

# TOWN OF BASSENDEAN

## MINUTES

### ORDINARY COUNCIL MEETING

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

ON TUESDAY 24 MARCH 2015 AT 7.00PM

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#### 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

##### Acknowledgement of Country

The Mayor declared the meeting open, welcomed all those in attendance and acknowledged the traditional owners of the Nyoongar Nation.

#### 2.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

##### 2.1 Questions Taken on Notice

At the February 2015 meeting, Ms Bremmer asked a number of questions. The Director Operational Services replied to Ms Bremmer on the 9 March 2015, a copy of which was attached to the agenda.

##### 2.2 Public Question Time

Mrs Dreyer, 31 Naunton Crescent, Eden Hill

Mrs Dreyer referred to her comments recorded in the Minutes of the February OCM regarding the planting of a tree at the old war memorial site and requested that the Minutes be amended as she did not state that she supports the planting of a tree.

The Mayor advised that it will be noted.

Mrs Dreyer asked whether the tennis club or bowling club are going to be moved.

The Mayor responded that there has been no discussion or decisions made on the future of either club.

Mrs Piantadosi, 4 Jubilee Avenue, Eden Hill

Mrs Piantadosi expressed her disappointment that Council is considering an application for an Optus and Vodaphone tower in Eden Hill and that it should be in an industrial area like Tonkin Business Park rather than a residential area. Mrs Piantadosi suggested that artists could have ideas about camouflaging the tower to make it more aesthetically pleasing.

The Mayor advised that Council can set conditions on the tower and could request that it be disguised as a palm tree as has been done in the City of Stirling.

Mr Don Yates, 10 Thompson Road, Bassendean

Mr Yates commented on the crowd control problems after the football on the weekend. The Police were present but there were no Rangers which he said was disappointing. Mr Yates suggested that the poor lighting was a contributing factor and that improvements to the lighting need to be considered.

Mr Yates also commented that lighting on the bike path needs to be improved.

Mr Yates referred to the underground power in Success Hill and the lack of improved street lighting.

Mr Yates referred to a possibility of a resident petition to pursue a boundary change proposal.

Catherine Hamilton

Ms Hamilton referred to the State Administrative Tribunal (SAT) decisions on developments in the Town and commented that Council should advise residents that they are able to make an appeal to SAT.

The Mayor advised that if Council chooses to appeal a SAT decision, a third party can join that appeal.

Ms Fran Phelan, 15 River Street, Bassendean

Ms Phelan commented that other Local Governments are also disappointed and complaining about SAT allowing these developments.

Mrs Dreyer, 31 Naunton Crescent, Eden Hill

Mrs Dreyer commented that there's a number of houses around Bassendean that need cleaning up.

Mrs Dreyer referred to the petition conducted on the war memorial and advised that she will not be conducting another petition on any other issue.

**3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE**

Present

Councillors

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

Officers

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

Public

Approximately 12 members of the public were in attendance.

Press

One member of the press was in attendance.

### Leave of Absence

Cr Jennie Carter requested a Leave of Absence for 26 March to 6 April 2015.

### COUNCIL RESOLUTION – ITEM 3.0

**OCM – 1/03/15** MOVED Cr Pule, Seconded Cr Brinkworth, that Cr Jennie Carter be granted a Leave of Absence for 26 March to 6 April 2015.  
CARRIED UNANIMOUSLY 6/0

## 4.0 DEPUTATIONS

4.1 Mr Bevan Carter and Ms Bella Bropho gave a deputation on South West Native Title Settlement Agreement – Lot 3003 Lord Street (formerly Pyrton) and Lot 1000 Lord Street - Bennett Brook Reserve.

4.2 Mr Bill Busby gave a deputation on Ashfield Soccer Club and Item 10.10.

## 5.0 CONFIRMATION OF MINUTES

### 5.1 Ordinary Council Meeting held on 24 February 2015

#### COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 5.1(a)

**OCM – 2/03/15** MOVED Cr Pule, Seconded Cr Lewis, that the minutes of the Ordinary Council Meeting held on 24 February 2015, be received, with amendments as requested by Mrs Dreyer.  
CARRIED UNANIMOUSLY 6/0

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

**OCM – 3/03/15** MOVED Cr Pule, Seconded Cr Lewis, that the minutes of the Ordinary Council Meeting held 24 February 2015, be confirmed as a true record, with amendments as requested by Mrs Dreyer.  
CARRIED UNANIMOUSLY 6/0

## 6.0 ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

## **7.0                    PETITIONS**

Nil

## **8.0                    DECLARATIONS OF INTEREST**

Cr Pule declared a Proximity Interest for Item 10.16.

## **9.0                    BUSINESS DEFERRED FROM PREVIOUS MEETING**

Nil

## **10.0                  REPORTS**

### **10.1      Adoption of Recommendations En Bloc**

It was agreed that items 10.2, 10.3, 10.4, 10.5, 10.13 and 10.16 be removed from the en bloc table to be considered independently.

### **COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.1**

**OCM – 4/03/15**      MOVED Cr Pule, Seconded Cr Lewis, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Meeting Agenda 24 March 2015:

<b>Item</b>	<b>Report</b>
10.7	Proposed Town Planning Scheme Workshop
10.8	Plants to Residents Program
10.9	Traffic Management – Shackleton Street, Bassendean
10.12	Review of Workforce Plan and Corporate Structure
10.15	Cultural Development Advisory Committee Meeting held on 18 February 2015
10.17	Bassendean Local Emergency Management Committee Meetings held on 10 December 2014 and 18 February 2015
10.18	Access and Inclusion Committee Meeting held on 11 March 2015
10.20	Accounts for Payment – February 2015
10.21	Implementation of Council Resolutions
10.22	Use of the Common Seal (
10.23	Calendar for April 2015

**CARRIED UNANIMOUSLY 6/0**

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

Item	Report
10.2	Proposed Eight Multiple Dwellings on Lot 27; (Nos. 63A & 63B) Third Avenue, Bassendean
10.3	Eden Hill Telecommunications Facility Feasibility Investigation: Applicant Visionstream Pty Ltd on behalf of Optus and Vodaphone
10.4	State Administrative Tribunal Decision for Development Application for Proposed Ten Multiple Dwellings on Lot 251 (No 103) Guildford Road, Bassendean
10.5	Proposed Retaining Walls and Overfilling on to Mary Crescent Reserve associated with 35 Lot Residential Subdivision and Retention of Telephone Tower – Lot 3 (No 260) Morley Drive, Eden Hill
10.6	Proposed Amendment to the Instrument of Appointment and Delegation for the Town Planning Scheme Review Committee and Exemption for Councillors to Participate in Amendments to the Town Planning Scheme No. 10 as a result of the Local Planning Strategy
10.10	Outstanding Debtor and Unauthorised Works Update
10.11	Replacement of HACC Vehicle P814 - IVECO Bus Registration 1CWW016
10.13	Code of Conduct Review
10.14	Conducting the 2015 Council Elections by Postal Vote
10.16	Determinations Made by the Manager Development Services and Reported to Council
10.19	Financial Statements – February 2015

**10.2 Proposed Eight Multiple Dwellings on Lot 27; (Nos. 63A & 63B) Third Avenue, Bassendean, Owner: Bellini Enterprises Pty Ltd, Applicant: Aaron Sice (Ref: DA 2014-169 Stephanie Radosevich, Planning Officer)**

**APPLICATION**

The application seeks Council's approval for eight multiple dwellings which includes variations to the 'Deemed-to-comply' provisions of the Residential Design Codes of Western Australia (R-Codes) relating to boundary walls.

The aspects of the development, which do not meet the Deemed-to-comply provisions of the R-Codes, require assessment and determination against the 'Design Principles'.

### OFFICER RECOMMENDATION – ITEM 10.2

That Council grants planning approval for the proposed eight multiple dwellings at Lot 27 (Nos. 63A & 63B) Third Avenue, Bassendean, subject to the following conditions:

1. Amended plans are to be submitted prior to or in conjunction with the Building Permit demonstrating:
  - (a) Car bays 2b and 3b being deleted;
  - (b) Car bays 2a and 6 being relocated up one space to the west;
  - (c) The automatic gates being relocated back 1 metre to the west from visitor bays 1 and 2; and
  - (d) The residents bicycles parking spaces being relocated behind the automatic gates;

as marked in red on the site plan.
2. A detailed landscape plan being submitted prior to or with the application for a Building Permit for the Town's approval which addresses the following:
  - (a) Details of the location and type of proposed trees, shrubs, groundcover and lawn areas to be planted;
  - (b) Low water use;
  - (c) Landscaping of the verge area adjacent to the development site, including the provision of substantial street trees in accordance with the Town's adopted Street Tree Master Plan; and
  - (d) Details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months;
3. Pedestrian paths to be constructed which provide wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas;
4. Provision of lighting to pathways and car parking areas;
5. The site shall be landscaped in accordance with the approved landscaping plan and shall be maintained thereafter;
6. The street trees which sit within the verge and are not affected by the proposed development shall be protected by barricades during construction in accordance with the Town's Policy relating to street tree protection;

7. The existing crossover on the Third Avenue frontage of the development site being removed and the verge and kerbing being reinstated to the satisfaction of the Town;
8. Separate approval being obtained from the Town's Asset Services for the proposed crossover on the Third Avenue frontage of the development site and this crossover being constructed in accordance with that approval;
9. The sealing and kerbing of all car parking areas and access ways to the Town's specifications;
10. The car parking spaces and access ways being constructed and maintained thereafter to the Town's satisfaction;
11. Visitor parking spaces being clearly marked for "Visitors Only" and used as such;
12. A minimum of three (3) and one (1) bicycle bays shall be provided for the residents and visitors respectively. The bicycle parking spaces shall be located in the area identified on the approved drawings and shall be constructed in accordance with the provisions of AS 2890.3 (as amended);
13. Details of stormwater disposal being submitted for the approval of the Town in conjunction with or prior to the issue of the Building Permit, in accordance with Local Planning Policy No. 14 – On-Site Stormwater Policy;
14. Prior to the issue of a building permit a development bond for the sum of \$4,000 being lodged with Council to ensure the satisfactory completion of all works associated with landscaping, car parking, access ways and fencing;
15. The incorporation of public art into the proposed development or a cash-in-lieu payment of one per cent of the construction cost of the proposed development in accordance with the Town's adopted Local Planning Policy No. 15 'Percent for Art Policy'. Detailed arrangements and agreement with respect to art to be provided on-site or alternatively payment of the required fee shall be made prior to or in conjunction with the application for a Building Permit;
16. The street number being prominently displayed at the front of the development;

17. The provision of side and rear fences, behind the street setback line, of 1.8 metres in height. Where the ground levels vary on either side of the fence, the required 1.8 metre height shall be measured above the higher ground level;
18. A separate application and approval being obtained for any proposed fencing within the street setback area;
19. The provision of letterboxes and bin storage in materials to complement the development to the satisfaction of the Town;
20. External clothes drying facilities shall be screened from view of the street or any other public place at all times. No drying of clothes from upper floor balconies (units 5, 6 & 7) or ground floor outdoor living areas (units 1, 2 & 3) is permitted;
21. Air-conditioning units and external fittings shall be incorporated into the building or screened from view. Details of the treatment of such external fittings to the building being submitted prior to the issue of a building permit to the satisfaction of the Manager Development Services;
22. The applicant submitting to the satisfaction of the Manager Development Services a construction management plan that addresses issues of dust and noise control, hours of work, and provides contact details of a person to deal with complaints;
23. A Waste Management Plan (WMP) is to be submitted for the Town's approval prior to or in conjunction with the application for a Building Permit. The WMP shall address matters including, but not necessarily limited to, the following:
  - (a) Measures to be implemented for the purpose of minimising the delivery of waste to landfill during occupation, including: the on site separation of materials for recycling and the expectations of owners and/or tenants;
  - (b) Site Plan showing the location and size of the on-site rubbish disposal area, including the number of general rubbish and recycling bins to be provided for the development, including sharing arrangements where the number of bins is less than the number of dwellings;

- (c) An estimation of the volume of waste to be generated by the proposed development and the capacity of this volume of waste to be accommodated by on site bin storage capacity;
  - (d) Details of intended method of collection (private contractor or Council contractor);
  - (e) Details of arrangements for transferring bins from the bin storage area to the verge for collection and subsequently from the verge back to the bin storage area, including timeframes at each stage;
  - (f) Details of where the bins would be located when waiting collection;
  - (g) Details of advice to be provided to owners and occupiers regarding the WMP; and
  - (h) Details of how the WMP will continue to be applied in perpetuity across the life of the development, including the WMP being incorporated into the strata by-laws for the proposed development;
24. The bin storage area is:
- (a) To be provided with a self closing gate;
  - (b) To be provided with 75mm minimum thickness concrete floors grading to a 100mm industrial floor waste, with a hose cock to enable both the bins and bin storage area to be washed out; and
  - (c) To be provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning;
25. The proposed boundary wall shall be finished to the satisfaction of the Town;
26. All building works to be carried out under this planning approval are required to be contained within the boundaries of the subject lot;
27. The building hereby approved shall not be occupied until all of the conditions of planning consent have been complied with to the satisfaction of the Manager Development Services, unless the applicant has entered into an agreement with Council to comply with those conditions within a specified period; and
28. The issue of a building permit prior to the commencement of any on-site works.

ADVICE NOTE:

In relation to Condition 15, the owner/applicant is to liaise with the Town's Cultural Development Officer, early in the process, if it is intended that the public art is to be provided on-site.

COUNCIL RESOLUTION/ALTERNATIVE OFFICER  
RECOMMENDATION – ITEM 10.2

**OCM – 5/03/15** MOVED Cr Bridges, Seconded Cr Pule, that Council defers consideration of the application for planning approval for the proposed eight multiple dwellings at Lot 27 (Nos. 63A & 63B) Third Avenue, Bassendean, pending the receipt of amended plans demonstrating:

- (a) Car bays 2b and 3b being deleted;
- (b) Car bays 2a and 6 being relocated up one space to the west;
- (c) The automatic gates being relocated back 1 metre to the west from visitor bays 1 and 2; and
- (d) The residents bicycles parking spaces being relocated behind the automatic gates.

CARRIED UNANIMOUSLY 6/0

**10.3 Eden Hill Telecommunications Facility Feasibility Investigation: Applicant Visionstream Pty Ltd on behalf of Optus and Vodaphone (Ref: ESAT/MAINT/2 - Brian Reed, Manager Development Services)**

APPLICATION

The purpose of this report was to request Council approval to enter into discussions with Visionstream to find a site for a new telecommunications monopole on Council controlled land in the Eden Hill area.

OFFICER RECOMMENDATION — ITEM 10.3

That the Chief Executive Officer be authorised to enter into further discussions with Visionstream regarding the feasibility of establishing a new telecommunication infrastructure site on Jubilee Reserve and Mary Crescent Reserve.

Cr Bridges moved the following alternative recommendation:

ALTERNATIVE RECOMMENDATION – ITEM 10.3

MOVED Cr Bridges, Seconded Cr Pule, that the Chief Executive Officer be authorised to enter into further discussions with Visionstream regarding the feasibility of establishing a new telecommunication infrastructure site on Jubilee Reserve and Mary Crescent Reserve, that can accommodate all carriers and include some aesthetic treatments to minimise the visual impact.

The mover and seconder withdrew the motion.

Cr Bridges suggested that the wording *or any other alternative sites* be included in the recommendation.

COUNCIL RESOLUTION – ITEM 10.3

**OCM – 6/03/15**

MOVED Cr Bridges, Seconded Cr Pule, that the Chief Executive Officer be authorised to enter into further discussions with Visionstream regarding the feasibility of establishing a new telecommunication infrastructure site on Jubilee Reserve, Mary Crescent Reserve or any other alternative sites, that can accommodate all carriers and include some aesthetic treatments to minimise the visual impact.

CARRIED 5/1

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

**10.4 State Administrative Tribunal Decision for Development Application for Proposed Ten Multiple Dwellings on Lot 251 (No 103) Guildford Road, Bassendean (Ref: DA2013-198 - Brian Reed, Manager Development Services)**

APPLICATION

The purpose of this report was to update Council and the community on the outcome of the application for review (appeal) to the State Administrative Tribunal.

OFFICER RECOMMENDATION — ITEM 10.4

That Council notes that the decision of the Council of the Town of Bassendean made on 24 June 2014 to refuse development approval for ten multiple dwellings at No 103 (Lot 251) Guildford Road, Bassendean, has been set aside and a conditional approval has been granted for the proposed development.

COUNCIL RESOLUTION/ALTERNATIVE OFFICER  
RECOMMENDATION — ITEM 10.4

**OCM – 7/03/15** MOVED Cr Pule, Seconded Cr Carter, that Council:

1. Notes that the decision of the Council of the Town of Bassendean made on 24 June 2014 to refuse development approval for ten multiple dwellings at No. 103 (Lot 251) Guildford Road, Bassendean, has been set aside and a conditional approval has been granted for the proposed development; and
2. Holds an information workshop on Tuesday April 21 commencing at 7.00pm to discuss potential amendments to the Local Planning Scheme No. 10 to gain greater control of Multiple Dwellings in areas coded R40 and less.

CARRIED UNANIMOUSLY 6/0

**10.5 Proposed Retaining Walls and Overfilling on to Mary Crescent Reserve associated with 35 Lot Residential Subdivision and Retention of Telephone Tower – Lot 3 (No 260) Morley Drive, Eden Hill – Owner: Lorenzo Bonazzi, Applicant: Miluc Civil Pty Ltd (Ref: DABC/BDVAPPS/2105-028 & 146605 - Brian Reed, Manager Development Services)**

APPLICATION

The purpose of this report was for Council to consider:

1. An application for planning approval for the construction of retaining walls that involves over filling on to the adjoining Mary Crescent Reserve; and
2. The retention of the current Telstra tower that exists on the site.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —  
ITEM 10.5

**OCM – 8/03/15** MOVED Cr Pule, Seconded Cr Bridges, that Council:

1. Grants planning approval for the proposed retaining walls at Lot 3 (No 260) Morley Drive, Eden Hill, incorporating overfilling to Lot 1; 70 Mary Crescent, Eden Hill, subject to the following conditions:
  - a) The trees within the Mary Crescent Reserve, likely to be impacted by the works on the reserve associated with the development shall be protected during construction;
  - b) The proposed surface of the retaining walls adjacent to public spaces shall be finished to the satisfaction of the Town, and to reduce the impact of graffiti;
  - c) The developer shall be responsible for the removal of any graffiti from the retaining walls that face on to public spaces until the site is handed over to the Town of Bassendean;
  - d) Further details of the overfill on to Mary Crescent shall be submitted for the approval of the Town, prior to the works commencing;
  - e) The batters of the overfill shall be landscaped with grass or other plantings to be agreed with the Town of Bassendean;
  - f) The issue of a Building Permit prior to the works commencing on site;

Footnotes

Prior to the commencement of the approved works, the landowner/applicant is advised to investigate whether or not approval is required pursuant to the *Aboriginal Heritage Act 1972*. The landowner/applicant should conduct a search of the Register of Aboriginal Sites to determine if any aboriginal sites have been recorded in the vicinity of their application, and this heritage information should be submitted to the Department of Indigenous Affairs with a request for advice.

In line with advice with advice previously supplied by the Department of Indigenous Affairs, the applicant is advised that *South West Aboriginal Land and Sea Council* should be consulted as a way of informing people of the proposed overfilling onto Mary Crescent Reserve; and

2. Authorises officers to clear the subdivision of Lot 3 Morley Drive, Eden Hill, with the retention of the existing telephone tower

CARRIED UNANIMOUSLY 6/0

**10.6 Proposed Amendment to the Instrument of Appointment and Delegation for the Town Planning Scheme Review Committee and Exemption for Councillors to Participate in Amendments to the Town Planning Scheme No. 10 as a result of the Local Planning Strategy (Ref: LUAP/PLANNING/14 - Brian Reed, Manager Development Services)**

APPLICATION

The purpose of this report was for Council to seek an exemption for all Councillors to fully participate in discussions on amendments to the Local Planning Scheme No. 10 that emanate from the revised Local Planning Strategy, and to consider a proposed amendment to the Instrument of Appointment of Delegation to the Town Planning Scheme Review Committee.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —  
ITEM 10.6

**OCM – 9/03/15** MOVED Cr Carter, Seconded Cr Pule, that:

- 1 The CEO seeks an exemption from the Minister for Local Government pursuant to Section 5.69A to allow Councillors to participate in the Committee discussions, and to debate the recommendations of those committees at subsequent Council meetings; and
- 2 Council adopts the amended Instrument of Appointment and Delegation of the Town Planning Scheme Review Committee, as attached to the Ordinary Council meeting agenda of 25 March 2015

CARRIED BY AN ABSOLUTE MAJORITY 6/0

**10.7 Proposed Town Planning Scheme Workshop (Ref: GOVN/CCLMEET/1 - Brian Reed, Manager Development Services)**

APPLICATION

The purpose of this report was for Council to set a date and theme for a workshop to discuss planning issues.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —  
ITEM 10.7

**OCM – 10/03/15** MOVED Cr Pule, Seconded Cr Lewis, that Council holds an Information Workshop on Tuesday, 21 April 2015, commencing at 7.00pm.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-4/03/15 6/0

**10.8 Plants to Residents Program (Ref: GRSU/PROGM/1 - Jeremy Walker, Environmental Officer)**

APPLICATION

The purpose of this report was for Council to consider amending the manner in which seedlings for the Plants to Residents program are provided to the Town's ratepayers.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.8

**OCM – 11/03/15** MOVED Cr Pule, Seconded Cr Lewis, that Council:

1. Approves the proposed procedural changes to the new Plants to Residents programme; and
2. Lists \$8,000 in the draft 2015/16 Budget for the Plants to Residents Program.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-4/03/15 6/0

**10.9 Traffic Management - Shackleton Street, Bassendean (Ref: ROAD/STMNGT/1 – Ben Moore, Engineering Technical Coordinator & Nicole Baxter, Engineering Design Officer)**

APPLICATION

The purpose of this report was to update Council on traffic survey findings and present to Council alternative traffic calming methods as per Council resolution OCM – 12/07/14 and in line with recommendations made by OPUS Consulting Engineers, that Officers of the Town commence investigations into both the low to medium cost option and medium to high cost option regarding traffic calming devices in Shackleton Street.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.9

**OCM – 12/03/15** MOVED Cr Pule, Seconded Cr Lewis, that Council:

1. Receives the Shackleton Street Traffic Management Comparison Report; and
2. Endorses option two central medium treatments in Shackleton Street for public consultation.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/03/15 6/0

**10.10 Outstanding Debtor and Unauthorised Works Update (Ref RECC/LIAIS/1 - Tim Clark, Recreation Development Officer)**

APPLICATION

To provide an update to Council on the outstanding matters with the Ashfield Soccer Club and for Council to determine a course of action.

COUNCIL RESOLUTION – ITEM 10.10(a)

**OCM – 13/03/15** MOVED Cr Lewis, Seconded Cr Brinkworth, that this item be discussed under Confidential Business.

CARRIED UNANIMOUSLY 6/0

**10.11 Replacement of HACC Vehicle P814 - IVECO Bus Registration 1CWW016 (Ref: COMDEV/PROGM/2 Mona Soliman, Manager Seniors and Disability Services)**

APPLICATION

The purpose of this report was to seek Council's approval to replace a bus currently being used for HACC services and funding being transferred from the HACC Asset Replacement Reserve Fund.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.11

**OCM – 14/03/15** MOVED Cr Pule, Seconded Cr Brinkworth, that:

1. Council accepts the quote received from Galleria Toyota for the purchase of a Toyota Hiace at a cost of \$57,144.04.
2. Council transfers an after trade-in balance of \$37,144.04 from the HACC Asset Replacement Reserve Fund for the purchase of the bus; and
3. The 2014/15 Budget be amended accordingly.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

**10.12 Review of Workforce Plan and Corporate Structure (Ref: GOVR/LREGLIA/15 - Bob Jarvis, Chief Executive Officer)**

APPLICATION

Council was requested to consider the adoption of the revised Workforce Plan for the 2015- 2019 financial years.

*Prior to the adoption of the Workforce Plan, it was agreed to remove the additional position of Environmental Health Officer 0.6 FTE (Development Services).*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.12

**OCM – 15/03/15** MOVED Cr Pule, Seconded Cr Lewis, that Council:

1. Endorses the revised 2015-2019 Workforce Plan;
2. Amends the Corporate Structure to include the additional positions within the 2015- 2019 Workforce Plan; and

3. Considers the funding for the additional positions in the 2015/16 Budget.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/03/15 6/0

**10.13 Code of Conduct Review (Ref: GOVN/CCL/1- Bob Jarvis, CEO)**

APPLICATION

Council's review of its Code of Conduct pursuant to Section 5.103 of the Local Government Act 1995.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.13

**OCM – 16/03/15** MOVED Cr Carter, Seconded Cr Pule, that Council adopts the amended Town of Bassendean Code of Conduct for Councillors, Committee Members and Employees, as attached to the Ordinary Council Agenda of 24 March 2015.

CARRIED 5/1

*Crs Gangell, Lewis, Pule, Brinkworth & Carter voted for the motion.*

*Cr Bridges voted against the motion.*

**10.14 Conducting the 2015 Council Elections by Postal Vote (Ref: GOVN/ELEC/2Bob Jarvis, Chief Executive Officer)**

APPLICATION

The purpose of this report was to determine whether the WA Electoral Commissioner will conduct the Town of Bassendean's 2015 Council elections, utilising the postal method of voting.

- Council can appoint the WA Electoral Commissioner to be responsible for conducting the October 2015 Council elections.
- Council needs to determine if those elections will be conducted by postal vote.
- The Chief Executive Officer recommends the same method previously used for Council elections be used for the 2015 Council election and that the WA Electoral Commissioner be responsible for conducting the 2015 Council election using the postal method for voting.

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.14**

**OCM – 17/03/15** MOVED Cr Pule, Seconded Cr Brinkworth, that:

1. Council declares, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner be responsible for the conduct of the 17 October 2015 Ordinary Elections, together with any other elections or polls which may also be required;
2. Council decides, in accordance with section 4.61(2) of the Local Government Act 1995, that the method of conducting the election will be as a postal election;
3. An amount of \$38,000 be listed for consideration in the 2015/16 Budget to hold the 2015 Ordinary Elections; and
4. The count for the 2015 Ordinary Elections be held at the Seniors' and Community Hall, 50 Old Perth Road, Bassendean.

**CARRIED BY AN ABSOLUTE MAJORITY 6/0**

**10.15 Cultural Development Advisory Committee Meeting held on 18 February 2015 (Ref: GOVN/CCLMEET/8 – Salvatore Siciliano, Manager Recreation and Culture)**

**APPLICATION**

Council was requested to receive the report on a meeting of the Cultural Development Advisory Committee held on Wednesday 18 February 2015.

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.15**

**OCM – 18/03/15** MOVED Cr Pule, Seconded Cr Lewis, that Council:

1. Receives the report of the meeting of the Cultural Development Advisory Committee held on Wednesday 18 February 2015;
2. Provides sponsorship of \$1,000 to the Eden Primary School P & C under the Community Events Sponsorship Program to assist with the Centenary Celebrations to be held on Saturday, 2 May 2015; and

- 3 A sponsorship agreement be prepared between the Town and the Eden Hill Primary School P & C for the execution of the terms and conditions for sponsorship.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-4/03/15 6/0

**10.16 Determinations Made by the Manager Development Services and Reported to Council (Ref: LUAP/PROCED/1 – Christian Buttle, Development Services)**

*Cr Pule declared a Proximity Interest and left the Chamber at 8.00pm.*

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.16**

**OCM – 19/03/15** MOVED Cr Carter, Seconded Cr Brinkworth, that Council notes the decisions made under delegated authority by the Manager Development Services.

**CARRIED UNANIMOUSLY 5/0**

*Cr Pule returned to the Chamber at 8.00pm.*

**10.17 Bassendean Local Emergency Management Committee Meetings held on 10 December 2014 and 18 February 2015 (Ref: GOVN/CCLMEET/18 – Graeme Haggart, Director Community Development)**

**APPLICATION**

The purpose of the report was for Council to receive the report on meetings of the Bassendean Local Emergency Management Committee held on 10 December 2014 and 18 February 2015.

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.17**

**OCM – 20/03/15** MOVED Cr Pule, Seconded Cr Lewis, that the report on meetings of the Bassendean Local Emergency Management Committee held on 10 December 2014 and 18 February 2015 be received.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/03/15 6/0**

**10.18 Access and Inclusion Committee Meeting held on 11 March 2015 (Ref: GOVN/CCLMEET/16 - Graeme Haggart, Director Community Development)**

APPLICATION

The purpose of the report was for Council to receive the minutes of the Access and Inclusion Committee Meeting held on 11 March 2015.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —  
ITEM 10.18

**OCM – 21/03/15** MOVED Cr Pule, Seconded Cr Lewis, that Council:

1. Receives an Officer report on developing an “Access All Areas” funding scheme that subsidises access to life-skills, recreation and cultural activities for residents of the Town living with a disability and including assessment criteria and overall financial implications;
2. Raises the need for provision of inclusive toilets in the Swan Districts Football Club on behalf of residents; and
3. The report on a meeting of the Disability Access and Inclusion Committee held on 11 March 2015 be received.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-4/03/15 6/0

**10.19 Financial Statements – February 2015 (Ref: FINM/AUD/1 – Ken Lapham, Manager Corporate Services)**

APPLICATION

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.19

**OCM – 22/03/15** MOVED Cr Lewis, Seconded Cr Bridges, that the Financial Statements for the period ended 28 February 2015, including budget amendments, as attached to the Ordinary Council Agenda of 24 March 2015, be accepted.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

**10.20** Accounts for Payment – February 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 – 23/03/15** MOVED Cr Pule, Seconded Cr Lewis, that Council receives the List of Accounts paid for February 2015 as attached to the Ordinary Council Agenda of 24 March 2015.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-4/03/15 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.21

**OCM – 24/03/15** MOVED Cr Pule, Seconded Cr Lewis, that the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 24 March 2015 be deleted from the Implementation of Council Resolutions list.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-4/03/15 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.22

**OCM – 25/03/15** MOVED Cr Pule, Seconded Cr Lewis, that Council authorises the affixing of the Common Seal to the documents listed in the Ordinary Council Meeting Agenda of 24 March 2015.  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-4/03/15 6/0

**10.23 Calendar for April 2015 (Ref: Sue Perkins, Executive Assistant)**

COUNCIL RESOLUTION/OFFICER RECOMMENDATION -  
ITEM 10.23

**OCM – 26/03/15** MOVED Cr Pule, Seconded Cr Lewis, that the Calendar for April 2015 be adopted.  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-4/03/15 6/0

**11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**11.1 Notice of Motion – Cr Pule: Street Hazard on Kenny Street, Bassendean**

COUNCIL RESOLUTION – ITEM 11.1

**OCM – 27/03/15** MOVED Cr Pule, Seconded Cr Bridges, that officers investigate and provide a report to Council on the installation of a No Standing Zone in Kenny Street, on the crest of the hill at 117-120 Kenny Street, Bassendean.  
CARRIED UNANIMOUSLY 6/0

**11.2 Effective Fire Safety Strategy for Ashfield Flats along Hardy Road, Ashfield**

Cr Pule moved the following motion:

That an effective Fire Safety Strategy be prepared and implemented that provides effective measures to reduce and improve the safety of the line of homes along Hardy Road on the Ashfield Wetlands. This is to also include the homes along French Street side of Ashfield Parade along the private road and Ashfield Parade, including:

1. An effective clearance strip at the rear of the homes along Hardy Road.
2. Regular mowing/slashing of the entire safety strip on a regular basis.
3. An awareness program to educate and minimize danger from embers.
4. The issue or offer of emergency kits to residents along Hardy Road and Ashfield Parade.
5. A careful analysis of access to Fire Brigade vehicles and remediating action to address access.
6. The resolving of different spheres of responsibility between WAPC and the Town of Bassendean to ensure that a uniform safety policy is applied across the entire area at the rear of all these homes.
7. That the Town of Bassendean engage the WAPC on its practices of having drained the wetlands, which aggravated the fire danger to homes along Hardy Road. Also to engage the WAPC on its inadequate level of consultation with the Town of Bassendean and its inadequate consideration of the many requests by residents to improve and affect safety issues at the rear of the homes along Hardy Road.
8. That a comprehensive Fire Safety Strategy be prepared and implemented with all parties as signatories.
9. That all residents along Hardy Road and Ashfield Parade be consulted in the preparation of the Fire Safety Strategy.

**COUNCIL RESOLUTION – ITEM 11.2**

**OCM – 28/03/15** MOVED Cr Bridges, Seconded Cr Pule, that this matter be referred to the next Bassendean Local Emergency Management Committee meeting and the next Council Planning Workshop, for further discussion.

**CARRIED UNANIMOUSLY 6/0**

**11.3 Submission on the Regional Integrated Transport Strategy 2014 – 2016**

Cr Pule moved the following motion:

That a workshop be arranged to address matters in the Regional Integrated Transport Strategy 2014 - 2016, especially relating to the Guildford Bridge crossing and cycle projects and greenways and that the outcomes be considered by Council for a submission to the EMRC.

**COUNCIL RESOLUTION – ITEM 11.3**

**OCM – 29/03/15** MOVED Cr Pule, Seconded Cr Bridges, that this matter be referred to a Council Planning workshop.

**CARRIED UNANIMOUSLY 6/0**

**12.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**

**12.1 Announcement of Notice of Motion – Cr Bridges – Local Planning Scheme No. 10 - R Codes**

That Council planning staff, as a priority, investigate mechanisms through amendments to the Local Planning Scheme No 10 to place additional planning controls for multiple dwellings in areas targeted primarily for family accommodation that have split codings so as to ensure the site area per dwelling of the R code applies and if no satisfactory mechanisms are achievable to avoid SAT approvals at plot ratio over site area then staff prepare amendments that remove split codings and revert to the lower R code.

**12.2 Announcement of Notice of Motion – Cr Bridges – Increase Council Representation**

That the Town of Bassendean Council be increased to include seven Councillors and that the new position be filled at the October 2015 Local Government Elections.

**12.3 Announcement of Notice of Motion – Cr Pule – Phase Two of Underground Power in Bassendean**

That a report be brought to Council for consideration to commence preparations for phase two to establish underground power in the next area of Bassendean.

## **13.0 CONFIDENTIAL BUSINESS**

### **COUNCIL RESOLUTION – ITEM 13.0(a)**

**OCM – 30/03/15** MOVED Cr Brinkworth, Seconded Cr Bridges, that the meeting go behind closed doors, in accordance with Section 5.23 of the Local Government Act 1995, the time being 8.14pm.

**CARRIED UNANIMOUSLY 6/0**

*All members of the public vacated the Chamber, the time being 8.14pm.*

## **13.1 Outstanding Debtor and Unauthorised Works Update (Ref RECC/LIAIS/1 - Tim Clark, Recreation Development Officer)**

### **APPLICATION**

To provide an update to Council on the outstanding matters with the Ashfield Soccer Club and for Council to determine a course of action.

### **OFFICER RECOMMENDATION — ITEM 31.1**

That Council:

1. Approves an over-expenditure of \$3,000 and raises a private works order to rectify the works, with all associated costs being recouped from the Ashfield Sports Club;
2. Writes to the Ashfield Sports Club expressing Council's concern regarding this ongoing situation and that the Town will not tolerate continued non-compliance;
3. Writes to Football West to advise of the Town's concerns and how it may be able to assist with the Club's current situation; and
4. Officers hold an urgent meeting between the Club and Football West to discuss of the seriousness of this situation and to clearly express Council's position on the matter and plainly state its options, if there is continued non-compliance by the Ashfield Sports Club.

**OR**

That Council terminates the Ashfield Sports Club's lease immediately due to the Club's non compliance of Council's resolution, which reads (OCM 29/02/15, in part):

*"Any unauthorised works carried out by the Ashfield Sports Club are to be rectified no later than the 28 February 2015".*

*Council wished to change the Officer's Recommendation to ensure that the Club is not placed further in debt and to arrange a meeting with the Club to resolve a plan for clearing outstanding issues.*

#### COUNCIL RESOLUTION – ITEM 13.1

**OCM – 31/03/15** MOVED Cr Bridges, Seconded Cr Lewis, that Council:

1. Approves an over-expenditure of \$3,000 to rectify the non-complaint works – doorway floor, carpet and render wall;
2. Writes to the Ashfield Sports Club expressing Council's concern regarding this ongoing situation of outstanding debt and rectification of works;
3. Writes to Football West to advise of the Town's concerns and how it may be able to assist with the Club's current situation; and
4. Officers and the Mayor hold an urgent meeting between the Club Committee/Executive and Football West to discuss the seriousness of the situation and to clearly express Council's position on the matter and plainly state its options.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

#### COUNCIL RESOLUTION – ITEM 13.0(b)

**OCM – 32/03/15** MOVED Cr Bridges, Seconded Cr Carter, that the meeting proceed with open doors, the time being 8.45pm.

CARRIED UNANIMOUSLY 6/0

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

**14.0**                    **CLOSURE**

The next Ordinary Council Meeting will be held on Tuesday 28 April 2015.

There being no further business, the Mayor declared the meeting closed, the time being 8.46pm.