

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

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

ON WEDNESDAY 26 APRIL 2017 AT 7.00PM

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 being held.

2.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

2.1 Public Question Time

Ms Kathryn Hamilton, 53 Broadway Street, Bassendean

Ms Hamilton asked why she is still waiting on information in relation to Ashfield Reserve, as requested at the March Ordinary Council Meeting.

The CEO advised that he is waiting on information from the relevant Officers.

Ms Hamilton asked if the Council is in breach of the Local Government Act by not responding within the appropriate timeframe.

The CEO stated that he has responded to Ms Hamilton, and has advised Ms Hamilton that she will be provided with the information once it is available.

Ms Hamilton asked why the concrete batching plant development application went straight to the State Administrative Tribunal (SAT) without going to Council.

The Manager Development Services advised that the applicant appealed to the SAT because the application was not determined within the required timeframe.

Ms Hamilton asked why the application was not determined within the required timeframe.

The Manager Development Services responded that Town officers requested further information of the applicant and receipt of that information exceeded the timeframe, the applicant then made an appeal to the SAT.

Ms Hamilton asked if the public submissions were made available to the Councillors or were they just provided with a summary.

The Manager Development Services responded that the Councillors were provided with a full copy of the submissions plus a summary of the submissions.

Ms Hamilton asked if an appeal can be made to the Premier or other government department if the applicant has not represented truthfully what the productions levels will be.

The Manager Development Services responded that production is capped to an annual amount and the applicant needs to provide the Town with a quarterly report on the volumes produced.

Ms Hamilton commented on the need to consider setting up air monitoring.

The Manager Development Services advised that within three days of the last Council Meeting he was in contact with an external environmental consultant. There have been follow-up emails but no response as yet.

Ms Nonie Jekabsons, 6 Barton Parade, Bassendean

Ms Jekabsons asked if approval is required to demolish outbuildings and clear a block and the Manager Development Services responded that a demolition permit is required.

Ms Jekabsons asked if you need permission to install an item in a verge tree, such as a surveillance camera and the Director Operational Services responded that permission is required.

Ms Fran Phelan, 15 River Street, Bassendean

Ms Phelan asked what is happening about the bore at Success Hill.

The Director Operational Services advised that the contract has been issued and work is expected to commence very soon.

Mrs Val Dreyer, 31 Naunton Crescent, Eden Hill

Mrs Dreyer asked about the kerbing on the corner of Iolanthe and Anzac Terrace that is coming away from the footpath.

The Director Operational Services advised that Town staff will inspect it.

Mrs Dreyer asked if action is taken by the Town on untidy properties.

The CEO responded that the Town does issue clean up orders on properties.

Mrs Dreyer complimented Town staff on the Anzac Day service.

Mr Bruce Keay, 11 Earlsferry Court, Bassendean

Mr Keay commented on the strategic planning review and expressed his concern that Council conducts suitable communication consultation early on.

The Director Strategic Planning advised that the Town has been looking at a number of online platforms where we can disseminate information and receive feedback from residents, and are hoping to roll something out in the next few weeks.

Mr Keay asked if the Council has considered establishing a community action network group, like Ashfield CAN north of the line.

The CEO commented that AshfieldCAN was grown from the residents.

The Director Community Development commented that the Town would welcome the development of a CAN group in the northern part of the Town, but it needs to be driven by the community and be their own entity.

Mr Don Yates, 10 Thompson Road, Bassendean

Mr Yates asked who is responsible for incorporating mandatory state planning policies into the Town's Local Planning Scheme.

The CEO responded that the question has been answered in writing multiple times.

The Manager Development Services commented that the R Codes are incorporated into the scheme by reference. The developer contribution policy is not a mandatory policy that needs to be applied to the Planning Scheme.

2.2 Address by Members of the Public

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

Mrs Anne Brinkworth, Freeman of the Town of Bassendean

Mrs Brinkworth expressed her appreciation to Town staff on a wonderful Anzac Day service and the grounds and maintenance of the gardens was wonderful. She asked that her comments be 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 (from 7.01pm)
Cr Bob Brown
Cr Renee McLennan (from 7.01pm)

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 Anthony Dowling, Director Strategic Planning
Mr Brian Reed, Manager Development Services
Mrs Amy Holmes, Minute Secretary

Public

Approximately 16 members of the public were in attendance.

Press

One member of the press was in attendance.

4.0 DEPUTATIONS

- 4.1 Ms Val Humphries addressed the Council on Item 10.7.
- 4.2 Mr Balraj Hansra (Owner) addressed the Council on Item 10.2.
- 4.3 Mr Alessandro Stagno of Planning Solutions (Applicant) addressed the Council on Item 10.5.
- 4.4 Ms Natasha Kepit, from the Bassendean Preservation Group, addressed the Council on Item 11.2.

5.0 CONFIRMATION OF MINUTES

5.1 Ordinary Council Meeting held on 28 March 2017

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 5.1(a)

OCM – 1/04/17 MOVED Cr Pule, Seconded Cr Lewis, that the minutes of the Ordinary Council Meeting held on 28 March 2017, be received.
CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 5.1(b)

OCM – 2/04/17 MOVED Cr Lewis, Seconded Cr Pule, that the minutes of the Ordinary Council Meeting held on 28 March 2017, be confirmed as a true record.
CARRIED UNANIMOUSLY 6/0

6.0 ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

7.0 PETITIONS

Nil

8.0 DECLARATIONS OF INTEREST

Nil

9.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

Nil

9.1 Notice of Motion - Cr Bridges: 1 Surrey Street Project

COUNCIL RESOLUTION – ITEM 9.1

OCM – 3/04/17 MOVED Cr Bridges, Seconded Cr Brown, that with relation to the 1 Surrey Street project Council:

1. Rescinds motion OCM-6/11/15, which reads:

“MOVED Cr Pule, Seconded Cr Brown, that Council:

1. *Receives the SIA Architects Pty Ltd progress report regarding the design options for the restoration, reconstruction and refurbishment of 1 Surrey Street project;*
2. *Notes the feedback received from Bassendean Historical Society Inc Bassendean Arts Council Inc. the 1 Surrey Steering Group members, the State Heritage Office and Museums Australia concerning the various schematic design options;*

3. *Endorses SIA Architects Pty Ltd Option 2C draft design proposal, as included as an attachment to the Ordinary Council Agenda of 24 November 2015, to demolish the c.1952 rear extension under concrete roof and the standalone ablution/laundry building and the proposal to construct a separate building (Community Meeting Place) on the southern side of the Residence, as well as a separate toilet block on the western boundary;*
4. *Requests SIA Architects Pty Ltd re-align the proposed studio in Option 2C designs to achieve a North /South access in order to preserve the existing mature tree and increase the backyard usable space;*
5. *Requests SIA Architects Pty Ltd give due consideration in Phase 3 of the Detailed Design, Development & Documentation process to provide acoustic separation (shutters, walls & doors) in the 2C design to ensure the dual use of the kitchen area can be achieved for the Museum and / or Community/arts activities;*
6. *Requests SIA Architects Pty Ltd reinstate the gable eave overhang as per the original fabric of the Pensioner Guard Cottage, and;*
7. *Notes that the Community Development Directorate intends to provide a Governance Model report in the future for the 1 Surrey Street to guide the ongoing management of the facility.*

CARRIED 4/2;

2. Informs LotteryWest that the current grant application will be resubmitted pending completion of items 3-7 below;
3. Has plans prepared consistent with Option 1 prepared by the SIA architects and the building uses recommended in the Interpretation Plan and subject to modifications sought by the key user groups as previously documented being included;
4. Requires interpretation within the museum space to include original and reproduction artefacts and within the cottage to include interpretation of a standard commensurate with that of the Howick Historical Village in Auckland New Zealand to create an authentic experience for museum visitors;

5. Requires a management plan for the ongoing use of the site to be presented to the Audit and Risk Committee and adopted by Council;
6. Requires site use areas be defined for the museum component, dedicated work and storage space for the Bassendean Arts Council and common shared meeting and activity spaces for multiple user groups including capacity for school education programs; and
7. Requires site and building plans, costings, the management plan and the details of the proposed interpretation be made available to the public via the Town's website and presented at a public meeting for community input prior to the commencement of construction.

CARRIED 4/2

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

10.0 REPORTS

10.1 Adoption of Recommendations En Bloc

It was agreed that items 10.2 & 10.5 be removed from the en-bloc table and considered separately, and Item 10.7 be withdrawn.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.1

OCM – 4/04/17 MOVED Cr Brown, Seconded Cr McLennan, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda of 26 April 2017:

Item	Report
10.3	Proposed Amendment No. 71 to the City of Bayswater Town Planning Scheme No. 24 – Modifications to Special Control Area No. 10 – Lot 10 (Nos. 2–4) Railway Parade, Bayswater
10.9	Review of Workforce Plan and Corporate Structure
10.12	Liveable Town Advisory Committee held on 11 April 2017
10.13	Determinations Made by the Principal Building Surveyor
10.14	Determinations Made by Development Services
10.15	Quarterly Report for Quarter Ended 31 March 2017
10.16	Use of the Common Seal
10.17	Calendar for May 2017
10.18	Implementation of Council Resolutions
10.19	Accounts for Payment – March 2017

CARRIED UNANIMOUSLY 6/0

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

Item	Report
10.2	Request for Council to develop a policy on rights-of-way and to modify a condition of planning approval for 3 Grouped Dwellings Lot 746 (No 9) Broadway, Bassendean
10.4	Red Post Box Group, inclusive of VR 1876 Post Box, Bassendean located at the corner of Surrey Street and North Road, to be listed on the State Register of Heritage Places,
10.5	Joint Metropolitan Central Development Assessment Panel Application for Convenience Store – Lot 25 (No. 300) Collier Road, Bassendean
10.6	Extension of Time for Prosecution Action to Remove Unauthorised Patio at Lot 19; No. 15 Bridson Street, Bassendean
10.8	Code of Conduct Review
10.10	2017-2027 Strategic Community Plan
10.11	WALGA Annual General Meeting 2017 – Submission of Motions
10.20	Financial Statements – March 2017
13.1	Business Case Report for the Potential Purchase by the Town of 10-14 Parker Street, Bassendean
13.2	11 Hamilton Street, Bassendean
13.3	Appointment of Community Members to Vacant Positions on the Audit and Risk Management Committee and Liveable Town Advisory Committee

10.2 Request for Council to develop a policy on rights-of-way and to modify a condition of planning approval for 3 Grouped Dwellings Lot 746 (No 9) Broadway, Bassendean – Owner: Balraj Hansra (Ref: DABC/BDVAPPS/2017-056 - Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report was for Council to consider:

- A request to develop a policy dealing with the upgrading of rights-of-way; and
- The deletion of a condition of planning approval that requires the landowner to upgrade the existing right-of-way that will provide the only vehicular access to the site.

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.2**

OCM – 5/04/17 MOVED Cr Bridges, Seconded Cr Gangell, that Council:

1. Refuses the application to modify condition 12 of the planning approval for three grouped dwellings at Lot 746 (No 9) Broadway, Bassendean, issued on 25 November 2014 for the following reasons:
 - a) The means of access to the site would be contrary to Clause C5.1 of the Residential Design Codes which requires that where access is taken from a right-of-way, the right-of-way is required to be paved and drained from the property boundary to a constructed street;
 - b) The proposed means of access to and egress from the site are considered to be inadequate in accordance with clause 67(s) of the deemed provisions for local planning schemes which are incorporated into the Local Planning Scheme No. 10; and
2. Advises the applicant that Council intends to develop a comprehensive policy dealing with rights-of-way commencing the second half of the 2017 calendar year.

CARRIED 4/2

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

10.3 Proposed Amendment No. 71 to the City of Bayswater Town Planning Scheme No. 24 – Modifications to Special Control Area No. 10 – Lot 10 (Nos. 2–4) Railway Parade, Bayswater (Ref: GOVR/LREGLIA/2 - Christian Buttle, Senior Planning Officer)

APPLICATION

The purpose of this report was for Council to consider and provide comment to the City of Bayswater on proposed Amendment No. 71 to the City of Bayswater Town Planning Scheme No. 24 which seeks to make modifications to Special Control Area (SCA) No. 10 at Nos. 2-4 Railway Parade, Bayswater.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.3

- OCM – 6/04/17** MOVED Cr Brown, Seconded McLennan, that Council advises the City of Bayswater that it has no objection in general to proposed Amendment No. 71 to the City of Bayswater District Planning Scheme No. 24 (DPS24), subject to the City:
- (a) Clarifying permissibility of land uses, particularly within precincts B and C, and amending the Scheme Amendment documentation accordingly;
 - (b) Clarifying whether those land uses deemed undesirable in Precinct B by reason of noise, odour or atmospheric emissions will also be prohibited in Precinct C and amending the Scheme Amendment documentation accordingly;
 - (c) Incorporating land use definitions within DPS24 for all land uses identified within the Scheme Amendment documentation;
 - (d) Modifying “Table 1: Comparison of Car Parking Requirements Across Local Authorities” on page 25 of the Scheme Amendment report to remove the incorrect parking figures that have been attributed to the Town of Bassendean and replacing with the following correct figures:
 - (i) Factory – 1:50 GFA; and
 - (ii) Warehouse – 1:100 GFA;
 - (e) Maintaining a parking requirement of 1 bay per 50 sq.metres of floor area for Factory land use (as currently applies within the City and which is consistent with local government industry practice) in lieu of the 1 bay per 75 sq.metres of floor area which is advocated within the Scheme Amendment documentation;
 - (f) Modifying discussion on page 26 of the Scheme Amendment report which incorrectly refers to a parking ratio of 1 bay per 75 sq.metres of floor area being an improvement to the parking requirements specified within the Town of Bassendean when it is not;
 - (g) Modifying discussion on page 26 of the Scheme Amendment report which incorrectly compares a proposal to establish on street car parking on one side of the road carriageway to an established arrangement within the Town of Bassendean when no such arrangement exists; and

- (h) Noting that any proposal to establish on street parking on one side of the road carriageway may create future conflicts with vehicle movements in the estate when, by virtue of the size of the commercial vehicle that is being used to service a given development, such vehicle requires the entire width of the road carriageway for manoeuvring purposes.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/04/17 6/0

10.4 Red Post Box Group, inclusive of VR 1876 Post Box, Bassendean located at the corner of Surrey Street and North Road, to be listed on the State Register of Heritage Places, Correspondent: Heritage Council of Western Australia (Ref: LUAP/REGSTN/1 - Timothy Roberts, Planning Officer)

APPLICATION

The purpose of this report was to consider whether Council wishes to make comment on a proposal to include the Red Post Box Group, inclusive of VR 1876, Bassendean, located at the corner of Surrey Street and North Road, on the State Register of Heritage Places. Council is also invited to nominate a person to attend the meeting at which the proposed registration of a place will be considered.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.4

OCM – 7/04/17 MOVED Cr Bridges, Seconded Cr Brown, that Council:

1. Supports the registration of the Red Post Box at the corner of Surrey Street and North Road, Bassendean on the State Register of Heritage Places.
2. Accepts the invitation to attend the Heritage Council meeting during which the registration of the above place will be considered; and appoints Councillor **Pule** as Council's representative to attend.

CARRIED UNANIMOUSLY 6/0

10.5 Joint Metropolitan Central Development Assessment Panel Application for Convenience Store – Lot 25 (No. 300) Collier Road, Bassendean, Owner: HICON (WA) PTY LTD, Applicant: Planning Solutions (Ref: DABC/BDVAPPS/2017-033 - Dylan Stokes, Planning Officer.)

APPLICATION

At its Ordinary Council Meeting held in May 2011, Council resolved to require that all Joint Development Assessment Panel (JDAP) applications be the subject of a report to Council in order that Council can make an alternative recommendation to the Metropolitan Central JDAP, should it see fit.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.5

OCM – 8/04/17 MOVED Cr Brown, Seconded Cr Bridges, that Council endorses the Planning Officer’s report and recommendation to the Metropolitan Central Joint Development Assessment Panel for the proposed convenience store on Lot 25 (No. 300) Collier Road, Bassendean.

CARRIED UNANIMOUSLY 6/0

10.6 Extension of Time for Prosecution Action to Remove Unauthorised Patio at Lot 19; No. 15 Bridson Street, Bassendean – Property Owner: Kevin Prior (Ref: DABC/BDVAPPS/2017-005 – Dylan Stokes, Planning Officer)

APPLICATION

The purpose of this report was for Council to consider an extension of time to commence legal action for an unauthorised patio located at Lot 19, No. 15 Bridson Street, Bassendean.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.6

OCM – 9/04/17 MOVED Cr Pule, Seconded Cr McLennan, that Council revokes point 2 of OCM – 4/02/17 which reads: *“Authorises the Chief Executive Officer to initiate legal action if the unauthorised patio is not removed within 60 days of the date of refusal”* and replaces it with: *“Authorises the Chief Executive Officer to initiate legal action if the unauthorised patio is not removed within 90 days of the date of refusal.”*

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.7 Surrey Street Community Centre Management Plan Incorporating the Pensioner Guard Museum (Ref: A673, COUP/PROGM/1 - Graeme Haggart, Director Community Development)

This Item was withdrawn.

10.8 Code of Conduct Review (Ref: GOVN/CCLMEET/1 - Bob Jarvis, CEO)

APPLICATION

Council was requested to adopt the revised Code of Conduct pursuant to Section 5.103 of the Local Government Act 1995.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.8

OCM – 10/04/17 MOVED Cr Pule, Seconded Cr Brown, 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 26 April 2017.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.9 Review of Workforce Plan and Corporate Structure (Ref: GOVR/LREGLIA/15 – Corporate Management Team)

APPLICATION

Council was requested to consider the adoption of the revised Workforce Plan for the 2017- 2021 financial years.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.9

OCM – 11/04/17 MOVED Cr Brown, Seconded Cr McLennan, that Council:

1. Amends the Corporate Structure to include the additional positions within the 2017-2021 Workforce Plan; and
2. Considers allocating funding for the additional positions in the 2017/18 Budget.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/04/17 6/0

10.10 2017-2027 Strategic Community Plan (Ref: CORM/POLCY/1- Bob Jarvis, CEO and the Executive Management Team)

APPLICATION

The purpose of the report was for Council to adopt the 2017-2027 Strategic Community Plan following the Community surveys and workshops as well as Councillor workshops held in March and April 2017.

OFFICER RECOMMENDATION – ITEM 10.10

That Council:

1. Adopts the 2017-2027 Strategic Community Plan, attached to the Ordinary Council Agenda of 26 April 2017; and
2. In accordance with Section 5.56 of Local Government Act and Administration Regulation 19D, give local, public notice of the adoption of the 2017-2027 Strategic Community Plan.

It was agreed that this item be deferred to a Special Meeting of Council.

COUNCIL RESOLUTION – ITEM 10.10

OCM – 12/04/17 MOVED Cr Pule, Seconded Cr Lewis, that this item be deferred for consideration at a Special Meeting of Council.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.11 WALGA Annual General Meeting 2017 – Submission of Motions (Ref: GOVR/LREGLIA/3 - Sue Perkins, Executive Assistant)

APPLICATION

The purpose of this report was for Council to consider whether it wishes to put forward any motions for inclusion on the Agenda for the 2017 WALGA Annual General Meeting.

OFFICER RECOMMENDATION – ITEM 10.11

That Council considers whether it wishes to put forward any motions for inclusion on the Agenda for the 2017 WALGA Annual General Meeting to be held on Wednesday 2 August 2017.

The motion lapsed for want of a mover.

10.12 Liveable Town Advisory Committee held on 11 April 2017 (Ref: GOVN/CCL/MEET/34 – Graeme Haggart, Director Community Development)

APPLICATION

The purpose of this report was for Council to receive the report on a meeting of the Liveable Town Advisory Committee held on 11 April 2017.

COUNCIL RESOLUTION/COMMITTEE RECOMMENDATION – ITEM 10.12

OCM – 13/04/17 MOVED Cr Brown, Seconded Cr McLennan, that Council:

1. Receives the report of the meeting of the Liveable Town Advisory Committee held on Tuesday 7 February 2017;
2. Provides sponsorship of \$1,000 under the Community Events Sponsorship Program in 2016/17 to Artsource to assist with the staging of the “Aim to Please” exhibition from 28 October to 5 November 2017 at Another Project Space, Ashfield Artsource Studios, 174 Railway Parade, Bassendean; and
3. Notes that a sponsorship agreement will be prepared in line with Council’s policy between the Town and Artsource to outline the conditions of the sponsorship.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/04/17 6/0

10.13 Determinations Made by the Principal Building Surveyor Ref: LUAP/PROCED/1 – Mary Bidstrup, Administration Officer)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.13

OCM – 14/04/17 MOVED Cr Brown, Seconded Cr McLennan, that Council notes the decisions made under delegated authority by the Principal Building Surveyor.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/04/17 6/0

10.14 Determinations Made by Development Services (Ref: LUAP/PROCED/1 – Brian Reed, Manager Development Services)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.14

OCM – 15/04/17 MOVED Cr Brown, Seconded Cr McLennan, that Council notes the decisions made under delegated authority by the Manager Development Services.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/04/17 6/0

10.15 Quarterly Report for Quarter Ended 31 March 2017 (Ref: FINM/AUD/1 – Bob Jarvis, Chief Executive Officer)

APPLICATION

The purpose of this report was for Council to receive the Quarterly Report for the period ended 31 December 2016.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.15

OCM – 16/04/17 MOVED Cr Brown, Seconded Cr McLennan, that Council receives the Quarterly Report for the quarter ended 31 March 2017.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/04/17 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.

OCM – 17/04/17 MOVED Cr Brown, Seconded Cr McLennan, that Council notes that the Common Seal was not attached to any documents during the reporting period.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/04/17 6/0

10.17 Calendar for May 2017 (Ref: Sue Perkins, Executive Assistant)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION -
ITEM 10.17

OCM – 18/04/17 MOVED Cr Brown, Seconded Cr McLennan, that the Calendar for May 2017 be adopted.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/04/17 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.18

OCM – 19/04/17 MOVED Cr Brown, Seconded Cr McLennan, that the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 26 April 2017 be deleted from the Implementation of Council Resolutions list.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/04/17 6/0

10.19 Accounts for Payment – March 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 10.19

OCM – 20/04/17 MOVED Cr Brown, Seconded Cr McLennan, that Council receives the List of Accounts paid for March 2017, as attached to the Ordinary Council Agenda of 26 April 2017.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/04/17 6/0

10.20 Financial Statements – March 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 10.20

OCM – 21/04/17 MOVED Cr Lewis, Seconded Cr Pule, that the:

1. Financial Report for the period ending 31 March 2017, as attached to the Ordinary Council Agenda of 26 April 2017, be received; and
2. Budget amendments listed for adoption in the Financial Statements as attached to the Ordinary Council Agenda of 26 April 2017, be approved.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Notice of Motion – Cr Pule: Request the State Administrative Tribunal to Review the Approval of the Concrete Batching Plant in Clune Street, Bassendean

COUNCIL RESOLUTION – ITEM 11.1

OCM – 22/04/17 MOVED Cr Pule, Seconded Cr Bridges, that the Town of Bassendean writes to the State Premier and Minister for Environment seeking a review of the Works Approval issued by the Department of Environment Regulation for the proposed concrete batching plant at Lot 105 No 2 Clune Street Bassendean, on the grounds of community concerns and better environmental standards.

CARRIED UNANIMOUSLY 6/0

11.2 Notice of Motion – Cr Bridges: Bassendean Preservation Group

COUNCIL RESOLUTION – ITEM 11.2

OCM – 23/04/17 MOVED Cr Bridges, Seconded Cr Pule, that Council Officers liaise with representatives from the Bassendean Preservation Group (Incorporated) and provide a report on the feasibility and costs involved in the relocation of the BPG GroCentre currently based in Ascot to the Council owned lot at 87 Whitfield Street, Bassendean.

CARRIED UNANIMOUSLY 6/0

12.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil

13.0 CONFIDENTIAL BUSINESS

COUNCIL RESOLUTION – ITEM 13.0(a)

OCM – 24/04/17 MOVED Cr Bridges, 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 9.13pm.

CARRIED UNANIMOUSLY 6/0

All members of the public vacated the Chamber, the time being 9.13pm.

13.1 Business Case Report for the Potential Purchase by the Town of 10-14 Parker Street, Bassendean - Bassendean Fire Station (Ref: A4103 - Bob Jarvis, CEO)

APPLICATION

Council's consideration for the purchase of 10-14 Parker Street, Bassendean.

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.

OFFICER RECOMMENDATION – ITEM 13.1

That:

1. Council extends its appreciation to the Department of Fire and Emergency Service for the offer to purchase the Old Fire Station at 10-14 Parker Street, Bassendean; AND
2. Council advises the Department of Fire and Emergency Services that given the commitment by the local member, Mr Dave Kelly, MLA, now a Minister in the new Labor Government, to pursue the re-establishment of the Bassendean Fire Brigade at 10-14 Parker Street, Bassendean, Council declines the offer to purchase the property.

Cr Pule moved that Council defers the offer to purchase the property, pending the outcome of Minister Kelly's efforts.

COUNCIL RESOLUTION – ITEM 13.1

OCM – 25/04/17 MOVED Cr Pule, Seconded Cr Lewis, that:

1. Council extends its appreciation to the Department of Fire and Emergency Service for the offer to purchase the Old Fire Station at 10-14 Parker Street, Bassendean; AND
2. Council advises the Department of Fire and Emergency Services that given **the interest shown** by the local member, Mr Dave Kelly, MLA, now a Minister in the new Labor Government, to pursue the re-establishment of the Bassendean Fire Brigade at 10-14 Parker Street, Bassendean, **the Council defers** the offer to purchase the property, **pending the outcome of Minister Kelly's efforts.**

CARRIED UNANIMOUSLY 6/0

13.2 11 Hamilton Street, Bassendean (Ref: A2137 - Bob Jarvis, CEO & Graeme Haggart, Director Community Development)

APPLICATION

Council's consideration of legal advice on the potential sale of 11 Hamilton Street, Bassendean, to the Casa Mia Montessori Community School Inc.

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

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 13.2**

OCM – 26/04/17 MOVED Cr Pule, Seconded Cr Brown, that Council:

1. Requests the CEO to negotiate an agreement with the Board of the Casa Mia Montessori School for the potential sale of 11 Hamilton Street, Bassendean, to the School at market value, subject to:
 - (a) The School agreeing to the Town lodging an absolute caveat over the title at the time of transfer to the School, and that the caveat prevents the School from on-selling the property or otherwise encumbering the title and facilitates the property's transfer back to the Town in the event the School is unable to acquire other contiguous properties, by an agreed date;
 - (b) The Town being given power of attorney over the property to avoid there being any dispute at the re-transferring of the property back to the Town at the time of execution;
 - (c) The caveat not permitting the School to mortgage the property or encumber it in any way;
2. The potential sale of 11 Hamilton Street, Bassendean, and conditions of the transaction be advertised for public comment prior to Council's final agreement to proceed with the sale; and
3. A draft of the legal documents for the sale, if negotiated, is presented to Council for approval (which will require an absolute majority) and endorsement for public advertising.

CARRIED UNANIMOUSLY 6/0

13.3 Appointment of Community Members to Vacant Positions on the Audit and Risk Management Committee and Liveable Town Advisory Committee (Ref: GOVN/CCLMEET/24 – CMT and Yvonne Zaffino, Council Support Officer)

APPLICATION

This report was for Council to consider nominations received to fill vacancies on the Audit and Risk Management Committee and the Liveable Town Advisory Committee for the 2015-17 term.

This report was discussed with members of the public excluded under Section 5.23 (2) (b) of the Local Government Act to maintain the confidentiality of the names of the nominees.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 13.3

OCM – 27/04/17 MOVED Cr Bridges, Seconded Cr Lewis, that Council appoints the following as community members for the period expiring on the next ordinary Local Government Election Day in October 2017, unless otherwise indicated:

1. Tom Klaassen to the Audit and Risk Management Committee; and
2. David Doy and Ryan Medrana to the Liveable Town Advisory Committee.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

COUNCIL RESOLUTION – ITEM 13.0(b)

OCM – 28/04/17 MOVED Cr Gangell, Seconded Cr Bridges, that the meeting proceed with open doors, the time being 9.30pm.

CARRIED UNANIMOUSLY 6/0

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

14.0 **CLOSURE**

The next Ordinary Council Meeting will be held on Tuesday 23 May 2017.

There being no further business, the Presiding Member declared the meeting closed, the time being 9.30pm.