



AGENDA

ORDINARY MEETING OF COUNCIL

TUESDAY 23 NOVEMBER 2021

Notice is hereby given of the Ordinary Council Meeting to be held in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 6.00pm.

Peta Mabbs
CHIEF EXECUTIVE OFFICER

19 November 2021

Tune in to live streaming from the comfort of your own home by going to:
<https://www.youtube.com/channel/UC46mMs3D7vmHuO0ePibihhg/live>

or if you miss it live, go to:

<https://www.youtube.com/channel/UC46mMs3D7vmHuO0ePibihhg>

The Town is committed to ensuring our Council Meetings are a safe work environment, free of risks to the health and wellbeing of Elected Members, Officers and our community.

Any person attending is required to be respectful, courteous and have due regard for individual rights and differences.

Individuals may be asked to leave should their conduct adversely affect the health and safety of others.

By attending this meeting, you agree to abide by these conditions.



Council Seating Plan

Minute Secretary

Amy Holmes

Manager Governance and Strategy

Elizabeth Kania



Chief Executive Officer

Peta Mabbs



Mayor

Cr Kathryn Hamilton
E: crhamilton@bassendean.wa.gov.au

Director Corporate Services

Paul White



Director Community Planning

Luke Gibson



Executive Manager Infrastructure

Phillip Adams



Executive Manager Sustainability and Environment

Nicole Davey



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Cr Tallan Ames
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Cr Renee MacLennan
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Cr Jennie Carter
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Cr Paul Poliwka
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1.0 DECLARATION OF OPENING; ACKNOWLEDGEMENT OF COUNTRY; ACKNOWLEDGEMENT OF VISITORS; DISCLAIMER

Acknowledgement of Traditional Owners

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

2.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Apologies

Cr Carter – Leave of Absence

4.0 DECLARATIONS OF INTEREST

5.0 PRESENTATIONS OR DEPUTATIONS

6.0 STATEMENTS BY MEMBERS OF THE PUBLIC ON AGENDA ITEM

The public statement session will be restricted to 15 minutes unless the Council, by resolution, decides otherwise, on matters contained in the agenda.

Each person is restricted to one statement of up to two minutes unless the Council, by decision, determines that they may speak for no more than a further two minutes.

Statements can be submitted prior to the Council meeting to:
www.bassendean.wa.gov.au/forms/public-statement-time/37

It should be noted that comments are recorded and live streamed via YouTube, and that there is no protection from legal action being taken against you, should it arise from your comments delivered at the meeting.

7.0 QUESTIONS FROM MEMBERS OF THE PUBLIC

15 minutes will be allocated for questions by members of the public unless the Council, by resolution, decides otherwise, on matters contained in the agenda.

Each member of the public with a question is entitled to ask up to two questions before other members of the public will be invited to ask their questions.

Questions can be submitted prior to the Council meeting to:
www.bassendean.wa.gov.au/forms/public-question-time/36

If a person asking a question is not present at the meeting, then the Mayor can choose to deal with it at the meeting or arrange a response by email.

8.0 PETITIONS

9.0 CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held on 2 November 2021 **Attachment No. 1:**

Officer Recommendation – Item 9.1(a)

That the minutes of the Ordinary Council meeting held 2 November 2021, be received.

Officer Recommendation – Item 9.1(b)

That the minutes of the Ordinary Council meeting held on 2 November 2021, be confirmed as a true record.

10.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

11.0 EXTERNAL COMMITTEE REPORTS/UPDATES

Item No. 11.1	Receipt of External Committee and Organisation Minutes
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
File Ref/ROC	INFM/INTPROP/1
Previous Council Reports (if applicable)	Not applicable
Directorate	Chief Executive
Authority/Discretion <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. 2	EMRC Special Meeting of Council – 4 November 2021

Purpose

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

Background

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

Proposal

Not applicable.

Communication and Engagement

Not applicable.

Strategic Implications

Priority Area 6: Providing visionary leadership and making great decisions

Direction	Potential Strategies	What Success Looks Like
Ensure operational activities reflect the strategic focus of Council	<ul style="list-style-type: none"> • Ensure clear communication and flow of information from decision makers to operational staff • Implement a framework on decision making that identifies delegated authority for different levels of decision 	SHORT TERM <ul style="list-style-type: none"> • Efficient and effective Council meetings • Outcomes-focused decision making (not process-focused) • More delegated authority to CEO on appropriate items to enable Council to focus on strategy

Comment

Meeting	Date Held
EMRC Special Meeting of Council	4 November 2021

Statutory Requirements

Not applicable.

Financial Considerations

Not applicable.

Risk Management Implications

Not applicable.

Officer Recommendation – Item 11.1

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

Voting requirements: Simple majority

12.0 REPORTS

12.1 Adoption of Recommendations En Bloc

The following information is provided to Councillors for guidance on the use of en bloc voting as is permissible under the Town's Council Meeting Procedures Local Law 2020.

Council Meeting Procedures Local Law 2020, Clause 5.4 states:

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

Councillors should be aware that should they wish to declare an interest in any of the items listed in the en bloc voting table, and have not done so under Item 4.0, Declarations of Interest, they should do so at this point of the agenda.

Officer Recommendation – Item 12.1

That Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda:

Item	Report
12.4	Town Centre Masterplan
12.7	Street Tree Removal Request
12.9	Traffic Management Request for Railway Parade
12.11	Adoption of Quarterly Report period ending 30 September 2021
12.12	Accounts Paid – September and October 2021
12.14	Use of Common Seal
12.15	Calendar for December 2021

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

Item	Report
12.2	Local Planning Policy No. 4 – Floodplain Management and Development
12.3	Social Housing Economic Recovery Package
12.5	Review of Various Parking Restrictions – Bassendean Oval
12.6	Nomination of Local Government Members for the Metro Inner North Joint Development Assessment Panel
12.8	Draft Traffic Management Treatment Policy and Guidelines
12.10	Draft Town of Bassendean Corporate Business Plan 2021-2025
12.13	Monthly Financial Report – September and October 2021
16.1	2021/2022 Budget Amendment – RAC Reconnect WA Initiative Grant Application
16.2	Appointment of Members to the Audit and Governance Committee – 2021 to 2023

Item No. 12.2	Local Planning Policy No. 4 – Floodplain Management and Development
Property Address	N/A
Landowner/Applicant	N/A
Ref	LUAP/POLCY/4
Directorate	Community Planning
Authority/Discretion	<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 & 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 permit, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment No. 3	A. Existing Local Planning Policy No. 4 – Floodplain Management and Development B. Draft amended Local Planning Policy No. 4 - Floodplain Management and Development (as advertised) C. Schedule of Submissions D. Draft State Planning Policy 2.9 – Planning for Water E. Draft State Planning Policy 2.9 – Planning for Water Guidelines

Purpose

The purpose of this report is for Council to consider revoking Local Planning Policy No. 4 – Floodplain Management and Development (LPP 4) for the reasons outlined in this report.

Background

LPP 4 was adopted by Council in 2008 and was subject to a minor review in 2014. The current LPP 4 is contained as Attachment 1. On 26 February 2019, Council considered a report on the potential review of LPP4 and resolved to:

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

On 25 August 2020, Council considered a draft amended LPP 4 and resolved to advertise it for public comment. The draft amended LPP 4 is contained as an attachment.

The matter was included on Council's 26 October 2021 briefing session agenda, but subsequently withdrawn from the 2 November 2021 Council meeting agenda pending a response being received from the Minister for Local Government as to the eligibility of a Councillor to participate in the determination of the item.

The Town has since been advised that the Minister is not able to make a decision on that matter unless the item has been formally included on a Council meeting agenda.

Communication and Engagement

Following Council's resolution on the matter, the draft amended policy was advertised for public comment for a period of 30 days, being from 26 August 2020 to 25 September 2020, by way of the following:

- Letters to 226 landowners within the floodplain;
- Letters to the Bassendean Local Emergency Management Committee, Eastern Metropolitan Regional Council, the Department of Fire and Emergency Services (DFES), Western Australian Planning Commission (WAPC) and the Department of Water and Environmental Regulation (DWER);
- Advertisement in a local paper (Eastern Reporter Newspaper);
- Displayed on the Town's website; and
- Promoted on the Town's Facebook page.

Due to the interest in the proposal, the Town subsequently granted an extension of time and allowed late submissions until 26 October 2020 where requested.

At the close of the public consultation period, the Town had received 16 submissions; one supporting the intent of the draft policy, eight objecting to the draft policy and seven providing comment. A schedule of submissions is attached, with the relevant matters raised discussed in the comment section of the report.

Following the consultation period, on 23 October 2020, the Department of Planning, Lands and Heritage (DPLH) advised the Town that the WAPC was preparing a new draft State Planning Policy 2.9 – Planning for Water (draft SPP 2.9) and associated Planning for Water Guidelines which would serve to consolidate and replace the current water-related planning framework, including:

- State Planning Policy 2.1 - Peel-Harvey Coastal Plain Catchment;
- State Planning Policy 2.2 - Gnangara Groundwater Protection;
- State Planning Policy 2.3 - Jandakot Groundwater Protection;
- State Planning Policy 2.7 - Public Drinking Water Source Policy;
- State Planning Policy 2.9 - Water Resources;
- State Planning Policy 2.10 - Swan Canning River System;
- Better Urban Water Management;
- The policy measures that address flooding within State Planning Policy 3.4 - Natural Hazards and Disasters; and
- Government Sewerage Policy.

The DPLH suggested that future consideration of the draft amended LPP 4 be held in abeyance until the draft SPP 2.9 had been advertised for public comment. This commenced on 10 August 2021 and will conclude on 15 November 2021.

Strategic Implications

Priority Area 2: Leading Environmental Sustainability

Direction	Potential Strategies	What Success Looks Like
Conserve, protect and enhance our natural environment and biodiversity	<ul style="list-style-type: none"> Conserve, enhance and repair natural and urban areas Facilitate management of reserves by Friends groups 	<p>SHORT TERM</p> <ul style="list-style-type: none"> Increased number and rate of participation of environmental volunteers <p>LONG TERM</p> <ul style="list-style-type: none"> Restoration and revegetation measures improve
Value and conserve and protect our water resources and waterways	<ul style="list-style-type: none"> Implement waterwise initiatives and policies for residents, businesses and other organisations Convert drains into living streams 	<p>SHORT TERM</p> <ul style="list-style-type: none"> Gold Waterwise Council status is retained Quality of water flows into Swan River improves Stream restoration measures improve

Comment

Draft State Planning Policy No. 2.9 – Planning for Water Policy and Guidelines

The purpose of draft SPP 2.9 and associated guidelines is to delivery clarity around how water related provisions are implemented and to ensure appropriate management measures are introduced to achieve optimal water resource and development outcomes.

The Town has reviewed draft SPP 2.9 in light of the draft LPP provisions and considers it suitable to now revoke LPP 4. The following table represents the provisions contained within draft LPP 4, and the relevant provisions contained within draft SPP 2.9 and associated guidelines.

Draft LPP 4	Draft SPP 2.9 and Guidelines	Comment
General		
<p>Requires notifications on the certificate of title under Section 70A of the Transfer of Land Act 1893, advising of the flood hazard and restrictions on the use of the premises.</p>	<p>Notifications on title may be required as a condition of approval for lots of subdivision and development proposals located within the floodway, flood fringe or flood plain. Notifications on title advise prospective purchasers of the potential for flood hazards and help with managing expectations.</p>	<p>One of the submissions commented that LPP 4 should be amended to remove the provision that requires the Town to impose a condition (or recommend a condition be imposed) on development approvals or recommendations to the WAPC, requiring the applicant to lodge a notification, advising prospective purchasers that the property is located in the Swan River floodplain and is liable to be affected by flooding.</p> <p>Section 70A notifications advise prospective buyers of potential circumstance that might impact the enjoyment of that property and the Town considers that, regardless of the portion of the site that may be affected by flooding, which may only relate to an undeveloped portion of the site, prospective purchasers should be made aware that the property is flood affected.</p> <p>This position has been reaffirmed by the requirement to apply notifications under draft SPP 2.9.</p>
Floodway		
<p>In the case of a new dwelling to replace an existing dwelling, the obstruction of the floodway caused by the new dwelling is no greater than the obstruction caused by the existing dwelling.</p>	<p>Development is required to (i) maintain the free passage and temporary storage of floodwaters and (ii) maintain and enhance the natural ecosystem and hydrological functions of the river system, and demonstrate detrimental impacts have been mitigated.</p> <p>Development may need to be supported by modelling of the cumulative impact on upstream and downstream areas.</p>	<p>The draft policy provisions are sufficiently consistent and the draft SPP adequately captures the requirement that would otherwise be provide in the draft LPP.</p>

<p>Subdivision and development that increases the number of lots or dwellings within the floodway is not supported. In applying this provision, it is noted that existing, vacant sites are permitted to accommodate a Single House.</p>	<p>There is a presumption against the intensification of development within a defined floodway through rezoning, subdivision or development.</p> <p>No structures will be approved within the floodway where they are considered to constitute an obstruction during flooding with exceptions relating to boundary realignments, critical community facilities or existing structures</p> <p>Existing structures are to be replaced with the same or lesser width of obstruction and the proposal can achieve acceptable vertical separation.</p>	<p>The draft policy provisions are sufficiently consistent and the draft SPP adequately captures the requirement that would otherwise be provide in the draft LPP.</p>
<p>Flood Fringe</p>		
<p>Development and subdivision for land which is situated within the flood fringe is generally acceptable provided that the finished floor level of habitable floor space of a new dwelling achieves a minimum of 500mm above the designated 100 year ARI flood level as determined by DWER.</p>	<p>Proposals on land located in the flood fringe (or floodplain where no flood fringe is defined) may be acceptable subject to achieving a minimum habitable floor level of 0.5 metres above the expected 1 per cent AEP flood event, and appropriate emergency management controls.</p>	<p>The draft SPP bases the minimum habitable floor level on the annual exceedance probability, which is the measure used by DWER when providing advice on proposals. This methodology achieves the same outcome in relation to flood protection of habitable development and is considered appropriate.</p>

It should be noted that draft SPP 2.9 outlines that local governments are responsible for the preparation of local planning policies in relation to water resources, including seeking advice from relevant agencies and/or service providers, and giving due regard to that advice.

The above notwithstanding, the creation of a new local planning policy or amendment to LPP 4 is not considered warranted, as demonstrated above, all of the elements otherwise captured in LPP 4 have been addressed by the provisions contained within draft SPP 2.9. Creation of a new local planning policy or retention or amendment of LPP 4 is an unnecessary duplication of State policy requirements and an additional administrative process that serves no planning purpose, and could result in confusion between the two documents.

As such, it is considered that LPP 4 is suitable for revocation. The Town will be providing a submission on draft SPP 2.9 recommending that the reference to the potential need for a local planning policy be removed.

Application of Policy

As draft SPP 2.9 is being publicly advertised, it is considered a “seriously entertained planning proposal” and as such, can be applied to development and subdivision proposals. Should Council revoke LPP 4 as recommended, the Town would apply the provisions of draft SPP 2.9 to future development proposals.

It should be noted that whilst the Town determines most development applications, the WAPC determines all applications for subdivision. In considering requests for advice on subdivision applications, the Town would provide advice to the WAPC consistent with draft SPP 2.9. The WAPC would seek advice from the DBCA, DWER and Department of Fire and Emergency Services in considering subdivision proposals within the floodplain.

Conclusion

The introduction of draft SPP 2.9 and its expansive provisions relating to water management and subdivision and development within the floodplain capture and exceed the requirements contained within LPP 4.

Given the Town is required to have due regard to the State Planning Policy and advice received from service agencies in considering development applications, LPP 4, in any form, is no longer warranted.

It is therefore recommended that Council not proceed with the draft amended LPP 4 and in turn, revoke existing LPP 4.

Statutory Requirements

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council is required to consider the proposed policy in light of the submissions received and resolve to:

- “(i) proceed with the policy without modification; or
- (ii) proceed with the policy with modification; or
- (iii) not proceed with the policy.”

If it resolves to not proceed with the draft amended policy, the current LPP 4 will still exist unchanged.

In accordance with the Clause 6(b) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council is able to revoke a local planning policy:

“by a notice of revocation —

- (i) prepared by the local government; and
- (ii) published by the local government in accordance with clause 87.”

Financial Considerations

Nil.

Risk Management Implications

It is appropriate that Council ensure its policy framework is contemporary and consistent with best practice. Should Council retain LPP 4 in its current format, the policy may result in confusion given its policy provisions are replicated in draft SPP 2.9.

Officer Recommendation – Item 12.2

That Council:

1. pursuant to Clause 4(3)(b)(iii) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, not proceed with draft amended Local Planning Policy No. 4 – Floodplain Management and Development.; and
2. pursuant to Clause 6(b) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, revokes existing Local Planning Policy No. 4 – Floodplain Management and Development.

Voting requirements:

Point 1 – Simple majority

Point 2 - Absolute majority

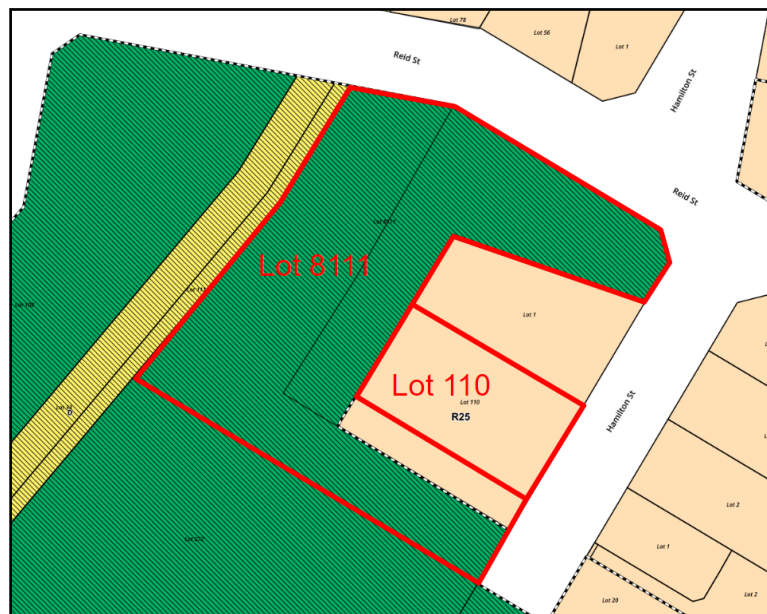
Item No. 12.3	Social Housing Economic Recovery Package
Property Address	122 (Lot 110) Hamilton Street, Bassendean
Landowner/Applicant	Town of Bassendean
File Ref	
Directorate	Community Planning
Authority/Discretion	<input type="checkbox"/> <input checked="" type="checkbox"/>
<input type="checkbox"/> 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"/> 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 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.
Attachment	Nil.

Purpose

The purpose of this report is for Council to consider the development of 122 (Lot 110) Hamilton Street, Bassendean for the purposes of social housing.

Background

The Town owns Lot 110 Hamilton Street (1,400m²) as well as the adjacent Lot 8111 Hamilton Street, which contains a 443m² strip of Residential zoned land.



The sites are vacant and serve no community benefit. The Town is required to maintain the land in accordance with the annual bushfire notice, which represents an ongoing cost, albeit minimal, to the community.

In mid-2021, the Town obtained approval to either (i) excise off the 443m² residential portion of Lot 8111 or (ii) amalgamate the residential portion of Lot 8111 with 122 (Lot 110) Hamilton Street so as to create a 1,843m² Residential zoned lot.

On 22 June 2021, Council considered the disposal of the lot and resolved to

“defer consideration of this item and requests that the CEO prepares a confidential report on the range of options for disposal, including consideration of valuations and the merits of the options, including:

- a) disposal of the amalgamated block; and*
- b) disposal of the two blocks as currently defined.”*

Since that time, the Department of Communities has launched its Social Housing Economic Recovery Package (SHERP) grant program, with applications for the various grants closing on 30 November 2021.

On 2 November 2021, Council considered a report on the potential development of the subject site for the purposes of social housing by way of the above grant and resolved to defer its consideration of the matter.

Communication and Engagement

Nil.

Strategic Implications

Priority Area 4: Driving Financial Suitability

Direction	Potential Strategies	What Success Looks Like
Ensure there is sufficient, effective and sustainable use of assets	<ul style="list-style-type: none"> • Assess assets (including review of portfolio, landholdings and facility condition, use and capacity) to optimise and rationalise • Ensure financial planning has a long term outlook and a focus on land asset rationalisation 	<p>SHORT TERM</p> <ul style="list-style-type: none"> • All Town-owned buildings increased in their utilisation • Defined position and strategy of when buildings need renewal <p>LONG TERM</p> <ul style="list-style-type: none"> • Consolidated infrastructure footprint • Enhanced sustainability footprint • Clear indications of whole-of-life costs

Comment

The grants program will provide \$92.8 million for new and upgraded community housing for hundreds of the state's most vulnerable people. This includes new housing construction projects and refurbishment works which will create more fit-for-purpose homes to help address the State's increasing social housing demands. The program is part of the overall State Government initiative currently underway to increase the number of social housing dwellings in Western Australia and to ensure the state's ageing social housing stock remains fit for purpose and in the system for many years to come.

Through the program, the Department of Communities will invest up to \$33 million towards the development of new social housing. A maximum of \$5 million is available for organisations per development per single application. There are no restrictions on the number of dwellings or configurations however, applications must only be for one location. Given that the 1,843m² area of land zoned residential on Hamilton Street is capable of accommodating seven single-bedroom dwellings, it would potentially be well suited to development for community housing.

In considering the prospect of developing the site for social housing via the SHERP grant program, the following is relevant:

- The Town would be actively assisting in addressing the current housing crisis. This is particularly relevant to the Town's geographic location, as it is within an area that the Department considers to have a "very high demand".
- The grant can specifically target housing for older women (those aged 55 and older), which is the fastest growing cohort of homeless in Australia. This is a trend that is predicted to continue given the ongoing shortage of affordable housing, the ageing population and the significant gap in wealth accumulation between men and women.
- It would make use of an existing "lazy" land asset that does not otherwise currently provide any benefit to the Town nor the broader community. It is considered important for Council to facilitate at least some level of development on this site given its recent decision to impose differential rates on owners of vacant/underdeveloped land.
- The costs associated with developing the land (including civil works) would be met by a third party. This would not be the case if Council chose to develop the site outside of the grant program.
- The housing would provide an ongoing income source for the Town. The Town would retain ownership of the underlying land asset which would not be the case if Council chose to simply dispose of the land by way of commercial sale.
- The Town would be required to, directly or indirectly, manage the site on an ongoing basis, including the provision of supportive tenancy management with a commitment to tenant wellbeing. Whilst the indirect approach (outsourcing the management to a third-party community housing provider) would reduce the revenue to the Town, it is likely to be the most appropriate approach. The Town could seek to appoint a provider by way of an Expression of Interest process or similar.

- If Council wishes for the Town to pursue the grant, a decision to the effect would need to be made on the basis of relatively limited detailed information, as some aspects of the proposal are quite speculative and would not be clarified until later in the process.

Based on the above, it is recommended that Council support the use of the site for the development of social housing by way of the SHERP grant. If it does, given that the approach will not be completely consistent with Council's previous resolution relating to the Hamilton Street property, it is considered appropriate for it to be revoked. If the grant is unsuccessful, the previously requested work can still be undertaken.

It is open to Council to not support the use of the site for the development of social housing by way of the SHERP grant, in which case, the Town will undertake the tasks contemplated by the June 2021 resolution. It is considered that such an approach is preferable to the Town declining any grant offer made by the Department.

Statutory Requirements

Nil associated with this decision.

Registered community housing providers are regulated by the Department of Communities under a Community Housing Regulatory Framework.

Financial Considerations

The creation of one consolidated lot will incur costs associated with civil works (which are estimated to be approximately \$60,000), the preparation of a deposited plan, clearance fees and an application for new titles. If successful with the grant, these costs will be borne by the Department.

Any future subdivision/development of the land for housing will be a source of revenue to the Town.

Risk Management Implications

There is a reputational risk associated with the Town owning, but not developing, land that could otherwise be developed with numerous dwellings.

If Council again resolves to defer the matter, the Town will not be able to lodge a grant application by deadline of 30 November 2021.

Officer Recommendation – Item 12.3

That Council:

1. revokes its resolution from the Ordinary Council Meeting of 22 June 2021, which reads:

“That Council defers consideration of this item and requests that the CEO prepares a confidential report on the range of options for disposal, including consideration of valuations and the merits of the options, including:
 - a) disposal of the amalgamated block; and*
 - b) disposal of the two blocks as currently defined.”*
2. notes that the Town will lodge an application for a Social Housing Economic Recovery Package grant from the Department of Communities;
3. in the event that the Town is successful in obtaining a grant, authorises the Chief Executive Officer to take the necessary steps to create a new 1,843m² lot, located at 122 Hamilton Street, Bassendean; and
4. in the event that the Town is unsuccessful in obtaining a grant, requests that the CEO prepares a confidential report on the range of options for disposal of the site, including consideration of valuations and the merits of the options.

Voting requirements:

Point 1 - Absolute majority

Point 2, 3 and 4 – Simple majority

Item No. 12.4	Town Centre Masterplan
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref	COMDEV/POLCY/1
Directorate	Community Planning
Authority/Discretion	<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"/> 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 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.
Attachment No. 4	A. Community Survey Engagement Report B. Draft Town Centre Masterplan

Purpose

The purpose of this report is for Council to consider adopting the draft Masterplan for the Bassendean Town Centre.

Background

On 23 June 2020, Council resolved to approve the preparation of a masterplan for the Bassendean Town Centre and to consider allocating up to \$100,000 in the 2020/21 Budget. The figure of \$100,000 was subsequently included in the 2020/21 Budget.

In July 2020, the Town appointed Creating Communities Australia to prepare the Masterplan, with the project formally commencing in August 2020.

Communication and Engagement

The project has involved significant community engagement occurring over three distinct phases:

- In late 2020, the Town, in conjunction with Creating Communities Australia, hosted a series of focus groups and interviews with community members who have a stake in the town centre (such as property owners, businesses, community groups, those who registered to be involved in engagement from *BassenDream our Future*, local residents, State Government and potential investors).

These sessions built on the detailed findings of the *BassenDream our Future* engagement process to inform the development of some draft concepts for the future revitalisation of the Bassendean Town Centre. These engagements helped to inform the development of some draft masterplan concepts.

- In mid-April 2021, two further community design workshops were held with landowners, community stakeholders, local businesses and development industry representatives. The draft concept plans were presented in an effort to generate further feedback.
- From 1 August 2021 to 8 September 2021, the third and final stage of community engagement took place, and involved a number of opportunities for the community to provide feedback and talk to staff about the project. At the conclusion of the consultation period, over 600 submissions were received.

A copy of the Community Survey Engagement Report is contained as an attachment.

In addition to the above, the project has involved significant Council liaison; most recently at a Councillor workshop on 9 November 2021.

Strategic Implications

The Town's Corporate Business Plan 2020-2024 contains the following action:

Priority Area 3: Creating a Vibrant Town and Precincts

Direction	Potential Strategies	What Success Looks Like
Support the town centre to thrive	<ul style="list-style-type: none"> • Advocate for economic growth of our Bassendean town centre • Engage potential government and private sector development partners to realise opportunities within the Town of Bassendean 	<p>LONG TERM</p> <ul style="list-style-type: none"> • Increased number of developments within the town centre • Increased population within the Town • Improved retention of existing businesses • Increased number and retention of new businesses • Increased local employment

<p>Increase the residential population close to centres and train stations</p>	<ul style="list-style-type: none"> • Ensure planning and development strategies and policies align with the desire to focus future development around centres and train stations 	<p>LONG TERM</p> <ul style="list-style-type: none"> • Meet obligations under State population targets • Appropriately located development • Increased dwelling numbers and diversity of dwelling types • Enhanced quality of development outcomes
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The Town’s Corporate Business Plan 2020-2024 contains the following action:

“Develop a Town Centre Masterplan to promote and facilitate future investment”

Comment

Draft Masterplan

The draft Masterplan (contained as Attachment 2) is a high-level concept for the redevelopment and reinvigoration of the Bassendean Town Centre and provides for various changes within the precinct, including (but not limited to) the following:

- Redevelopment of key Crown and Town-owned sites throughout the precinct (Items 1 – 6)
- The redevelopment of the existing Swan Districts Football Club site (Item 7)
- The creation of a piazza in the location currently occupied by the Town’s administration centre (Item 11)
- The provision of an overpass from the railway station to a pedestrian-only zone at the western end of Old Perth Road. This will involve the closure of the northern (east-bound) lane of traffic (Items 19 and 20)
- The realignment of the Old Perth Road / Surrey Street intersection, and the creation of a new historical and cultural place of interest (Item 28)
- The retention of the existing Tennis Club and Bowls Club in their current locations (Item 30)
- Minor changes to the length and orientation of the playing surface at Bassendean Oval, so as to facilitate new development at the western end of the reserve (Item 32)

It is important to note that the draft plan provides for no net loss of green space across the town centre.

The draft Masterplan has been prepared based on research and input and feedback from local businesses, property owners, sporting clubs, government agencies, local residents and the Town of Bassendean’s staff and elected members via the extensive Bassendean our Future engagement process plus additional meetings, focus groups, and interviews.

It has involved significant community input and will be the Town's guide for all future decisions relating to the town centre.

Based upon feedback from the community, over 75% support, or highly support, the draft Town Centre Masterplan.

It is recommended that Council adopt the Masterplan.

Future Precinct Structure Plan

State Planning Policy 4.2 – Activity Centres (and the associated Guidelines) apply to the preparation and assessment of planning instruments that relate to activity centres within the Metropolitan (Perth), Peel and Greater Bunbury Region Scheme areas.

SPP 4.2 seeks to provide a consistent approach for the planning and development of a hierarchy and network of activity centres that meets community needs, and provides economic and environmental benefits, enables the distribution of a broad range of goods and services, and facilitates retail, commercial and mixed used developments.

SPP 4.2 requires the preparation of precinct structure plans for strategic, secondary, district and specialised activity centres, which includes the Bassendean Town Centre (being a district level centre). The adopted masterplan will be used to guide the preparation of requisite precinct structure plan.

The preparation of the requisite precinct structure plan will take some time, as will the progression and finalisation of draft Local Planning Scheme No. 11. It is acknowledged that in the meantime, landowners may wish to redevelop their properties in accordance with the adopted Town Centre Masterplan and it is recommend that Council adopt a flexible view on such proposals; assessing each proposal on its individual merits, having regard to the adopted Masterplan. **Whilst such an approach would be a positive demonstration of the Town's willingness to promote development in the town centre, it should be noted that many (if not all) applications that involve significant departures from LPS 10 would be required to be determined by the Western Australian Planning Commission. The Commission would have regard to the Town's recommendation but would be under no obligation to approve any such application.**

State Government support

The draft Town Centre Masterplan provides for the creation of employment and housing opportunities in close proximity to two railways stations, within 15km of central Perth; very much aligned to the State Government's Metronet, housing supply and social housing agendas.

Given the number of government-controlled land parcels within the precinct, the State Government has a significant role to play in the implementation of the draft Masterplan.

Therefore, if Council adopts the Masterplan, the Town will advocate to the State Government for its involvement in the redevelopment of key Crown and Town-owned sites, in accordance with the Masterplan.

Statutory Requirements

Nil.

Financial Considerations

Nil, in relation to the adoption of the masterplan.

Implementation of the masterplan will be a significant financial undertaking and likely require funds to be committed by Council on an annual basis, as well as external funding from other tiers of government. Investment in the town centre will stimulate the local economy and contribute to the Town's rate base.

Risk Management Implications

High. If Council does not adopt the draft masterplan, it poses a reputational risk to the Town and would effectively leave the Town without a contemporary plan that reflects the vision and aspirations of the community. This will potentially compromise the progression of the draft amended Local Planning Strategy and draft Local Planning Scheme No. 11, as well as the future progression of a Precinct Structure Plan, which is an enforceable, statutory tool.

The lack of a masterplan will compromise the Town's ability to promote itself and generate interest and excitement about the unique opportunities that will be able to be unlocked in the future. It is that interest and excitement that will lead to meaningful investment in the town centre, and ultimately, the achievement of the community's vision.

The CEO of the State Government's development arm (Development WA) has reinforced the importance for the Town to undertake this groundwork prior to the State Government engaging further with the Town.

The risk of not completing the project is that the significant potential of various government-controlled sites will not be able to be unlocked.

Officer Recommendation – Item 12.4

That Council:

1. adopts the draft Town Centre Masterplan for the Bassendean Town Centre;
2. notes that the Town will advocate to the State Government and development industry for its involvement in the redevelopment of key Crown and Town-owned sites, in accordance with the Masterplan; and

3. advises that, notwithstanding the existing zonings, codings and development standards prescribed by Local Planning Scheme No. 10, it is prepared to consider any application for development approval for land within the town centre precinct, on its individual merits, having regard to the adopted Town Centre Masterplan and the desired built form of the precinct.

Voting requirements: Simple majority

Item No. 12.5	Review of Various Parking Restrictions – Bassendean Oval
Property Address	N/A
Landowner/Applicant	N/A
Ref	LAWE/REPRTNG/3
Directorate	Community Planning
Authority/Discretion	<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 & 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 permits, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment No. 5	A. Schedule of Submissions B. Map of Bassendean Oval and surrounds C. Proposed car parking restrictions

Purpose

The purpose of this report is for Council to consider modifying existing football related parking restrictions in the vicinity of Bassendean Oval and to consider motions passed at the Special Electors' Meeting of 31 August 2021.

Background

North Road

In 2018, Council resolved to restrict parking, at all times, on the western side of North Road (between Guildford Road and Surrey Street) and install 'No Parking' restrictions on the eastern side of North Road (between Guildford Road and 19 North Road). This was to control vehicles parking near the bend at the intersection of Brook Street.

Parking Local Law 2019

On 23 July 2019, Council adopted the *Parking Local Law 2019*, which allows for the installation of 'No Stopping' yellow edge lines.

2021 Audit

In early 2021, in response to the trend of increased football use of the Oval as well as general complaints regarding parking in the area, the Town undertook an audit of the district with particular focus on existing parking signage and restrictions in relation to football parking. The audit identified that in some locations, existing parking restrictions are either no longer meeting the needs of the community or should be amended.

Information taken into account during the audit included anecdotal history from Ranger Services, site inspections and complaints, comments and requests received from the community.

Existing No Parking Restrictions

Currently the following streets have the 'No Parking – 8am to 6pm, Saturday, March to August' parking restrictions signage:

- Briggs Street (east side);
- Brook Street (south side);
- Calnon Street (east side);
- Devon Road (north side);
- Lamb Street (south side - 4 Thompson Street to 11a Lamb Street);
- Lamb Street (east side - 13 to 21 Lamb Street);
- Lamb Street (west side - opposite 11 and 11a Lamb Street);
- North Road (west side - 309 Guildford Road to 26 North Road);
- Prowse Street (south side);
- Railway Parade (north side - 28 to 40 Railway Parade);
- Rosetta Street (east side);
- Thompson Road (east side); and
- West Road (east side - Old Perth Road to Devon Road).

The current restrictions only provide for parking management between 8am and 6pm on Saturdays during March to August. This does not cover other events that may be held at Bassendean Oval during other times and days.

The football season has now been extended to include games from February to September and also regular games scheduled on Sundays. These games also attract crowds that require parking management which the existing restrictions do not provide for.

Rather than just extending the current restricted times, the Town focused its audit on the safety, layout and capability of the road to meet current standards for street parking and proposed to amend the restrictions by converting the nominated restrictions to 'No Stopping' yellow edge lines. The corners and intersections were not included in the proposed marking as the *Parking Local Law 2019* provides control measures in this respect.

Ordinary Council Meeting – 22 June 2021

On 22 June 2021, Council considered the Town's audit of car parking restrictions in the vicinity of Bassendean Oval and resolved to defer the item so as to enable staff to investigate the following:

- “1. Signage to encourage greater utilisation of existing parking spaces currently marked “Drop Off Zone” on the west side of West Road adjoining Bassendean Primary School;*
- 2. Identify opportunities to create additional parking in and around those streets listed in the current report to assist in addressing the loss of street parking created by a transition to “No Stopping” zones;*
- 3. Identify opportunities to potentially increase parking and/or chicanes, median strips etc. that may accommodate additional tree planting and reduce the speed of vehicles entering and exiting North Road via Guildford Road with a view to improve overall street amenity and functionality; and*
- 4. Requests a new report outlining the aforementioned investigations and any other means to improve parking functionality in the subject area be provided to Council within six months.”*

Special Meeting of Electors – 31 August 2021

On 31 August 2021, a Special Meeting of Electors was held to consider a request by electors to discuss parking associated with football games and special events at Bassendean Oval. At that meeting, the following motions were moved by the electors present:

- “1. That the electors request Council not make any changes or amendments to the existing parking restrictions in the streets detailed in report item 12.6 of the June OCM, with the exception of Rosetta Street.*
- 2. That the electors request that if problems arise with the existing parking restrictions in the streets detailed in report item 12.6 of the June 2021 Ordinary Council meeting, that the Town's Chief Executive Officer will form a working group with resident representatives from those streets to assess the problems and consider solutions.*
- 3. That in future analysis, the intersections versus the mid-block links be considered separately in terms of the restrictions that are applied.”*

Ordinary Council Meeting – 28 September 2021

On 28 September 2021, Council considered the motion raised at the Special Electors' Meeting and resolved as follows:

- “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."*

These matters are further discussed in the comments section of this report.

Proposal

The proposal presented to Council's 22 June 2021 meeting was as follows:

1. Removing the existing 'No Parking – 8am to 6pm, Saturday, March to August' restrictions and replacing them with 'No Stopping' yellow edge lines at the following locations:
 - Briggs Street (east side);
 - Brook Street (south side);
 - Calnon Street (east side);
 - Lamb Street (south side - 4 Thompson Street to 11a Lamb Street);
 - Lamb Street (east side - 13 to 21 Lamb Street);
 - Lamb Street (west side - opposite 11 and 11a Lamb Street);
 - North Road (west side - 309 Guildford Road to 26 North Road);
 - Prowse Street (south side);
 - Railway Parade (north side - 28 to 40 Railway Parade);
 - Rosetta Street (east side);
 - Thompson Road (east side); and
 - West Road (east side - Old Perth Road to Devon Road).
2. Installing 'No Stopping' yellow edge lines:
 - from 1 North Road to 19 North Road, Bassendean;
 - in the cul-de-sac (including the entrance and exit of) at Lamb Street (northern end near 21 and 21b Lamb Street);
 - in the cul-de-sac (including the entrance and exit of) at Lamb Street (southern end near 11 Lamb Street); and
 - in the cul-de-sac (including the entrance and exit of) at Rosetta Street.
3. Amending the existing signed restrictions on Devon Road (north) from 'No Parking – 8am to 6pm, Saturday, March to August' to 'No Parking – Saturdays and Sundays'.

Communication and Engagement

Initial Consultation

The Town conducted a survey of all affected residents and land owners between 16 March 2021 and 30 March 2021. Of the 377 surveys delivered, 33 responses were received. All received completed responses have been summarised in the below table. A schedule of submissions is attached.

Street Location	Existing Restriction	Proposed Restriction	Supported	Not Supported
Briggs Street (east side)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)	8	3
Brook Street (south side)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)	11	1
Calnon Street (east side)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)	8	1
Devon Road (north side)	No Parking, Saturdays, March to August	No restriction	8	9
Lamb Street (south side - 4 Thompson Street to 11a Lamb Street)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)	7	2
Lamb Street (east side - 13 to 21 Lamb Street)	No Parking, Saturdays, March to August	No Stopping (yellow edge line) - including cul-de-sac and entrance/exit to cul-de-sac	7	2
Lamb Street (west side - opposite 11 and 11a Lamb Street)	No Parking, Saturdays, March to August	No Stopping (yellow edge line) - including cul-de-sac and entrance/exit to cul-de-sac	6	2
North Road (east side - 1 to 19 North Road)	No restriction	No Stopping (yellow edge line)	11	3
North Road (west side - 309 Guildford Road to 26 North Road)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)	11	3
Prowse Street (south side)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)	8	3
Railway Parade (north side - 28 to 40 Railway Parade)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)	7	1
Rosetta Street (east side)	No Parking, Saturdays, March to August	No Stopping (yellow edge line) - including cul-de-sac and entrance/exit of cul-de-sac	9	4

Street Location	Existing Restriction	Proposed Restriction	Supported	Not Supported
Thompson Road (east side)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)	7	1
West Road (east side - Old Perth Road to Devon Road)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)	8	3

It should be noted that all properties were provided with the same survey and many responded by providing a response on various proposals (not just those that affected the property for which they were identified as an owner or occupier).

The following table has been prepared to show only the responses provided from the owner or occupier on the specific street being surveyed:

Street Location	Existing Restriction	Proposed Restriction	Supported	Not Supported
Briggs Street (east side)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)		2
Brook Street (south side)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)	2	
Calnon Street (east side)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)		
Devon Road (north side)	No Parking, Saturdays, March to August	No restriction	3	7
Lamb Street (south side - 4 Thompson Street to 11a Lamb Street)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)	1	2
Lamb Street (east side - 13 to 21 Lamb Street)	No Parking, Saturdays, March to August	No Stopping (yellow edge line) - including cul-de-sac and entrance/exit to cul-de-sac	1	2
Lamb Street (west side - opposite 11 and 11a Lamb Street)	No Parking, Saturdays, March to August	No Stopping (yellow edge line) - including cul-de-sac and entrance/exit to cul-de-sac		2
North Road (east side - 1 to 19 North Road)	No restriction	No Stopping (yellow edge line)	2	
North Road (west side - 309 Guildford Road to 26 North Road)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)	1	
Prowse Street (south side)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)	2	1

Street Location	Existing Restriction	Proposed Restriction	Supported	Not Supported
Railway Parade (north side - 28 to 40 Railway Parade)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)		
Rosetta Street (east side)	No Parking, Saturdays, March to August	No Stopping (yellow edge line) - including cul-de-sac and entrance/exit of cul-de-sac	3	3
Thompson Road (east side)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)		
West Road (east side - Old Perth Road to Devon Road)	No Parking, Saturdays, March to August	No Stopping (yellow edge line)	1	

Devon Road Restriction

In relation to the proposal to remove the restriction on Devon Road (north side), given the survey of all affected residents resulted in eight respondents for the removal of restrictions and nine against, the Town undertook a further survey between 30 April 2021 and 14 May 2021.

The survey allowed residents to comment on the option of replacing the existing 'Football Day Parking' restrictions with a 'No Stopping' Yellow edge line, as per the other locations identified in the previous consultation.

Owners/occupiers were advised that should Council resolve to make the restriction, the proposed restriction will be in place at all times (in lieu of Saturday only), but will not impede residents from allowing vehicles to park on their verges where verge parking is permitted.

Informal Street Meeting

Further to the above survey, an informal street meeting was held at the intersection of Devon Road and Carnegie Road on 18 May 2021. The purpose of the street meeting was to enable staff to answer any questions from residents on the proposals.

A schedule of submissions in relation to the formal survey is attached. In general residents were supportive of some level of parking restriction, but were opposed a permanent yellow edge line. This resulted in the Town recommending that signage on Devon Road simply be replaced to reflect the expanded restrictions to accommodate changes to events/games at the oval.

Public Transport Authority (PTA) comment

Given a bus service (Route 55) runs along Devon Road, the Town sought comment on the proposal from the PTA. The PTA advised that altering the restrictions would have no impact on the bus service.

Individual Landowner Comment

Following advice from the landowner at 111 Old Perth Road, Bassendean at the Special Meeting of Electors that they had not been consulted on the proposal, the Town contacted the landowner directly on 15 September 2021 and sought their comments on the proposal. No response was received.

Strategic Implications

Priority Area 1: Strengthening and Connecting our Community

Direction	Potential Strategies	What Success Looks Like
Fostering a culture of collaboration and trust between the organisation and community	<ul style="list-style-type: none">• Provide opportunity to listen and involve our community in decisions that affect them	<ul style="list-style-type: none">• Greater community support for decision making

Comment

Signage for Existing Parking Spaces

Council requested the Town investigate signage to greater utilise existing parking spaces marked as 'Drop Off Zone' on the western side of West Road adjacent to Bassendean Primary School.

A review of the existing signage found they clearly delineate that parking is permitted within these bays on weekends. The lack of use is more likely due to the availability of on-street parking closer to the oval.

With the implementation of proposed restrictions, it is likely these bays would be utilised or patrons would consider alternative modes of transport. As such, there is not considered a need to install more signage encouraging the use of these bays.

Additional Parking

With the implementation of the proposed parking restrictions, there will still be ample parking within an acceptable walking distance of the oval. The Town has reviewed the available parking within a 400m radius of the oval, with 400m-800m generally accepted as a walkable catchment, consistent with the Western Australian Planning Commissions '*Liveable Neighbourhoods*' Policy.

The *Parking Local Law 2019* permits owners and occupiers (or other people permitted by the owners and occupiers) to park on the verge. To this effect, the proposed restrictions are unlikely to impact existing residents or their guests, and will instead impact football patrons or event attendees.

In respect to the construction of additional bays within this locality, the Town does not consider this to be necessary given there is ample parking available, and the construction of such bays would result in the loss of green space on the verge.

Notwithstanding, should Council seek to construct new bays, the most appropriate location would be on the verge abutting Bassendean Oval. A budget allocation would be necessary for the Town to prepare detailed engineering drawings in this respect to determine the exact number of bays that could be constructed, and for the actual cost of construction.

It should be noted that constructing formal bays in this location may not result in a net increase of car parking available, given vehicles currently informally park on the verge abutting Bassendean Oval during games/events.

Traffic Calming Devices

Whilst this matter is not directly related to the issue of car parking, the Town has reviewed the use of chicanes and median strips in light of Council's previous decision to consider accommodating additional tree planting and reviewing options to reduce the speed of vehicles entering and exiting North Road via Guildford Road.

Despite anecdotal evidence from the community, a review of current traffic data for North Road between Guildford Road and Surrey Street does not indicate there is a speeding issue.

Traffic Data recorded between 27 August 2019 and 18 September 2019 showed the traffic to be within the acceptable limit and that implementation of local area traffic management treatment such as chicanes or median strips are not recommended.

There are currently no plans to redesign North Road or install traffic calming devices given this is not supported by traffic data. There is opportunity for additional street tree plantings in this location, which may assist in slowing traffic speeds along North Road and increase the amenity of the locality.

Yellow Edge Lines

The Town maintains the advantages of using yellow edge lines to control the parking instead of signage given:

- It reduces visual clutter associated with the over-proliferation of signage;
- They require less maintenance, do not go missing or get vandalised;
- They are clearly visible to all road users;
- They are not confusing with specific days, months and times; and
- The installation of permanent restrictions to one side of the street also ensures that there will always be a clear line of sight along the road when vehicles are parked on the street.

It is open to Council to maintain the current signed restrictions or to impose different signage restrictions.

Enforcement

The Town understands that other local governments may take an enforcement-only approach to applying their local laws and whilst it is open to the Town to apply the modified penalties prescribed in the *Parking Local Law 2019* in the first instance, the Town considers that in respect to car parking restrictions, with the exception of those cases where public safety is at risk, public awareness and education should occur in the first instance, before enforcement and punitive responses. This involves, where possible, attempts being made to locate the driver of the vehicle to ensure an opportunity is provided to educate drivers before enforcement action is taken. This approach has been adopted to build trust and a mutually respectful relationship between community members and the Town.

Motions passed at the Special Electors' Meeting

The following are the motions passed at the Special Elector's Meeting held on 31 August 2021 and comments on the motions:

Motion	Comment
1. That the electors request Council not make any changes or amendments to the existing parking restrictions in the streets detailed in report item 12.6 of the June OCM, with the exception of Rosetta Street.	Whilst it is open to Council to retain the existing restrictions and signs, it is considered appropriate, for the reasons outlined in this report, to instead modify the restrictions and to use yellow edge lines in the locations specified.
2. That the electors request that if problems arise with the existing parking restrictions in the streets detailed in report item 12.6 of the June 2021 Ordinary Council meeting, that the Town's Chief Executive Officer will form a working group with resident representatives from those streets to assess the problems and consider solutions.	The Town considers that it is not an effective use of resources to establish independent working groups for each specific matter that arises. The Town will respond to any issues and concerns by either addressing the issue within the limitations of the existing <i>Parking Local Law 2019</i> or prepare a further report to Council with recommendations to address the issue if required.
3. That in future analysis, the intersections versus the mid-block links be considered separately in terms of the restrictions that are applied.	The <i>Parking Local Law 2019</i> differentiates between mid-block and intersections by virtue of it being an offence to park on an intersection. As such, no further action is required.

Conclusion

With the exception of Devon Road, it is considered that amending the seasonal restrictions to 'No Stopping' yellow edge lines on the roads impacted by on street parking is a more effective means of managing parking than what is currently in place. For these reasons, it is recommended that Council make the amendments to the parking restrictions for the reasons outlined in this report.

In any event, the Town will advise affected residents, by letter, of any changes to parking restrictions within the district.

Statutory Requirements

Clause 1.9 of the *Parking Local Law 2019* states that Council is able to prohibit or regulate the stopping or parking of any vehicle within the district.

Financial Considerations

The cost of the proposal is as follows:

- Yellow edge line markings – approximately \$7,000
- Removal of existing signage – approximately \$700
- Replacement of existing signage (Devon Road) – approximately \$450

Funding has been proposed for inclusion in the 2021/22 Operational Budget.

It should be noted that the removed poles will be assessed and where appropriate will be reused throughout the Town for other locations that require sign poles.

If Council elects to maintain signage but with different restrictions, it will involve an initial cost of approximately \$3,350 for new signs, in addition to on-going and regular maintenance, repair and replacement, which costs approximately \$800 a year.

Risk Management Implications

If the proposed amendments are not implemented, there is a risk that parking issues will occur which may affect residents.

Officer Recommendation – Item 12.5

That Council pursuant to Clause 1.9 of the *Parking Local Law 2019*, makes the following modifications to parking restrictions:

1. Removing the existing 'No Parking – 8am to 6pm, Saturday, March to August' restrictions and replacing them with 'No Stopping' yellow edge lines at the following locations:
 - Briggs Street (east side);
 - Brook Street (south side);
 - Calnon Street (east side);
 - Lamb Street (south side - 4 Thompson Street to 11a Lamb Street);
 - Lamb Street (east side - 13 to 21 Lamb Street);
 - Lamb Street (west side - opposite 11 and 11a Lamb Street);
 - North Road (west side - 309 Guildford Road to 26 North Road);
 - Prowse Street (south side);
 - Railway Parade (north side - 28 to 40 Railway Parade);

- Rosetta Street (east side);
- Thompson Road (east side); and
- West Road (east side - Old Perth Road to Devon Road).

2. Installing 'No Stopping' yellow edge lines:

- from 1 North Road to 19 North Road, Bassendean;
- in the cul-de-sac (including the entrance and exit of) at Lamb Street (northern end near 21 and 21b Lamb Street);
- in the cul-de-sac (including the entrance and exit of) at Lamb Street (southern end near 11 Lamb Street); and
- in the cul-de-sac (including the entrance and exit of) at Rosetta Street.

3. Amending the existing signed restrictions on Devon Road (north) as follows:

Changing from	Changing to
No Parking – 8am to 6pm, Saturday, March to August	No Parking – Saturdays and Sundays

Voting requirements: Absolute majority

Item No. 12.6	Nomination of Local Government Members for the Metro Inner North Joint Development Assessment Panel
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref	DABC/LIAIS/1
Directorate	Community Planning
Authority/Discretion	<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 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.
Attachment	Nil.

Purpose

The purpose of this report is for Council to nominate the two members and two alternate members to sit on the Metro Inner North Joint Development Assessment Panel (JDAP).

Background

JDAPs exist to determine applications for development approval that meet a certain threshold value and project size. Each JDAP comprises five members; three specialist members, one of whom is the presiding member, and two local government elected members.

At the Special Council Meeting on 22 October 2019, Council resolved to appoint Councillors McLennan and Hamilton as the local government members and (former) Councillor Wilson and Councillor MacWilliam as deputy members to sit on the (then) Metro Central Joint Development Assessment Panel, with the terms expiring on 26 January 2020.

On 17 December 2019, Council resolved to endorse Councillors McLennan and Hamilton as local government members and (former) Councillor Wilson and Councillor MacWilliam as deputy local government members, for a term expiring on 26 January 2022.

On 18 October 2021, Council resolved to endorse Cr Ames as the deputy local government member for a term expiring on 26 January 2022.

Communication and Engagement

The Department of Planning, Lands and Heritage has recently advised as follows:

“Following the upcoming local government elections to be held on 16 October 2021, there may be a change in your local government DAP membership if the composition of your council changes. All existing local government DAP members are currently appointed for a term ending 26 January 2022. Prior to this expiry date, your local government will need to nominate four (4) DAP members for appointment by the Minister for Planning.”

Strategic Implications

Priority Area 6: Providing Visionary Leadership and Making Great Decisions

Direction	Potential Strategies	What Success Looks Like
Ensure operational activities reflect the strategic focus of Council	<ul style="list-style-type: none"> • Ensure clear communication and flow of information from decision makers to operational staff • Implement a framework on decision making that identifies delegated authority for different levels of decision 	<p>SHORT TERM</p> <ul style="list-style-type: none"> • Efficient and effective Council meetings • Outcomes-focused decision making (not process-focused) • More delegated authority to CEO on appropriate items to enable Council to focus on strategy

Comment

Council is required to nominate four (4) DAP members for appointment by the Minister for Planning.

Statutory Requirements

Planning and Development (Development Assessment Panels) Regulations 2011.

Financial Considerations

Nil.

Risk Management Implications

Low.

Officer Recommendation – Item 12.6

That Council endorses Councillors _____ and _____ as local members and Councillors _____ and _____ as deputy local members to sit on the Metro Inner North Joint Development Assessment Panel, for a term expiring on 26 January 2024.

Voting requirements: Simple majority

Item No. 12.7	Street Tree Removal Request
Property Addresses	1 Bassendean Parade, Bassendean 8 Woolcock Court, Ashfield
Landowner	Town of Bassendean
Ref	
Directorate	Infrastructure
Authority/Discretion	<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 type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes & policies.
<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 Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment No. 6	Street Trees Policy

Purpose

The purpose of this report is for Council to consider the removal of street trees located in the verges of 1 Bassendean Parade, Bassendean and 8 Woolcock Court, Ashfield. The matters are presented to Council for determination due to them involving a departure from Council Policy 1.8 – Street Trees.

Background

The Town has a duty of care, under common law and relevant legislation such as the *Civil Liability Act 2002 (WA)*, for persons using and entering land under its control. Therefore, the Town has a liability and responsibility to take reasonable actions to mitigate the risks associated with this land and ensure the area is as safe as reasonably practicable.

Trees located on land under the Town's control may pose differing levels of risk which include property damage and personal injury. The Town is obligated under its duty of care to ensure appropriate controls are in place to manage and mitigate these risks.

The Town may be exempt from its duty of care under certain situations such as:

- The Town was not aware of the risk and it was not reasonably expected to know of the risk; or
- The Town implemented appropriate measures to mitigate the risk.

The Town receives and manages numerous requests to remove street trees in accordance with the Town's Street Trees Policy. The Policy only considers tree removal requests for trees in poor health and does not consider trees that are in good health, have a high ecological or amenity value and are causing damage to private property. The street tree removal requests contained within this report are not in accordance with the Policy due to the trees in question being in good condition.

The Town's *Street Trees Policy* is required to be updated in accordance with the Town's legal requirements. The amended Policy will be presented to Council in the coming months for consideration.

1 Bassendean Parade, Bassendean

The Town has received a request from the property owner of 1 Bassendean Parade, Bassendean for the Town to remove a street tree located on the verge adjacent to their property. The property owner has requested the tree be removed due to damage to the masonry wall and associated electric gate located on the front boundary which is caused by the street tree roots. The tree roots are also lifting and damaging the footpath and crossover adjacent to the property.

This matter has been ongoing since 2011 with the property owner reporting to the Town damage to the crossover, footpath and front wall caused by street tree roots. The Town has replaced the footpath and crossover panels previously, including the mechanical grinding of the footpath panels when they lift. Apart from these infrastructure maintenance works, no other works have been undertaken.

A site inspection was carried out on 26 August 2021 at 1 Bassendean Parade, Bassendean.



1 Bassendean Pde

A site inspection was undertaken by the Town's Compliance Officer and arborist which revealed two street trees located on the verge adjacent to the property. Street Tree 1 is located on the north-eastern portion of the verge and is a River Red Gum (*Eucalyptus Camaldulensis* 'Camaldulensis'). The tree was assessed by the Town as being in good condition, has a tree height of 18m, has a trunk diameter of 1,000mm and a crown spread of 12m. Street tree 2 is located adjacent to Street Tree 1 on the south-western portion of the verge and is a River Red Gum (*Eucalyptus Camaldulensis* 'Camaldulensis'). The tree was assessed by the Town as being in good condition, a tree height of 20m, a trunk diameter 900mm and a crown spread of 7m.

The site inspection, along with an investigation into past events at this location, revealed that the adjacent paths and crossover is currently damaged and have been damaged regularly over the years by these tree roots. This has required regular repairs including patching and mechanical grinding along with replacement of paving at regular intervals. The damage results in the creation of trip hazards for the public which is frequently used by pedestrians and residents walking to and from Pickering Park. The roots are also causing damage to the driveway located within the private property.

The front masonry fence located on the front boundary is cracked in line with street tree 1 and a 10mm riser has been installed on the latch for the electric gate, as the roots are pushing the front fence towards the property. The riser is required so that the gate can be closed.

The area was excavated to expose the roots of the two street trees in the location of the removed footpath panels. The root excavation revealed a 100mm diameter root which is growing under the 400mm concrete foundation for the front fence and impacting the foundation. The root appeared to have cracked the foundation and was lifting the front masonry fence. This root was 3500mm long from the base of street tree 1 to the foundation for the front masonry wall. The root excavation also revealed a root mass growing along the foundation of the front masonry wall.

Given the facts outlined above, it is reasonable to conclude that roots from the two street trees are growing into private property and causing damage to infrastructure and private property.

8 Woolcock Court, Ashfield

The Town has received a request from the property owner of 8 Woolcock Court, Ashfield alleging damage to their private property from the street tree located on the verge adjacent to their property. It is alleged roots from the street tree are causing cracks in the exterior walls of the residence and causing uneven paving in the driveway and paths. The Town was provided a pre-purchase inspection report from the property owner which indicates that the damage to exterior walls and paving appear to have been caused by the roots of the tree in the front yard.

A site inspection was carried out on 26 August 2021 at 8 Woolcock Court, Ashfield.



8 Woolcock Court

The site inspection revealed a Jacaranda (*Jacaranda mimosifolia*) located on the verge adjacent to the property. The tree was assessed by the Town's arborist as being in good condition, has a tree height of 7m, has a trunk diameter 400mm and a crown spread of 7m.

The Town could only carry out a visual inspection due to the roots allegedly causing damage being located on private property. The visual inspection revealed the lifting of brick pavers located within the internal driveway on private property and a number of large surface roots growing horizontally out from the base of the street tree. A number of these surface roots appeared to be growing towards the front boundary and the dwelling located on private property.

Given the facts outlined above it is reasonable to conclude that roots from the street tree are growing into private property and possibly causing damage to private property which is confirmed by the building report (see attached).

Communication and Engagement

The Town has discussed and sought advice from the Town's insurer Local Government Insurance Services (LGIS) regarding this matter. LGIS has advised the Town in writing the following:

"That if the Town has received a complaint from a member of the public about roots from a tree on Council land causing damage to their private property, the Town has an obligation to:

- a) Investigate the complaint to identify if it is valid (are roots from the Council tree damaging private property?) and, if yes:*
- b) Take reasonable steps to prevent the roots from the tree(s) ever damaging the private property again [advice from a suitably qualified expert, such as an arborist, will be needed as to what reasonable steps are].*

If the Town does not take reasonable steps to prevent roots from the tree(s) damaging private property further, within a reasonable period of time after receiving the complaint, the Town risks being liable for further damages.”

If Council approve the removal of the street trees in question, community engagement will be undertaken prior to the removal of the street trees, including the placement of an advertising sign adjacent to the trees notifying the community that the tree will be removed shortly.

1 Bassendean Parade, Bassendean

The Town has been in communication with the property owner throughout the process to keep them updated.

The property owner has expressed their concerns with street tree 1 and believes this tree is causing the most concern. The property owner would be satisfied with street tree 2 remaining on condition that the tree did not cause any future property damage and was monitored by the Town.

8 Woolcock Court, Ashfield

The Town has been in discussions with the property owner with the aim of keeping the street tree adjacent to their property. The Town is limited to what action it can take due to liability issues of carrying out works on private property and the protection of the tree’s health and structural integrity.

In line with the advice from LGIS, the Town has advised the property owner of this and together we have endeavoured to find a way to keep the tree. Unfortunately the Town in conjunction with the property owner have concluded that the tree will need to be removed.

In respect of both instances, the roots are large and the property boundaries are in close proximity of the trees and the roots cannot be cut without impacting upon the structural integrity of the trees which has been communicated to the residence.

Strategic Implications

Priority Area 6: Providing Visionary Leadership and Making Great Decisions

Direction	Potential Strategies	What Success Looks Like
Make brave decisions in line with a risk appetite	<ul style="list-style-type: none"> • Early identification of potential risks / issues/opportunities • Embed opportunity cost considerations 	<p>SHORT TERM</p> <ul style="list-style-type: none"> • Efficient and effective Council meetings • Defensible decision making that is based on the identification of opportunities and benefits as well as negative impacts <p>LONG TERM</p> <ul style="list-style-type: none"> • Examples of being first adopters

Comment

Trees require enough space to develop their structural root system and canopies, including access to uncompacted soil with good availability of water and nutrients. The proper placement of suitable tree species with available space reduces the potential conflict the tree may have with buildings, power lines or underground services and reducing the need for branch or root management. Root pruning needs to be carefully considered, as it can impact upon the structural integrity of the tree and unnecessarily expose a tree to attack from pathogens, resulting in reduced structural integrity over a period of time.

The Town has planted approximately 2,400 trees in the previous three winter planting programs, including the locations of Pickering and Bindaring Parks.

1 Bassendean Parade, Bassendean

The street trees requested to be removed have not been planted by the Town and are believed to have grown naturally from seed from the surrounding trees located on Bindaring Park. The existence of clay soils in the area have acted as a barrier to deep root growth as tree roots seek a path of least resistance. This has resulted in a shallow root system with roots growing horizontally from the base of the trees. This, together with a narrow verge, has resulted in significant infrastructure damage in the locality of the trees.

The 100mm diameter root from street tree 1 which appears to have caused the damage to the front masonry wall and is growing into private property is 3500mm from the tree trunk to the front wall. Due to the size of the tree and this short distance it means the root would not be able to be cut without compromising the stability of the tree. Therefore, if street tree 1 remains, roots from this tree will continue to damage private property.

8 Woolcock Court, Ashfield

Due to the size of the street tree located close to the front boundary and a small area of verge, the Town was unable to carry out a root excavation without causing damage to the tree. Similarly, the Town would not be able to root prune at the front property boundary to stop root growth into private property without reducing the structural integrity of the tree. Therefore, if the street tree remains, the roots from the tree will continue to damage private property.

Statutory Requirements

Local Government Act 1995 (WA)

Civil Liability Act 2002 (WA)

Financial Considerations

1 Bassendean Parade, Bassendean

There are potential liability claims in relation to property damage to the brick paved internal driveway, front masonry wall and associated electric gate. There are also potential future personal liability claims if the tree fails or a member of the public is injured while using the thoroughfare which may become damaged from future root growth from the street trees. The Town will also be liable for ongoing maintenance and capital costs to replace damaged infrastructure caused by root growth associated with the street trees.

8 Woolcock Court, Ashfield

There are potential liability claims in relation to property damage to the brick paved internal driveway, pathway and the brick and tile dwelling. There are also potential future personal liability claims if the tree fails or a member of the public is injured while using the thoroughfare which may become damaged from future root growth from the street tree.

Risk Management Implications

The risk management implications are considered to be medium to high. Should Council not adopt the recommendations within this report, the Town may be liable for property damage claims, reputational risk and personal injury claims.

Officer Recommendation – Item 12.7

That Council:

1. Endorse the removal of street tree 1 and the monitoring of street tree 2 for possible future property damage adjacent to 1 Bassendean Parade, Bassendean; and
2. Endorse the removal of the street tree adjacent to 8 Woolcock Court, Ashfield.

Voting requirements: Simple majority

Item No. 12.8	Draft Traffic Management Treatment Policy and Guidelines
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref/ROC	
Previous Council Reports (if applicable)	July 2021 (Resolution OCM-20/7/21)
Directorate	Infrastructure
Authority/Discretion <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, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 7	A. Traffic Management Treatment Policy and Guidelines B. Draft Traffic Management Treatment Policy and Guidelines

Purpose

The purpose of this report is for Council to consider adopting draft amended Policy 1.2 - Traffic Management Treatment Policy & Guidelines.

Background

The current Traffic Management Treatment Policy and Guidelines was originally adopted in 2004 and last reviewed in 2014. At its meeting held in July 2021 regarding implementation of Traffic Management on Railway Parade, Council resolved that:

1. Staff be requested to update the Traffic Management Treatment Policy and Guidelines for the consideration of Council by December 2021; and
2. Requests staff explore alternative traffic calming solutions including any potential to reduce the total proposed number of asphalt speed plateaus.

Communication and Engagement

No engagement has been undertaken on the draft policy.

Strategic Implications

Insert Priority Area 1: Strengthening and Connecting our Community

Creating an environment where people feel welcome and safe	<ul style="list-style-type: none">• Create public spaces and transport routes that encourage people to linger, interact and enjoy (including evening use)• Encourage the adoption of a collective responsibility towards safety	<ul style="list-style-type: none">• Increased use of public transport by different demographics• Increased active transport by different demographics• Reduced antisocial incidents
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Comment

The draft amended policy provides the basis for a rational and orderly approach in determining whether and what action should be taken to introduce a traffic management treatment for a particular road, section of road or intersection.

The draft amended policy describes a system to be used in objectively assessing the need and priority of traffic management measures to address traffic, road safety and amenity issues on local access roads and local distributor roads under the care and control of the Town.

The current policy is limited in its assessment of traffic, road safety or amenity issues as it only assesses:

- Traffic volumes;
- Traffic speed; and
- Amount of through traffic.

The current policy has set a required threshold in all of the above measures that need to be met before any action would be considered. This does not always result in adequately addressing traffic issues as there could be a traffic speed issue but no volume issue, so no action would be taken.

The draft amended policy addresses the limitations of the existing policy by assessing the following indicators:

- Traffic speed;
- Traffic volume;
- Crash data;
- Vulnerable road users;
- Activity generators; and
- Amenity.

By assessing the measures above, a more appropriate assessment can be made on the need and efficacy of introducing a traffic management treatment.

The draft amended policy also does not require a certain threshold to be met in all categories of assessment for a traffic management treatment to be considered but rather provides an overall score that will determine the level of action required according to the risk the site poses.

Statutory Requirements

N/A

Financial Considerations

Nil.

Risk Management Implications

Low. Should Council not adopt the draft policy, the existing policy will remain in place. For the reasons put forward above, this may lead to traffic management treatment not being deployed in the most effective locations to improve road safety.

Officer Recommendation – Item 12.8

That Council:

1. Revoke its current Traffic Management Treatment Policy and Guidelines; and
2. Adopts the draft Traffic Management Treatment Policy and Guidelines as attached to this report.

Voting requirements:

Point 1 – Absolute Majority

Point 2 - Simple majority

Item No. 12.9	Traffic Management Request for Railway Parade
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref/ROC	ROAD/STMNGT/1
Previous Council Reports (if applicable)	N/A
Directorate	Infrastructure
Authority/Discretion <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 type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input checked="" 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.
Attachment No. 8	A. Traffic Management Treatment Policy & Guidelines B. Option 1 – Rubber Speed Cushions C. Option 2 - Asphalt Speed Plateau D. Blister Islands

Purpose

The purpose of this report is for Council to consider traffic management options for Railway Parade between Lord Street and First Avenue.

Background

The Town received a complaint about vehicle speed along Railway Parade between Lord Street and Second Avenue and a request to investigate the issue.

Officers investigated the complaint in line with then current Traffic Management Treatment Policy and Guidelines.

The summary of the assessment and the subsequent presentation to Council in July is as follows:

The parameters that are of significance, as described by the policy is the 85th percentile speed and the Total number of Vehicles Per Day (VPD). The table below summarises these parameters for the two locations.

	Location 1 (house #38)	Location 2 (house #38)
85% Speed (Km/h)	54.9	61.7
Vehicles Per Day	3027	2841

Due to the 85% speed at location 2 and the VPD for both locations, the Policy dictates “*options for addressing the particular issues will be prepared and referred to Council for consideration and priority over existing traffic management projects awaiting funding, before consultation with affected property owners and residents takes place*”.

Further to the above analysis, staff considered a variety of potential traffic management treatment options to address the speed issue on Railway Parade. Due to the narrow available road reserve between the Principal Shared Path, trees and property boundary/footpath, a horizontal type treatment such as blister islands with tree plantings are not considered viable for this location. However vertical type treatments such as speed plateaus are. If the horizontal deflection type of treatment was viable, the high level estimate is approximately \$500K for 4 locations as per the attached diagram and when compared to the installation of speed humps or additional signage is disproportionate to the actual traffic issues experienced.

Two treatment options were presented to Council in July 2021 which are suitable for this location.

Option 1 – Rubber Speed Cushions

The Rubber Bolt Down Speed cushions are similar to the treatment on Anzac Terrace between Lord St and Second Ave. Refer to the attachment for more information

Option 2 - Asphalt speed plateau

The asphalt speed plateau is similar to the speed plateaus installed on approaching roads to Whitfield Street as part of the Whitfield Safe Active Street Project. Refer to the attachment for more information.

Option 1 was recommended, as the road is a bus route and it allows buses to straddle the rubber speed cushions so the service is not disturbed by the treatments. Additionally, the same treatment is used on an adjacent road to the north, Anzac Terrace, which would maintain the same design features within this area of the Town allowing drivers to easily identify the treatment and what to expect.

Should Council agree to consult with affected property owners, the policy describes the mechanism for installing the treatment as:

“Where Council supports the need for further consideration of traffic management, and consultation on the nominated option(s) is undertaken, prior to a traffic management treatment project being considered for funding the results of where Council supports the need, the consultation process will require to show at least 60% of all affected property owners in favour of the proposed treatment(s) and no more than 30% against.”

Should a treatment be installed, it will be carried out in conjunction with scheduled roadworks along Railway Parade in 2021/22 financial year.

Council resolved that it:

- “1. Requests staff update the Traffic Management Treatment Policy and Guidelines for the consideration of Council by December 2021; and*
- 2. Requests staff explore alternative traffic calming solutions including any potential to reduce the total proposed number of asphalt speed plateaus.”*

A review of the policy has been completed and is now presented to Council for approval.

Communication and Engagement

The Town has been in ongoing discussions with the complainant and has been monitoring the area. More recently the resident notified us of hooning in the area which is difficult to manage.

Strategic Implications

Insert Priority Area 1: Strengthening and Connecting our Community

Creating an environment where people feel welcome and safe	<ul style="list-style-type: none">• Create public spaces and transport routes that encourage people to linger, interact and enjoy (including evening use)• Encourage the adoption of a collective responsibility towards safety	<ul style="list-style-type: none">• Increased use of public transport by different demographics• Increased active transport by different demographics• Reduced antisocial incidents
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Comment

Officers have reviewed alternative traffic calming solutions for this location including non-intrusive treatments and the two main options that are available, in addition to options 1 and 2 described above, is to either install interactive solar powered speed signs or request MRWA to install “Remember 50 in Built-up Areas” signs at both the East and West approaches of this section of road.

The interactive signs record the speed of approaching vehicles and display it back to the driver along with displaying a green smiling face if the driver is at or below the posted speed limit or a red frowning face if the driver is above the posted speed limit. Example photos **and location of proposed signs** are provided below.

In regard to installing “Remember 50 in Built-up Areas” a submission could be made to MRWA but this is at MRWA discretion. The recently revised MRWA Policy “Speed Zoning Policy and Application Guidelines” as updated May 2021 now includes:

5.13 “Remember 50 in Built-up Areas” Signing

Advisory “Remember 50 in Built-Up Areas” signs should not be used on roads subject to the default speed limits.

The only exception may be for situations where:

- Roads meet the Built-Up Area definition, but where the operating speed (85th percentile) is 10km/h or greater than the Built-Up Area speed limit; and
- Where the Default Regulatory Speed would otherwise be unclear.

The Town could apply for the “Remember 50 in Built-up Areas” as the 85th percentile speed is 10km/h greater than 50km/h, however, the requirement for the default regulatory speed would otherwise be unclear and at the discretion of MRWA.

Staff have also reviewed the potential to reduce the total number of proposed asphalt plateaus against design principles set out in Main Roads WA *Local Area Traffic Management* Document which states *hump spacing should ideally be between 80 and 100 metres with a maximum of 200m*. Due to the spacing between intersecting roads removing any of the previously proposed asphalt plateaus would result in spacing above 200m and reduce the effectiveness of the treatment.





It should be noted that this location when reviewed under the proposed draft policy presented at this meeting, would not qualify for capital works intervention, such as speed cushions or other on road treatments. It would be evaluated as Category 3 – “No capital works solutions required. Consider low cost non-capital works” such as signage.

Statutory Requirements

No statutory requirements.

Financial Considerations

The cost to install two units will be \$20,000.

Risk Management Implications

Low

Officer Recommendation – Item 12.9

That Council:

1. Endorses the installation of two interactive solar powered speed interactive signs at the locations indicated on the attachment to this report; and
2. Considers funding as part of the mid year review budget process.

Voting requirements: Simple majority

Item No. 12.10	Draft Town of Bassendean Corporate Business Plan 2021-2025
Property Address (if applicable)	NA
Landowner/Applicant (if applicable)	NA
Ref	GOVN/CCLMEET/1
Directorate	Chief Executive
Authority/Discretion	<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 & 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 Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment No. 9	Corporate Business Plan 2021-2025

Purpose

The purpose of this report is for Council to consider the Town of Bassendean's draft Corporate Business Plan 2021 - 2025.

Background

The *Local Government (Administration) Regulations 1996* requires each local government to adopt a Strategic Community Plan and a Corporate Business Plan. The Town's Strategic Community Plan 2020-2030 was adopted at the Ordinary Council Meeting held July 2020.

The Town adopted its Corporate Business Plan 2020 - 2024 at its meeting held in October 2020. The Corporate Business Plan is used as the local government's internal business planning tool that translates Council priorities from the Strategic Community Plan into operational outcomes. In its entirety, it details the services, operations and projects a local government will deliver over a defined period.

Figure 1.1



Reference: <https://www.dlgsc.wa.gov.au/integrated-planning-and-reporting>

Under regulation 19DA(4) of the *Local Government (Administration) Regulations 1996*, a local government is required to review its Corporate Business Plan each year. If there are any modifications to be made to the Corporate Business Plan, Council is required to consider these and determine whether or not to adopt the modifications. To this end, the Corporate Executive Committee, comprised of the Executive Team at the Town, conducted a review throughout August and September to consider the Corporate Business Plan following the approval of the 2021/22 budget by Council. Modifications were considered and included in the draft Corporate Business Plan before Council for consideration.

Proposal

Council is required to consider the draft *Corporate Business Plan 2021 – 2025* and consider the adoption by absolute majority in accordance with regulation 19DA(6) of the *Local Government (Administration) Regulations 1996*.

Communication and Engagement

A review of the Corporate Business Plan was conducted by the Corporate Executive Committee following adoption of the 2021/22 budget. Councillors were provided with the draft Corporate Business Plan 2021-2025 under cover of the CEO Bulletin on 29 October 2021.

Strategic Implications

Priority Area 6: Providing visionary leadership and making great decisions

Direction	Potential Strategies	What Success Looks Like
Ensure operational activities reflect the strategic focus of Council	<ul style="list-style-type: none"> • Ensure clear communication and flow of information from decision makers to operational staff • Implement a framework on decision making that identifies delegated authority for different levels of decision 	SHORT TERM <ul style="list-style-type: none"> • Efficient and effective Council meetings • Outcomes-focused decision making (not process-focused) • More delegated authority to CEO on appropriate items to enable Council to focus on strategy

Comment

The Corporate Business Plan represents the Town’s four year delivery plan aligned to the Strategic Community Plan. It outlines the projects/actions and day to day service delivery of the Town.

The Corporate Business Plan contains the key projects agreed upon by Council. These projects have been resourced through the budget approved for 2021/22.

Changes Since Briefing Session

The draft Corporate Business Plan has been updated (in red) to reflect changes discussed at the Briefing Session.

Statutory Requirements

All local governments are required to review its Corporate Business Plan annually in accordance with regulation 19DA of the *Local Government (Administration) Regulations 1996*.

In accordance with regulation 19DA, the voting requirement for adoption, or modification, of a Corporate Business Plan is an absolute majority of Council.

Financial Considerations

There are no direct costs associated with the review of the Corporate Business Plan.

Risk Management Implications

The current Corporate Business Plan 2020-2024 was created under the new Strategic Community Plan. Minor modification is required to ensure that the draft Corporate Business Plan 2021-2025 aligns with the strategic direction and community aspirations of the district. As such it is important that the Town adopts a Corporate Business Plan that reflects the strategic priorities as contained in the Strategic Community Plan.

Failure to align the Corporate Business Plan with the strategic priorities and the community aspirations, will lead to a disjoint between the long-term objectives of the community and the business outcomes of the local government. Alignment of the two documents will lead to a fully integrated approach to the business of the local government and fulfillment of the needs and aspirations of the community.

Officer Recommendation – Item 12.10

That Council adopts the Town of Bassendean *Corporate Business Plan 2021-2025* as attached to this report.

Voting requirements: Absolute majority

Item No. 12.11	Adoption of Quarterly Report period ending 30 September 2021
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref/ROC	
Previous Council Reports (if applicable)	
Directorate	Chief Executive
Authority/Discretion <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.
Attachment No. 10	Quarterly Report – period ending 30 June 2021, including Outstanding Council Resolutions recommended for deletion.

Purpose

The purpose of this report is for Council to receive the Quarterly Report for the period ending 30 September 2021.

Background

Council's Quarterly Report format addresses progress against the CEO's Key Performance Indicators, as well as providing a progress report on budget deliverables in the 2020-2024 Corporate Business Plan, where those deliverables commence in the current financial year.

The Quarterly Report also contains the list of Outstanding Council Resolutions recommended for deletion.

Proposal

That Council resolves to adopt the Quarterly Report for the period ending 30 September 2021.

Communication and Engagement

The draft Quarterly Report was provided to Councillors under cover of the CEO Bulletin dated 29 October 2021 for early comment/review.

Strategic Implications

Priority Area 6: Providing Visionary Leadership and Making Great Decisions

Reinforce a culture of collaboration, trust and demarcation between Council, administration and the community	<ul style="list-style-type: none"> • Build understanding and support for the vision and Strategic Community Plan • Demonstrate clear connections between the Strategic Community Plan, project and business as-usual services and operations • Create an organisational culture of performance, innovation and excellence • Develop shared values between Council, administration and the community 	<p>SHORT TERM</p> <ul style="list-style-type: none"> • Openness and transparency of decision making • Enhanced staff morale • Staff have appropriate strategic direction • Agreement on the link between projects and Strategic Community Plan • General alignment regarding values
Foster an environment of innovation and leadership	<ul style="list-style-type: none"> • Foster an environment of innovation, where people are encouraged to contribute • Foster leadership: harness the talent of individuals • Recognise and reward innovation and leadership 	<p>SHORT TERM</p> <ul style="list-style-type: none"> • Councillors and staff feel empowered to make appropriate decisions • Professional development for staff and councillors • Inductions to professional networks <p>LONG TERM</p> <ul style="list-style-type: none"> • Recognition of excellence by other organisations

Comment

The Quarterly Report P/E 30 September 2021 is the first report for the financial year 2021/2022. The report reflects a composite of the activities that have occurred in the first quarter of the 2021/2022 financial year and provides a progress report on budget deliverables in the Corporate Business Plan. The report provides updates on the strategic priority projects and the deliverables of each priority area as contained in the Strategic Community Plan.

The Quarterly Report also contains the list of Outstanding Council Resolutions. The Quarterly Report also contains the list of Council Resolutions recommended for deletion due to their completion and no further action required.

The format of the Quarterly Report has been amended so as to align with the proposed amendments made to the Corporate Business Plan (CBP). The Quarterly Report provides updates on current projects for that reporting period and those projects that are to be commenced in the 2021/2022 financial year.

Changes Since Briefing Session

The Quarterly Report has been updated (in red) to reflect changes discussed at the Briefing Session.

Statutory Requirements

Local Government Act 1995.

Financial Considerations

Nil.

Risk Management Implications

A comprehensive and strategically aligned Quarterly Report will ensure transparency of decision-making and timeliness of service deliverables.

Officer Recommendation – Item 12.11

That Council:

1. Receives the Quarterly Report for the quarter ended 30 September 2021; and
2. Deletes the Outstanding Council Resolutions attached to the Quarterly Report that are marked for deletion.

Voting requirements: Simple majority

Item No. 12.12	Accounts Paid – September and October 2021
File Ref/ROC	FINM/CREDTS/4
Directorate	Corporate Services
Authority/Discretion <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</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 11	List of Payments - September 2021 and October 2021

Purpose

The purpose of this report is for Council to receive the list of payments for September 2021 and October 2021.

Background

Payments made during September 2021 and October 2021 are presented to Council, showing the date, payee, amount and description in respect of each payment for goods and services received.

Proposal

For Council to receive the list of payments for September 2021 and October 2021.

Communication and Engagement

Nil.

Strategic Implications

Priority Area 6: Providing visionary leadership and making great decisions

Direction	Potential Strategies	What Success Looks Like
Reinforce a culture of collaboration, trust and demarcation between Council, administration and the community	<ul style="list-style-type: none"> • Build understanding and support for the vision and Strategic Community Plan • Demonstrate clear connections between the Strategic Community Plan, project and business as-usual services and operations • Create an organisational culture of performance, innovation and excellence • Develop shared values between Council, administration and the community 	<p>SHORT TERM</p> <ul style="list-style-type: none"> • Openness and transparency of decision making • Enhanced staff morale • Staff have appropriate strategic direction • Agreement on the link between projects and Strategic Community Plan • General alignment regarding values

Comment

The attachment showing the listing now includes the net payments made to staff for salaries and wages.

Statutory Requirements

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

Financial Considerations

All payments are authorised prior to disbursement in accordance with the Town’s Purchasing Policy, Procurement Guidelines and allocated budgets.

Risk Management Implications

Nil.

Officer Recommendation – Item 12.12

That Council receive the List of Payments for September 2021 and October 2021.

Voting requirements: Simple majority

Item No. 12.13	Monthly Financial Report – September and October 2021
File Ref/ROC	FINM/AUD/1
Directorate	Corporate Services
Authority/Discretion <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 October be appealable to the State Administrative Tribunal.
Attachment No. 12	Monthly Financial Report, containing the Statement of Financial Activity, for September and October 2021

Purpose

The purpose of this report is for Council to receive the monthly financial reports for September and October 2021.

Background

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

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

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

Each year Council is required to adopt a percentage or value to be used in statements of financial activity for reporting material variances. Council adopted \$5,000 or 10% whichever is higher, as part of its 2021-22 Annual Budget.

Proposal

For Council to receive the monthly financial reports for September and October 2021.

Communication and Engagement

Nil.

Strategic Implications

Priority Area 6: Providing visionary leadership and making great decisions

Direction	Potential Strategies	What Success Looks Like
Reinforce a culture of collaboration, trust and demarcation between Council, administration and the community	<ul style="list-style-type: none"> • Build understanding and support for the vision and Strategic Community Plan • Demonstrate clear connections between the Strategic Community Plan, project and business as-usual services and operations • Create an organisational culture of performance, innovation and excellence • Develop shared values between Council, administration and the community 	<p>SHORT TERM</p> <ul style="list-style-type: none"> • Openness and transparency of decision making • Enhanced staff morale • Staff have appropriate strategic direction • Agreement on the link between projects and Strategic Community Plan • General alignment regarding values

Comment

The Statement of Financial Activity attached represents the adopted 2021-22 Annual Budget estimates and actual income and expenditure amounts for the months ending September and October 2021.

The Opening Surplus position is subject to change pending the review and any agreed upon adjustments by the external auditors of the 2020/21 End of Year Financial Statements.

The October Financial Activity Statement report has identified budget amendments and re-allocations as detailed under Note 6 of the attachment. The budget impact is primarily to allow the carryover of funds for continuing Capital Works in 2020/21, the adjustment would be an amendment of the opening/closing funds position for 2021/22 to accommodate the changes proposed.

Changes Since Briefing Session

Further changes have been further identified since the Briefing Session and are highlighted in red in the Officer Recommendation below.

Statement of Financial Activity (by nature or type)

The Statement of Financial Activity provides a comparison between actual and budget income and expenditure on year to date basis. The notes accompanying the statements provide a detailed breakdown of the amounts and commentary is based on the October 2021 year to date figures.

Item	Original Budget	YTD Budget	YTD Actual	Variance to YTD Budget	Variance to YTD Budget
	\$m	\$m	\$m	\$m	%
Revenue (including General Rates)	23.7	19.2	19.8	0.7	3
Expenditure	28.0	9.7	8.3	1.4	14
Capital Works	4.3	0.7	0.4	0.3	48
Non-Operating Grants, Subsidies and Contributions	1.4	0.1	0.1	0.0	0

Operating Revenue

Revenue year to date is 3.0% above budget based on the Statement of Comprehensive Income.

Operating grants, subsidies and contributions are above budget due to receipt of General Grants (first quarter), Men's Shed and Seniors CHSP and HCP funding received earlier than budgeted.

Other revenue is above budget due to a dividend of 110K received from Eastern Metropolitan Regional Council which hadn't been allowed for in the budget.

Operating Expenditure

Expenditure year to date is 14% under budget based on the Statement of Comprehensive Income.

Employee costs are under budget by \$469K due to staff vacancies with recruitment underway for key positions, partially offset by lower than expected Capital Recoveries from staff working on capital projects.

Materials and contracts are under budget by \$673K with lower than estimated waste collection charges - \$274K, various infrastructure and building maintenance - \$156K and road maintenance \$30K mainly due to the inclement weather.

Utility charges are under the year to date budget by \$51K due to timing of electricity charges at Jubilee Reserve and telephone charges for the Governance service area.

Other expenditure is under budget due to timing of operational projects and administration costs.

Non-Operating Grants

The variance of \$19K is due to timing of State Government grant payments.

Capital Works

Key Points to Note:

- Carried forward adjustments identified when preparing the 2021/22 Annual Budget are now included in the October FAS Report for Council to adopt.
- There are other budget amendments proposed in the October FAS Report which are primarily budget re-allocations.
- Actual spend is 9% of the current budget with a further 53% committed to date. Expenditure will pick up in the coming months with funds becoming available from Rates collection and improvement in weather.
- Sandy Beach playground tender was awarded in October 2021 and works have commenced.
- Palmerston Reserve upgrade was completed in October 2021 and opened to community use, with high usage of the nature play space areas.
- The contractor has been engaged for the Success Hill Jetty project and works have commenced.
- Drainage works on Hamilton Street and North Road will commence once the weather improves.
- Various IT equipment upgrades are occurring, however supply issues remain.

Monthly Investment Report

The overall balance of the Town's investments is \$13.5 million. This is comprised of municipal investments of \$5.6 million (including restricted cash), reserve investments of \$7.1 million and trust investments (public open space) of \$0.8 million. The administration uses *Marketforces.org.au* to assist in assessing whether a bank promotes non-investments in fossil fuel related entities. The Town currently has 51% of its funds invested in non-fossil fuel ADIs.

Statutory Requirements

Local Government (Financial Management) Regulations 1996.

Financial Considerations

The monthly financial report provides an overview of income and expenditure for the appropriate period.

Budget Amendments

As noted in the report, there are various budget amendments identified in the Financial Activity Statement for October 2021 with the detail available under Note 6 – Proposed Budget Amendments.

Risk Management Implications

Nil.

Officer Recommendation – Item 12.13

That Council:

1. Receive the monthly financial report for September and October 2021; and
2. Adopts the Budget Amendments as identified in the table below:

GL Account Code	Description	Current Budget \$	Amended Budget \$	Budget Movement \$
CARRY FORWARD ADJUSTMENTS - CAPITAL ONLY				
AP2110	Palmerston Reserve & Padbury Way Reserve Upgrades	42,000	66,682	24,682
AP2108	Mary Crescent Our Parks Our Place	12,000	58,789	46,789
AF2105	PODS for Ranger Vehicles	-	40,230	40,230
AD2101	Drainage re-lining Hamilton St to House 77	-	61,300	61,300
AD2103	Drainage North Road Relining From House no 50 to Harcourt St	-	75,000	75,000
AE2102	Information Systems Review	-	80,000	80,000
AT2104	Bassendean Principal Green Trail	6,000	32,210	26,210
	Sub-total - Carry Forward adjustments	60,000	414,211	354,211
BUDGET RE-ALIGNMENTS				
New	Ashfield Flats Master Planning	-	11,560	11,560
11320150	Reserves - Grant Income	-	(11,560)	(11,560)
11815110	Commemorative Services	50,000	-	(50,000)
11213890	Subscriptions & Memberships	5,000	9,000	4,000
New	Plants to Residents	-	11,000	11,000
12115170	Living Stream	-	32,650	32,650
11320150	Reserves - Grant Income	-	(30,650)	(30,650)
11313890	Sandy Beach Reserve Design Costs	-	30,650	30,650
New	Point Reserve Concept Plan	-	32,000	32,000
11320150	Reserves - Grant Income	-	(32,000)	(32,000)
17515260	Strategic River Assessment	-	11,500	11,500
17515160	Environment Emissions Reduction	31,458	18,358	(13,100)
17515080	Water Campaign	-	3,950	3,950
	Sub-total - Budget Re-alignments	86,458	86,458	\$ -
	NET CHANGE IN AMENDMENTS TO SURPLUS	\$146,458	\$500,669	\$354,211

Voting requirements:

Item 1 - Simple majority

Item 2 - Absolute majority

Item No. 12.14	Use of Common Seal
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
File Ref/ROC	INFM/INTPROP/1
Previous Council Reports (if applicable)	Not applicable
Directorate	Chief Executive
Authority/Discretion <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.
Attachment	Nil

Purpose

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

Background

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

Proposal

Not applicable.

Communication and Engagement

Not applicable.

Strategic Implications

Priority Area 6: Providing visionary leadership and making great decisions

Direction	Potential Strategies	What Success Looks Like
Ensure operational activities reflect the strategic focus of Council	<ul style="list-style-type: none"> • Ensure clear communication and flow of information from decision makers to operational staff • Implement a framework on decision making that identifies delegated authority for different levels of decision 	SHORT TERM <ul style="list-style-type: none"> • Efficient and effective Council meetings • Outcomes-focused decision making (not process-focused) • More delegated authority to CEO on appropriate items to enable Council to focus on strategy

Comment

Document Sealed	Date Sealed
Contract of Sale – Lot 50, 1 Surrey Street, Bassendean – Town of Bassendean to Perth History Association Inc.	10 November 2021

Statutory Requirements

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

Financial Considerations

Not applicable

Risk Management Implications

Not applicable

Officer Recommendation – Item 12.14

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

Voting requirements: Simple majority

Item No. 12.15	Calendar for December 2021
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
File Ref/ROC	INFM/INTPROP/1
Previous Council Reports (if applicable)	
Directorate	Chief Executive
Authority/Discretion <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.
Attachment	Nil

Purpose

The purpose of this report is for Council to consider the calendar for December 2021.

Background

Nil.

Proposal

Not applicable.

Communication and Engagement

Not applicable.

Strategic Implications

Priority Area 6: Providing visionary leadership and making great decisions

Direction	Potential Strategies	What Success Looks Like
Ensure operational activities reflect the strategic focus of Council	<ul style="list-style-type: none"> Ensure clear communication and flow of information from decision makers to operational staff Implement a framework on decision making that identifies delegated authority for different levels of decision 	<p>SHORT TERM</p> <ul style="list-style-type: none"> Efficient and effective Council meetings Outcomes-focused decision making (not process-focused) More delegated authority to CEO on appropriate items to enable Council to focus on strategy

Comment

Calendar for December 2021:

Date	Time	Location	Meeting/ Event Council Reps
Wednesday 1 December	5.00pm	City of Belmont	Perth Airport Community Forums (Cr Poliwka, Deputy: Cr Wilding)
Wednesday 1 December	5.30pm	Council Chamber	Onboarding for new Committee Members. Induction - Audit and Governance Committee (Cr Hamilton, Cr McLennan, Cr MacWilliam, Cr Poliwka, Deputy: Cr Carter)
Thursday 2 December	Tour - 2.30pm Presentation – 6.15pm	EMRC Ascot Office	EMRC Councillor Induction Evening (Cr Hamilton and Cr MacWilliam, Deputy: Cr Wilding)
Wednesday 8 December (Rescheduled from 1 December)	5.30pm	Council Chamber	Audit and Governance Committee (Cr Hamilton, Cr McLennan, Cr MacWilliam and Cr Poliwka Deputy: Cr Carter)
Tuesday 14 December	6.00pm	Council Chamber	Briefing Session
Friday 17 December	12 noon – 5pm	Administration Closed	
Tuesday 21 December	6.00pm	Council Chamber	Ordinary Council Meeting
Friday 24 December		Administration Closed	
Monday 10 January 2022		Administration Reopen	

Statutory Requirements

Not applicable.

Financial Considerations

Not applicable.

Risk Management Implications

Not applicable.

Officer Recommendation – Item 12.15

That Council adopt the calendar for December 2021.

Voting requirements: Simple majority

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

14.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

15.0 URGENT BUSINESS

16.0 CONFIDENTIAL BUSINESS

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

Item No. 16.1	2021/2022 Budget Amendment – RAC Reconnect WA Initiative Grant Application
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
Ref	GRSU/PROGM/26
Directorate	Chief Executive / Community Planning / Corporate Services / Infrastructure / Environment and Sustainability (delete four)
Authority/Discretion	<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 type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes & 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 Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment	Nil.

This matter is to be 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 entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

Item No. 16.2	Appointment of Members to the Audit and Governance Committee – 2021 to 2023
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
Ref	GOVN/CCLMEET/18
Directorate	Chief Executive
Authority/Discretion	<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 & 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 Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Confidential Attachment No. 1	Nominations received x 2

This matter is 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.

17.0 CLOSURE

The next Briefing Session will be held on Tuesday 14 December 2021, commencing at 6pm.

The next Ordinary Council meeting will be held on Tuesday 21 December 2021, commencing at 6pm.