

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

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

ON TUESDAY 21 DECEMBER 2021 AT 6.03PM

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

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

2.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Cr Kathryn Hamilton is joining the meeting via Microsoft Teams.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

The Mayor, Cr Kathryn Hamilton, attended the meeting in accordance with regulation 14C of the Local Government (Administration) Regulations 1996.

Present

Councillors

Cr Kathryn Hamilton, Mayor
Cr Renee McLennan, Deputy Mayor
Cr Hilary MacWilliam
Cr Emily Wilding
Cr Jennie Carter
Cr Paul Poliwka

Cr Tallan Ames

Officers

Mr Luke Gibson, Acting Chief Executive Officer
Mr Paul White, Director Corporate Services
Mr Phil Adams, Exec Manager Infrastructure
Ms Nicole Davey, Exec Manager Sustainability & Environment
Ms Elizabeth Kania, Manager Governance & Strategy
Mrs Amy Holmes, Minute Secretary

Public

Four members of the public were in attendance.

Leave of Absence

Council Resolution – Item 3.0
OCM – 1/12/21

MOVED Cr McLennan, Seconded Cr Wilding, that Cr Ames be granted a leave of absence for 24-30 January 2022.

CARRIED UNANIMOUSLY 7/0

4.0 DECLARATIONS OF INTEREST

Nil

5.0 PRESENTATIONS OR DEPUTATIONS

Nil

6.0 STATEMENTS BY MEMBERS OF THE PUBLIC ON AGENDA ITEM

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

7.0 QUESTIONS FROM MEMBERS OF THE PUBLIC

Nil

8.0 PETITIONS

Nil

9.0 CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held on 23 November 2021

Council Resolution/Officer Recommendation – Item 9.1(a) OCM – 2/12/21

MOVED Cr MacWilliam, Seconded Cr Wilding, that the minutes of the Ordinary Council Meeting held on 23 November 2021, be received.

CARRIED UNANIMOUSLY 7/0

Council Resolution/Officer Recommendation – Item 9.1(b) OCM – 3/12/21

MOVED Cr MacWilliam, Seconded Cr Wilding, that the minutes of the Ordinary Council Meeting held on 23 November 2021, be confirmed as a true record.

CARRIED UNANIMOUSLY 7/0

10.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

Nil

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	2A EMRC Ordinary Meeting of Council – Abridged Minutes 2B Delegates Report 25 November 2021

Purpose

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

Council Resolution/Officer Recommendation – Item 11.1 **OCM – 4/12/21**

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

CARRIED UNANIMOUSLY 7/0

12.0 REPORTS

12.1 Adoption of Recommendations En Bloc

It was agreed that items 12.3, 12.4, 12.7, 12.8, 12.13, 12.16, 12.18 be removed from the en-bloc table and considered separately.

Council Resolution/Officer Recommendation – Item 12.1 **OCM – 5/12/21**

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

Item	Report
12.2	Cats Local Law 2021
12.6	Use of office space inside the Bassendean Seniors and Community Centre
12.14	Audit and Governance Committee Meeting held on 8 December 2021
12.17	Use of Common Seal

CARRIED UNANIMOUSLY 7/0

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

Item	Report
12.3	Road Closure – Portions of Extension Road and West Road, Bassendean
12.4	Tree Preservation Order
12.5	Local Planning Policy No. 15 – Percent for Art Policy and Council Policy 4.3 – Public Art Policy
12.7	Information and Communications Technology Strategy for 2020 to 2025 – Annual Review
12.8	Execution of Documents Policy and Authority to Sign Documents on Behalf of the Town
12.9	Review of Attendance at Events Policy
12.10	Review of Councillor Training and Professional Development Policy
12.11	Legal Representation Policy for Elected Members and Employees
12.12	Adoption of Town of Bassendean Annual Report 2020/2021
12.13	Land Asset Strategy
12.15	Monthly Financial Activity Statement Report – November 2021
12.16	Accounts Paid – November 2021
12.18	Calendar for January 2022
13.1	Notice of Motion – Cr Carter: Use of Glyphosate
16.1	Proposal for Tenancy Management of vacant units at Hyde Retirement Village by Connect Victoria Park Inc.
16.2	Eden Hill Network Renewal Underground Program Pilot (NRUPP) – Imposition of Service Charge

Item No. 12.2	Cats Local Law 2021
Property Address	N/A
Landowner/Applicant	N/A
Ref	LAWE/LOCLWS/2
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. 3	3A <i>Cats Local Law 2021</i> 3B <i>Proposed Cats Amendment Local Law 2022</i>

Purpose

The purpose of this report was for Council to consider the undertaking required to be made to the Joint Standing Committee on Delegated Legislation in regards to the *Cats Local Law 2021*.

Council Resolution/Officer Recommendation – Item 12.2 **OCM – 6/12/21**

MOVED Cr Ames, Seconded Cr Wilding, that Council:

1. Undertake to the Joint Standing Committee on Delegated Legislation that:
 - a) within six months, clause 2.2 is deleted;
 - b) all consequential amendments arising from undertaking 1 will be made;
 - c) clause 2.2 will not be enforced in a manner contrary to undertaking 1;
 - d) where the local law is made publicly available by the Town, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertaking; and

2. Authorises the advertisement of the *Cats Amendment Local Law 2022* in accordance with section 3.12 of the *Local Government Act 1995*.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-5/12/21 7/0

Item No. 12.3	Road Closure – Portions of Extension Road and West Road, Bassendean
Property Address (if applicable)	Extension Road and a portion of West Road adjacent Bassendean Shopping Centre
Landowner/Applicant (if applicable)	State of Western Australia
File Ref	ROAD/RDCLRS/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 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	4A Road Closure Sketch Plan 4B Submission

Purpose

The purpose of this report was for Council to consider the closure of portions of Extension Road and West Road, Bassendean.

Officer Recommendation – Item 12.3

That Council authorises a request being made to the Minister for Lands pursuant to Section 58 of the *Land Administration Act 1997* for the permanent closure of portions of Extension Road and West Road road reserves as identified by the plan attached to this report, to enable the land to be amalgamated into Lot 2 West Road, Bassendean (Bassendean Shopping Centre).

Cr MacWilliam moved an alternative motion.

MOVED Cr MacWilliam, Seconded Cr Ames, that Council:

1. Does not authorise a request being made to the Minister for Lands pursuant to Section 58 of the *Land Administration Act 1997* for the permanent closure of portions of Extension Road and West Road road reserves as identified by the plan attached to this report, to enable the land to be amalgamated into Lot 2 West Road, Bassendean (Bassendean Shopping Centre).
2. Acknowledges that it may be presented with a similar request in the future if and when the owner of the abutting site pursues comprehensive redevelopment of its site.

Cr Poliwka moved a procedural motion that consideration of this matter be deferred.

Council Resolution – Item 12.3

OCM – 7/12/21

MOVED Cr Poliwka, Seconded Cr McLennan, that consideration of this matter be deferred and the CEO be requested to identify any risks associated with the current land occupation of portions of the Extension Road and West Road road reserves, as identified by hatching on the Location Plan attached to this report.

CARRIED 6/1

Crs Poliwka, McLennan, MacWilliam, Wilding, Carter & Ames voted in favour of the motion. Cr Hamilton voted against the motion.

Item No. 12.4	Tree Preservation Order
Property Address	47 (Lot 126) Seventh Avenue, Bassendean
Landowner/Applicant	Jane Bremmer
Ref	TPO/2021/4
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 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 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	Arboricultural Report

Purpose

The purpose of this report was for Council to consider retaining an existing Tree Preservation Order (TPO) for a Flooded Gum Tree (*Eucalyptus Rudis*) located at 47 (Lot 126) Seventh Avenue, Bassendean.

Council Resolution/Officer Recommendation – Item 12.4 **OCM – 8/12/21**

MOVED Cr Wilding, Seconded Cr Carter, that Council retains the existing Tree Preservation Order for the Flooded Gum Tree (*Eucalyptus Rudis*) located at 47 (Lot 126) Seventh Avenue, Bassendean.

CARRIED UNANIMOUSLY 7/0

Item No. 12.5	Local Planning Policy No. 15 – Percent for Art Policy and Council Policy 4.3 – Public Art Policy
Property Address	N/A
Landowner/Applicant	N/A
File Ref/ROC	LUAP/POLCY/19
Previous Council Reports (if applicable)	N/A
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 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 (e.g. under <i>Health Act, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 6	6A Local Planning Policy No. 15 – Percent for Public Art 6B Council Policy 4.3 – Public Art Policy 6C Draft amended Local Planning Policy No. 15 – Public Art

Purpose

The purpose of this report was for Council to consider amending *Local Planning Policy No. 15 – Percent for Art Policy* and revoking *Council Policy 4.3 – Public Art Policy*.

Officer Recommendation – Item 12.5

That Council:

1. Pursuant to Clause 5(1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, advertises the draft amended *Local Planning Policy No. 15 – Public Art* for public comment; and
2. Pursuant to the *Local Government Act 1995*, revokes *Council Policy 4.3 – Public Art Policy*.

Cr Hamilton moved the officer recommendation with amendments as shown in bold.

Council Resolution/Officer Recommendation as Amended – Item 12.5
OCM – 9/12/21

MOVED Cr Hamilton, Seconded Cr MacWilliam, that Council:

1. Pursuant to Clause 5(1) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, advertises the draft Local Planning Policy No. 15 – Public Art for public comment, **subject to incorporation of the following minor amendments:**
 5. Definitions - Artist means either
 - A person who earns more than **35%** of their income from arts related activities, such as teaching, selling artwork or undertaking public art commissions
 5. Definitions - Public Art - under heading “Public Art does not include the following”
 - Architectural building cladding, **unless of a high quality uniquely artistic nature that significantly enhances the public realm and fulfils the objectives and requirements outlined in this policy, to the satisfaction of the Town.**
 - 6.4 Approval, Installation and Maintenance
 - (c) The landowner is responsible for the ongoing maintenance **and long-term asset renewal (if applicable)** of the artwork, to the satisfaction of the Town, in accordance with the information provided in accordance with Clause 6.3(c)(iv).
2. Pursuant to the Local Government Act 1995, revokes Council Policy 4.3 – Public Art Policy; and

Reasons: In this Covid dominated era it is unlikely artists are deriving 50% of their total income from arts related activities. Reducing this percentage down to 35% provides scope for excellent artists to slowly rebuilt their arts related income as the nation re-emerges from the significant downturn in cultural and arts activities these past two years. There are rare examples of artist designed cladding for iconic buildings. Although rare and expensive the possibility of such work should not be excluded from incorporation into a new development where cost may be partially offset by the percentage art contribution. Requiring the long term maintenance and eventual renewal of an art asset would potentially encourage production of enduring works of art.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

Item No. 12.6	Use of office space inside the Bassendean Seniors and Community Centre
Property Address (if applicable)	50 Old Perth Road, Bassendean (Bassendean Seniors and Community Hall)
Landowner/Applicant (if applicable)	Town of Bassendean
File Ref	COUP/USAGE/7
Directorate	Community Planning
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 7	Evaluation Letter - Prepare, Produce, Provide

Purpose

The purpose of this report was for Council to receive an evaluation report regarding the use of office space inside the Bassendean Seniors and Community Centre, by Live to Tell Your Story Inc. (trading as Prepare, Produce, Provide) for its 5000meals program.

Council Resolution/Officer Recommendation – Item 12.6 **OCM – 10/12/21**

MOVED Cr Ames, Seconded Cr Wilding, that Council:

1. Receives the evaluation report lodged by Prepare, Produce, Provide for the 5000meals Program.
2. Notes that a future tenancy of office space inside the Bassendean Seniors and Community Centre by Prepare, Produce Provide will be considered by the Chief Executive Officer in accordance with the Property Management Policy and Community Leasing Framework.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-5/12/21 7/0

Item No. 12.7	Information and Communications Technology Strategy for 2020 to 2025 – Annual Review
Property Address (if applicable)	
Landowner/Applicant (if applicable)	
File Ref/ROC	INFT/IMPLTN/1
Previous Council Reports (if applicable)	15 December 2020
Directorate	Corporate Services
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"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
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Confidential Attachment No. 1	ICT Strategic Plan 2020 to 2025 – Annual Review

Purpose

The purpose of this report was to provide Council with a progress report on the implementation of the Town's Information and Communications Technology Strategy for 2020 to 2025 (ICT Strategy).

Council Resolution/Officer Recommendation – Item 12.7 **OCM – 11/12/21**

MOVED Cr Carter, Seconded Cr Poliwka, that Council:

1. Receives the Information and Communications Technology Strategy for 2020 to 2025 – Annual Review, as attached to this report; and
2. Notes that subsequent reviews of the Information and Communications Technology Strategy for 2020 to 2025 will be provided in the CEO Bulletin.

CARRIED UNANIMOUSLY 7/0

Item No. 12.8	Execution of Documents Policy and Authority to Sign Documents on Behalf of the Town
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 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. 8	Draft Execution of Documents Policy

Purpose

The purpose of this report was for Council to consider and if satisfied, adopt the draft Execution of Documents Policy that will also grant to the CEO authorisation to sign prescribed classes of documents on behalf of the Town in accordance with section 9.49A of the *Local Government Act 1995*.

Officer Recommendation – Item 12.8

That Council adopts the draft Execution of Documents Policy as attached to this report.

Cr Hamilton moved the officer recommendation with amendments, as shown in bold.

Council Resolution/Officer Recommendation as Amended – Item 12.8
OCM – 12/12/21

MOVED Cr Hamilton, Seconded Cr Poliwka, that Council:

1. Adopts the draft Execution of Documents Policy as attached to this report;
2. **Requests the CEO provide to Councillors via the Bulletin, a list of successful grants and sponsorship recipients, at a minimum once every quarter;**
3. **Requests the CEO provide to Councillors via the Bulletin, a copy of any Memorandum of Understanding (MOU) and Expression of Interest (EOI) documents;**
4. **Amends the policy review date from ‘annual’ to ‘biannual’.**

CARRIED 6/1

Crs Hamilton, Poliwka, McLennan, MacWilliam, Wilding & Ames voted in favour of the motion. Cr Carter voted against the motion.

Reason: Resourcing and time management are critical, particularly in smaller local governments. Most policies are considered contemporary if created or reviewed with the past two years, and as such annual reviews of well crafted policies may be an unnecessary drain on both the time and resources of Council and Administration. It should be noted that biannual or triennial reviews of policies are considered sufficient in many local government jurisdictions.

Item No. 12.9	Review of Attendance at Events Policy
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 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 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	Attendance at Events Policy

Purpose

To amend the Attendance at Events Policy in accordance with section 5.90A of the *Local Government Act 1995* (the Act).

Officer Recommendation – Item 12.9

That Council amends the Attendance at Events Policy as attached to this report.

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

Council Resolution/Officer Recommendation as Amended – Item 12.9 **OCM – 13/12/21**

MOVED Cr Hamilton, Seconded Cr Wilding, that Council:

1. Amends the Attendance at Events Policy as attached to this report; and
2. **Amends the policy review date from ‘annual’ to ‘triennial’.**

CARRIED BY AN ABSOLUTE MAJORITY 7/0

Reason: Resourcing and time management are critical, particularly in smaller local governments. Most policies are considered contemporary if created or reviewed with the past two years, and as such annual reviews of well crafted policies may be an unnecessary drain on both the time and resources of Council and Administration. It should be noted that biannual or triennial reviews of policies are considered sufficient in many local government jurisdictions.

Item No. 12.10	Review of Councillor Training and Professional Development Policy
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 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 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. 10	Councillor Training and Professional Development Policy

Purpose

To review the Councillor Training and Professional Development Policy in accordance with section 5.128(5)(a) of the *Local Government Act 1995* (Act). The Act requires that the policy be reviewed after each local government ordinary election.

Officer Recommendation – Item 12.10

That Council notes the review of the Councillor Training and Professional Development Policy and reaffirms the Policy as contained in the attachment to this report.

Council Resolution/Officer Recommendation as Amended – Item 12.10
OCM – 14/12/21

MOVED Cr Hamilton, Seconded Cr McLennan, that Council:

1. Notes the review of the Councillor Training and Professional Development Policy and reaffirms the Policy as contained in the attachment to this report; and
2. **Amends the policy review date from ‘annual’ to ‘biannual’.**

CARRIED BY AN ABSOLUTE MAJORITY 7/0

Reason: Resourcing and time management are critical, particularly in smaller local governments. Most policies are considered contemporary if created or reviewed with the past two years, and as such annual reviews of well crafted policies may be an unnecessary drain on both the time and resources of Council and Administration. It should be noted that biannual or triennial reviews of policies are considered sufficient in many local government jurisdictions.

Item No. 12.11	Legal Representation Policy for Elected Members and Employees
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 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 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. 11	Draft Legal Representation Policy for Elected Members and Employees

Purpose

To propose the adoption of a Council Policy on legal representation and cost indemnification to assist Elected Members and employees in specified situations.

Officer Recommendation – Item 12.11

Council adopts the draft Legal Representation Policy for Elected Members and Employees as attached to this report.

Cr Hamilton moved an alternative motion.

Council Resolution/Alternative Motion – Item 12.11

OCM – 15/12/21

MOVED Cr Hamilton, Seconded Cr McLennan, that Council:

1. Does not adopt the draft Legal Representation Policy for Elected Members and Employees as attached to this report; and
2. Requests the matter be discussed at a Councillor workshop so Council can better understand what protections are in place for elected members.

CARRIED UNANIMOUSLY 7/0

Item No. 12.12	Adoption of Town of Bassendean Annual Report 2020/2021
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref/ROC	GOVN/CCLMEET/6
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 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. 12	12A Town of Bassendean Annual Report 2020/2021 12B Independent Auditor's Report 12C 2020/21 Audited Annual Financial Statements (signed)

Purpose

The purpose of this report was for Council to adopt the Town of Bassendean Annual Report 2020/2021, including the Audited Annual Financial Statements for the year ended 30 June 2021, and set a date for the General Meeting of Electors.

Officer Recommendation – Item 12.12

That Council:

1. Adopts the Town of Bassendean 2020/21 Annual Report for the year ended 30 June 2021; and
2. Holds its General Meeting of Electors on Thursday, 10 February 2022 in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 6.00pm.

Cr McLennan moved the officer recommendation with amendments as shown in bold.

Council Resolution/Officer Recommendation as Amended – Item 12.12 **OCM – 16/12/21**

MOVED Cr McLennan, Seconded Cr Wilding, that Council:

1. Adopts the Town of Bassendean 2020/21 Annual Report for the year ended 30 June 2021 **subject to the following text being inserted into Page 19 of the document:**

Seniors and Disability Services:

- Provided 39,137 home support services and social services to 450 clients under the Commonwealth Home Support Program
- Provided a range of services under the Home Care Package Program to 45 clients with more complex needs

2. Hold the General Meeting of Electors on **Wednesday 9 February 2022** in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 6.00pm.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

Item No. 12.13	Land Asset Strategy
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.
<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 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.
Confidential Att No. 2	Draft amended Land Asset Strategy

Purpose

The purpose of this report was for Council to consider adopting the draft Land Asset Strategy (LAS).

Council Resolution/Officer Recommendation – Item 12.13 **OCM – 17/12/21**

MOVED Cr Wilding, Seconded Cr Poliwka, that Council:

1. Adopts the draft amended Land Asset Strategy, as contained as a Confidential Attachment to this report; and
2. Notes that the Land Asset Strategy is to remain a confidential document.

CARRIED 6/1

Crs Wilding, Poliwka, McLennan, Hamilton, MacWilliam & Ames voted in favour of the motion. Cr Carter voted against the motion.

Item No. 12.14	Audit and Governance Committee Meeting held on 8 December 2021
Property Address (if applicable)	
Landowner/Applicant (if applicable)	
File Ref/ROC	GOVN/CCLMEET/18
Previous Council Reports (if applicable)	
Directorate	Corporate Services
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</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 13	Minutes of the Audit and Governance Committee meeting held on 8 December 2021
Confidential Attachment No. 3	3A Internal Audit Schedule 2021 – 2023 3B Audit Risk Register 3C Audit Closing Report, RSM Australia 3D Findings Identified During the Final Audit (Management Letter)

Purpose

The purpose of this report was for Council to receive the report on the meeting of the Audit and Governance Committee held on 8 December 2021.

Council Resolution/Officer Recommendation – Item 12.14 **OCM – 18/12/21**

MOVED Cr Ames, Seconded Cr Wilding, that Council receives the report on the Audit and Governance Committee meeting held on 8 December 2021.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-5/12/21 7/0

Item No. 12.15	Monthly Financial Activity Statement Report – November 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. 14	Monthly Financial Activity Statement Report, containing the Statement of Financial Activity, for November 2021

Purpose

The purpose of this report was for Council to receive the monthly financial activity statement (FAS) report for November 2021.

Council Resolution/Officer Recommendation – Item 12.15

OCM – 19/12/21

MOVED Cr Wilding, Seconded Cr Poliwka, that Council:

1. Receives the monthly financial report for November 2021; and
2. Adopts the Budget Amendment as identified in the table below:

GL Account Code	Description	Current Budget	Amended Budget	Budget Movement
	BUDGET RE-ALIGNMENTS			
New	Reinstatement of Tennis Courts Base - BIC Reserve	-	15,000	15,000
AP2115	Success Hill Jetty Remediation Works	281,000	266,000	(15,000)
	Sub-total - Budget Re-alignments	\$ 281,000	\$ 281,000	\$ -
	NET CHANGE IN AMENDMENTS TO SURPLUS	\$ 281,000	\$ 281,000	\$ -

CARRIED BY AN ABSOLUTE MAJORITY 7/0

Item No. 12.16	Accounts Paid – November 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. 15	List of payments made under delegated authority for November 2021

Purpose

The purpose of this report was for Council to receive the list of payments for November 2021.

Council Resolution/Officer Recommendation – Item 12.16 **OCM – 20/12/21**

MOVED Cr MacWilliam, Seconded Cr Ames, that Council receive the list of payments for November 2021.

CARRIED UNANIMOUSLY 7/0

Item No. 12.17	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 was for Council to note the documents affixed with the Common Seal during the reporting period.

Council Resolution/Officer Recommendation – Item 12.17 **OCM – 21/12/21**

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

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-5/12/21 7/0

Item No. 12.18	Calendar for January/February 2022
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 was for Council to consider the calendar for January/February 2022.

Cr McLennan moved the officer recommendation with an amendment.

Council Resolution/Officer Recommendation as Amended – Item 12.18 **OCM – 22/12/21**

MOVED Cr McLennan, Seconded Cr Ames, that Council adopt the calendar for January/February 2022, **with an amendment to the date of the General Meeting of Electors to Wednesday 9 February 2022.**

CARRIED UNANIMOUSLY 7/0

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13.1 Notice of Motion – Cr Carter: Use of Glyphosate

That the Town discontinue the use of glyphosate in or near children's playgrounds and other public places where children congregate, such as day care centres and schools, and also near waterways.

Cr McLennan moved a procedural motion that the matter be deferred.

Council Resolution – Item 13.1 **OCM – 23/12/21**

MOVED Cr McLennan, Seconded Cr Wilding, that Council defer any further consideration of the use of glyphosate and weed management until after the review of weed management strategies has been completed and presented to Councillors.

CARRIED 6/1

Crs McLennan, Wilding, Hamilton, MacWilliam, Poliwka & Ames voted in favour of the motion. Cr Carter voted against the motion.

14.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil

15.0 URGENT BUSINESS

Nil

16.0 CONFIDENTIAL BUSINESS

Council Resolution – Item 16.0(a)
OCM – 24/12/21

MOVED Cr Poliwka, Seconded Cr MacWilliam, that the meeting go behind closed doors in accordance with Section 5.23 of the Local Government Act 1995, the time being 7.22pm.

CARRIED UNANIMOUSLY 7/0

Item No. 16.1	Proposal for Tenancy Management of vacant units at Hyde Retirement Village by Connect Victoria Park Inc.
Property Address (if applicable)	2-10 James St, Bassendean
Landowner/Applicant (if applicable)	Town of Bassendean
File Ref/ROC	COMS/SVPROVN/5
Previous Council Reports (if applicable)	
Directorate	Corporate Services
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 or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
Confidential Att No. 4	4A Connect Victoria Park Proposal - Hyde Retirement Village 4B Independent Legal Advice
Attachment No. 16	16A – Current Hyde Retirement Village Policy 16B – Draft Hyde Retirement Village Policy

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

Purpose

The purpose of this report was for Council to consider a proposal for tenancy management of vacant units at Hyde Retirement Village (HRV) by Connect Community Housing, operated by Connect Victoria Park Inc (Connect Victoria Park).

Council Resolution/Officer Recommendation – Item 16.1 **OCM – 25/12/21**

MOVED Cr MacWilliam, Seconded Cr Ames, that Council endorses the Officer Recommendation in the confidential report attached to the Ordinary Council Meeting Agenda of 21 December 2021.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

Item No. 16.2	Eden Hill Network Renewal Underground Program Pilot (NRUPP) – Imposition of Service Charge
Property Address (if applicable)	Various
Landowner/Applicant (if applicable)	Various
File Ref/ROC	ESAT/CONCTN/1
Previous Council Reports (if applicable)	24 March 2020, 23 June 2020 and 25 May 2021
Directorate	Corporate Services
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.	Property diagram showing funding responsibility

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

Purpose

The purpose of this report was to provide Council with recommendations for the imposition of a service charge to be levied on property owners in respect of the Eden Hill Network Renewal Underground Program Pilot (NRUPP) when adopting the annual budget for 2022/23.

Council resolution of the likely service charge to be imposed is sought now, to provide affected property owners with sufficient time in which to prepare for payment of the service charge and to provide the administration with sufficient time to configure and test its systems to accurately levy the service charge. Setting the underground power rate now will also provide certainty to buyers and sellers of property in advance of imposition of the service charge.

Officer Recommendation – Item 16.2

That Council:

1. States its intention to impose a service charge on property owners to recoup the cost to the Town for the NRUPP project, being the cost of consumer mains connection from the pillar to the property and interest incurred on borrowings, to be levied as part of the annual rating process, over three years from 2022/23.
2. Subject to adoption as part of the 2022/23 Annual Budget:
 - a. The amount of the service charge be set at \$2,850 for a consumer mains connection;
 - b. The amount of the service charge be set at \$1,425 for 'cut and cap' connection; and
 - c. The amount of the service charge applicable to a 'parent' connection for a multi-unit development be shared equally among the property owners in the development.

Cr McLennan moved the officer recommendation with amendments as shown in bold.

Council Resolution – Item 16.2
OCM – 26/12/21

MOVED Cr McLennan, Seconded Cr Poliwka, that Council:

1. States its intention to impose a service charge on property owners to recoup the cost to the Town for the NRUPP project, being the cost of consumer mains connection from the pillar to the property and interest incurred on borrowings, to be levied as part of the annual rating process, over **five** years from 2022/23.
2. Subject to adoption as part of the 2022/23 Annual Budget:
 - a. The amount of the service charge be set at **\$2,910** for a consumer mains connection;
 - b. The amount of the service charge be set at **\$1,455** for ‘cut and cap’ connection; and
 - c. The amount of the service charge applicable to a ‘parent’ connection for a multi-unit development be shared equally among the property owners in the development.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

Reason: Given the proposed service charge is higher than previously promoted by Western Power to the community at the Briefing Session at Eden Hill Primary School in February 2020 and higher than advised by Western Power following the contract variation, it is appropriate to levy the service charge over five years instead of three to reduce the annual financial burden on affected property owners while being mindful of limiting additional administrative burden and interest payable by the Town as a result of the loan being taken over a longer period.

Council Resolution – Item 16.0(b)
OCM – 27/12/21

MOVED Cr Wilding, Seconded Cr Poliwka, that the meeting come from behind closed doors, the time being 7.33pm.

CARRIED UNANIMOUSLY 7/0

17.0 CLOSURE

The next Briefing Session will be held on Tuesday 15 February 2022, commencing at 6pm. The next Ordinary Council Meeting will be held on Tuesday 22 February 2022, commencing at 6pm.

There being no further business, the Presiding Member declared the meeting closed, the time being 7.33pm.