

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

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

ON TUESDAY 26 MAY 2015 AT 7.00PM

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Mayor declared the meeting open, welcomed all those in attendance and conducted an Acknowledgement of Country.

2.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

2.1 Questions Taken on Notice

Mrs Tina Klein, 2 Wicks Street, Eden Hill

At the April 2015 Ordinary Council meeting, Mrs Klein asked how much was spent on the new toilet block at Ashfield and the lighting at Gary Blanch Reserve.

On 13 May 2015, Mr Ken Lapham, Manager Corporate Services, provided Mrs Klein with the following response:

“The new toilet block at Ashfield - expenditure to 30 April 2015 is \$232,656. Council allocated \$250,000 in the 2014/15 Budget to complete this project. Lighting at Gary Blanch Reserve - no funds have been spent on lighting at this reserve. Council allocated \$50,000 in the 2014/15 Budget to undertake works in regards to the adopted concept plan. None of these funds have been used on lighting.”

2.2 Public Question Time

Mrs Tina Klein, 2 Wicks Street, Eden Hill

Mrs Klein advised that her questions asked at the April OCM were recorded incorrectly in the Minutes. The questions were:

- What was the cost of the lighting at Ashfield;
- What was the cost of the new toilet block at Ashfield; and
- What was the cost of the refurbishment of the Gary Blanch Reserve.

The first question was not answered and the Chief Executive Officer advised that a response will be provided to Mrs Klein.

Ms Nonie Jekabsons, 6 Barton Parade, Bassendean

Ms Jekabsons referred to Item 11.1 and asked whether it would be possible to extend the boundaries of Clarke Way Reserve to include the Water Corporation drain and the two vacant blocks on Hamilton Street.

The Mayor responded that Council is exploring options with the Water Corporation to convert the drain into a living stream.

The Manager Development Services responded that as the drain is not owned by the Town, it may not be possible to extend the Clarke Way reserve boundary, however, it is something that could be investigated.

Ms Angie Piantadosi, 4 Jubilee Avenue, Eden Hill

Ms Piantadosi asked whether it is acceptable for businesses to hang their washing out the front of their premises in public view.

The Manager Development Services responded that it depends on what planning conditions were placed on the business at the time of approval. The question will be taken on notice and a response provided.

Mr Michael Hall, 2 Best Street, Bassendean

Mr Hall asked whether there any plans to develop the land owned by Council at 14 Iveson Place.

The Director Operational Services responded that the Town has recently received feedback from the Department of Environment concerning the contaminated site. It is Council's intention to remediate the site within the next year.

Ms Fran Phelan, 15 River Street, Bassendean

Ms Phelan asked about the gum trees at Kelly Park. One is listed as a significant tree but the others are not.

The Director Operational Services advised that this will be followed up by staff.

Ms Phelan also requested that the red gums on James Street be looked at.

Ms Phelan referred to Item 10.8 and asked what is the benefit in sending a delegate to the National General Assembly in Canberra.

The Mayor advised that the item will be discussed tonight. The General Assembly is an opportunity for Councillors to liaise with other local governments around Australia and speak with members of parliament and ministers, etc.

Mr Don Yates, 10 Thompson Road, Bassendean

Mr Yates referred to the Directions 2050 document released by the Department of Planning and asked whether Council intends to put out a report to consider this document.

The Manager Development Services responded that it is intended to have a report brought to Council.

Mr Yates referred to Item 11.2 and asked that consideration be given to amending the motion to include the activity centres.

The Mayor responded that it can be considered when the item is discussed.

Ms Angie Piantadosi, 4 Jubilee Avenue, Eden Hill

Ms Piantadosi referred to a tree in Jubilee Avenue and asked why it was removed.

The Mayor advised that the question would be taken on notice and a response provided.

Miss Catherine Hamilton, 53 Broadway, Bassendean

Miss Hamilton asked whether the Mayor or any other officers have entered into discussions regarding the sell/exchange/transfer etc of any parklands within the Town of Bassendean.

The Chief Executive Officer responded that the Town has entered into a Heads of Agreement with Landcorp and several other bodies to look at redevelopment in the Town Centre. Those discussions are confidential, however, some information will be coming out to the public in the not too distant future. If the project goes ahead, full public consultation will be undertaken.

The Mayor responded that a report has to come to Council to consider whether to pursue the redevelopment. If Council agrees to go ahead with the project, then public consultation will be undertaken.

Miss Hamilton requested a list of the meeting dates held with Landcorp.

The Chief Executive Officer responded that a written response will be provided.

Mrs Val Dreyer, 31 Naunton Crescent, Eden Hill

Mrs Dreyer requested that the post in front of the Seniors' Hall be repaired.

The Chief Executive Officer responded that there are plans to resurface the carpark and the post will be repaired at the same time.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Present

Councillors

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

Officers

Mr Bob Jarvis, Chief Executive Officer (until 8.15pm)
Mr Michael Costarella, Director Corporate Services
Mr Graeme Haggart, Director Community Development
Mr Simon Stewert-Dawkins, Director Operational Services
Mr Brian Reed, Manager Development Services
Mrs Amy Holmes, Minute Secretary

Public

Approximately 14 members of the public were in attendance.

Press

One member of the press was in attendance.

4.0 DEPUTATIONS

Nil

5.0 CONFIRMATION OF MINUTES

5.1 Ordinary Council Meeting held on 28 April 2015

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 5.1(a)

OCM – 1/05/15 MOVED Cr Pule, Seconded Cr Bridges, that the minutes of the Ordinary Council Meeting held on 28 April 2015, be received.
CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 5.1(b)

OCM – 2/05/15 MOVED Cr Pule, Seconded Cr Lewis, that the minutes of the Ordinary Council Meeting held 28 April 2015, be confirmed as a true record, subject to the following amendments to Mrs Tina Klein's questions, to read:

“What was the cost of the lighting at Ashfield;

“What was the cost of the new toilet block at Ashfield; and

“What was the cost of the refurbishment of the Gary Blanche Reserve.

CARRIED UNANIMOUSLY 6/0

6.0 ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Mayor read out a letter from Mrs Gwen Fenech, Freeman of the Town, congratulating Council on the War Memorial opening event.

7.0 PETITIONS

Nil

8.0 DECLARATIONS OF INTEREST

Nil

9.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

Nil

10.0 REPORTS

10.1 Adoption of Recommendations En Bloc

It was agreed that items 10.3, 10.4, & 10.6 be removed from the en bloc table to be considered independently.

It should be noted that the numbering of reports was out of sequence in the Ordinary Council Agenda and has now been rectified in both the Agenda and Minutes of this meeting.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.1

OCM – 3/05/15 MOVED Cr Pule, Seconded Cr Brinkworth, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda 26 May 2015:

Item	Report
10.2	Proposed Retrospective Additions and Alterations to Single House on Lot 6; (No. 14) Anzac Terrace, Bassendean
10.7	Bassendean Oval Scoreboard
10.9	Notes of a Councillors' Information Workshop held on 5 May 2015
10.10	Bassendean Local Studies Collection Management Committee Meeting held on 16 April 2015
10.12	Audit & Risk Management Committee Meeting held on 6 May 2015
10.13	Determinations Made by Development Services

10.14	Determinations Made by the Principal Building Surveyor
10.15	Accounts for Payment – April 2015
10.16	Financial Statements - April 2015
10.17	Implementation of Council Resolutions
10.18	Use of the Common Seal
10.19	Calendar for June 2015

CARRIED UNANIMOUSLY 6/0

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

Item	Report
10.3	Possible inclusion of the Bassendean Fire Station, 10-14 Parker Street, Bassendean
10.4	Asset Condition Report – Drainage and Drainage Network Desktop Assessment
10.5	Review of Donations – Financial Assistance Policy
10.6	Local Area Traffic Management Walter Road East/Iolanthe Street, Bassendean
10.8	Councillor Attendance at the 2015 National General Assembly of Local Government
10.11	Economic Development Advisory Committee Meeting held on 6 May 2015

10.2 Proposed Approval of Retrospective Additions and Alterations to Single House on Lot 6; (No. 14) Anzac Terrace, Bassendean, Owner: R & T Briant, Applicant: Pinnacle Planning (Ref: DA 2015-015/DR 72/2015 - Stephanie Radosevich, Planning Officer)

APPLICATION

Council, by virtue of an Order made by the State Administrative Tribunal, has been invited to reconsider its conditional approval for the proposed retrospective additions and alterations to single house at Lot 6 (No. 14) Anzac Terrace, Bassendean, having regard to a further submission made by the applicant.

The application before Council proposes alterations to a retrospective balcony addition which includes a variation to the 'Deemed-to-comply' provisions of the Residential Design Codes of Western Australia (R-Codes) relating to overlooking.

The aspect of the development, which does not meet the Deemed-to-comply provisions of the R-Codes, requires assessment and determination against the 'Design Principles'.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.2

OCM – 4/05/15 MOVED Cr Pule, Seconded Cr Brinkworth, that Council grants planning approval for the retrospective additions and alterations to the single house at Lot 6 (No. 14) Anzac Terrace, Bassendean, subject to the following conditions:

1. The issue of a Building Permit for the proposed truncated balustrading to the balcony is required prior to the commencement of any works on site; and
2. The issue of a Building Approval Certificate for the retrospective structure.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/05/15 6/0

10.3 **Possible inclusion of the Bassendean Fire Station, 10-14 Parker Street, Bassendean - Lots 103 & 104 on Plan 2527 (990/125) and Lot 105 on Plan 2572 (1168/244) together as shown on HCWA Curtilage Map P129-A on the State Register of Heritage Places, Correspondent: Heritage Council of Western Australia (Ref: LUAP/REGSTN/1-A4101 Brian Reed, Manager Development Services)**

APPLICATION

The purpose of this report was to consider whether Council wishes to make comment on a proposal to include the former Fire Station on the State Register of Heritage Places and to nominate a person to attend the meeting at which the proposed registration of a place will be considered.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.3

OCM – 5/05/15 MOVED Cr Gangell, Seconded Cr Carter, that Council:

1. Supports the Registration of the former Fire Station – 10 to 14 Parker Street, Bassendean, on the State Register of Heritage Places;
2. Wishes to attend the Heritage Council meeting during which the registration of the above place will be considered; and

3. Appoints Councillor Gerry Pule as Council's representative to attend the Heritage Council meeting during which the registration of the above place will be considered.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.4 Asset Condition Report – Drainage and Drainage Network Desktop Assessment (REF:WATR/MAINT/2 - Ben Moore, Engineering Technical Coordinator & Ken Cardy Manager Asset Services)

APPLICATION

The purpose of this report was to provide Council with an update on the Town's Drainage Network and commissioned Desktop Assessment report.

OFFICER RECOMMENDATION – ITEM 10.4

That:

1. Council receives the Drainage Network Desktop Assessment Report;
2. Council lists \$80,000 for consideration in the 2015/16 Draft Operational Budget to carry out detailed drainage study;
3. All drainage connection fees and charges received for connect to the Town's drainage network to be transferred from the Municipal Fund to the Drainage Infrastructure Reserve fund; and
4. Council notes that the draft 2015/2016 Fees and Charges for drainage connections will be presented to Council for consideration as part of the budget process.

COUNCIL RESOLUTION – ITEM 10.4(a)

OCM – 6/05/15

MOVED Cr Bridges, Seconded Cr Carter, that Point 2 of the Officer Recommendation be amended (in bold) to read as follows:

2. Council lists \$80,000 for consideration in the 2015/16 Draft Operational Budget to carry out a detailed drainage study **that includes recommendations on retro-fitting Water Sensitive Urban Design Principles to achieve the Bassendean Community Strategic Plan 2013-2023 strategies.**

CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.4

OCM – 7/05/15 The substantive motion, moved by Cr Carter and Seconded Cr Pule, which reads:

1. Council receives the Drainage Network Desktop Assessment Report;
2. Council lists \$80,000 for consideration in the 2015/16 Draft Operational Budget to carry out a detailed drainage study that includes recommendations on retro-fitting Water Sensitive Urban Design Principles to achieve the Bassendean Community Strategic Plan 2013-2023 strategies;
3. All drainage connection fees and charges received for connect to the Town's drainage network to be transferred from the Municipal Fund to the Drainage Infrastructure Reserve fund; and
4. Council notes that the draft 2015/2016 Fees and Charges for drainage connections will be presented to Council for consideration as part of the budget process.

was put to the vote and CARRIED UNANIMOUSLY 6/0

10.5 Review of Donations – Financial Assistance Policy (Ref: Graeme Haggart, Director Community Development)

APPLICATION

Council was requested to consider amending Policy 6.13 - Donations – Financial Assistance to include redress from disadvantage and promote equitable access to services.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.5

OCM – 8/05/15 MOVED Cr Pule, Seconded Cr Carter, that Council amends Policy 6.13: Donations – Financial Assistance Policy and inserts in the Donations to Individuals section, the following:

“e) Donations may be made to individuals to address disadvantage and ensure equity of access.”

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.6 Local Area Traffic Management, Walter Road East/Iolanthe Street, Bassendean (Ref: ROAD/PROGM/3 - Ben Moore, Engineering Technical Coordinator & Ken Cardy, Manager Asset Services)

APPLICATION

The purpose of this report was to update Council on ongoing issues with the intersection of Walter Road East and Iolanthe Street and to advise on potential remedial actions for consideration in upcoming budgets.

OFFICER RECOMMENDATION – ITEM 10.6

That Council lists \$130,000 for consideration of Municipal Funds in the draft 2015/2016 Budget to construct the Walter Road East/Iolanthe Street roundabout pre-deflection curves and road line marking (Option 1), as attached to the May 2015 Ordinary Council Meeting agenda.

Cr Bridges foreshadowed the following Motion:

That Council conducts and costs a redesign of the Walter Road East/Iolanthe Street roundabout with the camber to slope into a lowered central island and that includes corner barriers with the footpath constructed behind these for pedestrian and residents' safety.

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.6

OCM – 9/05/15 MOVED Cr Pule, Seconded Cr Lewis, that Council **lists \$160,000** for consideration of Municipal Funds in the draft 2015/2016 Budget to construct the Walter Road East/Iolanthe Street roundabout pre-deflection curves and road line marking (Option 1 **and Option 2**), as attached to the May 2015 Ordinary Council Meeting agenda.

CARRIED UNANIMOUSLY 6/0

10.7 Bassendean Oval Scoreboard (Ref: COUP/USAGE/3 – Ken Cardy, Manager Asset Services)

APPLICATION

The purpose of this report was to provide Council with an update on the replacement of the Australian Rules Football scoreboard and clock located within Steel Blue Oval Bassendean and to advise Council that an item will be listed for consideration in the draft 2015/16 Capital Budget for the renewal of the steel structure which currently supports the scoreboard and clock.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.7

OCM – 10/05/15 MOVED Cr Pule, Seconded Cr Brinkworth, that Council lists \$45,000 for consideration in the draft 2015/16 Capital Budget for the demolishing and replacement of the steel infrastructure for the scoreboard and clock within Steel Blue Oval Bassendean.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-3/05/15 6/0

10.8 Councillor Attendance at the 2015 National General Assembly of Local Government (Ref: GOVR/LREGLIA/2 - Sue Perkins, Executive Assistant)

APPLICATION

The purpose of this report was for Council to consider the attendance of a Councillor at the 2015 National General Assembly of Local Government Conference, as the Mayor has declined to attend.

OFFICER RECOMMENDATION – ITEM 10.8

That Council considers the attendance of a Councillor at the National General Assembly of Local Government, to be held in Canberra from 14-17 June 2015, subject to the nominated Councillor having sufficient funds in their Conferences and Training budget.

COUNCIL RESOLUTION – ITEM 10.8

OCM – 11/05/15 MOVED Cr Gangell, Seconded Cr Carter, that Council does not send a Councillor representative to the National General Assembly of Local Government to be held in Canberra from 14-17 June 2015.

CARRIED UNANIMOUSLY 6/0

10.9 Notes of a Councillors' Information Workshop held on 5 May 2015 (Ref: GOVN/CCLMEET/31 Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report was for Council to receive the notes of the above workshop and to adopt appropriate resolutions.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.9

OCM – 12/05/15 MOVED Cr Pule, Seconded Cr Brinkworth, that:

1. The notes of the Councillors' Information workshop held on 5 May 2015 be received;
2. The Chief Executive Officer arranges for a report to be brought back to Council for Councillors' discussion on the advantages and disadvantages for seeking a scheme amendment on the sites mentioned in this report; and
3. Officers hold discussions with the Water Corporation about the prospect of their open drains being converted to living streams.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-3/05/15 6/0

10.10 Bassendean Local Studies Collection Management Committee Meeting held on 16 April 2015 (Ref: GOVNCCL/MEET/3, Allan Caddy, Manager Library and Information Services)

APPLICATION

The purpose of this report was for Council to receive the report on a meeting of the Local Studies Collection management Committee (BLSCMC) held on 16 April 2015.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.10

OCM – 13/05/15 MOVED Cr Pule, Seconded Cr Brinkworth, that:

1. An amount of \$12,200 be included in the 2015/16 Budget to conduct oral interviews; and
2. The report on a meeting of the Bassendean Local Studies Collection Management Committee held on 16 April 2015 be received.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/05/15 6/0

10.11 Economic Development Advisory Committee Meeting held on 6 May 2015 (Ref: GOVN/CCLMEET/13 – William Barry Economic Development Officer)

APPLICATION

Council was requested to receive the report on the meeting of the Economic Development Advisory Committee held on 6 May 2015.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.11

OCM – 14/05/15 MOVED Cr Pule, Seconded Cr Lewis, that Council:

1. Adopts the draft Economic Development Advisory Committee's Instrument of Appointment and Delegation, attached to the Ordinary Council Agenda of 26 May 2015, to amend the frequency of meetings to 6 times per year and reduce the membership from 14 to 12 members; and
2. Receives the report on the meeting of the Economic Development Advisory Committee held on 6 May 2015.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.12 Audit & Risk Management Committee Meeting held on 6 May 2015 (Ref: GOVNCCL/MEET/3, Michael Costarella, Director Corporate Services)

APPLICATION

The purpose of this report was for Council to receive the report on a meeting of the Audit & Risk Management Committee held on 6 May 2015.

**COUNCIL RESOLUTION/COMMITTEE RECOMMENDATION –
ITEM 10.12**

OCM – 15/05/15 MOVED Cr Pule, Seconded Cr Brinkworth, that Council:

1. Receives the CCTV Management and Operation Annual report;
2. Receives the Interim Audit Report for the 2014/15 financial period, from Macri & Partners;
3. Endorses the updates to the Risk Profiles for:
 - a) Business & Community Disruption;
 - b) Failure of IT &/or communication systems and infrastructure;
 - c) Municipal Inventory Register;
4. Endorses the Business Continuity Plan for the 2015 year attached to the Audit and Risk Management Committee agenda of 6 May 2015;
5. Requests a further update on risk matters be presented to the next Audit and Risk Management meeting to be held 14 October 2015; and
6. Receives the report on a meeting of the Audit and Risk Management Committee held on 6 May 2015.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/05/15 6/0**

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

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.13**

OCM – 16/05/15 MOVED Cr Pule, Seconded Cr Brinkworth, that Council notes the decisions made under delegated authority by the Manager Development Services.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/05/15 6/0**

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.14

OCM – 17/05/15 MOVED Cr Pule, Seconded Cr Brinkworth, that Council notes the decisions made under delegated authority by the Principal Building Surveyor.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/05/15 6/0

**10.15 Accounts for Payment – April 2015 (Ref: FINM/CREDTS/4 –
Ken Lapham, Manager Corporate Services)**

APPLICATION

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION -
ITEM 10.15

OCM – 18/05/15 MOVED Cr Pule, Seconded Cr Brinkworth, that Council receives the List of Accounts paid for April 2015 as attached to the Ordinary Council Agenda of 26 May 2015.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/05/15 6/0

**10.16 Financial Statements - April 2015 (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 reporting that clearly shows a comparison of the budget estimates with the actual revenue and expenditure figures for the year to date.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.16

OCM – 19/05/15 MOVED Cr Pule, Seconded Cr Brinkworth, that the Financial Reports for the period ended 30 April 2015, as attached to the Ordinary Council Agenda of 26 May 2015, be accepted.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/05/15 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.17

OCM – 20/05/15 MOVED Cr Pule, Seconded Cr Brinkworth, that the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 26 May 2015 be deleted from the Implementation of Council Resolutions list.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/05/15 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.18

OCM – 21/05/15 MOVED Cr Pule, Seconded Cr Brinkworth, that Council authorises the affixing of the Common Seal to the documents listed in the Ordinary Council Meeting Agenda of 26 May 2015.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/05/15 6/0

10.19 Calendar for June 2015 (Ref: Sue Perkins, Executive Assistant)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.19

OCM – 22/05/15 MOVED Cr Pule, Seconded Cr Brinkworth, that the Calendar for June 2015 be adopted.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/05/15 6/0

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Notice of Motion: Cr Bridges – Renaming of Clarke Way Reserve

Cr Bridges made an amendment to his motion as shown in bold below.

COUNCIL RESOLUTION – ITEM 11.1

OCM – 23/05/15 MOVED Cr Bridges, Seconded Cr Carter, that:

1. The residents of Clarke Way and adjacent Reid Street, between Elder Parade and Hamilton Street, be consulted as to the renaming of Clarke Way Reserve as Abell Reserve in honour of the community contribution to this Town made by Clive and Carol Abell, both now deceased;
2. **Council seeks an officer report into the protocols and process required to implement a name change and possible extension to the reserve area.**

CARRIED UNANIMOUSLY 6/0

11.2 Notice of Motion: Cr Bridges – Commencement of Local Area Plans

COUNCIL RESOLUTION – ITEM 11.2

OCM – 24/05/15 MOVED Cr Bridges, Seconded Cr Pule, that Council staff prepare a timed strategy for the commencement of local area plans, including services and infrastructure upgrades and the provision of open spaces within the identified TOD areas, within the Town's adopted draft Local Planning Strategy.

CARRIED UNANIMOUSLY 6/0

11.3 Notice of Motion: Cr Bridges – Streetscape Policies

Cr Bridges made an amendment to his motion as shown in bold below.

COUNCIL RESOLUTION – ITEM 11.3

OCM – 25/05/15 MOVED Cr Bridges, Seconded Cr Brinkworth, that Council's planning staff prepare **a report for Council's consideration on developing** draft streetscape policies for the different development areas within the Town's Planning Schemes that address building setbacks and landscaping, fencing, mitigation of the urban heat island effect, water sensitive urban design, street trees and canopy cover that are based on urban forest and wildlife corridor provision principles, shade and overshadowing, traffic calming, parking, safe cycling, convenient access to POS, footpaths and type of kerbing (if any), crossovers, drainage, service provision, heritage interpretation, bin clearance, accessibility issues, signage and street numbering, street furniture, public art, aesthetic appearance and amenity.

CARRIED UNANIMOUSLY 6/0

11.4 Notice of Motion: Cr Pule – Progress Three Bin System for the Town of Bassendean

Cr Pule withdrew this item.

12.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

12.1 Cr Bridges

That for future Council meetings the Chief Executive Officer organises the electronic screen or a whiteboard on a stand that is visible to the public in the gallery that lists the items to be carried 'en bloc' followed by the order that the remaining items are to be dealt with to enable the public to follow the listed agenda items during the meeting.

13.0 CONFIDENTIAL BUSINESS

COUNCIL RESOLUTION – ITEM 13.0(a)

- OCM – 26/05/15** MOVED Cr Brinkworth, Seconded Cr Pule, that the meeting go behind closed doors, in accordance with Section 5.23 of the Local Government Act 1995, the time being 7.55pm.
CARRIED UNANIMOUSLY 6/0

All members of the public vacated the Chamber, the time being 7.55pm.

13.1 Offer to Purchase 10-14 Parker Street, Bassendean (Bassendean Fire Station (Ref: A4103-GOVN/COUNCILS/9 - Mike Costarella, Director Corporate Services)

APPLICATION

Council was requested to consider “in principle” agreement to commence discussions on acquiring the Old Fire Station and commence the process of obtaining a valuation, building inspections and conservation plan, following a **verbal** offer from the Department of Fire and Emergency Services.

This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (2) (c) and (d) of the Local Government Act 1995, as the Officer report discusses details of a proposed contract to be entered into.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 13.1

- OCM – 27/05/15** MOVED Cr Pule, Seconded Cr Lewis, that:

1. Council gives consideration to “in principle” agreement to commence discussions on acquiring the Old Fire Station with the Department of Fire and Emergency Services;
2. Subject to the above agreement Council obtains a valuation for 10-14 Parker Street, Bassendean;
3. The valuation report be funded from account 401333;
4. A further report be presented to Council following receipt of the valuation; and

5. The expenditure be authorised in accordance with Section 6.8 of the Local Government Act.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

13.2 Point Reserve - Road Closure (Ref: A3820 - Simon Stewart-Dawkins, Director Operational Services)

APPLICATION

The purpose of this report was for Council to consider the "D'Angelo Legal" letter that the new property owners of No. 33 (Lot 106) North Road, Bassendean, request for the Point Reserve Management Order to be amended.

This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (2) (c) and (d) of the Local Government Act 1995, as the Officer report discusses legal advice.

OFFICER RECOMMENDATION — ITEM 13.2

That Council:

1. Notes the OCM 20/5/96 Council Resolution, and the June 2014 McLeods Barristers & Solicitors legal advice;
2. Notes Road Reserve Lot 239 and Road Reserve Lot 240, North Road closed on 5 September 1997, and these lots were gazetted to be part of Point Reserve on 3 March 1998;
3. Notes the Town of Bassendean correspondence to Mr Towie and Ms Medrala of No. 33 North Road, Bassendean, dated 15 January 2015, and 14 February 2014, advising that the temporary access provided to the previous property owner ceased in the event of the sale of the property and that access via the Point Reserve would discontinue;
4. Writes to Mr Towie and Ms Medrala of Lot 106, No. 33 North Road, Bassendean to advise that:
 - a) Considering Road Reserve Lot 239 North Road, Bassendean was closed on 5 September 1997, and this area was subsequently gazetted on the 3 March 1998 as part of Point Reserve, the Town of Bassendean will not submit a request to the Minister of Lands for the Management Order to be amended;

- b) the Town of Bassendean acknowledges that it will therefore be necessary for the new property owner to construct a driveway from the existing North Road crossover to link to the paved area in front of the garage;
- c) In February 2016, the Town of Bassendean intends to remove from Point Reserve the existing vehicular access to Lot 106 North Road and will install non-mountable car park kerbing and replant the area during the winter planting season.

Cr Bridges moved the officer recommendation. The motion lapsed for want of a seconder.

Cr Pule moved the alternative officer recommendation with an amendment to point 5.d), that the word 'shall' be payable be changed to 'may' be payable.

COUNCIL RESOLUTION – ITEM 13.2

OCM – 28/05/15 MOVED Cr Pule, Seconded Cr Carter, that Council:

1. Notes the OCM 20/5/96 Council Resolution, and the June 2014 McLeods Barristers & Solicitors legal advice;
2. Notes Road Reserve Lot 239 and Road Reserve Lot 240, North Road closed on 5 September 1997, and that these lots were gazetted to be part of Point Reserve on 3 March 1998;
3. Notes the Town of Bassendean correspondence to Mr Towie and Ms Medrala of No. 33 North Road, Bassendean, dated 15 January 2015, and 14 February 2014, advising that the temporary access provided to the previous property owner ceased in the event of the sale of the property and that access via the Point Reserve would discontinue;
4. Revokes OCM 20/5/1996, which reads:

“Moved Cr Bevan Carter Seconded Cr Greg Peterson that:

1. *Action be taken to initiate the closure of two road reserves extending from North Road to the Swan River within Point Reserve, in accordance with S288A of the Local Government Act;*

2. *In the event of the closure of the road reserve on the north side of Point Reserve, the owners of No. 33 North Road be permitted, for the present time, and subject to the agreement of future Council's, to use the driveway into Point Reserve to gain access to their property; and*
3. *In the event of the closure of the road reserve on the south side of Point Reserve, the owners of No. 41 North Road be permitted, for the present time, and subject to the agreement of future Councils, to use the informal driveway into Point Reserve to gain access to their property"; and*
5. Writes to Mr Towie and Ms Medrala of Lot 106, No.33 North Road, Bassendean to advise that the Town of Bassendean is prepared to submit a request to the Minister of Lands to seek an amendment to the Management Order, on the written understanding and commitment from the applicant, within 31 days of the following:
 - a) the Owners acknowledge that it is at the Minister discretion to approve an amendment to the Point Reserve Management Order;
 - b) the Owners acknowledge that if the Minister approves the amendment, that the granting of temporary easement shall only be over the existing vehicular paved access;
 - c) the applicant agrees to bear the cost for the site survey and all associated legal costs with the knowledge that the application may not be successful and that the Town's Solicitors are required to consult with the Department in preparation of the legal documents and the extent of consultation cannot predict;
 - d) the Owners acknowledge that in the granting an easement an annual fee **may** be payable by the property owner for the use of the easement or the property owner shall indemnify the Crown from any loss or damage caused to the easement land as a result of the use of the Reserve lot for access;

- e) the Owners acknowledge that the easement shall expire at the transfer / sale of the property and will not be extend to a future property owner, that subsequent owners would not be entitled to use Point Reserve to access Lot 106; No 33 North Road, Bassendean; and
- f) the Owners agree to have a notification placed on the Lot 106; No. 33 North Road, Bassendean Land Title under Section 70A to warn any prospective purchasers of the legal arrangement.

CARRIED BY AN ABSOLUTE MAJORITY 5/1

Crs Gangell, Lewis, Pule, Carter & Brinkworth voted for the motion. Cr Bridges voted against the motion.

COUNCIL RESOLUTION – ITEM 13.0(b)

OCM – 29/05/15 MOVED Cr Brinkworth, Seconded Cr Carter, that the meeting proceeds with open doors, the time being 8.26pm.

CARRIED UNANIMOUSLY 6/0

As no members of the public returned to the Chamber, the reading aloud of the motions passed behind closed doors was dispensed with.

14.0 CLOSURE

The next Ordinary Council Meeting will be held on Tuesday 23 June 2015.

There being no further business, the Mayor declared the meeting closed, the time being 8.26pm.