

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

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

ON TUESDAY 25 AUGUST 2015 AT 7.00PM

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Mayor 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 being held.

2.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

2.1 Questions Taken on Notice

At the July Ordinary Council Meeting, Mrs Tina Klein asked a question relating to the funding source for the auditing of Ashfield CAN accounts.

Mr Haggart, Director Community Development, responded to Mrs Klein in an email dated 19 August 2015, as follows:

“Having enquired with Ashfield CAN, I can now advise that the Auditor’s fees were paid from the Association’s operations account. No distinction was made in so doing as to the source of the funds. While the Association did receive funds from the Town in that financial period, it was not the Association’s only source of revenue. The Auditor’s fees are a legitimate operational cost and it is deemed the explanation meets requirements of the Town. The audited accounts will be presented for adoption at the Association’s Annual General Meeting to be held in September.

Should you have further queries into this matter, you may consider referring them to the Ashfield CAN President.”

2.2 Public Question Time

Mr Bruce Keay, 11 Earlsferry Court, Bassendean

Mr Keay asked whether Councillors have been to Thompson Road to view the current state of lighting. It is still very dark - the pruning of the tree has made some difference but it is not adequate. Mr Keay requested something be done.

Mr Keay referred to the new bore for Swan Districts Football Club and asked whether its location had been considered in view of the potential future development of the oval.

The Chief Executive Officer advised that the location of the bore has been considered and will not compromise any redevelopment of the site.

Ms Nonie Jekabsons, 6 Barton Parade, Bassendean

Ms Jekabsons commented on the sale of the Bassendean Hotel and carpark lot and expressed concern that someone could purchase both lots and amalgamate them for redevelopment. Ms Jekabsons asked whether the Town has ensured the building is heritage listed and whether there are any controls to prevent inappropriate development in that area.

The Manager Development Services responded that the Hotel is not heritage listed however it is covered by the Town Centre Development Strategy, which identifies the Hotel as a key landmark.

Ms Jekabsons referred to work being undertaken on the oval of the Bassendean Primary School which is affecting the significant street trees on West Road. Ms Jekabsons asked whether any consideration will be given to extra watering to protect the trees from the heat radiating from the bitumen.

The Acting Director Operational Services advised that staff will monitor and increase watering/mulching if needed.

Mr Bill Dreyer, 31 Naunton Crescent, Eden Hill

Mr Dreyer asked whether the Montessori School are continuing their lease.

The Chief Executive Officer responded that they have exercised the option to extend the lease for another two years.

Mrs Val Dreyer, 31 Naunton Crescent, Eden Hill

Mrs Dreyer commented that the medium strip on Guildford Road near Walter Road and the Collier Road railway crossing need attending to.

The Mayor advised that weed eradication is being undertaken this week.

Mrs Dreyer asked about the cost of the Mayor's election cards.

The Mayor responded that they were paid for by him personally, not the Town.

Ms Jennifer Freind, 99A Whitfield Street, Bassendean

Ms Freind commented on the need to have a Strategic Planner employed by the Town.

The Manager Development Services advised that the Town has employed a Statutory Planner. The appointment of a Strategic Planner would need to be considered by Council and budgeted for.

Ms Freind asked why the Town has not applied for funding for the Better Bins Programme and what is the Town going to do to meet the targets of green waste.

The Chief Executive Officer responded that even though there is funding available it is a very expensive exercise and the level of contamination in the green waste is considerable, which makes it unsuitable for mulching. The green waste kerb collection programme the Town currently uses maximises the reuse of green waste as mulch.

Ms Angie Piantadosi, 4 Jubilee Avenue, Eden Hill

Ms Piantadosi commented that the billboard in Eden Hill is being used as a rubbish dump.

The Mayor advised that Town staff will address the problem.

Mr Don Yates, 10 Thompson Road, Bassendean

Mr Yates referred to the Thompson Road street lights and asked whether there has been an outcome from the letters sent to the Perth Transport Authority.

Staff responded that a response has not been received.

Mr Yates requested something be done about the flood water on Old Perth Road and Whitfield Street, particularly on the tactile paving.

Staff advised that all Town drains are being reviewed by a contractor so a plan can be drawn up to fix the drainage across the Town.

Mr Yates referred to Item 10.8 and asked why the budget is being cut for CCTV.

The Director Community Development advised that the CCTV is subject to the Town receiving funding from LotteryWest. If the submission is successful, staff will come back to Council seeking a further amendment.

Mr Yates asked which events have been listed against the \$9,000 budget.

The Director Community Development responded that two Summer's Edge events will be held, one in November and one in March.

Mr Yates queried funding of \$10,000 for a consultant to review the Australia Day fireworks.

The Director Community Development advised that the funding was not approved for inclusion in the budget.

Mr Yates referred to Items 11.1 and 11.2 regarding transparency and accountability and asked whether it would be retrospective.

The Chief Executive Officer advised that the issue refers only to a finite list of registers and would not be retrospective.

Mr Yates referred to Item 11.4 and asked how long it would be before the Town initiates amendments to Local Planning Scheme 10.

The Chief Executive Officer advised that the Town has been in discussion with the West Australian Planning Commission and the Department of Planning to try and put these things in place as soon as possible. State infrastructure also needs to be on-board and until Main Roads has determined their traffic modelling the Town is unable to move forward.

COUNCIL RESOLUTION – ITEM 2.2

OCM – 1/08/15 MOVED Cr Bridges, Seconded Cr Carter, that public question time be extended by five minutes to allow for further questions.
CARRIED UNANIMOUSLY 6/0

Mr David Martinich, 29 Bassendean Parade, Bassendean

Mr Martinich asked what process is undertaken by the Town when applying for State Government grants and does the Town look for opportunities to apply for grants to fill funding gaps. He also asked if funding could be received to address the lack of deep sewerage in his section of Bassendean Parade.

The Chief Executive Officer advised that each Director is responsible for seeking and applying for grants for their area. Government funding often requires a financial contribution from the local government which is not always possible.

The Chief Executive Officer advised that the Town will look at the next round of funding for State infill sewerage.

Mrs Val Dreyer, 31 Naunton Crescent, Eden Hill

Mrs Dreyer commented that the outside of the infant health building needs painting.

The Mayor advised that it will be looked at.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Present

Councillors

His Worship the Mayor, Cr John Gangell
Cr Mike Lewis, Deputy Mayor
Cr Anne Brinkworth
Cr Gerry Pule
Cr Jennie Carter
Cr Paul Bridges

Officers

Mr Bob Jarvis, Chief Executive Officer
Mr Mike Costarella, Director Corporate Services
Mr Graeme Haggart, Acting Chief Executive Officer
Mr Ken Cardy, Acting Director Operational Services
Mr Brian Reed, Manager Development Services
Mrs Amy Holmes, Minute Secretary

Public

Approximately 11 members of the public were in attendance.

Press

One member of the press was in attendance.

Apologies

Mr Simon Stewart-Dawkins, Director Operational Services

4.0 DEPUTATIONS

- 4.1 Mr Steve Fletcher (Applicant) addressed Council regarding Item 10.2 – Proposed Outdoor Dining Permit adjacent to Lot 144 Nos 77-83 Old Perth Road Bassendean.

5.0 CONFIRMATION OF MINUTES

5.1 Ordinary Council Meeting held on 28 July 2015

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 5.1(a)

OCM – 2/08/15 MOVED Cr Pule, Seconded Cr Bridges, that the minutes of the Ordinary Council Meeting held on 28 July 2015, be received.
CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 5.1(b)

OCM – 3/08/15 MOVED Cr Pule, Seconded Cr Bridges, that the minutes of the Ordinary Council Meeting held 28 July 2015, be confirmed as a true record.
CARRIED UNANIMOUSLY 6/0

6.0 ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Mayor advised that he had recently attended the CEBA Business Awards and congratulated TADWA and Connecting Bassendean on their achievements.

An application has been submitted for a Fringe World Festival event to take place in Bassendean.

The Perth Glory girls are looking to make Ashfield Sports and Soccer Club their permanent home.

Cyril Jackson is looking at making connections with local businesses in the Town to support students through work experience and employment.

7.0 PETITIONS

Nil

8.0 DECLARATIONS OF INTEREST

Nil

9.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

Nil

10.0 REPORTS

10.1 Adoption of Recommendations En Bloc

It was agreed that items 10.2, 10.3 and 10.6, be removed from the en bloc table to be considered independently.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.1

OCM – 4/08/15 MOVED Cr Pule, Seconded Cr Bridges, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda of 25 August 2015:

| Item | Report |
|-------------|--|
| 10.7 | Annual Schools' Scholarship & Citizenship Awards |
| 10.9 | City of Perth Bill 2015 Support for the Concerns Raised by the City of South Perth |
| 10.10 | Determinations Made by the Principal Building Surveyor |
| 10.11 | Determinations Made by Development Services |
| 10.13 | Cultural Development Advisory Committee 22 July 2015 |
| 10.14 | Accounts for Payment – July 2015 |
| 10.15 | Financial Statements – July 2015 |
| 10.16 | Implementation of Council Resolutions |
| 10.17 | Use of the Common Seal |
| 10.18 | Calendar for September 2015 |

CARRIED UNANIMOUSLY 6/0

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

| Item | Report |
|-------------|---|
| 10.2 | Proposed Outdoor Dining Permit adjacent to Lot 144 Nos 77-83 Old Perth Road Bassendean |
| 10.3 | Pedestrian Crossing Report – Intersection Old Perth Road and Whitfield Street, Bassendean |
| 10.4 | RFT CO 033 2014-15 - Provision of Maintenance Services |
| 10.5 | RFT CO 028 2014-15 - Installation of a New Artesian Bore, Steel Blue Oval, Bassendean |
| 10.6 | Vandalism of Various Street Verge Trees Within the Town of Bassendean |
| 10.8 | Children's Services 2015-2016 Budget Amendment |
| 10.12 | Bassendean Local Studies Collection Management Committee Meeting held on 6 August 2015 |

10.2 Proposed Outdoor Dining Permit adjacent to Lot 144 Nos 77-83 Old Perth Road Bassendean, Applicant: Mr Steve Fletcher, Cork and Bottle (Ref:DABC/BDVAPPS/ALF5 - Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report was for Council to consider an application for an outdoor eating facility that incorporates:

- Four fixed wooden beam structures to “frame” the alfresco area;
- The potential removal of a recently planted street tree;
- The potential relocation of the visitor bicycle parking facilities required as part of the planning approval for the small bar, approved by Council.

OFFICER RECOMMENDATION - ITEM 10.2

That Council:

1. Approves the application for the installation of four fixed wooden beam structures within the footpath associated with the application for the Proposed Outdoor Dining Permit adjacent to Lot 144; Nos 77-83 Old Perth Road Bassendean, subject to the following conditions:
 - a. The structure shall be maintained to the satisfaction of the Town of Bassendean at the expense of the operators of the adjacent Small Bar;
 - b. Any damage to the public thoroughfare resulting from the construction shall be repaired at the applicants' expense;
 - c. The applicant shall pay to the Town of Bassendean a bond of \$2112 to cover the costs of any damage to the public thoroughfare;
 - d. The structure shall be removed on written notice of the Town, if it no longer required for use in connection with the Small Bar;
 - e. The structural designs must be certified by a Structural Engineer. Furthermore, the completed works must be inspected by the Engineer who shall certify that they are structurally sufficient before the area can be opened for use;

- f. The applicant shall obtain from an insurance company approved by the Town of Bassendean an insurance policy, in the joint names of Town of Bassendean and the person, indemnifying the local government against any claim for damages which may arise in, or out of, its construction, maintenance or use;
 - g. No additional advertising shall be placed on the structure beyond the extent of advertising approved as part of the application; and
 - h. the structure shall at no times be enclosed;
2. Does not approve the removal of the recently planted Chinese tallow tree in front of Lot 144 Nos 77-83 Old Perth Road Bassendean;
 3. Endorses the applicant providing the required visitor bicycle facilities adjacent to one of the adjoining shops forming part of Lot 144 Nos 77-83 Old Perth Road Bassendean, or alternatively making a monetary contribution of the value of the bike rack to the Town;
 4. Issues an annual Outdoor Dining Permit for the Cork and Bottle trading from 77 Old Perth, Bassendean, subject to the following conditions:
 - a) Compliance with the following Acts, Regulations, Local Laws and Policies:
 - i. Local Government Act 1995;
 - ii. Town of Bassendean Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2010;
 - iii. Town of Bassendean Economic Wellbeing and Prosperity Policy No. 3.2 – Outdoor Eating Facilities on Public Places Policy (Alfresco Dining); and
 - b) No more than 12 tables and 40 chairs shall be provided or permitted to remain in the outdoor eating area.
 - c) The outdoor eating area shall not be set up or conducted except on the following days and during the following hours:

5.00pm – 11.00pm Monday to Saturday;
2.00pm- 11.00pm Sundays;

- d) The movement of all path users, with or without disabilities, within the road reserve shall not be impeded. The area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width of 1.8 metres) shall be maintained for all users at all times in accordance with Asset Services requirements.
- e) All furniture, barriers and other structures must be removed from public areas at the close of each business day, unless otherwise specified in writing by the Town, and the Town may require that any furniture, barrier or other structure be removed at any time to allow street works, maintenance or cleaning to be undertaken.
- f) The consumption of alcohol is not permitted within the approved delineated outdoor eating area, unless the permit holder has obtained an appropriate approval from the Department of Racing, Gaming and Liquor (DRGL). The permit holder must ensure ongoing compliance with permit conditions, DRGL requirements, and effectively control noise and antisocial behaviour.
- g) All permits issued will be conditional upon the permit holder continuously maintaining acceptable public liability cover in accordance with Council Policy 3.2 – Outdoor Eating Areas (Alfresco Dining). The Certificate of Currency for Public Liability Insurance cover is be not less than \$10 million, and be from a reputable Insurance Underwriter acceptable to the Chief Executive Officer.

The proprietor must submit a copy of the Certificate of Currency for the annually renewed public liability. In the case that the required liability lapses, this permit is invalid, and the tables and chairs must be removed from Council property immediately.

- h) The outdoor eating area is to be appropriately managed by the permit holder, to prevent nuisances in relation to cigarette smoke entering the premises, animals, trip hazards, anti-social behaviour, graffiti and litter. The outdoor eating area, furniture and structures within, is to be maintained in a clean, safe and structurally sound manner.

- i) Routine inspections will be undertaken of outdoor eating areas to determine compliance with the Local Law, Policy, and permit conditions. Should non-compliance be identified, the Authorised Officer may recommend any of the following enforcement provisions: issue an infringement notice (modified penalty); impound furniture or other structures; cancel the permit; issue notice requiring works to remedy a breach of any provision of a permit; or initiate proceedings in the Magistrates Court
- j) Smoking is not permitted in an outdoor eating area, with the exemption of an outdoor eating area that is also defined as a “break out” area by the Department of Racing, Gaming and Liquor. Permit holders are responsible for ensuring that patrons do not smoke within the approved outdoor eating area, nor within a 5 metre radius of the approved outdoor eating area, but does not include a pedestrian passing momentarily by the outdoor eating area.

Advice to applicant:

The applicant is advised that:

1. The fees charged by the Town for outdoor dining permits may increase in the future and may include a fee based on the area of the permit and or the number of tables and chairs provided; and
2. The Town will accept one insurance policy for not less than \$10 million to cover the insurance required by resolutions 1 and 4 above.

Since the distribution of the Agenda, the applicants have contact the Manager Development Services seeking an extension to the trading hours to allow increased flexibility and in particular, to allow the lunchtime serving of meals.

An alternative officer recommendation was tabled at the meeting, with Point 4c being amended accordingly.

Officers also advised that the word ‘radius’ would be changed to ‘boundary’ in Point j.

ALTERNATIVE OFFICER RECOMMENDATION — ITEM 10.2

OCM – 5/08/15 MOVED Cr Pule, Seconded Cr Carter, that Council:

1. Approves the application for the installation of four fixed wooden beam structures within the footpath associated with the application for the Proposed Outdoor Dining Permit adjacent to Lot 144; Nos 77-83 Old Perth Road Bassendean, subject to the following conditions:
 - a. The structure shall be maintained to the satisfaction of the Town of Bassendean at the expense of the operators of the adjacent Small Bar;
 - b. Any damage to the public thoroughfare resulting from the construction shall be repaired at the applicants' expense;
 - c. The applicant shall pay to the Town of Bassendean a bond of \$2112 to cover the costs of any damage to the public thoroughfare;
 - d. The structure shall be removed on written notice of the Town, if it no longer required for use in connection with the Small Bar;
 - e. The structural designs must be certified by a Structural Engineer. Furthermore, the completed works must be inspected by the Engineer who shall certify that they are structurally sufficient before the area can be opened for use;
 - f. The applicant shall obtain from an insurance company approved by the Town of Bassendean an insurance policy, in the joint names of Town of Bassendean and the person, indemnifying the local government against any claim for damages which may arise in, or out of, its construction, maintenance or use;
 - g. No additional advertising shall be placed on the structure beyond the extent of advertising approved as part of the application; and
 - h. the structure shall at no times be enclosed;
2. Does not approve the removal of the recently planted Chinese tallow tree in front of Lot 144 Nos 77-83 Old Perth Road Bassendean;

3. Endorses the applicant providing the required visitor bicycle facilities adjacent to one of the adjoining shops forming part of Lot 144 Nos 77-83 Old Perth Road Bassendean, or alternatively making a monetary contribution of the value of the bike rack to the Town;
4. Issues an annual Outdoor Dining Permit for the Cork and Bottle trading from 77 Old Perth, Bassendean, subject to the following conditions:
 - a) Compliance with the following Acts, Regulations, Local Laws and Policies:
 - i. Local Government Act 1995;
 - ii. Town of Bassendean Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2010;
 - iii. Town of Bassendean Economic Wellbeing and Prosperity Policy No. 3.2 – Outdoor Eating Facilities on Public Places Policy (Alfresco Dining); and
 - b) No more than **12** tables and **40** chairs shall be provided or permitted to remain in the outdoor eating area.
 - c) **The outdoor eating area shall not be set up or conducted except on the following days and during the following hours:**

10.00am – 12.00 midnight Monday to Saturday;
10.00am- 10.00pm Sundays;
 - d) The movement of all path users, with or without disabilities, within the road reserve shall not be impeded. The area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width of 1.8 metres) shall be maintained for all users at all times in accordance with Asset Services requirements.
 - e) All furniture, barriers and other structures must be removed from public areas at the close of each business day, unless otherwise specified in writing by the Town, and the Town may require that any furniture, barrier or other structure be removed at any time to allow street works, maintenance or cleaning to be undertaken.

- f) The consumption of alcohol is not permitted within the approved delineated outdoor eating area, unless the permit holder has obtained an appropriate approval from the Department of Racing, Gaming and Liquor (DRGL). The permit holder must ensure ongoing compliance with permit conditions, DRGL requirements, and effectively control noise and antisocial behaviour.
- g) All permits issued will be conditional upon the permit holder continuously maintaining acceptable public liability cover in accordance with Council Policy 3.2 – Outdoor Eating Areas (Alfresco Dining). The Certificate of Currency for Public Liability Insurance cover is to be not less than \$10 million, and be from a reputable Insurance Underwriter acceptable to the Chief Executive Officer. The proprietor must submit a copy of the Certificate of Currency for the annually renewed public liability. In the case that the required liability lapses, this permit is invalid, and the tables and chairs must be removed from Council property immediately.
- h) The outdoor eating area is to be appropriately managed by the permit holder, to prevent nuisances in relation to cigarette smoke entering the premises, animals, trip hazards, anti-social behaviour, graffiti and litter. The outdoor eating area, furniture and structures within, is to be maintained in a clean, safe and structurally sound manner.
- i) Routine inspections will be undertaken of outdoor eating areas to determine compliance with the Local Law, Policy, and permit conditions. Should non-compliance be identified, the Authorised Officer may recommend any of the following enforcement provisions: issue an infringement notice (modified penalty); impound furniture or other structures; cancel the permit; issue notice requiring works to remedy a breach of any provision of a permit; or initiate proceedings in the Magistrates Court.

- j) Smoking is not permitted in an outdoor eating area, with the exemption of an outdoor eating area that is also defined as a “break-out” area by the Department of Racing, Gaming and Liquor. Permit holders are responsible for ensuring that patrons do not smoke within the approved outdoor eating area, nor within 5 metres of the boundary of the approved outdoor eating area, but does not include a pedestrian passing momentarily by the outdoor eating area.

Advice to applicant:

The applicant is advised that:

1. The fees charged by the Town for outdoor dining permits may increase in the future and may include a fee based on the area of the permit and or the number of tables and chairs provided; and
2. The Town will accept one insurance policy for not less than \$10 million to cover the insurance required by resolutions 1 and 4 above.

CARRIED UNANIMOUSLY 6/0

10.3 Pedestrian Crossing Report – Intersection Old Perth Road and Whitfield Street, Bassendean (Ref: RECC/EVMNGT/9 - Ben Moore, Engineering Technical Coordinator & Ken Cardy, Manager Asset Services)

APPLICATION

The purpose of this report was to provide Council with an assessment of the current pedestrian crossing location and an overview as to additional measures which may be considered to improve pedestrian safety.

OFFICER RECOMMENDATION – ITEM 10.3

That:

1. Council receives the Safer Pedestrian Crossing – Old Perth Road report; and
2. Officers provide Council with an Old Perth Road project draft “combined planning”, in conjunction with the submission for road rehabilitation, prior to drafting the 2017-18 Capital Budget.

Cr Bridges moved an amendment to Point 2 as follows:

2. *That Officers review pedestrian, cyclist and vehicle access to the expanded Bassendean Shopping Centre with a view to traffic calming and enhancing safe, convenient access from the adjacent streets, with a submission prepared for road rehabilitation, prior to the drafting of the 2016/2017 Capital Budget.*

COUNCIL RESOLUTION – ITEM 10.3(a)

OCM – 6/08/15 MOVED Cr Bridges, Seconded Cr Pule that Point 2 be amended as follows:

2. *That Officers review pedestrian, cyclist and vehicle access to the expanded Bassendean Shopping Centre with a view to traffic calming and enhancing safe, convenient access from the adjacent streets, with a submission prepared for road rehabilitation prior to the drafting of the 2016/2017 Capital Budget.*

CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION – ITEM 10.3(b)

OCM – 7/08/15 The substantive motion, moved by Cr Pule and seconded by Cr Bridges, that:

1. Council receives the Safer Pedestrian Crossing – Old Perth Road report; and
2. Officers review pedestrian, cyclist and vehicle access to the expanded Bassendean Shopping Centre with a view to traffic calming and enhancing safe, convenient access from the adjacent streets, with a submission prepared for road rehabilitation, prior to the drafting of the 2016/2017 Capital Budget,

was put to the vote and CARRIED UNANIMOUSLY 6/0

10.4 Provision of Maintenance Services (Ref: COUP/TENDNG/55 – Ken Cardy Manager Asset Services)

APPLICATION

The purpose of this report was to present to Council a summary of tenders received against Request for Tender (RFT) CO 033 2015-16 - Provision of Maintenance Services - and appoint the most advantageous panel of contractors.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.4

OCM – 8/08/15 MOVED Cr Brinkworth, Seconded Cr Pule, that Council appoints J & J Swift Maintenance, John Griffin and LJR Maintenance as the panel of contractors to undertake the work as required in RFT CO 033 2015-16 - Provision of Maintenance Services - in accordance with the specifications, and terms for a three year period commencing 1 September 2015.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.5 Installation of a New Artesian Bore, Steel Blue Oval, Bassendean (WATR/TENDNG/1 – Ken Cardy – Manager Asset Services)

APPLICATION

The purpose of this report was to seek Council's approval to appoint a contractor, in line with WALGA's recommendation, and as per tender specifications (RFT CO 028 2014-15) for the installation of a new Artesian Bore at Steel Blue Oval Bassendean.

OFFICER RECOMMENDATION – ITEM 10.5

That Council appoints Western Irrigation as the contractor to construct a new artesian bore at Steel Blue Oval Bassendean.

Cr Bridges moved an amendment to the officer recommendation to include an additional point 2, as follows:

2. *That funds of \$250,000 be used from the Recreation Reserve fund as adopted in the 2015/2016 budget, with the remainder to come from the Rates fund.*

COUNCIL RESOLUTION – ITEM 10.5(a)

OCM – 9/08/15 MOVED Cr Bridges, Seconded Cr Carter, that the officer recommendation be amended to include the following additional point:

2. Funds of \$250,000 be used from the Recreation Reserve fund, as adopted in the 2015/2016 budget, with the remainder to come from the Rates fund.

CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION – ITEM 10.5(b)

OCM – 10/08/15 The substantive motion, moved by Cr Bridges and seconded by Cr Pule, that:

1. Council appoints Western Irrigation as the contractor to construct a new artesian bore at Steel Blue Oval, Bassendean; and
2. Funds of \$250,000 be used from the Recreation Reserve fund, as adopted in the 2015/2016 budget, with the remainder to come from the Rates fund,

was put to the vote and CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.6 Vandalism of Various Street Verge Trees Within the Town of Bassendean (Ref: COUP/MAINT/1 – Simon Stewart-Dawkins, Director Operational Services & Ken Cardy, Manager Asset Services)

APPLICATION

The purpose of this report was to advise Council that over the last two months an increased number of street verge trees have been removed, interfered with or pruned without permission from the Town.

OFFICER RECOMMENDATION – ITEM 10.6

That Council notes that Officers will proceed with issuing infringement letters to those persons that have been identified in the Confidential Attachment of the Ordinary Council Agenda of 25 August 2015, as having breached the Local Government Act 1995 - Schedule 9.1, clause 2 Disturbing local government land or anything on it and the Uniform Local Provisions Regulations 1996, Regulation 5 Clause 1, Interfering with, or taking from, local government land or other relevant provisions under the Act.

COUNCIL RESOLUTION – ITEM 10.6

OCM – 11/08/15 MOVED Cr Gangell, Seconded Cr Carter, that this item be deferred pending a site inspection.

CARRIED UNANIMOUSLY 6/0

10.7 Annual Schools' Scholarship & Citizenship Awards (Ref: COMR/AWADP/2 Sue Perkins, Executive Assistant)

APPLICATION

The purpose of this report was for Council to consider changes to the scholarship and citizenship grant amounts provided annually to the five primary schools in the Town.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.7

OCM – 12/08/15 MOVED Cr Pule, Seconded Cr Bridges, that:

1. Council provides a Scholarship Award each year by way of a one-off payment of \$500 to one student from each of the five primary schools in the Town;
2. Council provides a \$50 Citizenship Award each year to two students from each primary school in the Town; and
3. The Funds be allocated from the General Donations Account No. 391392.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/08/15 6/0

10.8 Children's Services 2015-2016 Budget Amendment (Ref: CONS/SVPROVN/1 - Michelle Hillary, Manager of Children's Services and Graeme Haggart, Director Community Development)

APPLICATION

The purpose of the report was for Council to consider an amendment to the Children's Services Budget to fund the employment of two additional part time Educators.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.8

OCM – 13/08/15 MOVED Cr Lewis, Seconded Cr Pule, that:

1. Council amends the 2015/16 Budget to reflect the following changes:

| | |
|--|-------------|
| Deletes Account AB1510 - Building Renewal WITW | \$150,000 |
| Deletes Account AB1511 - Ashfield Fence | \$40,000 |
| Deletes Account AB1512 - Ashfield Shed | \$74,000 |
| Deletes Account AE1503 - CCTV Ashfield | \$6,000 |
| | \$270,000 |
| Reduces Income Account 802011 – Grants | (\$220,000) |

2. Council increases the Wind in the Willows salaries account by \$50,000 to facilitate the employment of two additional part-time Educators;
3. The expenditure be authorised in accordance with Section 6.8 of the Local Government Act; and
4. Subject to the successful grant applications being approved, the capital works program be referred to the 2015/16 budget review.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.9 City of Perth Bill 2015 Support for the Concerns Raised by the City of South Perth (Ref: GOVR/REGLIA/2 – Bob Jarvis, CEO)

APPLICATION

Council's consideration of the concerns raised by the City of South Perth about extraordinary provisions with the proposed City of Perth Act 2015 which may have unnecessary and negative impacts on all local governments.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.9

OCM – 14/08/15 MOVED Cr Pule, Seconded Cr Bridges, that Council instructs the CEO to write to the Minister for Local Government, the Premier, the Leader of the Opposition and WALGA expressing the following concerns about the proposed City of Perth Act 2015:

1. That Clause 37 of the proposed Bill is unnecessary and that the communities of all local governments should be treated equally with respect to proposals to change boundaries;
2. That Clauses 12 – 15 and 19 – 21 seek to treat the City of Perth differently to other local governments without proper explanation of the benefits of doing so, or why those changes should not apply to all local governments; and
3. That Clause 17 – 18, 28 – 29, and clause 27 all appear to have potential negative impacts on other local governments because of the ambiguity of the drafting of those clauses, and the need for those clauses to be redrafted to ensure that other local governments and their communities are provided with procedural fairness, and proper process, and that those local governments and communities are not adversely affected by those clauses with little or no say in the consequences.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/08/15 6/0

**10.10 Determinations Made by the Principal Building Surveyor
Ref: LUAP/PROCED/1 – Kallan Short, Principal Building
Surveyor)**

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.10

OCM – 15/08/15 MOVED Cr Pule, Seconded Cr Bridges, that Council notes the decisions made under delegated authority by the Principal Building Surveyor.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/08/15 6/0

**10.11 Determinations Made by Development Services (Ref:
LUAP/PROCED/1 – Christian Buttle, Development
Services)**

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.11

OCM – 16/08/15 MOVED Cr Pule, Seconded Cr Bridges, that Council notes the decisions made under delegated authority by the Manager Development Services.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/08/15 6/0

**10.12 Bassendean Local Studies Collection Management
Committee Meeting held on 6 August 2015 (Ref:
GOVNCCL/MEET/3, Allan Caddy, Manager Library and
Information Services)**

APPLICATION

The purpose of this report is for Council to receive the report on a meeting of the Local Studies Collection management Committee held on 6 August 2015.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.12

OCM – 17/08/15 MOVED Cr Carter, Seconded Cr Brinkworth, that:

1. Council amends the Bassendean Local Studies Management Committee's Instrument of Appointment and Delegation to increase the membership from four members to five Committee members with the additional member being drawn from the local ATSI community; and

2. The report on a meeting of the Bassendean Local Studies Collection Management Committee held on 6 August 2015, be received.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.13 Cultural Development Advisory Committee 22 July 2015 (Ref: GOVN/CCL/MEET/8 - Salvatore Siciliano, Manager Recreation and Culture)

APPLICATION

The purpose of the report is for Council to note that the Cultural Development Advisory Committee scheduled to be held on Wednesday 22 July 2015, did not achieve a quorum.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.13

- OCM – 18/08/15** MOVED Cr Pule, Seconded Cr Bridges, that Council notes that the meeting of the Cultural Development Advisory Committee scheduled to be held on Wednesday 22 July 2015, did not achieve a quorum.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/08/15 6/0

10.14 Accounts for Payment – July 2015 (Ref: FINM/CREDTS/4 – Ken Lapham, Manager Corporate Services)

APPLICATION

The purpose of this report is for Council to receive the Accounts for payment in accordance with Regulation 13 (3) of the Local Government (Financial Management) Regulations 1996.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.14

- OCM – 19/08/15** MOVED Cr Pule, Seconded Cr Bridges, that Council receives the List of Accounts paid for July 2015 as attached to the Ordinary Council Agenda of 25 August 2015.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/08/15 6/0

10.15 Financial Statements – July 2015 (Ref: FINM/AUD/1 - Ken Lapham, Manager Corporate Services)

APPLICATION

The purpose of this report was to present to Council various Financial reports in accordance with Local Government Financial Management Regulations.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.15

OCM – 20/08/15 MOVED Cr Pule, Seconded Cr Bridges, that the Financial Reports for the period ended 31 July 2015, as attached to the Ordinary Council Agenda of 25 August 2015, be accepted.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/08/15 6/0

10.16 Implementation of Council Resolutions (Ref: Sue Perkins, Executive Assistant)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.16

OCM – 21/08/15 MOVED Cr Pule, Seconded Cr Bridges, that the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 25 August 2015 be deleted from the Implementation of Council Resolutions list.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/08/15 6/0

10.17 Use of the Common Seal (Ref: INFM/INTPROP/1 – Sue Perkins, Executive Assistant)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.17

OCM – 22/08/15 MOVED Cr Pule, Seconded Cr Bridges, that Council authorises the affixing of the Common Seal to the documents listed in the Ordinary Council Meeting Agenda of 25 August 2015.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/08/15 6/0

10.18 Calendar for September 2015 (Ref: Sue Perkins, Executive Assistant)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.18

OCM – 23/08/15 MOVED Cr Pule, Seconded Cr Bridges, that the Calendar for September 2015 be adopted.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/08/15 6/0

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Notice of Motion – Cr Carter

Cr Gangell suggested that the following wording be added to Cr Carter's introductory paragraph of her notice of motion:

“and that Council develops a suite of policies covering the following areas.”

Cr Carter was happy to accept the additional wording.

COUNCIL RESOLUTION – ITEM 11.1

OCM – 24/08/15 MOVED Cr Carter, Seconded Cr Gangell, that the Town of Bassendean supports the intent of the Mayor of Vincent, John Carey's motion to the WALGA AGM on 5 August 2015 **and that Council develops a suite of policies covering the following areas:**

1. Sets up a publicly accessible register of Council Member contact with developers;
2. Prohibits donations from developers to Bassendean local government election candidates;
3. Sets up a publicly accessible register of gifts and hospitality to Bassendean Councillors and employees; and
4. Reports annually on travel undertaken by Bassendean Councillors and employees.

CARRIED UNANIMOUSLY 6/0

11.2 Notice of Motion – Cr Pule: Greater Transparency

This item was withdrawn by Cr Pule as Item 11.1 is of similar intent.

11.3 Notice of Motion – Cr Pule: ALGA Report

This item lapsed for want of a Seconder.

11.4 Notice of Motion – Cr Pule: Additional changes to the Omnibus of Changes to be undertaken to the Local Planning Scheme 10

This item lapsed for want of a Seconder.

12.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

12.1 Cr Bridges: Employment of a Strategic Planner

That a Strategic Planner be employed on a fixed term contract to prepare structure plans for the Town's railway station precincts as special control areas that include building heights and design guidelines that incorporate measures to ameliorate the Urban Heath Island effect and provide a mix of unit layouts that suits singles, small families and retiring baby boomers. Priority to be given to the Bassendean station precinct and funding to come from the windfall saving on the amount budgeted for the oval artesian bore.

12.2 Cr Bridges: Call for a Special Council Meeting to discuss the employment of a Strategic Planner

That a Special Meeting of Council be convened to discuss the employment of a Strategic Planner and an amendment to the 2015-2016 Budget to facilitate the required funding.

12.3 Cr Bridges: Installation of an additional flag pole to fly the Rainbow flag

That the Town fly the Rainbow flag in lieu of the Torres Straits Islander or the Town of Bassendean flag to show support for our gay and lesbian residents and marriage equality and staff to cost an additional flag pole.

12.4 Cr Pule: Infill Sewerage

That staff investigate the lapse of services in relation to sewerage as indicated at public question time and prepare a report to Council on how the sewerage infill programme can support those services.

13.0 CONFIDENTIAL BUSINESS

Nil

14.0 CLOSURE

The next Ordinary Council meeting will be held on Tuesday 22 September 2015.

There being no further business, the Mayor declared the meeting closed, the time being 7.55pm.