



TOWN OF

Bassendean

MINUTES

Ordinary Meeting of Council

Tuesday 27 February 2024, 6:04 pm

in the Council Chamber,

Administration Building

48 Old Perth Road, Bassendean WA 6054

1 Declaration Of Opening; Acknowledgment of Country; Acknowledgment of Visitors; Disclaimer

The Presiding Member declared the meeting open, welcomed all those in attendance and acknowledged the past and present traditional owners and custodians of the land on which the meeting was held. The meeting was declared open with the time being 6.04pm.

Cr Poliwka entered the room at 6.05pm.

2 Announcements by The Presiding Person Without Discussion

The Mayor announced Music On the Green which will be on Saturday 9th March 2024.

The Mayor acknowledged Mr Luke Gibson and thanked him for his hard work and effort during his time at Town of Bassendean, and wished him well in his future endeavours.

Mr Gibson spoke regarding the Draft LPS 11. The Minister has approved Draft LPS 11 subject to some modifications. One of the modifications made by the Minister includes significant Tree Registers and under the new scheme only land owners will be able to submit trees for nomination on the Significant Tree Register.

3 Attendances, Apologies and Applications for Leave of Absence

Nil.

4 Declarations of Interest

Nil.

5 Presentations or Deputations

It is noted that the following Deputations were received at the Briefing Session held on 20 February 2024.

Ross McDonald, 26 Kenny Street, Bassendean

Firstly, I have on site parking facilities for 2 cars albeit parking one vehicle behind the other and am not seeking a benefit under this proposed policy.

My most relevant experience directly relevant to tonight's proposal was major rewrite of the Land Act (now the Land Administration Act), with the role of instructing the parliamentary drafting lawyers in how we envisaged the amalgamation of Crown Land into the Titles Office land registration system.

We sought to create efficient systems that would not result in unintended consequences. The new Act required a separate act making consequential to other Acts one of which was the Local Government Act replace the old processes with the new powers created.

The Officer response before you tonight named two ToB policies what losses residents had experiences (past tense). The Officer response ignored the rest of my suggestions. There are ratepayers with limited to no parking available on their land.

Worse still, existing ToB policies could make the problems worse by removing existing available space, and the new policy seems to create a system of administrative discretion rather than a system of recognising the exercise of a right. In my submission I asked for the consideration of a declaration of the entitlement to park in adjacent marked bays and put forward a simple formula base to create rights. I again suggest an examination of the existing policies that reduce available parking and the amendment of those policies.

I again suggest that the ToB Council should set the policies that support and direct the administrative processes.

I offer my services to work with the authors of the report to examine the matters raised and create a more coordinated parking policy that works with the existing policies so as to relieves and I abhor a system where a policy restricting ratepayers rights and creating costs is introduced as a necessity as a result of the application of current policies and in anticipation of vastly increasing those restrictions and costs.

Peter Robinson, 3 Ashfield Parade, Ashfield

Mr Robinson addressed Council regarding Item 9.5.

Thank you Mayor Hamilton and Council for allowing me to present this deputation.

My name is Peter Robinson, I live at 3 Ashfield Parade

I would like to speak to two items; 9.5 and 9.7

9.5. You will note that my name is listed at the nominator. Yes, that was me.

I have read the arborist's and the officers' reports. According to current Council policy officers had little choice but to recommend as we read. I am not happy with that outcome. I wonder if that is what you as Councillors really want? I know that it is not what a significant part of our community wants either. I guess the reason officers recommended as they have is because they have followed the current policy. I am not sure how many trees have been considered under this policy but this is a good example that it does not work to protect trees. In this case we have three trees in good health, posing no significant danger and placed in locations that provide little obstruction to any well planned development. Trees T2 and T3 are in the far NW corner of the lot and T1 is near a fence meaning that it is very much to one side of the lot. And add to that, Council has paid for a report on three trees that no one has even considered removing yet. As far as I know the lot has not been sold. Policies are there to guide officers which hat has happened here, and for Councillors to make, remake and where required override.

I therefore respectfully suggest that Council override the current policy and move an alternative motion that seeks to;

Place trees T1, T2 and T3 on the Significant Tree Register for the following reasons:

- a. they are in good health,
- b. pose little danger and
- c. are considered to present little obstruction to any future development.

Item 9.7 Opposed to the Officers Recommendation

9.7 We have before us Policy LPP13. Part of this policy provides for inclusions into a Significant Tree Register and those inclusions would then protect registered trees. I am perplexed by this trees protection business. It seems to me that the focus is back to front. Currently the significance of a tree must be proven to warrant its protection when really it is the destruction of a tree that should be justified. Protection of a tree should be a GIVEN! Any removal of vegetation/trees etc ought to part of a development application. The burden of proof ought to be upon the person wanting to develop, the person who is seeking to make a change rather than someone like me or a Council engaged expert. This needs to be put right.

I'll use item 9.5 to illustrate my point. Here is a lot that may at some stage in the future come onto the market. When, we do not know. It is a likely prospect for subdivision being, as the report details, quite large. A subdivider may or may not seek to remove one or all of the trees. No-one knows! The way the current policy is worded, people like me are encouraged to lodge a tree protection nomination for that lot. Once the nomination is lodged council officers are obliged to spend time developing a response and as we see have engaged, at some expense, a contractor to provide professional advice. Still ,no-one has indicated they want to destroy anything! This has also applied to the tree in item 9.6, which means two reports, duly paid for by the Council. Hmmm!

Let's come to a change of ownership and a prospective subdivision. It is possible that a planner /architect may see value in retaining these trees particularly trees T2 and T3 because of their smaller size and beautiful trunks. T1, a scraggly old Tassie Blue, may be less attractive but could still be part of any development, situated near the midway point where vehicular access may benefit from shade or the like. So, no need for any reports or expenditure by Council or the developer. WIN:WIN.

On the other hand a developer may want to use all of the lot and sees the removal of the trees as imperative. Whose responsibility is it then to prove the case for their removal? The developers of course. The developer presumably seeks to gain from the project and obtaining a permit for removal is a cost along the way to accruing a profit.

From Council's point of view the retention and protection of trees should be, as I have already suggested, a GIVEN! Trees, whether they be small, medium or large should all be protected until a case for their removal is proven. The policy as presented is seeking to do that but as is clearly demonstrated by item 9.5 has not delivered. And as item 9.6 shows has incurred expenditure that may or may not have been necessary.

All of this means that the former and now the recommended LPP13 are not quite there yet. Still some work to do. This needs to be put right!

LPP13 also refers to the provision of plantings on new projects. I think that is great.

I respectfully suggest that Council defer the consideration of the recommendation in item 9.7 and that the policy is re-worked to shift the responsibility for the proof of the necessity for removal of a tree to the Developer.

Thank you for allowing me this time.

Ian Wellstead, 89 Old Perth Road, Bassendean

Mr Wellstead addressed Council regarding Parking Area 2 review in support of the officer Recommendation.

- * Safety for local community/staff and local traffic viewing
- * Conflict and Contradiction of other Tree Street Planting
- * Planting of a Tree would not conform to the safe active street policy and guidelines
- * Discussion of photos and evidence backing my reasonings

It is noted that the following Deputations were received in writing for the Ordinary Council Meeting held on 27 February 2024.

Alex McKellar, 57 Fourth Avenue, Bassendean

Ms McKellar addressed Council regarding Item 12.9.

Good evening Councillors. Thank you for the opportunity to speak to you on Item 12.9, Draft Local Planning Policy 13 - Tree Retention and Provision.

I am a member of the Bassendean Tree Canopy Advocates and WATCA, and I am proud to live in a community that has been a leader when it comes to taking action to enhance our urban forest. It is a great relief to see the Town take the tree canopy crisis we face in Perth seriously in their early adoption of extensive tree planting, a significant tree register and tree retention policies.

Over recent years, it's been encouraging to see the Bassendean Council consistently make decisions that reflect the value of mature trees in our Town. Back in 2020 when draft Local Planning Scheme 11 was endorsed for advertising, the Council unanimously voted to include clauses that gave protection to mature trees. Disappointingly, these clauses were later required to be removed by the WAPC, thwarting the Council and community's efforts to protect our valued trees.

Again, when Council endorsed the final version of the draft Local Planning Scheme last year, it also made a decision that, upon gazettal of the scheme, it would immediately pursue a scheme amendment that would deliver tree protections. We are still waiting on the WAPC's decision on the final version before the gazettal occurs and there is no guarantee of success given Minister Carey's demonstrated lack of support for scheme provisions.

It is also encouraging to see the Town continue to display an appetite for protecting trees on private property by pursuing this policy in spite of recent attempts in other communities also being rejected by John Carey, the Minister for Planning.

Perth is in a canopy crisis. Our city already has the lowest tree canopy of any Australian city, and it continues to decline as mature trees, that have taken decades to grow, are cleared unnecessarily and without consequence. 80% of canopy loss is occurring on private property. In Bassendean we have a target of achieving 30% canopy coverage by 2040; this cannot be achieved if the focus is solely on public land. We need greening strategies that address trees in both the public and the private realm.

Councillors currently have before them the chance to approve Draft Amended Local Planning Policy 13 - Tree Retention and Provision for the purpose of advertising to the community. A decision to approve the policy for advertising, is consistent with the past decisions of Council and past feedback from the community and will provide a valuable opportunity to gauge the level of support for the regulation of trees on private property. Minister Carey has claimed that the community does not support tree protections as justification for his rejection of previous efforts, but to date the feedback from the local residents here in Bassendean and elsewhere around Perth, like Nedlands and South Perth, indicates that this is just not the case.

The officer recommendation is for Council to advertise the policy in Attachment 2 in which the only protections offered are essentially through a Significant Tree Register. Whilst mechanisms such as significant tree registers have their place in the protection of mature trees on private land, they are limited in their power by way of the sheer number of trees being needed to be identified and registered, and objections by land owners to third parties nominating their trees. It is also an inequitable approach with trees on one property being protected, while an equivalent tree on another is not.

The recommended policy would be ineffective in retaining mature trees. It does not recognise that the vast majority of significant trees fail to ever make it onto a significant tree register. A much more equitable and effective approach is the alternative version proposed in Attachment 3. By defining “works” that require a Development Application to include the removal of a Significant Tree, it offers broad protections and clearly communicates that trees are valued in Bassendean. It also puts the onus on a developer to demonstrate why a tree warrants removal. Protections of this nature have been successfully implemented for many years in other Australian cities. Cities such as Sydney have managed to protect canopy and increase density at the same time using this approach, but WA is still decades behind.

It is thus my request on behalf of the Bassendean Tree Canopy Advocates that the Draft Amended Local Planning Policy 13 – Tree Retention and Provision, Attachment 3 be advertised to the community.

I understand that WALGA is currently in the process of developing a model tree retention planning policy and Council may contemplate waiting for this policy to be finalised before making a decision on LPP13. Given that the WALGA policy will be based upon the same legal advice that the Town has access to, I do not see any advantage in waiting for the model policy before consulting with the Bassendean community.

Furthermore, there is a particular degree of urgency around this issue, in Bassendean. Although Local Planning Scheme 11 is yet to be gazetted, its gazettal must be imminent given that the Scheme has already been with the WAPC for several months. Once the new scheme is gazetted, the development potential of many areas within our Town will increase. Hopefully this will be attractive to investors and we will stimulate much needed development, helping our Town to thrive. However, with the increased development potential comes greater risk for our tree canopy. Disturbingly, following WAPC's required amendments, the new local planning scheme will have less tree protections than the existing scheme. Without protections in place, developers have the ability to clear entire sites without even having a discussion with the Town's planners. Development and tree canopy are not mutually exclusive, but without having a strong policy in place, we are at risk of new developments that do not even contemplate tree retention and a Town that is barren and hot.

The Bassendean Tree Canopy Advocates met on the weekend, and we couldn't fit everyone in the room. The people of Bassendean really value their trees and have elected representatives who campaigned on the issue of tree canopy. We all want to have shady, green suburbs to live in and there are many advocates among us willing to assist where needed.

I therefore urge Council, when considering this item, to continue to keep in mind the urgency of the task at hand - 30% tree canopy cover by 2040 can only be achieved with targeted and strategic changes to policy that ensure far more mature trees on private land can be protected and preserved for future generations.

6 Statements by Members of the Public

It is noted that the following statements were received for the briefing Session held on 20 February 2024.

Katarina Wolf, 4 Nurstead Avenue, Bassendean

Ms Wolf addressed Council in writing in support of the Proposed Tree Preservation Order-21 (Lott 44) Nurstead Avenue, Bassendean.

I welcome the proposed amendments to the LPP 13, including the reference to Significant Tree Register, rather than Tree Preservation Order. (indeed, I believe that was the language used in the form I completed). In nominating the Rose Gum tree (*Eucalyptus Grandis*) located at 21 Nurstead Avenue my intention was NOT to imply that the tree was under imminent threat. Instead, my motivation was to celebrate and recognise this magnificent tree, alongside its peers that line Nurstead Avenue. Given its location toward the very front of the property, I had natively assumed that it would be considered alongside other verge trees in its vicinity. As documented in the Briefing notes, the tree under consideration is a truly significant tree (it's almost 30 meters high, with a canopy spanning up to 23 meters!), of enormous aesthetic quality, that shapes the street scape – it provides valuable shade cover, a nesting place to many bird species, and shelter to a wide range of marsupials and insects.

I note the reference to dead wood pruning and would urge the council that the same will be considered for the other gum trees in Nurstead Avenue – which are equally impressive, but have created huge volumes of green waste for the local neighbours. Again, I'd like to encourage a change in language. The intention was never to seek an 'order', but rather to ensure that this magnificent tree - alongside its peers – is recognised and preserved for the whole Bassendean community to enjoy (including its benefits, which have recent been on full display, given multiple heatwaves.)

Ms Wolf addressed Council in writing in support of item 1.2.2 of the Council Plan. On behalf of the residents of Nurstead Avenue I welcome the inclusion of item 1.2.2 in the Council Plan presented for consideration tonight. We are in the fortunate situation to have an original cluster or early suburban, federation style homes that have been well maintained and looked after, for future generations to enjoy – and to remind of us the how our Town, or indeed the area that was then known as West Guildford, has evolved over the past 120 years. Nurstead Estate is a unique treasure, and I urge councillors to prioritise the proposed investigation and associated introduction of a heritage area to be designated over Nurstead Avenue, to ensure the street appeal of these significant dwellings can be enjoyed for future generations to come, alongside their period neighbour, Earlsferry House. I'd like to emphasise that much of the documentation required is already readily available. Councillor Carter's "Bassendean A social History" documents the importance, social and historical context of this area.

Original titles, photographic evidence and historical records, have already been collated by residents and are available as part of this process. Further, genealogies of the original Nurstead Estate Houses (all still intact today) have been compiled by the Town's former Local Studies Librarian & her team of volunteers, Janet Megarrity, and are equally readily available. Rather than rely on external consultants to commence this process from scratch, I encourage Council to utilise existing documentation and work with local residents to further explore the merits of the heritage area proposal for the Success Hill and Bassendean community.

Emma Darby, 18 Anzac Terrace, Bassendean

Ms Darby addressed council in support of item 1.2.2 of the Council Plan. The Success Hill Action group welcomes the inclusion of item 1.2.2 in the Council Plan 2023-33, i.e. to investigate the potential Heritage Area to be designated over the Nurstead Avenue / the historic Nurstead Estate area.

This area is a key feature of the ToB's Heritage Walk Trail and a much-loved part of Success Hill. Multiple rounds of community consultation have emphasised that Bassendean residents particularly value the natural beauty and history of Bassendean, which has been recognised by the Town itself, with multiple references to the importance of preserving the town's aesthetic, historic, and social significance for future generations on its website and in key documents (including strategy documents and policies).

Independent – but within the context of – imminent zoning changes under the LPS11, we urge Councillors to prioritise this investigation and introduction of associated policies, to ensure that any future development will be sympathetic to the original cluster of early suburban, federation style homes, which remain intact and well preserved as they celebrate /approach their 120 th anniversary.

On behalf of the Success Hill – and indeed the wider Bassendean community - that likes to walk their dogs, ride their bikes or simply enjoy a stroll through this historically important and aesthetically beautiful part of our town, I hope that you will continue to support us in protecting this area for future generations to enjoy and appreciate.

Karen Ross, 27 Whitfield Street, Bassendean

Confirming my full submission is available for consideration by the Council. Specifically regarding the amendment to parking on the corner of Whitfield St and OPR, being 'No Parking' signs and removal of motorcycle bays (to be replaced with a street tree)

SUBMISSION PROVIDED TO COUNCIL:

As an impacted home owner and resident of 27 Whitfield Street, I fully support and welcome the proposed parking and signage changes on the corner of Whitfield Street and Old Perth Road Bassendean.

I have had ongoing problems accessing my property and reduced visibility when entering and exiting due to drivers parking in the motor cycle bays on Whitfield Street.

I have provided photographic evidence to Ranger services going back at least 18 months to support this.

Changes to the parking signage and requirements will begin to address the incorrect and illegal parking currently occurring on Whitfield Street and impacting safe access to my property.

FURTHER COMMENTS

Note the impacted area faces Whitfield Street Safe Active Street, with a purpose to be a 'bike and pedestrian first' corridor link promoting the use of alternative modes of transport such as bikes and mobility scooters etc.

Additional traffic calming measures, such as street trees and adequate signage, aligns with the intention and purpose of this activation.

Furthermore, concerns may be raised against this proposal that site parking and access concerns miss the point that any vehicle using the allocated motorcycle bay is illegally parked. Retaining the motorcycle bay does not address the issue of vehicles dangerously and illegally parked outside the intended use of this bay.

It is noted that the following Statements were received for the Ordinary Council Meeting held on 27 February 2024.

Kylie Barr, 20 Ash Way, Morley

Ms Barr thanked Council for the contribution made to the Bilya Project in 2023 undertaken by the Bassendean Primary School.

Norma Karasinski, 26 Hardy Road, Ashfield

Ms Karasinski addressed Council regarding parking at the Seniors and Community Hall.

My name is Norma Karasinski and I am President of the 55 plus Ass.

I would like to address the Council regarding the Parking sign at the entrance of the Seniors and Community Hall car park.

There has been lots of discussion with our members and all are quite upset at the prospect of losing the signage, and a number have written in to the Council to express their views and disappointment.

I note that part of the reason for taking it down is that there has been conflict, I personally only know of one incident and that was dealt with by me, I will say that when I first became President there was not an issue as we didn't have a great number of members and less activities, both the numbers of members and the activities has grown significantly in the past two years. I am aware that members did approach parents who were dropping off Children to the School asking them to move but after being informed by the Bassendean Staff that it is not our place to do this as it is public land it has ceased as far as I am aware.

As you are all aware we have some very frail people attending the Centre and it would disadvantage them if they could not park there.

The main issue is in the mornings when we have the largest number of members attending activities.

Maybe the solution could be that the sign is replaced with Hall user parking only.

I am very concerned that the significant increase in Seniors enjoying the Comradeship, Fellowship, Mental stimulation and physical activities would be at risk of being compromised with no parking being available to them.

Renee McLennan, 4/1 Anzac terrace, Bassendean

Tree Preservation Orders: I would like to express my support for the tree preservation orders being endorsed by the Council.

In relation to Item 12.9 I am not supportive of the officer recommendation to advertise a weak tree protection policy requiring individual trees to be registered in order to receive protection. I am however very supportive of Council implementing a stronger policy (the alternative policy) that protects mature trees on private property and puts the onus on developers to obtain a permit before any significant trees can be removed. I encourage Councillors to endorse the alternative policy for advertising to the community.

Miles Burke, 13/51 Cyril Street, Bassendean

I would like to express my support for the tree protection orders being endorsed by the Council.

In relation to Item 12.9 Local Planning Policy 13 Tree Retention & Provision:

I do not the officer recommendation to advertise a weak tree protection policy requiring individual trees to be registered in order to receive protection. I would be very supportive of Council implementing a stronger policy (the alternative policy) that protects mature trees on private property and puts the onus on developers to obtain a permit before any significant trees can be removed. I encourage Councillors to endorse the alternative policy for advertising to the community.

Heinrich Benz, 9 Parnell Parade, Bassendean

I strongly support the endorsement of the proposed tree protection orders by the Council. These orders are crucial for safeguarding the valuable trees within our community. They provide essential protection against unnecessary removal and ensure the continued ecological and aesthetic benefits that trees offer.

In relation to Item 12.9, Local Planning Policy 13 Tree Retention & Provision:

I firmly oppose the officer recommendation to advertise a weak tree protection policy that requires individual tree registration for protection. This approach is insufficient and offers inadequate safeguards for our mature trees on private property.

Instead, I urge the Council to endorse the alternative policy for advertising. This stronger policy effectively protects mature trees by placing the onus on developers to obtain permits before removing any significant trees. This proactive approach ensures responsible development that prioritizes the preservation of our valuable tree canopy.

Nonie Jekabsons, 6 Barton Parade, Bassendean

Items 12.7 & 12.8

Tree Preservation Orders

I support the officer's recommendations for both items 12.7 and 12.8. I think it is important that TPO nominations are considered thoughtfully and not applied indiscriminately.

Sharon Matthews, 39 Seventh Avenue, Bassendean

I would like to herewith express my support for the tree protection orders being endorsed by the Council.

I am not supportive of the officer recommendation to advertise a weak tree protection policy requiring individual trees to be registered in order to receive protection. I am

appreciative of the work that has been done behind this recommendation, but feel strongly that this recommendation does not capture what the local Bassendean community wants in terms of protecting significant trees and maintaining essential tree canopy.

I am very supportive of Council implementing a stronger policy (ie the alternative policy offered) that protects mature trees on private property and puts the onus on developers to obtain a permit before any significant trees can be removed.

I strongly encourage Councillors to endorse the alternative policy for advertising to the community.

Carol Seidel, 55 Broadway, Bassendean

Ms Seidel addressed Council in relation to Item 12.7.

The images provided showing one Tasmanian Blue gum tree and 2 Northern River Blue gum trees provide a decent large tree canopy for the area, the fact that these trees have satisfactory structure as stated in the arborist's report.

These trees provide substantial shade for much needed passive cooling to remain, having just experienced lengthy periods of 40 -45 degree temperatures plus days at during January and February these 3 trees provide a health benefit to residents that live in adjacent homes within that area, also provided habitat to local birds as well.

We should be putting a value on mature trees, because of the benefits they provide and the understanding it takes easy 20 years for these trees to grow and be seen as asset to the landowner and the community at large.

We all need reminding mature trees will produce shade that reduces the temperature by 15 degrees, this is confirmed by the City of Melbourne study on the benefits of verge trees, The town should be embracing the benefit of keeping all large mature trees on all residential homes and development blocks for the well-being of our community. Council should accept this proposed preservation tree order application.

7 Questions from Members of the Public

It is noted that these Questions were received for the Briefing Session held on 20 February 2024.

Katarina Wolf, 4 Nurstead Avenue, Bassendean

I note the focus in Clause 60A on residential areas with a density code of R30 or below.

Given the current political landscape, pressure to provide more housing and housing options and imminent zoning changes under the LPS11, I am seeking clarification from Councillors and the Town Administration regarding intended safeguards to be put in place for areas zoned above R30.

I recognised the associated limitations when considering major building projects, but would like to emphasise that people living in apartments or small units, with limited to increasingly no access to gardens and public green space, are arguably in even greater need for us to preserve valuable tree cover. Environmental Sustainability considerations (Priority Area 2) should not be limited to residents in low density areas, most who have access to their own green spaces and autonomy over their own tree canopy. My question for the Town's Councillors is:
What safeguards are you going to put in place to ensure that residents in areas zoned R40+ have access to public open space and are considered as part of climate change mitigating measures, including tree canopy considerations?

Note: I note item 9.9 Public Open Space Strategy, but this item appears to be based on existing space, with limited to no consideration given to areas to be recoded under the LPS11. I urge councillors to plan for our Town's future by taking imminent coding changes and future dwelling distribution into account.

Answer: On 27 February 2024, Council resolved to adopt a draft Public Open Space Strategy for the purposes of advertising. The purpose of the Strategy is to provide guidance on the provision, development, management and use of POS within the Town of Bassendean and to ensure the design and development of POS meets conservation and environmental outcomes, including responding to climate change.

The Town requests you make comment during the advertising period.

Donald Yates, 10 Thompson Road, Success Hill

Australia has an aging population- how do Bassendean's demographics compare?

Answer: This information can be sourced from the Australian Bureau of Statistics.

Should the Town's 10 year Planning document be suspended until SCHEME 11 is gazetted soon so REAL PLANNING for an aging population can be implemented?

Answer: No

There is \$15 million for the Charge Up Grants, which provide co-funding for not-for-profits (NFPs), small to medium enterprises (SMEs) and local government authorities (LGAs) to install EV chargers".

Has the Town of Bassendean applied for any "Charge Up Grants" to install EV Chargers in the Town? If not, why not?

Has there been any communication with the Town's Sporting Clubs and the Bassendean Rail Museum to suggest co-funding applications to install EV chargers, as part of local community support and to encourage the local tourist industry? If not, why not?

Answer: Quotes have been received for a dual 22kW EV Charger at the Town's Depot, and a grant application will be submitted in the coming week. No communication has occurred regarding co-funding sporting Club/Rail Museum applications to install EV chargers, as there is no Council budget item or decision to fund installation, maintenance and ongoing costs of additional public EV Charging stations.

It is noted that the following Questions were received at the Ordinary Council Meeting held February 27, 2024.

Lyn Brown, 50a Fifth Avenue, Bassendean

Ms Brown congratulated the Town of Bassendean on being deemed as a Gold Waterwise Council by The Water Corporation and advised Council of the Bassendean Historical Society's recent activities. Ms Brown advised that she would email the town with some other concerns.

8 Petitions

9 Confirmation of Minutes

Council Resolution/Officer Recommendation – Item 9.1 **OCM 2024-02-06/1**

MOVED Cr Tallan Ames, Seconded Cr Jamayne Burke

That the minutes of the Ordinary Council Meeting held on 19 December 2023, be received and confirmed as a true and correct record.

CARRIED UNANIMOUSLY 7/0

Council Resolution/Officer Recommendation – Item 9.1.2 **OCM 2024-02-06/2**

MOVED Cr Tallan Ames, Seconded Cr Ken John

That the minutes of the Special Council Meeting held on 6 February 2024, be received and confirmed as a true and correct record.

CARRIED UNANIMOUSLY 7/0

10 Business Deferred from Previous Meeting

Nil.

11 External Committee Reports and Updates

| 11.1 External Committee Reports and Updates | |
|--|--|
| Property Address | NA |
| Landowner/Applicant | NA |
| File Reference | GOVN/CCLMEET/1 |
| Author | Cameron Woods |
| Department | CEO'S Office |
| Previous Reports | N/A |
| Authority/Discretion | Information For the Council/Committee to note. |
| Attachments | Nil |

Purpose

The purpose of this report is for Council to note that no minutes from external Committees and organisations have been received.

Council Resolution/Officer Recommendation – Item 11.1 **OCM 2024-02-27/3**

MOVED Cr Tallan Ames, Seconded Cr Emily Wilding

That Council notes that no documents from external Committees have been received within the reporting period.

CARRIED UNANIMOUSLY 7/0

12 Officer Reports

Council Resolution/Officer Recommendation – Item 12.1 **OCM 2024-02-27/4**

MOVED Cr Tallan Ames, SECONDED Cr Emily Wilding

It was agreed that item 12.3, 12.6, 12.7, 12.9, 12.10 be removed from the en-bloc and considered separately.

CARRIED UNANIMOUSLY 7/0

12.2 Monthly Financial Report - December 2023 and January 2024

| | |
|-----------------------------|---|
| Property Address | NA |
| Landowner/Applicant | NA |
| File Reference | FINM/AUD/1 |
| Author | Paul White |
| Department | Director Corporate Services |
| Previous Reports | N/A |
| Authority/Discretion | Legislative Includes adopting local laws, town planning schemes & policies. |
| Attachments | <ol style="list-style-type: none"> 1. Statement of Financial Activity at 31 December 2023 [12.2.1 - 10 pages] 2. Statement of Financial Activity at 31 January 2024 [12.2.2 - 10 pages] |

Purpose

The purpose of this report is for Council to receive the Monthly Financial Reports for December 2023 and December 2024 which incorporates the Statement of Financial Activity.

Council Resolution/Officer Recommendation – Item 12.2 **OCM 2024-02-27/5**

MOVED Cr Emily Wilding, Seconded Cr Ken John

That Council:

1. Notes the Explanation of Material Variances in the Statements of Financial Activity; and
2. Receives the Monthly Financial Report for the period ending 31 December 2023, which incorporates the Statement of Financial Activity for the period to December 2023.
3. Receives the Monthly Financial Report for the period ending 31 January 2024, which incorporates the Statement of Financial Activity for the period to January 2024.

CARRIED UNANIMOUSLY 7/0

| 12.3 Application for Development Approval - Single House - 1B (Lot 21) Walter Road East, Bassendean | |
|--|---|
| Property Address | 1B (Lot 21) Walter Road East, Bassendean |
| Landowner | Carnaby Management Pty Ltd |
| Applicant | Trendsetter Homes |
| File Reference | 2023-081 |
| Directorate | Community Planning |
| Previous Reports | N/A |
| Authority/Discretion | <p>Quasi-Judicial</p> <p>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.</p> |
| Attachments | <ol style="list-style-type: none"> 1. Development plans [12.3.1 - 5 pages] 2. Schedule of Submissions [12.3.2 - 5 pages] |

Purpose

The purpose of this report is for Council to consider an application for development approval for a 'Single House' and 'Ancillary Dwelling' at 1B (Lot 21) Walter Road East, Bassendean. The application is presented to Council due to the number and nature of public submissions received.

Council Resolution– Item 12.3 **OCM 2024-02-27/6**

MOVED Cr Tallan Ames, SECONDED Cr Emily Wilding

That Council approves the application for development approval for a 'Single House and Ancillary Dwelling' at 1B (Lot 21) Walter Road East, Bassendean, subject to the following conditions:

1. The Single House shall be constructed to a 7-Star Rating under the Nationwide House Energy Rating Scheme and in accordance with the NatHERS Certificate No. 0009189200 approved by Sustainability WA (dated 19 January 2024).
2. The Ancillary Dwelling shall be constructed to a 7-Star Rating under the Nationwide House Energy Rating Scheme and in accordance with the NatHERS Certificate No. 0009189325 approved by Sustainability WA (dated 19 January 2024).

3. The roof structure of the dwelling shall have a maximum solar absorptance rating of 0.5. Documentation confirming this rating shall be submitted prior to or in conjunction with a building permit application, and it must be implemented and maintained on site for the life of the development to the satisfaction of the Town of Bassendean.
4. All stormwater being contained and disposed of on site.
5. External fixtures, including but not limited to air-conditioning units, clothes drying facilities, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be located such that they are not visible from the street.
6. The driveway must be constructed of a permeable paving system, to the Town's satisfaction.
7. Prior to the occupation of the development a minimum 6.6kw photovoltaic solar panel system is required to be installed to the satisfaction of the Town of Bassendean. The solar panel system is to be depicted on plans submitted in association with a building permit application and maintained on site for the life of the development.
8. Prior to the occupation of the development water tank/s with a minimum (aggregate) 6,000 litre capacity shall be installed onsite and plumbed to either a toilet or laundry within the dwelling to the satisfaction of the Town of Bassendean. Alternatively an approved grey-water reuse system that collects grey water from the laundry and bathrooms and re-directs it for garden irrigation / ground water recharge must be installed prior to the initial occupation of the development to the satisfaction of the Town of Bassendean. The system is to be depicted on plans submitted in association with a building permit application and maintained on site for the life of the development.
9. Prior to the occupation of the development, 3-phase power shall be installed to enable the installation of vehicle charging points and/or the capacity for electric vehicle charging points to be installed at a later date, to the satisfaction of the Town of Bassendean.
10. Prior to the occupation of the development, a rain garden with an area of no less than 2% of the area of the roof cover of the house, must be provided on site. The rain garden is to be depicted on plans submitted in association with a building permit application and maintained on site for the life of the development.
11. Prior to the occupation of the development, the proposed medium tree (which, is have the potential, upon maturity, to have a canopy diameter in excess of 6m) is to be planted in the location depicted on approved plans. At the time of planting, the tree must be a minimum of 2m in height and 100-litre pot size, and the tree and associated tree growth zone must be retained for the life of the development to the satisfaction of the Town of Bassendean.

12. Prior to the occupation of the development, a notification must be registered on the Certificate of Title under Section 70A of the *Transfer of Land Act 1893* advising prospective purchasers that the site contains a tree which is required to be retained on site in perpetuity in accordance with a condition of development approval.
13. Prior to the occupation of the development, a notification must be registered on the Certificate of Title under Section 70A of the *Transfer of Land Act 1893* advising prospective purchasers that the site is subject to a development approval for a 'Single House' and 'Ancillary Dwelling' only, as defined by State Planning Policy 7.3 - Residential Design Codes (Volume 1). Further information can be obtained from the Town of Bassendean.
14. The street number must be prominently displayed at the front of the development.

Voting requirements: Simple Majority

CARRIED UNANIMOUSLY 7/0

| 12.4 Town of Bassendean Council Plan | |
|---|--|
| Property Address | N/A |
| Landowner/Applicant | N/A |
| File Reference | CORM/POLCY/1 |
| Directorate | CEO and Council Support |
| Previous Reports | N/A |
| Authority/Discretion | Executive The substantial direction setting and oversight role of the Council. |
| Attachments | <ol style="list-style-type: none"> 1. 23-058 - Community Workshop Notes [12.4.1 - 11 pages] 2. Final Council Plan Community Consultation-v 2 [12.4.2 - 18 pages] 3. 23-058 - Council Plan Inserts [12.4.3 - 23 pages] 4. 23-058 - FUTYR Council Plan - design - 231221 [12.4.4 - 28 pages] |

Purpose

The purpose of this report is for Council to adopt the Town of Bassendean Council Plan 2023-33.

Council Resolution– Item 12.4
OCM 2024-02-27/7

MOVED Cr Kathryn Hamilton, Seconded Cr Tallan Ames

That Council adopt the Town of Bassendean Council Plan 2023-33 subject to the following amendments to the Council Plan Inserts:

2.2.8. **Review format and** continue to deliver an annual Thank a Volunteer Day event to show appreciation for local volunteers.

3.2.1. Review the local planning scheme to investigate **preservation of mature and significant trees on private property.**

Voting requirements: Absolute Majority

CARRIED UNANIMOUSLY 7/0

| 12.5 Fleet - Disposal of surplus vehicles through auction. | |
|---|--|
| Property Address | |
| Landowner/Applicant | |
| File Reference | TBA |
| Directorate | Infrastructure |
| Previous Reports | Nil |
| Authority/Discretion | Executive The substantial direction setting and oversight role of the Council. |
| Attachments | Nil |

Purpose

The purpose of this report is for Council to consider the sale of three heavy fleet vehicles, currently surplus to requirements. The matter is referred to Council for determination as the expected income for each vehicle may exceed the \$20,000 threshold prescribed in the *Local Government (Functions and General) Regulations 1996*.

Council Resolution– Item 12.5 **OCM 2024-02-27/8**

MOVED Cr Tallan Ames, Seconded Cr Emily Wilding

That Council authorise the disposal of the following three heavy fleet vehicles through public auction:

- Tip Truck Plant 1.

- Tip Truck Plant 2.
- Tip Truck Plant 3.

Voting requirements: Simple Majority

CARRIED UNANIMOUSLY 7/0

| 12.6 Town Centre (Area 2) Parking Review | |
|---|---|
| File Reference | LAW/REPRTNG/3 |
| Directorate | Community Planning |
| Previous Reports | 23 November 2021 23 May 2023 |
| Authority/Discretion | Legislative Includes adopting local laws, local planning schemes & policies. |
| Attachments | 1. Schedule of Submissions [12.6.1 - 13 pages] 2. Proposed parking restrictions (amended following consultation) [12.6.2 - 1 page] |

Purpose

The purpose of this report is for Council to consider the parking restrictions within the Bassendean Town Centre and surrounds (Parking Area 2).

Background

On 23 November 2021, Council resolved to make various modifications to parking restrictions in the vicinity of Bassendean Oval (Parking Area 1). Line marking in accordance with the restrictions made has since been completed.

In late 2022, the Town undertook an audit of parking signage and restrictions of all thoroughfares located within Parking Area 2; being the area bounded by Guildford Road, West Road and Palmerston Street as detailed on the following map.



The audit included:

- Compilation of observational evidence from the Town's Ranger Services as to the use and occupancy of car parking bays.
- Site inspections (including parking counts); and
- A review of any existing complaints, comments and requests received for the community related to parking within Parking Area 2.

The audit identified that in some locations, existing parking restrictions or provisions are either no longer meeting the needs of the community or should be amended. Some areas are experiencing street parking with a low turnover rate of vehicles, obstruction of accessways and intersections and reports of increased difficulty in accessing thoroughfares due to an increase in street parking and/or the way street parking is utilised.

As a result of the audit, on 23 May 2023, Council considered various parking control measures and resolved to advertise them for community feedback, as below.

Hamilton Street

- Corner of Old Perth Road – 'No Stopping' yellow edge line markings to show the prohibited corner parking areas as per the Parking Local Law.

Whitfield Street

- Corner of Old Perth Road – 'No Stopping' yellow edge line markings to show the prohibited corner parking areas as per the Parking Local Law.
- Corner of Old Perth Road northwestern side – 'No Stopping' yellow edge line in front of the unit at 80 Old Perth Road up to and including 30 Whitfield Street.

- Corner of Old Perth Road southeastern side – 'No stopping' yellow edge line markings from the corner to the end of the first tree embayment to highlight 'No Stopping' on the corner and entrance to Whitfield Street.
- Remove the existing 'Motorcycle Only' bays outside 89 Old Perth Road and replace them with a street tree, to mirror the northern side of the crossover.

Old Perth Road – Senior Citizens car park

- Removal of the existing 'Seniors Centre Parking' only sign. The sign often creates conflict between centre attendees and other users of the car park resulting in altercations between users.

In addition to the above, Council resolved to authorise the Town to undertake targeted consultation with affected owners and occupiers of properties on Kenny Street, to inform future decisions regarding the potential installation of timed or permit parking restrictions.

Communication and Engagement

In accordance with Council's 23 May 2023 resolution, the Town undertook public consultation from 28 November 2023 to 22 December 2023, by way of the following:

- letters to potentially affected and/or nearby property owners and occupiers; and
- display on the Town's website.

In response, the Town received 39 submissions, as below.

- Hamilton Street - 1 submission (comment with no objection).
- Whitfield Street - 4 submissions (2 in support, 1 objection and 1 objection solely to the tree planting component of the proposal).
- 50 Old Perth Road - 19 submissions (all objections).
- Kenny Street - 15 submissions (6 requesting no change, 6 requesting permit parking, 1 requesting either no change or permit parking, 1 requesting both timed and permit parking and 1 objection).

A schedule of submissions is attached to the report. Relevant concerns raised in the submissions are subsequently discussed further in the report.

Strategic Implications

Priority Area 1: Strengthening and Connecting our Community

1.1 Fostering a culture of collaboration and trust between the organisation and community

Comment

Hamilton Street

No objections were received to the proposed installation of 'No Stopping' yellow edge line markings to show the prohibited corner parking areas as per the local law. The installation of the yellow edge line marking will give drivers clear instruction as to where parking is prohibited and will alleviate many of the reported issues.

A comment was received regarding extending the yellow marking on the western side of Hamilton Street. The comment is reasonable as this section of the Hamilton Street cannot accommodate two vehicles parked on either side of the street. It is therefore now proposed to extend the western yellow line marking to the southern extent of the crossover to 28 Hamilton Street. It is also proposed, for the sake of consistency, to convert the existing signed restrictions on the eastern side to yellow edge line markings.

Whitfield Street

One submission objected to the yellow edge line markings proposal, however, it was more in relation to removing street parking rather than the yellow line markings. The component of the proposal would involve the line extending to, but not impacting, the first existing on-street parking bay adjacent to 30 Whitfield Street. This will simply be a visual instruction for where it is currently illegal to park, i.e. within 10m of the intersection, double parking and obstructing driveways.

One submission raised concerns in relation to the proposed removal of the existing 'Motorcycle Only' bays outside of 89 Old Perth Road and subsequent replacement with a street tree. The objection was focused on the planting of a tree rather than the removal of the bays or the installation of yellow edge line markings; raising concerns about the maintenance of the tree and waste service vehicles having clear access to the verge for bin collection. **A review of aerial photography confirms that the subject area is used for roadside bin placement and collection.**

In considering the matter, the Town supports an alternative approach that would involve removing the motorcycle bays and continuing the 'No Stopping' yellow edge line markings to the existing on-street vehicle parking bay adjoining 27 Whitfield Street. Whilst this is installing a new parking restriction in the location, it is a cheaper alternative to installing a tree, will not restrict bin collection from the adjoining property, and would provide a clear, visual instruction of where it is illegal to stop a vehicle.

Given the change is particularly minor and does not impact the intent or the function of the previous Safe Active Street project, it is not considered necessary to seek the approval of the Department of Transport.

Seniors and Community Centre Car Park (50 Old Perth Road)

During the advertising period, the Town received 19 objections to the proposed removal of the sign at the entrance to the carpark which states 'Senior Centre Parking Only'. All objections were received from users of the senior centre and were based upon the loss of 'reserved' parking near the hall and inability for hall users / seniors to find parking in close proximity, with many noting mobility issues as their reasons for needing the parking close to the hall.

It is noted that, at present, the subject sign is simply a general request of the community, and not an enforceable restriction under the Local Law. As such, it does not prevent the bays from being used by parents associated with St Michaels School, the public or Town staff on an ad hoc basis throughout the day. This has created conflict between Centre attendees and other users of the car park. It is therefore recommended that a change be made, with the removal of the sign still the recommended approach.

Alternatively, it is open to Council to pursue permit parking, with permits granted only to regular users of the centre. Should Council pursue the latter option, it will require administrative, monitoring and infrastructure resources, including the installation of appropriate signage, and education and enforcement of the restriction.

Kenny Street

The section of Kenny Street, between Palmerston Street and Guildford Road is subject to reported issues of vehicles parking all day in association with the Bassendean Railway Station and the results of the initial consultation suggested that it may benefit from the installation of some form of parking control.

In accordance with Council's May 2023 resolution, the Town sought targeted feedback in relation to what the preferred approach to dealing with the issues would be. A total of six submissions requested no change, whilst six submissions requested permit parking, one requested combined timed and permit parking and one submission indicated no change as a preferred response and permit parking as a secondary response. One submission objected to all proposals.

The request to have both timed parking and permit parking to allow residents to park contrary to the time restrictions is not permissible, as a permit would not allow permit holders to park contrary to signed restrictions or other provisions of the local law.

With the even split of responses between no change and parking permits and the initial consultation identifying the need for some type of control measure, consideration should be given to parking permits for this location. This may have less of an impact on residents in the area, still allowing them to have access to street parking, however it will deter parking associated with the train station. It should be noted that this option will require administrative, monitoring and infrastructure

resources, including the installation of appropriate signage, and education and enforcement of the restriction.

Statutory Requirements

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

Financial Considerations

The installation of the 'No Stopping' yellow line marking is estimated to cost \$2,000. This expense is not provided for in the current 2023/2024 budget and will need to be included in the 2024/2025 budget.

The removal of the motorcycle parking bays, and the installation of a tree pit and tree is estimated to cost \$4,000. This expense is not provided for in the current 2023/2024 budget and will need to be included in the 2024/2025 budget.

Should council resolve to install 'No Stopping' yellow line marking in lieu of the installation of the tree, that line marking is expected to cost \$200. This is the recommended approach.

Risk Management Implications

If the final proposed amendments are not implemented, there is a risk that parking issues will continue to occur in the identified locations, affecting residents.

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation – Item 12.6

That Council

1. Pursuant to Clause 1.9 of the *Parking Local Law 2019*, makes the following modifications to parking restrictions within Parking Area 2:
 - Hamilton Street – installation of 'No Stopping' yellow edge lines at the intersection of Old Perth Road (all corners):
 - Hamilton Street – southwest corner of Old Perth Road - installation of 'No Stopping' yellow edge line to the southern extent of the crossover to 28 Hamilton Street.
 - Hamilton Street – eastern side - converting the existing signed restrictions to yellow edge line markings.

- Whitfield Street – installation of 'No Stopping' yellow edge lines at the intersection with Old Perth Road (all corners):
 - Whitfield Street – northwestern corner of Old Perth Road – installation of 'No Stopping' yellow edge line in front of the unit complex at 80 Old Perth Road up to and including the frontage of 30 Whitfield Street (up to and excluding existing street parking bay).
 - Whitfield Street – remove the existing 'Motorcycle Only' bays outside 89 Old Perth Road.
 - Whitfield Street – southeastern corner of Old Perth Road – installation of 'No Stopping' yellow edge line from the corner to the existing street parking bay adjoining 27 Whitfield Street.
 - 50 Old Perth Road (Seniors and Community Centre Car Park) – remove the existing signage.
3. Notes that the Town will undertake targeted consultation with affected owners and occupiers of properties impacted by the proposed change to the existing parking control measures to implement a permit parking restriction for the section of Kenny Street, between Guildford Road and Palmerston Street.

Voting requirements: Simple Majority

Council Resolution – Item 12.6
OCM 2024-02-27/9

MOVED Cr Tallan Ames, Seconded Cr Emily Wilding

That Council accepts the officer recommendation with the following amendments (noted in red):

That Council

1. Pursuant to Clause 1.9 of the Parking Local Law 2019, makes the following modifications to parking restrictions within Parking Area 2:
 - Hamilton Street – installation of 'No Stopping' yellow edge lines at the intersection of Old Perth Road (all corners):
 - Hamilton Street – southwest corner of Old Perth Road - installation of 'No Stopping' yellow edge line to the southern extent of the crossover to 28 Hamilton Street.
 - Hamilton Street – eastern side - converting the existing signed restrictions to yellow edge line markings.
 - Whitfield Street – installation of 'No Stopping' yellow edge lines at the intersection with Old Perth Road (all corners):
 - Whitfield Street – northwestern corner of Old Perth Road – installation of 'No Stopping' yellow edge line in front of the unit complex at 80 Old Perth Road up to and including the frontage of 30 Whitfield Street (up to and excluding existing

street parking bay).

- Whitfield Street – **Retain** the existing 'Motorcycle Only' bays outside 89 Old Perth Road.
 - Whitfield Street – southeastern corner of Old Perth Road – installation of 'No Stopping' yellow edge line from the corner to the existing street parking bay adjoining 27 Whitfield Street.
 - 50 Old Perth Road (Seniors and Community Centre Car Park) – **retain** the existing signage, 3. Notes that the Town will undertake targeted consultation with affected owners and occupiers of properties impacted by the proposed change to the existing parking control measures to implement a permit parking restriction for the section of Kenny Street, between Guildford Road and Palmerston Street.
2. Notes that the Town will undertake targeted consultation with affected owners and occupiers of properties impacted by the proposed change to the existing parking control measures to implement a permit parking restriction for the section of Kenny Street, between Guildford Road and Palmerston Street.

Voting requirements: Simple Majority

CARRIED UNANIMOUSLY 7/0

| 12.7 Proposed Tree Preservation Order - 11 (Lot 1119) Ashfield Parade, Ashfield | |
|--|--|
| Property Address | 11 (Lot 1119) Ashfield Parade, Ashfield |
| Applicant | Peter Robinson (nominator) |
| File Reference | TPO/2023/003 TPO/2023/006 TPO/2023/007 |
| Directorate | Community Planning |
| Previous Reports | N/A |
| Authority/Discretion | 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. |
| Attachments | 1. Arboricultural Report - 11 Ashfield Parade Ashfield [12.7.1 - 18 pages] |

Purpose

The purpose of this report is for Council to consider making Tree Preservation Orders (TPO’s) for three trees located at 11 (Lot 1119) Ashfield Parade, Ashfield.

Council Resolution– Item 12.7
OCM 2024-02-27/10

MOVED Cr Paul Poliwka, Seconded Cr Tallan Ames

Cr Carter left the chamber, time being 7.10pm.

That Council, *acknowledging that on advice from the Minister of Planning that gazettal of LPS 11 is imminent and under the application of LPS 11 this preservation order would fail*, pursuant to clause 4.7.7.2 of Local Planning Scheme No. 10, does not make Tree Preservation Orders for the Tasmanian Blue Gum (*Eucalyptus globulus*) and two Northern River Red Gums (*Eucalyptus camaldulensis* var.*obtus*) located at 11 (Lot 1119) Ashfield Parade, Ashfield.

Voting requirements: Simple Majority

CARRIED 6/0

| | |
|--|--|
| 12.8 Proposed Tree Preservation Order - 21 (Lot 44) Nurstead Avenue, Bassendean | |
| Property Address | 21 (Lot 44) Nurstead Avenue, Bassendean |
| Applicant | Katharina Wolf (nominator) |
| File Reference | TPO/2023/004 |
| Directorate | Community Planning |
| Previous Reports | N/A |
| Authority/Discretion | 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. |
| Attachments | 1. Arboricultural Report - 21 Nurstead Avenue Bassendean [12.8.1 - 12 pages] |

Purpose

The purpose of this report is for Council to consider making a Tree Preservation Order (TPO) for a Rose Gum tree (*Eucalyptus Grandis*) located at 21 (Lot 44) Nurstead Avenue, Bassendean.

Cr Carter returned to the Chamber, time being 7.13pm.

Council Resolution– Item 12.8
OCM 2024-02-27/11

MOVED Cr Tallan Ames, Seconded Cr Emily Wilding

That Council resolves, pursuant to clause 4.7.7.2 of Local Planning Scheme No. 10 to make a Tree Preservation Order for the Rose Gum Tree (*Eucalyptus Grandis*) located at 21 (Lot 44) Nurstead Avenue, Bassendean.

Voting requirements: Simple Majority

CARRIED UNANIMOUSLY 7/0

| | |
|---|---|
| 12.9 Draft amended Local Planning Policy 13 - Tree Retention and Provision | |
| File Reference | TBA |
| Department | Community Planning |
| Previous Reports | 23 June 2020 |
| Authority/Discretion | Legislative Includes adopting local laws, town planning schemes & policies. |
| Attachments | <ol style="list-style-type: none"> 1. Existing Local Planning Policy 13 - Tree Retention and Provision [12.9.1 - 4 pages] 2. Draft amended Local Planning Policy 13 - Tree Retention and Provision [12.9.2 - 5 pages] 3. Draft alternative amended Local Planning Policy 13 - Tree Retention and Provision [12.9.3 - 6 pages] |

Purpose

The purpose of this report is for the Council to consider a draft amended Local Planning Policy 13 – Tree Retention and Provision (LPP 13).

Officer Recommendation – Item 12.9

That Council, pursuant to Clause 5(1) and 4(1) of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, adopts draft amended *Local Planning Policy 13 – Tree Retention and Provision*, as contained as Attachment 2, for the purposes of advertising.

Council Resolution- Item 12.9
OCM 2024-02-27/12

MOVED Cr Kathryn Hamilton, Seconded Cr Paul Poliwka

That Council, pursuant to Clause 5(1) and 4(1) of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, adopts draft amended *Local Planning Policy 13 – Tree Retention and Provision*, as contained as **Attachment 3**, for the purposes of advertising.

Voting requirements: Simple Majority

CARRIED UNANIMOUSLY 7/0

| | |
|-----------------------------|--|
| 12.10 | Draft amended Local Planning Policy 8 - Car Parking and End of Trip Facilities |
| Property Address | N/A |
| Landowner/Applicant | N/A |
| File Reference | TBA |
| Department | Community Planning |
| Previous Reports | 25 May 2021 |
| Authority/Discretion | Legislative Includes adopting local laws, town planning schemes & policies. |
| Attachments | <ol style="list-style-type: none"> 1. Existing Local Planning Policy 8 - Car Parking and End of Trip Facilities [12.10.1 - 7 pages] 2. Draft Interim Guidance document - Car parking requirements for non-residential land uses in Perth and Peel (DPLH, February 2023) [12.10.2 - 14 pages] 3. Draft amended Local Planning Policy 8 - Car Parking and End of Trip Facilities [12.10.3 - 6 pages] 4. Comparison of car parking requirements [12.10.4 - 2 pages] |

Purpose

The purpose of this report is for Council to consider a draft amended Local Planning Policy 8 – Car Parking and End of Trip Facilities (LPP 8).

Cr Jamayne Burke left the meeting at 7:42 pm.

Cr Jamayne Burke returned to the meeting at 7:43 pm.

Officer Recommendation/Council Resolution– Item 12.10
OCM 2024-02-27/13

MOVED Cr Tallan Ames, Seconded Cr Ken John

That Council, pursuant to Clause 5(1) and 4(1) of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, adopts draft amended *Local Planning Policy 8 – Car Parking and End of Trip Facilities*, as contained as Attachment 2, for the purposes of advertising.
amendment 1 bay per 75sqm irrespective of use.

Voting requirements: Simple Majority

CARRIED 4/2

| 12.11 Draft Public Open Space Strategy | |
|---|--|
| Property Address | Various |
| Landowner/Applicant | Town of Bassendean |
| File Reference | TBA |
| Directorate | Community Planning |
| Previous Reports | 26 April 2022 |
| Authority/Discretion | Executive The substantial direction setting and oversight role of the Council. |
| Attachments | 1. Draft POS Strategy [12.11.1 - 80 pages] |

Purpose

The purpose of this report is for the Council to consider a draft Public Open Space (POS) Strategy, for the purpose of advertising.

Council Resolution/Officer Recommendation – Item 12.11 **OCM 2024-02-27/14**

MOVED Cr Tallan Ames, Seconded Cr Emily Wilding

That Council adopts the draft Public Open Space Strategy, as attached to this report, for the purposes of advertising.

Voting requirements: Simple Majority

CARRIED UNANIMOUSLY 7/0

| 12.12 Corporate Business Plan Reporting | |
|--|-----|
| Property Address | N/A |

| | |
|-----------------------------|--|
| Landowner/Applicant | N/A |
| File Reference | CORM/POLCY/1 |
| Directorate | CEO and Council Support |
| Previous Reports | N/A |
| Authority/Discretion | Executive The substantial direction setting and oversight role of the Council. |
| Attachments | 1. Final Half Year Report 1 July 2023 - 31 December 2023 [12.12.1 - 24 pages] |

Purpose

The purpose of this report is for Council to receive the Corporate Business Plan Half Year Report for the period ending 31 December 2023.

Council Resolution/Officer Recommendation – Item 12.12 **OCM 2024-02-27/15**

MOVED Cr Tallan Ames, Seconded Cr Emily Wilding

That Council:

1. Receive the 1 July 2023 – 31 December 2023 Half Year Report updating the projects / actions set out in the Town of Bassendean Corporate Business Plan.
2. Note that all future reporting will be aligned to the 2023-2033 Council Plan.

Voting requirements: Simple Majority

CARRIED UNANIMOUSLY 7/0

| | |
|---|--------------------|
| 12.13 Accounts Paid - December 2023 and January 2024 | |
| Property Address | N/A |
| Landowner/Applicant | N/A |
| File Reference | FINM/CREDTS/4 |
| Directorate | Corporate Services |
| Previous Reports | |
| Authority/Discretion | Legislative |

| | |
|--------------------|---|
| | Includes adopting local laws, local planning schemes & policies. |
| Attachments | <ol style="list-style-type: none"> December 2023 Accounts Paid [12.13.1 - 17 pages] January 2024 Accounts paid [12.13.2 - 14 pages] |

Purpose

The purpose of this report is for Council to receive the list of accounts paid for December 2023 and January 2024.

Council Resolution/Officer Recommendation – Item 12.13 **OCM 2024-02-27/16**

MOVED Cr Tallan Ames, Seconded Cr Emily Wilding

That Council receives the list of accounts paid for December 2023 and January 2024.

CARRIED UNANIMOUSLY 7/0

| | |
|---|---|
| 12.14 Mid-Year Budget Review - Annual Budget 2023/24 | |
| Property Address | N/A |
| Landowner/Applicant | N/A |
| File Reference | FINM/BUGTG/1 |
| Department | Corporate Services |
| Authority/Discretion | <p>Executive</p> <p>The substantial direction setting and oversight role of the Council.</p> |
| Attachments | <ol style="list-style-type: none"> MYR Financial Report Final [12.14.1 - 4 pages] CONFIDENTIAL REDACTED - Materials and Contracts - Summary [12.14.2 - 1 page] CONFIDENTIAL REDACTED - F Y 23-24 MYR Capex - 31.12.23 [12.14.3 - 4 pages] CONFIDENTIAL REDACTED - F Y 23-24 MYR Opex - 31.12.23 [12.14.4 - 2 pages] |

Purpose

The purpose of this report is to present the 2023/24 Annual Budget Mid-Year Review to Council for adoption (“Statutory Budget Review”).

Council Resolution/Officer Recommendation – Item 12.14

OCM 2024-02-27/17

MOVED Cr Kathryn Hamilton, Seconded Cr Tallan Ames

That Council adopts the Statutory Budget Review, as outlined in this report and detailed in the attachments to this report, **subject to the following correction being made;**

That the total budget cost for Project no. AB2401 listed as \$96,400 in error is amended to a total cost of \$69,000.

Cr Emily Wilding left the meeting at 7:47 pm.

Voting requirements: Absolute Majority

CARRIED 6/0

13 Motions of which Previous Notice has been given

14 Announcements of Notices of Motion for the next meeting

15 Urgent Business

16 Confidential Business

17 Closure

Cr Wilding returned to the chamber at 7.48pm.

There being no further business, the Presiding Member declared the meeting closed, the time being 7.50pm.

The next Briefing Session will be held on 19 March 2024.

The next Ordinary Council Meeting will be held on 26 March 2024.