**Council Resolution/Officer Recommendation – Item 9.1(b)**  
**OCM – 2/9/21**

MOVED Cr MacWilliam, Seconded Cr Barty, that the minutes of the Special Council meeting held on 29 July 2021, as amended, be confirmed as a true record.

CARRIED UNANIMOUSLY 4/0

**9.2 Ordinary Council Meeting held on 24 August 2021**

**Council Resolution/Officer Recommendation – Item 9.2(a)**  
**OCM – 3/9/21**

MOVED Cr MacWilliam, Seconded Cr Barty

That the minutes of the Ordinary Council meeting held 24 August 2021, be received.

CARRIED UNANIMOUSLY 4/0

**Council Resolution/Officer Recommendation – Item 9.2(b)**  
**OCM – 4/9/21**

MOVED Cr MacWilliam, Seconded Cr Barty

That the minutes of the Ordinary Council meeting held on 24 August 2021, as amended, be confirmed as a true record.

**CARRIED UNANIMOUSLY 4/0**

**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.
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<b>Attachment No. 4</b>	WALGA East Metropolitan Zone Meeting – Minutes 19 August 2021 EMRC Ordinary Council Meeting – Delegates Report 26 August 2021

## **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 – 5/9/21**

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

CARRIED UNANIMOUSLY 4/0

## **12.0 REPORTS**

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

It was agreed that item 12.3 be removed from the en-bloc table and considered separately.

### **Council Resolution/Officer Recommendation – Item 12.1**

#### **OCM – 6/9/21**

MOVED Cr Mac William, Seconded Cr Barty, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda:

<b>Item</b>	<b>Report</b>
12.2	Amendment to Existing Street Name - Reid Street/Bassendean Parade
12.4	Right of Way Closure – Lot 503 on Deposited Plan 73906
12.5	Recovery of Sundry Debts Policy – Amendment
12.6	Purchasing Policy – Amendment to Sole Supplier Arrangement
12.9	Special Electors' Meeting – Notices of Motion
12.10	Complaints Committee Meeting held on 14 September 2021
12.11	Audit and Governance Committee Meeting held on 15 September 2021
12.12	Accounts Paid – July and August 2021
12.13	Monthly Financial Report – July and August 2021
12.14	Use of Common Seal
12.15	Calendar for October 2021

CARRIED UNANIMOUSLY 4/0

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

<b>Item</b>	<b>Report</b>
12.3	Licence Agreement - Telethon Community Cinemas
12.7	Councillor Information and Communications Technology (ICT) Policy
12.8	Draft Differential Rates Refund Policy

13.1	Notice of Motion - Cr Kathryn Hamilton: Review of Procedures of Ordinary Council Meetings
16.1	Service Review – Seniors and Disability Services Business Unit

<b>Item No. 12.2</b>	<b>Amendment to Existing Street Name - Reid Street/Bassendean Parade</b>
<b>Property Address (if applicable)</b>	N/A
<b>Landowner/Applicant (if applicable)</b>	N/A
<b>Ref</b>	ROAD/NAME/2
<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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<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 a proposal to rename the eastern section of Reid Street (east of West Road) to Bassendean Parade.

## **Council Resolution/Officer Recommendation – Item 12.2** **OCM – 7/9/21**

MOVED Cr Mac William, Seconded Cr Barty, that Council authorises Town staff to make a formal request to the Minister for Planning to rename the portion of Reid Street, east of West Road, to Bassendean Parade.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/9/21 4/0**

<b>Item No. 12.3</b>	<b>Licence Agreement - Telethon Community Cinemas</b>
<b>Property Address (if applicable)</b>	N/A
<b>Landowner/Applicant (if applicable)</b>	N/A
<b>File Ref</b>	LEGL/AGMT/161
<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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<input type="checkbox"/> Information	For the Council/Committee to note.
<b>Attachment No. 5</b>	Draft Licence – Movies by Burswood

## Purpose

The purpose of this report was for Council to consider a minor variation to the licence agreement for Movies by Burswood Inc. for the staging of the Telethon Community Cinemas at BIC Reserve, Bassendean.

## **Council Resolution/Officer Recommendation – Item 12.3** **OCM – 8/9/21**

MOVED Cr Quinton, Seconded Cr MacWilliam that Council:

1. Rescinds OCM-17/7/21, Part 1 of Council's 27 July 2021 resolution which reads:

*“That Council authorises the Town enter into a new Licence Agreement for Movies by Burswood Bassendean, based on the previous licence but with the following additional term:*

*the licence be for a two year period, commencing 1 December 2021 and expiring 31 March 2023 with a mutual option for a further 12 months;*



and

2. Subject to the Minister for Lands granting consent to the Agreement, Council authorises the Town enter into a new Licence Agreement for Movies by Burswood Inc. for a new licence period commencing on 1 November 2021 and expiring 30 April 2023, with a mutual option for a further 12 months.

CARRIED BY AN ABSOLUTE MAJORITY 4/0

<b>Item No. 12.4</b>	<b>Right of Way Closure – Lot 503 on Deposited Plan 73906</b>
<b>Property Address</b>	Lot 503 on Deposited Plan 73906 (abutting Ida Street, Bassendean)
<b>Landowner/Applicant</b>	Stephen Henry Parker & Daniel Kenny (deceased estate)
<b>Ref</b>	ROAD/STMNGT/4
<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"/> Information	For the Council/Committee to note.
<b>Attachment</b>	Nil.

### Purpose

The purpose of this report was for Council to consider a request to close Right of Way No. 6 (ROW6), being Lot 503 on Deposited Plan 73906.

### Council Resolution/Officer Recommendation – Item 12.4 OCM – 9/9/21

MOVED Cr Mac William, Seconded Cr Barty, that Council authorises a request being made to the Minister for Lands pursuant to section 52 of *Land Administration Act 1997*, to close ROW6 (Lot 503 on Deposited Plan 73906) and dispose of it to the owners of the abutting No. 26A Scaddan Street and No. 3 Ida Street, as detailed in the plan contained in the report.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/9/21 4/0

<b>Item No. 12.5</b>	<b>Recovery of Sundry Debts Policy – Amendment</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>	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.
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<b>Attachment No. 6</b>	Draft Recovery of Sundry Debts Policy

**Purpose**

The purpose of this report was for Council to consider amending the Recovery of Sundry Debts Policy to align the policy with the Town’s Delegation Register and to correct an error in the policy.

**Council Resolution/Officer Recommendation – Item 12.5**

**OCM – 10/9/21**

MOVED Cr Mac William, Seconded Cr Barty, that Council adopts the draft Recovery of Sundry Debts policy attached to this report.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/9/21 4/0**

<b>Item No. 12.6</b>	<b>Purchasing Policy – Amendment to Sole Supplier Arrangement</b>
<b>Property Address (if applicable)</b>	NA
<b>Landowner/Applicant (if applicable)</b>	NA
<b>Ref</b>	FINM/PROCED/1
<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.
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<input type="checkbox"/> Information	For the Council/Committee to note.
<b>Attachment No. 7</b>	<b>Draft Amended Purchasing Policy</b>

### **Purpose**

The purpose of this report was to present an amended Council Purchasing Policy to Council for adoption.

### **Council Resolution/Officer Recommendation – Item 12.6** **OCM – 11/9/21**

MOVED Cr Mac William, Seconded Cr Barty, that Council adopts the draft amended Purchasing Policy attached to this report.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/9/21 4/0**

<b>Item No. 12.7</b>	<b>Councillor Information and Communications Technology (ICT) Policy</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>	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.
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<b>Attachment No. 8</b>	Draft Councillor ICT Policy Councillor Allowances and Expenses Policy

## Purpose

The purpose of this report was for Council to consider the draft Councillor Information and Communications Technology (ICT) Policy.

## Cr Hamilton tabled an amendment

MOVED Cr Hamilton, that Council adopts the draft Councillor ICT Policy attached to this report *subject to item 2.4 of the Policy being amended to include that "an elected member may use their own device with a one-off payment of \$1,500 (up to the cost of the standard device) to be provided by the Town for a 4 year term in addition to the annual ICT allowance"*.

### Reason:

*Elected members may be comfortable using their own device and believe that there are minimal costs to the Town for Councillors to use their own devices.*

LAPSED DUE TO THE WANT OF A SECONDER

**Council Resolution/Officer Recommendation – Item 12.7**

**OCM – 12/9/21**

MOVED Cr Barty Seconded Cr Quinton, that Council adopts the draft Councillor ICT Policy attached to this report.

CARRIED 4/0

<b>Item No. 12.8</b>	<b>Draft Differential Rates Refund Policy</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>	n/a
<b>Directorate</b>	Corporate Services
<b>Authority/Discretion</b> <input type="checkbox"/> <input checked="" type="checkbox"/>	
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<b>Attachment No. 9</b>	Draft Differential Rates Refund Policy

**Purpose**

The purpose of this report is for Council to consider the draft Differential Rates Refund Policy.

**Council Resolution/Officer Recommendation – Item 12.8**

**OCM – 13/9/21**

MOVED Cr Quinton, Seconded Cr MacWilliam, that Council adopts the draft Differential Rates Refund Policy, attached to this report.

CARRIED BY AN ABSOLUTE MAJORITY 4/0

<b>Item No. 12.9</b>	<b>Special Electors' Meeting – Notices of Motion</b>
<b>Property Address (if applicable)</b>	N/A
<b>Landowner/Applicant (if applicable)</b>	N/A
<b>Ref</b>	LAWE/REPRTNG/3 GOVN/CCLMEET/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.
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<input type="checkbox"/> Information	For the Council/Committee to note.
<b>Attachment No. 10</b>	<ul style="list-style-type: none"> <li>• Minutes of the Special Electors' Meeting held on 31 August 2021.</li> <li>• Copy of Deputation – Mr Terry Blanchard</li> </ul>

## Purpose

The purpose of this report was for Council to consider the notices of motion that were passed at the Special Electors' Meeting held on 31 August 2021.

## **Council Resolution/Officer Recommendation – Item 12.9** **OCM – 14/9/21**

MOVED Cr Mac William, Seconded Cr Barty, that:

1. The Special Electors' Minutes of the 31 August 2021 be received and confirmed as a true record; and
  2. Council notes the Motions passed at the Special Electors' Meeting held on 31 August 2021 and requests that they be considered as part of the report that is otherwise required to be presented to Council by 22 December 2021.
- CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/9/21 4/0**

<b>Item No. 12.10</b>	<b>Complaints Committee Meeting held on 14 September 2021</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.
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<b>Attachment No. 11</b>	Minutes of the Complaints Committee meeting held on 14 September 2021
<b>Confidential Attachment No. 1</b>	Confidential Report – Complaints Committee

### Purpose

The purpose of this report was for Council to receive the report on the meeting of the Town of Bassendean Complaints Committee held on 14 September 2021.

### **Council Resolution/Officer Recommendation – Item 12.10** **OCM – 15/9/21**

MOVED Cr Mac William, Seconded Cr Barty, that Council receives the report on the Complaints Committee meeting held on 14 September 2021.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/9/21 4/0

<b>Item No. 12.11</b>	<b>Audit and Governance Committee Meeting held on 15 September 2021</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.
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<b>Attachment No. 12</b>	Minutes of the Audit and Governance Committee meeting held on 15 September 2021
<b>Confidential Attachments No. 2</b>	Audit Risk Register Interim Audit Letter and Findings Identified During the Final Audit Report of Minor Misconduct to the Audit & Governance Committee on 15 September 2021

### Purpose

The purpose of this report was for Council to receive the report on the meeting of the Audit and Governance Committee held on 15 September 2021.

### **Council Resolution/Officer Recommendation – Item 12.11** **OCM – 16/9/21**

MOVED Cr Mac William, Seconded Cr Barty, that Council receives the report on the Audit and Governance Committee meeting held on 15 September 2021.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/9/21 4/0**



<b>Item No. 12.12</b>	<b>Accounts Paid – July and August 2021</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 (e.g. 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>	List of payments July 2021 and August 2021

### Purpose

The purpose of this report was for Council to receive the list of payments for July 2021 and August 2021.

### **Council Resolution/Officer Recommendation – Item 12.12** **OCM – 17/9/21**

MOVED Cr Mac William, Seconded Cr Barty, that Council receive the list of payments for July 2021 and August 2021.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/9/21 4/0**

<b>Item No. 12.13</b>	<b>Monthly Financial Report – July and August 2021</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 August be appealable to the State Administrative Tribunal.
<b>Attachment No. 14</b>	Monthly Financial Report - July and August 2021

## Purpose

The purpose of this report was for Council to receive the monthly financial reports for July and August 2021.

### **Council Resolution/Officer Recommendation – Item 12.13**

#### **OCM – 18/9/21**

MOVED Cr Mac William, Seconded Cr Barty, that Council receive the monthly financial report for July and August 2021.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/9/21 4/0**

<b>Item No. 12.14</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 12.14**

#### **OCM – 19/9/21**

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

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/9/21 4/0**

<b>Item No. 12.15</b>	<b>Calendar for October 2021</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</i> , <i>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 2021.

**Council Resolution/Officer Recommendation – Item 12.15**  
**OCM – 20/9/21**

MOVED Cr Mac William, Seconded Cr Barty, that Council adopt the calendar for October 2021.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/9/21 4/0

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

**13.1 Notice of Motion - Cr Kathryn Hamilton: Review of Procedures of Ordinary Council Meetings**

1. Requests the CEO reviews the procedures of Ordinary Council Meetings to include a 'Declarations of Due Consideration'; and
2. Requests that said Declaration conveys the intent that any elected member who is not familiar with the substance of any report or other information provided for consideration at an Ordinary Council Meeting must declare that fact before the meeting considers the matter.

*Cr Hamilton withdrew the above Notice of Motion.*

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

Nil

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**15.0 URGENT BUSINESS**

Nil

**16.0 CONFIDENTIAL BUSINESS**

**Council Resolution – Item 16.0(a)**  
**OCM – 21/9/21**

MOVED Cr Barty, Seconded Cr MacWilliam, that the meeting go behind closed doors in accordance with Section 5.23 of the *Local Government Act 1995*, the time being 6.31pm.

CARRIED UNANIMOUSLY 4/0

<b>Item No. 16.1</b>	<b>Service Review – Seniors and Disability Services Business Unit</b>
<b>Property Address (if applicable)</b>	N/A
<b>Landowner/Applicant (if applicable)</b>	N/A
<b>File Ref/ROC</b>	COMS/SVPOVN/12
<b>Previous Council Reports (if applicable)</b>	24 November 2020 (Confidential)
<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>Confidential Attachment No. 3</b>	<i>Councillors – please refer to the Confidential Attachments listed within the Confidential Report</i>

*This matter was to be 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 – 22/9/21**

MOVED Cr MacWilliam, Seconded Cr Barty, that Council endorses the Officer Recommendation shown in the Confidential Report attached to the Ordinary Council Agenda of 28 September 2021.

CARRIED UNANIMOUSLY 4/0

**Council Resolution – Item 16.0(b)**  
**OCM – 23/9/21**

MOVED Cr MacWilliam, Seconded Cr Barty, that the meeting come from behind closed doors, the time being 6.38pm.

CARRIED UNANIMOUSLY 6/0

**17.0**            **CLOSURE**

The next Briefing Session will be held on Tuesday 26 October 2021, commencing at 6.00pm.

The next Ordinary Council meeting will be held on Tuesday 2 November 2021, commencing at 6.00pm.

There being no further business, the Acting Presiding Member declared the meeting closed, the time being 6.38pm.