

# TOWN OF BASSENDEAN

## MINUTES

### ORDINARY COUNCIL MEETING

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

ON TUESDAY 26 SEPTEMBER 2017 AT 7.00PM

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

The Presiding Member 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 held.

##### Sports Achievement Award

The Mayor announced a Sports Achievement Award for Mr Harry Langley, who was not in attendance to receive his award.

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

##### 2.1 Public Question Time

##### Ms Nonie Jekabsons, 6 Barton Parade, Bassendean

Ms Jekabsons referred to Item 13.1 and asked if the Town will be penalised if it does not supply enough waste to keep the facility running.

The Mayor advised that a Q & A document has been provided by the Eastern Metropolitan Regional Council. The Mayor could not answer the question as the matter is confidential and is to be discussed behind closed doors.

Ms Jekabsons queried whether there would still be a component of waste that will end up in landfill.

The Mayor was could answer the question at this time as the matter is confidential.

Mr Peter Pearson, 14 River Street, Bassendean

Mr Pearson referred to Item 11.6 and asked if Council could consider asking Main Roads whether the proposed shared path extension needs to be built, given the concern surrounding the small flowering species and mature native trees currently in place. Mr Pearson also expressed concern regarding the safety of pedestrians with the speed of cyclists on that path.

Mr Don Yates, 10 Thompson Road, Bassendean

Mr Yates asked that Council consider improving lighting when installing new bike paths.

Mr Yates referred to Item 10.5 and asked if the Town will be allocating 10% of the block size for the tree or a bigger area. Mr Yates suggested that if the land is valued at \$2,000 per sq metre, the Town may have a million dollar liability.

The Manager Development Services advised that although the matter is yet to be resolved, the landowner has been consulted about the tree preservation order and has given their support.

Ms Fran Phelan, 15 River Street, Bassendean

Ms Phelan referred to Item 10.3 and expressed concern at the financial cost involved in changing the Local Town Planning Scheme.

The Manager Development Services advised that the amount included in the report referred to requesting consultants to prepare the Scheme.

Mr Don Yates, 10 Thompson Road, Bassendean

Mr Yates referred to the price increase in power and asked how Council is going to pay for the increase.

The Mayor commented that the amount is included in the annual budget.

**2.2 Address by Members of the Public**

*It should be noted that public statements are not recorded in the minutes.*

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

#### Present

#### Councillors

Cr John Gangell, Mayor  
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 Michael Costarella, Director Corporate Services  
Mr Salvatore Siciliano, A/Director Community Development  
Mr Ken Cardy, A/Director Operational Services  
Mr Anthony Dowling, Director Strategic Planning  
Mr Brian Reed, Manager Development Services  
Mrs Amy Holmes, Minute Secretary

#### Public

Approximately 20 members of the public were in attendance.

#### Press

One member of the press was in attendance.

#### Apologies

Mr Graeme Haggart, Director Community Development  
Mr Simon Stewert-Dawkins, Director Operational Services

### **4.0 DEPUTATIONS**

- 4.1 Mr Greg Peak, of Main Roads WA, addressed Council on Item 10.8.
- 4.2 Ms Leigh Beldon, of the Foreshore Environmental Action Group, addressed Council in support of Item 11.2.

## **5.0 CONFIRMATION OF MINUTES**

### **5.1 Ordinary Council Meeting held on 22 August 2017**

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

**OCM – 1/09/17** MOVED Cr Pule, Seconded Cr Lewis, that the minutes of the Ordinary Council Meeting held on 22 August 2017, be received.  
**CARRIED UNANIMOUSLY 6/0**

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

**OCM – 2/09/17** MOVED Cr Pule, Seconded Cr Bridges, that the minutes of the Ordinary Council Meeting held on 22 August 2017, be confirmed as a true record.  
**CARRIED UNANIMOUSLY 6/0**

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

The Mayor allowed Cr Gerry Pule to make a short statement.

Cr Pule informed the community of his intention to retire from Council after ten years of service and gave a speech.

## **7.0 PETITIONS**

Nil

## **8.0 DECLARATIONS OF INTEREST**

Nil

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

Nil

## **10.0                      REPORTS**

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

It was agreed that items 10.3, 10.7, 10.8, 10.19 and 10.20 be removed from the en-bloc table and considered separately.

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

**OCM – 3/09/17**      MOVED Cr Pule, Seconded Cr Brown, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Meeting Agenda of 26 September 2017:

<b>Item</b>	<b>Report</b>
10.2	Proposal to Rename Clarke Way Reserve to Abell Reserve
10.4	Request to Name Right of Way No. 14 bounded by Guildford Road, Geraldine Street, Shackleton Street and Cyril Street, Bassendean
10.5	Tree Preservation Order for Moreton Bay Fig Tree - 8 Thompson Road, Bassendean
10.6	Proposed Tree Preservation Order for Trees at Lot 2 (No. 40) North Road, Bassendean
10.11	Reconciliation Action Plan 2018 – 2020
10.13	Bassendean Local Studies Collection Management Committee Meeting held on 3 August 2017
10.14	Bassendean Local Emergency Management Committee Meeting held on 6 September 2017
10.15	Access and Inclusion Committee Meeting held on 13 September 2017
10.16	Determinations Made by the Principal Building Surveyor
10.17	Determinations Made by Development Services
10.18	Use of the Common Seal
10.21	Accounts for Payment – August 2017

**CARRIED UNANIMOUSLY 6/0**

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

<b>Item</b>	<b>Report</b>
10.3	Proposed Scheme Amendment No 10 to the Local Planning Scheme No. 10 - Deemed Provisions - Planning and Development (Local Planning Schemes) Regulations 2015
10.7	Application for Proposed Seven Multiple Dwellings on Lot 238; (No. 25) Cumberland Way, Bassendean
10.8	Proposed Guildford Road Barrier Installation
10.9	Review of Leadership and Governance Policies
10.10	Proposed Rescheduling of October 2017 Ordinary Council Meeting
10.12	Bassendean Oval Football Facilities Project Control Group Meetings held on 17 August & 7 September 2017
10.19	Calendar for October 2017
10.20	Implementation of Council Resolutions
10.22	Financial Statements – July 2017
11.1	Notice of Motion – Cr Pule: Acknowledgement of Peter and Hazel Munro
11.2	Notice of Motion – Cr Pule: Connecting Communities – Connecting Bridge Proposal
11.3	Notice of Motion – Cr Pule: No Standing Signs on crest of Hardy Road, Ashfield
11.4	Notice of Motion – Cr McLennan: Climathon

11.5	Notice of Motion – Cr McLennan: Future Waste & Recycling Options
11.6	Notice of Motion – Cr McLennan: Principal Shared Path – Success Hill)
11.7	Notice of Motion – Cr Bridges: Rainbow Flag
13.1	Eastern Metropolitan Regional Council Resource Recovery Facility – Participant Agreement for Waste Supply & Financiers Side Deed

**10.2 Proposal to Rename Clarke Way Reserve to Abell Reserve (Ref: LUAP/SUBDIV/1 - Brian Reed, Manager Development Services)**

APPLICATION

The purpose of this report was to consider whether to proceed with the naming of the above reserve as 'Abell Reserve' having regards to the comments received during the consultation phase.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.2

**OCM – 4/09/17** MOVED Cr Pule, Seconded Cr Brown, that

- 1 Council requests the Geographic Names Team of Landgate to name Reserve 29948 Reid Street, Bassendean, to the extent shown on the plan attached to this agenda "Abell Reserve"; and
- 2 Members of the Abell family be invited to a future event when the name sign of the reserve will be unveiled.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-3/09/17 6/0

**10.3 Proposed Scheme Amendment No 10 to the Local Planning Scheme No. 10 - Deemed Provisions - Planning and Development (Local Planning Schemes) Regulations 2015 (Ref: DABC/DBVAPPS/LPS 10.10 Brian Reed, Manager Development Services)**

APPLICATION

The purpose of this report was to consider an amendment to the Local Planning Scheme No 10 to:

- Delete Scheme provisions that have been superseded by the deemed provisions in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015;

- To introduce 'Supplemental Provisions' into the Scheme to introduce Scheme provisions that have been removed as a result of the deemed provisions; and
- To fix two anomalies in the Scheme Text.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —  
ITEM 10.3

**OCM – 5/09/17** MOVED Cr Pule, 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:
  - (i) The layout of the scheme page is amended by the deletion of:
    - (a) Part 2 - Local Planning Policy Framework
    - (b) Part 7 – Heritage Protection
    - (c) Part 8 – Development of Land
    - (d) Part 9- Applications for Planning Approval
    - (e) Part 10 - Procedure for Dealing with Applications
    - (f) Part 11-Enforcement and Administration
  - (ii) The table of contents of the scheme is amended by:
    - (a) the deletion of the heading “Part 2 Local Planning Policy Framework” and subclauses “2.1, 2.2, 2.3, 2.4 and 2.5”;
    - (b) the deletion of “Residential Design Codes” and its replacement with “R- Codes” at 5.2.and 5.3;
    - (c) the deletion of the following clauses and subclauses under Part 6 - Special Control Areas “6.2.5, 6.2.6, 6.2.7, 6.2.8, 6.2.9, 6.2.10, 6.2.11, 6.2.12, 6.2.13, 6.2.14, 6.2.15, 6.2.16, and 6.2.17”;
    - (d) the deletion of “Part 7 – Heritage Protection and subclauses 7.1, 7.2, 7.3, 7.4, and 7.5”;
    - (e) the deletion of “Part 8 – Development of Land and subclauses 8.1, 8.2, 8.3, and 8.4”;
    - (f) the deletion of “Part 9- Applications for Planning Approval and subclauses 9.1, 9.2, 9.3, and 9.4”;
    - (g) the deletion of “Part 10 - Procedure for Dealing with Applications and subclauses 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, and 10,10”;
    - (h) the deletion of “Part 11-Enforcement and Administration and subclauses 11.1, 11.2, 11.3, 11,4, 11.5, 11.6, and 11.7”;
    - (i) the deletion of:

- (a) "Schedule 6- Form of application for planning approval";
  - (b) "Schedule 7- Additional information for advertisements";
  - (c) "Schedule 8 – Notice of public advertisement of planning proposal";
  - (d) "Schedule 9- Notice of determination of application for planning approval";
- (iii) by the addition of the following subclause to "1.4 Contents of Scheme" to read:
- “(c) the deemed provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2) including the supplemental deemed provisions outlined in Schedule A of the scheme text.
- (iv) by the deletion of the words "Residential Design Codes" and its replacement with the words "R-Codes" at:
- (a) subclause 1.7.1.(b) (ii)
  - (b) clause 1.7.2
  - (c) subclause 1.7.2(a)
  - (d) clause 5.2
  - (e) subclause 5.2.1
  - (f) subclause 5.2.2
  - (g) subclause 5.2.3
  - (h) clause 5.3
  - (i) subclause 5.4.1
  - (j) subclause 5.5.1
  - (k) Table 2 minimum car parking spaces
- (vi) by the deletion of the words " planning approval" and its replacement with the words "development approval" at:
- (a) the preamble to the scheme
  - (b) subclause 3.4.1(b)
  - (c) clause 3.4.2
  - (d) clause 3.4.3
  - (e) clause 4.3.2
  - (f) subclause 4.3.3(a)
  - (g) note 1 to clause 4.3.3
  - (h) subclause 4.4.2(b)
  - (i) clause 4.9.1
  - (j) clause 4.9.2

- (k) clause 4.9.3
- (l) clause 4.12
- (m) clause 5.4.2
- (n) clause 5.5.1
- (o) clause 5.5.2
- (p) clause 5.7.2.1
- (q) clause 5.7.2.2
- (r) subclause 5.7.11 1
- (s) clause 5.8.2
- (t) clause 5.8.4
- (u) clause 5.9.2
- (v) clause 5.9.4
- (w) clause 5.10.2
- (x) clause 5.11.2

(vii) by the deletion of the words “Clause 9.4” and its replacement with the words “clause 64 of the deemed provisions” at:

- (a) clause 4.3.2
- (b) subclause 4.4.2(b)
- (c) clause 4.9.2
- (d) clause 5.4.2
- (e) subclause 5.5.2(a)

(viii) by the deletion of the words “Clause 10.2” and its replacement with the words “clause 67 of the deemed provisions” at:

- (a) subclause 3.4.2(a);
- (b) note 3 to clause 4.3.2;
- (c) subclause 5.5.3(a);

(vix) by the deletion of the following parts of the Scheme:

- (a) Part 2 – Local Planning Policy Framework
- (b) the deletion of the following clauses in relation to development areas:
  - (i) 6.2.5 Preparation of proposed structure plans;
  - (ii) 6.2.6 Details of proposed structure plan;
  - (iii) 6.2.7 Submission to Local Government and Commission;
  - (iv) 6.2.8 Advertising of structure plan;
  - (v) 6.2.9 Adoption of proposed structure plan;
  - (vi) 6.2.10 Endorsement by Commission;
  - (vii) 6.2.11 Notification of structure plan;
  - (viii) 6.2.12 Operation of structure plan;
  - (vix) 6.2.13 Inspection of Structure Plan;

- (x) 6.2.14 Variation to structure plan;
- (xi) 6.2.15 Detailed Area Plan;
- (xii) 6.2.16 Right of Review;
- (xiii) 6.2.17 Revocation of Agreed Structure Plan or Detailed Area Plan ;
- (c) Part 7 – Heritage Protection
- (d) Part 8 – Development of Land
- (e) Part 9 – Applications for Planning Approval
- (f) Part 10 – Procedure for Dealing with Applications
- (g) Part 11- Enforcement and Administration.

- (x) by amending table 1 – Zoning Table by inserting the symbol “P” for the land use “Industry General” under the “General Industry” zone.
- (xi) by the deletion of the words “R Inner City” and replacing it with “R- AC3.” under clause 5.10.3
- (xii) the deletion of the following definitions from Schedule 1 – Dictionary of defined words and expressions “advertisement” “amenity” “cultural heritage significance” “local government” “Local Planning Strategy” “owner” “place” “ Planning and Development Act” “premises” “Residential Design Codes” “substantially commenced” and “zone”
- (xiii) including supplemental provisions to the deemed provisions to read:

“Schedule A- Supplemental provisions to the deemed provisions -

These provisions are to be read in conjunction with the deemed provisions (Schedule 2) contained in the Planning and Development (Local Planning Schemes) Regulations 2015.

Clause 61(1)(b)	The carrying out of internal building work which does not materially affect the external appearance of the building unless the development is located in a place that is located within the Swan River Flood Plain and such development does not comply with any relevant Local Planning Scheme Policy
Clause 61(1)(c)	The erection or extension of a single house on a lot if the R-Codes apply to the development and the development satisfies the deemed-to-comply requirements of the R-Codes unless the development is located in a place that is located within the Swan River Flood Plain and such development does not comply with any relevant Local Planning Scheme Policy
Clause 61(1)(d)	The erection or extension of an ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house or a grouped dwelling if the R-Codes apply to the development and the development satisfies the deemed-to-comply requirements of the R-Codes unless the development

	is located in a place that is located within the Swan River Flood Plain and such development does not comply with any relevant Local Planning Scheme Policy
Clause 61(1)(k)	Any of the exempted classes of advertisements listed in Schedule 5 except in respect of a place included in the Heritage List or in a Heritage area”

2. Council considers the Local Planning Scheme No. 10, Amendment No. 10 to be a basic amendment, as defined by Clause 34 of the Planning and Development (Local Planning Schemes) Regulations 2015, as the amendment is designed to delete provisions that have been superseded by the deemed provisions in Schedule 2.

CARRIED UNANIMOUSLY 6/0

**10.4 Request to Name Right of Way No. 14 bounded by Guildford Road, Geraldine Street, Shackleton Street and Cyril Street, Bassendean - Applicant: Jamie Strain and Toni Jackson - 131 Guildford Road, Bassendean (Ref: ROAD/STMNGT/4 - Brian Reed, Manager Development Services)**

APPLICATION

The purpose of this report was to consider whether to proceed with the naming of the above right of way as ‘McKinlay Lane’ having regard to the comments received during the consultation phase.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.4

**OCM – 6/09/17** MOVED Cr Pule, Seconded Cr Brown, that:

- 1 Council requests the Geographic Names Team of Landgate to name the right of way bounded by Guildford Road, Geraldine Street, Shackleton Street and Cyril Street, Bassendean “McKinlay Lane”, to the extent shown on the plan attached to the September 2017 Ordinary Council Agenda; and

- 2 This issue of naming streets using Noongar words be referred to the Bassendean Cultural Advancement Group.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-3/09/17 6/0

**10.5 Tree Preservation Order for Moreton Bay Fig Tree - 8 Thompson Road, Bassendean (Ref: DABC/BDVAPPS/A4929 - Timothy Roberts, Planning Officer)**

APPLICATION

The purpose of this report was for Council to consider making a Tree Preservation Order for the Moreton Bay Fig Tree located on private property at 8 Thompson Road, Bassendean.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.5

**OCM – 7/09/17** MOVED Cr Pule, Seconded Cr Brown, that Council:

1. Makes a Tree Preservation Order for the Moreton Bay Fig Tree located at Lot 15 (No. 8) Thompson Road, Bassendean;
2. Notes that the Town will update its Registry of Tree Preservation Orders to include the Moreton Bay Fig Tree located at Lot 15 (No. 8) Thompson Road, Bassendean; and
3. Notes that the Town will write to the owner of Lot 15 (No. 8) Thompson Road, Bassendean notifying them of Council's decision.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-3/09/17 6/0

**10.6 Proposed Tree Preservation Order for Trees at Lot 2 (No. 40) North Road, Bassendean (Ref: DABC/BDVAPPS/A3826 - Timothy Roberts, Planning Officer)**

APPLICATION

The purpose of this report was for Council to consider a request from the property owner to place a Tree Preservation Order on a selection of trees at her property at Lot 2 (No. 40) North Road, Bassendean.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —  
ITEM 10.6

**OCM – 8/09/17** MOVED Cr Pule, Seconded Cr Brown, that Council:

1. Approves the application for a Tree Preservation Order at Lot 2 (No. 40) North Road, Bassendean;
2. Seeks the consent of the owner of Lot 2 (No. 40) North Road, Bassendean for a suitably qualified independent arborculturalist to carry out an assessment on trees at this property with the outcomes referred back to Council for consideration; and
3. Notes that on receipt of the arborculturalist assessment, the Town will write to the owner notifying them that Council is considering making a Tree Preservation Order inviting the owner to make a written submission.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/09/17 6/0

**10.7** **Application for Proposed Seven Multiple Dwellings on Lot 238; (No. 25) Cumberland Way, Bassendean, Owner: Big Fat Emerald Pty Ltd, Applicant: Mikasa Design (Ref: DABC/BDVAPPS/2016-089 – Dylan Stokes, Planning Officer)**

APPLICATION

The purpose of this report was for Council to consider an application for seven multiple dwellings at No. 25 Cumberland Way, Bassendean.

OFFICER RECOMMENDATION – ITEM 10.7

That:

1. Council grants development approval for the proposed Seven Multiple Dwellings at Lot 238 (25) Cumberland Way, Bassendean, subject to the following conditions:
  - a. Revised drawings shall be submitted in conjunction with or in advance of an application for a building permit and such drawings shall demonstrate details of the solar pergolas including fixed louvers angled at 34 degrees towards the north;

- b. 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:
  - (i) Details of the location and type of proposed trees, shrubs, ground cover and lawn areas to be planted;
  - (ii) Low water use plants;
  - (iii) Landscaping of the verge area adjacent to the development site, including the provision of substantial street trees (2 x Eucalyptus Todtiana) in accordance with the Town's adopted Street Tree Master Plan; and
  - (iv) Details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months;
- c. The site shall be landscaped in accordance with the approved landscaping plan and shall be maintained thereafter;
- d. Pedestrian paths to be constructed which provide wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas;
- e. Provision of lighting to pathways and car parking areas;
- f. The existing crossovers on the Cumberland Way frontage of the development site being removed and the verge and kerbing being reinstated to the satisfaction of the Town;
- g. Separate approval being obtained from the Town's Asset Services for the proposed crossover on the Cumberland Way frontage of the development site and this crossover being constructed in accordance with that approval;
- h. The sealing and kerbing of all car parking areas and access ways to the Town's specifications;
- i. The car parking spaces and access ways being constructed and maintained thereafter to the Town's satisfaction;
- j. Visitor parking spaces being clearly marked for "Visitors Only" and used as such;

- k. Vehicles entering and exiting the subject site in a forward direction;
- l. Each dwelling being provided with one car parking space and one store room. Such arrangement shall be reflected on any subsequent strata plan for the property;
- m. 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);
- n. All stormwater being contained and disposed of on site. Details of the method of storm water containment and disposal shall be included with the drawings submitted for a Building Permit;
- o. Prior to the issue of a building permit a development bond for the sum of \$3,500 being lodged with Council to ensure the satisfactory completion of all works associated with landscaping, car parking, access ways and fencing;
- p. 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 the art are 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;
- q. The street number being prominently displayed at the front of the development;
- r. 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;

- s. A separate application and approval being obtained for any proposed fencing within the street setback area;
- t. Visual privacy screening being a minimum of 1.6 metres above floor level and incorporating a maximum 50mm gap between slats and no more than 25% of the surface area of the screened area being open. Opaque glass shall permanently be installed and shall not result in any form of overlooking to the adjoining landowners;
- u. The provision of letterboxes and bin storage in materials to complement the development to the satisfaction of the Town;
- v. 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 4 & 5) or ground floor outdoor living areas (units 1 & 2) is permitted;
- w. 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;
- x. A Waste Management Plan (WMP) is to be submitted for the Towns 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:
  - (i) 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;
  - (ii) 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;

- (iii) 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;
  - (iv) Details of intended method of collection (private contractor or Council contractor);
  - (v) 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;
  - (vi) Details of where the bins would be located when waiting collection;
  - (vii) Details of advice to be provided to owners and occupiers regarding the WMP; and
  - (viii) 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;
- y. The bin storage area is:
- (i) To be provided with a self closing gate;
  - (ii) To be provided with 75mm min 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
  - (iii) To be provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning;
- z. The proposed boundary wall shall be finished to the satisfaction of the Town;
- aa. All building works to be carried out under this planning approval are required to be contained within the boundaries of the subject lot;
- bb. The building hereby approved shall not be occupied until all of the conditions of development approval have been complied with to the satisfaction of the Manager Development Services, unless the applicant has entered into an agreement with Council to comply with those conditions within a specified period; and

- cc. The issue of a building permit prior to the commencement of any on-site works.
2. Staff be authorised to refuse any future development applications for Multiple Dwellings which are situated beyond an 800 metre walkable distance from the Bassendean Train Station (as identified on the maps associated with Amendment 8 to Local Planning Scheme No. 10) if such applications rely on plot ratio for dwelling density rather than demonstrating compliance with the respective land area per dwelling requirements under the applicable residential density code for the development site.

COUNCIL RESOLUTION – ITEM 10.7

**OCM – 9/09/17** MOVED Cr Bridges, Seconded Cr McLennan, that the application be deferred pending the outcomes of the meeting with the Minister for Planning to discuss Amendment No. 8 to the Local Planning Scheme No. 10.

CARRIED UNANIMOUSLY 6/0

**10.8 Proposed Guildford Road Barrier Installation (Ref: ROAD/MAINT/3 – Simon Stewert-Dawkins- Director Operational Services & Ken Cardy, A/Director Operational Services)**

APPLICATION

The purpose of the report was to advise Council that Main Roads Western Australia has submitted a report recommending the removal of four street trees adjacent to Guildford Road and the Ashfield Train Station, in order to facilitate the installation of a road barrier to protect the pedestrian footbridge piers from potential traffic impact.

*Cr Pule moved the officer recommendation with the addition of a Point 5 which reads:*

5. *That Council accepts the offer from Main Roads WA for additional trees to be planted at a suitable location, in consultation with the Town.*

*Cr Bridges foreshadowed a motion:*

*Point 1 – Replace ‘Receives’ with ‘Notes’.*

*Point 2 – To read ‘Requests that Main Roads WA provides an alternative solution that retains the four Ficus trees and provides*

*adequate protection for the pier supports for the pedestrian footbridge.'*

*Point 3 – To read 'Requests that Main Roads WA acknowledges the value of the Ficus trees on Guildford Road to residents and road users and the role they play in protecting rail assets, cyclists and the pier supports.'*

*Point 4 – Remain as is.*

*The officer recommendation was put with the addition of a Point 5.*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —  
ITEM 10.8

**OCM – 10/09/17** MOVED Cr Pule, Seconded Cr Gangell, that Council:

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

4. Requests, that should the Guildford Road street light poles be removed or additional light poles installed, that Energy Efficient luminaires be used and that the poles be “Ebony” Colorbond Night Sky™ or similar colour to match the existing poles; and
5. **Accepts the offer from Main Roads WA for additional trees to be planted at a suitable location, in consultation with the Town.**

CARRIED 4/3

*Crs Pule, Gangell & Lewis voted in favour of the motion. Crs Bridges, Brown & McLennan voted against the motion. Cr Gangell exercised his second vote, resulting in the motion being carried.*

**10.9 Review of Leadership and Governance Policies (Ref: GOVR/POLCY/1 - Bob Jarvis, Chief Executive Officer and the Corporate Management Team)**

APPLICATION

Council was requested to adopt the revised Leadership and Governance Policies.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.9

**OCM – 11/09/17** MOVED Cr Gangell, Seconded Cr Bridges, that Council adopts the Leadership and Governance Policies as attached to the Ordinary Council Agenda of 26 September 2017 and amended and endorsed by Council at the June 2017 Ordinary Council Meeting, **excluding Policies 6.6, 6.7, 6.8 and 6.9, which will be referred to a workshop for further discussion.**

CARRIED UNANIMOUSLY 6/0

**10.10 Proposed Rescheduling of October 2017 Ordinary Council Meeting (Ref: GOVN/CCLMEET1 - Bob Jarvis, CEO)**

APPLICATION

As the Local Government Elections are to be held on 21 October 2017, Councillors may wish to consider rescheduling the Ordinary Council Meeting scheduled for 24 October 2017 and to give consideration to the type of, and appointments to, Committees of Council that will continue beyond the Local Government Election on 21 October 2017. All committees of Council expire on Election Day.

*Cr Bridges moved the officer recommendation with the addition of a Point 6.*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.10

**OCM – 12/09/17** MOVED Cr Bridges, Seconded Cr Gangell, that:

1. Council reschedules its October Ordinary Council Meeting from Tuesday 24 October 2017 to Tuesday 17 October 2017 and that the Calendar for October 2017 be amended accordingly;
2. Council adopts the Instrument of Appointment and Delegation for the following Statutory Committees:
  - Audit and Risk Management Committee;
  - Bassendean Local Emergency Management Committee; and
  - Access and Inclusion Advisory Committee;
3. Council approves the advertising for any community representation, and the call for representatives from external agencies to make up the membership of the Audit and Risk Management Committee, Access and Inclusion Advisory Committee and Local Emergency Management Committee, so that those representatives can be appointed in advance of the appointment of Councillors to those Committees after the local government election on 21 October 2017, and the continuation of those Committees can be confirmed;
4. All other existing Committees of Council be discontinued as at election day on 21 October 2017, and current members be thanked in writing for their contribution to their community and the Town; and

5. Consideration of new Committees of Council be held over until the November Ordinary Council Meeting when the new Council is formed.

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

CARRIED BY AN ABSOLUTE MAJORITY 6/0

**10.11 Reconciliation Action Plan 2018 – 2020 (Ref: GOVN/CCLMEET/26 – Graeme Haggart, Director Community Development)**

APPLICATION

For Council to endorse the Reconciliation Action Plan 2018 - 2020 (RAP) that will then be referred to Reconciliation Australia (RA) for approval.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.11

**OCM – 13/09/17** MOVED Cr Pule, Seconded Cr Brown, that Council:

1. Endorses the Reconciliation Action Plan 2018 – 2020; and
2. Forwards the Reconciliation Action Plan 2018 – 2020 to be registered by Reconciliation Australia.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-3/09/17 6/0

**10.12 Bassendean Oval Football Facilities Project Control Group Meetings held on 17 August & 7 September 2017 (Ref: COMDEV/PLANNG/4 – Graeme Haggart, Director Community Development)**

APPLICATION

The purpose of this report was for Council to receive the minutes of the meeting of the Bassendean Oval Football Facilities Project Control Group meetings held on 17 August and 7 September 2017.

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

**OCM – 14/09/17** MOVED Cr Pule, Seconded Cr Lewis, that:

1. Council receives the report on the minutes of the Bassendean Oval Football Facilities Project Control Group meetings held on 17 August 2017 and 7 September 2017;
2. Council amends the 2017/18 Budget to include the receipt of \$55,000 for the Bassendean Oval Football Facilities Business Case Consultancy; and
3. Expenditure be authorised in accordance with Section 6.8 of the Local Government Act.

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

**10.13 Bassendean Local Studies Collection Management Committee Meeting held on 3 August 2017 (Renata Pietracatella, Manager Library and Information Services)**

**APPLICATION**

The purpose of this report was for Council to receive the report on a meeting of the Bassendean Local Studies Collection Management Committee held on 3 August 2017.

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

**OCM – 15/09/17** MOVED Cr Pule, Seconded Cr Brown, that Council notes that the Bassendean Local Studies Collection Management Committee meeting, held on 3 August 2017, did not achieve a quorum.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/09/17 6/0**

**10.14 Bassendean Local Emergency Management Committee Meeting held on 6 September 2017 (Ref: GOVN/CCLMEET/18 – Graeme Haggart, Director Community Development)**

**APPLICATION**

The purpose of the report was for Council to receive the report on a meeting of the Bassendean Local Emergency Management Committee held on 6 September 2017.

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

**OCM – 16/09/17** MOVED Cr Pule, Seconded Cr Brown, that:

1. The Town investigates establishing an agreement with hire companies for the supply of temporary power plants to meet the Town's needs during periods of extended power outages;
2. The Town explore alternative options of providing energy/power, such as solar and battery, for facilities during periods of extended power outages; and
3. Council receives the report on the meeting of the Bassendean Local Emergency Management Committee held on 6 September 2017.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/09/17 6/0**

**10.15 Access and Inclusion Committee Meeting held on 13 September 2017 (Ref: GOVN/CCLMEET/16 – Graeme Haggart, Director Community Development)**

**APPLICATION**

The purpose of the report was for Council to receive the report on a meeting of the Access and Inclusion Advisory Committee held on 13 September 2017.

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

**OCM – 17/09/17** MOVED Cr Pule, Seconded Cr Brown, that the report on a meeting of the Access and Inclusion Advisory Committee held on 13 September 2017, be received.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/09/17 6/0**

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.16

**OCM – 18/09/17** MOVED Cr Pule, Seconded Cr Brown, that Council notes the decisions made under delegated authority by the Principal Building Surveyor.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/09/17 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.17

**OCM – 19/09/17** MOVED Cr Pule, Seconded Cr Brown, that Council notes the decisions made under delegated authority by the Manager Development Services.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/09/17 6/0

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

The Common Seal was not attached to any documents during the reporting period.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.18

**OCM – 20/09/17** MOVED Cr Pule, Seconded Cr Brown, that Council notes that the Common Seal was not attached to any documents during the reporting period.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/09/17 6/0

**10.19 Calendar for October 2017 (Ref: Sue Perkins, Executive  
Assistant)**

*Cr Pule moved the officer recommendation with minor amendments as shown in bold:*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION -  
ITEM 10.19

**OCM – 21/09/17** MOVED Cr Pule, Seconded Cr Bridges, that the Calendar for October 2017 be adopted, **with the following amendments:**

Thu **5 Oct** 9.30am Local Studies Collection  
Committee Meeting.

Tue 10 Oct 7.00pm Liveable Town Advisory  
Committee Meeting – (Cr  
Gangell, Bridges & **McLennan**)

Tue **17 Oct** 7.00pm Ordinary Council Meeting  
CARRIED UNANIMOUSLY 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.20

**OCM – 22/09/17** MOVED Cr Bridges, Seconded Cr Brown, that the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 26 September 2017 be deleted from the Implementation of Council Resolutions list, **excluding resolution ROC16/51876.**

CARRIED UNANIMOUSLY 6/0

**10.21 Accounts for Payment – August 2017 (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 10.21

**OCM – 23/09/17** MOVED Cr Pule, Seconded Cr Brown, that Council receives the List of Accounts paid for August 2017, as attached to the Ordinary Council Agenda of 26 September 2017.  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/09/17 6/0

**10.22 Financial Statements – July 2017 (Ref: FINM/AUD/1 – Ken Lapham, Manager Corporate Services)**

APPLICATION

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.22

**OCM – 24/09/17** MOVED Cr Lewis, Seconded Cr Pule, that:

1. The Financial Reports for the period ended 31 July 2017, as attached to the Ordinary Council Agenda of 26 September 2017, be received; and
2. Council approves the budget amendments listed for adoption in the Financial Statements for July 2017, as attached to the Ordinary Council Agenda of 26<sup>th</sup> September for 2017.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

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

**11.1 Notice of Motion – Cr Pule: Acknowledgement of Peter and Hazel Munro**

COUNCIL RESOLUTION – ITEM 11.1

**OCM – 25/09/17** MOVED Cr Pule, Seconded Cr Bridges, that the Town of Bassendean acknowledges Peter and Hazel Munro formerly of 27 Ashfield Parade Ashfield, by erecting a plaque on the river park side of Ashfield Parade with the appropriate commendation and service.

CARRIED UNANIMOUSLY 6/0

**11.2 Notice of Motion – Cr Pule: Connecting Communities – Connecting Bridge Proposal**

*Cr Pule moved his motion with some minor amendments as shown in bold:*

COUNCIL RESOLUTION – ITEM 11.1

**OCM – 26/09/17** MOVED Cr Pule, Seconded Cr Brown, that Council:

1. Receives the proposal titled "Connecting Communities - Connecting Bridge Proposal" dated August 2017, prepared by the Foreshore Environmental Action Group Inc (FEAG), which proposes a dual access bridge linking Ashfield **Parade**, Bassendean to Garvey Park Belmont;
2. Forwards the "Connecting Communities - Connecting Bridge Proposal" dated August 2017, prepared by the Foreshore Environmental Action Group Inc. (FEAG), to the Eastern Metropolitan Region Council, **the City of Belmont and the Bassendean River Parks Management Committee** for consideration;
3. **Staff** prepare a report for Council to consider the feasibility and partnership potentials of the project; and
4. Considers listing funds in the Town of Bassendean **2018-2019** Budget for a feasibility study to be carried out for the project.

CARRIED UNANIMOUSLY 6/0

**11.3 Notice of Motion – Cr Pule: No Standing Signs on crest of Hardy Road, Ashfield**

*Cr Pule moved his motion with some minor amendments as shown in bold:*

**COUNCIL RESOLUTION – ITEM 11.3**

**OCM – 27/09/17** MOVED Cr Pule, Seconded Cr Bridges, that the Town of Bassendean erects No Standing signs on **both sides of** Hardy Road, opposite 1 to 9 Hardy Road, Ashfield **and pending approval from Main Roads WA, extends the solid white lines between the islands.**

**CARRIED UNANIMOUSLY 6/0**

**11.4 Notice of Motion – Cr McLennan: Climathon**

**COUNCIL RESOLUTION – ITEM 11.4**

**OCM – 28/09/17** MOVED Cr McLennan, Seconded Cr Pule, that Council:

1. Accepts the offer from the Curtin University Sustainability Policy (CUSP) Institute to host the 2017 Perth Climathon in Bassendean;
2. Broadly defines the local Climathon challenge as: “How to facilitate increasing local renewable energy production in Bassendean”;
3. Requests officers liaise with Mr Greg Morrison from CUSP regarding the event & secure a suitable venue within the Town for it to be held;
4. Agrees to waive any associated venue hire fees for the event; and
5. Expresses its thanks to CUSP for the opportunity to be involved in Climathon and its hope that this event may be the start of an ongoing relationship between CUSP and the Town of Bassendean and that there will be further opportunities for partnership in the future.

**CARRIED UNANIMOUSLY 6/0**

**11.5 Notice of Motion – Cr McLennan: Future Waste & Recycling Options**

COUNCIL RESOLUTION – ITEM 11.5

**OCM – 29/09/17** MOVED Cr McLennan, Seconded Cr Brown, that this matter be deferred to allow staff to seek confirmation on the timeframe.  
CARRIED UNANIMOUSLY 6/0

**11.6 Notice of Motion – Cr McLennan: Principal Shared Path – Success Hill**

COUNCIL RESOLUTION – ITEM 11.6

**OCM – 30/09/17** MOVED Cr McLennan, Seconded Cr Brown, that this matter be deferred to the October Ordinary Council Meeting, following a site visit.  
CARRIED UNANIMOUSLY 6/0

**11.7 Notice of Motion – Cr Bridges: Rainbow Flag**

MOVED Cr Bridges, that the Town of Bassendean fly the rainbow flag in support of the yes vote for the same sex marriage postal survey in place of the municipal flag until the new Council is appointed in October 2017.

LAPSED FOR WANT OF A SECONDER

*The motion lapsed for want of a seconder.*

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

Nil

**13.0 CONFIDENTIAL BUSINESS**

COUNCIL RESOLUTION – ITEM 13.0(a)

**OCM – 30/09/17** MOVED Cr Gangell, Seconded Cr Lewis, that the meeting go behind closed doors in accordance with Section 5.23 of the Local Government Act 1995, the time being 8.45pm.  
CARRIED UNANIMOUSLY 6/0

*All members of the public vacated the Chamber, the time being 8.45pm.*

**13.1 Eastern Metropolitan Regional Council Resource Recovery Facility – Participant Agreement for Waste Supply & Financiers Side Deed (Ref: LEGL/AGMT/44; Simon Stewart-Dawkins, Director Operational Services)**

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

COUNCIL RESOLUTION – ITEM 13.1(a)

**OCM – 31/09/17** MOVED Cr Gangell, Seconded Cr Bridges, that Council suspend Standing Orders.

CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION – ITEM 13.1(b)

**OCM – 32/09/17** MOVED Cr Pule, Seconded Cr Lewis, that Council resume Standing Orders.

CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION – ITEM 13.1 (c)

**OCM – 33/09/17** MOVED Cr Lewis, Seconded Cr Pule, that the officer recommendation be put.

LOST 4/2

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

COUNCIL RESOLUTION – ITEM 13.1(d)

**OCM – 34/09/17** MOVED Cr Brown, Seconded Cr Pule that this item be deferred to allow Council to meet with representatives of the Eastern Metropolitan Regional Council regarding the proposed resource recovery facility.

CARRIED 5/1

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

COUNCIL RESOLUTION – ITEM 13.0(b)

**OCM – 35/09/17** MOVED Cr McLennan, Seconded Cr Brown, that the meeting proceed with open doors, the time being 9.42pm.

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 17 October 2017.

There being no further business, the Presiding Member declared the meeting closed, the time being 9.42pm.