

TOWN OF BASSENDEAN

NOTICE OF ORDINARY COUNCIL MEETING

Dear Council Members

An Ordinary Meeting of the Council of the Town of Bassendean will be held on Tuesday, 28 November 2017 in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 7.00pm.

BOB JARVIS
CHIEF EXECUTIVE OFFICER

23 November 2017

A G E N D A

Councillors, please note that the Briefing Session is open to the public and will commence at 5.00pm. A meal for Councillors and Officers will be provided at 6.00pm; and the Ordinary Council meeting will commence at 7.00pm.

Cr McLennan will be the facilitator for the Briefing Session.

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Acknowledgement of Traditional Owners

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

Members of the public are requested to sign the attendance sheet located on the table at the rear of the Council Chamber.

2.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

2.1 Questions Taken on Notice

2.2 Public Question Time

Members of the public who wish to do so may ask questions at this point in the agenda.

2.3 Address by Members of the Public

Members of the public who wish to do so may address Council at this point in the agenda.

It should be noted that Public Statements are not recorded in the minutes. Statements raised by members of the public must be regarding items on the agenda.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

4.0 DEPUTATIONS

5.0 CONFIRMATION OF MINUTES

**5.1 Ordinary Council Meeting held on 17 October 2017
(Attachment No. 1)**

OFFICER RECOMMENDATION – ITEM 5.1(a)

That the minutes of the Ordinary Council meeting held on 17 October 2017, be received.

OFFICER RECOMMENDATION – ITEM 5.1(b)

That the minutes of the Ordinary Council meeting held 17 October 2017, be confirmed as a true record.

5.2 Special Council Meeting held on 23 October 2017
(Attachment No. 2)

OFFICER RECOMMENDATION – ITEM 5.2(a)

That the minutes of the Special Council meeting held on 23 October 2017, be received.

OFFICER RECOMMENDATION – ITEM 5.2(b)

That the minutes of the Special Council meeting held 23 October 2017, be confirmed as a true record.

6.0 ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT DISCUSSION

Sports Achievement Awards

The Mayor will present the Sports Achievement Awards to the successful recipients.

7.0 PETITIONS

8.0 DECLARATIONS OF INTEREST

9.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

10.0 REPORTS

10.1 Adoption of Recommendations En Bloc

The following information is provided to Councillors for guidance on the use of en bloc voting as is permissible under the Town's Standing Orders Local Law 2011.

Standing Orders Local Law 2011, Clause 5.4 states:

- (1) In this clause adoption by en bloc voting means a resolution of the Council that has the effect of adopting, for a number of specifically identified reports, the officer recommendation as the Council resolution.

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

Councillors should be aware that should they wish to declare an interest in any of the items listed in the en bloc voting table, and have not done so under Item 8.0, Declarations of Interest, they should do so at this point of the agenda.

OFFICER RECOMMENDATION – ITEM 10.1

That Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda of 28 November 2017:

Item	Report
10.2	Tree Preservation Order for Lemon Scented Gums at 25-27 Old Perth Road, Bassendean
10.3	Potential Removal of the Tonkin Park Containment Cell located at Lot 857 Yelland Way, Bassendean
10.4	Application for Proposed Change of Use to Office (Disaster Recovery Centre) on Lot 822; (Unit 5, No. 29) May Holman Drive, Bassendean
10.6	Request for Council Agreement - Continuation of Current Access Arrangements from Maidos Street Laneway, Ashfield to Adjoining Lot 2 on Survey Strata Plan 65608
10.8	Bicycle Boulevard Community Engagement for Whitfield Street, Bassendean
10.11	Proposed Principal Shared Path (PSP) Railway Parade, Success Hill
10.12	Guildford Road - Motorist, Pedestrian and Cyclist Safety
10.13	Review of Waste Management Practices in the Town of Bassendean
10.19	Standing Orders Local Laws Review 2018
10.21	Hyde Retirement Village - Annual General Meeting held on 11 October 2017
10.22	Determinations Made by the Principal Building Surveyor
10.23	Determinations Made by Development Services
10.24	Use of the Common Seal
10.25	Calendar for December 2017
10.26	Implementation of Council Resolutions
10.27	Accounts for Payment –_October 2017

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

Item	Report
10.5	Proposed new Town of Bassendean Bee Keeping Local Law
10.7	RFT CO 073W 2017-18 Provision of Traffic Management Services and Equipment for the Town of Bassendean
10.9	RFT CO 071 2017-18 Provision of Air Conditioning Maintenance and Minor Works for the Town of Bassendean
10.10	RFQ 351 2017-18 Appointment of a Heritage Architect to Project Manage the Consultation, Design and Construction Process at 1 Surrey Street, Bassendean
10.14	WITHDRAWN
10.15	RYDE Program Partnership Expansions
10.16	Waiver of Fees – Success Hill Action Group Christmas Party
10.17	Appointment of a Deputy Member to the Eastern Metropolitan Regional Council
10.18	Review of Council Committees
10.20	Liveable Town Advisory Committee held on 10 October 2017
10.28	Financial Statements – October 2017

10.2 Tree Preservation Order for Lemon Scented Gums at 25-27 Old Perth Road, Bassendean (Ref: DABC/BDVAPPS/A70102 Timothy Roberts, Planning Officer)

APPLICATION

The purpose of this report is for Council to consider making a Tree Preservation Order (TPO) for the three Lemon Scented Gums located within the Bassendean Hotel carpark located at 25-27 Old Perth Road, Bassendean.

ATTACHMENTS

Attachment No. 3

- Letter to owners of 25-27 Old Perth Road, Bassendean.
- Arboricultural Report.

BACKGROUND

At the Special Meeting of Electors on 14 June 2010, electors suggested a Tree Advisory Committee with community representation be formed. They proposed the purpose of such a committee to be:

1. To maintain and upgrade the tree register;
2. To ensure community consultation regarding significant tree decision; and
3. To provide advice of information about tree and other duties as they develop.

At the Ordinary Council meeting held on 26 October 2010, the following Notice of Motion was carried:

“That the Council seeks an officer report to establish a community tree consultative committee, including recommendations for the scope of the committee’s activities, representation on the committee, the inclusion of Councillors and/or staff and the frequency of committee meetings.”

The Tree Consultative Committee held its first meeting on 27 July 2011.

At the June 2012 Council meeting the following resolution from the Tree Consultative Committee meeting minutes was carried unanimously:

“Commence Tree Preservation Orders in accordance with Local Planning Scheme No. 10 clause 5.7.7.3 on the Ficus Hillii and the Eucalyptus Citriodora trees, located at the

Bassendean Hotel carpark at Lot 6 (23-27) Old Perth Road, Bassendean.'

COMMUNICATION & ENGAGEMENT

Clause 5.7.7.3 within the Town's operative Local Planning Scheme (LPS10), requires that where the local government proposes to order that a tree is to be preserved, the local government is to give notice of the proposed order to the owner and occupier of the land on which the tree is located. The owner of the land was written to and invited to make a written submission about the proposed order within 14 days. The letter to the owner is included as an attachment.

STRATEGIC IMPLICATIONS

Town of Bassendean Local Planning Scheme No. 10.

Where the local government makes an order for a Tree Preservation Order, the local government is to give notice of the order to the owner/occupier of the land on which the tree is located.

A person may not cut, remove or otherwise destroy; or cause or permit to be cut, removed or otherwise destroyed, a tree the subject of a Tree Preservation Order without the written consent of the local government.

The local government is to record, in a Registry of Tree Preservation Orders, a list of trees subject to orders under this section. A copy of the Registry is to be kept at the offices of the local government and made available for public inspection during office hours.

COMMENT

There are currently only two trees on the Town's Registry of Tree Preservation Orders. Trees provide a range of benefits to the ecosystem, to human beings for environmental and health reasons, and to the climate.

Mature urban trees confer many benefits including shade and cooler air temperatures, screening (privacy) and noise reduction, built form aesthetic amelioration, energy conservation, mitigation of the urban heat island effect, air quality improvement and oxygen production, carbon/uptake/storage and greenhouse gas reduction, minimisation of storm water run-off and improvement of water quality, fauna habitat and food source. In general, they enhance our built and natural environments with larger trees providing more benefits. It is therefore important that Council consider adding to this registry in an effort to protect established and important trees on private property in line with the relevant legislation.

A suitably qualified independent arboricultural consultant was engaged to assess the two mature Hill's weeping fig trees (*Ficus microcarpa hillii*) and the three lemon-scented gum trees (*eucalyptus citriodora*). The arboricultural assessment report is included as an attachment. The report assessed the tree's condition, provided recommendations for maintenance and made comment on both the aesthetic value and rarity of species.

Where a local government makes an order for the preservation and maintenance of a tree, it is to have regard to the tree's aesthetic quality, historical association, rarity and any other characteristics, which in the opinion of the local government make the tree worthy of preservation.

The arboricultural assessment revealed a satisfactory health and structural condition which is typical for the species and age class of the trees, and a long useful life expectancy was deduced for all trees. Based on the site visit and observations, and due to both species being common throughout Perth and of early mature age class, the arboricultural assessment did not consider any of the five trees to have outstanding significance and therefore worthy of a Tree Preservation Order. There is also no known historical associations relevant to these trees.

Where a tree does not qualify for a Tree Preservation Order under the recommended criteria, the local government may consider other characteristics, which may make the tree worthy of preservation. The lot forms part of the Town Centre zone meaning the owner has the ability to develop the site with a zero setback and up to a five storey maximum height as per the provisions contained within the Town's Local Planning Strategy No. 1: Bassendean Town Centre Strategy and Guidelines.

Noting the location of the two '*Ficus Hillii*' within the lot as well as the recommendations contained within the arboricultural assessment, a Tree Preservation Order would be impractical and at odds with the development potential of this site.

The arboricultural assessment mentioned that these three lemon scented gums provided some aesthetic quality due to their location along the Old Perth Road lot boundary as well as their value as a cluster of established trees. Whilst a Tree Preservation Order on the three '*Corymbia Citriodora*' trees would affect the ability to develop with a zero setback, it could be considered that a greater setback is more appropriate considering the setback of the adjacent Bassendean Hotel façade. A greater setback would therefore protect these established trees, provide consistency of streetscape between adjacent buildings have a limited impact on the development potential of the property.

STATUTORY REQUIREMENTS

OBJECTIVES: Enhance the Town's appearance.

STRATEGIES: Strengthen and promote Bassendean's unique character and heritage

FINANCIAL CONSIDERATIONS

The cost of the arboricultural assessment was \$1430.

OFFICER RECOMMENDATION — ITEM 10.2

That Council:

1. Makes a Tree Preservation Order for the three Lemon Scented Gums (*Eucalyptus Citriodora*) located on Lots 5 and 6 (Nos. 25-27) Old Perth Road, Bassendean;
2. Notes that the Town will update its Registry of Tree Preservation Orders to include the three Lemon Scented Gums (*Eucalyptus Citriodora*) located at Lots 5 and 6 (Nos. 25 – 27) Old Perth Road, Bassendean; and
3. Notes that the Town will write to the owner of Lots 5 and 6 (Nos. 25 – 27) Old Perth Road, Bassendean notifying them of Council's decision.

Voting requirements: Simple Majority

10.3 Potential Removal of the Tonkin Park Containment Cell located at Lot 857 Yelland Way, Bassendean - Owner Ridgepoynt Pty Ltd (Ref: A80856 Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report is for Council to receive an update on the potential removal of the containment cell and to receive the results of recent groundwater monitoring.

ATTACHMENTS

Attachment No. 4:

- Correspondence received from the Department of Water and Environment Regulation dated 19 October 2017, including updated Basic Summary of Records.
- Correspondence received from Ridgepoynt Pty Ltd dated 21 November 2017, providing an update on the decommissioning of the containment cell.

BACKGROUND

This matter was last considered by Council in April 2016, when it was resolved by OCM – 29/04/16 that in discussion with land owners and applicable government agencies, staff prepare a report on the removal of the Tonkin Park containment cell mound and the contaminated soil containment earthworks so as to make the site safe, reduce any risk of ground water and river pollution, and reuse the land for industrial redevelopment as it is currently classified. Furthermore, the Town enquire with a view to establishing what sampling, if any, has been undertaken since 2008 and make available the results of these samples

The issues are discussed further in the remainder of this report.

COMMUNICATION & ENGAGEMENT

A meeting was held between officers at the Town of Bassendean and the developer for Tonkin Park (Ridgepoynt Pty Ltd) on 10 February 2017. Information that was provided to the then Councillors through the Councillor Bulletin is reproduced below:

The purpose of the meeting was to provide a general briefing on the further investigation into the feasibility of removing the containment cell to return the 4.5 hectare parcel of land to Commercial and Industrial use, consistent with the current zoning within the area.

- The briefing emphasised it was very early in the process and that Ridgepoynnt are working closely with the Dept. of Environmental Regulation and the appointed independent 3rd party Auditor to develop and finalise a Remediation Action Plan.
- This will be developed and reviewed in accordance with the Contaminated Sites Act and subject to the 3rd party independent Audit review.
- Only after this is approved and the scope of the remediation required is confirmed can further consideration and decisions be made in relation to the containment cell.
- Subject to meeting these requirements the project would then be referred formally to Council.

Ridgepoynnt also updated us on the results of the Groundwater investigations undertaken which had demonstrated the original remediation strategy has proven successful with all groundwater bores showing improvements over time.

STRATEGIC IMPLICATIONS

The following is taken from the Strategic Community Plan 2017 - 2027

Strategic Priority 1: Social

Objective

1.3 Plan for a healthy and safe community

Strategies

1.3.1 Facilitate safer neighbourhood environments

1.3.2 Promote and advocate community health and well-being

Strategic Priority 2: Natural Environment

Objectives

2.2 Protect our River, Bushland Reserves, and Biodiversity

Strategies

2.2.1 Protect and restore our biodiversity and ecosystems

2.2.2 Sustainably manage significant natural areas

2.2.3 Partner with stakeholders to actively protect, rehabilitate and enhance access to the river

Strategic Priority 4: Economic Objective

4.1 Build economic capacity

Strategies

4.1.1 Encourage and attract new investment and increase capacity for local employment

COMMENT

The following information is derived from the basic summary of records published by the Department of Water and Environment Regulation (DWER):

In February 2006, a soil validation report was submitted to DWER confirming that contaminated soils were successfully remediated and contained within the cell.

The Ministerial Statements also required the monitoring of groundwater and surface water within the western portion of the Estate (Stage 2 and 3) since January 2003.

The most recent groundwater monitoring conducted in 2015 found metals (arsenic, aluminium, iron and zinc), ammonia and total phosphorous were present in groundwater beneath the adjacent land to immediately south of the site at concentrations exceeding assessment levels for non-potable use of groundwater and/or fresh waters, as published in 'Assessment and management of contaminated sites' (DER 2014) and represents a potential risk to the Swan River. The concentrations of substances in groundwater tend to be greater in the deeper portion of the superficial aquifer than at the water table.

Concentrations of some substances, such as aluminium, zinc and ammonia are greater to the south-east of the site, suggesting down gradient, off-site sources are contributing to off-site groundwater impacts. Off-site sources may include other potentially contaminating activities and land uses and impacts as a result of historical disturbance of acid sulphate soils.

An accredited contaminated sites auditor reviewed the investigations for the site. The auditor's findings are documented in a mandatory auditor's report dated 18 August 2016. DWER generally concurs with the auditor's conclusions.

Ridgepoynt Pty Ltd has provided the following update since the February meeting, in relation to the potential decommissioning of the containment cell:

- *The Containment Cell is a stable landform and Ridgepoynt have been able to achieve EPA clearance of all ongoing Ministerial Conditions which relate to the site;*
- *Detailed analysis of the soils within the containment cell has been undertaken and confirmed that the soils are suitable as controlled fill for commercial and/or industrial land use;*
- *A detailed Remediation Action Plan(RAP) has been completed;*
- *The RAP and all supporting technical information have been reviewed by an independent auditor;*
- *Ridgepoynt recently received a copy of the Auditor's interim advice to DWER, which provided "conditional approval of the RAP";*
- *This implies that Ridgepoynt has provisional approval to decommission the containment cell, thus completing the remediation, upon there being a suitable location for the quantity and classification of the material;*
- *Unlike other contaminated sites - the implementation of the RAP and final remediation will be subject to an acceptable business case for the soil reuse including the exemption of taxes and/or land fill levies, before any further activity will be undertaken;*
- *Ridgepoynt is currently exploring several opportunities for the reuse of this material with various stakeholders.*

I trust this update is useful and I look forward to continued support from the Town of Bassendean in order to achieve the desired outcome, when there is a viable project to implement the approved RAP.

STATUTORY REQUIREMENTS

Nil at this stage.

FINANCIAL CONSIDERATIONS

Nil at this stage.

OFFICER RECOMMENDATION — ITEM 10.3

That the report on the potential decommissioning of the containment cell, and the results of recent groundwater monitoring in relation to Lot 857 Yelland Way Bassendean be received.

Voting requirements: Simple Majority

10.4 Application for Proposed Change of Use to Office (Disaster Recovery Centre) on Lot 822; (Unit 5, No. 29) May Holman Drive, Bassendean, Owner: RP Mannion Family Trust, Carroll Family Trust, Chimaera Trust, Applicant: Rowe Group (Ref: DABC/BDVAPPS/2017-127 – Brian Reed, Manager of Development Services)
APPLICATION

The purpose of this report is for Council to consider an application for a proposed Change of Use to an Office (Disaster Recovery Centre).

ATTACHMENTS

Attachment No. 5:

- Applicant's report and strata plan.
- Plans of proposed development.
- Signed letters of support by adjoining tenants.

BACKGROUND

The subject application was submitted on 11 September 2017 to change the existing warehouse use to an Office Use. The site consists of five existing units on site which range from internal areas of 144m² to 297m². The application proposes to convert the largest tenancy on the site, unit 5, which is 297m² and located to the rear of the subject site. The site has 18 existing bays shared between the 5 tenancies, with 3 bays dedicated to unit 5.

The purpose of the Office is for the applicant, HBF Health Limited (represented by Rowe Group), to use the area as a temporary emergency call centre in the event that there is a major unforeseen disaster, such as a flood or terrorist attack. The call centre would resolve the high volume of insurance related calls resulting from the disaster and provide support to HBF's other permanent premises.

The application incorporates the following:

- 102 individual desks or work stations within the recovery centre and an individual office;
- Male, Female and Disabled amenity facilities;
- A staff room;
- A server room; and
- A store room.

According to the applicant, the premises is only anticipated to be used approximately once in every 10 years in extraordinary circumstances. In the event that the Disaster Recovery Centre is to be used, the applicant has proposed limited operating hours from 6:00am to 6:00pm. The applicant has advised that an Emergency Management Plan will be put in place in the event that the centre becomes operational, which will require dedicated bus services directly between the tenancy and nearby train stations. The applicant has advised that staff will be notified that vehicle parking is not available on site, and will therefore be required to make use of public transport, the transport provided by HBF Health Limited or other alternative methods of transport.

STRATEGIC IMPLICATIONS

Objectives:
Build economic capacity

Strategies:
Encourage and attract new investment and increase capacity for local employment
Plan for and build capacity for Commercial and Industrial

Objectives:
Facilitate local business retention and growth

Strategies:
Strengthen local business networks and partnerships

COMMENT

The application requires discretion in regards to the proposed Office use and the amount of car bays required on site for the Change of Use. This is discussed further under the statutory requirements section of the report.

The proposal is unusual, not only in that it is a land use that would not ordinarily be proposed in an industrial area, but also because of the infrequency of the use and the high amount of people on site in the event that the centre becomes operational. While there may be potential issues that could arise from approving the application, Council Officers recommend approval for the following reasons:

- The use of the site will be highly infrequent;

- The applicant has explained their intention to prepare a Emergency Management Plan to provide public transport directly to the site and the intention to not have customers park on site;
- There are restricted hours of use; and
- The other tenancies on site have agreed to and provided letters of support for the application.

CONSULTATION AND ENGAGEMENT

The applicant has provided signed correspondence from the other tenancies on site agreeing to the proposed use. It was deemed that further consultation with the surrounding landowners was not necessary.

Consultation has occurred with the Department of Water and Environmental Regulation as the site is classified as “remediated for restricted use” under the *Contaminated Sites Act 2003*. The Department have advised that the site is suitable for its proposed use, but may not be suitable for more sensitive land uses such as residential or public open space.

STATUTORY REQUIREMENTS

Within Local Planning Scheme No. 10, Table 1 defines the permitted land uses within differing zones. An ‘Office’ use is a ‘D’ or discretionary use within the general industrial zone. As stated under Clause 4.3.2 of the Scheme, a ‘D’ means that the use is not permitted unless the local government has exercised its discretion by granting development approval. The objectives of the General Industrial Zone are stated under Clause 4.2.4 as listed below:

- “(a) To provide for a broad range of industrial uses, excluding noxious or hazardous activities;*
- (b) To accommodate industry that would not otherwise comply with the performance standards of light industry;*
- (c) To accommodate a range of manufacturing and associated service activities which will not, by the nature of their operations, detrimentally affect the amenity of the adjoining or nearby land;*
- (d) To achieve safety and efficiency in traffic circulation, and also recognise the function of Collier Road as a regional road;*
- (e) To provide car parking and landscaping appropriate to the scale of development;*
- (f) To preclude the storage of unsightly goods from public view; and*
- (g) To ensure that development conforms with the Local Planning Strategy and the principles of any Local Planning Policy adopted by the Council.”*

Generally an office use would not be considered as a typical industrial land use, as it does not involve manufacturing, storage or otherwise that would be characteristic of the surrounding industrial properties. However, the Office will not stand out as being substantially different from the adjoining warehouse uses from the street and will remain vacant for large periods of time with little resulting impact to the surrounding area.

Table 2 of the Scheme details the required car parking bays on site. A warehouse use requires 1 parking bay per 100m² of gross floor area and an office requires 1 parking bay per 20m² of lettable floor area. The total combined floor area of all the tenancies is 969m². With the existing approved warehouse units, this would result in 10 bays being required, with 16 approved bays provided on site. Changing the use of the rear tenancy (297m²) to Offices results in 22 bays being required for the site, with a total shortfall of 6 bays for the site.

Due to the extent of the proposed fit out, the Scheme requirements pertaining to offices arguably aren't a reasonable measure of assessment in this instance. Under the Scheme, a car bay is required for every 20m², whereas there is approximately a worker for every 3m² of total floor area in Unit 5 and therefore a shortfall of 6 parking bays does not accurately represent the amount of bays that should be provided for 102 employees. However, Officers would still recommend approval on the basis of the infrequency of the use generally and that the Emergency Management Plan that will organise transport to the site.

FINANCIAL CONSIDERATIONS

Should Council not accept the Officer recommendation, it is possible that an application for review will be made to the State Administrative Tribunal and costs would be incurred in this event as it would be necessary to engage independent external planning consultants to defend any such application. Officers of the Town would not be in a position to defend any such application due to the conflict of interest which would arise.

OFFICER RECOMMENDATION – ITEM 10.4

That Council grants development approval for the proposed Change of Use to an Office (Disaster Recovery Centre) at Lot 822 (29) May Holman Drive, Bassendean, subject to the following conditions:

1. The proposed Office is not permitted to operate for longer than 28 days per year without further approval from the Town;
2. An Emergency Management Plan detailing procedures for transporting people from the Bassendean train station to the site to be provided with an application for a building permit. Arrangements shall be to the satisfaction of the Town;
3. The business operating in accordance with the applicant's covering letter dated 2 August 2017;
4. The proposed Office is not permitted to have more than 102 persons on site at any given time. Any future proposed increase in seat numbers will require lodgement of a new application for development approval for consideration by the Town;
5. The business operating in accordance with the usage specified on the approved site plans date stamped 11th September 2017 which forms part of this approval. Any alternative use of the premises will require the submission of an application to the Town for a further Change of Use;
6. This approval does not include the approval of any signage. Any signage for the development is to be the subject of a separate application for development approval;
7. This approval does not include modification to the exterior of the premises. Any proposed external modifications for the development to be the subject of a separate application; and

8. The Office hereby approved shall not be occupied until all of the conditions of development approval have been complied with to the satisfaction of the Manager Development Services.

Voting requirements: Simple Majority

10.5 Proposed new Town of Bassendean Bee Keeping Local Law (Ref: LAWE/LOCLWS/2 – Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report is for Council to consider the preparation of new Bee Keeping Local Law.

ATTACHMENTS

Attachment No. 6:

- Town of Bassendean Bee Keeping Local Law 2001
- Proposed Town of Bassendean Bee Keeping Local Law

BACKGROUND

The *Local Government Act 1995* enables Western Australian local governments to make local laws considered necessary for the good government of their districts. Laws can only be made when authorised by the Act or other written laws but cannot be inconsistent with any State or federal law. The types of laws made by local governments cover areas such as car parking, activities on thoroughfares, public places and council and committee meetings

Section 3.16 of the Local Government Act requires that all adopted local laws be reviewed within a period of 8 years to determine whether or not it considers that it should be repealed or amended.

The Town's Bee Keeping Local Law was gazetted in 2001 and is therefore overdue for a review.

However, it is evident that the existing local law needs updating to reflect changes in legislation, and to make the local law more prescriptive in terms of where bee hives should be located on a property, in line with more contemporary local laws.

It is therefore proposed that Council commences the advertising and consultation processes required towards the adoption of a new local law.

COMMUNICATION & ENGAGEMENT

Once Council decides to make the Local, section 3.12 of the Local Government Act 1995, requires that notice of the proposed Local Law is advertised State- wide and locally.

It is envisaged that the consultation will also occur through “Your Say Bassendean”.

STRATEGIC IMPLICATIONS

Preparing for a review of the Town’s Local Laws is one of the Chief Executive Officer’s key performance indicators under the theme of “develop and implements change management strategies to enhance service delivery”.

COMMENT

The proposed new local law has been based on the current version of the Town’s local law and a more recent Bee Keeping Local Law prepared by the City of Wanneroo gazetted in January 2017.

The proposed local law has the following features derived from the current local law:

- 1 The number of beehives that may be kept on a property is limited to 2 for properties of less than 2000m², and to 15 for larger properties;
- 2 A permit is not required to keep bees on land for a continuous period not exceeding 8 weeks in a 12 month period, nor on Crown Land; and
- 3 The prescribed offences and penalties have not changed.

Changes to the proposed local law include:

- 1 Referenced legislation has been updated;
- 2 An application for a permit must be accompanied by neighbour’s comments; and
- 3 A prescriptive requirement has been introduced that requires bee hives to be located at least 12 m from a thoroughfare, footpath or public place and at least 5m from any other boundary on the land.

STATUTORY REQUIREMENTS

The process for making a local law is governed by section 3.12 of the Local Government Act 1995.

Section 3.12 (2) of the Act requires the person presiding at the Council meeting to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

As this is a requirement of the Act, this matter cannot be dealt with en bloc.

Purpose and Effect

The **purpose** of the proposed Bee Keeping Local Law is to regulate beekeeping within the Town of Bassendean.

The **effect** of the proposed Bee Keeping Local Law is that persons must comply with the requirements of the local law when keeping bees.

FINANCIAL CONSIDERATIONS

The costs of advertising the proposed local law will be met out of Account 401333

OFFICER RECOMMENDATION — ITEM 10.5

That Council commences the advertising and consultation processes outlined in clauses (3) and (3a) of section 3.12 of the Local Government Act 1995 for the proposed Town of Bassendean Bee Keeping Local Law, as attached to the Ordinary Council Agenda of 28 November 2017

Voting requirement: Simple Majority

10.6 Request for Council Agreement - Continuation of Current Access Arrangements from Maidos Street Laneway, Ashfield to Adjoining Lot 2 on Survey Strata Plan 65608 (Ref: ROAD/STMNGT/4 – Anthony Dowling, Director Strategic Planning)

APPLICATION

Council's agreement is sought to allow the continuation of access from the 'Maidos Street' laneway to adjoining lot 2 on Strata Survey Plan 65608 upon ownership of the laneway being transferred from WA's Housing Authority to the Town of Bassendean.

This agreement is necessary in order to allow the aforementioned transfer of the laneway to proceed.

ATTACHMENTS

Attachment No. 7:

Location Map and Deed of Easement

BACKGROUND

At its Ordinary Meeting held on 24 April 2012 (OCM - 8/04/12), Council agreed in principle to accept the transfer of the 'Maidos Street' laneway extending between French Street and Colstoun Road Ashfield and the portion extending westwards of French Street (see attachment) from the Housing Authority (formerly the State Housing Commission) to the Town, with a view to creating a public Right of Way (ROW).

This action was to facilitate alternate lot access from the laneway to those lots fronting Guildford Road, an integral element of the plan to ultimately redevelop this part of the Ashfield locality for increased residential density development.

The portion of the 'Maidos Street laneway' currently owned by the Housing Authority comprises three land parcels as follows (see Attachment 7):

1. Lot 133 on Diagram 6229, being the northern lot extending between French Street and Colstoun Road;
2. Lot 500 on Plan 54385, being the southern portion extending between French Street and Colstoun Road and westwards of French Street; and
3. Lot 66 on Plan 6853 extending along the rear of the Colstoun Street shops and then parallel to lot 500 extending to Colstoun Road.

The balance of the 'Maidos Street' laneway that extends between Pearson Street and French Street is a reserve for drainage purposes (Reserve 26466) and is vested in the Town.

There is an unregistered deed of easement (see attachment) in place between the registered proprietor (RP) of adjoining lot 2 on Survey Strata Plan 65608 (HN 29A Guildford Road) and the Housing Authority allowing access (including vehicular access) to lot 2 from lot 133.

The interests of the lot 2 RP under this unregistered easement is protected by a caveat over lot 133, which will need to be lifted in order for the laneway transfer to further proceed.

The lot 2 RP has advised the Department of Communities (acting on behalf of the Housing Authority) that it is prepared to lift (and replace) the caveat should the Town of Bassendean agree to continue to honour the current access arrangements as set out in the deed of easement, upon the laneway being transferred to the Town.

Accordingly, the Department of Communities requests the Town's agreement to continue to honour the current access arrangements as set out in the deed of easement.

COMMUNICATION AND ENGAGEMENT

Department of Communities

STRATEGIC IMPLICATIONS

Honouring the current access arrangements will assist in the Town achieving the following objectives and strategies expressed in its *Strategic Community Plan 2017-2027*:

Objective 1.3 Plan for a Healthy and Safe Community

Strategy 1.3.1 Facilitate safer neighbourhood environments

Objective 3.2 Enhance Connectivity Between Places and People

Strategy 3.2.1 Connect the Town through a safe and inviting walking and cycling network

Strategy 3.2.2 Advocate for improved and innovative transport access and solutions

COMMENT

As there is no existing or future vehicular access available from Guildford Road to lot 2 continued access from the laneway to this lot is essential, especially in respect to those accessing lot 2 (eg, residents, visitors and service personnel, etc). Such access is also integral to the achievement of the Town's development objectives for the Ashfield locality.

STATUTORY REQUIREMENTS

Transfer of Land Act 1893 (as amended)

FINANCIAL CONSIDERATIONS

All costs associated with the laneway transfer and the lifting and replacement of the caveat currently in place over the laneway will be borne by the Housing Authority and the lot 2 RP respectively.

OFFICER RECOMMENDATION — ITEM 10.6

That Council:

1. Informs the Department of Communities that it agrees to honour the access arrangements set out in the deed of easement dated 9 November 2012 granting a right of way to the registered proprietor of lot 2 on Survey Strata Plan 65608 over lot 133 on Diagram 6229; and
2. Authorise the Town's Chief Executive Officer to duly sign and execute any necessary alterations/amendments to the deed of easement and any associated documents required to continue to honour and/or effect the current access arrangements.

Voting requirements: Simple Majority

10.7 RFT CO 073W 2017-18 Provision of Traffic Management Services and Equipment for the Town of Bassendean (Ref: TRAF/TENDNG/11 - Trent Macpherson, Engineering Technical Coordinator)

APPLICATION

The purpose of this report is to appoint a successful contractor from the offers received for RFT CO 073W 2017-18 Provision of Traffic Management Services and Equipment for the Town of Bassendean.

ATTACHMENTS

Confidential Attachment No. 1:

Offers received, providing information that is commercial in confidence.

BACKGROUND

Contractors were invited to submit an offer for RFT CO 073W 2017-18 Provision of Traffic Management Services and Equipment for the Town of Bassendean. The Request was sent to the WALGA Panel of Preferred Suppliers for Traffic Management. The Town received six (6) responses which conformed with the specifications provided in the request for quote document before the closing time of 11am on Monday 23 October 2017.

COMMUNICATION AND ENGAGEMENT

The Request was sent to the WALGA panel of Traffic Management suppliers on 6 October 2017.

STRATEGIC IMPLICATIONS

The Community Strategic Plan 2017-2021, contains the following under the heading of:

Built Environment:

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success How we will be judged
3.2 Enhance connectivity between places and people	3.2.1 Connect the Town through a safe and inviting walking and cycling network. 3.2.4 Enhance road safety through design	Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.)

COMMENT

An Evaluation Panel was formed to assess each submission against the selection criteria. The Panel included the Engineering Technical Coordinator, Engineering Design Officer and the Director of Corporate Services.

Pricing is regarded as commercial in confidence and therefore between the parties involved. Tables included in the Confidential Attachment contain full pricing and selection criteria weighting.

STATUTORY REQUIREMENTS

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

FINANCIAL CONSIDERATIONS

The costs associated with this contract are included in the 2017/18 Budget and will be included in future budgets for each year of the contract.

OFFICER RECOMMENDATION – ITEM 10.7

That Council appoints Quality Traffic Management Pty Ltd to undertake the work as required in RFT CO 073W 2017-18 Provision of Traffic Management Services and Equipment in accordance with their conforming offer and the specifications and terms and conditions for a period of three (3) years, commencing 1 December 2017.

Voting Requirement: Absolute majority

10.8 Bicycle Boulevard Community Engagement for Whitfield Street, Bassendean (Ref: ROAD/DESCONT/7 - Trent Macpherson, Engineering Technical Coordinator)

APPLICATION

The purpose of this report is to provide Council with an update of the Bicycle Boulevard Project (Whitfield Street) and seek Councils permission to proceed with the community engagement stage of this project.

ATTACHMENTS

Attachment No. 8:

Concept Design of Whitfield St Bicycle Boulevard

BACKGROUND

In the 2016/2017 financial year, the Town was successful in receiving funding (stage one) from the Department of Transport (DoT) to develop a concept design for a Bicycle Boulevard in Whitfield Street Bassendean

Through the Town's procurement, process officer's engaged FLYT Consultancy to complete the concept design works. The scope of the design was to incorporate the objectives of the Town's draft Urban Forest Strategy of increasing tree canopy, identified opportunities for Water Sensitive Design and included traffic calming devices that would change the priority user of the road to cyclist.

The Concept Design was completed, in June 2017, and recently the Department of Transport advised that the Town had been successful in securing stage two funding. Stage two of the project requires community engagement and detail design works.

COMMUNICATION & ENGAGEMENT

Office's met with the Department of Transport, on the 16 November 2017, to discuss the level of Community Engagement required to commence stage of this project.

Pending Council's approval to commence stage two, the six week community consultation period is planned, from 22 January 2018 and 2 March 2018.

Furthermore, Officers plan to conduct a community workshop in February 2018, where the contracted consultant will present the Whitfield Street Bicycle Boulevard Concept Design to the community and provide answers to any of their questions.

The project will also be listed on the Town’s web site where the community will be able to provide feedback through the “Have your Say” community engagement site.

STRATEGIC IMPLICATIONS

Built Environment:

Objectives <i>What we need to achieve</i>	Strategies <i>How we’re going to do it</i>	Measures of Success How we will be judged
3.2 Enhance connectivity between places and people	3.2.1 Connect the Town through a safe and inviting walking and cycling network. 3.2.2 Advocate for improved and innovative transport access and solutions. 3.2.3 Enhance the liveability of local neighbourhoods. 3.2.4 Enhance road safety through design	Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.)

COMMENT

Through the Town’s procurement process, Officers are currently preparing a Request for Quote document, to secure the services of a professional consultant to undertake the community consultation process, design works and provide information packs, including schematic drawings of the Whitfield Street Bicycle Boulevard to all residents along and surrounding Whitfield Street.

Once the community consultation period is completed, the consultant will collate all community comments and feedback and provide a report to the Town. Officers will then provide a report to the March 2018 Ordinary Council Meeting, where Council will have the opportunity to consider the feedback and make a determination to either proceed or cease with the proposed bicycle boulevard project.

STATUTORY REQUIREMENTS

N/A

FINANCIAL CONSIDERATIONS

Council has listed \$50,000 in the 2017/2018 budget in anticipation of being advised that the stage two phase of the project would be approved..

The Town has now received confirmation of Western Australian Bicycle Network funding (\$25,000) from the Department of Transport.

The funding agreement is 50/50 between the Town and the Department of Transport with a total project funding of \$50,000 to carry at the community engagement and detail design stages for the proposed Bicycle Boulevard along Whitfield Street, Bassendean.

OFFICER RECOMMENDATION — ITEM 10.8

That:

1. Council approves stage two of the Whitfield Street, Bassendean Bicycle Boulevard project and commences the community consultation period; and
2. Following the completion and analysis of the Whitfield Street, Bassendean Bicycle Boulevard community consultation process, that Officers provide a report back to the March 2018 Ordinary Council Meeting for consideration.

Voting requirements: Simple Majority

10.9 RFT CO 071 2017-18 Provision of Air Conditioning Maintenance and Minor Works for the Town of Bassendean (Ref: COUP/TENDNG/70 – Ken Cardy, Manager Asset Services)

APPLICATION

The purpose of this report is to appoint a successful contractor from those tender offers received for RFT CO 071 2017-18 Provision of Air Conditioning Maintenance and Minor Works for the Town of Bassendean.

ATTACHMENT

Confidential Attachment No. 2:

Tenderer’s financial offers received, and the selection criteria weightings.

BACKGROUND

Potential tenderers were invited to submit a tender offer for “RFT CO 071 2017-18 Provision of Air Conditioning Maintenance and Minor Works for the Town of Bassendean” through a Western Australian Newspaper advertisement and Town of Bassendean Webpage article on 16th September 2017.

The Town received fifteen (15) responses, prior to the closing time 11am on Tuesday 10th October 2017, and all tenders received conformed with the specifications and general conditions of the tender document.

COMMUNICATION AND ENGAGEMENT

The “Request for Tender” was advertised in the West Australian Newspaper on Saturday, 16th September 2017 and through the Town’s website and Facebook page.

STRATEGIC IMPLICATIONS

The recently adopted Strategic Community Plan 2017-2027, contains the following under the heading of Built Environment:

Objectives <i>What we need to achieve</i>	Strategies <i>How we’re going to do it</i>	Measure of Success <i>How we will be judged</i>
3.3 Enhance the Town’s appearance	3.2.1 Improve amenity and the public realm	Community / Stakeholder Satisfaction Survey (heritage amenity and appearance)

COMMENT

An Evaluation Panel was formed to assess each submission against the selection criteria. The Panel included the Building Facility Supervisor, Engineering Design Officer and the Manager of Corporate Services.

Tenderers pricing details, regarded as commercial in confidence, and the selection criteria weightings are included in the attached Confidential Report.

STATUTORY REQUIREMENTS

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

FINANCIAL CONSIDERATIONS

The costs associated with this contract are included in the 2017/18 Budget and will be included in future budgets for each year of the contract.

OFFICER RECOMMENDATION – ITEM 10.9

That Council appoints Australian Air Conditioning Services Pty Ltd to undertake the work as required in RFT CO 071 2017-18 Provision of Air Conditioning Maintenance and Minor Works for the Town of Bassendean in accordance with its offer and the specifications and terms and conditions for a period of five (5) years, commencing 1 December 2017.

Voting Requirement: Absolute majority

10.10 RFQ 351 2017-18 Appointment of a Heritage Architect to Project Manage the Consultation, Design and Construction Process at 1 Surrey Street, Bassendean (Ref: COMDEV/TENDNG/10 - Director Operational Services, Simon Stewart-Dawkins)

APPLICATION

The purpose of this report is to advise the outcome of the assessment of the Request for Quote, RFQ 351 2017-18 Appointment of a Heritage Architect offers to project manage the consultation, design and construction process at 1 Surrey Street, Bassendean, and provide an update on the LotteryWest conditional grant variation requirements

ATTACHMENTS

Attachment No. 9:

- Copy of letter and attachment provided to Royal Western Australian Historical Society (Inc), (dated 4/8/17) which is the same as the other 3 letters provided to stakeholders – Includes April 2017 OCM report item 10.6 - 1 Surrey Street – Heritage Architect Detailed Design Options and Council (OCM 12/05/17) resolution.
- 1 Surrey Street Presentation – 21 November 2017.
- Correspondence received from: Museum Australia (WA) (28/8/15), Lands and Heritage Office (30/8/17), Bassendean Historical Society Inc (1/10/16), National Trust of Australia (WA) (26/9/17) and Royal Western Australian Historical Society (Inc) (5/10/17).
- State Heritage Officer Conditional Approval – (21/9/17)
- Town of Bassendean Development Conditional Approval – October 2016.
- LotteryWest Grant Variation (19/7/2017).

Confidential Attachments No. 3:

- RFQ 351 2017-18 Offers received, providing information that is commercial in confidence.
- RFQ CO 245 2013-14 Price schedule.
- SIA Architects Pty Ltd (2/3/17) Architectural Contract Administration Fees.
- SIA Architects (2/3/2017) 2C Design Work Summary
- Tamram Pty Ltd (19/11/2016) Project Pre Tender Estimates.

BACKGROUND

In accordance with the Council resolutions, architectural organisations were invited to submit an offer for RFQ 351 2017-18 Appointment of a Heritage Architect to project manage the consultation, design and construction process at 1 Surrey Street, Bassendean.

The Request for Quote was sent on 7 September to seven architects, with the Town receiving three responses before the closing time of 2pm on Wednesday 4th October 2017.

A mandatory site briefing was held on 13 September, which was attended by 4 Architects.

COMMUNICATION AND ENGAGEMENT

The Request for Quote was sent to seven architectural organisations on 7 September 2017.

On 21 November 2017, Elected Members attended a briefing session on 1 Surrey Street project and inspected the site. Attached is a copy of the presentation.

STRATEGIC IMPLICATIONS

The Community Strategic Plan 2017-2021, contains the following under the heading of:

Built Environment:

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success How we will be judged
3.3 Enhance the Town's appearance	3.3.1 Improve amenity and the public realm 3.3.2 Strengthen and promote Bassendean's unique character and heritage 3.3.3 Implement design policies and provisions of buildings and places	Community / Stakeholder Satisfaction Survey (heritage, amenity and appearance)

COMMENT

In response to RFQ 351 2017-18 Appointment of a Heritage Architect to project manage the consultation, design and construction process at 1 Surrey Street, Bassendean; 3 submissions were received prior to the closing time of 2pm on 4 October 2017.

As per the Town's Procurement Guidelines, an Evaluation Panel was formed and required to assess each submission against the selection criteria. The Panel included the Manager of Asset Services, the Manager of Corporate Services and the Town's Principal Building Surveyor.

All offers met the RFQ compliance requirements; however, all offers exceeded the Council's budget.

Comments from the panel discussion and recommendation.

"No offer received was within the allocated budget; therefore no contract offers can be recommended. If Council were to increase the Budget, TPG would be the Evaluation Committee's recommendation as it received the highest rating of all respondents. It must be noted though that TPG had the lowest financial offer, and due to this, received a higher rating while Kent Lyon were marginally ahead in the criteria Methodology and Experience & Response the main focus of the project."

Pricing is regarded as commercial in confidence and therefore between the parties involved. Tables containing full pricing and selection criteria weighting is contained in a confidential report to the Council.

Please note that the responded price is valid up to 90 calendar days from the date of the RFQ closing. As the closing date was Wednesday 4th October 2017, the prices submitted are valid until Tuesday 2 January 2018.

PREVIOUS COUNCIL DIRECTION

In November 2015, Council resolved (OCM-6/11/15) in part, to endorse SIA Architects Pty Ltd Option 2C draft design proposal to demolish the c.1952 rear extension under concrete roof and the standalone ablution/laundry building, and the proposal to construct a community meeting place on the southern side of the residence, as well as a separate toilet block on the western boundary.

To achieve Council direction, a suite of consultants were appointed to work in collaboration with SIA Architects Pty Ltd to undertake the site investigations and prepare the detailed designs and specifications.

The State Heritage Office provided conditional approval, Town of Bassendean also provided conditional approvals for the Option 2c detailed design plans. The Town also received 4 letters of support for the 2C designs.

In November 2016, Council (OCM-14/11/16) noted that a LotteryWest grant application would be submitted in accordance with the early Council resolution and in March 2017, LotteryWest advised that a grant of \$375,000 was awarded to the Town to enable the restoration works to commence. The grant funding provided at the time was an additional \$100,000 than the amount listed in the 2016/2017 Budget.

In March 2017, Council received a Notice of Motion from Cr Bridges to rescind OCM-6/11/15 resolution, and as a result, it was then resolved (OCM – 37/03/17) to defer this motion to the April Ordinary Council Meeting and conducts a Councillor Workshop on Monday 10 April 2017.

On 10 April 2017 SIA Architects Director - Sasha Ivanovich, attended a Councillor Workshop to explain the structural engineering issues with the foundations of the 1950's building, concrete roof, asbestos, and that the option 1 design functionally addressed the Museum Australia's requirement. (see attached).

Also in attendance at the Workshop was Ms Val Humphrey, who was a co-author with Paul Bridges, of a 2002 Pensioner Guard Museum report. They compared the Shared Space, Museum Space, Café Space and Community/Bassendean Arts Council space, provided in Option 1 and Option 2C designs.

At the April 2017 Ordinary Council Meeting the Notice of Motion was considered and it was resolved (OCM – 3/04/17) that in relation to the 1 Surrey Street project Council:

1. Rescinds motion OCM-6/11/15, which reads:

“MOVED Cr Pule, Seconded Cr Brown, that Council:

1. *Receives the SIA Architects Pty Ltd progress report regarding the design options for the restoration, reconstruction and refurbishment of 1 Surrey Street project;*
2. *Notes the feedback received from Bassendean Historical Society Inc Bassendean Arts Council Inc. the 1 Surrey Steering Group members, the State*

Heritage Office and Museums Australia concerning the various schematic design options;

3. *Endorses SIA Architects Pty Ltd Option 2C draft design proposal, as included as an attachment to the Ordinary Council Agenda of 24 November 2015, to demolish the c.1952 rear extension under concrete roof and the standalone ablution/laundry building and the proposal to construct a separate building (Community Meeting Place) on the southern side of the Residence, as well as a separate toilet block on the western boundary;*
 4. *Requests SIA Architects Pty Ltd re-align the proposed studio in Option 2C designs to achieve a North /South access in order to preserve the existing mature tree and increase the backyard usable space;*
 5. *Requests SIA Architects Pty Ltd give due consideration in Phase 3 of the Detailed Design, Development & Documentation process to provide acoustic separation (shutters, walls & doors) in the 2C design to ensure the dual use of the kitchen area can be achieved for the Museum and / or Community/arts activities;*
 6. *Requests SIA Architects Pty Ltd reinstate the gable eave overhang as per the original fabric of the Pensioner Guard Cottage, and;*
 7. *Notes that the Community Development Directorate intends to provide a Governance Model report in the future for the 1 Surrey Street to guide the ongoing management of the facility”;*
2. Informs LotteryWest that the current grant application will be resubmitted pending completion of items 3-7 below;
 3. Has plans prepared consistent with Option 1 prepared by the SIA architects and the building uses recommended in the Interpretation Plan and subject to modifications sought by the key user groups as previously documented being included;

4. Requires interpretation within the museum space to include original and reproduction artefacts and within the cottage to include interpretation of a standard commensurate with that of the Howick Historical Village in Auckland New Zealand to create an authentic experience for museum visitors;
5. Requires a management plan for the ongoing use of the site to be presented to the Audit and Risk Management Committee and adopted by Council;
6. Requires site use areas be defined for the museum component, dedicated work and storage space for the Bassendean Arts Council and common shared meeting and activity spaces for multiple user groups including capacity for school education programs; and
7. Requires site and building plans, costings, the management plan and the details of the proposed interpretation be made available to the public via the Town's website and presented at a public meeting for community input prior to the commencement of construction.

As a result of the above Notice of Motion being supported by Council, an Officer report was submitted to the May 2017 Ordinary Council Meeting to provide estimated costs to implement the revised design process, with the following (including Council amendments in bold) being resolved (OCM – 12/05/17):

“That Council:

1. *Lists for consideration in the draft 2017/2018 budget \$114,245 for the 1 Surrey Street Option 1 **to tender separately for:***
 - i) A heritage architect to project manage the consultation, design and construction; and***
 - ii) A museum consultant to design the interpretation of the museum component.***
2. *Lists for consideration in the draft 2018/2019 budget \$10,000 to engage to suitable consultant to develop a schools' curriculum program in relation to the proposed Pensioner Guard Cottage museum;*

3. *Lists for consideration in the draft 2018/2019 Capital Works budget \$980,000 for the restoration and construction works to the residence, pensioner guard cottage, associated community facilities **and museum interpretation** at 1 Surrey Street, Bassendean; and*
4. *Requests the CEO write to Lotterywest and **request a negotiated extension** for the initial draw down of grant funding for 1 Surrey Street - Lotterywest Application No. 421010236.”*

On 10 July 2017 a Special Council Meeting was held to consider the draft 2017/2018 Budget and at that time, Council resolved (SCM – 6/7/17) to allocate \$80,000 to appoint a Heritage Architect to manage the consultation, design and construction for the Option 1. However, the extent of design and planning works described in the OCM–3/04/17 and OCM-12/05/17 Council resolutions were not altered.

Attached to this agenda is the April 2017 report titled “10.6 1 Surrey Street – Heritage Architect Detailed Design Options” together with the Council (OCM 12/05/17) resolution. This report sought Council direction and advised the estimated costs of \$125,000 to undertake the new Option 1 design process.

REQUIREMENTS OF LOTTERYWEST GRANT VARIATION

As a result of the Council resolution, LotteryWest provided a grant variation, which states the \$375,000 grant “payment will be made on the provision of written approvals and or endorsement for Council’s final adopted plans for the conservation and redevelopment of the Pensioner Guard Cottage, from the following organisations:

- -State Heritage Office
- -Bassendean Historical Society Inc
- -National Trust of Australia (WA)
- -The Royal Western Australian Historical Society (Inc).

In addition, the LotteryWest grant variation required the initial drawdown of this grant be concluded by 30 April 2019 and subsequent drawdown periods must be no further than 6 months apart. Once the overall conditions have been met, payment will be made in arrears on provision of receipts or original Builders’/Architects’ certificates or certified copies for progress payments and a written request for payment.

The May 2017 the Ordinary Council Meeting agenda included the following preliminary timeline to illustrate the predicated time requirements for each phase of the work, however, the report advised that the estimated timeframes did not take into consideration any issue or delays that may arise:

- August to October 2017 – Appoint Architect
- November 2017 to June 2018 – Design Process
- July to September 2018 – Statutory Approvals including Council approval – LotteryWest requires letters of support
- October to December 2018 – Appoint builder
- February – March 2019 – Builder to commence works
- 30 April 2019 – LotteryWest requires 1st claim to be submitted and subsequent claims not more than 6 months apart.

The preliminary timeline above was optimistic when submitted to Council for consideration, particularly considering SIA Architects Pty Ltd commenced work on this project in 2014, and after extensive consultation, the final detailed designs were conditionally approved by the State Heritage Office, in September 2016 and the Town of Bassendean issued conditional approvals in October 2016.

STAKEHOLDER COMMUNICATION

In August 2017, the Town wrote to the above stakeholders who had been involved in the project and previously provided the above letters of support to inform them of a change in direction. As part of the letter, the April 2017 OCM report, together with the Council (OCM 12/05/17) resolution, was provided to reassure them that once the Heritage Architect was appointed, meetings would commence with key user groups to progress the Council resolution.

On 30 August 2017 the State Heritage Office, Director Heritage Development, provided a response which in essence, outlined that the residence as being of some significance, with the rear addition being of little significance of the registered place and that they were supportive of the proposed development in accordance with the information submitted.

However, on 5 October 2017, the Royal Western Australian Historical Society (Inc) wrote to the Town and outlined in detail the reason why it supported the 2C design and outlined its opposition to the Option 1 proposal.

Considering the LotteryWest conditional variation requirements for written support and/or endorsements, the Town requested feedback from the Bassendean Historical Society Inc and the National Trust of Australia (WA).

As outlined above, the LotteryWest Grant Variation states that payment of the \$375,000 grant will only be made on the provision of written approvals and or endorsement from the 4 stakeholders for Council’s final adopted plans.

To assist Council to determine the options available to resolve this particular issue, the Director Operational Services has sought comment from LotteryWest which has advised that all conditions need to be fulfilled in order to receive grant funding and suggested the following options:

1. Council rescinds it current direction and go back to the original approved designs, which had previously been supported by all parties;
2. Council requests that the LotteryWest Board vary the conditions; and
3. Council resolves not take up the grant.

Taking into consideration the LotteryWest’s Conditional Grant Variation, Council is requested to consider the risks of each and make a determination of the best way forward in resolving this issue, before the Heritage Architect is appointed.

RISKS TO BE CONSIDERED

It is imperative that Council considers the following risks and understand the potential consequences:

Issue	Risk
Council OCM– 3/04/17 & OCM–12/05/17 Resolution	<ul style="list-style-type: none"> • Insufficient funds allocated in budget has delayed appointment of Heritage Architect – Refer to Budget Review. • Appointing Heritage Architect before issues resolved may result in additional fees being incurred to amend the project brief. • RFQ responded prices are only valid up to ninety (90) calendar days from the RFT closing date, therefore until Tuesday 2nd January 2018. • Any project delays caused by the detailed structural investigations or community consultation process will jeopardise the Architects capacity to complete the required design process by June 2018. • LotteryWest conditional variation requires letters of support from all 4 organisations for Option 1 design - Any design change may not be supported by one of the previously supported organisations and will delay design process and may jeopardise the \$375,000 grant funding. • Community consultation, detailed design & statutory approvals required to completed by September 2018.

	<ul style="list-style-type: none"> • Council required to appoint builder by December 2018. • LotteryWest requires first claim to be submitted by 30 April 2019, together with 4 letters of support, before the \$375,000 grant funding will be provided to the Town.
Rescind current direction and go back to the original approved designs, which had previously been supported by all parties	<ul style="list-style-type: none"> • 2C designed designs already conditional approved by State Heritage Office and the Town has received the four letters of support, any significant changes to the 2c designs will require further consultation and potentially a revised statutory approvals and the 4 letters of support. • No funds allocated in the 2017/2018 capital works budget to commence capital works in 2017/2018, therefore Council would need to allocate funding. • Return for Tender documentation already available, tenders would have to be invited and Heritage Builder advised that restoration works are required to commence by 30th April 2019. • SIA Architects were previously engaged to provide oversight of proposed Heritage Builder, the Town would be required to obtain a revised quote.
Request that LotteryWest Board vary the conditions	<ul style="list-style-type: none"> • Reputation of Council to initiate further discussions in order to vary the conditions. • LotteryWest Board may or may not support a request to reduce the number of letters of support. • LotteryWest Board may or may not support a further variation to extend the 1st Builders claim after 30th April 2019. • The Town currently has two grant applications with LotteryWest (Men's Shed, Sandy Beach Reserve Regional Playground) and due to the OCM – 3/04/17 resolution, LotteryWest has sought clarification in regards to the progress with the Surrey Street option 1 design process. • LotteryWest has advised that new grants are generally not approved until current projects have progressed well, as a consequence the current applications ((Men's Shed, Sandy Beach Reserve Regional Playground) may be put on hold until the Surrey Street grant funding is resolved. • LotteryWest has advised that it has less funding available for projects due to a reduction in funds they have available to distributed.
That Council resolve not take up the grant	<ul style="list-style-type: none"> • Reputation of Council for not taking up the \$375,000 grant to assist with the restoration & construction works. • Reputation for not adequately maintaining the Place of Cultural significance in accordance with the Heritage of Western Australia Act 1990.

Officers have actively pursued the Council OCM – 3/04/17 & OCM – 12/05/17 resolutions and invited quotes in a timely manner to comply with the preliminary time frames of the May 2017 resolution. The Royal Western Australian Historical Society (Inc) letter creates a serious problem in that the Town will not be able to comply with the LotteryWest Grant Variation requirements.

Should Council wish to continue to pursue the option 1 design, then it should be clearly understood that Officers are not confident that an appointed Heritage Architect will be able to change the Royal Western Australian Historical Society (Inc) comments provided in regards to the option 1 designs. If this is the case, the \$375,000 LotteryWest grant will most likely be in jeopardy.

Considering LotteryWest's comments and the difficult situation the Council now finds itself in, an alternative recommendation has been prepared for consideration.

STATUTORY REQUIREMENTS

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

Heritage of Western Australia Act 1990

FINANCIAL CONSIDERATIONS

Council (OCM – 12/05/17) resolved to allocate \$125,000 in the draft 2017/2018 Budget, however, as part of the budget deliberations at a Special Council Meeting held on 10 July 2017, Council (SCM – 6/7/17) adopted the 2017/18 Budget and resolved to allocate \$80,000 to appoint a Heritage Architect to manage the consultation, design and construction for the Option 1 design project.

For contracts up to \$149,999, the Town's Procurement Guidelines requires a minimum 3 written quotations from suppliers which are required to be evaluated on price and appropriate weighted qualitative criteria in order to make a recommendation to the Director/CEO to approve works.

As the estimated cost to appoint the Heritage Architect was below the \$149,999 threshold, it was anticipated that the Town of Bassendean would be able to appoint the contractor could be appointed by early November so that the design process could commence, as per the project time lines presented Council in the attached (OCM12/05/17) report.

All quotes received exceed the 2017/18 Budget allocation and this has delayed the appointment of the Heritage Architect.

The LotteryWest Grant Variation condition requires the initial claim from the Heritage Builder for the restoration works to be submitted by 30 April 2019.

Not having sufficient funds in the 2017/2018 Budget and the issue outlined above in regards to provision of written approvals and or endorsement for Council's final adopted plans, is already impacting the Town's capacity to achieve the required timeframes.

In the event that Council intends to appoint a Heritage Architect for this project, Council will be required to amend the 2017/18 Budget to include the additional amount.

Should Council wish to seek a further LotteryWest variation, it should be noted that the current RFQ responded prices are only valid up to 90 calendar days from the RFT closing date, therefore until 2 January 2018.

From a financial perspective, while Council could potentially allocate additional funds to make up the shortfall, at November OCM, the Director Operational Services does not recommend that the new Heritage Architect be appointed until the LotteryWest Board has formally advised what it is prepared to approve. This delay in appointing the Heritage Architect will most likely impact the fees proposal and the capacity to deliver the project by 30 April 2019.

Should Council wish to increase the budget allowance, it has been suggested that savings of \$15,000 in the reroofing of Hamilton Street (Casa Mia Montessori School), could be used for this purpose.

OFFICER RECOMMENDATION – ITEM 10.10

That Council:

1. Receives the RFQ 351 2017-18 Heritage Architect report associated with the project manage the consultation, design and construction process at 1 Surrey Street and notes the following:
 - a) Insufficient funding allocation;
 - b) LotteryWest Grant Variation requirements;
 - c) Stakeholder feedback received;
 - d) Risks and consequences associated with the stakeholder & community consultation process, the detailed investigation and design process;
2. Requests LotteryWest amends the Grant Variation condition by removing the provision of written approvals and or endorsement by the four organisations for Council's final adopted plans;

3. Upon receipt of the LotteryWest advice, that the Grant Variation condition of removing the provision of written approvals and or endorsement from the four organisations for Council's final adopted plans, that TPG WA by appointed to project manage the consultation, design and construction process at 1 Surrey Street, Bassendean, in accordance with the specifications and terms and conditions;
4. Amends the 2017/18 Budget to reallocate an amount of \$15,000 from account AB1701 to account 151359; and
5. Authorises the expenditure in accordance with section 6.8 of the Local Government Act.

Voting requirement: Absolute majority

OR

ALTERNATIVE OFFICER RECOMMENDATION – ITEM 10.10

That Council:

1. Receives the RFQ 351 2017-18 Heritage Architect report associated with the project manage the consultation, design and construction process at 1 Surrey Street, Bassendean and notes the following:
 - a) Insufficient funding allocation;
 - b) LotteryWest Grant Variation requirements;
 - c) Stakeholder feedback received;
 - d) Risks and consequences associated with the stakeholder & community consultation process, the detailed investigation and design process;

2. Rescinds the following Council resolutions - OCM 3/4/17 and OCM – 12/05/17:

OCM – 3/04/17 – Points 2 to 7

MOVED Cr Bridges, Seconded Cr Brown, that with relation to the 1 Surrey Street project Council:

2. *Informs LotteryWest that the current grant application will be resubmitted pending completion of items 3-7 below;*
3. *Has plans prepared consistent with Option 1 prepared by the SIA architects and the building uses recommended in the Interpretation Plan and subject to modifications sought by the key user groups as previously documented being included;*
4. *Requires interpretation within the museum space to include original and reproduction artefacts and within the cottage to include interpretation of a standard commensurate with that of the Howick Historical Village in Auckland New Zealand to create an authentic experience for museum visitors;*
5. *Requires a management plan for the ongoing use of the site to be presented to the Audit and Risk Committee and adopted by Council;*
6. *Requires site use areas be defined for the museum component, dedicated work and storage space for the Bassendean Arts Council and common shared meeting and activity spaces for multiple user groups including capacity for school education programs; and*
7. *Requires site and building plans, costings, the management plan and the details of the proposed interpretation be made available to the public via the Town's website and presented at a public meeting for community input prior to the commencement of construction."*

OCM – 12/05/17

MOVED Cr Bridges, Seconded Cr Brown, that Council:

1. *Lists for consideration in the draft 2017/2018 budget \$114,245 for the 1 Surrey Street Option 1 to tender separately for:
 - i) *A heritage architect to project manage the consultation, design and construction; and*
 - ii) *A museum consultant to design the interpretation of the museum component.**
2. *Lists for consideration in the draft 2018/2019 budget \$10,000 to engage to suitable consultant to develop a schools' curriculum program in relation to the proposed Pensioner Guard Cottage museum;*
3. *Lists for consideration in the draft 2018/2019 Capital Works budget \$980,000 for the restoration and construction works to the residence, pensioner guard cottage, associated community facilities and museum interpretation at 1 Surrey Street, Bassendean; and*
4. *Requests the CEO write to Lotterywest and request a negotiated extension for the initial draw down of grant funding for 1 Surrey Street - LotteryWest Application No. 421010236.*

3. Does not accept any of RFQ 351 2017-18 Heritage Architect proposals submitted to project manage the consultation, design and construction process at 1 Surrey Street, Bassendean;
4. Implements the State Heritage Office requirements and the respective Development Approval requirements, attached to the 28 November 2017 Ordinary Council Meeting Agenda;
5. Request SIA Architects and respective sub-consultants submit a revised quote for the supervision of the restoration works at 1 Surrey Street, Bassendean;

6. Writes to LotteryWest, State Heritage Office, Bassendean Historical Society Inc, National Trust of Australia (WA) and The Royal Western Australian Historical Society (Inc) to advise of the November 2017 resolution to rescind OCM – 3/04/17 & OCM – 12/05/17 and that a budget allocation will be made to appoint a suitable Heritage Builder to commence restoration works;
7. Amends the 2017/18 Budget to include:
 - a) a capital expenditure account of \$470,000 for Stage 1 of the construction of 1 Surrey Street, Bassendean;
 - b) an income account for the LotteryWest grant of \$375,000;
 - c) an amount of \$95,000 being from account AB1701 and account 151359, to a new capital expenditure account;
8. Includes for consideration in the 2018/19 Budget, an amount of \$520,000 for the completion of the construction of the Option 2C approved designs for 1 Surrey Street, Bassendean;
9. A transfer amount of \$380,000 from the Land and Building Infrastructure Reserve; and
10. Funds the balance of \$230,000 from Rates Income in the 2018/19 Budget.

Voting Requirement: Absolute majority

10.11 Proposed Principal Shared Path (PSP) Railway Parade, Success Hill (Ref: ROADF/DESCONT/5) Trent Macpherson, Engineering Technical Coordinator)

APPLICATION

The purpose of this report is to seek Council's approval of the proposed Principal Shared Path (PSP) alignment, along Railway Parade adjacent to the Success Hill Train Station. If Council resolve to approve the alignment, Main Roads Western Australia and the Department of Transport (DoT) will proceed with the Detail Design and Construction of the path.

ATTACHMENTS

Attachment No. 10:

Concept Design of Railway Pde PSP, page 1 and 2

BACKGROUND

In November 2016, the Town of Bassendean was notified by Main Roads Western Australia (MRWA) of their intent to construct a PSP from Success Hill Train Station to the cul-de-sac at the end of Railway Parade in Success Hill.

In February 2017, the Town was provided with an Environmental Impact Assessment, Environmental Management Plan, and the concept designs for the proposed PSP. The MRWA PSP concept design alignment indicated that there would be a significant impact to existing vegetation on the Railway Parade street verge in Success Hill. Officer's feedback to MRWA sought the realignment of the PSP to within the Public Transport Authority's (PTA) reserve area to insure the protection of trees and vegetation.

In May 2017 Main Roads provided the Town with an alternative PSP concept design (different alignment). The proposed alignment was a combination of the path entering the road reserve and PTA's reserve. The alternate design meant there would be minimal impact to the trees and vegetation but, in the PTA area, a retaining wall would need to be constructed. The PTA were not in favour of this design, as they believe it would create ongoing graffiti maintenance issues.

At the September 2017 Ordinary Council meeting, a Notice of Motion (OCM-30/09/17), requested Officers to arrange a site meeting with representatives from MRWA, DoT, PTA, Councillors and Officers to discuss the latest PSP concept design.

This meeting was arranged for 10 October 2017 and during the meeting MRWA suggested another alignment (Concept Plans attached). The new alignment design reduces the narrowing point on Railway Parade, to allow the path to enter the road, and act as a traffic calming mechanism along that period of the road. No retaining wall will be required, minimal removal of vegetation, and all significant mature trees would remain. Furthermore, MRWA advised any vegetation needing to be removed would be replaced, on a two for one basis, by a species determined by the Town.

COMMUNICATION & ENGAGEMENT

In November 2016, MRWA contacted the Town with their intent to construct the PSP along Railway Parade.

In February 2017, MRWA provided the Town with their concept plans and Environmental Impact Report for feedback.

In March 2017, the Town provided comment to MRWA on the concept plans.

May 2017, MRWA provided the Town with an alternative concept design

In July 2017, the Town's Engineering Technical Coordinator and Director Operational Services met with MRWA representatives on site to discuss and provide comment for the alternative concept design.

On 26 September 2017, Council requested Offices to arrange a meeting with relevant authorities, Town of Bassendean Officers and Councillors to discuss this matter.

In October 2017 Officers contacted and arranged an onsite meeting with MRWA, PTA, DoT, Town of Bassendean Officers and Councillors for 10 October 2017 to discuss the concept PSP designs.

On 17 October 2017, MRWA provided the Town with a revised concept plan for Council approval.

STRATEGIC IMPLICATIONS

The Community Strategic Plan 2017-2021, contains the following under the heading of:

Built Environment:

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success How we will be judged
3.2 Enhance connectivity between places and people	3.2.1 Connect the Town through a safe and inviting walking and cycling network. 3.2.2 Advocate for improved and innovative transport access and solutions. 3.2.3 Enhance the liveability of local neighbourhoods. 3.2.4 Enhance road safety through design	Community / Stakeholder Satisfaction Survey (roads, footpaths and cycle paths) Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.))

COMMENT

Stakeholders at the 10 October 2017 meeting mostly supported the latest PSP alignment Concept Plans (attached) received from MRWA.

The new alignment design reduces the narrowing point on Railway Parade, to allow the path to enter the road, and act as a traffic calming mechanism along that period of the road. During the site meeting, it was noted by all, a large number of bike riders used this area during peak periods. No retaining wall will be required, minimal removal of vegetation, and all significant mature trees would remain.

Furthermore, if vegetation is removed in the area, MRWA advised it would be replaced, on a two for one basis, by a species determined by the Town.

If Council resolve to approve the alignment, Main Roads Western Australia and the Department of Transport (DoT) will proceed with the Detail Design and Construction of the path. Work is not schedule to commence until 2018-19

STATUTORY REQUIREMENTS

Local Government Act

FINANCIAL CONSIDERATIONS

This is a Main Roads WA and Department of Transport project with no cost to the Town for the construction of the path and replacement planting of vegetation.

After a 12 month period, pending acceptance by the Town, the maintenance of the vegetation within the area will be the responsibility of the Town.

OFFICER RECOMMENDATION — ITEM 10.11

That:

1. Council approves the proposed Principal Shared Path alignment in accordance with Main Roads Western Australia Drawing Number C DRG-02-002 and C DRG-02-003 attached to the November 2017 Ordinary Council meeting agenda;
2. Approves the removal of 10 trees along the proposed Principal Shared Path alignment and replace with 20 trees, with a species to be determined by the Town; and
3. Main Roads Western Australia be advised of the November 2017 Council resolution to enable the proposed detailed design process and construction of the principal shared path to proceed.

Voting requirements: Simple Majority

10.12 Guildford Road - Motorist, Pedestrian and Cyclist Safety (Ref: TRAF/MAINT/2 - Trent Macpherson – Engineering Technical Coordinator, Nicole Baxter – Engineering Design Officer)

APPLICATION

The purpose of this report is to provide feedback concerning a Council resolved Notice of Motion (OCM – 34/06/17) regarding Guildford Road.

ATTACHMENTS

Attachment No. 11:

- MRWA response letter ILET_12429117
- Quote provided from Telstra to relocate the infrastructure
- Diagrammatic drawing of Colstoun Rd widening

BACKGROUND

At the Ordinary Council meeting held of 27 June 2017, Council resolved Notice of Motion OCM – 34/06/17 to write to Main Roads WA requesting consideration be given to the provision of the following items to assist with motorist, pedestrian and cyclist safety on Guildford Road;

- (i) a pedestrian sanctuary on the median strip opposite Thompson Road;
- (ii) a slip lane for cyclists travelling east at the Guildford bridge enabling easy access to the protected pedestrian/cycle lane on the north side of the bridge;
- (iii) a slip lane at the end of Colstoun Rd to enable convenient access to traffic turning left onto Guildford Rd when there are cars attempting to turn right.

Officers wrote to MRWA on the 7 July 2017 (OLET-6807617) requesting MRWA consider the above safety measures.

Main Roads WA response;

Pedestrian Sanctuary, Guildford Road opposite Thompson Road

MRWA is not supportive of a pedestrian sanctuary within the central median island in Guildford Road opposite Thompson Road as the traffic signals at West Road, 150m west of the requested location has a fully protected pedestrian facility and is more suited for pedestrian activity. This request has been discussed a number of times and is not supported by MRWA.

Cyclist access, Guildford Road Bridge

Cyclist Access at Guildford Road, MRWA advised there is currently a facility at this location for on-road cyclists to access the path on the northern side of the Guildford road bridge Main Roads has no objection to the Town modifying this facility as requested, as the verge of Guildford Road has been delegated to the Town of Bassendean since 1973,

Colstoun Road slip lane

Colstoun Road proposed left-turn lane in Colstoun Road at Guildford Road Intersection, MRWA advised, if Council wishes to modify the road to better serve its residents then MRWA has no objections. Formal drawings are required to be submitted to MRWA for assessment and regulatory approval.

COMMUNICATION & ENGAGEMENT

Officers wrote to MRWA on the 7 July 2017 (OLET-6807617) requesting MRWA consider the above safety measures and MRWA responded 26 July 2017.

STRATEGIC IMPLICATIONS

The Community Strategic Plan 2017-2021, contains the following under the heading of:

Built Environment:

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success How we will be judged
3.2 Enhance connectivity between places and people	3.2.1 Connect the Town through a safe and inviting walking and cycling network. 3.2.2 Advocate for improved and innovative transport access and solutions. 3.2.4 Enhance road safety through design	Community / Stakeholder Satisfaction Survey (roads, footpaths and cycle paths) Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.)

COMMENT

The following Officers feedback is provided following the investigation of each items raised at the OCM June 2017.

Pedestrian Sanctuary, Guildford Road opposite Thompson Road

Due to MRWA not supporting the pedestrian refuge within the central median island in Guildford Road opposite Thompson Road, no further Engineering investigation will take place.

Cyclist access, Guildford Road Bridge

Officers have viewed the existing access ramp on the north side of Guildford Road prior to the Guildford Bridge. There is no access ramp on the south side of Guildford Road to connect to the north side existing ramp.

This existing ramp allows on-road cyclists travelling east to exit from Guildford Road and enter into the protected pedestrian/cycle path on the northern side of Guildford Road Bridge. The existing access ramp is 3.7m wide and installed perpendicular to the road carriage, cyclists must significantly slow down to manoeuvre the ramp.

The Town may consider upgrading this access ramp to a compliant cyclist access ramp that can be installed at an angle, in the direction of travel, enabling on-road cyclists an easy exit from Guildford Road to the protected pedestrian/cycle lane to the north of Guildford Road Bridge.

As the verge of Guildford Road is delegated to the Town of Bassendean in 1973, Main Roads has no objection to the Town modifying this cycle facility but does so at the Towns Cost.

Estimate Cost to upgrade the existing ramp via a cyclist exit/entry ramp is \$3,760.

Estimate cost to upgrade the existing access ramp.	
Traffic Management site specific plan for Guildford Road	\$300
Removal of existing concrete ramp and backfill verge area	\$450
Replace Barrier Kerb	\$260
Traffic Management implementation on site	\$900
Boxout material	
Install compliant concrete cyclist ramp	\$950
Disposal of boxout material	
Reinstate verge and site clean up	
Traffic Management implementation on site	\$900
Total ex GST	\$3,760

Colstoun Road slip lane at Guildford Road

Officers have made a preliminary investigation of the possibility of installing a slip lane at the end of Colstoun Road to enable convenient access to traffic turning left onto Guildford Road when a car is attempting to turn right.

Colstoun Road is designated under the Town's Road Hierarchy as a Local Distributor Road. Local Distributor Roads carry up to 6,000 vehicles per day and based on recent traffic classifier results, Colstoun Road is below these limits with average weekday traffic (AWT) 2673 vehicles.

Due to the traffic volume of Guildford Road, when vehicles in Colstoun Road are attempting to turn right into Guildford Road there may be a wait time required for a break in the traffic.

The Right turning car is positioned in such a way that hold up cars wanting to make a left turn from Colstoun Road onto Guildford road causing frustration for some drivers.

An option to modify this intersection would require local widening of Colstoun Road to accommodate the slip lane. This slip lane may be beneficial to allow left turn vehicles when one car is waiting to turn right but unfortunately if two cars are attempting to turn right the slip lane will be blocked off not allowing left turns.

The widening of the carriage way will interfere with existing underground services on the south west corner being a Telstra pit, Water Corporation Water service, Atco Gas and the Town's Stormwater Drainage.

Officers have contacted Telstra to seek the possibility if the Telstra lid can be modified to a trafficable lid so it can remain in the road carriage. Telstra advised the existing pit would not be able to stay in the road, as they are not suitable to traffic. Therefore, Telstra provided a quote to relocate the pit away from the proposed works.

A relocation fee of \$38,773.78 is required and the works will take 5 weeks to complete.

Atco Gas advised any works involve boxing the ground out to a depth of 300mm or more for the construction of a road/car park or crossover/driveway over a gas main requires site-specific specifications.

The Town's Stormwater pit and gully will need to be replaced.

The estimated cost for all of the above works is \$79,904.78.

STATUTORY REQUIREMENTS

N/A

FINANCIAL CONSIDERATIONS

No funds have been allocated in the 2017/18 Budget for these works. These works may be included in the draft 2018/19 Budget.

The estimated cost for the cyclist access, Guildford Road Bridge works is \$3,760.

The estimated cost for the construction of the Colstoun Road slip lane is \$79,904.78.

OFFICER RECOMMENDATION — ITEM 10.12

That Council:

1. Considers listing the upgrade of the Access Ramp in Guildford Road (\$3,760) and Colstoun Road Local Widening (\$79,904.74) in the draft 2018-19 Capital Budget;
2. Receives the Main Roads Western Australia feedback and the Officer's report in response to Council resolution (OCM – 34/06/17) concerning:
 - a) Thompson Road/Guildford Road pedestrian sanctuary;
 - b) Guildford bridge cyclist slip lane; and
 - c). Colstoun/Guildford Roads traffic slip lane.

Voting requirements: Simple Majority

10.13 Review of Waste Management Practices in the Town of Bassendean (Ref: WSTMNGT/TENDNG/10); Simon Stewert-Dawkins, Director Operational Services & Ken Cardy Manager Asset Services)

APPLICATION

The purpose of this report is to present Council with an estimated time schedule for the review of the Town's Waste Management Practices, as described in the 2017-2027 Strategic Community Plan (2.1.2) and provide Council with information on possible strategic direction and implementation periods for the Town's Waste & Recycling Collection Services and costs for the implementation of a third bin.

ATTACHMENTS

Attachment No. 12:

Consultant Survey Questions
Recycling Percentages and Tonnages and Recycling & Waste Product Tonnages

BACKGROUND

The collection, recycling and management of waste is one of the major issues facing the greater Perth Metropolitan area and in particularly Local Governments who are vested with the task from a sustainable perspective.

The Western Australia Waste Strategy published in 2012, "Creating the Right Environment", sets out some immediate and longer term targets for waste diversion from landfill, a 50% diversion by 2015 and 65% diversion by 2020.

The Waste Authority have reviewed this strategy and prepared a Waste Avoidance and Resource Recovery consultation paper. The Waste Authority are seeking stakeholder and community feedback on the proposed amendments by 1st March 2018.

In 2016-17, the Town of Bassendean collected 9798.14 tonnes of waste of which 6272.69 tonnes went to landfill and 3525.45 tonnes (35.98%) recycled.

However with the introduction of the new Eastern Metropolitan Regional Council's Hazelmere Resource Recovery Park, it is anticipated that the waste diversion figure of 35.98% will increase because the facility provides Western Australia with its first mattress and timber waste recycling operations and also separates and repair of the community's discarded materials with the goal of selling them to markets and the community.

The purpose of the Hazelmere Resource Recovery Park is to recover resources from some waste streams, thus diverting waste from landfill and providing an opportunity to re-use materials.

The Town's recycled figure includes the municipal street and reserve tree pruning activities, as branches & leaves are shredded and mulched and either re-used throughout the Town's parks and reserves or offered to residents free of charge, if picked up from the Depot, or for a small cartage fee if delivered.

Currently the Town offers the following waste services to residents of the Town:

- Weekly 240-litre rubbish bin collection.
- Fortnightly 240-litre recycling bin (yellow lid) collection.
- Supply of Dog Bags at reserves
- Weekly collection of litter bins from reserves and streets.
- Annual bulk rubbish/junk collection (November/December).
- Annual collection of tree pruning's (May/June).
- Annual provision of four tip passes to residents and businesses.
- Waste collection for special events within the Town (e.g. Carols by Candlelight, Australia Day Celebrations etc).
- Fridge/freezer weekly collection
- Battery Collection Program
- School Education Programs
- E-Waste/Household Hazardous Waste Days (*Pending funding available*)

Recently the Government of Western Australia Waste Authority has released a funding program where Council can apply, through an application, for funding to implement a "Better Practice Kerbside Collection Service" that will support higher recovery and the achievement of the State Government's 2020 municipal solid waste targets.

Should Council resolve to submit an application to the Waste Authority to introduce the 3 bin system, the last day for submitting the funding application is 5pm 30 March 2018.

COMMUNICATION & ENGAGEMENT

In line with the Waste Authorities funding opportunities and as per the Town's Strategic Community Plan 2017-2017, priority 5.2 "Proactively partner with the community and our stakeholders – Engage and communicate with the community", Officers of the Town sought quotes from four consultants to undertake a community survey on the possible change to the Towns current waste collection program.

This change being, the possible introduction of a third bin (Household Waste (Red), Green Waste (Green) and Recycling (Yellow).

A survey consultant has not been appointed at this stage, however the proposed community surveys questions are attached for Council consideration and may be reviewed prior to the Town appointing a consultant to undertake the survey.

In discussions with the consultants, to receive a suitable reflective result for this project, the minimum amount of residents to be surveyed is recommended to be no less than 5% of the population. Therefore, the recommendation is that 400 resident surveys be undertaken (5% in each of the three Town of Bassendean suburbs).

Due to the timing of the survey, coming up to the festive season, and the closing date of the funding application, in conjunction with the phone survey, Officers are investigating the additional use of the Town's "Have your say" webpage questionnaire and surveying residents at the Bassendean Shopping Centre to help shorten the survey timeframe.

All "Have your say" and "Bassendean Shopping Centre" collected survey results, will be provided to the consultant, for inclusion in the Consultant's survey report to the Town.

STRATEGIC IMPLICATIONS

The Community Strategic Plan 2017-2021, contains the following under the heading of:

Natural Environment:

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success How we will be judged
2.1 To display leadership in environmental sustainability	2.1.1 Strengthen environmental sustainability practices and climate change mitigation 2.1.2 Reduce waste through sustainable waste management practices	Waste reduction ratio to population

COMMENT

The Council approved 2017/2018 Operational budget includes \$30,000 to investigate recycling opportunities for other waste streams, including but not limited to the 3-bin system in order to increase recycling services.

The Town had anticipated the contract for the EMRC's Resource Recovery project would have been finalised by Members Councils far earlier than has occurred, and as a result, the recycling investigations were placed on hold until Council had resolved this issue.

Pending the funds available after the 3 bin survey process, it is intended to commence the balance of the recycling investigations with a further report to be presented to Council for consideration and pending Council resolution conduct a community consultation survey of residents on increased waste collection programs.

Officers are regularly in discussion with the Town's waste collection contractor on how we can improve recycling through implementing additional waste collection programs.

For example, the Town will investigate the opportunity to recycle soft plastic in the yellow top bin or if other items which are currently excluded, can be recycled. The Town will also investigate the cost associated with arranging on call or implementing collection stations. What recycling rates would be achieved for following waste streams: tyres, mattresses / foam, clothing/ fibre, timber, metal, house hold hazardous waste, asbestos, paint, and electronic equipment and would there be any subsidy for residents to buy Compost Tumbler/ worm farm etc. to encourage this initiative.

The aim of the investigations will be to optimise recycling opportunities, minimise contamination during the collection process, and identify suitable recycling services and potential cost benefits. As mentioned above, it is planned to conduct these investigation and provide a further report for potentially improved or new recycling programs.

Within the Town of Bassendean, the cost of illegal dumping in 2016/17 was \$51,603. It is hoped that through the investigation and implementation of new waste collection programs in 2018-19, this amount will be greatly reduced.

Considering the Waste Authority's grant funding opportunities and time line for introducing a 3 bin system, at this stage Officers are recommending that Council proceed with the survey to determine the level of support.

RISK ASSESSMENT

In terms of risk management, a Request for Tender procurement process will be undertaken, for the purchase of the bins and replacement of lids, and during this process, a Risk Assessment of the contractor will be undertaken.

In the Waste Authority funding submission, it states that, in June 2018 the Waste Authority will advise the Local Government if their funding submission has been successful. Pending a result Council will have the opportunity to review the direction of this project at this time. If successful, the project completion date is 30 June 2020.

SUSTAINABILITY IMPLICATIONS STATUTORY REQUIREMENTS

Local Government Act 1995

Waste Avoidance and Resource Recovery Act 2007

The primary objects of this Act is to contribute to sustainability, and the protection of human health and the environment, in Western Australia and the move towards a waste free society by —

- (a) promoting the most efficient use of resources, including resource recovery and waste avoidance; and
- (b) reducing environmental harm, including pollution through waste; and
- (c) the consideration of resource management options against the following hierarchy —
 - (i) avoidance of unnecessary resource consumption;

- (ii) resource recovery (including reuse, reprocessing, recycling and energy recovery);
- (iii) disposal.

FINANCIAL CONSIDERATIONS

The 2017/18 budget, includes an amount of \$30,000 for the appointment of a consultant to conduct recycling investigations and undertake a ratepayer survey and obtain comments on the future waste management needs for the Town.

Currently, there are 7,540 rateable properties that receive a rubbish service within the Town. As at November 2017, the estimated additional cost to implement the three bins system would equate to \$152 per residential property in the first year, and once the third bin is in place, an estimated additional \$21 per annum for collection fees per property per annum. If a property requires an additional bin after receiving the third bin an additional cost per bin will be charged.

Based on these figures, if Council resolves to implement the three bins system in 2018-19 the cost for the additional service are as follows:

• Purchase of additional bins	\$ 640,940
• Change of yellow lids (\$44/ lid, pin and Handling charge)	\$ 328,744
• Additional service each year	\$ 155,000
• Education Program	<u>\$ 20,000</u>
	\$1,144,684
Less Waste Authority funding	(\$ 266,000)
Less TOB Reserve Waste funds	<u>(\$ 290,348)</u>
NET COST	<u>\$ 588,336</u>

If the funding application to the Waste Authority is successful the Town is estimated to receive \$226,000. Council may also resolves to utilise its Reserve Waste Funding of \$290,348 in purchasing the third bin. If these sources of funds are used to implement the third bin system, it is anticipated the costs will be reduce to \$588,336. Therefore, the cost per property for the 2018/19 year will equate to an estimated \$78 or \$80 per property.

If Council resolves to submit an application, the Waste Authority will advise Local Governments by the 30th June 2018 if successful and should this be the case, then the rolled out of the program would need to be completed by June 2020

OFFICER RECOMMENDATION — ITEM 10.13

That Council:

1. Receives the report on the preliminary costs to introduce a 3 bin system to increase recycling opportunities;
2. Authorises the CEO to initiate a 3 bin survey of 400 ratepayers using the proposed questions attached to the November 2017 Ordinary Council agenda; and
3. Requests the results of the survey to be presented to the February 2018 Ordinary Council meeting for consideration.

Voting requirements: Simple Majority

10.14 ITEM WITHDRAWN

10.15 RYDE Program Partnership Expansions (Ref: COMS/PROGM/6 – Greg Neri, Manager – Youth Services)

APPLICATION

This report seeks to gain Council support to enter into future partnerships with outside consortiums for the delivery of the RYDE Driver Mentor program.

BACKGROUND

Council Officers have been undertaking development of the RYDE (Regional Youth Driver Education) Program since receiving funding from LotteryWest in 2014.

The Bassendean RYDE Program entered its 'Operational' phase in early 2016, and has been successful in delivering the program with Youth Agencies and Government Departments since that time as a 'proof of concept'.

The RYDE Program is unique in this field as it uses technology in the areas of; induction, communication, bookings, payments and risk management to operate a sustainable program model. Volunteer Mentor programs delivered in the Eastern States rely on significant and continuous funding streams for continued operation. The RYDE model by comparison, leverages the in-kind support of multiple agencies specialising in specific aspects of the Program, linked by a proprietary software platform. The OBAMS (Online Booking And Management System) software significantly reduces the analogue human input required to deliver the Program by automating and coordinating as many aspects as possible. The program is innovative in the use of a sophisticated induction/booking/payment/communication software platform to eliminate the majority of the human resource component usually dedicated to managing these types of initiatives.

Since Victoria introduced the Graduated Licencing System (extended log book hours), it has invested over 20 million dollars of TAC funds across 63 Local Government areas to prevent the changes marginalising Learner Drivers without access to suitable vehicles or supervisors. The overall goal of the RYDE initiative was to present and prove a sustainable model of operation which could be used as a template for other Local Governments to introduce, and did not require a significant ongoing funding source.

Since March 2016, there have been enquiries from; City of Mandurah, City of Wanneroo, City of Canning, City of Joondalup, City of Wanneroo, City of Greater Geraldton and a consortium of Community Sector agencies from Albany, Mandurah and Bunbury. The City of Cockburn were the first partner to be ready to commit to the Program's implementation in their region. The model would be that of a 'franchise', whereby their program and partners would operate relatively independently of the Town of Bassendean. The Town of Bassendean would however remain in control of; the software platform, the specifications of the model's 'business rules', and ongoing software and program development. The City of Cockburn have undertaken to fund the extra software development involved in making the setup of new franchises modular, making future partnerships relatively straight forward.

It is proposed that the Town of Bassendean provide Council Officers with the authority to enter into future partnerships with peer Local Governments and community led consortiums to implement the RYDE model within their local communities. The expansion sites would be obliged to adhere to all of the risk management measures inherent in the original Program model.

The Town's contribution would be in the form of staff time used to assist in the rollout of the new franchise, though this would be recouped via a one off setup fee.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2017-2027

Strategic Priority 1: Social Objective

- 1.2: Ensure all community members have the opportunity to be active, socialise and be connected.
- 1.3: Plan for a healthy and safe community.
- 1.4: Improve lifestyle choices for the aged, families and youth.

Strategic Priority 5: Good Governance Objective

- 5.1 Enhance organisational accountability
- 5.2 Proactively partner with the community and our stakeholders
- 5.3 Strive for improvement and innovation

COMMENT

The lack of accessibility to vehicles, Mentors or a large quantity of formal driving lessons creates barriers to many young people, affecting their access and participation in other areas of life. Lack of driver's licence may inhibit young people's participation in education, training and employment, with many positions, particularly apprenticeships identifying it as essential. Additionally, social and recreational opportunities may be limited by transport barriers. While there are opportunities to use public transport in addressing these barriers, there are occupations where workers need to get to remote locations to maintain employment, such as for Technicians and Trade Workers. Where job sites are close to public transport, employees may still require a driver's licence for work operations. There is clear disadvantage for young people who do not have experienced driving supervisors to support them in accumulating their driver's licence supervised hours. Further disadvantage occurs for families where there is limited or no access to a vehicle or to finances to complete their 50 hours of driving experience.

These barriers may lead to novice drivers having less authentic supervised experience before driving independently. It is envisaged that with easier and more universal access to mentored driving hours, young people will be less likely to; falsify experience, illegally drive without a licence, and pick up bad driving habits through inadequate or poor quality mentoring.

The RYDE Program replicates many elements of models delivered in the Eastern States, however it utilises technology to eliminate many functions requiring manual intervention. The subsequent custom software is designed to handle:

- Mentor Induction;
- Support Worker Induction;
- Client induction;
- Client driving assessment verification;
- Mentor driving assessment verification;
- Mentor background check verification;
- Purchase and refund of session 'credit codes';
- Booking and cancelling sessions;
- Reporting of vehicle damage;
- Dealing with on road accidents and incidents;
- Feedback to support workers regarding concerning disclosures, behaviour and non attendance follow up;
- All communication between Mentors and Clients;
- Tracking on road skills development;
- Feedback from Clients;

- Risk management treatments in real time;
- Refresher videos for Support Workers;
- Session reminder SMS and email communication; and
- Support Worker and Volunteer Coordinator email reminders based on participation rates and milestones reached.

A large body of research and development work has gone into the RYDE model. The aspiration has always been for the Town of Bassendean to gain industry and community exposure by providing a solution to a significant gap in services. It is envisaged that the Town of Bassendean's wider reputation is enhanced by offering this program model to industry and Local Government peers.

A setup fee of \$2,000 per program is proposed to be charged to new consortiums in order to effectively implement the model at new locations. This fee would account for various initial meetings with Local Government stakeholders and consortium members, and a full day setup and induction delivered by 2 staff. Once the new Program is in its delivery phase, there would be a need for ongoing meetings and phone support to ensure smooth operations. The figure of \$2,000 is likely to exceed the operational needs of new Program implementation, but ensures that the Town does not subsidise external activities and represents a contribution to ongoing software development.

STATUTORY REQUIREMENTS

Local Government Act 1995.

FINANCIAL CONSIDERATIONS

This proposal does not require cash contributions from Council.

The Town's contribution will be in the form of staff time used to assist in the rollout of new consortiums, which will be offset by an initial setup fee of \$2000. This fee will accommodate the need for a full day of induction with the new consortium, site specific software changes and a contribution toward ongoing software development. Additionally, participants will contribute \$2.50 from each \$15 session to the Town of Bassendean to reimburse for ongoing running costs such as automated text messages, server hosting, email server messaging and software troubleshooting.

OFFICER RECOMMENDATION — ITEM – 10.15

That Council approves:

1. Entry into partnerships with Local Government and community consortiums to expand delivery the RYDE Program model. This mandate is provided on the proviso that no Town of Bassendean funds are required for Program expansion, or require any further decisions of Council; and
2. A \$2,000 setup fee charged to external RYDE Program consortiums to accommodate full day inductions, ongoing technical support and as a contribution towards ongoing software development.

Voting requirements: Absolute Majority

10.16 Waiver of Fees – Success Hill Action Group Christmas Party (Ref: COMR/LIAIS/1 - Tim Dayman, Recreation Development Officer)

APPLICATION

For Council to consider a request from the Success Hill Action Group Inc for the waiver of the hire fee for the use of the Success Hill Reserve for the annual Christmas Party to be held on Saturday 2 December 2017.

ATTACHMENTS

Attachment No. 14:

Correspondence - Success Hill Action Group Inc

BACKGROUND

The Success Hill Action Group (SHAG) is an incorporated community group, formed during the 1980's by residents of Success Hill. SHAG has evolved into a community social group in addition to participating on issues affecting our environment and locality. Throughout the year, SHAG hosts events such as bring and share dinners, sundowners, history walks, film nights and the annual Children's Christmas Party for which the Town has waived reserve hire fees in previous years.

On 10 August 2017, the Success Hill Action Group submitted a letter to the Town's Director Community Development requesting the waiver of reserve hire fees and the use of the Town's vintage fire truck.

COMMUNICATION & ENGAGEMENT

The Acting Director Community Development informed the SHAG group in October 2017 that the request for a waiver of the hire fees for Success Hill Reserve would be referred to the November 2017 Ordinary Council meeting for consideration and has continued to maintain communication with the SHAG group regarding their request.

COMMENT

Council considered a similar request for the waiver of reserve hire fees for the 2016 Annual Children's Christmas Party by waiving fees as per Council resolution:

OCM 22/10/16

Council waives the hire fee of \$130 to the Success Hill Action Group for the use of Success Hill Reserve for the staging of its annual Children's Christmas Party in the Park event.

Officers have also made available the Town's fire truck that is parked at the depot and a staff member to drive the truck for the Children's Christmas Party on Saturday 2 December between 4.30pm to 6.30pm.

Given that the SHAG's annual Children's Christmas Party is classed as a low risk event and that Council has historically waived hire fees for the staging of the event, Officers are of the view that community groups such as the SHAG group would benefit from financial support provided by the Town through the waiver of reserve hire fees.

For the 2017/2018 financial year, reserve hire fees applicable for the use of the Success Hill Reserve to stage the annual Children's Christmas party, includes a hire fee of \$135.

Officers are recommending that in addition to the waiver of the hire fee of \$135, that the bond of \$300 would not apply. If additional costs were incurred, such as ground maintenance or rubbish removal, these costs will be charged to the SHAG post event.

STATUTORY REQUIREMENTS

Local Government Act 1995

STRATEGIC IMPLICATIONS

A waiver of fees such as this presents an example of the Town's commitment to developing our community and is highlighted in the Town's strategic plan as listed below:

Strategic Priority: Social

Objectives: Build a sense of place and belonging.

Strategic Priority: Good Governance

Objectives: Proactively partner with the community and our stakeholders

FINANCIAL CONSIDERATIONS

By resolving to waive the applicable fee for this hirer, Council will forego a total income of \$135 during the 2017/18 financial year.

OFFICER RECOMMENDATION – ITEM 10.16

That:

1. Council provides the Success Hill Action Group a waiver of the \$135 hire fee for the staging of the SHAG Christmas Party to be held on 2 December 2017; and
2. The prescribed bond of \$300 will not apply, and if any additional costs are incurred in staging the event, these costs will be charged to the SHAG post event/

Voting requirements:

Point 1 - Absolute Majority

Point 2 – Simple Majority

10.17 Appointment of a Deputy Member to the Eastern Metropolitan Regional Council (Ref: GOVN/CCLMEET – Yvonne Zaffino, Council Support Officer)

APPLICATION

Council is requested to consider nominating a replacement deputy member to the Eastern Metropolitan Regional Council as Cr Brown tendered his resignation in writing to the CEO on 6 November 2017.

BACKGROUND

At its meeting held on 23 October 2017, Council endorsed Councillors as delegates to external Committees. Crs Mykytiuk and Wilson were endorsed as Members of the EMRC and Cr Brown as Deputy Member. With the resignation of Cr Brown, one Deputy Member vacancy is required to be filled.

STRATEGIC IMPLICATIONS

Good Governance

Objectives

- 5.1 Enhance organisational accountability
- 5.2 Proactively partner with the community and our stakeholders

COMMENT

In accordance with Council Policy, appointments to Committees are for a period of two years. Where a Councillor is to be appointed to an external body and there are more nominations than vacancies, the CEO is to conduct a secret ballot using the first past the post system to establish the preferred delegate to fill the position. In the event of a tied vote for a position, lots will be drawn by the CEO to determine the preferred delegate.

It should be noted that the next meeting of the EMRC is Thursday, 7 December 2017, commencing at 6.00pm.

OFFICER RECOMMENDATION – ITEM 10.17

That Council appoints Cr _____ to the Eastern Metropolitan Regional Council for a two year period expiring on the next ordinary Local Government Election Day.

Voting Requirement: Absolute majority

10.18 Review of Council Committees (Ref: GOVN/CCLMEET/1-CMT)

APPLICATION

Councillors are requested to consider a review of Council's Committee structure in accordance with the adopted 2017-2027 Strategic Community Plan and 2017-2021 Corporate Business Plan. All Committee memberships expired on 21 October 2017.

ATTACHMENTS

Attachment No. 15:

Draft Instruments of Appointment and Delegation for proposed Committees.

BACKGROUND

At its meeting held on 26 September 2017, Council adopted the Instruments of Appointments and Delegations for the Access & Inclusion Committee, Audit & Risk Management Committee and Bassendean Local Emergency Committee.

Council further resolved:

"Council authorises the continuation of the Bassendean River Parks Management Committee and calls for expressions of interest from community members and notifies government agencies of the continuation of this Committee".

Council has approved the advertising for any community representation, and the call for representatives from external agencies to make up the membership of the Audit and Risk Management Committee, Access and Inclusion Committee and Local Emergency Management Committee, so that those representatives can be appointed in advance of the appointment of Councillors. Public advertising for these Committees were advertised in the Eastern Reporter on 21 November 2017, Council's website and public notice boards and close on 5 January 2018.

STRATEGIC IMPLICATIONS

GOOD GOVERNANCE

Objectives

- 5.1 Enhance organisational accountability
- 5.2 Proactively partner with the community and our stakeholders

Strategies

- 5.1.1 Enhance the capability of our people
- 5.1.2 Ensure financial sustainability
- 5.1.3 Strengthen governance, risk management and compliance
- 5.1.4 Improve efficiency and effectiveness of planning and services
- 5.1.5 Ensure optimal management of assets
- 5.2.1 Improve customer interfaces and service
- 5.2.2 Engage and communicate with the community
- 5.2.3 Advocate and develop strong partnerships to benefit community

STAFF COMMENT

The 2017-2027 Strategic Community Plan provides for the objectives and strategies for the ensuing 10 years. This is further expanded in the 2017-2021 Corporate Business Plan which provides for the targets and projects for the ensuing 4 years.

There is a need to ensure that the Town's activities and functions have some correlation with the community's aspiration and vision and the Council might best facilitate this by adopting a structure and composition of its Committees that are aligned with the plans.

This will provide the community with some assurance that the adopted plans are being implemented.

There are 5 Strategic Priorities that have been aligned with the Committees. It is therefore suggested that the following Committees be appointed by Council:

- Economic Development Committee;
- Natural Environment Committee;
- Social Advancement & Community Committee;
- Strategic Planning and Built Environment Committee.

The draft Instrument of Appointment and Delegation for each Committee include community representatives, and therefore the Committees will make recommendations to Council.

The Instruments of Appointments and Delegations also include the projects contained in the 2017-2021 Corporate Business Plan and this provides direction to each Committee to ensure there is alignment with the Plan.

The projects included in the Instruments of Appointments and Delegations are those that are listed from 2017-2019.

Community member representation on the Committees requires appointment by Council following the elections and it is recommended that the Town advertise for expressions of interest to participate on Committees of Council as community representatives to achieve the best possible outcome for Council, once the new structure is endorsed.

It should be noted that at its meeting held in September 2016, Council resolved the following:

OCM – 38/09/16

MOVED Cr McLennan, Seconded Cr Brown, that Council considers the establishment of a Sustainability Advisory Group as part of its review of Committees in 2017, with the (draft) objectives including:

- a) Providing advice & making recommendations relating to:
 - The formulation of a community & Council vision for environmental sustainability & leadership; and
 - The development & implementation of environmental initiatives & programs.

- b) Acting in an advisory capacity on matters referred to it by Council or by officers relating to the natural and built environment, with specific focus on:
 - Environmentally sustainable building design;
 - Water use and efficiency;
 - Energy efficiency and renewable energy;
 - Green spaces, urban vegetation and biodiversity;
 - Water in the environment (water quality and natural water sources); and
 - Waste minimisation & management.

- c) Consulting with the community and informing Council of sustainability matters of importance to the community.

CARRIED UNANIMOUSLY 6/0

Councillors Information Workshop 21 November 2017

Councillors held an information workshop on Tuesday 21 November to discuss the Committee Structure and the Instruments of Appointments.

It was agreed that the following Committees would be considered by Council at the November 2017 Ordinary Council meeting.

- Parks and Rivers Committee
- Strategic Built Environment Planning Committee
- People Services Committee
- Economic Development Committee
- Town Assets and Infrastructure Committee
- Environmental Sustainability Committee
- Youth Advisory Council
- Bassendean Oval Project Control Group

It was further agreed that the membership of the Committees would include 3 Councillors and up to 5 Community Members. The Committees would make recommendations to Council and meet at least quarterly.

Councillors have suggested the following Committee structure:

- River Parks Committee
- Strategic Built Environment Planning Committee (renamed Design Bassendean)
- People Services Committee
- Economic Development Committee
- Town Assets Committee
- Sustainability Committee
- Youth Advisory Council

River Parks Committee	Strategic Planning Committee	People Services Committee	Town Assets Committee	Economic Development Committee	Audit & Risk (Governance) Committee	Sustainability Committee
Ashfield Flats	All planning related matters	Infant health	Footpaths	Bassendean Means Business	Governance policy	Waste management
Bindaring Park	Design and building policy matters	Childcare	Roads/safety	Commercial tenants		Carbon reduction plan
Living streams/drains		Youth	Parks			Renewably energy
Success Hill Reserve		Seniors	Sporting infrastructure			Chickens
Environmental Volunteers		Events	Lighting			"Sustainability"
Pickering Park		Disability	Town assets			
Point Reserve		Crime	Verges			
Sandy Beach Reserve		Education/Relax	Urban forest/street trees			
Swan River Trust		Library (Local Studies)	Public conveniences			
WAPC		Culture Plan	Walkable/cycling			
Water Quality		Reconciliation	Fleet			
		Playgrounds				
		Club Development				

Access and Inclusion Committee

At the Councillors' workshop held on Tuesday 21 November 2017, the question was raised as to whether or not the Access and Inclusion Committee was required to be established by Council as a statutory committee under law. Council had previously adopted the Access and Inclusion Committee at its Council meeting held on Tuesday 26 September 2017 (OCM – 12/09/17) with advertising already underway for nominations which close on 5 January 2018.

Officers sought clarification from the Department of Communities, Disability Services section and it was confirmed by the Department that the establishment of an Access and Inclusion Committee was not a statutory requirement.

Officers are of the view that whilst the establishment of an Access and Inclusion Committee is not a statutory requirement, that the dissolution of the Committee and absorption into the broader committee structure would more than likely have a detrimental affect on the Town given the trust and goodwill generated between the families and service providers working with people with a disability.

Also, there is a concern that the dissolution of the Committee would not be viewed favourably by the Department of Communities Disability Services or National Disability Insurance Agency (NDIA) as it would give the impression that people with disability and inclusion are not a priority for this Council. Officers for this reason, would like to recommend that the Access and Inclusion Committee not be absorbed in other committees but remain in its current status as adopted by Council.

It is important to note that the current Access and Inclusion Committee pursues a statutory requirement on behalf of the Town, that is implementing and reviewing the Disability Access and Inclusion Plan (DAIP) which is also required by statute to be reported in the Annual Report.

Also the DAIP is not just physical access, but when developing a DAIP, Local Governments must aim to achieve a range of equity outcomes. These provide a framework for translating the principles and objectives of the Act into tangible and achievable results.

By Local Governments making their functions, facilities and services accessible to people with all types of disability, the Town will facilitate the inclusion of people with disability into the community.

The Access and Inclusion Committee as a separate committee would be best placed to facilitate the Town meeting these desired outcomes.

If Council chooses to disband the Access and Inclusion Committee, a resolution would be required to rescind the motion passed (OCM-12/09/17).

STATUTORY REQUIREMENTS

5.9. Committees, types of

(1) In this section —

other person means a person who is not a council member or an employee.

(2) A committee is to comprise —

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only.

5.16. Delegation of some powers and duties to certain committees

(1) Under and subject to section 5.17, a local government may delegate * to a committee any of its powers and duties other than this power of delegation.

** Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

(3) Without limiting the application of sections 58 and 59 of the *Interpretation Act 1984* —

- (a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and
- (b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.

(4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.

5.17. Limits on delegation of powers and duties to certain committees

- (1) A local government can delegate —
 - (a) to a committee comprising council members only, any of the council's powers or duties under this Act except —
 - (i) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and
 - (ii) any other power or duty that is prescribed; and
 - (b) to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and
 - (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —
 - (i) the local government's property; or
 - (ii) an event in which the local government is involved.
- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f) above.

[Section 5.17 amended by No. 49 of 2004 s. 16(2).]

Options that can be exercised by the Mayor or CEO:

Section 5.10 of the Local Government Act 1995 Parts (4) and (5)

- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government **is to appoint the mayor** or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
 - (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee,

the local government **is to appoint the CEO or the CEO's representative**, as the case may be, to be a member of the committee.

FINANCIAL CONSIDERATIONS

Councillors are paid an annual fee for Committee and Council meetings and this is included in the 2017/18 adopted Budget.

OFFICER RECOMMENDATION – ITEM 10.18

That:

1. In accordance with Section 5.9 (d) of the Local Government Act, Council appoints the following Committees and endorses the Instruments of Appointment:

- River Parks Committee
- Design Bassendean
- People Services Committee
- Economic Development Committee
- Town Assets Committee
- Sustainability Committee
- Youth Advisory Council

2. Council appoints the following Councillors to its Committees and the Bassendean Oval Project Control Group:

	Members	Deputy Members
River Parks Committee 3 member 1 Deputy		
Design Bassendean 3 member 1 Deputy		
People Services Committee 3 member 1 Deputy		
Economic Development Committee 2 member 1 Deputy		
Town Assets Committee 3 member 1 Deputy		

Sustainability Committee 3 member 1 Deputy		
Bassendean Oval Project Control Group 3 member 1 Deputy		

3. The Town advertises for expressions of interest to nominate on Committees of Council as community representatives.

Voting Requirements: Absolute Majority

10.19 Standing Orders Local Laws Review 2018 (Ref: LAWE/LOCLWS/2 - Bob Jarvis, Chief Executive Officer)

APPLICATION

The purpose of this report is for Council to authorise officers to proceed with making new Local Laws in accordance with the procedure set out in Section 3.12 of the Local Government Act 1995 (Act).

ATTACHMENT

Attachment No. 16:

- Draft Standing Orders Local Law 2018
- Standing Orders Local Law 2011

BACKGROUND

Council adopted its current Standing Orders Local Law in 2011 and it is considered appropriate that a review be undertaken given the Regulations and the Local Government Act.

COMMENT

The process for making a Local Law is outlined under Section 3.12 of the Local Government Act 1995, noted below. For the purposes of this report, only clauses (1) to (3a) inclusive are relevant, and clause (1) simply enforces that a Local Government intending to make a Local Law must follow the procedure set out in section 3.12.

In preparing a review of the Standing Orders Local Law, Staff have obtain the Model Local Law prepared by WALGA and have undertaken an assessment of the Town's current Local Law and the Model Local Law.

There are only two major variations:

1. The Model Local Law includes "**Clause 5.4- New Business of an Urgent Nature**", which states:

- (1) In cases of extreme urgency or other special circumstances, matters may, on a motion by the Presiding Member that is carried by the meeting, be raised without notice and decided by the meeting.

(2) In subclause (1), 'cases of extreme urgency or other special circumstances' means matters that have arisen after the preparation of the agenda that are considered by the Presiding Member to be of such importance and urgency that they are unable to be dealt with administratively by the Local Government and must be considered and dealt with by the Council before the next meeting.

2. The Model Local Law excludes Addresses by Members of the Public which is included in the Town of Bassendean Standing Orders Local Law 2011.

A copy of the new Town of Bassendean Standing Orders Local Law 2011 as well as the draft Standing Orders Local Law 2018 is included as an attachment.

Statutory Requirements

3.12. Procedure for making Local Laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give Statewide public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice;
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and

(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

(3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.

(4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

** Absolute majority required.*

(5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.

(6) After the local law has been published in the *Gazette* the local government is to give local public notice —

- (a) stating the title of the local law;
- (b) summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
- (c) advising that copies of the local law may be inspected or obtained from the local government's office.

(7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

(8) In this section—

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Clause (2) above requires that the purpose and effect of a proposed Local Law be noted. This clause is satisfied if the purpose and effect are recorded in the officer's report and the official minutes of the meeting. The purpose and effect of each Local Law are outlined below, along with other relevant considerations.

Draft Standing Order Local Law 2018

While the content of the draft Local Law has some minor variations to the existing Local Law it is considered that the purpose and effect remains largely unchanged. The purpose and affect are recorded as follows.

Purpose and Effect

The purpose of this local law is to provide a set of procedures to assist in the good conduct of meetings of the Council, of committees and of the electors.

- (2) The effect of the local law is intended to result in -
 - (a) better decision making by the Council;
 - (b) orderly and efficient conduct of meetings dealing with business of the Council;
 - (c) greater community participation and understanding of the business of the Council; and
 - (d) more open and accountable local government.

Statutory Requirements

This Local Law enlarges the compliance requirements of the Local Government Act 1995 and governs the good conduct of meetings of the Council, of committees and of the electors.

For the matter to proceed Council must determine the following:

- (1) That it intends to make a new local law for Council meeting procedures namely, Standing Orders Local Law 2018
- (2) To commence the advertising and consultation processes outlined in clauses (3) and (3a) of section 3.12 of the Local Government Act 1995, referred to above, with a view to making new Local Laws and repealing the existing Local Laws.

OFFICER RECOMMENDATION – ITEM 10.19

That Council receives the draft Standing Orders Local Law 2018 and refer the matter to a Councillors' Information Workshop.

Voting requirement: Simple majority

10.20 Liveable Town Advisory Committee held on 10 October 2017 (Ref: GOVN/CCL/MEET/34 – Salvatore Siciliano, Acting Director Community Development)

APPLICATION

The purpose of the report is for Council to receive the report on a meeting of the Liveable Town Advisory Committee held on 10 October 2017.

ATTACHMENTS

Attachment No. 17:

Liveable Town Advisory Committee Minutes of 10 October 2017

The Officer reports provide an update on those activities and is provided to assist the Committee in defining the nature of future agenda items to be referred by Officers.

STRATEGIC IMPLICATIONS

The LTAC meets all five themes of the Corporate Business Plan 2017 - 2021:

- Social
- Built Environment
- Natural Environment
- Economic
- Good Governance

COMMENT

The following items were considered at the meeting.

Presentations

Two presentations were conducted by consultants engaged by the Town on:

- A representative from FLYT Consultancy gave a presentation on the conceptual design for the proposed Bike Boulevard along Whitfield Street; and
- Mr Ricky Arnold, Consultant, gave a progress report on the development of the Town's Cultural Plan.

Committee Work Program

Prior to local government elections, the following committee work program updates were provided:

Renewable Energy Working Group

The following recommendations were proposed by the Renewable Energy Working Group and considered by the LTAC which resolved for the following recommendations to be referred to Council for consideration:

The recommendations included that Council:

- a. Considers conducting an audit of the Town's fleet vehicles and prepare a report on:
 - i Transitioning the fleet to hybrid/electric vehicles; and
 - ii Implementing alternative transport options/incentives for staff.
- b. Investigates the installation of electric charging station/s within the Town, as well as the offer of a charging station from the REV Programme at UWA;
- c. Lobbies Western Power to transition the Town's street lighting to LED;
- d. Investigates and introduces a solar bulk-buy purchase scheme for property owners in the Town of Bassendean;
- e. Develops and implements a "Sustainable Town Incentive Scheme"; and
- f. Investigates offering environmental sustainability grants for suitable community projects.

Urban Forest Working Group

The Urban Forest Working Group held a meeting on 8 September 2017. The draft Urban Forest Strategy was reviewed by the members of the Urban Forest Working Group and will be distributed to the working group for further feedback.

Regional Playground Working Group

Nature Play Solutions has finalised the concept plan, images and video fly-through that will form part of the on-line consultation process facilitated through *Your Say Bassendean*. The purpose of the on-line community consultation process is to generate questions, ideas, concerns and issues that will culminate in a community workshop to address feedback from the community. The Town was waiting on the final flood impact assessment study prior to commencing the on-line consultation process.

Whitfield Street – Bike Boulevard

In the 2016/2017 financial year, the Town received funding from the Department of Transport (DoT) to develop a concept design for a Bike Boulevard.

FLYT Consultancy was engaged by the Town to undertake the concept design works. The scope of the design incorporated the Town of Bassendean's draft Urban Forest Strategy, identified opportunities for Water Sensitive Design and included traffic calming devices that would change the priority user of the road to cyclist.

Australia Day Event Review Working Group

The Australia Day Event Review Working Group last met on Thursday 31 August to consider the final draft community consultation and communications plan, including the on-line community survey. The on-line survey went live through *Have Your Say Bassendean* on Wednesday 20 September and at this stage will close by 5pm on Wednesday 18 October 2017. Depending on feedback from the Working Group, the closing date for the survey may be extended.

Ongoing Activity Progress Reports

Officers reported on activities relevant to Committee under their Lines of Business:

- *Recreation;*
- *Culture;*
- *Economic Development; and*
- *Children Services.*

Notable mentions included:

- Officers are currently developing the tender documents for the design and construct of the Mary Crescent Reserve Playground. Approval was approved from the Minister for Planning for the release of cash in lieu funding;
- Consultant's AECOM Australia Pty Ltd have provided a draft final report;
- A project reference group has been established for the redesign of the Town's Cultural Plan;
- The 2017 Bassendean Visual Art Awards were successfully staged;
- In a collaboration between Strategic Planning and Economic Development, the Town published a request for the provision of a Local Economic Overview. This report will inform the development of the new Economic Development Strategy and the review of the Local Planning Strategy;
- Children and Family Services celebrated Educator Appreciation Day on 6 September and engaged Early Childhood Nature Pedagogue, Trudi Bennett, from Nature Play WA, to visit Children's Services to provide ongoing professional development for staff.

Community Events Sponsorship

The LTAC endorsed a community event sponsorship application lodged by the Bassendean Church of Christ for sponsorship of \$1,000 and has referred the request to Council for their approval. The request is for a Community based Easter Fair in March 2018, targeting families and young children. It is a free event with a variety of family friendly activities including face painting, petting zoo, egg decorating, puppet show and free sausage sizzle.

STATUTORY REQUIREMENTS

Local Government Act 1995

FINANCIAL CONSIDERATIONS

In regards to the Community Events Sponsorship application lodged by the Bassendean Church of Christ, if approved by Council, the sponsorship of \$1,000 would be funded from GL 181 506 Community Events Sponsorship which has a current balance of \$6,000.

OFFICER RECOMMENDATION – ITEM 10.20

That Council:

1. Considers conducting an audit of the Town's fleet vehicles and prepares a report on:
 - i Transitioning the fleet to hybrid/electric vehicles; and
 - ii Implementing alternative transport options/incentives for staff.
2. Investigates the installation of electric charging station/s within the Town, as well as the offer of a charging station from the REV Programme at UWA;
3. Lobbies Western Power to transition the Town's street lighting to LED;
4. Investigates and introduces a solar bulk buy purchase scheme for property owners in the Town of Bassendean;
5. Develops and implements a "Sustainable Town Incentive Scheme";
6. Investigates offering environmental sustainability grants for suitable community projects.
7. Approves the Community Events Sponsorship Application lodged by the Bassendean Church of Christ for \$1,000 for the staging of the Easter Fair in March 2018 and that the appropriate sponsorship agreement is signed and duly executed between the Town and the applicant; and
8. Receives the report of the meeting of the Liveable Town Advisory Committee held on Tuesday 10 October 2017.

Voting requirement:

Items 1- 6 & 8 - Simple Majority

Item 7 – Absolute Majority

10.21 Hyde Retirement Village - Annual General Meeting held on 11 October 2017 (Ref: COMS/MEETS/2 – Mona Soliman Manger Seniors and Disability Services)

APPLICATION

Council is requested to receive the report on the Hyde Retirement Village Annual General meeting held on 11 October 2017.

ATTACHMENTS

Attachment No. 18:

Minutes of the Hyde Retirement Village AGM held on 11 October 2017.

BACKGROUND

The meeting was chaired by Deputy Mayor, in the absence of the Mayor who was an apology. Also in attendance was the Acting Director Community Development, Director Corporate Services, Manager Seniors and Disability Services and Seniors and Disability Services staff. The meeting was also attended by fourteen residents from Hyde Retirement Village.

STRATEGIC IMPLICATIONS

The involvement of Hyde Retirement Village residents in the governance of the complex is in line with the Town's goal of Building a sense of belonging and connectivity in the community.

COMMENT

The attached minutes provide full details of proceedings, however, of major significance was the election of the new Committee members – Joe Colton, Lorraine Philips; John Rowland, Joyce Brooks and Joy Clarke, and the election of Lorraine Colton to the Disputes Committee.

The meeting also discussed the progress of the erection of shelter outside the village, over the bench seat that had replaced the bus shelter which Transperth had removed. It had previously been agreed by the residents of the Village that this would be an acceptable compromise as the bus shelter replacement.

Other items were raised from the floor including:

- Security issues and recent theft of clothing and other items;
- Responsibility for rubbish bins;
- Power outages;
- Replacement of all existing internal taps; and
- The peeling once again of the rendering on the external walls.

STATUTORY REQUIREMENTS

Local Government Act 1995
Retirement Villages Act 1992

The Town fulfilled its obligation to hold the Annual General Meeting and the elections of new members.

FINANCIAL CONSIDERATIONS

The 2016-2017 financial statements were tabled at the meeting by the Director Corporate Services and residents were provided with the opportunity to ask questions.

OFFICER RECOMMENDATION – ITEM 10.21

That Council receives the report on a meeting of the Hyde Retirement Village Annual General held on 11 October 2017.

Voting requirements: Simple Majority

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

The Principal Building Surveyor made the following building decisions under Delegated Authority:

Building Applications Determined in the Month of October 2017		
Application No	Property Address	Description
201700196	76 ANZAC TERRACE, BASSENDEAN	RESIDENTIAL ADDITIONS
201700181	7 CLARKE WAY, BASSENDEAN	RESIDENTIAL ADDITIONS & ALTERATIONS
201700142	71 WILSON STREET, BASSENDEAN	2 STOREY DWELLING & ANCILLARY ACCOMMODATION
201700255	30 IRELAND WAY, BASSENDEAN	SINGLE GARAGE
201700253	58 EILEEN STREET, BASSENDEAN	RESIDENTIAL HOUSE
201700257	61 NORTH ROAD, BASSENDEAN	ADDITIONS & ALTERATIONS
201700256	27 CLARKE WAY, BASSENDEAN	SWIMMING POOL
201700258	33 PARMELIA WAY, BASSENDEAN	FRONT FENCE APPROVAL
201700254	29 PARKER STREET, BASSENDEAN	CARPORT & FRONT FENCE
201700232	38 GALLAGHER STREET, EDEN HILL	4 X SINGLE STOREY DWELLING
201700275	50 LORD STREET, BASSENDEAN	RETAINING WALL
201700271	9 BARTON PARADE, BASSENDEAN	SWIMMING POOL
201700273	16 LITTLEMORE WAY, EDEN HILL	PATIO
201700272	71 IDA STREET, BASSENDEAN	FULL DEMOLITION
201700276	37 KATHLEEN STREET, BASSENDEAN	PATIO & SHED
201700270	29 KENNY STREET, BASSENDEAN	CARPORT
201700278	65B ANZAC TERRACE, BASSENDEAN	SINGLE DWELLING
201700267	87 VILLIERS STREET WEST, BASSENDEAN	FIBREGLASS SWIMMING POOL
201700263	46 GERALDINE STREET, BASSENDEAN	SINGLE STOREY DWELLING
201700261	137 SECOND AVENUE, EDEN HILL	DEMOLITION
201700268	87 VILLIERS STREET WEST, BASSENDEAN	POOL FENCE
201700260	33 CHESTERTON ROAD, BASSENDEAN	PATIO OUTDOOR AREA
201700262	23 GERALDINE STREET, BASSENDEAN	PATIO
201700229	57 PEARSON STREET, ASHFIELD	SINGLE DWELLING
201700228	81 SECOND AVENUE, BASSENDEAN	PATIO & FENCE
201700280	174 RAILWAY PARADE, BASSENDEAN	STORM DAMAGE REPAIR
201700283	96 IVANHOE STREET, EDEN HILL	GARAGE CONVERSION (ROOM & ENSUITE) - RETROSPECTIVE
201700247	73 VILLIERS STREET WEST, BASSENDEAN	PATIO AND CARPORT
201700249	42 FOURTH AVENUE, BASSENDEAN	SHED

OFFICER RECOMMENDATION – ITEM 10.22

That Council notes the decisions made under delegated authority by the Principal Building Surveyor.

Voting requirement: Simple majority

10.23 Determinations Made by Development Services (Ref: LUAP/PROCED/1 – Christian Buttle, Senior Planning Officer)

The Manager Development Services made the following planning decisions under Delegated Authority since those reported to the last Council meeting:

Planning and Subdivision Applications Determined to 17 November 2017			
Applic No	Property Address	Description	DETERMINATION
2017-121	100 KENNY STREET BASSENDEAN 6054	BEE KEEPING	DELEGATE APPROVED
2017-131	12 MARGARET STREET ASHFIELD 6054	OUTBUILDING ADDITIONS AND ALTERATIONS	DELEGATE APPROVED
2017-132	27 MANN WAY BASSENDEAN 6054	FOUR GROUPE DWELLINGS	DELEGATE APPROVED
2017-133	Unit 3 12 ALICE STREET BASSENDEAN 6054	CHANGE OF USE - BREWERY INCORPORATING CELLAR DOOR	DELEGATE APPROVED
2017-135	117 FIRST AVENUE BASSENDEAN 6054	SINGLE HOUSE	DELEGATE APPROVED
2017-136	73 VILLIERS STREET WEST BASSENDEAN 6054	PATIO & CARPORT	DELEGATE APPROVED
2017-137	19 IVANHOE STREET BASSENDEAN 6054	MODIFIED LOCATION FOR TRANSPORTABLE BUILDING (RETROSPECTIVE) FOR USE WITH HOME OCCUPATION	DELEGATE APPROVED
2017-138	UNIT B 42 FOURTH AVENUE BASSENDEAN 6054	OUTBUILDING	DELEGATE APPROVED
2017-139	58 FRENCH STREET ASHFIELD 6054	SINGLE HOUSE	DELEGATE APPROVED
2017-141	174 RAILWAY PARADE BASSENDEAN WA 6054	ADDITIONS AND ALTERATIONS TO INDUSTRIAL PREMISES	DELEGATE APPROVED
2017-142	85 WALTER ROAD EAST EDEN HILL 6054	LOTTERYWEST SIGNAGE	DELEGATE APPROVED
2017-144	110 HAMILTON STREET BASSENDEAN 6054	DEMOLITION OF SINGLE HOUSE (HOUSING AUTHORITY)	STATUTORY ADVICE
2017-148	17 PARMELIA WAY BASSENDEAN 6054	APPLICATION TO EXTEND VALIDITY OF APPROVAL FOR ADDITIONS AND ALTERATIONS TO SINGLE HOUSE	DELEGATE APPROVED

	Subdivision Applications		
76922	19 LORD STREET BASSENDEAN 6054	FORM 24 & FORM 26 - CERTIFICATE OF APPROVAL - STRATA PLAN FOR 8 MULTIPLE DWELLINGS	DELEGATE APPROVED
970-17	140 FIRST AVENUE EDEN HILL 6054	TWO LOT SURVEY STRATA	STATUTORY ADVICE
996-17	57 MOOJEBING STREET ASHFIELD 6054	TWO LOT SURVEY STRATA	STATUTORY ADVICE

OFFICER RECOMMENDATION – ITEM 10.23

That Council notes the decisions made under delegated authority by the Manager Development Services.

Voting requirement: Simple majority

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

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

The Common Seal was attached to the following document during the reporting period:

31.10.17 Withdrawal of Caveat - Legal Agreement - Lot 123;
323 Collier Road, Bassendean, between Vanity
Holdings Pty Ltd and the Town of Bassendean

OFFICER RECOMMENDATION – ITEM 10.24

That Council notes the affixing of the Common Seal to the document listed in the Ordinary Council Meeting Agenda of 28 November 2017.

Voting Requirements: Simple majority

10.25 Calendar for December 2017 (Ref: Sue Perkins, Executive Assistant)

Tue	5 Dec	7.00pm	General Meeting of Electors – Bassendean Community Hall
Thu	7 Dec	5.00pm	Perth Airports Municipalities Group Meeting – City of Kalamunda (Cr Wilson)
Thu	7 Dec	6.00pm	EMRC Council Meeting – EMRC (Crs Mykytiuk & Wilson)
Tue	19 Dec	5.00pm	Briefing Session – Council Chamber
Tue	19 Dec	7.00pm	Ordinary Council Meeting – Council Chamber

OFFICER RECOMMENDATION - ITEM 10.25

That the Calendar for December 2017 be adopted.

Voting Requirements: Simple majority

10.26 Implementation of Council Resolutions (Ref: GOVN/CCLMEET/1 - Sue Perkins, Executive Assistant)

At the Ordinary Council meeting held on 14 December 2010, it was resolved that only those items that are to be deleted from the implementation of Council resolutions be referred to Council, and all other items in progress be included in the Councillors' Bulletin on the last Friday of the month.

STRATEGIC IMPLICATIONS

Strengthen Council governance and compliance.

COMMENT

The following table details those resolutions of the Council that are recommended for deletion:

Issue ID	Assigned To	Brief Description	Action Taken
91091	BRIAN REED	OCM-30/4/16 - NOTICE OF MOTION – CR BROWN: TONKIN PARK CONTAINMENT CELL	SUBJECT TO A REPORT TO THE NOVEMBER COUNCIL MEETING. RECOMMEND DELETION
ROC17/53229	BOB JARVIS	OCM-25/2/17 - NOTICE OF MOTION – CR MCLENNAN: COMMUNICATION & ENGAGEMENT STRATEGY	THREE QUOTES FOR THE APPOINTMENT OF CONSULTANT HAVE BEEN RECEIVED AND ARE BEING ASSESSED. THE QUOTES WERE RECEIVED IN NOVEMBER 2017 AND A REPORT WILL BE PROVIDED TO THE MARKETING GROUP FOR THEIR CONSIDERATION. RECOMMENDED DELETION
ROC17/53987	BOB JARVIS	OCM-17/5/17 - ALTERNATIVES TO SINGLE USE PLASTIC BAGS – PROPOSAL FOR THE TOWN TO PROVIDE FREE MULTI-USE BAGS FROM THE CUSTOMER SERVICE CENTRE AND LIBRARY AS A TRIAL IN SUPPORT OF A WEST AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION'S (WALGA'S) CAMPAIGN TO HAVE SINGLE USE BAGS BANNED BY THE STATE GOVERNMENT	BAGS ARE BEING DISTRIBUTED AT CUSTOMER SERVICE CENTRE AND LIBRARY. RECOMMEND DELETION
ROC17/56647	BOB JARVIS	OCM-9/10/17 - ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2017	ANNUAL REPORT BEING PROCESSED FOR PRINTING. APPROPRIATE ADVERTISING WILL BE PROGRESSED IN DUE COURSE. RECOMMEND DELETION

ROC16/51611	GRAEME HAGGART	OCM-19/08/16 - LIVEABLE TOWN ADVISORY COMMITTEE MEETING HELD ON 9 AUGUST 2016	COCKBURN RYDE PROGRAM WAS LAUNCHED ON 12 OCTOBER. RESOLUTION COMPLETED. RECOMMEND DELETION.
ROC17/56344	SIMON STEWERT-DAWKINS	OCM-234/9/17 - MOVED CR BROWN SECONDED CR PULE THAT THIS ITEM BE DEFERRED TO ALLOW COUNCIL TO MEET WITH REPRESENTATIVES OF THE EASTERN METROPOLITAN REGIONAL COUNCIL REGARDING THE PROPOSED RESOURCE RECOVERY FACILITY.	COUNCIL (OCM 30/10/17) RESOLVED IN PART TO SUPPORT THE PARTICIPANTS AGREEMENT FOR A WASTE SUPPLY AGREEMENT AND THE FINANCIER SIDE DEED (ATTACHED AS CONFIDENTIAL ITEMS TO THE ORDINARY COUNCIL MEETING AGENDA OF 17 OCTOBER 2017). RECOMMEND DELETION
ROC17/53664	SIMON STEWERT-DAWKINS	OCM-3/4/17 - NOTICE OF MOTION - CR BRIDGES: 1 SURREY STREET PROJECT	IN ACCORDANCE WITH OCM3/04/17 & OCM12/05/17 THE TOWN LISTED \$125000 IN THE DRAFT 2017/2018 BUDGET. A SPECIAL COUNCIL MEETING (SCM 6/7/17) RESOLVED TO ALLOCATE \$80000. QUOTES INVITED AS PER RFQ351 AND A REPORT HAS BEEN SUBMITTED TO THE NOVEMBER 2017 ORDINARY COUNCIL MEETING FOR CONSIDERATION. RECOMMEND DELETION
ROC17/56342	SIMON STEWERT-DAWKINS	OCM-28/9/17 - NOTICE OF MOTION - CR MCLENNAN: CLIMATHON	IN ACCORDANCE WITH OCM 28/09/17 THE CLIMATHON EVENT WAS SUCCESSFULLY UNDERTAKEN AND OCCURRED BETWEEN FRIDAY 27TH OCTOBER AND SATURDAY 28TH OCTOBER. RECOMMEND DELETION
ROC17/56333	SIMON STEWERT-DAWKINS	OCM-10/9/17 - PROPOSED GUILDFORD ROAD BARRIER INSTALLATION	ON THE 26TH OCTOBER 2017 MAIN ROADS WA ADVISED (OEM-7053417) OF COUNCIL (OCM 10/09/17) RESOLUTION. MRWA RESPONSIBLE FOR IMPLEMENTING. RECOMMEND DELETION
ROC17/54544	SIMON STEWERT-DAWKINS	OCM-33/06/17 - NOTICE OF MOTION - CR BROWN: SPRAYING OF GLYPHOSATE ON HARD SURFACES WITHIN THE TOWN'S BOUNDARIES	RESPONSE RECEIVED FROM THE MINISTER ON 23 AUGUST 2017 STATING THAT THEY WILL CONTINUE TO USE GLYPHOSATE. NO FURTHER ACTION. RECOMMEND DELETION.
ROC17/54528	BRIAN REED	OCM-6/9/17 - REQUEST TO NAME RIGHT OF WAY NO. 14 BOUNDED BY GUILDFORD ROAD GERALDINE STREET SHACKLETON STREET AND CYRIL STREET BASSENDEAN	THE NAME MCKINLEY LANE HAS BEEN APPROVED BY LANDGATE AND STREET SIGNS HAVE BEEN INSTALLED. RECOMMEND DELETION

ROC17/55000	KEN CARDY	OCM-26/7/17 - VANDALISM OF STREET TREES - ADJACENT TO NO. 1 GARNSWORTHY PLACE BASSENDEAN	VANDALISM SIGNS INSTALLED RECOMMEND DELETION.
ROC17/56649	KEN CARDY	OCM-12/10/17 - RFT CO 070 2017-18 SECURITY MONITORING AND MAINTENANCE OF SECURITY EQUIPMENT	SUCCESSFUL CONTRACTOR'S INDUCTION PROCESS HAS BEEN COMPLETED. RECOMMEND DELETION.
ROC17/56648	SUE PERKINS	OCM-10/10/17 - REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER & OTHER OFFICERS	DELEGATED REGISTER UPDATED ON 31/10/17 IN LINE WITH COUNCIL'S RESOLUTION. RECOMMEND DELETION.
ROC17/56652	TIM DAYMAN	OCM-25/10/17 - SPORTS ACHIEVEMENT AWARDS	WILL BE PRESENTED AT NOV 28 MEETING. RECOMMEND FOR DELETION
ROC17/56330	TIMOTHY ROBERTS	OCM-7/9/17 - TREE PRESERVATION ORDER FOR MORETON BAY FIG TREE - 8 THOMPSON ROAD BASSENDEAN	TREE PRESERVATION ORDER APPROVED AT OCM IN SEPTEMBER. RECOMMEND DELETION
ROC16/51876	YVONNE ZAFFINO	OCM-38/9/16 - NOTICE OF MOTION - CR MCLENNAN: ESTABLISHMENT OF A "SUSTAINABILITY ADVISORY GROUP"	COUNCIL HELD A WORKSHOP TO DISCUSS THE COMMITTEE STRUCTURE AND THIS RESOLUTION FORMS PART OF THE REPORT TO COUNCIL IN NOVEMBER 2017. RECOMMEND DELETION

OFFICER RECOMMENDATION – ITEM 10.26

That the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 28 November 2017 be deleted from the Implementation of Council Resolutions list.

Voting Requirements: Simple majority

10.27 Accounts for Payment – October 2017 (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.

ATTACHMENTS

Attachment No. 19: List of Accounts

BACKGROUND

The monthly payments made for the period October 2017 are presented to Council, with details of payments made by the Town in relation to goods & services received.

STRATEGIC IMPLICATIONS

Good Governance

Enhance Organisational Accountability

- *Ensure Financial sustainability*
- *Strengthen governance, risk management and compliance*

STATUTORY REQUIREMENTS

Local Government (Financial Management) Regulations 1996

FINANCIAL CONSIDERATIONS

All payments are authorised prior to disbursement in accordance with their allocated budget.

OFFICER RECOMMENDATION - ITEM 10.27

That Council receives the List of Accounts paid for October 2017, as attached to the Ordinary Council Agenda of 28 November 2017.

Voting Requirements: Simple majority

10.28 Financial Statements – October 2017 (Ref: FINM/AUD/1 – Ken Lapham, Manager Corporate Services)

APPLICATION

The Local Government Financial Management Regulations, Clause 34(1) requires that a monthly financial report be presented to Council. A Local Government is to prepare each month a statement of financial activity that clearly shows a comparison of the budget estimates with the actual revenue and expenditure figures for the year to date.

ATTACHMENTS:

Attachment No. 20: Financial Reports for October 2017

BACKGROUND

Regulations require a local government to prepare a monthly statement of financial activity, reporting on the revenue and expenditure as set out in the Annual Budget.

A statement of financial activity and accompanying documents are required to be presented to Council within 2 months after the end of the month to which the statement relates.

In addition to this and in accordance with Regulation 34 (5) of the Local Government (Financial Management) Regulations 1996 each year Council is required to adopt a percentage or value to be used in the reporting of material variances. For the 2017/18 financial year the amount is \$5,000 or 10% whichever is the greater.

STRATEGIC IMPLICATIONS

Good Governance

Enhance Organisational Accountability

- *Ensure Financial sustainability*
- *Strengthen governance, risk management and compliance*

COMMENT

The Summary of Financial Activity (Income by Nature & type) is indicating that income for the Year to date is .35% ahead of budget Year to date estimates. Operating Grants are slightly ahead of budget estimates. Interest earnings, Fees & charges, other revenue are on slightly behind estimates.

Total expenditure by nature & type for YTD is 10% below Budget YTD expectations. Employee costs, Materials & contracts, utilities, interest expenses are under budget expectations in the current reporting period.

Expenditure on Infrastructure Capital expenditure work has commenced, with low levels of expenditure so far.

The Statements provide a comparison between actual and budget income and expenditure on year to date basis. The Notes accompanying the statements provide a detailed breakdown of the amounts.

STATUTORY REQUIREMENTS

Local Government (Financial Management) Regulations 1996.

FINANCIAL CONSIDERATIONS

The Financial Statements provide an overview of the income and expenditure for the period's ending 31st October 2017. The notes accompanying the statements provide a detailed breakdown to the Financial Statements.

OFFICER RECOMMENDATION – ITEM 10.28

That the:

1. Financial Reports for the period ended 31 October 2017, as attached to the Ordinary Council Agenda of 28 November 2017, be received; and
2. Budget amendments listed for adoption in the Financial Statements as attached to the Ordinary Council Agenda of 28 November 2017, be approved.

Voting Requirements:

Point 1 - Simple majority

Point 2 – Absolute majority

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Notice of Motion – Cr Brown: Incentive for Local Business

Cr Brown has advised that he wishes to move the following motion at this meeting:

“That the Town of Bassendean provide a report to Council outlining the feasibility of providing incentive for local business in the provision of goods and services to the Town. Furthermore the report is to include how best to provide incentive for businesses owned by or who employ Indigenous peoples, and or actively recruit local youth.”

Background – Cr Brown

The current Town of Bassendean tender process for the provision of goods and services precludes weighted consideration of those owning businesses situated within the Town. Advice was received that to do so was seen as anti-competitive.

Subsequent to this advice being received, however, the State Government provides advice indicating their policy allowing a 20% weighting within the tender process for local businesses who meet certain criteria. Indeed the City of Canning (City of Canning AF301 Procurement) has now adopted a local procurement scheme which dovetails the Government’s ‘Buy Local Policy’.

Furthermore, Council may consider the Town’s business community should be encouraged to provide employment to local youth and in particular indigenous youth, two groups over represented in those suffering unemployment. The report should include methods of providing weight in the procurement process to businesses actively recruiting within this demographic.

OFFICER COMMENT

The Town of Bassendean Purchasing Policy, provides for the following:

- 1 Meets the requirements of the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996* to establish a framework of operational standards for contracts to purchase goods and services;

2. Sets out the requirements for acceptable forms of quotation, and the recording of documents and information, for contracts to purchase goods and services;
3. Is designed to ensure that the Town receives value for money as a result of its purchasing activities; and
4. Aims to deliver a high level of accountability whilst providing a flexible, efficient and effective and transparent procurement framework.

The policy is linked to the Town's Procurement Procedures which were the subject of an internal audit undertaken by Moore Stephens in April 2017. A copy of the Procurement Procedures can be made available to Councillors.

The Town's Procurement Procedures provides for the purchasing thresholds and the number of quotes to be obtained. The procedures also states the use of WALGA preferred suppliers as well as the Western Australian Disability Enterprises and the Aboriginal Business Corporations.

The Town also has a Financial Sustainability policy and its objective is *"To strengthen the Town's financial sustainability by continuously improving the Town's financial performance and position both in the short term and long term"*.

The Local Government Act Functions and General Regulations 1996, states
Purchasing policies for local governments

- (1) *A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150 000 or less or worth \$150 000 or less.*
- (2) *A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).*
- (3) *A purchasing policy must make provision in respect of —*
 - (a) *the form of quotations acceptable; and*
 - (ba) *the minimum number of oral quotations and written quotations that must be obtained; and*
 - (b) *the recording and retention of written information, or documents, in respect of —*
 - (i) *all quotations received; and*
 - (ii) *all purchases made.*

The Regulations also provide for the requirement to call tenders for any contracts or projects exceeding the value of \$150,000 as well as anti avoidance clauses and the exemption criteria for not publicly advertising tenders.

Regional Pricing Policy

The regulations also provides for a Regional Pricing preference for local governments outside the metropolitan area. i.e “A local government located outside the metropolitan area may give a regional price preference to a regional tenderer in accordance with this Part

City of Canning Policy AF301

The City of Canning policy AF301, (in part) refer to “Corporate **Social, Responsibility and Supporting Local Business**, which states:

“Where appropriate, the City shall endeavour to provide an advantage to local suppliers, or suppliers capable of demonstrating that they are actively engaged in minimising environmental, and negative social impacts and actively engaging in social responsible business practices.

Where a selection criterion for corporate social responsibility, or local benefits, is to be afforded within the evaluation of suppliers, it should not exceed a weighting of 20%.”

The clause within the City of Canning Policy, relates to a Procurement Sustainability guidelines developed by WALGA and a copy of the Report is also attached (Attachment No. 21).

Following receipt of this report, Staff obtained advice from its Internal Auditor Moore Stephens and a copy of the advice is also included as an attachment. The advice also provides examples of other Local Governments’ Sustainability Policies which includes clauses relating to the Financial Sustainability. The City of Canning is the only Council that includes a percentage (up to 20%) for Social responsibility.

Generally, the advice suggests that the Town could include a clause within its Financial Sustainability policy and it is suggested that this matter be deferred pending the review of the policy.

11.2 Notice of Motion – Cr Quinton: Marriages Act

Cr Quinton has advised that she wishes to move the following motion at this meeting:

“That the Town of Bassendean:

- 1. Recognise that the majority of people in the Federal electorate of Perth, of which Bassendean is a part of, want same sex couples to be able to marry under the Marriages Act 1961;*
- 2. Call on the Federal Parliament to expedite changing the Marriages Act by the end of the year in a respectful way; and*
- 3. Fly the rainbow flag for three months from the next business day after this meeting, to reflect majority community sentiment to approve same sex marriage. The flag will replace the Municipal flag.*

Background – Cr Quinton

On November 15, 2017, the results of the Same Sex postal survey returned a majority 61.6 per cent Yes vote for marriage equality in Australia. In the Federal electorate of Perth, a majority of 71.5 per cent of people who returned the survey voted Yes to allow same sex couple to marry under the Australian Marriages Act 1961. A Same Sex marriage Bill has been introduced in the Senate and is expected to be introduced and passed by the by the end of the this year. The Town of Bassendean’s Strategic Community Plan, Strategy Priority 1: Social, Objective 1.1 states the Town of Bassendean aims to 'Build a sense of place and belonging', and 1.2 states, 'Ensure all community members have the opportunity to be active, socialise and be connected'.

The survey has been a particularly difficult time for some members of our LGBTQI community here in Bassendean. The survey was launched on August 9, 2017 and completed on November 15, 2017, over a three month period. Flying the flag for three months will honour our LGBTQI community and the hurt that may have suffered under this unnecessary survey. By flying the rainbow flag, the Town is showing its support for our gay and lesbian community and their families, and as a symbolic gesture to show they are loved and valued members of the Bassendean community.

OFFICER COMMENT

Officers are of the view that this notice of motion is entirely a matter for Council to consider. If Council did resolve to fly the rainbow flag for 3 months, as per the notice of motion, to maintain protocols, the only flag that could be replaced is the Town's flag.

11.3 Notice of Motion – Cr Hamilton: Audio Council Chamber

Cr Hamilton has advised that she wishes to move the following motion at this meeting:

“That Council:

1. *Request the CEO to investigate the most economical options for improving audio amplification in Council Chamber to:
 - a. *facilitate the proceedings of Council meetings and the voices of all speakers being audible to members of the public in attendance; and*
 - b. *improve the quality of audio recordings of Council meetings;**
2. *Requests the CEO to report back to Council at the December OCM and presents quotes for the purchase and installation of a suitable amplification system for Council consideration; and*
3. *Allocates funds in the draft 2017/18 budget review for the above.”*

BACKGROUND

Council and the community have identified the following priorities; Strategic Priority 5 Good Governance, Objective 5.2 Proactively partner with the community and our stakeholders through Strategy 5.2.2 Engage and communicate with the community.

The current audio system used in the Council Chamber does not provide adequate amplification to enable full clarity of proceedings during meetings, particularly for people in the public gallery.

Council also notes the audio system is nearing the end of its technological life and requests the Chief Executive Officer to investigate a system upgrade or replacement that will support improved amplification of proceedings in the Chamber, as well as be compatible with potential future live streaming of Council meetings.

OFFICER COMMENT

“The CEO, at the request of the Mayor, arranged for three companies to inspect the current system in the Chamber on 15 November, and provide quotes on an upgrade which will address all of the issues raised in the Notice of Motion.

Councillors should note that the current analogue recording system may not cope well with additional amplification in the Chamber, if it is badly designed, and individual microphones for Councillors and staff are recommended by all three companies to ensure the very best recording quality matched with speakers for allowing better sound for the audience, without creating further problems for the recording microphones.

The resultant quotes will be analysed and presented to Council with the report. All three companies were asked to provide further costed options for audio and/or video streaming, as it was anticipated at the time that a request for such add-ons would be forthcoming.”

11.4 Notice of Motion – Cr Hamilton: Audio Recordings of Agenda Briefing Sessions, Ordinary Council Meetings and Special Council Meetings to the Public via the Website

Cr Hamilton has advised that she wishes to move the following motion at this meeting:

“That Council:

- 1. Affirms its commitment to being an accessible and transparent local government;*
- 2. Commits to providing, as a minimum, audio recordings of Agenda Briefing Sessions, Ordinary Council Meetings and Special Council Meetings to the public via the website within three days of the date of each meeting from and including the Ordinary Council meeting held on 28 November 2017;*

3. *Requests staff explore simple, economical options for video recordings and streaming of meetings and provide a report back to the January Ordinary Council Meeting for Council's consideration;*
4. *Considers the adoption of a "Council Meeting Recording & Web Streaming" policy at the January Ordinary Council Meeting in line with the draft policy attached to this agenda;*
5. *Requests staff trial Facebook Live to stream Agenda Briefing Sessions, Ordinary Council Meetings and Special Council Meetings for a six month period to commence no later than January 2018, and provide a report back to the June Ordinary Council Meeting for Council's consideration of the benefits or otherwise of using said medium;*
6. *Requests staff investigate the feasibility of making the Council Chamber, when not in use, available for fee hire by private, commercial and/or community groups, and provide a report back to the January Ordinary Council Meeting for Council's consideration."*

Background – Cr Hamilton

Council and the community have identified the following priorities: Strategic Priority 5 Good Governance through Objective 5.2 Proactively partner with the community and our stakeholders via Strategy 5.2.1 Engage and communicate with the community; and Objective 5.3 Engage and communicate with the community via Strategy 5.3.1 Adopt & measure against best practices ensuring a focus on continuous improvement.

The following extract is from an article in PC Mag, 17 September 2014 highlighting the fact that economical webcasting of Council meetings by some local authorities has been utilised in this state for some considerable time:

"One solution would be to use technologies such as Livestream or Telestream that can stream such events with ease using the internet via wired LAN or 4G as a delivery mechanism from an ordinary every day camcorder with an HDMI port."

According to the In My Community website, The City of Bunbury, City of Joondalup and City of Greater Geraldton all stream live their Council meetings on the internet, while several more councils provide recordings".

Also reported in the Guardian Express on the 9 March of this year:

"Vincent Councillors this week agreed to amend its policy on recording meetings to include live streaming on its website at a cost of \$16,380 for equipment and streaming services for two years".

Reason

Live streaming of Council Briefings and Council Meetings will greatly increase the community's accessibility to and awareness of Council discussion and decision-making processes and would also support this councils agenda for increasing transparency and accountability in the Town and the local government sector as a whole. Our Town's Ordinary Council meetings are already recorded, inclusive of public question time and deputations, and those audio recordings are publicly accessible upon request. However many local councils like City of Vincent have recognised that the digital age has provided technological improvements that now offer economical means to live stream meetings. Given the minutes of council meetings don't actually document the discussion between council members or really give you the flavour of the arguments, live streaming will provide greater insights for our community into councils deliberations.

In respect to assessing the feasibility of hiring out the Council Chambers, many local authorities in rural areas already do so. It should be noted that improvements to the Council Chamber with the addition of audio/visual and amplification may make hiring of the facilities attractive to prospective customers. As a small council we are duty bound to ratepayers to effectively manage limited resources in an effort to maximise the range and efficient delivery of services to this community.

OFFICER COMMENT

See Officer Comment in Item 11.4 referring to quotes being received.

11.5 Notice of Motion – Cr Hamilton: Guildford Road Ficus Trees

Cr Hamilton has advised that she wishes to move the following motion at this meeting:

“That Council:

1. *Rescinds parts 1,2,3 & 5 of OCM 10/09/17 (Proposed Guildford Road Barrier) which reads:*

“That Council:

1. Receives the Guildford Road Barrier Installation report from Main Roads WA to protect the piers of the Ashfield pedestrian footbridge and vehicle safety as attached to the September 2017 Ordinary Council Meeting agenda;
2. Requests that Main Roads WA consults with residents on upgrading the road safety aspects of the site through the installation of traffic barriers; the proposal for the removal of four Ficus trees on the north side of Guildford Road; the relocation of street light poles, and the planting of suitable replacement trees;
3. Requests that the Main Roads WA amend the Guildford Road barrier installation report to ensure that the landscape proposal detailed in figure 9 requires;
 - a) The planting of Callistemon viminalis replacement plantings at close planting intervals to provide tree canopy cover and screening of the railway reserve;
 - b) The proposed new street tree plantings be watered off the existing Town of Bassendean reticulation mainline;
 - c) The reticulation mainline to be protected and/or reinstated to the satisfaction of the Town of Bassendean;
 - d) The verge area is mulched and the trees are maintained by Main Roads WA for 2 years until the trees have established; and

5. Accepts the offer from Main Roads WA for additional trees to be planted at a suitable location, in consultation with the Town”;
2. *Recognises the importance of addressing identified safety concerns for road users on Guildford Road and for pedestrians using the Ashfield Station pedestrian foot bridge, but at the same time recognises the high value that is placed on the ficus trees in this location by the Bassendean community and the amenity provided by the trees along this route;*
3. *Endorses the Main Roads WA proposal to provide additional protection for the pier supports of the Ashfield Station pedestrian footbridge subject to the provision of a solution that retains the four adjacent ficus trees;*
4. *Requests that Main Roads WA and the Public Transport Authority provide opportunities to engage with Council and the community to further explore and identify alternative solutions to upgrading the road safety aspects of the site; and*
5. *Requests the CEO invite representatives from MRWA, PTA and other relevant government departments to meet with Council and senior staff to have a broader discussion on various proposals for the local area (such as Metro-net and the Ashfield Precinct Plan) with a view to achieving optimal planning outcomes for the district.”*

Crs McLennan and Quinton support the revocation motion.

Background – Cr Hamilton

Strategic Implications: Natural Environment

Objective 2.2: Protect our river, bushland reserves & biodiversity

Strategy 2.2.1: Protect and restore our biodiversity and ecosystems

Strategic Implications: Built Environment

Objective 3.1: Plan for increased population and changing demographics

Reason:

Council seeks to explore alternative options with MRWA/PTA other than the proposal to install road barriers along Guildford Road adjacent to the Ashfield Station footbridge, that would see the destruction of four large mature Ficus trees. Council wishes to preserve as many of these trees as possible.

The avenue of mature Ficus trees lining Guildford Road offers visual amenity by screening the adjoining rail line, plus these trees provide all important habitat for birds and other species. As a recognisable and defining characteristic of the entryway into our Town, all efforts should be made to preserve intact this entire avenue of trees. Escalating Urban Heat Island Effects in built up areas demands our urgent attention as a Council with the first line of defence being the retention of existing mature trees. Alternatives that provide for the retention of the four mature Ficus trees adjacent to Main Roads proposed Ashfield Guildford Road Barrier may not have been fully explored to the satisfaction of this Council.

Additionally, there is a strong desire by this Council to be involved in a broader discussion with the relative government departments regarding Ashfield Station and surrounding areas in relation to various initiatives such as Metro-net and other project proposals with a view to achieve better planning outcomes for the district. We would welcome opportunities to participate in constructive dialogue with representatives of these entities.

OFFICER COMMENT

On Tuesday 19th September 2017, Main Roads WA, Elected Members and staff inspected the Ashfield Pedestrian Footbridge, the adjacent Ficus trees and considered the attached report (Attachment No. 22). Main Roads Western Australia prepared the attached report and MRWA Asset Manager Metropolitan Region - Craig Peek and MRWA Graduate Engineer Asset Management Metropolitan Region – Jordan Kippin outlined the risks to pedestrians, underground site limitations, options investigated and discussed the proposed Guildford Road barrier installation

The pedestrian footbridge over Guildford Road is a Public Transport Authority asset and Main Roads Western Australia administers the Main Roads Act 1930 with the primary purpose for the construction, maintenance, supervision and management of highways and main roads and is responsible for the erection of regulatory signage, the installation of regulatory road-markings and the operation of all traffic signals to ensure a safe and efficient main road network.

As such, Guildford Road is a primary distributor road and is managed by Main Roads Western Australia and the report outlines the issues that have been taken into consideration and actions that are intended to be taken to protect a vehicle from impacting the Ashfield Pedestrian Bridge.

The MRWA report outlines the Site Restrictions (Underground Services) on page 9 and Appendix B Figure 8, the Alternatives Barriers considered on page 10 and Table 2 page 16 includes the Risk Assessment of Extreme. With a Risk Rating of Extreme mitigating measures are required and MRWA have resolved to install barrier protections.

At the Ordinary Council Meeting on Tuesday 26 September 2017, Mr Greg Peak, of Main Roads WA, addressed Council in regards to Item 10.8 of the agenda.

It should be noted that on Monday 20 October 2017, a vehicle travelling along Guildford Road from Perth towards Ashfield, collided with a Ficus tree. Attached is photograph illustrating the damaged caused to the tree and the proximity to the Ashfield Pedestrian bridge.

Main Roads WA has been informed of Council (OCM 10/09/17) resolution and it has advised that a Communication Plan is being prepared and will be forwarded to the Town/Council to outline how it intends to consult with residents on upgrading the road safety aspects of the site through the installation of traffic barriers; the proposal for the removal of four Ficus trees on the north side of Guildford Road; the relocation of street light poles, and the planting of suitable replacement trees.

Considering the extent of investigation and the risk evident by the recent accident, it is recommended that the Notice of Motion be withdrawn.

As a result of the site inspection, report and the deputation provided, Council resolved the following (OCM – 10/09/17):

“MOVED Cr Pule, Seconded Cr Gangell, that Council:

- 1. Receives the Guildford Road Barrier Installation report from Main Roads WA to protect the piers of the Ashfield pedestrian footbridge and vehicle safety as attached to the September 2017 Ordinary Council Meeting agenda;*
- 2. Requests that Main Roads WA consults with residents on upgrading the road safety aspects of the site through the installation of traffic barriers; the proposal for the removal of four Ficus trees on the north side of Guildford Road; the relocation of street light poles, and the planting of suitable replacement trees;*
- 3. Requests that the Main Roads WA amend the Guildford Road barrier installation report to ensure that the landscape proposal detailed in figure 9 requires:*

- a) *The planting of Callistemon viminalis replacement plantings at close planting intervals to provide tree canopy cover and screening of the railway reserve;*
 - b) *The proposed new street tree plantings be watered off the existing Town of Bassendean reticulation mainline;*
 - c) *The reticulation mainline to be protected and/or reinstated to the satisfaction of the Town of Bassendean;*
 - d) *The verge area is mulched and the trees are maintained by Main Roads WA for 2 years until the trees have established; and*
4. *Requests, that should the Guildford Road street light poles be removed or additional light poles installed, that Energy Efficient luminaires be used and that the poles be “Ebony” Colorbond Night Sky™ or similar colour to match the existing poles; and*
5. ***Accepts the offer from Main Roads WA for additional trees to be planted at a suitable location, in consultation with the Town.”***

11.6 Notice of Motion – Cr Wilson: Crèche or Child Care Services at Meetings

Cr Wilson has advised that he wishes to move the following motion at this meeting:

“That the CEO prepare a report for the consideration of Council outlining the options, and cost implications for each option, for the provision of on request crèche or child care services at Town meetings, including Council meetings, Committee meetings, and other Town meetings open to community participation.”

Background – Cr Wilson

It is desirable to facilitate the participation of people who need to care for infants and young children in our Town's democratic processes in order to ensure that we remove barriers for participation.

11.7 Notice of Motion - Cr Mykytiuk: Waste Avoidance and Resource Recovery

Cr Mykytiuk has advised that she wishes to move the following motion at this meeting:

“That Council:

- 1. Commits to developing a waste strategy, in conjunction with the community, with the purpose of reducing the Town's waste production and increasing the Town's waste diversion levels through waste management according to measures higher up the waste hierarchy than disposal; and*
- 2. Requests Officers invite the Waste Authority to provide a public forum on the strategic direction and priorities for waste management in conjunction with other interested neighbouring councils in the context that the Waste Authority is reviewing their strategy for the State.”*

Background – Cr Mykytiuk

Council and the community have identified the following priorities; Strategic Priority 2. 1 To display leadership in environmental sustainability through 2.1.1 Strengthening environmental sustainability practices and climate change mitigation 2.1.2 Reducing waste through sustainable waste management practices.

The Waste Authority has released the Waste Avoidance and Resource Recovery Strategy consultation paper - www.wasteauthority.wa.gov.au/about/waste-strategy/review-of-waste-strategy and is requesting feedback from the community and stakeholders to inform its review of the Western Australian Waste Strategy. The paper advocates the transition to a circular economy where waste is minimised and reuse maximised, based on the waste hierarchy, which prioritises avoiding unnecessary resource consumption then resource recovery and lastly disposal. The Waste Authority has identified that there are significant opportunities to improve Western Australia's waste and recycling performance to generate benefits for our economy, environment and community.

Council seeks to reflect the priorities of the community supported by the Waste Authority that waste avoidance and resource recovery are the preferred methods of minimising waste and a key to economic, social and environmental sustainability.

Council seeks to more fully explore and exhaust options for a reduction of resource consumption and recovery options. The proposed motion reflects these principles and works towards a strategy of enacting these priorities.

OFFICER COMMENT

The November 2017 Ordinary Council Meeting agenda includes item 10.13 titled "Review of Waste Management Practices". While the report focuses primarily on the introduction of the 3 bin system, the Town is aware that the Western Australia Waste Strategy published in 2012, "Creating the Right Environment" and the Waste Authority has prepared a Waste Avoidance and Resource Recovery consultation paper. The Waste Authority are seeking stakeholder and community feedback on the proposed amendments by 1st March 2018.

The 2017/2018 Council adopted operational budget includes \$30,000 to investigate recycling opportunities including the 3-bin system. The November 2017 Officer report has advised that the aim of allocated funding has been to conduct investigations that will optimise recycling opportunities, minimise contamination during the collection process, and identify suitable recycling services and potential cost benefits. It is planned to conduct further investigations and provide an additional report for potentially improve or new recycling programs.

In regards to the Notice of Motion, at this stage no funding or resources are available in the 2017/2018 Budget to prepare a Town of Bassendean Waste Strategy.

11.8 Notice of Motion – Cr McLennan: Agenda Briefing Sessions

Cr McLennan has advised that she wishes to move the following motion at this meeting:

"That Council:

a) Rescinds parts 1, 3 & 4 OCM - 13/12/16, which reads:

- "1. Briefing Sessions be held 2 hours prior to a monthly Council meeting;*

3. The agenda for the Briefing Sessions be made available in hard copy and electronically to Councillors & Staff only and on request to public members; and
 4. The agenda be made available on a Thursday prior to the Ordinary Council meeting to Councillors”;
- b) *Amends the Council meeting calendar to schedule Agenda Briefing Sessions one week prior to the monthly Ordinary Council Meeting, generally on the third Tuesday of the month, commencing at 7.00pm, effective from the commencement of 2018;*
- c) *Resolves that Agenda Briefing Sessions will:*
- i) *be open to the public (with the exception of “confidential items”);*
 - ii) *include addresses by members of the public, deputations on agenda items, reports, notices of motion and confidential items;*
- d) *Requests the agendas for Briefing Sessions & Ordinary Council Meetings be made available:*
- i) *by the Friday prior to the scheduled meeting date; and*
 - ii) *electronically to Councillors and staff by default with hard copies only available upon request;*
- e) *Amends Policy 6.2 Council Meeting Schedule accordingly and gives local public notice advertising the change of schedule to comply with Regulation 12(2) of the Local Government (Administration) Regulations.”*

Crs Gangell and Brown support the revocation motion.

Background – Cr McLennan

Strategic Implications: Good Governance

Objective 5.1: Enhance organizational accountability

Strategy 5.1.3: Strengthen governance, risk management and compliance

Objective 5.3 Strive for improvement and innovation

Strategy 5.3.1 Adopt and measure against best practices ensuring a focus on continuous improvement.

This motion seeks to implement changes to the Town of Bassendean Council’s meeting schedule to facilitate more informed, considered decision making.

Under the “Local Government Act 1995” the role of a Councillor is to provide good governance for the people in their district, to the best of their abilities. Many of the issues being considered by Council are complex; hence the need for agenda briefing sessions to allow Councillors to make fully informed decisions on agenda items. The current meeting schedule with Agenda Briefings being scheduled for one hour immediately prior to the Ordinary Council Meeting (OCM) does not allow for in depth questioning or consideration of complex matters prior to decision-making due to the associated time pressures. Instead this allows only a limited opportunity to seek clarification from the relevant officers and therefore potentially results in only superficial consideration. Additional time to read, research, question, consult with the community and appropriately weigh decisions is highly desirable to facilitate sound decision-making by Council.

The current practice of many local governments is to conduct council agenda briefing sessions at least one week prior to the OCM. Other than in rural communities where Councillors may have to travel long distances to attend meetings, scheduling agenda briefings on the same day as the OCM is relatively rare. The “Local Government Operational Guidelines: Number 5 – Council Forums”¹ recognises that it is not ideal for such forums to be scheduled immediately prior to an ordinary meeting of council.

With regards to Agenda Briefing sessions, the Department of Local Government makes the following recommendations:

“For proper decision-making, elected members must have the opportunity to gain maximum knowledge and understanding of any issue presented to the council on which they must vote.

It is reasonable for elected members to expect that they will be provided with all the relevant information they need to understand issues listed on the agenda for the next or following ordinary council meetings. The complexity of many items means that elected members may need to be given information additional to that in a staff report and/or they may need an opportunity to ask questions of relevant staff members. Many local governments have determined that this can be achieved by the elected members convening as a body to become better informed on issues listed for council decision.

Such assemblies have been termed agenda forums. It is considered they are much more efficient and effective than elected members meeting staff on an individual basis for such a purpose with the added benefit that all elected members hear the same questions and answers. To protect the integrity of the decision making process it is essential that agenda forums are run with strict procedures.”¹

1 - Local Government Operational Guidelines: Number 05 - Council Forums

<https://www.dlgc.wa.gov.au/Publications/Pages/LG-Operational-Guidelines-05.aspx>

OFFICER COMMENT

If the proposed change is adopted of a Briefing Session/forum a the week before the Council meeting, alternative arrangements for site inspections might need to be considered. Options which might be considered are either at 5.00pm on the day of the Briefing Session, however this may necessitate a meal, or alternatively, hold them on say the Monday night prior to the briefing session. It is felt that the site inspections add value, as Councillors get to see the issues first hand. Council could, however, decide to do away with site inspections, if it is considered they do not add value.

It is normal for the reporting officers to attend the Briefing Session to which their reports are being discussed, which is supported, as they have an intimate knowledge of the report and are best placed to answer questions.

If this practise continues, it will have implications for the management of time in lieu and possibly overtime, other than Directors, for Officers and the Minute Secretary.

12.0

ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

13.0 **CONFIDENTIAL BUSINESS**

13.1 **Australia Day WA – Citizen of the Year Awards (Ref: COMR/AWADP/2 – Gabriella Filippi, Acting Manager Recreation and Culture)**

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

14.0 **CLOSURE**

The next Ordinary Council meeting will be held on Tuesday 19 December 2017.