

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

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

ON TUESDAY 15 DECEMBER 2015 AT 7.00PM

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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

2.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

2.1 Public Question Time

Ms Katherine Hamilton, 53 Broadway Street, Bassendean

Ms Hamilton asked the following questions regarding the Landcorp redevelopment:

Is this or has this Council in its deliberations considered any other properties to be part of this deal outside of the red and yellow areas presented on the Landcorp map? The Mayor responded, "Not at this stage".

Has this Council in its deliberations considered relinquishing or releasing property for redevelopment that was originally bequeathed or donated?

The CEO advised that there is no other land outside the shaded areas that Council is currently considering.

Has this Council in its deliberations and/or in meetings with interested parties offered inducements to those parties to relocate to other locations?

The Mayor advised that discussions have been held with the Tennis Club to consider the relocation of the Club and a number of courts, and that it is out for public consultation at the moment, and that no decision has been determined at this stage.

As the Mayor has ruled that all matters involving stakeholder negotiations, which have been ongoing since 2013, as confidential, ratepayers have been kept in the dark but now that there is public consultation, will you arrange release of the Heads of Agreement document and the development agreement and if not, why not?

The Mayor took the question on notice and advised that if possible, Council will release that information.

Ms Hamilton asked, were the two editions of the Bassendean Briefings, that were posted separately, printed at same time?

The Mayor responded that the first edition of the Bassendean Briefings had already been printed when the Minister made his announcement, and therefore a second edition was published advising of the extension to the public consultation time.

Mrs Tina Klein, 2 Wicks Street, Eden Hill

Mrs Klein stated that her comments in the minutes of the General Meeting of Electors meeting held on 25 November 2015, relating to the fire station, were incorrectly minuted and asked that they be corrected to state that she had a petition with 1,400 signatures presented to the State Government asking it to bequeath the fire brigade building to the Town so that it could be used as a museum, in response to memorabilia possibly being moved to 1 Surrey Street, which in her opinion was not appropriate.

Mrs Val Dreyer, 31 Naunton Crescent, Eden Hill

Mrs Dreyer requested that the medium strip at the intersection of Guildford Road and Old Perth Road be repaired and asked why aren't the Briefing Sessions open to the public?

The Mayor responded that Council will consider open Briefing Sessions at tonight's meeting.

Mrs Fran Phelan, 15 River Street, Bassendean

Mrs Phelan thanked Council for the volunteer event held on Wednesday. She also stated that the Bassendean Briefings was delivered together with a political statement.

The CEO advised that it was distributed by Australia Post and beyond the Council's control.

Mrs Phelan asked who is the representative that attended the Maylands Urban Forrest meeting and which trees might be lost as part of the redevelopment?

The CEO advised that 3 Councillors and two staff members attended and that Council is certainly looking at urban forests.

The Mayor advised those in attendance of the process being undertaken, including seeking initial feedback from the community. This will then be released to the community next year. No decision had been made, it is only at the initial stage at this point in time. The Mayor urged the community to provide feedback during this public consultation process.

Mrs Phelan referred to a number of meetings held and asked how this could occur without a concept plan for the proposal?

The Mayor responded that there is no concept plan in place.

Ms Jane Dundas, 13 Briggs Street, Bassendean

Ms Dundas asked, that with regard to the development of the carpark in Wilson Street, where are people going to park, and referred to the sacred sands that were removed from Success Hill and moved to Bassendean Oval, and asked where would these sands go?

The Mayor advised that this is why Council is asking for feedback.

Michael Doyle, 20 Briggs Street, Bassendean

Mr Doyle asked what is the maximum storey height proposed for Bassendean Oval and said he did not want to see high rise spoil the Town?

The Manager Development Services advised that there are currently no height limitations, as the land is not zoned for housing, and that generally height limits are between 3 and 5 stories within the Town.

Mr Bill Dreyer - 31 Naunton Crescent, Eden Hill

Mr Dreyer asked why the three areas identified have been considered as one project, and not separate, as the results may have been different. Mr Dreyer also stated that he was not happy with high density housing proposed on the BIC Reserve.

The Mayor responded that this was a unanimous decision of the previous Council.

Mr Dreyer also expressed concern regarding public housing and asked what type of housing would be built on the Guildford Road site. Mr Dreyer also referred to the current over-supply of housing.

The CEO advised that no discussion has been held on social housing, and that Council has a policy of providing a range of affordable housing, but that there has been no discussion on the type of housing.

Mr Graeme King, 15 North Road, Bassendean

Mr King asked the Mayor to clarify that Council has not received any plans that substantiate the detail in the Bassendean Briefings that was distributed on Friday.

The Mayor responded that at this stage, it is a blank canvas and no concept designs have been drawn.

Mr King advised that he had spoken to a Landcorp representative who advised that there is no way that the State Minister for Planning would sign-off without a plan and that there is no way that figures could be quoted if it is not based on a plan.

Mr King referred to the Hames Sharley plan and the CEO advised that those plans are the last time we went through this process and have not been used this time.

The Mayor responded that, as he advised at the General Meeting of Electors, to evaluate the project there was a rough outline of the land and what was feasible but at this stage there is no concept plan.

The CEO advised there was a study carried out to see if there was enough land to do a viable proposition before it could go through Cabinet, and now it is back with the community to obtain feedback and some 360 submissions have been received, a lot of them are positive, with some raising concerns, and that is the feedback that Landcorp has received. The CEO added that there are no designs for whether it is going to be 5 stories and what type of housing will be built.

Mr King stated, that it was inconceivable that the Minister would announce a project of \$35m without any plans, and asked the Mayor again to clarify if there are any plans in place.

The Mayor reiterated that no concept plans have been developed.

Nonie Jekabson, 6 Barton Parade

Ms Jekabson asked if the results of feedback received would be made available and how will that occur, as they are usually only a summary of the submissions made.

The Mayor said as a general rule, we have not compelled people to give their details.

The CEO responded that this will be raised with Landcorp.

Don Yates, 10 Thompson Road, Bassendean

Some 5 years ago State and Federal Government wanted local government to set aside funds for sustainability, and maintenance. Has the Town been doing that?

The Director Corporate Services responded that funds are included in the Corporate Plan, the Long Term Financial Plan and Asset Management Plan and that \$7.5m has been set for renewal and replacement.

Mr Yates asked if the Main Roads' traffic modelling has been considered in the redevelopment project and whether this is holding back the rezoning.

The CEO advised that there is an issue with Guildford Road and that this will be further discussed with Department of Planning in the New Year.

Ms Katherine Hamilton, 53 Broadway Street, Bassendean

Mrs Hamilton referred to the Landcorp's website regarding numerous links that are referred to the 2007 Town Centre Area Concept Plan, which shows the potential of 330 to 340 dwellings. Now Minister Day is saying 400 residential development opportunities. How can you say that you do not have a plan?

The Mayor reiterated that no concept plans have been developed.

Miss Megan Longwill, 22 Rosetta Street, Bassendean

Miss Longwill asked on what documents did Minister Day base his decision on, and is that briefing paper available?

The CEO advised that Cabinet, Landcorp and the Department of Planning made an evaluation of what could be possible, and are committed to extensive public consultation.

2.2 Address by Members of the Public

It should be noted that statements made by the public are not minuted.

Cr McLennan left the Chamber at 7.46pm and returned at 7.47pm.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Present

Councillors

His Worship the Mayor, Cr John Gangell
Cr Mike Lewis, Deputy Mayor
Cr Gerry Pule
Cr Paul Bridges
Cr Bob Brown
Cr Renee McLennan

Officers

Mr Bob Jarvis, Chief Executive Officer
Mr Mike Costarella, Director Corporate Services
Mr Graeme Haggart, Director Community Development
Mr Simon Stewert-Dawkins, Director Operational Services
Mr Brian Reed, Manager Development Services
Mrs Yvonne Zaffino, Council Support Officer/Minute Secretary

Public

Approximately 58 members of the public were in attendance.

Apologies

Amy Holmes, Minute Secretary

Press

No members of the press were in attendance.

4.0 DEPUTATIONS

- 4.1 Aaron and Ron Mackay made a deputation on Item 10.5 - Proposed Outbuilding and Ancillary Dwelling on Lot 153; 48 Watson Street, Bassendean.
- 4.2 Daniella Mrdja and Bianca Sandri made a deputation on Item 10.8 - 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.
- 4.3 Dr Frey made a deputation on Item 11.4 - Notice of Motion – Cr McLennan: Town of Bassendean Financial Sustainability Policy 6.15.

5.0 CONFIRMATION OF MINUTES

5.1 Ordinary Council Meeting held on 24 November 2015

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 5.1(a)

OCM - 1/12/15 MOVED Cr Bridges, Seconded Cr Pule, that the minutes of the Ordinary Council meeting held on 24 November 2015, be received.

CARRIED UNANIMOUSLY 6/0

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 5.1(b)**

OCM - 2/12/15 MOVED Cr Pule, Seconded Cr Lewis, that the minutes of the Ordinary Council meeting held 24 November 2015, be confirmed as a true record.

CARRIED UNANIMOUSLY 6/0

**6.0 ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT
DISCUSSION**

The Mayor advised of the following upcoming events:

- Twilight Markets Saturday, 19 December 2015;
- Community Cinemas – December 2015 to February 2016;
- Carols by Candlelight – Sunday, 20 December 2015;
- Fringe World - free events which includes Italian pop-up bars on 12 and 13 February 2016 and an Italian live lounge on 20 February 2016;
- Australia Day Citizenship Ceremony and Fireworks – 26 January 2016.

The Mayor wished everyone a Merry Christmas and safe and prosperous New Year.

7.0 PETITIONS

Nil.

8.0 DECLARATIONS OF INTEREST

The CEO, Mr Bob Jarvis, declared an interest in Item 13.2 - CEO's Remuneration Report.

9.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

9.1 Vandalism of Street Verge Tree Within the Town of Bassendean (Ref: COUP/MAINT/1 – Bob Jarvis, CEO and Ken Cardy, Manager Asset Services)

APPLICATION

The purpose of this report was to advise Council on the legal advice obtained regarding the street verge tree which has been removed without permission.

COMMITTEE/OFFICER RECOMMENDATION – ITEM 9.1

OCM - 3/12/15 MOVED Cr Bridges, Seconded Cr McLennan, that Council endorses the Officer Recommendation shown in the Confidential Report to the Ordinary Council Agenda of 15 December 2015, relating to the street tree that has been removed without permission.

CARRIED UNANIMOUSLY 6/0

10.0 REPORTS

It was agreed that items 10.2, 10.3, 10.5, 10.8 and 10.14 be removed from the en bloc table and be considered independently.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.1

OCM - 4/12/15 MOVED Cr Pule, Seconded Cr Bridges, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda 15 December 2015:

Item	Report
10.4	Application for change to conditions of approval for Animal Establishment (Animal Day Care) Lot 124 (No. 4/329) Collier Road, Bassendean
10.9	Maintenance of Park and Reserve within the Estate Parkland
10.10	Underground Power
10.11	Request for Restricted Parking – Ivanhoe Street Bassendean
10.15	Economic Development Advisory Committee Meeting held on 7 October 2015
10.16	Disability Access and Inclusion Committee Meeting held on 2 December 2015
10.18	Determinations Made by the Principal Building Surveyor
10.19	Determinations Made by Development Services
10.20	Accounts for Payment – November 2015
10.22	Implementation of Council Resolutions
10.23	Use of the Common Seal
10.24	Calendar for January & February 2016

CARRIED UNANIMOUSLY 6/0

Council was requested to consider the following items independently.

Item	Report
10.2	Proposed Single House on Lot 52 (No. 7) Carnegie Road, Bassendean
10.3	Proposed outbuilding on Lot 82 (No. 43) Maley Street, Ashfield
10.5	Proposed Outbuilding and Ancillary Dwelling on Lot 153 (No. 48) Watson Street, Bassendean
10.6	Compliance Matter - Unauthorised Parking of Two Commercial Vehicles at Lot 100; No. 93 Kenny Street, Bassendean
10.7	Compliance Matter – Unauthorised Non-Residential Storage on Lot 130 (No. 107) Kenny Street, Bassendean
10.8	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
10.12	RFT CO 035 2015-16 Supply of Contract Personnel – Labour Hire
10.13	Bassendean Caledonian Soccer Club – Costs incurred from multiple break-ins to Clubrooms
10.14	General Meeting of Electors Minutes held on 25 November 2015
10.17	Audit & Risk Management Committee Meetings held on 9 December 2015
10.21	Financial Statements – November 2015
13.1	Proposed Land Swap of 27L Hyland Street and Part Lot 271; 116 Hamilton Street, Bassendean
13.2	CEO’s Remuneration Report

10.2 Proposed Single House on Lot 52 (No. 7) Carnegie Road, Bassendean, Owners/Applicant: Gregory and Julia Kay Da Rui (Ref: DABC/BDVAPPS/2015-151 – Dylan Stokes, Planning Officer, Development Services)

APPLICATION

The purpose of this report was for Council to consider a proposal for a single house which includes habitable rooms on the ground floor which does not meet the requirements of Local Planning Policy 4 in addition to variations to the ‘Deemed-to-Comply’ provisions of the Residential Design Codes of Western Australia (R-Codes).

OFFICER RECOMMENDATION — ITEM 10.2

That Council defers the application for planning approval of the proposed Single House at Lot 52; No. 7 Carnegie Road, Bassendean, until a subsequent design has been provided that eliminates the rooms that could be used for habitable purposes within the ground floor.

Cr Pule moved the following motion which was provided in the Officer Report as alternative resolution, should Council wish to approve the application:

COUNCIL RESOLUTION – ITEM 10.2

OCM - 5/12/15

MOVED Cr Pule, Seconded Bridges, that Council grants a development approval for the proposed Single House at Lot 52; (No. 7) Carnegie Road, Bassendean subject to the following conditions:

1. Prior to the issue of a Building Permit for this development, Lots 52 and 53 Carnegie Road shall be subdivided or the owner shall enter into a legal agreement with the Town prepared by the Town's Solicitors at the owner's cost requiring subdivision to be completed within twelve months of the issue of a Building Permit, or the completion of development, whichever occurs earlier;
2. Prior to the submission of a Building Permit the owner shall pay the Town Planning Scheme No. 4A contribution to the Town of Bassendean;
3. The notification in the following terms shall be registered on the Certificate of Title for Lot 52 (No. 7) Carnegie Road, Bassendean under section 70A of the Transfer of Land Act 1893:

Registered proprietors and prospective purchasers of the land are notified that the land is situated within the flood plain of the Swan River and is liable to be affected by flooding. The use of the ground floor of the dwelling for habitable purposes is prohibited.

Further information regarding anticipated flood levels and restrictions associated with the use of the dwelling is available upon request from the Town of Bassendean;

4. None of the ground floor of the building is approved for use for habitable purposes. No further enclosure or modification to the ground floor beyond that which is shown on the approved drawings shall be undertaken without the formal approval of the Town of Bassendean first having been obtained;
5. The street verge adjacent to the lot being landscaped and maintained to the Town's satisfaction;
6. All storm water being contained and disposed of on site;

7. The street number being prominently displayed at the front of the development;
8. Fencing (behind the building line) of 1.8 metres in height being provided to the south and eastern boundaries of the site. Where levels differ on either side of the fence, the required height shall be measured above the higher ground level;
9. Details for the fencing to the northern and western boundaries shall be submitted in conjunction with the application for a building permit;
10. The surface of the boundary wall on the common boundary with No. 22 Hyland Street shall be finished to the satisfaction of the adjoining property owner or in the case of a dispute to the satisfaction of the Town;
11. External fixtures, including but not restricted to air-conditioning units, satellite dishes, non-standard television aerials, but excluding solar collectors, are to be located such that they are not visible from the street;
12. Details of stormwater disposal being submitted for the approval of the Town in conjunction with the issue of the Building Permit, in accordance with Local Planning Policy No. 14 – On-Site Stormwater Policy;
13. External clothes drying facilities being screened from view of the street;
14. The crossover being constructed to Council specifications (Separate application and approval required).
15. The issue of a Building Permit prior to the commencement of any works on site.

Footnotes:

With regards to condition 2, the Town Planning Scheme No. 4A contribution is currently \$6,223. Please note that this contribution is reviewed annually in accordance with the Perth Land Index, which may be subject to change in the future.

In accordance with the provisions of the Town of Bassendean Local Planning Policy No. 4 "Floodplain Management and Development", the applicant / owner is hereby notified of the flood hazard associated with the land upon which the development is intended to be undertaken.

The proponent should give detailed consideration to this matter in advance of proceeding with the development.

In accordance with the provisions of the Town of Bassendean Local Planning Policy No. 4 "Floodplain Management and Development" the dwelling should be designed in such a way that it drains in the event of a flood.

All electrical installations should be designed to achieve a minimum clearance of 500mm above the 1:100 ARI flood level, in accordance with the provisions of Council's Local Planning Policy No. 4 – Floodplain Management and Development, and be suitably insulated.

Building materials and finishes should be sympathetic to adjoining development, as identified within Clause 5.2(a)(ii) of Council's Local Planning Policy No. 4 – Floodplain Management and Development.

The applicant is advised that the proposed works are located within a high to moderate acid sulphate soil (ASS) risk area. If any ASS is exposed during the works, the Department of Environment and Conservation should be contacted for further advice or the soils managed in accordance with Treatment and management of soils and water in acid sulphate soil landscapes (DEC, 2011) and the Swan River Trust notified.

CARRIED UNANIMOUSLY 6/0

10.3 Proposed outbuilding on Lot 82 (No. 43) Maley Street, Ashfield, Owner/Application: Vincent Schuurmans (Ref: 2015-173 – Timothy Roberts, Planning Officer)

APPLICATION

Council was requested to consider an approval for a proposed outbuilding which includes variations to the 'deemed-to-comply' provisions of the Residential Design Codes of Western Australia (R-Codes) relating to ridge height, wall height and total floor area for which a neighbour objection has been received.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.3

OCM - 6/12/15

MOVED Cr Gangell, Seconded Cr Pule, that Council grants development approval for a proposed outbuilding on Lot 82 (No. 43) Maley Street, Ashfield, subject to the following conditions:

1. The exterior of the outbuilding is to be clad in a material to the satisfaction of the Town;
2. The driveway being constructed and drained to the specifications of the Town;
3. The crossover shall be constructed to Council specifications (separate application and approval required);
4. All stormwater being contained and disposed of on site. Details of the method of storm water being submitted for approval in conjunction with the application for a Building Permit;
5. The proposed structure shall not be used for habitable or commercial purposes;
6. All building works to be carried out under this planning approval are required to be contained within the boundaries of the subject lot; and
7. The issue of a building licence prior to the commencement of any on-site works.

CARRIED 5/1

Crs Gangell, Lewis, Pule, Brown and McLennan voted in favour of the motion. Cr Bridges voted against the motion.

10.4 Application for change to conditions of approval for Animal Establishment (Animal Day Care) Lot 124 (No. 4/329) Collier Road, Bassendean (Ref: DA 2015-211 - Christian Buttle, Senior Planning Officer)

APPLICATION

Council was requested to consider an application for development approval which seeks to modify a condition of approval relating to the permitted number of dogs in care for an existing approved Animal Establishment (Animal Day Care) at Lot 124 (No. 4/329) Collier Road, Bassendean.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.4

OCM - 7/12/15

MOVED Cr Pule, Seconded Cr Bridges, that Council grants development approval for the proposal to change conditions of approval for the Animal Establishment at Lot 124 (No. 4/329) Collier Road, Bassendean, subject to the following conditions:

1. The animal establishment (animal day care) operating in accordance with the applicant's letters date stamped received 23 September 2014;
2. The animal establishment (animal day care) shall operate in accordance with the approved refuse management plan for the business;
3. The animal establishment (animal day care) shall not exceed a maximum intake of fifty (50) dogs per day without further approval from the Town of Bassendean.

Advice Notes:

1. A person shall not keep or cause or permit to be kept any animals or birds on premises which are not effectively drained or of which the drainage flows to the walls or foundations of any building.
2. The owner or occupier of premises where animals or birds are kept shall, when directed by the Senior Environmental Health Officer, pave, grade and drain the floors of all structures and the surface of the ground of all enclosures used for the keeping of animals or birds.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/12/15 6/0

**10.5 Proposed Outbuilding and Ancillary Dwelling on Lot 153
(No. 48) Watson Street, Bassendean (Ref: DA 2015-207
Christian Buttle, Senior Planning Officer)**

APPLICATION

Council was requested to consider an application for a proposed development comprising an Ancillary Dwelling and an Outbuilding on Lot 153 (No. 48) Watson Street, Bassendean.

It was agreed that an additional Point 2 to the Officers Recommendation be added regarding the current unauthorised fence on the Bridson Street frontage.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.5

OCM - 8/12/15 MOVED Cr Pule, Seconded Cr Brown, that Council:

1. Refuses to grant development approval for the proposed Outbuilding and Ancillary Dwelling at Lot 153 (No. 48) Watson Street, Bassendean, for the following reasons:
 - a) Non-compliance with the Deemed-to-comply and Design principle provisions of the Residential Design Codes of Western Australia 2015 in relation to Clause 5.1.2 'Street Setback';
 - b) Non-compliance with the Deemed-to-comply and Design principle provisions of the Residential Design Codes of Western Australia 2015 in relation to Clause 5.1.3 'Lot Boundary Setback';
 - c) Non-compliance with the Deemed-to-comply and Design principle provisions of the Residential Design Codes of Western Australia 2015 in relation to Clause 5.2.1 'Setback of Garages and Carports';
 - d) Non-compliance with the Deemed-to-comply and Design principle provisions of the Residential Design Codes of Western Australia 2015 in relation to Clause 5.3.4 'Design of Parking Spaces';
 - e). Non-compliance with the Deemed-to-comply and Design principle provisions of the Residential Design Codes of Western Australia 2015 in relation to Clause 5.3.5 'Vehicular Access';
 - f) Non-compliance with the Deemed-to-comply and Design principle provisions of the Residential Design Codes of Western Australia 2015 in relation to Clause 5.4.3 'Outbuildings';
 - g) Non-compliance with the Deemed-to-comply and Design principle provisions of the Residential Design Codes of Western Australia 2015 in relation to Clause 5.5.1 'Ancillary Dwellings';
 - h) The cumulative impact of this lack of compliance will have a negative impact on adjoining properties and the immediate neighbourhood; and
2. Officers take no action in response to the current unauthorised fence on the Bridson Street frontage of the property for a period of 6 months, in order for the land owner to investigate alternative options.

CARRIED UNANIMOUSLY 6/0

10.6 Compliance Matter - Unauthorised Parking of Two Commercial Vehicles at Lot 100; No. 93 Kenny Street, Bassendean, Property Owner: J Hunter (Ref: A3148 – Christian Buttle, Senior Planning Officer)

APPLICATION

Council was requested to authorise the Chief Executive Officer to commence formal prosecution action, should the need arise, in relation to a compliance matter under investigation at Lot 100 (No. 93) Kenny Street, Bassendean.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.6

OCM - 9/12/15 MOVED Cr Bridges, Seconded Cr McLennan, that Council:

1. Advises the owner of Lot 100 (No. 93) Kenny Street, Bassendean, to immediately cease using the property for commercial vehicle parking in contravention of Local Planning Scheme No. 10; and
2. Authorises the Chief Executive, or a delegate on his behalf, to immediately commence formal prosecution action if the property continues to be used for commercial vehicle parking in contravention of Local Planning Scheme No. 10.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.7 Compliance Matter – Unauthorised Non-Residential Storage on Lot 130 (No. 107) Kenny Street, Bassendean (Ref: A3094 - Christian Buttle, Senior Planning Officer)

APPLICATION

Council was requested to authorise the Chief Executive Officer to commence formal prosecution action, should the need arise, in relation to a compliance matter under investigation at Lot 130 (No. 107) Kenny Street, Bassendean.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.7

OCM - 10/12/15 MOVED Cr Pule, Seconded Cr Lewis, that Council:

1. Instructs the owner of the land at Lot 130 (No. 107) Kenny Street to:

- (i) Cease the use of the property as a storage yard and remove all associated materials by 24 December 2015;
- (ii) Remove the unauthorised gravel crossover and reinstate the verge to the satisfaction of the Town by 24 December 2015; and
- (iii) Prevent gates from opening into the Hatton Street road reserve by 24 December 2015;

and

2. Authorises the Chief Executive Officer, or a delegate on his behalf, to commence formal prosecution action if the property continues to be used for storage purposes, or if the verge is not reinstated or gates continue to have the capacity to open outwards into the road reserve, in advance of 24 December 2015.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.8 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, Owner: Jenny Waterhouse/Applicant: TPA Town Planning (Ref: LUAP/PLANNG/18 – Brian Reed, Manager Development Services)

APPLICATION

Council was requested to initiate a Scheme Amendment to give the above property an extra additional use as a Restaurant

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.8

OCM - 11/12/15 MOVED Cr McLennan, Seconded Cr Brown, that:

1. The Town of Bassendean, by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005, hereby amends the above Local Planning Scheme No. 10 by:
 - a) amending the Scheme Text by including restaurant within additional use No 7 for lot 743 3a & 3b Broadway; and

- b) amending the description of the land from Railway Parade to Broadway;

and

- 2. Council 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.

CARRIED UNANIMOUSLY 6/0

10.9 Maintenance of Park and Reserve within the Estate Parkland (Ref: PARE/MAINT/73) – Ken Cardy, (Manager Asset Services)

APPLICATION

Council was requested upgrades required within the Estate Parkland reserves and parks. Currently officers are not able to maintain the parks and reserves to the appropriate service level as the reticulation wiring system is antiquated and continues to break down.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.9

- OCM - 12/12/15** MOVED Cr Pule, Seconded Cr Bridges, that the modifications and upgrade costs of the reticulation wiring system outlined in the Officer's report of the Ordinary Council Agenda of 15 December 2015, be included for consideration in the February 2015-16 Capital Budget review.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/12/15 6/0

10.10 Underground Power (Ref: ESAT/CNCTN/1 – Simon Stewert-Dawkins, Director Operational Services)

APPLICATION

Council was requested to consider recent advice from the Government of Western Australia, Department of Finance; Public Utilities Office regarding Round Six of the Underground Power Program.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.10

- OCM - 13/12/15** MOVED Cr Pule, Seconded Cr Bridges, that Council:
1. Submits an Expression of Interest proposal for the suburb of Bassendean in accordance with the State Underground Power Program Round Six Guidelines;
 2. Notes that the Town will initially submit collated property allotment plans to Western Power to provide feedback on the electricity network priorities in order to determine the Expression of Interest proposals areas within the suburb of Bassendean;
 3. Confirms a 50% minimum project contribution towards the suburb of Bassendean for the Round Six State Underground Power Program in accordance with the with the Local Government Act 1995, and offers –
 - a) An annual service charge to assist property owners with the affordability of the underground power charges;

- b) discounts to owners of properties adjacent to transmission lines (33,000 volts or more) that will not be placed underground (State Government and Western Power funding will only apply in relation to undergrounding local distribution lines;
- c) discounts to owners of properties where the electricity supply connection is already underground;
- d) discounts to owners of properties that do not receive the full amenity benefit from the project, such as where a transformer, switchgear or an interface with the overhead network is located on the front verge;
- e) special consideration to owners of commercial properties, non-rateable properties and where there are multiple connections on one allotment;
- f) rebates to pensioners and concession card holders in accordance with the Pensioners and Seniors Rebate Scheme in accordance with the Rates and Charges (Rebates and Deferrals) Act 1992.

4. Notes that further report will be presented to Council prior to submitting the Expression of Interest proposals.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/12/15 6/0

10.11 Request for Restricted Parking – Ivanhoe Street Bassendean (Ref: LAWE/REPRTNG/3 – Sharna Merritt, Senior Ranger)

APPLICATION

Council was requested to consider installing “No Verge Parking” restrictions on the verge of the units at 36 Ivanhoe Street, Bassendean.

COUNCIL RESOLUTION/OFFICER RECOMMENDATIONS –
ITEM 10.11

OCM - 14/12/15 MOVED Cr Pule, Seconded Cr Bridges, That Council:

1. Receives the petition attached to the Ordinary Council Agenda of 15 December 2015, from the residents of the units at 36 Ivanhoe Street, Bassendean, for verge parking restrictions; and

2. Approves the installation of “No Verge Parking” restrictions on the verge of the units at 36 Ivanhoe Street, Bassendean.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/12/15 6/0

10.12 RFT CO 035 2015-16 Supply of Contract Personnel – Labour Hire (HR/TENDNG/3 – Mandy Godfrey, Contracts Officer & Ken Cardy Manager Asset Services)

APPLICATION

The purpose of this report was to present to Council a summary of tenders received against Request for Tender (RFT) CO 035 2015-16 Supply of Contract Personnel – Labour Hire and appoint the most advantageous panel of contractors.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.12

- OCM - 15/12/15** MOVED Cr Brown, Seconded Cr McLennan, that Council appoints DFP Recruitment, Staff Link Personnel, LOGO Appointments and Hays Specialist Recruitment as the panel of contractors to undertake the work as required in RFT CO 035 2015-16: Supply of Contract Personnel – Labour Hire in accordance with the specifications and terms, for a three year period commencing 24 December 2015.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.13 Bassendean Caledonian Soccer Club – Costs incurred from multiple break-ins to Clubrooms (Ref: LEGL/AGMT/10 - Salvatore Siciliano, Manager Recreation and Culture)

APPLICATION

Council was requested to consider a request from the Bassendean Caledonian Soccer Club (BCSC) for a financial contribution towards costs incurred as a result of multiple break-ins to the BCSC clubrooms.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.13

OCM - 16/12/15 MOVED Cr Pule, Seconded Cr Lewis, that:

1. Council waives the cost of three monthly instalments of \$575.55 (\$1,726.55) of lease fees for the Bassendean Caledonian Soccer Club for the period 1 January 2016 until 31 March 2016, as its contribution towards the cost incurred as a result of building damage and other costs incurred from multiple break-ins during the 2015 soccer season;
2. Council advises the Bassendean Caledonian Soccer Club that this is a “one-off” contribution towards the costs incurred to date;
3. Amends the income account for the Lease rental on Jubilee Reserve Account No. 132141 by reducing the budget income by \$1,726.55; and
4. The 2015/16 budget be amended accordingly.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.14 General Meeting of Electors Minutes held on 25 November 2015 (Ref GOVN/CCLMEET/6 – Bob Jarvis, CEO)

APPLICATION

The purpose of this report was to consider the minutes of the General Meeting of Electors held on 25 November 2015 in accordance with the Local Government Act 1995.

Cr Bridges moved the following amendments, shown in bold type, to Point 2 the Officer Recommendation:

- c) Advise the public that the Advertising of the Annual General meeting has been done to a much higher degree than is required by the Local Government Act, and **in future will be commensurate with events promotion;** and
- d) Advise the public that the entry into the shopping centre on West Road complies with the requirements of AS2890, however officers will hold discussions with the property owners to improve access to the carpark from West Road **by widening the crossover at the base of the ramp.**

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.14

OCM - 17/12/15 The substantive motion, which was Moved by Cr Bridges, and Seconded by Cr Pule which reads:

“That Council:

1. *Receives the report on the General Meeting of Electors held on 25 November 2015, and notes the responses provided by the Mayor and staff members; and*
2. *In relation to the resolution passed at the meeting, endorse the following:*
 - a. *Advise the public that given the requirements to windup Town Planning Scheme 4A , (ie, purchase of land and resale of land, etc) it is unlikely that the scheme will be completed in the 2015/16 financial year, however Staff will provide a report to Council on the progress of the TPS4A and the implications of winding up the Scheme;*
 - b. *Advise the public that the Advertising of the Annual General meeting has been done to a much higher degree than is required by the Local Government Act and in future will be commensurate with events promotion;*
 - c. *Advise the public that the entry into the shopping centre on West Road complies with the requirements of AS2890, however officers will hold discussions with the property owners to improve access to the carpark from West Road by widening the crossover at the base of the ramp;*
 - d. *Advise the public that the valuations for Council owned land and buildings are completed on a tri-annual basis in accordance with the Local Government Act, and are available for inspection to the public on request;*
 - e. *Advise the public that the leasing of Council properties are available for inspection to the public on request with the exemption of the matter dealt by Council as Confidential matters which is subject to privacy provisions;*

- f. *Advise the public that payment of Councillors' expense claims are included in the adoption of the Annual Budget and are available for inspection to the public on request; and*
- g. *Advise the public that a special edition of the Bassendean Briefing will be provided to all residences prior to Christmas."*

was put to the vote and CARRIED UNANIMOUSLY 6/0

10.15 Economic Development Advisory Committee Meeting held on 7 October 2015 (Ref: GOVN/CCLMEET/13 – William Barry, Economic Development Officer)

APPLICATION

Council was requested to receive the report on the meeting of the Economic Development Advisory Committee held on 7 October 2015.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.15

OCM - 18/12/15 MOVED Cr Pule, Seconded Cr Bridges, that Council receives the report on the meeting of the Economic Development Advisory Committee held on 7 October 2015.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/12/15 6/0

10.16 Disability Access and Inclusion Committee Meeting held on 2 December 2015 (Ref: GOVN/CCLMEET/16 – Graeme Haggart, Director Community Development)

APPLICATION

Council was requested to receive the minutes of the Access and Inclusion Committee Meeting held on 2 December 2015.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.16

OCM - 19/12/15 MOVED Cr Pule, Seconded Cr Bridges That the report on a meeting of the Disability Access and Inclusion Committee held on 2 December 2015, be received.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/12/15 6/0

10.17 Audit & Risk Management Committee Meetings held on 9 December 2015 (Ref: GOVNCCL/MEET/3, Michael Costarella, Director Corporate Services)

APPLICATION

The purpose of this report is for Council to receive the report on a meeting of the Audit & Risk Management Committee held on 9 December 2015.

An addition was made to the Committee Recommendation, as shown in bold below.

COUNCIL RESOLUTION/COMMITTEE RECOMMENDATION – ITEM 10.17

OCM - 20/12/15 MOVED Cr Bridges, Seconded Cr Pule, that Council:

1. Endorses the Officer Recommendation shown in the Confidential Report of the Audit and Risk Management Committee Agenda of 9 December 2015, **in relation to the underground power charge**; and
2. Pursuant to Section 6.26(2) (d) of the Local Government Act, approves a Rate Exemption on 33 Hanwell Way, Bassendean, to the Trustees of the Morley Baptist Church Inc. for the 2015/16 financial year, on the basis that it be used exclusively as a place of worship; and

CARRIED BY AN ABSOLUTE MAJORITY 6/0

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

Council was requested to note the decision made by the Principal Building Surveyor under Delegated Authority.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.18

OCM - 21/12/15 MOVED Cr Pule, Seconded Cr Bridges, that Council notes the decisions made under delegated authority by the Principal Building Surveyor.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/12/15 6/0

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

Council was requested to note planning decisions under Delegated Authority since those reported to the last Council meeting:

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.19

OCM - 22/12/15 MOVED Cr Pule, Seconded Cr Bridges, that Council notes the decisions made under delegated authority by the Manager Development Services.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/12/15 6/0

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

APPLICATION

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.20

OCM - 23/12/15 MOVED Cr Pule, Seconded Cr Bridges, that Council receives the List of Accounts paid for November 2015, as attached to the Ordinary Council Agenda of 15 December 2015.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/12/15 6/0

10.21 Financial Statements – November 2015 (Ref: FINM/AUD/1) Ken Lapham, Manager Corporate Services)

APPLICATION

Council was presented with various Financial reports in accordance with Local Government Financial Management Regulations.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.21

OCM - 24/12/15 MOVED Cr Pule, Seconded Cr Bridges, that:

1. The Financial Reports for the period ended 30 November 2015, as attached to the Ordinary Council Agenda of 15 December 2015, be received; and
2. Additional 2015/16 Budget amendments listed for adoption in the Financial Statements, as attached to the Ordinary Council Agenda of 15 December 2015, be endorsed.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

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

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.22

OCM - 25/12/15 MOVED Cr Pule, Seconded Cr Bridges, that the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 15 December 2015 be deleted from the Implementation of Council Resolutions list.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/12/15 6/0

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

OFFICER RECOMMENDATION – ITEM 10.

OCM - 26/12/15 MOVED Cr Pule, Seconded Cr Bridges, that Council authorises the affixing of the Common Seal to the document listed in the Ordinary Council Meeting Agenda of 15 December 2015.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/12/15 6/0

10.24 Calendar for January & February 2016 (Ref: Sue Perkins, Executive Assistant)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.24

OCM - 27/12/15 MOVED Cr Pule, Seconded Cr Bridges, that the Calendar for January and February 2016 be adopted.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/12/15 6/0

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Notice of Motion – Cr Pule: Awards

This item was deferred to Confidential Business.

11.2 Notice of Motion – Cr Pule: Children of Bassendean Community Christmas Party

Cr Pule added additional wording to his motion, as shown in bold type below.

COUNCIL RESOLUTION – ITEM 11.2

OCM - 28/12/15 MOVED Cr Pule, Seconded Cr Brown, that a report be brought for consideration to the first meeting of the Liveable Town Advisory Committee to be held 9 February 2016, for that Committee to consider establishing an annual Children of Bassendean Community Christmas Party starting December **2016, or how best to support existing events.**
THERE BEING AN EQUALITY OF VOTES, THE MAYOR USED HIS SECOND VOTE, RESULTING IN THE MOTION BE CARRIED 4/3

*Crs Pule, Brown and Gangell voted in favour of the motion.
Crs Lewis, Bridges and McLennan voted against the motion.*

11.3 Cr McLennan - Changes to Briefing Sessions

Cr Pule foreshadowed the following motion, should Cr McLennan's motion not be passed:

"That Council formulises the current Briefing formats to a more formal format to achieve greater transparency by:

- a) Changing the Briefing Sessions to the Monday immediately before the Tuesday of the Ordinary Council meeting, commencing at 5.00pm;*
- b) Allows the public to attend the Briefing Sessions;*
- c) The Mayor to chair all Briefing Sessions;*
- d) The briefing session to remain a venue for Councillors to ask questions;*
- e) No debate will be enter into nor will be any decisions be made at Briefing Sessions; and*
- f) Officers will provide Briefing Sessions to answers to Councillors' questions.*

COUNCIL RESOLUTION – ITEM 11.3(a)

OCM - 29/12/15 MOVED Cr McLennan, Seconded Cr Bridges, that Council, in an effort to facilitate increased transparency, accountability and effective decision-making:

- a. Agrees to have a six-month trial, commencing February 2016, of opening Council Briefing Sessions for observation by members of the public;
- b. Agrees to have a six-month trial, commencing February 2016, of scheduling Briefing Sessions at least one week prior to the Ordinary Council Meeting;
- c. Requests an Officers' report at the August 2016 Ordinary Council Meeting outlining the impact of the trialed changes including staff workload, additional expenses incurred, community feedback received & any other relevant information; and
- d. Reviews the arrangements for briefing sessions after receipt of the Officer's report in August 2016.

DUE TO AN EQUALITY OF VOTES, THE MOTION WAS LOST 3/3

To change a decision of Council requires an absolute majority.

Crs McLennan, Bridges and Brown were in favour of the motion. Crs Pule, Lewis and Gangell voted against the motion.

MOVED Cr Pule, Seconded Cr Gangell, that Council:

1. Formalises the current Briefing formats to a more formal format to achieve greater transparency by:
 - a) Changing the Briefing Sessions to the Monday immediately before the Tuesday of the Ordinary Council meeting, commencing at 5.00pm;
 - b) Allows the public to attend the Briefing Sessions;
 - c) The Mayor to chair all Briefing Sessions;
 - d) The briefing session to remain a venue for Councillors to ask questions;
 - e) No debate will be enter into nor will be any decisions be made at Briefing Sessions; and
 - f) Officers will attend Briefing Sessions to answer any Councillors' questions.
2. Agrees to have a six-month trial, commencing February 2016, of opening Council Briefing Sessions for observation by members of the public.

After further discussion, it was agreed by all Councillors that the Briefing Sessions continue to be held on the Tuesday of the Ordinary Council meeting, commencing at 5.00pm and that the Briefing Sessions be open for observation by members of the public. Cr Pule was happy to amend his motion.

COUNCIL RESOLUTION – ITEM 11.3(b)

OCM - 30/12/15 MOVED Cr Pule, Seconded Cr McLennan, that Council:

1. Continues with its current practice of holding the Briefing Sessions on the Tuesday prior to the Council Meeting, commencing at 5.00pm;
2. Rescinds part 2 of OCM 7/11/09, which reads, in part:

“Briefing sessions will not be open to the public as no debate will be entered into and Councillors can then ask;
3. Agrees that Briefing Sessions be open to the public;
4. Amends Policy 1.2, Council Meeting Schedule accordingly.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

11.4 Notice of Motion – Cr McLennan: Town of Bassendean Financial Sustainability Policy 6.15

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

“That in accordance with the Town of Bassendean Financial Sustainability Policy 6.15, that requires the Town to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity (See Section 1.3 of the Local Government Act),

- 1. The Town of Bassendean Investment Policy 6.18 be amended to incorporate deliberative preference for investment with financial institutions that do not invest in or finance the fossil fuel industry where:
 - a) the investment is compliant with Council’s investment policy with regards to risk diversification & credit rating;*
 - b) the investment rate of interest is favourable to Council relative to other similar investments that may be on offer to Council at the time of investment.**
- 2. Council divest its term investment portfolio from all fossil fuel aligned financial institutions and that as Council’s current term investments expire these funds are to be re-invested only with non-fossil fuel aligned financial institutions.*
- 3. The matter is referred to the next Audit and Risk Management Committee meeting to review the Investment Policy 6.18; and*
- 4. Council requests a 6 monthly report on the state of its divestment from fossil fuels.”*

Cr McLennan made a number of amendments to her Notice of Motion as follows:

COUNCIL RESOLUTION – ITEM 11.4

OCM - 31/12/15 MOVED Cr McLennan, Seconded Cr Brown, that in accordance with the Town of Bassendean Financial Sustainability Policy 6.15, that requires the Town to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity (See Section 1.3 of the Local Government Act),

1. The Town of Bassendean Investment Policy 6.18 be amended to incorporate deliberative preference for investment with financial institutions that do not invest in or finance the fossil fuel industry where:
 - a) the investment is compliant with Council's investment policy with regards to risk diversification & credit rating;
 - b) the investment rate of interest is favourable to Council relative to other similar investments that may be on offer to Council at the time of investment.
2. The matter is referred to the next Audit and Risk Management Committee meeting to review the Investment Policy 6.18; and
3. Council requests that the monthly financial statement and reports include the state of its divestment from fossil fuels.

CARRIED UNANIMOUSLY 6/0

12.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

12.1 Notice of Motion – Cr Bridges – 1 Surrey Street, Bassendean

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

“That Council adopts an operation and management business plan for the 1 Surrey Street project in conjunction with the two key stakeholder users prior to further expenditure occurring.”

12.2 Notice of Motion – Cr McLennan: - Review of Representation

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

“That Council:

- 1. Initiates a review of elected member representation, calling for public submissions early in 2016; &*
- 2. Requests officers prepare an information paper outlining the current representation as well as identifying various alternatives & the implications of each (including cost & voting ramifications) to accompany the public notice.”*

Comment – Cr McLennan

A local government without wards, such as the Town of Bassendean, is not required to carry out regular reviews of representation under the provisions of Schedule 2.2 of the Local Government Act 1995. However, a local government without wards can, at any time, undertake an assessment of the number of elected members to explore whether change is desirable. Advice received from WALGA has suggested that the present time is an opportune one for initiating such a review.

The Town of Bassendean last underwent a review of representation in 2011 at which time the ward system was abolished and the number of councillors was reduced from nine to the minimum number of six. Decisions made during the 2011 review were shaped by the imminent threat of amalgamation. Therefore, in recognition of the changed circumstances since abandonment of amalgamation plans and the continuation of the Town of Bassendean as a Local Government, a review of the current representation is warranted.

Although the Town of Bassendean is relatively modest in size for a local government, there is precedence for having a greater number of elected members, above the current minimum of six, even in councils representing significantly smaller populations. Increasing the number of councillors would not only facilitate broader representation for the community but also ensure equality of voting power if there were an odd number of Councillors.

In accordance with the Local Government Act 1995 local public notice that a review of elected members is to be carried out must be given advising that submissions may be made to the local government six weeks from the date of the first notice. The Department of Local Government recommends that this notice should include a diverse range of alternatives to the current situation for the public to consider. While the Council may have a preferred position the public notice must not limit the possible responses and suggestions from the community.

13.0 **CONFIDENTIAL BUSINESS**

COUNCIL RESOLUTION – ITEM 13.0(a)

OCM – 32/10/15 MOVED Cr Bridges, Seconded Cr Brown, that the meeting go behind closed doors, in accordance with Section 5.23 of the Local Government Act 1995, the time being 8.55pm.
CARRIED UNANIMOUSLY 6/0

All members of the public vacated the Chamber, the time being 8.55pm.

13.1 **Notice of Motion – Cr Pule: Awards**

This item is referred to as Item 11.1 in the Ordinary Council Agenda of 15 December 2015.

Cr Gangell declared a Financial Interest and left the room, the time being 8.57pm. Cr Lewis took the chair.

COUNCIL RESOLUTION – ITEM 13.1(a)

OCM – 33/12/15 MOVED Cr Bridges, Seconded Cr Lewis, that Council suspends Standing Orders, the time being 8.55pm.
CARRIED UNANIMOUSLY 5/0

COUNCIL RESOLUTION – ITEM 13.1(b)

OCM – 34/12/15 MOVED Cr Bridges, Seconded Cr Pule, that Council resumes Standing Orders, the time being 8.56pm.
CARRIED UNANIMOUSLY 5/0

COUNCIL RESOLUTION – ITEM 13.1(c)

OCM – 35/12/15 MOVED Cr Pule, Seconded Cr Brown, that a Freeman of the Town honour be bestowed on the person whose name is shown in the Confidential Attachment to the Ordinary Council Agenda of 15 December 2015, and the award be presented to the recipient at a function be held at an appropriate time in the New Year.

CARRIED 5/0

Cr Gangell returned to the Chamber, the time being 9.08pm and resumed the chair.

13.2 Proposed Land Swap of 27L Hyland Street and Part Lot 271; 116 Hamilton Street, Bassendean (Ref: DABC/BDVAPPS/ 2012-073 Brian Reed, Manager Development Services)

This item is referred to as Item 13.1 in the Ordinary Council Agenda of 15 December 2015.

APPLICATION

The purpose of this report was for Council to consider a proposal to undertake and advertise a land swap of Lot 100; No 271 Hyland Street, Bassendean, owned by Mr Herbert for land owned freehold by the Town located at Lot 271 Hamilton Street.

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 13.2

OCM – 36/12/15 MOVED Cr Bridges, Seconded Cr Pule, that Council proceeds with the land swap of 27L Hyland Street and Part Lot 271; 116 Hamilton Street, Bassendean, subject to the following conditions:

- a) That an up-to-date valuation be obtained for both parcels of land;
- b) Includes costs totalling \$79,656 as costs associated with the land swap;
- c) Advertising be undertaken as follows and commence in the first week of February 2016 for a period of four weeks:

- i. Local newspaper;
- ii the Town's website;
- iii notices in the Library and Customer Services Centre;
and
- iv signs advising of the proposal and inviting comments
at both sites.

CARRIED UNANIMOUSLY 6/0

13.3 CEO's Remuneration Report

This item is referred to as Item 13.2 in the Ordinary Council Agenda of 15 December 2015.

This matter was 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 details of a proposed contract to be entered into.

COUNCIL RESOLUTION – ITEM 13.3

OCM – 37/12/15 MOVED Cr Bridges, Seconded Cr Brown, that CEO's (Mr Jarvis) performance is considered to have met the established performance requirements in 2014-15 and as such, it is recommended that a salary increase of 3 percent plus allowances be offered to Mr Jarvis. It is also recommended that the Key Performance Indicators for 2015-16 be adopted as agreed, together with a two year extension to his contract to January 2019.

CARRIED UNANIMOUSLY 6/0

14.0 CLOSURE

The next Ordinary Council meeting will be held on Tuesday 23 February 2016.

There being no further business, the meeting closed at 9.25pm.