

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, 22 November 2016 in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 7.00pm.

BOB JARVIS
CHIEF EXECUTIVE OFFICER

18 November 2016

A G E N D A

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.

The Mayor will present a Sports Achievement Award.

Members of the public are requested to please 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 Public Question Time

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

2.2 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 25 October 2016 (Attachment No. 1)

OFFICER RECOMMENDATION – ITEM 5.1(a)

That the minutes of the Ordinary Council meeting held on 25 October 2016, be received.

OFFICER RECOMMENDATION – ITEM 5.1(b)

That the minutes of the Ordinary Council meeting held 25 October 2016, be confirmed as a true record.

6.0 ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT DISCUSSION

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 22 November 2016:

Item	Report
10.3	Anzac Terrace Drainage and Foreshore Restoration Project
10.4	Anzac Terrace - Traffic Management
10.6	Town of Bassendean Glyphosate Usage for Weed Management
10.7	Meeting Schedule and Citizenship Ceremonies for 2017
10.8	Bassendean Local Emergency Management Committee Meeting held on 2 November 2016
10.9	Applications for Grants Prepared by Officers as per Council Resolution
10.10	Determinations Made by the Principal Building Surveyor
10.11	Determinations Made by Development Services
10.12	Accounts for Payment – October 2016
10.13	Use of the Common Seal
10.14	Calendar for December 2016
10.15	Implementation of Council Resolutions

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

Item	Report
10.2	Proposed Amendment to the Local Planning Scheme No. 10 dealing with Multiple Dwellings on Land with a Density Code of R40 and Below
10.5	RFT CO 061 2016-17 Chemical Free (Steam) Weed Management for the Town of Bassendean
10.16	Financial Statements – October 2016
11.1	Notice of Motion – Cr Pule: Application to Minister for the setting of Differential Rates in the location of Proposed Concrete Batching Plant lot 105 (Nos 2-8) Clune Street Bassendean
11.2	Notice of Motion: Cr Bridges: Lot 272 Hamilton Street, Bassendean
11.3	Notice of Motion – Cr Bridges: Footpath Lighting
13.1	Point Reserve - Road Closure
13.2	Australia Day WA – Citizen of the Year Awards

10.2 Proposed Amendment to the Local Planning Scheme No. 10 dealing with Multiple Dwellings on Land with a Density Code of R40 and Below (Ref: DABC/BDVAPPS/LPS10.8 Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report is for Council to make a recommendation to the Minister for Planning with a view to finalising the above amendment.

ATTACHMENTS

Attachment No. 2:

1. Schedule of Submissions – Amendment 8.
2. Plan showing location where multiple dwelling yield is based on plot ratio and group dwelling average site area.
3. Planning Bulletin 113/2015 – Multiple Dwellings in R40 coded areas and variations to R-Codes multiple dwelling development standards.

BACKGROUND

This matter was last considered by Council at its meeting held in April this year when it was resolved by virtue of OCM–6/04/16 to advertise the proposal to initiate an amendment to the Local Planning Scheme No. 10 to introduce greater controls over multiple dwellings. Details of the Council resolution are reproduced below:

“1. Under and by virtue of the powers conferred upon it on behalf by the Planning and Development Act 2005, hereby amends the above Local Planning Scheme No. 10 by:

a) Amending the zoning table as follows:

<i>Use class</i>	<i>Zones</i>
	<i>Residential Zone</i>
<i>Multiple Dwelling</i>	<i>P/A*</i>

b) Deleting Clause 5.3.1.2 (a) and replace it with the following:

5.3.1.2 Subdivision or development in excess of the lower density coding shall be considered to be acceptable to Council where:

a (i) Single Houses or Grouped Dwellings:

In the opinion of Council the lot has a frontage to a public street which is sufficient to allow at least two dwellings to be constructed in a side by side configuration, each with direct frontage to a public street, along with additional width to accommodate a driveway with landscaping serving any additional dwellings to the rear of the development site.

(ii) Multiple Dwellings:

In the case of Multiple Dwellings on land coded R40 and below the development site has a continuous frontage of not less than 25 metres to a public street or streets.

c) Insert a new Cause 5.3.2- Multiple Dwellings on land coded R40 and less:

5.3.2.1 Notwithstanding the provisions of the Residential Design Codes, where land with a residential density code of R40 is located outside the area of a walkable catchment of 800 metres from the Bassendean Train Station as shown on a map contained in a schedule of the Scheme, the development of multiple dwellings on the land:

(a) shall be subject to the average site area per grouped dwelling requirement specified by the Residential Design Codes for grouped dwellings on land with an R40 residential density code; and

(b) shall not be subject to any maximum plot ratio requirements specified by the Residential Design Codes

5.3.2.2 The use multiple dwelling is an 'A' use in accordance with clause 4.3.2 of the Scheme, on land Zoned Residential with a density code of R40 or less.

2. *Considers the above proposed amendment to be a standard amendment as defined by Clause 34 of the Planning and Development (Local Planning Schemes) Regulations 2015, as the amendment is:*
 - (a) *consistent with the objectives of the Residential Zone as laid out in clauses 4.2.1 of the Local Planning Scheme No. 10;*
 - (b) *consistent with the Town of Bassendean Local Planning Strategy which has been endorsed by the Commission;*
 - (c) *is consistent with a region planning scheme that applies to the scheme area;*
 - (d) *is not inconsistent with a structure plan, activity centre plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones of all the types that are outlined in the plan;*
 - (e) *has no impact on land in the scheme area that is not the subject of the amendment;*
 - (f) *it does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;*
 - (g) *is not a complex or basic amendment.*
3. *Endorses the 800m ped shed north and south plans to be used for advertising the proposed amendment.”*

STRATEGIC IMPLICATIONS

The following is reproduced from the current Corporate Plan under the heading of *Town Planning and Built Environment*:

Objectives

- Ensure Town provides choice in housing types.
- Plan for the highest densities to be centred on railway stations, the Town Centre, and major transport routes.
- Strive to ensure that higher density housing will have excellent design to ensure that development is people friendly and attractive.
- Strive to ensure that new housing, and particular high density housing has high environmental standards.
- Plan for the availability of a broad range of housing types and affordability.

Outcomes

- New housing incorporates passive solar design, water sensitive design and designing out crime principles.

- Increase in housing affordability and dwellings designed for single person occupancy or to provide dwellings for smaller families.
- High density developments have convenient access to local parks.

Measures of success

- Number of dwellings built that meet defined environmental standards.
- The number of smaller dwellings and affordable housing in the Town that includes designs for smaller families.
- The adoption of amendments to the Local Planning Scheme that prevents the incidence of Multiple Dwellings in areas intended for Family accommodation by November 2016.

COMMENT

The Town was advised by correspondence dated 16 June 2016, from the Environmental Protection Authority, that the proposal did not warrant an advice or recommendation and the proposal is defined as an assessed scheme under the Environmental Protection Act 1986.

The proposed amendment was advertised for the minimum 42 day period, commencing on 28 June 2016 with any submissions required by 19 August 2016.

The proposal was advertised by way of notices in the *Eastern Reporter* at the Town's offices and Library and on the Town's website.

In response, one submission was received which did not support the proposed amendment.

The submission has been lodged by Planning Solutions on behalf of the registered proprietor of Lot 3 (8) Walter Road East, Bassendean.

The full submission which is included in the schedule of submissions, contends that Amendment 8 is inappropriate given the emphasis of greater residential densities around transit routes, under both the State planning framework and the Town's Local Planning Strategy. It is submitted that these areas, including Lot 3 (8) Walter Road East, Bassendean, are ideal locations for the development of multiple dwellings given their proximity to not only public transport, but Public Open Space and shops.

Should the Town seek to control the development of multiple dwellings, there are more options to consider such as Local Planning Policies stipulating design requirements to address any perceived amenity impacts.

Owing to the above, it is respectfully requested Amendment 8 is not supported. Should the Town proceed with the amendment we request the Town expand the proposed catchment area to include the 800 metre walkable catchment from the Success Hill, Ashfield and Bassendean train stations.

The Manager Development Services does not support the submission for the following reasons:

The intention of the amendment is to contain the incidences of Multiple Dwelling developments in the short term, due to the impacts this form of development is having on areas targeted for family accommodation.

The amendment in terms of a site's development potential is deliberately targeted around an 800m walking distance to the Bassendean Train Station, being the only Station that has a high frequency stopping pattern.

It should also be noted that planning bulletin 113/2015 makes the point that it is discretionary to the local government as to whether the plot ratio controls should be applied to areas of open space, neighbourhood centres and bus stops on high frequency bus routes.

No 8 Walter Road East is located approximately 1200m (measured in a straight line) from the Bassendean Train Station and is subject to a Development Assessment report for ten multiple dwellings mentioned elsewhere in this agenda.

STATUTORY REQUIREMENTS

By virtue of Clause 50(a) Scheme, Council is required to consider any submissions and pass a resolution by 20 October 2016 to either:

- (a) to support the amendment without modification; or
- (b) to support the amendment with proposed modifications to address issues raised in the submissions; or
- (c) not to support the amendment.

FINANCIAL CONSIDERATIONS

The external costs of advertising which was \$550 have been met out of the Town Planning operating accounts.

OFFICER RECOMMENDATION — ITEM 10.2

That Council:

1. Notes submission Number 1 made in respect to advertising the proposed amendment; and
2. Supports Amendment No. 8 to the Local Planning Scheme No. 10 without modification.

Voting requirements: Simple Majority

10.3 Anzac Terrace Drainage and Foreshore Restoration Project (Ref SEWD/DESCONT/1 - Jeremy Walker, Senior Environmental Officer)

APPLICATION

This report is to inform the Council that the Town has successfully obtained grant funding from the Department of Parks & Wildlife; Rivers & Estuaries Division (“DPAW”), to undertake works at Anzac Terrace. Officers now seek Council endorsement to take on the End of Line management of Lot 8 Anzac Terrace, Bassendean, currently owned by the Western Australian Planning Commission.

ATTACHMENTS:

Attachment No. 3:

- Environmental & engineering specifications for drainage and restorations works;
- Design drawings for engineering and environmental works;
- Letter from DPAW advising of the Town’s successful grant funding application;
- Letter from Alex Harrison of WAPC supporting the Town of Bassendean’s grant funding application; and
- Letter from WAPC committing to funding works on the proviso that the Town of Bassendean take on end of line management.

BACKGROUND

The project was initiated when a street drain outlet, located relatively close to the cul-de-sac at the end of Anzac Terrace, overflowed and as a consequence, the stormwater overflow eroded the embankment.

In the 2012/13 Operational Budget (OCM-26/06/12), Council allocated \$66,000 to contract a suitably qualified consultant to develop drainage design and landscaping drawings, as well as Request for Quote (RFQ) specifications.

Through the RFQ process, Cardno’s were contracted to provide the drainage design and landscaping drawings as well as the RFQ specifications. The construction work (civil and landscaping implementation) was scheduled to commence in 2014/15, pending Council’s approval in the 2014/15 Capital Budget, however, due to the now failed (proposed) amalgamation of the Bayswater and Bassendean Councils, the project was put on hold.

The Town has consulted with DPAW's Planning Department regarding the design development of the drain which will improve the quality of water entering the Swan River. The Planning Department of DPAW have notified the Town that the project must be carried out in conjunction with rehabilitation of WAPC owned Lot 8 in order to obtain the permit and grant funding sought by the Town from DPAW due to the risk of accelerating erosion down-stream of Lot 8 if the Town upgrades the drainage outlet.

In June 2013, Quartermaine Consultants undertook an archaeological investigation for Aboriginal sites within the area. In 2014 the Town undertook Aboriginal consultation utilizing the services of Rory O'Connor on the advice a section 18 of the Aboriginal Heritage Act 1972 or under Regulation 10 of the Aboriginal Heritage Regulations 1974 may be required. In April 2016 the Town received a letter from the Department of Aboriginal Affairs advising that the Town is not required to obtain consent under Section 18 of the Aboriginal Heritage Act 1972 or under Regulation 10 of the Aboriginal Heritage Regulations 1974.

The Town applied for grant funding through the 2016-17 Riverbank Funding Scheme and was advised by DPAW on 28 August 2016 that the application was successful. As such, the Town proceeded to obtain a 'Permit to Undertake Works' as the project was listed as a capital works item in the 2016-17 financial year.

WAPC, as joint land owner in the project, were required to co-sign with the Town on the 'Permit to Undertake Works' application, however, this was subject to WAPC advising the Town that as they did not list the project as a budget item for 2016/17, they would make provision in the 2017-18 Budget on the condition the Town takes on 'End of Line' management.

STRATEGIC IMPLICATIONS

Environmental sustainability, protect and provide access to the Town's waterways.

Objectives: Strive to divert drainage water to recharge groundwater and ensure that run-off to the Swan River is of a high quality.

Strategies: Stormwater drainage network is managed in accordance with Council's Drainage Asset Management Plan and the Drainage Network Assessment for the proposed drainage service level.

COMMENT

The project involves upgrading existing stormwater drainage to mitigate the currently occurring erosion and improve the quality of the water entering the Swan River by installing a Gross Pollutant Trap that removes pollutants such as heavy metals, hydrocarbons and nutrients. This solution primarily involves the installation of new drop wells and pipe work to a formalized outfall structure in order to protect the escarpment and foreshore.

All other stormwater drainage infrastructure is not expected to require any short term maintenance. The project also involves the rehabilitation of the site's existing vegetation with native plants. As per the project's specifications, water wise native vegetation will be installed after the completion of civil works.

The civil construction and landscaping cost (rehabilitation of the site's existing vegetation with native plants) is estimated at \$289,176.92, this includes 3 years of maintenance. River Bank funding equates to \$40,301 and WAPC funding equals \$44,721.19.

Please see below for breakdown of costs.

Description	Town Of Bassendean	Other (WAPC)	Riverbank	Total
Rehabilitation	\$6,952.85	\$11,075.15	\$18,028	\$36,056
Contractor preliminaries	\$1,992.785	\$2,405.01	\$4,397.8	\$8,795.6
Maintenance (over 3 years)	\$25,950	\$25,950	\$0	\$51,900
Environmental contingency	\$4,384.12	\$5,291.03	\$9,675.15	\$19,350.32
Re-contouring River Bank	\$2,500		\$2,500	\$5,000
Imported fill bank stabilisation	\$1,500		\$1,500	\$3,000
Rock pitching	\$1,700		\$1,700	\$3,400
Construction and environmental protection measure	\$2,500		\$2,500	\$5,000
Engineering - general & preliminaries	\$25,000			\$25,000
Storm water drainage survey	\$2,000			\$2,000
Storm water pipes	\$4,500			\$4,500
Excavation & backfill	\$7,175			\$7,175
Drainage pits	\$14,500			\$14,500
Gross Pollutant Trap	\$80,000			\$80,000
Kerb re-instatement	\$7,500			\$7,500
Engineering contingency	\$16,000			\$16,000
TOTAL	\$204,154.76	\$44,721.19	\$40,300.95	\$289,176.92

STATUTORY REQUIREMENTS

Local Government Act 1995.

FINANCIAL CONSIDERATIONS

The Town listed funds for the project in the 2016-17 financial year under the Capital Works Program. The project will need to be re-budgeted in the 2017-18 financial year. The ongoing maintenance for the WAPC parcel of land (Lot 8) is estimated at \$5,500 per year based on the three year maintenance estimate.

OFFICER RECOMMENDATION — ITEM 10.3

That Council:

1. Endorses the WAPC's request to take over future management of Lot 8 Anzac Terrace, Bassendean; and
2. Lists \$300,000 for consideration in the draft 2017/18 Capital Works Budget for the Anzac Terrace Drainage and Foreshore Restoration project, which includes funding contribution of \$44,721.19 from the Western Australian Planning Commission and \$40,300.95 riverbank grant funding.

Voting requirements: Simple Majority

10.4 Anzac Terrace Traffic Management (Ref: ROAD/STMNGT/1) Nicole Baxter - Engineering Design Officer

APPLICATION

The purpose of this report is to advise Council that Anzac Terrace (Iolanthe Street to Lord Street) is programmed to be resurfaced in 2016-17 financial year and as a consequence, the current traffic management devices (speed cushions) located in this area will be removed during the road resurfacing and consideration be given to replace the existing speed cushions.

ATTACHMENT

Attachment No. 4:

Traffic Management Options:

- Speed Cushions
- Traditional Speed Humps
- Blister Islands
- Single Lane Slow Points
- Double Land Angled Slow Points

BACKGROUND

In October 2010, traffic counts were placed at two locations, 56 Anzac Terrace and 96 Anzac Terrace, Bassendean. The counter located in front of 96 Anzac Terrace is located outside the speed cushion zone and the counter located in front of 56 Anzac Terrace is located within the speed cushion zone.

The table below summarises the findings of the traffic counts prior to the installation of the speed cushions at that time:

Parameter	Adjacent to 56 Anzac Tce	Adjacent to 96 Anzac Tce
Posted Speed (Km/Hr)	50	50
85 th percentile Speed (km/hr)	46.1	52.6
Annual Average Daily Traffic	827	1338

In accordance with Council's adopted Traffic Management Treatment Policy and Guidelines (OCM 22/04/14), Anzac Terrace did not warrant traffic management devices as the following criteria was not met:

The 85th percentile speed is 60km/h or greater in a 50km/h zone, or exceeds the posted speed limit by more than 10% in other speed zones.

However, due to community concerns expressed at the time, Council resolved to install anti-hoon speed cushions in Anzac Terrace, with the financial assistance via a successful grant received from the Office of Crime Protection funding through Main Roads WA (MRWA).

The speed cushions were installed early 2011, with a proviso that the speed cushions would be in place for a minimum three year period to satisfy the MRWA funding requirements.

Effectively, there are four pairs of speed cushions in Anzac Terrace between First Avenue and Lord Street.

STRATEGIC IMPLICATIONS

Town Planning and Built Environment:

Objectives: Provide safe access for all road users

Strategies: Continue to monitor traffic flows and intervene where necessary to ensure safety.

COMMENT

As advised in previous traffic management reports to Council, it is not the responsibility of Local Government to manage poor driver or illegal driver behaviour, and drivers of vehicles are required to comply with the legal traffic speeds.

In order for the Town to compare the October 2010 traffic count with a current traffic count, in May and September 2016, traffic counts were installed in the same locations in Anzac Terrace (56 Anzac Terrace and 96 Anzac Terrace, to evaluate the traffic speeds).

The table below summarises the May 2016 Traffic counts findings:

Parameter	Adjacent to 56 Anzac Tce	Adjacent to 96 Anzac Tce
Posted Speed (Km/Hr)	50	50
85 th percentile Speed (km/hr)	49.0	49.9
Annual Average Daily Traffic	813	1294

The table below summarises the September 2016 traffic counts findings:

Parameter	Adjacent to 53 Anzac Tce	Adjacent to 96 Anzac Tce
Posted Speed (Km/Hr)	50	50
85 th percentile Speed (km/hr)	49.0	Sensor unbalanced- no data

Average Weekday Traffic	842	1269
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The results have shown that the installation of speed cushions reduced the daily volume of traffic along Anzac Terrace marginally and the 85th percentile of speed in 2016 is within the limits where traffic management treatment is not warranted.

Community public consultations of those residents living in the vicinity were surveyed to gauge their feedback for and against the traffic calming devices.

Survey question to residents:

1. Have the current speed cushions been successful?
2. Are you in favour of installing new calming devices in the same location after the resurfacing program has been completed?

Surveys were provided to 114 residents of which 35 returned the survey. Of the 35 responses received, the survey results are as follows

Question 1	Question 2
21 YES	25 YES
13 NO	9 NO
1 UNSURE	1 UNSURE
35	35

Question 1

60% of responses believe the current speed cushions have been successful whilst 37% believe they haven't been successful, 3% is unsure.

Question 2

71% of returned surveys are in favour of re-installing new calming devices, in the same location after the resurfacing program has been completed whilst 26% do not wish to have the calming devices reinstalled after resurfacing works is completed.

3% is unsure.

When Anzac Terrace is resurfaced, the speed cushions will need to be removed and once the resurfacing work is completed, the old speed cushions cannot be reinstated, due to the wear and tear and the damage that is caused during the removal stage.

The Anzac Terrace resurfacing project is within the 2016-17 Capital Budget and is estimated to cost approximately \$200,000. The funding for the project is fully sourced from the Federal Government's Roads to Recovery program and could cater for the resurfacing works, as well as the purchase and re-installation of speed cushions.

If new speed cushions are to be installed, the cost to purchase and install new rubber speed cushions, including the removal of the existing rubber cushions and disposal, is \$15,000.

Line-marking cost: There are no associated costs to reinstate existing line-marking to speed cushion locations, however, if the existing rubber speed cushions are replaced with an alternate traffic management treatment, then new line-marking will be required and accrue additional costs.

Considerations for alternative traffic management treatments have been considered. Traffic management options showing advantages and disadvantages are attached to this report.

Comparison for Traffic Management treatments per location

Rubber Speed Cushion	\$3,750 x 4 locations = \$15,000
Traditional Speed Humps	\$7,000 x 4 locations = \$28,000
Blister Island	\$5,885 x 4 locations = \$23,540
Single lane slow point	\$4,065 x 4 locations = \$16,260
Double lane slow point	\$5,185 x 4 locations = \$20,740

In the 2005 (OCM - 16/01/05) report to Council, the community consultation process indicates the rubber speed cushions were the preferred option of affected residents who support the need for traffic calming in Anzac Terrace at that time.

In the recent community consultation process (2016), no alternate traffic management treatments were suggested by residents, apart from extending the speed cushions to cover the full width of the road.

The costs associated for installing speed cushions is less than other traffic management alternatives and also have equal or less disadvantages than other options. Officers are recommending the rubber speed cushions be retained in this area if traffic management is required.

STATUTORY REQUIREMENTS

Local Government Act 1995

Local Government (Functions and General) Regulations 2007

FINANCIAL CONSIDERATIONS

The Anzac Terrace resurfacing project, \$200,000 is listed in the 2016/17 Capital Budget (Roads to Recovery grant funding) and will cater for the resurfacing works, as well as the \$15,000 purchase and installation cost of the new Traffic Management speed cushions.

OFFICER RECOMMENDATION – ITEM 10.4

That Council:

1. Notes the community consultation undertaken to gauge residents' feedback regarding whether or not to replace the traffic calming device(s) prior to making a final decision; and
2. Endorses that after programmed resurfacing of Anzac Road is completed, new traffic management rubber speed cushions are installed.

Voting requirement: Simple majority

10.5 RFT CO 061 2016-17 Chemical Free (Steam) Weed Management for the Town of Bassendean (PARE/TENDNG/62) – Jeremy Walker, Senior Environmental Officer & Mandy Godfrey, Contracts Support Officer, Simon Stewert-Dawkins Director Operational Services .

APPLICATION

The purpose of this report is to present to Council a summary of tenders received against Request for Tender (RFT) CO 061 2016-17 Provision of Chemical Free (Steam) Weed Management for the Town of Bassendean and to provide an overview of April 2016 weed management report.

ATTACHMENTS

Confidential Attachment No. 1:

BACKGROUND

In April 2016, it was resolved (OCM 12/04/16) that Council:

1. *Notes the advice from Australian University Professors in their open letter to the European Commission dated 27 November 2015 and the Environmental Health and Justice Statement of Concern, published online on 17 February 2016.*
2. *Notes that the JMPR, WHO, EFSA and US EPA are currently reviewing the carcinogenicity of glyphosate with a report due midyear 2016 and acknowledges the latest decision of the EU to restrict the use of glyphosate states:*
 - *No approval of no-professional use. This means that glyphosate will not be available to purchase for domestic use. Home gardeners will no longer be able to use glyphosate;*
 - *No approval in or close to public parks/playgrounds/gardens. This means LGA's will no longer be able to spray it on streets and children's playgrounds;*
 - *No approval where integrated pest management systems are sufficient for necessary weed control;*
 - *Strict limitations on pre-harvest applications (desiccation) which are deemed unacceptable;*

3. *Suspends the use of glyphosate on hard surfaces in the urban environment;*
4. *Considers listing \$10,000 in the 2016/2017 Operational Budget for a weed steam treatment trial and the cost of purchasing a steam weed unit for the purpose of ecologically sustainable and safe weed control in the Town; and*
5. *Endorses a proposed weed steam treatment trial for Broadway Reserve and works collaboratively with Friends of Success Hill Reserve and the legally recognised Native Title Holders (The Swan River Peoples) to restore the ecological integrity of the reserve through non chemical weed management practices and trials the use of controlled burns to eradicate weeds at Success Hill Reserve in line with practices being undertaken at Kings Park and Bold Park Class A bushland reserves.*

In April 2016, a report was presented to Council concerning Weed Management within the Town, including comments that a steam treatment trial was proposed for Broadway Reserve and, if feasible, at Success Hill Reserve. Funding was allocated in the 2016/ 2017 budget to undertake the steam treatment trial. Preliminary feedback is that the trialled weed steam treatments are a slow process and significantly less effective in eradication of weeds than glyphosate.

As a result of the Council resolution to suspend the use of glyphosate on hard surfaces, the Town immediately advised field staff and contractors to suspend the use of glyphosate on hard surfaces such as the expansion joints and edges of all footpaths, road kerbs lines, expansion joints of road islands etc.

Research was undertaken on current steam weeding specifications in place by Local Governments nation wide to develop the Town's scope and specification to go out for Tender and at this time cost estimates were obtained for budget consideration.

The 2016/2017 budget allocated funding to initiate a steam weed management contract for hard surfaces and tenders, has been called. However, since the suspension of glyphosate on hard surfaces was implemented, significant weeds have emerged in hard surface areas.

Contractors were invited to tender for RFT CO 061 2016-16 Provision of Chemical Free (Steam) Weed Management for the Town of Bassendean via an advertisement in the Western Australian Newspaper on Wednesday 28 September 2016.

STRATEGIC IMPLICATIONS

Environmental Sustainability and Adaptation to Climate Change

Objectives: Conserve, protect and provide access to the Town's waterways

Strategies: Weed Management is undertaken in accordance with Council's adopted Weed Management Plan, the Biodiversity Plan and the best practice guide recommended by the Environmental Weeds Action Network.

COMMENT

In response to RFT CO 061 2016-17 Provision of Chemical Free (Steam) Weed Management for the Town of Bassendean; one tender response was received prior to the tender deadline 10.00 am on Wednesday 19th October 2016.

The RFT contract is for a two year period commencing 1 December 2016 covering approximately 257km for all footpaths, road kerbs, road islands and concreted or paved pedestrian areas.

As per the Town's Procurement Guidelines, an Evaluation Panel was formed and required to assess each tender against the selection criteria.

The tenderer met the RFT compliance requirements. The following index represents the selection criteria and weighting for this contract.

Index:

Selection Criteria 1: Relevant Experience (35% weighting)

Selection Criteria 2: Key Personnel and Resources (35% weighting)

Selection Criteria 3: Tendered Price (30% weighting)

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 Council.

The offer received to undertake the work in this contract, exceeded Council's allocated budget for 2016-17. Therefore, no offer can be accepted at this time unless the budget is significantly increased.

It should be noted that in the absence of any weed control, the level of weeds growing within hard surfaces (approximately 257km of footpaths, road kerbs, road islands and concreted or paved pedestrian areas) will continue to grow, and there will most likely be an increase risk of trip hazards and infrastructure maintenance cost.

The initial reasoning for suspending the use of glyphosate on hard surfaces was due to carcinogenicity concerns.

On 30 September 2016, the Australian Pesticides and Veterinary Medicines Authority (APVMA) released the following statement concerning an assessment of the International Agency for Research on Cancer (IARC):

"The APVMA has completed its assessment of the IARC report and other recent assessments of glyphosate and has concluded that glyphosate does not pose a cancer risk to humans".

As Council is aware from previous weed management reports, the APVMA is an independent statutory authority with responsibility for the regulation of agricultural and veterinary chemicals in Australia. Its statutory powers are outlined in the *Agricultural and Veterinary Chemicals Code Act 1994*.

The APVMA administers the National Registration Scheme for Agricultural and Veterinary Chemicals. The Scheme registers and regulates the manufacture and supply of all pesticides and veterinary medicines used in Australia, up to the point of wholesale sale.

The APVMA have also advised that:

Glyphosate is a broad-spectrum herbicide which works by inhibiting an enzyme found in plants. There are around 500 products containing glyphosate registered for use in Australia. Glyphosate has been registered for use for over 40 years.

All glyphosate products registered for use in Australia have been through a robust chemical risk assessment process; and are safe to use, provided they are used as per the label instructions.

As Australia's agvet chemical regulator, it is the role of the APVMA to consider all relevant scientific material when determining the likely impacts on human health and worker safety—including long and short term exposure to users and residues in food before registering a product.

It is the role of regulators to determine whether products used according to label instructions could result in a level of exposure that poses an unacceptable risk to people.

Consistent with regulators in other countries, the APVMA uses a risk-based, weight-of-evidence assessment, which considers the full range of risks—including studies of cancer risks—and how human exposure can be minimised through instructions for use and safety directions.

Chemical risk assessment = hazard assessment + exposure assessment

Hazard assessment: an assessment of the data related to the intrinsic toxicity potential of an active constituent and/or formulated product

Exposure assessment: an assessment of the likely exposure of humans and environmental organisms that takes into account how the chemical product is to be used, the type and formulation of the product, and the crops or animals to be treated

A hazard-based assessment considers only whether an adverse outcome could occur not whether it is likely to occur when used in real-world situations.

The hazard-based assessment is the first step in determining whether a chemical poses an undue risk. A risk-based assessment builds on the hazard-based assessment by determining the likelihood and extent to which the adverse outcome will occur if the product is used according to the instructions on the approved product label.

In a weight-of-evidence assessment, relevant observations are validated because they are reproduced independently by different investigators/researchers. A weight of evidence assessment considers both the numbers of studies reporting a particular conclusion and the quality of the study design and data evaluation.

A strength-of-evidence assessment can be based on a single study, even if the study protocol has limitations or does not comply with internationally accepted regulatory protocols, or if the results are not consistent with observations made in other well-designed studies.

Regulators do not use strength-of-evidence assessments.

Assessment of the International Agency for Research on Cancer (IARC) report by the APVMA

New studies, assessment reports and scientific opinions on approved pesticides or veterinary medicines are generated regularly and the APVMA evaluates the scientific merits of these before deciding on whether a formal reconsideration—or other regulatory action—is appropriate.

The APVMA evaluated the IARC report and other contemporary scientific assessments as part of an established chemical review nomination process.

The APVMA conducted a weight-of-evidence evaluation that included a commissioned review of the IARC monograph by the Department of Health, and risk assessments undertaken by expert international bodies and regulatory agencies.

The review commissioned by the Department of Health was conducted in two phases. The first phase (Tier 1) identified which studies relied on by IARC should be reviewed in more detail, while the second phase (Tier 2) involved a detailed assessment of those studies.

The APVMA has concluded that glyphosate does not pose a carcinogenic risk to humans and that there are no grounds to place it under formal reconsideration.

It is understood that there will be those who will dispute the APVMA's assessment, however, this Australian Government agency is the regulatory authority that State and Local Government agencies refer to and obtain advice from on what is legally and safely able to be applied in accordance with the manufacturers' instructions.

In regards to the use of the herbicide Glyphosate, the attached APVMA report was published in September 2016, titled "Regulatory position: consideration of the evidence for a formal reconsideration of glyphosate". This report is available for the public to view at <http://apvma.gov.au/sites/default/files/publication/20701-glyphosate-regulatory-position-report-final.pdf>

It should be noted that the Town of Bassendean applies pesticides in accordance with manufacturer's guidelines, Material Safety Data Sheets, Water and Rivers Commission of Western Australia, Water Notes (WN22 April 2001) and in addition complies with the Town's Pesticide Operational Policy and Guidelines.

The currency of the APVMA advice is worth noting given that was provided in September 2016.

The Town currently has in place a comprehensive Pesticide Policy & Operational Guidelines to ensure that pesticides are used in accordance with the manufacturers' instructions and are safely applied within public open spaces throughout the Town.

STATUTORY REQUIREMENTS

Local Government Act 1995
Local Government (Functions and General) Regulations 2007

Health (Pesticides) Regulations 1956
Agricultural and Veterinary Chemicals Code Act 1994.
Agriculture and Related Resources Protection Act 1976.-
Control of declared noxious weeds

The Australian Pesticides and Veterinary Medicines Authority is responsible for assessment, product registration, quality assurance and compliance of agricultural chemicals.

FINANCIAL CONSIDERATIONS

Prior to the OCM-12/04/16 resolution which suspended the use of glyphosate on hard surfaces, such as the treatment of expansion joints and edges of all footpaths, road kerbs lines, expansion joints of road islands etc, the following expenditure occurred:

2013/2014	\$ 9,553 *
2014/2015	\$10,671 *
2015/2016	\$10,608 *

*Note that the above historical expenditure figures have been extracted from the Town's financial system, which includes glyphosate treatment to Right of Ways and Public Access Ways. An estimated \$2,420 can be subtracted to estimate the hard paved areas only.

The 2016/2017 Budget allocated \$130,000 to undertake proposed steam treatment for hard surfaces only, based on preliminary estimates, however, fees submitted were approximately 93% higher and exceed the allocated budget as outlined in the attached confidential attachment.

The difference between the 2015/2016 expenditure and the tender price submitted is approximately a 2,267% increase from past expenditure which can be equated to a 2% rate increase.

Considering the 30 September 2016 APVMA advice above, it is recommended not to accept the RFT CO 061 2016-17 Chemical Free (Steam) Weed Management tender.

If Council, in the light of the September 2016 advice from the APVMA, reconsiders its current suspension of glyphosate on hard surfaces, it will need to rescind that motion and reinstate its use of glyphosate at these locations. This will require an absolute majority.

Should the suspension of glyphosate be rescinded, weeds growing within the expansion joints of concrete footpaths, road kerbs, road islands and paved pedestrian areas will be managed.

An option that Council may wish to consider is to also undertake a trial to limited number of selected streets within the Town by engaging operators to use wipe-on glyphosate applicators (wicker wiping) to target weeds growing in the above mentioned areas.

If Council was to consider a wipe-on applicator trial, it is recommended that a further report be provided on the estimated costs and that the trial be limited to a specific number of streets.

In order for Council to initiate the proposed wipe-on glyphosate applicators trial, funding would have to be reallocated from the Steam Weeding of Roads account No.1215030. The reason the trial is suggested to be limited to a specific number of streets is because of potential funding available, the labour cost of operators having to walk the streets and the associated traffic management requirements.

OFFICER RECOMMENDATION – ITEM 10.5

That Council:

1. Does not accept any of the tender submissions received for RFT CO 061 2016-17 Provision of Chemical Free (Steam) Weed Management for the Town of Bassendean due to the operational costs associated with the service; and
2. Reconsiders its position with respect to the suspension of Glyphosate on hard surfaces given the 30th September 2016 Australian Pesticides and Veterinary Medical Authority ('APVMA') advice that *"The APVMA has completed its assessment of the IARC report and other recent assessments of glyphosate and has concluded that glyphosate does not pose a cancer risk to humans"*;

And, subject to Council considering item 2 and wishing to reinstate glyphosate use on hard surfaces -

3. Rescinds Council (OCM–12/04/16) resolution to suspend the use of glyphosate on hard surfaces in the urban environment and initiates the use of registered glyphosate products in accordance with the legislative requirements and best management practices in order to control weeds; and
4. Requests a further report on the estimated cost to implement a wipe-on glyphosate applicator trial to selected streets to the target weeds growing within the expansion joints of concrete footpaths, road kerbs, road islands and paved pedestrian areas.

Voting Requirement:

1, 2, 4 - Simple majority

3 - Absolute majority

10.6 Town of Bassendean Glyphosate Usage for Weed Management (Ref: PARE/MAINT/3 - Jeremy Walker, Senior Environmental Officer, Simon Stewart-Dawkins Director Operational Services)

APPLICATION

This report is to provide feedback to Council in regards to the Council (OCM-37/09/16) resolution concerning glyphosate usage and potential chemical free weed management alternatives for weed management.

ATTACHMENT

Attachment No. 5:

- APVMA “Regulatory position: consideration of the evidence for a formal reconsideration of glyphosate”
- Cost comparison - glyphosate v’s steam for the Town’s natural areas.

BACKGROUND

In April 2016, Officers presented a report titled Weed Management and subsequently Council resolved (OCM – 12/04/16) to suspend the use of glyphosate on hard surfaces in the urban environment.

As a result, the Town suspended the use of glyphosate on the approximately 257km of the Town’s footpaths, road kerbs, road islands and concreted or paved pedestrian areas where weeds grow out of the expansion joints or paving edges.

A separate Return for Tender (RFT) report concerning the Provision of Chemical Free (Steam) Weed Management is included in the November 2016 agenda

In September 2016 Council resolved (OCM-37/09/16) that the relevant Town of Bassendean Officers:

1. Prepare for Council, a comprehensive report identifying locations where glyphosate continues to be used within the Town of Bassendean including use by external agencies;
2. Provide details of potential chemical free weed management alternatives to glyphosate in each of the identified locations as well as the cost & any other implications of each for Council’s consideration prior to the mid-year budget review; and

3. Write to all external agencies (e.g. PTA) known to be using glyphosate within the Town of Bassendean and communicate Council's previous resolution (OCM 12/04/16) to take a precautionary approach to glyphosate and the suspension of its use on hard surfaces and requesting that this policy be adhered to within its locality.

As Council is aware from previous weed management reports, the Town of Bassendean currently uses non-chemical and chemical (herbicide) techniques to manage weeds within the Town.

The chemical free weed management techniques currently undertaken within the Town's streetscapes, parks, gardens, natural areas include mechanical weeding, whipper snipping, mowing, hand pulling, hand cutting and stripping.

Since the Council (OCM-37/09/16) resolution the APVMA published a report on the 30th September 2016, titled "Regulatory position: consideration of the evidence for a formal reconsideration of glyphosate". This report is available for the public to view at <http://apvma.gov.au/node/20701>

The APVMA released the following statement concerning an assessment of the International Agency for Research on Cancer (IARC):

"The APVMA has completed its assessment of the IARC report and other recent assessments of glyphosate and has concluded that glyphosate does not pose a cancer risk to humans"

As Council is aware from previous reports, the Australian Pesticides and Veterinary Medicines Authority (APVMA) is an independent statutory authority with responsibility for the regulation of agricultural and veterinary chemicals in Australia. Its statutory powers are provided in the *Agricultural and Veterinary Chemicals Code Act 1994*.

The APVMA administers the National Registration Scheme for Agricultural and Veterinary Chemicals. The Scheme registers and regulates the manufacture and supply of all pesticides and veterinary medicines used in Australia, up to the point of wholesale sale.

Should the Town of Bassendean use pesticides, these are applied in accordance with manufacturer's guidelines, material Safety Data Sheets and in addition comply with the Town's Pesticide Operational Policy and Guidelines.

STRATEGIC IMPLICATIONS

Environmental sustainability and adaption to climate change.

Objectives: Conserve, protect and provide access to the Town's waterways

Strategies: Weed Management is undertaken in accordance with Council's adopted Weed Management Plan, the Biodiversity Plan and the best practice guide recommended by the Environmental Weeds Action Network.

COMMENT

As noted previously, in September 2016, the Australian Pesticides and Veterinary Medicines Authority (APVMA) concluded "that glyphosate does not pose a cancer risk to humans" and went onto also advised that:

Glyphosate is a broad-spectrum herbicide which works by inhibiting an enzyme found in plants. There are around 500 products containing glyphosate registered for use in Australia. Glyphosate has been registered for use for over 40 years.

All glyphosate products registered for use in Australia have been through a robust chemical risk assessment process; and are safe to use, provided they are used as per the label instructions.

As Australia's agvet chemical regulator, it is the role of the APVMA to consider all relevant scientific material when determining the likely impacts on human health and worker safety—including long and short term exposure to users and residues in food before registering a product.

It is the role of regulators to determine whether products used according to label instructions could result in a level of exposure that poses an unacceptable risk to people.

Consistent with regulators in other countries, the APVMA uses a risk-based, weight-of-evidence assessment, which considers the full range of risks—including studies of cancer risks—and how human exposure can be minimised through instructions for use and safety directions.

Chemical risk assessment = hazard assessment + exposure assessment

Hazard assessment: an assessment of the data related to the intrinsic toxicity potential of an active constituent and/or formulated product

Exposure assessment: an assessment of the likely exposure of humans and environmental organisms that takes into account how the chemical product is to be used, the type and formulation of the product, and the crops or animals to be treated

A hazard-based assessment considers only whether an adverse outcome could occur not whether it is likely to occur when used in real-world situations.

The hazard-based assessment is the first step in determining whether a chemical poses an undue risk. A risk-based assessment builds on the hazard-based assessment by determining the likelihood and extent to which the adverse outcome will occur if the product is used according to the instructions on the approved product label

In a weight-of-evidence assessment, relevant observations are validated because they are reproduced independently by different investigators/researchers. A weight of evidence assessment considers both the numbers of studies reporting a particular conclusion and the quality of the study design and data evaluation.

A strength-of-evidence assessment can be based on a single study, even if the study protocol has limitations or does not comply with internationally accepted regulatory protocols, or if the results are not consistent with observations made in other well-designed studies.

Regulators do not use strength-of-evidence assessments.

Assessment of the International Agency for Research on Cancer (IARC) report by the APVMA

New studies, assessment reports and scientific opinions on approved pesticides or veterinary medicines are generated regularly and the APVMA evaluates the scientific merits of these before deciding on whether a formal reconsideration—or other regulatory action—is appropriate.

The APVMA evaluated the IARC report and other contemporary scientific assessments as part of an established chemical review nomination process.

The APVMA conducted a weight-of-evidence evaluation that included a commissioned review of the IARC monograph by the Department of Health, and risk assessments undertaken by expert international bodies and regulatory agencies.

The review commissioned by the Department of Health was conducted in two phases. The first phase (Tier 1) identified which studies relied on by IARC should be reviewed in more detail, while the second phase (Tier 2) involved a detailed assessment of those studies.

The APVMA has concluded that glyphosate does not pose a carcinogenic risk to humans and that there are no grounds to place it under formal reconsideration.

It is understood that there will be those who will dispute the APVMA's assessment, however this Australian Government agency is the regulatory authority that State and Local Government agencies refer to and obtain advice on what is legally and safely able to be applied in accordance with the manufactures instructions.

In regards to external agencies use of glyphosate, Main Roads Western Australia released the following statement on Tuesday 11 October 2016:

“Main Roads uses glyphosate in accordance with the APVMA guidelines as an important part of an integrated approach to weed control that also includes other approved herbicides, mowing, mulching, revegetation and the prevention of weed spread by vehicles and equipment”

As Council would be aware, the Town manages a significant amount of open space, which includes approximately 8,147m² of garden beds and 200,000 m² (20 Hectares) of natural (bushland) areas.

The Town of Bassendean currently uses non-chemical and chemical (herbicide) techniques to manage weeds within the Town and in these areas.

The chemical free weed management techniques currently undertaken within the Town's streetscapes, parks, gardens, natural areas include mechanical weeding, whipper snipping, mowing, hand pulling, hand cutting and stripping.

For natural areas, the Town refers to the Council (OCM2-9/5/10) endorsed Bushland Weed Management Plan to ensure that bush reserves are maintained and restored appropriately. The Town also refers to a manual titled “Bushland Weeds – A practical guide to the management with case studies from the Swan Coastal Plain and beyond”. This manual is the culmination of a five year project that had been supported by the Environmental Weed Action Network, with input from the Department of Conservation and Land Management and numerous bush land weed and bush care specialists.

Both the Bushland Weed Management Plan and the “Bushland Weeds – A practical Guide” manual identify weeds that can be removed using non-chemical methods, however, the majority of weeds that have been mapped in our bush area do require herbicide treatment to ensure their removal.

In accordance to the above, where the weed treatment has been identified for natural areas, the general approach for weed management is as follows:

- Development of base line weed maps that will indicate the target weed species and allow for strategic planning of control and follow up work;
- Isolated woody weeds/climbers and small weeds infestations be removed, preferably before the year’s seed crop has ripened;
- Large infestations where the endemic (native) over storey has been gradually replaced are to be progressively treated over several years. It is essential to have consistent follow up treatments which provide the greatest chance of eradicating the weed. The few survivors or missed plants will quickly re-establish the infestation if left.

It should be noted that the Bushland Weed Management Plan has provided to the Town the base line weed maps and the weed management strategies that the Town is currently implementing.

Should a weed be identified to be physically controlled – without herbicides, the Town currently ensures that there is minimal to no soil disturbance and vegetation trampling does not occur. The reason is that damage of this nature creates openings for further weed infestations.

The East Metropolitan Regional Council, on behalf of member Councils, including the Town of Bassendean, submitted a “Green Army” grant application and the Town was successful in obtaining funding to support local ‘Friends Groups’ of the Town to undertake hand weeding. However, in recent years, hand weeding alone has proved not to be a viable solution to control natural area weeds.

Best Bushland Management Practices state that hand weeding is a tool that should be carefully implemented and in conjunction with chemical weed control in order to achieve an integrated process to control weeds and allow natural bushland regeneration.

From a bush management perspective, it is essential that the Town continues using the best weed management practices.

In April 2016, a report was presented to Council concerning a weed management and the opportunity to trial steam treatments at Broadway Reserve and Success Hill Reserve.

Since the report, the Town has been trailing the EMRC steam weed machine at Broadway Reserve and has engaged a contractor “Cape Life” to undertake a trial at Success Hill Reserve.

The steam trail is currently being implemented, however the results thus far have shown that steam machine weeding is not a viable substitute for chemical weed control within the bushland.

Broadway Reserve was considered in good condition using the Keighery scale for measuring bushland condition prior to trial commencing, The following table is a breakdown of the treatment schedule using steam:

breakdown of steam treatments	2015-16				2016-17											
	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Required days for machine hire			2	4		3		3	3	3		3		3		3
dates for machine hire			3-4th	15-17th		2-4th		4-6th	17-22nd	13-16th		1-3rd		4-6th		6-8th

The frequencies for steam use is much higher than Glyphosate as is the required days to treat the reserve. The schedule using Glyphosate had 7 treatments with 1.5 days required per treatment with a high focus from October through to January due to caltrop found within the reserve.

The trial to date has also shown that steam is not as effective as Glyphosate, the Town's officers were required to organise a Glyphosate treatment in July due to the inundation of weeds within the Reserve, this one treatment of Glyphosate effectively eradicated a higher percentage of the weeds than the two steam treatments undertaken prior.

In regards to the Success Hill Reserve steam control trials, the Town engaged a 'CapeLife' contractor as they specialise in bushland weed control using steam. Capelife prepared a schedule for the Town based on their expertise and inspection of the site with a main focus on Veldt grass. Capelife proposed 5 treatments over 1 financial year with 3 days per treatment.

The trial has shown some benefits, however, it should be noted that prior to steam treatments, the weeds had to be manually brush cut to reduce the vegetative matter and then the remaining weeds steam treated. This method is highly labour intensive, there is a significant increase in pedestrian movement in a fragile bush environment and the Town has found that the steam was not eradicating the Veldt grass, it has just hindered its growth.

Therefore, the preliminary feedback from both trials is that the allocated weed steam treatment is a slow process and significantly less effective in eradication of weeds than glyphosate

The following table is a cost comparison to swap Glyphosate with steam within the Town. Please note that the comparison is a like for like treatment and generally steam treatments are required more frequently so the cost will be higher to achieve a desired weed control outcome:

Location	Area ha	Frequency per calendar year	Glyphosate Est \$	Steam Est \$
Jubilee Reserve	1.75	4 treatments	\$2,708	\$5,760**
Pickering Park	0.73	4 treatments	\$1,360	\$5,760**
Sandy Beach	0.21	4 treatments	\$535	\$5,760**
Ashfield Pde	1.56	4 treatments	\$1,945	\$5,760**
Ashfield North Foreshore	0.1419	4 treatments	\$445	\$5,760**
Success Hill dry land	3.15	Current Trial consists of 5 treatments (each treatment takes 3 days) and there is still an abundance of weeds		\$21,600 *

Success Hill foreshore	1.59	4 treatments - access with steam difficult and as per dryland area treatment will not achieve desired results	\$795	\$5,760 **
Bindaring - South	6.53	7 treatments of which 2 are wicker wiping	\$5,078.50	\$10,080 *
Broadway Reserve	3.05	Current trial consist of 7 treatments (each treatment takes 3 days) This is using EMRC machine and labour hire. Steam has not been successful 2 glyphosate treatments have been required to keep weeds controlled.		\$9,585 *
Surrey Street	0.05	5 treatments	\$450	\$7,200**
Ashfield Flats - locations	0.08	7 treatments	\$600	\$10,080**
Guildford Road median	1.4km	12 treatments	\$5,340	\$17,280**
Estimated Total			\$19,257	\$110,385.

Note: * Steam treatment estimate calculated from work undertaken on site

** Steam treatment calculated using estimated day rate and subject to formal quote to refine costs

The difference between the estimated costs for using Glyphosate and Steam Treatments for the above sites is \$91,101 or approximately a 473% increase in expenditure.

The Town's Officers have been proactive in their pursuit to find an alternative to glyphosate, and chemicals in general. Over the last 3 years, trials have been conducted at Success Hill Reserve using Perlagonic Acid (occurs naturally in plants), Pine Oil and Steam Treatments; all of which have been unsuccessful in the eradication of weeds.

In regards to chemical (herbicide) techniques to manage invasive or emerging weeds, the Town applies the herbicide "glyphosate bi-active" which is approved by the APVMA for use, as this herbicide is absorbed or translocated by the weed vegetative growth to the roots and becomes inactivate when in contact with soil.

It should be noted that the herbicide management of weeds is only undertaken when required in the Town and in accordance to manufacturer's instructions, Water and Rivers Commission of Western Australia, Water Notes (WN22 April 2001) and the Town's Pesticide Operational Policy and Guidelines.

STATUTORY REQUIREMENTS

Local Government Act 1995
Health (Pesticides) Regulations 1956
Agricultural and Veterinary Chemicals Code Act 1994.
Agriculture and Related Resources Protection Act 1976.-
Control of declared noxious weeds

The Australian Pesticides and Veterinary Medicines Authority is responsible for assessment, product registration, quality assurance and compliance of agricultural chemicals.

FINANCIAL CONSIDERATIONS

The Town's natural areas are treated through RFQ CO 308 Chemical Weed Control. The table shows the cost comparison of using steam instead of glyphosate. This comparison is for a direct 'product' replacement and doesn't take into account the fact that steam treatment will require more frequent treatments and therefore the costs will be higher.

Using the recently submitted RFT CO 061 2016-17 Chemical Free (Steam) Weed Control cost schedule, the costs for steam weeding is estimated to be approximately \$16,294 per treatment for the Towns 8,147m² of garden beds with the Town likely to require a minimum of 8 treatments per year.

The Town currently spends approximately \$19,324.34 on staff labour and approximately \$900 on the chemical glyphosate annually. This equates to an estimated \$1,985 per month to treat all 8,147m² of garden beds.

Considering the 30 September 2016 APVMA advice, it is recommended the Town continue to use glyphosate in accordance with the legislative requirements and best management practices in order to control weeds.

OFFICER RECOMMENDATION — ITEM 10.6

That Council:

1. Receives the Glyphosate Usage for Weed Management report;
2. Notes the 30 September 2016 Australian Pesticides and Veterinary Medical Authority ('APVMA') statement, being:

"The APVMA has completed its assessment of the IARC report and other recent assessments of glyphosate and has concluded that glyphosate does not pose a cancer risk to humans";

3. Notes the November 2016 Ordinary Council Meeting agenda item RFT CO 061 2016-17 Chemical Free (Steam) Weed Management for the Town of Bassendean and the respective financial implications; and
4. Continues use of glyphosate in accordance with the legislative requirements and best management practices in order to control weeds.

Voting requirements: Simple Majority

10.7 Meeting Schedule and Citizenship Ceremonies for 2017
(Ref: GOVN/CCLMEET/1 - CMT & Council Support Officer)

APPLICATION

Council is requested to consider its meeting dates for Council and Committees and endorse Citizenship Ceremony dates for 2017.

BACKGROUND

Council adopted its new Committees structure in September 2015 (OCM-9/9/15 refers). In May 2016 (OCM – 29/05/16) it was resolved that:

1. Council rescinds part 1 of OCM - 30/12/15, which reads:

“That Council continues with its current practice of holding the Briefing Sessions on the Tuesday prior to the Council Meeting, commencing at 5.00pm”;
2. Council amends the Council meeting calendar to schedule briefing sessions one week prior to the monthly Ordinary Council Meeting on the third Tuesday of the month commencing at 7.00pm, starting July 2016 for a trial period of six months to be reviewed in December 2016.

This report requests Council endorse the meeting dates for its Ordinary Council meetings, Committee meetings and Citizenship Ceremonies.

STATUTORY REQUIREMENTS

Local Government Act 1995, Section 5.25(1)(g) and Local Government (Administration) Regulation 12.

A local government is required at least once each year to give local public notice of all Ordinary Council meetings and Committee meeting dates, times and places that are open to the public and are to be held in the next twelve months.

STRATEGIC IMPLICATIONS

Council’s adopted Bassendean Strategic Community Plan 2013-2023 states the following:

Objective

Build a sense of belonging and connectivity in the community.

Strategy

Encourage people of all ages, abilities and backgrounds to actively participate in community life and democratic processes.

COMMENT

Convening Council and Committee meetings is a task of the CEO, and involves the Council Support Officer advertising Notices of Meetings and circulating Agendas, and setting up the venue where the meeting is to be held.

The Local Government Act also requires that Council meetings and meetings of a committee to which the Council has given delegated powers to make and act on decisions, must be open to the public to attend.

All Council meetings and those Committee meetings that have delegated authority, as required by the Local Government Act) are required to be open to the public must be advertised in accordance with the Act at least once a year.

Further meetings may be held throughout the year, but local public notice is to be given as early as possible of any variations to the adopted schedule of meetings.

It should be noted that an Ordinary Council meeting has not been set for January 2017, due to a number of Councillors and Officers who generally are on leave during this time.

Briefings sessions have not been included in this report. Council resolved to hold the Briefing Sessions one week prior to the Council meeting for a trial basis and this will reviewed in December 2016. A report will be presented at the December Ordinary Council meeting for Council's consideration.

Also included for adoption are dates for Citizenship Ceremonies at three-monthly intervals throughout the year. These ceremonies have been scheduled for a Tuesday evening where Council does not have an ordinary meeting and on Australia Day.

OFFICER RECOMMENDATION – ITEM 10.7

That Council endorses the following meeting dates and Citizenship Ceremonies for 2017:

Ordinary Council meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean, at 7.00pm on Tuesdays (except April) on the following dates:

28 February, 28 March, **Wed** 26 April, 23 May, 27 June, 25 July, 22 August, 26 September, 24 October, 28 November and 12 December;

Access & Inclusion Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean, at 10.00am on Wednesdays on the following dates:

1 March, 10 May, 5 July and 13 September, 10 December;

Audit and Risk Management Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean at 5.30pm on Tuesdays on the following dates:

8 March, 7 June, 9 August and 4 October;

Bassendean Local Emergency Management Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean at 3.30pm on Wednesdays on the following dates:

1 February, 7 June 6 September and 1 November;

Bassendean River Parks Management Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean at 10.00am on the following dates:

8 February, 3 May, 2 August and 1 November;

Liveable Town Advisory Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean at 7.00pm on Tuesdays on the following dates:

7 February, 11 April, 13 June, 8 August, 10 October and 7 November;

Local Studies Collection Management Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean at 9.30am on Thursdays on the following dates:

2 March, 4 May, 3 August and 5 October;

Municipal Heritage Inventory Review Committee meetings to be held at the Town of Bassendean, 48 Old Perth Road, Bassendean, as and when required;

Town Planning Scheme Review Committee meetings to be held at the Town of Bassendean, 48 Old Perth Road, Bassendean, as and when required;

Youth Advisory Council meetings to be held at the Bassendean Youth Service, MacDonald Pavilion, Steel Blue Oval, West Road, Bassendean, at 5.00pm on Fridays on the following dates:

31 March, 28 April, 26 May, 30 June, 28 July, 25 August, 29 September and 1 December; and

Citizenship Ceremonies to be held in the Bassendean Community Hall, 48 Old Perth Road, Bassendean on:

26 January; 4 April; 4 July and 3 October.

Voting requirement: Absolute majority

10.8 Bassendean Local Emergency Management Committee Meeting held on 2 November 2016 (Ref: GOVN/CCLMEET/18 – Graeme Haggart, Director Community Development)

APPLICATION

The purpose of the report is for Council to receive the report on a meeting of the Bassendean Local Emergency Management Committee held on 2 November 2016.

ATTACHMENTS

Attachment No. 6:

Minutes of the meeting of the Bassendean Local Emergency Management Committee held on 2 November 2016.

COMMENT

At the meeting Committee considered the following:

1. Meeting dates for 2017 were confirmed as follows:
 - 1 February, 5 April (Annual Exercise), 7 June, 6 September & 1 November;
2. An update report on the funded Flood Mitigation Project where the funded project has now been completed and will be acquitted. The cost of replacing the vinyl bands with metal bands will be presented in the mid-year budget review for consideration.
3. A meeting has been arranged for Officers of the State Emergency Management Committee Secretariat to meet with the Town to progress the review the Local Emergency Management Arrangements.
4. It was noted the Annual Exercise for 2017 will be conducted in the Town in April as a joint exercise with the City of Bayswater.
5. A report from the State Emergency Management Committee was received.
6. A report into fire season preparedness in the Town was considered.
7. A post incident report was received from the Bassendean SES Unit.

8. Local Emergency Management Committee contact details were confirmed.
9. CPFS will be conducting training on the operations of a Welfare Evacuation Centre; and SES are to undertake firefighting training (as an arm of DFES).

STATUTORY REQUIREMENTS

The Emergency Management Act 2005 prescribes that:

Section 38(1): A local government is to establish one or more local emergency management committees for the local government's district. And

Section 41(1): A local government is to ensure that arrangements (***local emergency management arrangements***) for emergency management in the local government's district are prepared.

SEMC Policy 2.5 – Emergency Management for Local Government

ADP – 05 – Emergency Management for Local Government (Procedures)

FINANCIAL CONSIDERATIONS

There are no direct financial implications associated with the Committee meeting minutes.

OFFICER RECOMMENDATION – ITEM 10.8

That Council receives the report on the meeting of the Bassendean Local Emergency Management Committee held on 2 November 2016.

Voting requirements: Simple majority

10.9 Applications for Grants Prepared by Officers as per Council Resolution (Ref: GRSU/PROGM/26 – Bob Jarvis Chief Executive Officer)

APPLICATIONS

The purpose of this report is to present Council a summary of grant applications which are proposed to be submitted in accordance with the 2016/2017 Budget allocations.

BACKGROUND

Each financial year, Council approves the budget allocation for various Capital Works and Operational programs which includes the estimated grant contributions. To progress the proposed works program, Officers submit grant applications in advance of the works commencing.

COMMENT

In August 2016 (OCM – 7/08/16) Council resolved to be provided with the project description and scope of works of all proposed future grant applications for endorsement, or comment if the deadline is prior to a Council meeting, prior to lodgement, and that it be provided on a confidential basis where considered appropriate.

The table below includes upcoming grant applications:

Project Name	2016/2017 Budget allocation	2016/2017 Account Number	Scope of Works	Grant Funding Body and Amount	Scheduled Date for Submitting Application
1 Surrey St	\$980,000	1AB16040	Restoration, reconstruction refurbishment of the Residence & the Pensioner Guard Cottage. Construction of the Studio Space/Storage area, hard and soft landscaping to entire site.	LotteryWest - \$285,000	November
Eastern Metropolitan Regional Council (EMRC)	\$85,000 Public Events – Other	GL181 496	EMRC is lodging an application for funding for the Autumn River Festival which includes the Town's March 2017 event. If the grant is successful, \$8,000 is being earmarked for the Town's March 2017 event.	LotteryWest \$8,000	November

STRATEGIC IMPLICATIONS

Leadership & Governance

Objectives: Strengthen Council Governance and Compliance Strategy: Review governance processes.

Objective: Strengthen and Formalise Partnerships
Strategy: Develop successful and collaborative partnerships
and government and businesses

STATUTORY REQUIREMENTS

Local Government Act 1995 – Section 6.10: Financial Management Regulations.

FINANCIAL CONSIDERATIONS

Funding is listed in the current 2016/2017 Budget to allow Council to submit the above grant application

OFFICER RECOMMENDATION – ITEM 10.9

That Council notes the applications for funding in accordance with Council resolutions and the allocated funds listed in the 2016/17 Budget.

Voting requirements: Simple Majority

**10.10 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 2016		
Application No	Property Address	Description
201600295	22 SCADDAN STREET, BASSENDEAN	FRONT FENCE
201600291	3 SECOND AVENUE, BASSENDEAN	ADDITION/ALTERATIONS TO DWELLING (RETROSPECTIVE)
201600299	11 FOURTH AVENUE, BASSENDEAN	PATIO
201600297	62 EILEEN STREET, BASSENDEAN	SWIMMING POOL FENCE
201600293	70 SECOND AVENUE, BASSENDEAN	DEMOLITION OF DWELLING AND SHED
201600292	8 WALTER ROAD EAST, BASSENDEAN	FULL DEMOLITION
201600296	32 MICKLETON TERRACE, BASSENDEAN	FENCE APPLICATION
201600294	42 PEARSON STREET, ASHFIELD	DEMOLITION OF RESIDENTIAL DWELLING & SHED
201600275	17 PARNELL PARADE, BASSENDEAN	ALTERATIONS/ADDITIONS
201600310	48 MARGARET STREET, ASHFIELD	SWIMMING POOL
201600311	48 MARGARET STREET, ASHFIELD	POOL FENCE
201600304	19 CUMBERLAND WAY, BASSENDEAN	SHED
201600300	49 FOURTH AVENUE, BASSENDEAN	FIBREGLASS POOL
201600302	18 DEVON ROAD, BASSENDEAN	POOL HOUSE ALFRESCO AND CARPORT
201600301	85 LORD STREET, EDEN HILL	ADDITIONS
201600309	84 KENNY STREET, BASSENDEAN	FAMILY & DINING ROOM WINDOWS CONVERTED TO DOUBLE DOORS
201600305	137 WHITFIELD STREET, BASSENDEAN	DEMOLITION
201600303	31 KENNY STREET, BASSENDEAN	PATIO
201600287	51 KENNY STREET, BASSENDEAN	ADDITION NEW VERANDAH
201600289	25 WALKINGTON WAY, EDEN HILL	SHED
201600284	24 JAMES STREET, BASSENDEAN	ADDITION TO EXISTING RESIDENTIAL DWELLING
201600288	108 WHITFIELD STREET, BASSENDEAN	SWIMMING POOL + FENCE
201600280	4 LAMB STREET, BASSENDEAN	ENCLOSED TIMBER DECKING
201600286	116 ANZAC TERRACE, BASSENDEAN	INSTALLATION OF COLORBOND CARPORT
201600176	8 GARNSWORTHY PLACE, BASSENDEAN	PATIO
201600180	3 SECOND AVENUE, BASSENDEAN	EXTENSION & CARPORT

OFFICER RECOMMENDATION – ITEM 10.10

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

Voting requirement: Simple majority

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

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

APPLIC NO	PROPERTY ADDRESS	DESCRIPTION.	DESCRIPTION
2015-115	9 FAIRFORD STREET BASSENDEAN	FACTORY	DELEGATE APPROVED
2016-054	48 WATSON STREET BASSENDEAN	OUTBUILDING AND AMENDED LOCATION FOR PARKING OF A COMMERCIAL VEHICLE	DELEGATE APPROVED
2016-101	57 FIRST AVENUE BASSENDEAN	8 MULTIPLE DWELLINGS	DELEGATE APPROVED
2016-105	28 THIRD AVENUE BASSENDEAN	SINGLE HOUSE	DELEGATE APPROVED
2016-141	27 PURSER LOOP BASSENDEAN	MODIFICATION TO CARPARK	DELEGATE APPROVED
2016-145	8 KIRKE STREET EDEN HILL	TWO GROUPED DWELLINGS	DELEGATE APPROVED
2016-149	UNIT 34 8 GARNSWORTHY PLACE BASSENDEAN	PATIOS X 2	DELEGATE APPROVED
2016-157	36 PENZANCE STREET BASSENDEAN	STUDIO ADDITION TO GROUPED DWELLING	DELEGATE APPROVED
2016-162	10 NURSTEAD AVENUE BASSENDEAN	OUTBUILDING AND PATIO	DELEGATE APPROVED
2016-163	25 WALKINGTON WAY EDEN HILL	OUTBUILDING	DELEGATE APPROVED
2016-166	23 BASSENDEAN PARADE BASSENDEAN	HOME OCCUPATION - OCCUPATIONAL THERAPIST	DELEGATE APPROVED
2016-169	80 CHESTERTON ROAD BASSENDEAN	ADDITIONS AND ALTERATIONS TO SINGLE HOUSE	DELEGATE APPROVED
2016-170	UNIT 5 41 CYRIL STREET BASSENDEAN	ADDITIONS AND ALTERATIONS TO GROUPED DWELLING	DELEGATE APPROVED
2016-171	61 NORTH ROAD BASSENDEAN	AMENDED APPLICATION FOR ADDITIONS AND ALTERATIONS TO SINGLE HOUSE	DELEGATE APPROVED
2016-172	21 DEVON ROAD BASSENDEAN	PATIO & DECK	DELEGATE APPROVED
2016-174	69 SCADDAN STREET BASSENDEAN	OUTBUILDING	DELEGATE APPROVED
2016-175	31 ASHFIELD PARADE ASHFIELD	AMENDED APPLICATION FOR SINGLE HOUSE (REMOVE PRIVACY SCREENING FROM FRONT FACE OF BALCONY)	DELEGATE APPROVED
2016-177	27 NORTHMOOR ROAD EDEN HILL	ADDITIONS AND ALTERATIONS TO SINGLE HOUSE	DELEGATE APPROVED
2016-178	8017LOC PEARSON STREET ASHFIELD	STORAGE CUBE & PERGOLA WITH SEATING	DELEGATE APPROVED

Subdivision Approvals				
154359	19	JAMES	STREET	TWO LOT SUBDIVISION
		BASSEDEAN		STATUTORY ADVICE

OFFICER RECOMMENDATION – ITEM 10.11

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

Voting requirement: Simple majority

10.12 Accounts for Payment – October 2016 (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. 7: List of Accounts

BACKGROUND

The monthly payments made for the period October 2016 are presented to Council, with details of payments made by the Town in relation to goods & services received.

STRATEGIC IMPLICATIONS

Leadership and Governance

Improve capability and capacity

- *Ensure Financial sustainability*
- *Monitor and enhance organisational performance and service delivery*

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 10.12

That Council receives the List of Accounts paid for October 2016, as attached to the Ordinary Council Agenda of 22 November 2016.

Voting Requirements: Simple majority

10.13 Financial Statements – October 2016 (Ref: FINM/AUD/1 – Jill Brazil, A/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. 8: Financial Reports for October 2016

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 2016/17 financial year the amount is \$5,000 or 10% whichever is the greater.

STRATEGIC IMPLICATIONS

Leadership and Governance

Improve capability and capacity

- *Ensure Financial sustainability*
- *Monitor and enhance organisational performance and service delivery*

COMMENT

September:

The Summary of Financial Activity (Income by Nature & type) is indicating that income for the Year to date is 3.66% ahead of Budget Year to date. Interest on investments, Operating Grants, Fees & Charges, and other revenue are ahead of budget YTD forecasts.

Total expenditure by Nature & Type for YTD is 14.92% below Budget YTD expectations. Employee costs, materials & contracts, other expenditure are below anticipated budget levels. The Town is within its target with Annual Budget.

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 the 31 October 2016. The Notes accompanying the statements provide a detailed breakdown to the Financial Statements.

OFFICER RECOMMENDATION – ITEM 10.13

That:

1. The Financial Report for the period ending 31 October 2016, as attached to the Ordinary Council Agenda of 22 November 2016, be received; and
2. The budget amendments listed for adoption in the Financial Statements as attached to the Ordinary Council Agenda of 22 November 2016, be approved.

Voting Requirements: Absolute majority

10.14 Use of the Common Seal (Ref: INFM/INTPROP/1 – Yvonne Zaffino, Council Support Officer)

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 documents during the reporting period:

- 1/11/2016 Hyde Retirement Village Residence Deed between Ms Joyce Brooks and the Town of Bassendean.
- 26/10/2016 Contract of Sale between the Department of Lands and the Town of Bassendean for Reserve 31420, 48 Chapman Street, Bassendean.
- 26/10/2016 Contract of Sale between the Department of Lands and the Town of Bassendean for Reserve 26529, Lot 7557 Lord Street, Bassendean.
- 24/10/2016 Contract of Sale between Philip Stephen Vlaskovsky & Martin Stephen Vlaskovsky and the Western Australian Planning Commission for Lot 12; 14 Walter Road East, Bassendean, in relation to road widening at the property. In order to allow construction to commence, the owner entered into a legal agreement with the Town which was supported by a caveat.
- 11/10/2016 Notification Under Section 70A of the Transfer of Land Act 1893, As Amended, between Monique Michelle Fitzgerald of 15 Nurstead Avenue, Bassendean, and the Town of Bassendean, to notify prospective owners that there is a stormwater retention system installed which imposes restrictions and drainage limitations on the use and enjoyment of the land.

OFFICER RECOMMENDATION – ITEM 10.14

That Council notes the affixing of the Common Seal to the document listed in the Ordinary Council Meeting Agenda of 22 November 2016.

Voting Requirements: Simple majority

10.15 Calendar for December 2016 (Ref: Sue Perkins, Executive Assistant)

Thu	1 Dec	5.00pm	Perth Airports Municipalities Group Meeting – City of Bayswater (Cr Brown)
Thu	1 Dec	6.00pm	EMRC Council Meeting – EMRC (Crs Lewis & Bridges)
Thu	1 Dec	6.00pm	Strategic Community Plan Workshop – Bassendean Community Hall
Tue	6 Dec	7.00pm	Briefing Session – Council Chamber
Wed	7 Dec	5.30pm	Audit & Risk Management Committee Meeting – Council Chamber (Crs Lewis, Pule & Bridges)
Tue	13 Dec	7.00pm	Ordinary Council Meeting – Council Chamber
Wed	14 Dec	4.00pm	Metropolitan Waste Advisory Committee Meeting – WALGA (Cr Bridges)
Fri	23 Dec	12 noon	Offices close for Christmas and New Year break
Tue	3 Jan	8.30am	Offices re-open.

OFFICER RECOMMENDATION - ITEM 10.15

That the Calendar for December 2016 be adopted.

Voting Requirements: Simple majority

10.16 Implementation of Council Resolutions (Ref: Yvonne Zaffino, Council Support Officer)

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
90193	Simon Stewart-Dawkins	OCM-43/3/16 - Point Reserve - Road Closure	On 8 April 2016 a letter was posted to D'Angelo Legal and Mr Towie and Ms Medrala advising of Council resolution. On 3 May 2016, D'Angelo Legal requested additional information (previously provided 28th July 2015) concerning the estimated costs for Site Survey, Easement and Fees. This information was provided once again. D'Angelo Legal requested confidential information tabled for Council consideration. This request was declined. A 28 day extension from the 27 May to Friday 24 June 2016 was granted. On 10 August a further extension was granted to end of September 2016. On the 8th September a further extension was requested with a further granted until 31 October 2016. D'Angelo Legal acting on behalf of applicant was advised that no further extensions would be granted. On the 15 November 2016, D'Angelo Legal and property owners Mr Towie and Ms Medrala, were advised via email that as no further communication had been received, the matter would now be referred to Council for consideration. Confidential Report presented to the November 2016 OCM agenda. RECOMMEND DELETION
91835	Michael Costarella	OCM-24/10/16, OCM-17/6/16 - Audit & Risk Management Committee Meeting held on 8 June and 12 October 2016	The actions required by the resolution have been completed. RECOMMEND DELETION

83382	Brian Reed	OCM-24/5/15 - Notice of Motion: Cr Bridges – Commencement of Local Area Plans	This task, which has been included in the Strategic Planning Framework, has been enshrined into the work of the Director Strategic Planning. RECOMMEND DELETION.
83383	Brian Reed	OCM-25/5/15 - Notice of Motion: Cr Bridges – Streetscape Policies	This task, which has been included in the Strategic Planning Framework, has been enshrined into the work of the Director Strategic Planning. RECOMMEND DELETION.
86057	Brian Reed	OCM-13/10/15, OCM-19/9/15 - Notice of Motion – Cr Bridges: Employment of a Strategic Planner	Strategic Planner has commenced employment and Strategic Planning Framework (with 3 year programme) has been adopted by Council. RECOMMEND DELETION
88067	Brian Reed	OCM-11/12/15 - Proposed Amendment No. 7 to Local Planning Scheme No. 10 – Including an extra additional use of “Restaurant” within Schedule 2 – Additional Uses Lot 743 No’s 3 and 3A Broadway	The Minister for Planning has endorsed the amendment with it being published in the Government Gazette on 11 November 2016. Local notice will be provided in the Eastern Reporter on 22 November 2016. RECOMMEND DELETION.
91631	Brian Reed	OCM-8/5/16 - Comprehensive Strategic Planning Framework for the Town Prepared by Taylor Burrell Barnett	This task, which has been included in the Strategic Planning Framework, has been enshrined into the work of the Director Strategic Planning. RECOMMEND DELETION.
85662	Ken Cardy	OCM-7/8/15 - Pedestrian Crossing Report – Intersection Old Perth Road and Whitfield Street, Bassendean	Works have been completed. RECOMMEND DELETION
90174	Mandy Godfrey	OCM March 2016: Public Question Time - Ms Jane Bremmer	Director Operational Services has responded to Ms Bremmer. RECOMMEND DELETION

REC_NO.	OFFICER	BRIEF_DESCRIPTION	ACTION_TAKEN
ROC16/52105	BOB JARVIS	OCM-34/10/16 - CR BRIDGES – COUNCIL FORMS	MEMO SENT TO ALL STAFF TO CHANGE FORMS TO COMPLY RECOMMEND DELETION

ROC16/52098	ANTHONY DOWLING	OCM-13/10/16 - (DRAFT) PERTH TRANSPORT PLAN FOR 3.5 MILLION PEOPLE AND BEYOND	RESOLUTION ACTION NOW COMPLETE. RECOMMEND DELETION
ROC16/52097	GRAEME HAGGART	OCM-12/10/16 - CARPARKING AT HYDE RETIREMENT VILLAGE	ADDITIONAL CAR BAYS MARKED OUT. RECOMMEND DELETION
ROC16/51874	KEN CARDY	OCM-35/9/16 - NOTICE OF MOTION – CR PULE: REMOVAL OF BUS SHELTER IN FRONT OF THE HYDE RETIREMENT VILLAGE	SEAT HAS BEEN INSTALLED NEAR THE BUS SHELTER FOR RESIDENTS OF HRV TO UTILISE WHILE WAITING FOR BUS AND TO REST. OFFICERS HAVE RECEIVED A NUMBER OF EMAILS AND CALLS FROM RESIDENTS THANKING OFFICERS FOR THE SEAT. PTA HAVE ADVISED IF A SHELTER IS TO BE INSTALLED IT WILL BE AT THE TOWNS COST BUT SUGGEST THE LOCATION OF THE BUS STOP DOES NOT ALLOW FOR A SHELTER. RECOMMEND DELETION
ROC16/52107	KEN CARDY	OCM-37/10/16 - COUNCIL STREET TREES – 87 ANZAC TERRACE BASSENDEAN	RESIDENT HAS BEEN NOTIFIED OF COUNCILS RESOLUTION AND DECIDED TO REMOVE THE BRICK FENCE AT THEIR COST. NO FURTHER ACTION - RECOMMEND DELETION.
ROC16/52092	DYLAN STOKES	OCM-6/10/16 - RECONSIDERATION FOR PROPOSED COMMERCIAL VEHICLE PARKING OF LOT 679; NO. 72 WALKINGTON WAY BASSENDEAN	APPLICANT SENT COUNCIL APPROVAL. RECOMMEND DELETION
ROC16/52099	MANDY GODFREY	OCM-14/10/16 - RFT CO 059 2016-17 AUSTRALIA DAY FIREWORKS FOR THE TOWN OF BASSENDEAN	NOTED AND ACTIONED. RECOMMEND DELETION
ROC16/52100	MANDY GODFREY	OCM-15/10/16 - RFT CO 055 STREET SWEEPING 2016-17 - PROVISION OF STREET SWEEPING SERVICES FOR THE TOWN OF BASSENDEAN	NOTED AND ACTIONED. RECOMMEND DELETION
ROC16/52103	MIKE COSTARELLA	OCM-18/10/16 - ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2016	GME ADVERTISED IN ACCORDANCE WITH LG ACT FOR 23 NOVEMBER 2016. RECOMMEND DELETION
ROC16/51867	NICOLE BAXTER	OCM-17/9/16 - BASSENDEAN DRAINAGE ASSESSMENT REPORT	DRAINAGE REPORT INFORMATION ATTACHED TO ASSET PROCUREMENT PROGRAM FOR ACTIN FIN FUTURE YEAR. RECOMMEND DELETION.

ROC16/52106	SIMON STEWERT-DAWKINS	OCM-35/10/16 - CR MCLENNAN - WATER CORP DRAINAGE FOR LIVEABILITY PROJECTS	ON THE 16TH NOVEMBER 2016 THE BASSENDEAN RIVER PARKS MANAGEMENT COMMITTEE CONSIDERED THE COUNCIL RESOLUTION TO SUBMIT A WATER CORPORATION LIVABILITY PROJECT. THE COMMITTEE HAS SUGGESTED TWO SITES. THE COMMITTEE MINUTES WILL BE PRESENTED IN DECEMBER AND COUNCIL CAN CONSIDER THE 2 SITES. RECOMMEND DELETION
ROC16/52101	SUE PERKINS	OCM-16/10/16 - REVIEW OF DELEGATION TO A COMMITTEE	DELEGATION REGISTER UPDATED. RECOMMEND DELETION.
ROC16/52102	SUE PERKINS	OCM-17/10/16 - REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER & OTHER OFFICERS	DELEGATION REGISTERED UPDATED. RECOMMEND DELETION.
ROC16/52109	TIM DAYMAN	OCM-39/10/16 - SPORTS ACHIEVEMENT AWARDS	AWARD TO PRESENTED AT NOVEMBER COUNCIL MEETING. RECOMMEND DELETION
ROC16/51404	TIMOTHY ROBERTS	OCM 7/07/16 UNAUTHORISED CONSTRUCTION OF A FRONT SCREEN WALL AT LOT 713; NO. 46 BROADWAY BASSENDEAN	MATTER CONSIDERED UNDER A SEPARATE RESOLUTION: RECOMMEND DELETION
ROC16/52094	TIMOTHY ROBERTS	OCM-8/10/16 - PROPOSED PROSECUTION PROCEEDINGS FOR NON COMPLIANCE AT LOT 67 (NO. 14) CLUNE STREET BASSENDEAN OWNER: AUTOMOTIVE RECYCLERS PTY LTD	COUNCIL ALLOWED AN EXTENSION OF TIME TO ADDRESS THE NON COMPLIANCE AND APPROVED PROSECUTION PROCEEDINGS IN THE EVENT THAT CONDITIONS HAVE NOT BEEN ADDRESSED. MATTER TO BE ADDRESSED AT AN OFFICER LEVEL. RECOMMEND DELETION
ROC16/52108	TIMOTHY ROBERTS	OCM-38/10/16 - PROSECUTION MATTER	APPLICANT HAS BEEN ADVISED OF COUNCIL RESOLUTION RECOMMEND DELETION
ROC16/52093	TIMOTHY ROBERTS	OCM-7/10/16 - SECTION 31 – RECONSIDERATION FOR PROPOSED EIGHT MULTIPLE DWELLINGS ON LOT 106; (NO. 70) SECOND AVENUE BASSENDEAN	COUNCIL APPROVED AT OCTOBER COUNCIL MEETING RECOMMEND DELETION

OFFICER RECOMMENDATION – ITEM 10.16

That the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 22 November 2016 be deleted from the Implementation of Council Resolutions list.

Voting Requirements: Simple majority

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Notice of Motion – Cr Pule: Application to Minister for the setting of Differential Rates in the location of Proposed Concrete Batching Plant lot 105 (Nos 2-8) Clune Street Bassendean

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

“That a report be brought to Council that outlines the process, for Councils approval, to apply to the Minister for the setting of Differential Rates, of more than twice the General Rates, according to Rating Policy Differential Rates (s.6.33) March 2016.

- a) *The location centred around the Proposed Concrete Batching Plant lot 105 (Nos 2-8) Clune Street Bassendean and including the Tonkin Containment Cell (known as the mound) and the Bradken scrap metal location;*
- b) *The purpose of the Differential Rates to provide environmental, independent monitoring to safe guard the wider community of Bassendean and especially Ashfield; and*
- c) *These safeguard services being especially important in relation to the 2 Core Activity Centres in Bassendean and Ashfield and the Higher Densities projected and already commenced in these Core Activity Centres.”*

COMMENT – CR PULE

1. The setting of Differential Rates has to be inclusive of the Budget setting process and will need to satisfy criteria under the Local Government Act 1995 and Rating Policy Differential Rates (s.6.33).
2. Differential Rates are set for a local area to provide additional services that benefit the Community.
3. Differential Rates require the Minister's approval and must satisfy the mentioned criteria and need to be advertised.
4. This is part of the long term Strategic Plan, to improve the quality of life in Bassendean and safety for the community.

STAFF COMMENT

Differential Rates - the Local Government provides the following information relating to the rating of properties by differential rates.

A local government may impose differential general rates according to any, or a combination, of the following characteristics —

- (a) the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the *Planning and Development Act 2005*; or
 - (b) a purpose for which the land is held or used as determined by the local government; or
 - (c) whether or not the land is vacant land; or
 - (d) any other characteristic or combination of characteristics prescribed.
- (2) Regulations may —
- (a) specify the characteristics under subsection (1) which a local government is to use; or
 - (b) limit the characteristics under subsection (1) which a local government is permitted to use.
- (3) In imposing a differential general rate a local government is not to, **without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.**
- (4) If during a financial year, the characteristics of any land which form the basis for the imposition of a differential general rate have changed, the local government is not to, on account of that change, amend the assessment of rates payable on that land in respect of that financial year but this subsection does not apply in any case where section 6.40(1)(a) applies.
- (5) A differential general rate that a local government purported to impose under this Act before the *Local Government Amendment Act 2009* section 39(1)(a) came into operation¹ is to be taken to have been as valid as if the amendment made by that paragraph had been made before the purported imposition of that rate.

[Section 6.33 amended by No. 38 of 2005 s. 15; No. 17 of 2009 s. 39; No. 28 of 2010 s. 34.]

6.36 Local government to give notice of certain rates

- (1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a **local government is to give local public notice of its intention to do so.**
- (2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).
- (3) A notice referred to in subsection (1) —
 - (a) **may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency; and**
 - (b) is to contain —
 - (i) details of each rate or minimum payment the local government intends to impose; and
 - (ii) **an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and**
 - (iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed;and
 - (c) **is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.**
- (4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.

The Notice of Motion requests a report that will seek the Minister's approval to levy a rate more than twice the lowest differential general rate. In considering the levying of the differential rate, Council would need to consider the level of service provided to substantiate the additional differential levy that would be more than twice the lowest general rate. Council would also need to consider whether the characteristics of the land (held or use) would be such that the Town would incur additional costs to justify the differential rates.

The Notice of Motion firstly refers to Proposed Concrete Batching Plant lot 105 (No's 2-8) Clune Street, Bassendean, and secondly, two other parcels of land with different characteristics, namely - Tonkin Containment Cell (known as the mound) and the Bradken scrap metal location - this is shown on the attached map (Attachment No. 9). Again, it would also be incumbent on Council to justify the additional services that it provides to each of the properties to warrant a differential rate, and seek the Minister's approval for a differential rate that is more than twice the lowest differential general rate.

Council would also be required to provide information that would substantiate the budget deficiency that occurred and the requirement to levy a differential rate to recover the additional costs associated with the properties.

Section 6.36 of the Local Government Act requires that the rate be advertised and that Council consider submissions prior to the adoption of the budget.

Should Council consider it appropriate, Staff will prepare a further report on this matter.

11.2 Notice of Motion: Cr Bridges: Lot 272 Hamilton Street, Bassendean

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

"That the Town of Bassendean Council rescinds section g) of OCM 25 October 2016 item 10.5 which reads - Applying a residential zoning with a density code of R25 to part Lot 272 Hamilton Street; - and in the winding up of the Town Planning Scheme 4A assesses other portions of Council owned and residentially coded land for remediation and sale to balance the books on closure."

BACKGROUND INFORMATION – CR BRIDGES

The omnibus amendment is designed to rezone portions of land currently utilised as public open space, but with other zonings, to Local Open Space. This is to provide confidence to the community that the current use is enduring.

The proposed lot to be created in part g) of the resolution is designed to transfer development potential from land with stands of environmentally significant local indigenous trees and also with identified uncontrolled fill to an alternative location albeit existing open space zoned land.

To rezone Council owned land already zoned as LOS to R25 is understandably contradictory to the overall intent of the amendment and this has been succinctly pointed out by adjacent residents. There are alternatives that should be explored and a good example is the Town owned lot at 87 Whitfield St. This land is vacant with a residential zoning and a coding of R20. It is a 1011sqm lot that requires remediation but the lot immediately behind and adjacent to this block has recently been battle axed and successfully developed with a house following remediation.

This and other land should be considered for remediation and sale should the TPS 4A look like it may not achieve a profit in the lead up to scheme closure.

The amendment also formally increases our LOS percentage towards the contemporary 10% standard for residential areas which we have not achieved as most of the Town was subdivided before 1900 and well prior to the 10% open space requirement.

OFFICER COMMENT

House No. 87 Whitfield Street does not lie within the boundaries of the Town Planning Scheme No. 4A and as such any profit from the sale of this land cannot reasonably be attributed to the 4A Scheme.

The notice of motion makes no mention of the proposal to rezone that portion of lot 271 currently zoned for residential purposes, and it is taken that that portion of land is still intended to be reserved for Parks and Recreation. This will have an impact on the financial standing of the Scheme, as this is one of only two parcels of land available for sale, to reduce the losses of the Scheme, with the other being 14 Iveson Place.

Having regard to Council's decision at the October 2016 Council meeting to rezone 17 and 19 Anstey Road to Parks and Recreation, it is difficult to identify alternative land within the Town Planning Scheme No. 4A area that could be easily converted for residential purposes, and Council may wish to consider not rezoning the portion of Lot 271 Hamilton Street to Parks and Recreation, until alternative land is identified.

11.3 Notice of Motion – Cr Bridges: Footpath Lighting

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

“That the Town of Bassendean allocates funds in the budget review to upgrade the footpath lighting within a 200 metre radius of Success Hill Railway Station to the minimum Main Roads WA Lighting Design Guidelines of no less than 5 lux and that this be in warm white light, not interfere with the structural integrity of the significant Morton Bay fig tree in Thompson Rd and include pedestrian lighting through Kelly Park.”

Background information – Cr Bridges

This has been an issue of residents for some time and now the Success Hill Action Group has also raised concerns. The objective is to increase the safety and feeling of security for pedestrians using the station of an evening and at night.

Recently, a nurse returning from a night shift was seen using a torch to navigate her way home from the station. The station is used by many youths to access the skate park and youth centre at the Oval. Warm white/yellow tinged light is more welcoming than cool blue light within the streetscape.

Creative up or down lighting options need to be implemented to light below the canopy of the Morton Bay fig tree.

OFFICER COMMENT

Western Power have advised that most street lights in the metropolitan area use 42 watt light bulbs in residential streets, however the street lights in Thompson Road commencing from the cul de sac (East side of road) adjacent to the Success Hill Train Station has the following six (6) lights installed: 125watt, 125watt, 80watt, 80 watt, 80watt and 250watt adjacent to Guildford Rd.

The Town has contacted a Lighting Consultant who has advised that there is a streetlight on each pole which is unusually good. The consultant has indicated that the estimated cost to complete a Street Lighting Assessment in Thompson Road would be approximately \$3,000

In regards to the Morten Bay Fig tree, the Town regularly under prunes the tree to ensure the street lighting illuminates the street

Currently no funds allocated in the 2016/2017 budget to undertake the Thompson Road Street Lighting Assessment

The Town has an Asset Management Plan that is used to develop all its capital works programs for the ensuing 12 months. The Capital Works program is developed to ensure that the Assets in most need are provided with funding in the Long Term Financial Plan and the Budget.

The 2016/17 Budget includes capital works of some \$4.8million. This excludes \$1.3million of capital works that were not able to be funded due to budgetary constraints. It would not be desirable if the Town funded projects as a "one off" that are not included in the Asset Management Plan and have not been prioritised for funding in future years.

As a suggestion, Council could resolve to include the upgrading of the lights in the Asset Management Plan which would allow staff to assess the project and provide a priority and in turn, include it in the Long Term Financial Plan.

12.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

13.0 CONFIDENTIAL BUSINESS

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

This matter is to be 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.

13.2 Australia Day WA – Citizen of the Year Awards (Ref: COMR/AWADP/2 - Salvatore Siciliano, 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.

OFFICER RECOMMENDATION – ITEM 13.2

That Council endorses the Officer Recommendation shown in the Confidential Report attached to the Ordinary Council Agenda of 22 November 2016.

14.0 **CLOSURE**

The next Ordinary Council meeting will be held on Tuesday
13 December 2016.