

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

HELD BY ELECTRONIC MEANS IN ACCORDANCE WITH REGULATION 12(2) AND 14(D)
OF THE LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996

ON TUESDAY 22 MARCH 2022 AT 6.00PM

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

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

Council Resolution – Item 1.0 OCM – 1/03/22

MOVED Cr McLennan, Seconded Cr Wilding, that Council suspend the operation of clauses 6.9, 6.12, 6.17, 7.1 and 7.2 and modify the operation of clauses 6.1, 6.6, 6.7, 6.10 and 6.11 of the Town of Bassendean Meeting Procedures Local Law 2020 for the duration of this electronic meeting and that these matters be determined at the discretion of the Presiding Member.

CARRIED UNANIMOUSLY 7/0

2.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Phase3 Landscape Construction are at the halfway mark of installing the nature playground at Sandy Beach. It's anticipated to be completed in the second half of 2022 with a new jetty, bike racks, drinking fountain, new toilets and native planting beds.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

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

Ms Peta Mabbs, Chief Executive Officer
Mr Luke Gibson, Director Community Planning
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
Ms Alex Evans,
Ms Donna Shaw,
Mr Brice Campbell,
Mrs Amy Holmes, Minute Secretary

Public

Nil

Leave of Absence

Council Resolution – Item 3.0

OCM – 2/03/22

MOVED Cr Wilding, Seconded Cr MacWilliam, that Cr McLennan be granted a leave of absence for 18-25 April 2022.

CARRIED UNANIMOUSLY 7/0

4.0 DECLARATIONS OF INTEREST

Cr Hamilton declared a Proximity Interest for Item 12.3 as she lives adjacent to a right of way.

Cr McLennan declared an Impartiality Interest for Item 16.2 as she has nominated one of the nominees recommended to receive a community award.

Cr Ames declared an Impartiality Interest for Item 12.2 as he has a long term association with the Swan Districts Football Club, and an Impartiality Interest for Item 12.3 as he has relatives that reside adjacent to a right of way in Bassendean.

5.0 PRESENTATIONS OR DEPUTATIONS

Mr George Christos addressed the Council on Item 12.3 - Draft Rights of Way Strategy.

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

Mr Don Yates, 10 Thompson Road, Bassendean

Based on Bureau of Metrology predictions for Perth, higher than average rainfall is predicted between now and the end of winter 2022. If the flooding level is say 0.5m deep, does the Town of Bassendean administration accept that the new Sandy Beach playground could be almost completely flooded if a flood depth of 0.5m event was to happen.

The CEO responded that hypothetically if there is flooding of 0.5m, some parts of the playground may be impacted.

While the flooding levels may not be as severe as Lismore in NSW, residents of Lismore may no longer be able to take out insurance policies to recover losses from flooding. With the Sandy Beach playground being in a "1 in 25 year flooding area", and major 7 'major' floods occurred in 1862, 1872, 1910, 1945, 1963, 1964 and 1983, does the Town of Bassendean administration believe that a 'major' flood will not happen in the next 25 years?

The Executive Manager Sustainability and Environment advised that a 1 in 25 year flood event has an annual recurrence interval

(ARI) of 4% (i.e. a 4% chance of occurring in any year). The Town is not able to comment on whether the seasonal climate outlook issued by BOM will impact risk of flooding of Sandy Beach playground. The BOM outlook for April - June 2022 is for "below median rainfall" for south-west WA (not increased rainfall).

Does the Town of Bassendean Administration believe that they hold insurance policies that would repair/replace the Sandy Beach playground if a 'major' flood incident was to happen.

The Director Corporate Services responded that the Town's assets (playground, benches etc) will be listed on the Town's property asset register and will be covered by LGIS for the usual risks such as fire, storm, flood, vandalism etc.

Ms Nonie Jekabsons, 6 Barton Parade, Bassendean

The Town has proposed to revert to the spraying of Glyphosate Based Herbicide on hard surfaces. If GBH is "safe", why is it not to be used near schools and day care centres.

The Executive Manager Sustainability and Environment advised that there is no reason why Roundup Biactive can't be used adjacent to sensitive sites, if consideration is given to appropriate timing and notification. The use of steam in these areas is proposed as a compromise due to community concerns relating to use of glyphosate.

Has the Town taken into consideration the expense / staff time required to maintain and enforce a "No Spray" register of residents who do not wish to have their verges sprayed, and to send timely notifications to affected residents prior to undertaking GBH weed treatment?

The Executive Manager Sustainability and Environment commented that while there may initially be some time involved in establishing the "No-Spray" list, this can be managed with existing staff resources over the 3 month period prior to commencement of the proposed amended weed management approach in July 2022. An electronic online form will be created to enable residents/property owners to register (paper based copies will also be available). Should those on the 'No spray' list wish to receive notifications prior to each application, this can occur through standard email sent at a specified timeframe prior to the programmed dates.

Has the Town considered revising verge mowing practises to reduce the spread of weed seeds, and the germination of weeds in bare patches of ground created by heavy mowing?

The Executive Manager Infrastructure advised that the Town is proposing to review its mowing schedules.

Mr Bill Busby, Haig Street, Ashfield

Will the Town Consider funding of training for volunteer community groups for Weed Control and these volunteers to work in co-operation with the Councils professional staff supervision.

The Executive Manager Sustainability and Environment advised that the Town currently works with a range of volunteers and community/ Friends of Groups in natural areas, who contribute to a variety of tasks including weed control. Use of herbicides by volunteers is not permitted. The support provided by the Town includes funding, in-kind assistance and supervision/ guidance. A revised Bushcare Volunteer Manual is currently being created, and this will include provision for training. Unfortunately, volunteer work within road reserves is generally not possible, due to the traffic management considerations and safety risks. For more information or if you wish to be involved please contact the Town's Conservation Officer or search the list of existing groups at Listings for Community » Community Organisations » Town of Bassendean.

Will the Town follow up on the EMRC having ownership of Weed Control Equipment to Hire or Loan . From some correspondence I note that there could be 50 or more good people to volunteer to assist the Town we all care for.

The Executive Manager Sustainability and Environment advised that due to the nature of steam weeding, for the Town of Bassendean contracting out this service is a more efficient and effective option than hiring equipment.

8.0 **PETITIONS**

Nil

9.0 CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held on 22 February 2022

Council Resolution/Officer Recommendation – Item 9.1(a) **OCM – 3/03/22**

MOVED Cr MacWilliam, Seconded Cr Wilding, that the minutes of the Ordinary Council Meeting held 22 February 2022, be received.

CARRIED UNANIMOUSLY 7/0

Council Resolution/Officer Recommendation – Item 9.1(b) **OCM – 4/03/22**

MOVED Cr MacWilliam, Seconded Cr McLennan, that the minutes of the Ordinary Council Meeting held on 22 February 2022, 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	A. WALGA East Metropolitan Zone Meeting Minutes – 17 February 2022 B. EMRC Abridged Minutes – 24 February 2022 C. EMRC Delegates Report – 24 February 2022 D. EMRC Special Meeting Unconfirmed Minutes – 3 March 2022

Purpose

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

Council Resolution/Officer Recommendation – Item 11.1 **OCM – 5/03/22**

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

CARRIED UNANIMOUSLY 7/0

12.0 REPORTS

12.1 Adoption of Recommendations En Bloc

It was agreed that items 12.2 & 12.4 be removed from the en-bloc table and considered separately.

Council Resolution/Officer Recommendation – Item 12.1(a) **OCM – 6/03/22**

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

Item	Report
12.9	Australian Local Government Association Nation General Assembly Motion
12.10	Accounts Paid – February 2022
12.11	Monthly Financial Report – February 2022
12.12	Use of Common Seal

CARRIED UNANIMOUSLY 7/0

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

Item	Report
12.2	Bassendean Oval Business Case
12.3	Draft Rights of Way Strategy
12.4	Draft Local Planning Policy – Sustainable Development
12.5	Review of Streetscape Weed Management
12.6	Review of Council Policies - Environmental Sustainability and Adaption to Climate Change
12.7	Proposed Cats Amendment Local Law 2022
12.8	Audit and Governance Committee Meeting held on 9 March 2022
12.13	Calendar for April 2022
13.1	Notice of Motion – Cr Poliwka: Engagement with property development industry representative body to assess impacts when developing policy proposals impacting town centre
16.1	Baywaste Tip Passes
16.2	Community Awards

Cr Hamilton moved a procedural motion to defer item 16.1.

Council Resolution/Officer Recommendation – Item 12.1(b)
OCM – 7/03/22

MOVED Cr Hamilton, Seconded Cr McLennan, that Item 16.1 be deferred.

CARRIED UNANIMOUSLY 7/0

Item No. 12.2	Bassendean Oval Business Case
Property Address	1 West Road, Bassendean
Landowner/Applicant	Crown land vested with Town of Bassendean
Ref	COMDEV/PLANNING/4 and ROC19/69544
Directorate	Community Planning
Decision Type	Executive
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 permits, 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	Nil.

Purpose

The purpose of this report was for Council to consider the Bassendean Oval Business Case project in light of the development of a Town Centre Masterplan.

Officer Recommendation – Item 12.2

That Council:

1. Ceases its involvement with the Bassendean Oval Business Case project (as currently scoped) and notes that unspent funds will be returned to the original sources on a proportionate basis.
2. Acknowledges that, whilst it has resolved to cease its involvement with the Bassendean Oval Business Case, the Town will, where possible, continue liaison and discussion with the Swan Districts Football Club regarding matters affecting Bassendean Oval, including (but not limited to) the future redevelopment of the reserve site.

Cr Ames moved the Officer Recommendation with an amendment to Point 1 and an additional Point 3 as shown in bold.

Council Resolution/Officer Recommendation – Item 12.2 **OCM – 8/03/22**

MOVED Cr Ames, Seconded Cr Poliwka, that Council:

1. **Ceases its involvement with the Bassendean Oval Business Case project (as currently scoped);**
2. Acknowledges that, whilst it has resolved to cease its involvement with the Bassendean Oval Business Case, the Town will, where possible, continue liaison and discussion with the Swan Districts Football Club regarding matters affecting Bassendean Oval, including (but not limited to) the future redevelopment of the reserve site; and
3. **Requests that the CEO approaches funding contributors in order to seek to redirect funds (unspent from the Business Case) to Swan Districts Football Club to support their future endeavours in the planning of a new football facility.**

CARRIED UNANIMOUSLY 7/0

Reason: Important and valuable information (2+ years) has been developed in the previous business case, and it's important that this information is used, where appropriate, moving forward and not shelved & forgotten about. Funding that is currently on hand for the Bassendean Oval Business case can be used for the continued efforts between The Town & SDFC to reduce further costs in the development of a new business case that is in line with the Town Centre Master Plan.

Item No. 12.3	Draft Rights of Way Strategy
Property Address	N/A
Landowner/Applicant	N/A
Ref	ROAD/STMNGT/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. 3	A. Draft ROW Strategy (as amended after advertising) B. ROW Map C. Schedule of Submissions D. Council Policy 1.6 – Maintenance of Rights of Way Policy E. Council Policy 1.20 – Rights of Way Closure

Cr Hamilton declared a Proximity Interest and left the meeting at 6.50pm, Cr McLennan took the Chair.

Purpose

The purpose of this report was for Council to consider the draft Rights of Way (ROW) Strategy for final adoption, and revoking Council Policies 1.6 – Maintenance of Rights of Way Policy and 1.20 – Right-of-Way Closure.

Officer Recommendation – Item 12.3

That Council:

1. Adopts the draft amended Rights of Way Strategy as contained in Attachment A;
2. Waives the administrative fee associated with ROW closure requests where closure is recommended within the adopted ROW Strategy; and
3. Revokes Council Policies 1.6 – Maintenance of Rights of Way and 1.20 – Right-of-Way Closure.

Cr McLennan moved the Officer Recommendation with amendments as shown in bold.

Council Resolution/Officer Recommendation – Item 12.3
OCM – 9/03/22

MOVED Cr McLennan, Seconded Cr Poliwka, that Council:

1. Adopts the draft amended Rights of Way Strategy as contained in Attachment A **with the following changes:**
 - a) **Amend the recommendation for RoW 5 (page 17) to replace “Future Closure” with “Closure”;**
 - b) Amend the RoW Assessment for RoW 5 (Attachment A) to replace:

“There is currently one property using ROW 5 for rear caravan access. The Strategy recommends that the formal closure of ROW 5 be delayed until this property redevelops.”

with

“There is currently one property using ROW 5 for rear caravan access. The Strategy recommends that ROW 5 be closed, acknowledging that the closure may occur in two stages, depending on the redevelopment of Lot 778”;
 - c) **The rights of way designated as RoW1 and RoW4 are to be retained until the Town has investigated the appropriate density to be applied to the transit corridors that run parallel to RoW1 and RoW4;**
2. Waives the administrative fee associated with ROW closure requests where closure is recommended within the adopted ROW Strategy; and
3. Revokes Council Policies 1.6 – Maintenance of Rights of Way and 1.20 – Right-of-Way Closure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

Reason: The Town has received a petition from the residents/owners of properties adjoining ROW#5 requesting that the ROW be recommended for closure. There is no strategic reason for this request not to be supported.

The retention of the named laneways (i.e. ROW 1 and 4) is to provide flexibility in the planning treatment that may be applied in respect of the properties adjacent to the laneways in the event an investigation into the appropriate density on, and in the vicinity of, transit corridors yields significantly higher density. Such planning treatment could include mandating vehicular access to be limited to a redeveloped laneway to preserve the streetscape.

Planning changes should not defeat legitimate expectations of residents or unduly change the town planning landscape. It being known there are aspirations in respect of the corner lot that can be accommodated without interference with any other resident or orderly planning, this should occur.

Cr Hamilton returned to the meeting at 7.05pm and resumed as Chair.

Item No. 12.4	Draft Local Planning Policy – Sustainable Development
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
Ref	LUAP/POLICY/8 LUAP/POLICY/9
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.
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<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. 4	A. Draft Local Planning Policy – Sustainable Design B. Local Planning Policy No. 2 – Energy Efficient Design C. Local Planning Policy No. 3 – Water Sensitive Design Policy D. Sustainable Development Information Sheet

Purpose

The purpose of this report was for Council to consider a new draft Local Planning Policy – Sustainable Development, for the purposes of advertising. The draft Policy is intended to replace existing Local Planning Polices 2 and 3.

Officer Recommendation – Item 12.4

That Council pursuant to Clause 4(1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, advertises the draft Local Planning Policy – Sustainable Development, as contained as an attachment to this report.

Cr McLennan moved the Officer Recommendation with amendments as shown in bold.

Council Resolution/Officer Recommendation – Item 12.4
OCM – 10/03/22

MOVED Cr McLennan, Seconded Cr Wilding, that Council pursuant to Clause 4(1) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, advertises the draft Local Planning Policy – Sustainable Development, as contained as an attachment to this report **with the following amendments incorporated:**

1. **Application: applies to all residential development** for single houses, grouped dwellings and multiple dwellings (up to and including R35 only);
2. **New dwellings with single residential density code must comply with requirements 6.1.1 c, d & e and 6.1.2. Requirements for split residential density code seeking approval at the middle or higher residential coding remain as drafted;**
3. **Incorporates the following changes:**
 - (i) **6.1.2 Roof colour** – Flat roof structures that are not visible from the street or adjacent properties – 0.4. Pitched roof structures or roof structures that are visible from the street or adjacent properties – 0.5 unless otherwise required by Local Planning Policy – Heritage and Character, a Conservation Management Plan and/or a Heritage Assessment; and
CARRIED UNANIMOUSLY 7/0

Note: 6.1.1 clause c = solar panels; clause d = rainwater tank; e= provision for electric charger; clause 6.1.2 = roof colour

Reason: The world is facing a climate crisis. The 2022 IPCC (Intergovernmental Panel on Climate Change) Report states: It is unequivocal that climate change has already disrupted human and natural systems. Past and current development trends (past emissions, development and climate change) have not advanced global climate resilient development (very high confidence). Societal choices and actions implemented in the next decade determine the extent to which medium and long-term pathways will deliver higher or lower climate resilient development (high confidence).” At COP26 (November 2021), the world recognised the need for rapid action if the possibility of limiting global temperature rise to 1.5 degrees and avoidance of predicted catastrophic effects of climate change is to be achieved. This requires action at all levels including local government and community where there is the opportunity to reduce the impact of development on emissions and urban heating and contribute to a more sustainable future. The amended policy supports to the Town’s commitment to leadership in the area of sustainability as reflected in our vision: “A community and local government that take environmentally sustainable actions for our Town, State, country and planet... that makes brave decisions and enables positive change... resilient, adaptable to change and moving towards self-sufficiency”.

Item No. 12.5	Review of Streetscape Weed Management
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
Ref	ENVM/MAINT/1
Directorate	Environment and Sustainability
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.
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<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment No. 5	A. Steam Weeding Monitoring Report B. Amended Streetscape Weed Management Strategy

Purpose

The purpose of this report was for Council to consider rescinding a previous resolution to suspend the use of glyphosate on hard surfaces in the urban environment, to enable a revised streetscape weed management approach (Attachment B) to commence in 2022/23.

Officer Recommendation – Item 12.5

That Council:

1. Rescinds Council resolution OCM 12/04/16, Part 3 which reads:

“Suspends the use of glyphosate on hard surfaces in the urban environment”;

2. Rescinds Council resolution OCM 8/05/17, Part 1 which reads:

“Upholds the suspension of the use of glyphosate on hard surfaces in the urban environment as per the Council resolution OCM-12/4/16”; and

3. Notes that steam weeding of hard surfaces within streetscapes will continue until 30 June 2022, following which a new integrated weed management approach will commence as summarised in Attachment B.

Cr Hamilton moved the Officer Recommendation with amendments as shown in bold.

Council Resolution/Officer Recommendation – Item 12.5
OCM – 11/03/22

MOVED Cr Hamilton, Seconded Cr Poliwka, that Council:

1. Rescinds Council resolution OCM 12/04/16, Part 3 which reads:
“Suspends the use of glyphosate on hard surfaces in the urban environment”;
2. Rescinds Council resolution OCM 8/05/17, Part 1 which reads:
“Upholds the suspension of the use of glyphosate on hard surfaces in the urban environment as per the Council resolution OCM-12/4/16”; and
3. Notes that steam weeding of hard surfaces within streetscapes will continue until 30 June 2022; following which a new integrated weed management approach will commence as summarised in Attachment B **with the following amendments:**
 - **That provision be made to continue steam weeding for all Tier 3 hard surfaces (local access roads) until June 2023 with some spot spraying of herbicides or alternative treatments permitted where there is demonstrated instances of weeds causing damage to infrastructure;**
 - **Requests the CEO enter into discussions for MRWA to take back maintenance of the Guildford Road Medians;**
 - **Trials new or alternative methods of weed control with the aim to phase out use of glyphosate on hard surfaces within the road reserves over the next four years;**
4. **Requests the CEO provide Councillors with an assessment of the overall Streetscape Weed Management each year;**
5. **Requests a review of the Town’s mowing programs and equipment with an aim to reduce the weed seed bank throughout the district; and**
6. **Requests allocation of \$10,000 for consideration in the 2022/23 budget for the co-funding of WaterWise Grants for Verge Transformation projects in the lead up to winter planting periods during the 2022/23 financial year.**

CARRIED BY AN ABSOLUTE MAJORITY 4/3

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

Reason: To provide the best integrated weed management practices as the Town of Bassendean trials new emerging processes and technologies for weed control.

Item No. 12.6	Review of Council Policies - Environmental Sustainability and Adaption to Climate Change
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
Ref	GOVR/POLCY/1
Directorate	Environment and Sustainability
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 type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment No. 6	Attachment A 2.1 Sustainable Bassendean Policy 2.2 Treatment of Weeds and Noxious Plants Policy 2.3 Natural Areas Management Policy 2.4 Local Biodiversity Policy 2.6 Foreshore Restoration Policy 2.8 Energy Use 2.9 Water Sensitive Urban Design and Water Conservation 2.10 Nutrient and Irrigation Management 2.11 Wetlands B. Policy review recommendations C. Natural Environment, Sustainability and Climate Action Statement

Purpose

The purpose of this report was for Council to consider revocation of the following Council Policies:

- 2.1 Sustainable Bassendean Policy;
- 2.2 Treatment of Weeds and Noxious Plants Policy;
- 2.3 Natural Areas Management Policy;

- 2.4 Local Biodiversity Policy;
- 2.6 Foreshore Restoration Policy;
- 2.8 Energy Use; and
- 2.10 Nutrient and Irrigation Management.

Council Resolution/Officer Recommendation – Item 12.6
OCM – 12/03/22

MOVED Cr McLennan, Seconded Cr Hamilton, that Council:

1. Pursuant to the Local Government Act 1995, revokes the following Council Policies:
 - 2.1 Sustainable Bassendean Policy;
 - 2.2 Treatment of Weeds and Noxious Plants Policy;
 - 2.3 Natural Areas Management Policy;
 - 2.4 Local Biodiversity Policy;
 - 2.6 Foreshore Restoration Policy;
 - 2.8 Energy Use;
 - 2.10 Nutrient and Irrigation Management; and

2. Notes that the following policies will be reconsidered upon development of the Waterwise Bassendean Strategy in 2022/23:
 - 2.9 Water Sensitive Urban Design and Water Conservation; and
 - 2.11 Wetlands.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

Item No. 12.7	Proposed Cats Amendment Local Law 2022
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. 7	Draft Cats Amendment Local Law 2022

Purpose

The purpose of this report was for Council to consider making the *Cats Amendment Local Law 2022*.

Council Resolution/Officer Recommendation – Item 12.7

OCM – 13/03/22

MOVED Cr Hamilton, Seconded Cr Poliwka, that Council, in accordance with Section 3.12(4) of the *Local Government Act 1995*, makes the Town of Bassendean *Cats Amendment Local Law 2022*, as attached, and authorises the Common Seal to be attached.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

Item No. 12.8	Audit and Governance Committee Meeting held on 9 March 2022
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, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 8	<ul style="list-style-type: none"> A. Minutes of the Audit and Governance Committee meeting held on 9 March 2022 B. OAG Independent Auditor's Report 2020/2021 C. Draft Report to the Minister for Local Government – Ratios D. Town of Bassendean Compliance Audit Return 2021 (updated 17 March 2022) E. Draft Amended Purchasing Policy F. Current Risk Management Policy G. Draft Risk Management Policy

Confidential Attachment No. 1	H. Draft Fraud and Corruption Policy A. Draft Risk Management Framework B. Risk Profile and Reporting Tool C. Draft Fraud and Corruption Control Plan D. Audit Risk Register
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Purpose

The purpose of this report was for Council to receive the report on the meeting of the Audit and Governance Committee held on 9 March 2022.

Council Resolution/Officer Recommendation – Item 12.8 **OCM – 14/03/22**

MOVED Cr Poliwka, Seconded Cr McLennan, that Council:

1. Receives the report on the Audit and Governance Committee meeting held on 9 March 2022;
2. Receives the draft Report to the Minister for Local Government attached to this report and provides the report to the Minister for Local Government;
3. Notes that a copy of the Report to the Minister for Local Government will be made available on the Town's website, within 14 days as prescribed;
4. Considers increasing asset renewal expenditure in relation to assets which have been earmarked for long term retention by the Town through its Asset Management Strategy;
5. Adopts the Local Government 2021 Compliance Audit Return for the Town of Bassendean for the period 1 January 2021 to 31 December 2021, attached to this report;
6. Adopts the draft Amended Purchasing Policy, attached to this report;
7. Revokes the current Risk Management Policy, attached to this report;
8. Adopts the draft Risk Management Policy, attached to this report;
9. Adopts the draft Risk Management Framework (confidential), attached to this report;
10. Notes the Risk Profile and Reporting Tool (confidential), attached to this report;
11. Adopts the draft Fraud and Corruption Policy, attached to this report;
12. Endorses the draft Fraud and Corruption Control Plan (confidential), attached to this report; and

13. Receives the Audit Risk Register (confidential) attached to this report and notes the action taken or proposed to address the identified risks.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

Item No. 12.9	Australian Local Government Association Nation General Assembly Motion
Directorate	Environment and Sustainability
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref	WSTMNGT/SVPROVN/3
Authority/Discretion <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input 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/licenses (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. 9	Draft ALGA NGA Motion

Purpose

For Council to consider endorsing a Motion for the Australian Local Government Association's (ALGA) National General Assembly (NGA) relating to the packaging coregulatory product stewardship scheme.

Council Resolution/Officer Recommendation – Item 12.9

OCM – 15/03/22

MOVED Cr McLennan, Seconded Cr MacWilliam, that Council endorses the attached Motion to be submitted for Australian Local Government Association's 2022 National General Assembly.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/03/22 7/0

Item No. 12.10	Accounts Paid – February 2022
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, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 10	List of Payments - February 2022

Purpose

The purpose of this report was for Council to receive the list of payments for February 2022.

Council Resolution/Officer Recommendation – Item 12.10

OCM – 16/03/22

MOVED Cr McLennan, Seconded Cr MacWilliam, that Council receive the list of payments for February 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/03/22 7/0

Item No. 12.11	Monthly Financial Report – February 2022
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 licenses, applications for other permits/licenses (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. 11	Monthly Financial Report

Purpose

The purpose of this report was for Council to receive the Monthly Financial Report for February 2022 which incorporates the Statement of Financial Activity as legislatively required.

Council Resolution/Officer Recommendation – Item 12.11 **OCM – 17/03/22**

MOVED Cr McLennan, Seconded Cr MacWilliam, that Council:

1. Notes the Explanation of Material Variances in the Statement of Financial Activity; and
2. Receives the Monthly Financial Report for the period ending 28 February 2022, which incorporates the Statement of Financial Activity for the period to February 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/03/22 7/0

Item No. 12.12	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.
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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 12.12 **OCM – 18/03/22**

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

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/03/22 7/0

Item No. 12.13	Calendar for April 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 April 2022.

Council Resolution/Officer Recommendation – Item 12.13 **OCM – 19/03/22**

MOVED Cr MacWilliam, Seconded Cr Wilding, that Council adopt the calendar for April 2022.

CARRIED UNANIMOUSLY 7/0

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13.1 Notice of Motion – Cr Poliwka: Engagement with property development industry representative body to assess impacts on new or amended planning controls

Council Resolution/Officer Recommendation – Item 12.13 **OCM – 20/03/22**

MOVED Cr Poliwka, Seconded Cr McLennan, that Council:

1. Acknowledges the importance of maintaining a town planning environment conducive to encouraging expedited development within the Town so that the Town Centre Masterplan (and development in the Town as a whole) may be substantially realised in the near term.
2. Requests that, prior to presenting any report to Council to consider new or amended planning controls, the CEO seeks input from a peak membership organisation representing the property development industry in Western Australia.

CARRIED UNANIMOUSLY 7/0

14.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil

15.0 URGENT BUSINESS

Nil

16.0 CONFIDENTIAL BUSINESS

Council Resolution – Item 16.0(a)

OCM – 21/03/22

MOVED Cr Wilding, Seconded Cr McLennan, that the meeting go behind closed doors in accordance with Section 5.23 of the Local Government Act 1995, the time being 8.11pm.

CARRIED UNANIMOUSLY 7/0

Item No. 16.1	Baywaste Tip Passes
Directorate	Environment and Sustainability
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref	WSTMNGT/SVPROVN/3
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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Attachment	Nil

This item was deferred.

Item No. 16.2	Community Awards
Property Address	N/A
Landowner/Applicant	N/A
Ref	COMR/AWADP/2
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.
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Attachment No. 12	Council Policy 5.2 – Community Awards
Confidential Att 2	Community Award Nominations

Purpose

The purpose of this report was for Council to determine the recipients of the 2022 Town of Bassendean Community Awards.

This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (2) (b) of the Local Government Act 1995, as the officer report discusses information of a personal nature.

Council Resolution/Officer Recommendation – Item 16.2

OCM – 22/03/22

MOVED Cr McLennan, Seconded Cr Wilding, that Council:

1. Notes the nominations of the recommended award recipients;
2. Issues awards to those names shown in the Confidential Minutes attached to the Ordinary Council Minutes of 22 March 2022; and
3. Embargoes the details of the recipients until further notice.

CARRIED UNANIMOUSLY 7/0

Council Resolution – Item 16.0(b)

OCM – 23/03/22

MOVED Cr Ames, Seconded Cr Wilding, that the meeting come from behind closed doors, the time being 8.16pm.

CARRIED UNANIMOUSLY 7/

17.0 CLOSURE

The next Briefing Session will be held on Tuesday 19 April 2022, commencing at 6pm, by electronic means. The next Ordinary Council Meeting will be held on Tuesday 26 April 2022, commencing at 6pm, by electronic means.

There being no further business, the Presiding Member declared the meeting closed, the time being 8.17pm.