

# TOWN OF BASSENDEAN

## NOTICE OF ORDINARY COUNCIL MEETING

An Ordinary Meeting of the Council of the Town of Bassendean will be held on Tuesday, 27 February 2018 in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 7.00pm.

BOB JARVIS  
CHIEF EXECUTIVE OFFICER

23 February 2018

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## A G E N D A

### 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

#### Acknowledgement of Traditional Owners

The Town of Bassendean acknowledges the past and present traditional owners of the land on which we gather to conduct this meeting, and pays its respects to their Elders, both past and present.

**Members of the public are requested to sign the attendance sheet located on the table at the rear of the Council Chamber.**

### 2.0 PUBLIC QUESTION TIME

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

The following questions have been raised with the Mayor by Mr Yates and he proposes to ask them at the February Council meeting. The nature of the questions are such that the Mayor has requested that the questions and proposed answers be placed on the agenda.

**Questions from Mr Donald Yates 10 Thompson Road Bassendean**

**CEO Jarvis' Q's**

You have 140 FTE's less 47 involved with Wind in the Willows and HACC for a balance of 93 FTE's.

With 16,000 population in an inner urban local govt, the Productivity Commission has a 77 FTE benchmark.

1. After 9 years as CEO, why are there 20% more staff than the FTE benchmark?
2. What is the estimated annual cost of the 20% possible overstaffing levels?

In support of his question, Mr Yates provided the following image to Councillors:



Australian Government  
Productivity Commission

July 2012

Performance Benchmarking of  
Australian Business Regulation:  
The Role of Local Government  
as Regulator

Productivity Commission  
Research Report  
Volume 1

**Table 4.6 Local government full time equivalent employees**  
By LG classification

	<i>Capital City</i>	<i>Urban Metro</i>	<i>Urban Fringe</i>	<i>Urban Regional</i>	<i>Rural</i>	<i>Remote</i>
<b>Number of FTE employees</b>						
Median	721	454	433	315	52	105
Highest	9 693	2 630	918	1 665	196	149
Lowest	118	41	92	24	15	26
<b>Per 1 000 population</b>						
Median	8.0	4.8	4.3	7.9	13.8	38.2
Highest	36.3	8.4	9.1	12.4	31.0	119.9
Lowest	1.2	3.5	3.0	4.1	1.1	9.1

Source: Productivity Commission survey of local governments — general survey (2011-12, unpublished).

Bassendean population : 15, 092 (2016 Census)  
so the Urban Metro LG median number of FTE's is 72.

Please note the last two lines have been added by Mr Yates, and the title and table do not appear together in the report.

### Response

The Productivity Commission provided the following response:

*“Bob, thanks. I am aware of that work. The use of the term benchmark in that report refers to regulations and related activities. A main object of the report was to establish and compare the main local government regulations and regulatory activities impacting on business (below). This was the intended point of comparison. The report was not intended to provide efficiency metrics or to produce binding points of comparison. I would imagine FTE varies a lot even across comparably sized LGAs for a whole range of reasons. Anyway, hope this helps in answering the question.”*

### Object of report

The Commission has been asked to benchmark the role of LG as regulators and their impact on business costs by:

- identifying the nature and extent of LG regulatory responsibilities that impact on business costs and the variation in these responsibilities across LGs both within, and between, the states and territories.
- clarifying the extent to which LGs implement and enforce national, state and/or territory policies and to what extent they apply additional policies of their own.
- assessing whether differences in regulatory responsibilities and how they are exercised by LGs have material impacts on costs incurred by business
- identifying leading regulatory practices for LG, both domestically and internationally, which have the capacity to reduce unnecessary regulatory costs for business while sustaining good regulatory outcomes.

The West Australian Local Government Association has advised the following:

*“I am unaware of the source of Mr Yates industry standard for employment levels in Local Government.*

*Local Government is a very difficult sector to provide benchmarks as the levels of staffing will be determined by the services and functions the Local Government undertakes and the level of service of those services and functions.*

*For example some Local Governments provide aged care and child care and some don't, others have fully staffed recreation centres and gymnasiums and some don't.*

*The list of different services that Local Governments undertake is large and is dependent on the strategic direction of that Local Government.*

*Also there are different ways of carrying out services, some Local Governments utilise their own workforce for road construction and road maintenance other Local Governments carryout the work by contractors.*

*For a population of 16,000 the FTE level of 140 or 93 (when you take out the fully funded programs) seems an appropriate staffing level when compared to other Western Australian Local Governments."*

### Simon Stewert-Dawkins' Q's

3. In what year did you realise that Lord St between Morley Drive and Guildford Rd, (without the Lord St bridge that is the responsibility of PTA), was 100% Town of Bassendean responsibility?

### Response

The attached Town of Bassendean Road Hierarchy Map clearly illustrates that Lord Street is a District Distributor Road and as such, Lord Street is under the care and control of the Town of Bassendean. The Director Operational Services commenced at the Town in July 2003 and was aware of the Road Hierarchy Plan when he commenced with the Town. For additional information, Main Roads WA has provided the definitions of the Road Hierarchy (see Attachment No. 1).

4. How much (approximately) has been spent by the Town on that part of Lord St under the Town's control since 2005?

### Response

Capital budget expenditure from 2005 to 2018 YTD has been \$346,536 with the following breakdown of expenditure provided:

- 2007/2008 Lord Street/Railway Pde Traffic island and Intersection modifications - \$25,406;
- 2007/2008 Lord Street/Walter Rd East intersection modification work \$ 14,896;

- 2008/2009 Lord Street/Walter Rd East Traffic island line marking and traffic light phasing modifications \$122,128;
- 2015/2016 Lord Street - Mill and replace asphalt \$171,861; and
- 2016/2017 Lord Street footpath renewal \$12,245.

It should be noted that the above figures do not include maintenance work conducted, eg road sweeping, drainage maintenance etc.

5. Do you accept that Cash-in-lieu funds can be spent on pathways and lighting as per Section 8 in WAPC Planning Bulletin 21?

#### Response

Yes, where such a pathway or lighting is within a reserve for recreation. No, where the pathway or lighting is associated with a road outside a reserve for recreation.

#### Michael Costarella's Q's

6. With the redevelopment of the Bassendean Village Shopping Centre, what is the approximate value of payments received from the Hawaiian owners for:
  - (A) a contribution towards public open space as per JDAP meeting of 30 August 2012, and
  - (B) cash in lieu of parking not provided between the approved 450 bays and the actual 310 car bays?

#### Response

Q6A No condition was imposed on this approval requiring a contribution to be made towards public open space.

Q6B No condition was imposed on this approval requiring a cash in lieu payment to be made in relation to car parking.

#### Graeme Haggart's Q's

7. Would the trend in costs of the annual Australia Day event at Ashfield Reserve be upwards and by how much, say over the last 3 years?

#### Response

The cost of the Australia Day event in 2016 was \$105,253; in 2017 it was \$113,215; and in 2018 the final amount is still being defined, but was budgeted at \$116,000.

8. Similarly, what is the trend in sponsorship dollars received, for the same time period, in dollar terms?

Response

Lotterywest has provided a \$10,000 sponsorship for the event in each of the past three years. Other income is derived from site fees for the amusement rides and food vendors, and also from parking.

9. Proposed playground at Sandy Beach is in the floodway. If insurance coverage is obtainable, how much more in percentage terms could the insurance premiums cost?

Response

LGIS has advised the facility is insurable. The new infrastructure will be listed with all other assets and the premium determined in the usual way and increase premiums by approximately 2% or \$800 based on the new asset value.

Brian Reed's Q's

10. When was amendment 10 of Local Planning Scheme 10 gazetted?

Response

Notice of the approval of Amendment 10 to Local Planning Scheme No. 10 (LPS10) was published in the Government Gazette on Friday 23 February 2018.

11. When was amendment 10 of Local Planning Scheme 10 advertised after the gazetting?

Response

Arrangements are now being made to have notice of the approval of Amendment 10 to LPS10 to be published in a local paper in accordance with the Town's obligations.

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

**4.0 DEPUTATIONS**

**5.0 CONFIRMATION OF MINUTES**

**5.1 Ordinary Council Meeting held on 30 January 2018**  
**(Attachment No. 2)**

**OFFICER RECOMMENDATION – ITEM 5.1(a)**

That the minutes of the Ordinary Council meeting held on 30 January 2018, be received.

**OFFICER RECOMMENDATION – ITEM 5.1(b)**

That the minutes of the Ordinary Council meeting held 30 January 2018, be confirmed as a true record.

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

**7.0 PETITIONS**

**8.0 DECLARATIONS OF INTEREST**

**9.0 BUSINESS DEFERRED FROM PREVIOUS MEETING**

Nil.

**10.0 REPORTS**

**10.1 Adoption of Recommendations En Bloc**

The following information is provided to Councillors for guidance on the use of en bloc voting as is permissible under the Town's Standing Orders Local Law 2011.

Standing Orders Local Law 2011, Clause 5.4 states:

- (1) In this clause adoption by en bloc voting means a resolution of the Council that has the effect of adopting, for a number of specifically identified reports, the officer recommendation as the Council resolution.
- (2) Subject to subclause (3), Council may pass an adoption by en bloc voting.

- (3) An adoption by en bloc voting may not be used for a matter –
- (a) that requires a 75% majority or a special majority;
  - (b) in which an interest has been disclosed;
  - (c) that has been the subject of a petition or deputation;
  - (d) that is a matter on which a member wishes to make a statement; or
  - (e) that is a matter on which a member wishes to move a motion that is different to the Officer recommendation.

Councillors should be aware that should they wish to declare an interest in any of the items listed in the en bloc voting table, and have not done so under Item 8.0, Declarations of Interest, they should do so at this point of the agenda.

#### OFFICER RECOMMENDATION – ITEM 10.1

That Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda of 27 February 2018:

Item	Report
10.2	Street Lighting Audit – Within 200m Radius of Success Hill Train Station
10.3	Waste Collection Option Survey (Three Bin System)
10.4	Non-Compliant Verge Treatment at 115A Anzac Terrace, Bassendean
10.5	Success Hill Ingress and Egress - Community Feedback
10.6	Railway Parade Proposed Principal Shared Path -Community Feedback
10.8	Unauthorised Reroofing, stormwater management and external building works to a property listed on the State Register of Heritage Places at 1 River Street, Bassendean
10.9	Draft State Planning Policy (SPP) 4.1 – Industrial Interface
10.10	Crèche Services for Meetings
10.11	Bassendean Bowling Club Lease Agreement Renewal
10.14	Design Bassendean Committee Meeting held on 7 February 2018
10.15	People Services Committee (PSC) Meeting held on 13 February 2018
10.16	Audit & Governance Committee Meeting held on 14 February 2018
10.17	Determinations Made by the Principal Building Surveyor
10.18	Determinations Made by Development Services
10.19	Use of the Common Seal
10.20	Calendar for March 2018
10.21	Implementation of Council Resolutions
10.22	Accounts for Payment – January 2018
10.23	Financial Statements – January 2018

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

<b>Item</b>	<b>Report</b>
10.7	1 Surrey Street, Bassendean – Expenditure
10.12	Appointment of a Member to the Access and Inclusion Committee 2017-19 Term
10.13	Mayor’s Report: Chief Executive Officer Recruitment Process
11.1	Notice of Motion – Cr Hamilton: Reward and Penalty: Vandalism of trees on public property
13.1	Request to Purchase Lot 5 (No. 246) Morley Drive East, Eden Hill
13.2	Appointment of Members to Economic Development Committee – 2017 to 2019
13.3	Sports Achievement Award

**10.2 Street Lighting Audit – Within 200m Radius of Success Hill Train Station (Ref: ROAD/STMNGT/6 - Ken Cardy, Manager Asset Services)**

**APPLICATION**

The purpose of this report is to provide Council, as per (OCM-24/11/16), with the footpath lighting report for footpaths within a 200 metres radius of the Success Hill Railway Station.

**ATTACHMENTS**

**Attachment No. 3:**

Sage Consulting Engineers Street/Road Lighting Report

**BACKGROUND**

At the November 2016 Ordinary Council Meeting, a Notice of Motion was presented and Council resolved (OCM-24/11/16) as follows, to allocate funds in the February 2017 budget review to upgrade the footpath lighting within a 200-metre radius of Success Hill Railway Station:

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

Due to competing financial demands, Council did not allocate funds in the February 2017 budget review, however, Council did allocate funding as part of the 2017/2018 Budget to undertake a street/road lighting audit within a 200 metre radius of Success Hill Railway Station.

Through the Town’s procurement process, Sage Consulting Engineers Pty Ltd were contracted to undertake the above works and compare the street/road lighting in the area to Australian Standards (AS/NZS 1158) lighting for roads and public spaces. The scope of the work included a lighting audit of the area, provide recommendations to improve lighting and cost estimates for Council consideration.

## COMMUNICATION & ENGAGEMENT

The consulting engineer contacted residents, within the area, who had private lighting that illuminated the footpath or road areas adjacent to their homes and requested they turn off their private lighting. Unfortunately, there were some complications within Thompson Road.

The private lighting in Thompson Road was not switched off, as a resident was of the opinion that the full moon, on the night of the audit, would affect the street/road lighting audit and Christmas lighting would also affect the audit.

The consulting engineer did advise the resident that the full moon and the Christmas lighting would not affect the road/street lighting audit, as the lighting equipment was appropriately calibrated. To undertake the Thompson Road light reading, the contractor visited the site on a number of occasions to complete the full lighting audit in Thompson Road.

A copy of the consulting engineer's report was provided to Western Power. It provided the following feedback regarding the replacing of luminaires, and where new, pole lighting is required. *'Western Power will require specification of lighting requirements so they it can provide a quote for the projects technical drawings and completion of works. The design stage can take up to 21 weeks and 10 weeks for the construction period'*.

On 8 February 2018, Officers met with Western Power to discuss its new procurement policy for replacing traditional luminaires with LED street lights.

Western Power advised that it is nearing the completion of the contractual procurement process for the supply of luminaires (1<sup>st</sup> July 2018), and has included a range of LED luminaires.

The new LED luminaires will be equivalent to the wattages available for traditional luminaires e.g. the current 42 watt CFL will have the equivalent wattage in the LED range, which may be 22 watt.

As soon as there is a signed contract, Western Power will be able to release the new range of LEDs. The cost to transition all Luminaires is unavailable until a signed contract has been achieved. However, using the current 18-watt Luminaire, the estimated replacement cost, for Local Governments, per light is \$500.

Western Power is also working with Synergy to ensure there is the relevant tariff available for streetlights that undergo retrofit with LED luminaire.

**STRATEGIC IMPLICATIONS**

**Strategic Priority 1: Social**

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
1.3 Plan for a healthy and safe community	1.3.1 Facilitate safer neighbourhood environments	Community / Stakeholder Satisfaction Survey (Safety, Health and Well-being)
	1.3.2 Promote and advocate community health and well-being	

**COMMENT**

The Road Lighting Report considers the existing road lighting and then compares it with Australian / New Zealand Standard - AS/NZS 1158 Road Lighting and Main Roads WA (MRWA) Lighting Design Guidelines for Roadway and Public Safety.

Over the last three months, the contractor has undertaken “site measurements” within the contracted areas (Anzac Terrace, Seventh Ave, Railway Parade, Thompson Road, Lamb Street, Nurstead Ave and Lord Street).

At the times of the site audit:

- Flood lighting from Bassendean Oval was not operating; and
- No full moon was present.

The audit identified the following street lighting was stalled in the area:

- Local roads have a combination of 80w MV, 125w MV and 42w CLF Wester Power street lighting mounted on overhead power lines.
- Lord Street have 250w HPS and 125w MV Wester Power street lighting mounted on overhead power lines and steel poles.
- The principal shared path has MRWA standard lighting.

Readings ranged from 0.01lux to 2.57lux, with an average of 0.7lux.

The Town in the past has uplifted the low hanging branches of the large Morton Bay Fig Tree overhanging Thompson Road to increase the extent of illumination under the tree canopy, however, low street light measurements have been recorded immediately under this tree.

Within the Notice of Motion presented to Council at the November 2016 Ordinary Council Meeting, it states that the Town should upgrade the footpath lighting within a 200 metre radius of Success Hill Railway Station to the minimum Main Roads WA Lighting Design Guidelines of no less than 5 lux. Furthermore, the streetlights are to be warm white lights and are not interfere with the structural integrity of the significant Morton Bay fig tree in Thompson Road, and include pedestrian lighting through Kelly Park.

The consultant's report states, Seventh Avenue is the only street that complies with AS/NZS 1158.3.3 Cat P3, while Thompson Road fails to comply with AS/NZS 1158.3.3 Cat P3, due to the large Morton Bay fig tree located on the corner of Thompson Road and Lamb Street.

The balance of Thompson Road measured, meet AS/NZS 1158.3.3 Cat P3. The consultant suggests the installation of private LED street lighting on the other side of the road and the Western Power street lighting be removed. This would allow better light control to limit spill light and reduce energy costs.

At the March 2017 Council Meeting (OCM – 6/03/17) Council resolved in part to approve the application for a Tree Preservation Order on the Moreton Bay Fig Tree (*ficus macrophylla*) located on Lot 15, No. 8 Thompson Road Bassendean.

On 4 January 2018, the Planning Officer wrote to the property owner advising that any proposed future works to the Moreton Bay Fig Tree would require the following:

- A signed application be lodged with the local government specifying the work proposed;
- The Town may also consider it necessary for any application to be accompanied by an arborist assessment on the condition of the tree and impact of any proposed works; and
- No works is to be undertaken until written consent is obtained from the Town.

Considering the street illumination and Tree Preservation Order associated with the Moreton Bay Fig tree, additional design and construction consideration will need to be taken should a new streetlight be installed, in order to ensure compliance. As part of the lighting design process, mounting heights adjacent the tree will need to be reduced to effectively light the area.

Anzac Terrace, Railway Parade, Lamb Street and Nurstead Avenue all require replacements of lamps with LED and cleaning of Lamps. Lord Street requires the installation of 250w HPS at 50 metre spacing.

*Consultant Lighting Audit Schedule Table*

Street Name	Length	AS/NZS 1158	Existing Lighting (29)	Complies
Anzac Terrace	300	P3	2 x 80W MV, 1 x 80W MV B2224, 1 x 125W MV, 1 x 42W CFL	No
Seventh Avenue	180	P3	1 x 80W MV, 2 x 80W MV B2224	Yes
Railway Ave	350	P3	3 x 80W MV, 2 x 80W MV B2224, 1 x 125W MV	No
Thompson Road	180	P3	2 x 80W MV, 1 x 125W MV	No
Lamb Street	250	P3	2 x 70W HPS, 1 x 125W MV, 1 x 42W CFL	No
Nurstead Ave	270	P3	2 x 80W MV, 1 x 125W MV, 1 x 42W CFL	No
Lord Street	190	V3	3 x 250W HPS, 1 x 125W MV	No

Legend for attached Consultants Lighting report:

- Mercury Vapour (MV)
- High Pressure Sodium (HPS)
- Compact Florescence (CFL)
- Metal Halide (MH)

Due to community concerns, it may be appropriate to increase these roads to AS/NZS 1158.3.3 Cat P2 and include vertical illuminance for facial recognition.

By increasing the lighting above category P3 (i.e. category P2), it may cause light spill onto abutting properties. Spill light will probably cause more community disagreement. Prior to increasing the lighting levels, consultation with residents on Thompson Road and Seventh Avenue will need to be undertaken..

Officers will check with Western Power, regarding the light spill, for the new LED proposed lighting and seek its input into the category of LED lighting suitable for Thompson Road.

The consultant stated that the most important criteria to meet when designing pedestrian street lighting is the vertical illuminance.

Good vertical illuminance allows a person to identify detail, such as approaching people. MRWA requirements and AS/NZS 1158.3.1 P2 both specify a point for vertical illuminance of 0.7lux. This is likely to satisfy concerned residents in the affected area.

The consultant believes a minimum point horizontal of 5lux is excessive for residential streets and is the level expected for a shopping mall. He believes if the Town provided this level of lighting it would receive calls from residents complaining about the increased strength of lighting in their streets.

### STATUTORY REQUIREMENTS

The consulting engineers report is based on the following Australian Standards and sources:

AS/NZS1158.3.1: 2005 Pedestrian area lighting.

AS/NZS1158.1.1: 205 Vehicular Traffic Lighting.

Western Power's current range of road lighting equipment (Distribution Design Catalogue Sections SL and DM).

MRWA Lighting Design Guidelines for Roadway and Public Safety.

### FINANCIAL CONSIDERATIONS

Prior to the Australian Standards for street lighting being published, the former State Government Agency, responsible for installing street lights, like within the Town installed street lighting on every 2nd or 3rd poles within the inner metropolitan area.

If a Local Government Council resolves to upgrade street lighting, outside of the State Government's Underground Power grant funding programme, the costs is borne fully by that Local Government.

A financial risk to Council of upgrading the streetlights, as per the resolution, is that residents in other localities may request their street lighting be upgraded outside of the State Government grant funding process and ratepayers will have to pay the full costs.

Currently there is no funds allocated in the 2017/2018 budget to undertake work listed in the Street/Road Lighting Audit Report. The following table indicates the consultants estimated Western Power costs for recommended streetlight upgrade works.

AS/NZS 1158.3.3 Cat P3 on all roads

Street Name	Length	AS/NZS 1158	Recommendation	Cost
Anzac Terrace	300	P3	Install 4 additional WP18W led on existing overhead line pole	\$12,000 - \$24,000
Seventh Avenue	180	P3	Retain existing street lighting and request Western Power to clean and re-lamp	\$18,000
Railway Parade	350	P3	Install 3 additional WP18W led on existing overhead line pole	\$9,000 - \$18,000
Thompson Road	180	P3	Retain existing street lighting and request Western Power to clean and re-lamp. Reduce mounting light under Fig Tree.	\$2,000
Lamb Street	250	P3	Install 4 additional WP18W led on existing overhead line pole	\$12,000 - \$24,000
Nurstead Avenue	170	P3	Install 3 additional WP18W led on existing overhead line pole	\$9,000 - \$18,000
Lord Street	190	V3	Install 250W HPS @50m spacing's	\$48,000
			Total	\$90,000 - \$132,000

If Council resolves to increase the Seventh Avenue and Thompson Road street lighting form to a P3 to a P2, the following table shows the consultants recommendations and cost associated to the lighting increase:

AS/NZS 1158.3.3 Cat P2 on Seventh & Thompson and all other roads P3

Street Name	Length	AS/NZS 1158	Recommendation	Cost
Anzac Terrace	300	P3	Install 4 additional WP18W led on existing overhead line pole	\$12,000 - \$24,000
Seventh Avenue	180	P2	Replace all with 150W MH and install additional 150W MH on all overhead line poles	\$5,000 - \$8,000
Railway Parade	350	P3	Install 3 additional WP18W led on existing overhead line pole	\$9,000 - \$18,000
Thompson Road	180	P2	Replace all with 150W MH and install additional 150W MH on all overhead line poles	\$5,000 - \$8,000
Lamb Street	250	P3	Install 4 additional WP18W led on existing overhead line pole	\$12,000 - \$24,000
Nurstead Avenue	170	P3	Install 3 additional WP18W led on existing overhead line pole	\$9,000 - \$18,000
Lord Street	190	V3	Install 250W HPS @50m spacing's	\$48,000
			Total	\$120,000 - \$192,000

If Council resolved not to follow the Consultant's recommendations, but to replace existing luminaires using Western Powers proposed new light-emitting diode (LED) luminaires on the same pole. The cost would be (29 luminaires in the area - 26 need replacing and 3 currently suitable) 26 x \$500 = \$13,000.

By simply replacing the existing luminaire with an LED luminaire on the same pole, Council would not achieve the required AS/NZS 1158 Road Lighting and Main Roads WA (MRWA) Lighting Design Guidelines. The Consultant's report has highlighted the number of additional poles required to upgrade the street lighting.

While Western Power's estimated capital cost to install LED lights is significantly less than the Consultant's report, it does not include additional poles and therefore if these poles are not provided, the desired lighting outcomes will not be achieved.

Council may amend the Officers Recommendation and allocate funds to simply install LED lights, however, as outlined; the consultant has recommended additional poles in order to support an increased number of luminaires.

#### OFFICER RECOMMENDATION — ITEM 10.2

That:

1. Council receives the Consulting Engineer's Street/Road Lighting Report and the preliminary information received from Western Power in regards to the proposed new light-emitting diode (LED) replacement program;
2. Lists \$132,000 in the draft 2018-19 Capital budget to upgrade the current street lights to P3 within a 200 metre radius of the train stations, in line with the consultant's recommendation;
3. Officers obtain a quote from Western Power for the installation of an additional street light pole in accordance with the consultant's report; and
4. After the light-emitting diode (LED) lighting is installed, that a lighting assessment in Anzac Terrace, Railway Parade, Lamb Street, Thompson Road and Nurstead Avenue be undertaken, and be compared to the AS/NZS 1158 Road Lighting requirements, and provide a further report to Council for consideration.

**Voting requirements: Simple Majority**

**10.3 Waste Collection Option Survey (Three Bin System) (Ref: WSTMNGT/TENDNG/10); Ken Cardy, Manager Asset Services)**

**APPLICATION**

The purpose of this report is to present Council with the results of the December 2017 - Waste Collection Option Survey (three Bin System).

**ATTACHMENTS**

**Attachment No. 4:**

Waste Collection Options Survey Report  
Ratepayers' Feedback

**BACKGROUND**

At the Ordinary Council Meeting (16/11/17), Council resolved to:

1. Receive the report on the preliminary costs to introduce a three-bin system to increase recycling opportunities;
2. Authorise the CEO to initiate a three bin phone survey of at least 400 ratepayers using the proposed questions attached to the November 2017 Ordinary Council Meeting agenda; and
3. Request the results of the survey be presented to the February 2018 Ordinary Council Meeting for consideration;
4. The reason why a sample of residents is being selected to participate in a survey, and the methodology for the survey, be explained to our community in a Facebook post and in an article in the next edition of the Bassendean Briefings.

Officers, through the Town's procurement process, appointed Research Solutions to undertake the following:

- Phone survey at least 400 Town of Bassendean ratepayers using the questions attached to the November 2017 OCM report to Council.
- Provide a report on all phone survey data collected, and all resident survey data collected through the Town of Bassendean's "Your Say Bassendean" survey website.

The survey was commissioned to measure the:

- Level of support to introduce the proposed 3-bin waste collection system, including a general waste bin, recycling bin and green waste bin.
- Willingness of ratepayers to pay for the 3-bin system as a method to reduce waste and contamination;
- Levels of support/reaction to the estimated set up and ongoing additional costs for provision of service.

### COMMUNICATION & ENGAGEMENT

Through the survey process, 624 (403 Phone Survey and 221 “Your Say Bassendean”) ratepayer survey data details were collected, analysed and included in the Waste Collection Option Survey undertaken by Research Solutions.

Survey information material was set up in the Towns Library, Customer Service Centre and a stand at the Bassendean Shopping Centre to provide additional opportunities for residents to participate in the survey

Officers of the Town, on the 24 January 2018, attended the briefing session for the Waste Authority Community and Industry Engagement Program. This program provides funding for the development and implementation of waste management projects, initiatives and events that promote the diversion of waste from landfill and/or recognise the adoption of improved waste management practices and achievements.

Submissions for grant funding close 12 noon on 12 February 2018. Officers have submitted a project funding application for the placement of a UV rated sticker, attached to the recycling bin lid, educating residents of designated correct recycling separation.

Currently Officers are preparing a funding submission to the Government of Western Australia Waste Authority for funding to implement a “Better Practice Kerbside Collection Service” (3- bin system) that will support higher recovery and the achievement of the State Government’s 2020 municipal solid waste targets. Funding application close 5pm 30 March 2018.

Furthermore, Officers are meeting with the Towns Waste Collection contractor, East Metropolitan Regional Council and other Local Governments to develop additional future recycling programs, improve current recycling programs and develop education programs. A report will be presented to Council in May 2018 highlighting proposed initiatives.

## STRATEGIC IMPLICATIONS

The Community Strategic Plan 2017-2021, contains the following under the heading of:

Natural Environment:

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <b>How we will be judged</b>
2.1 To display leadership in environmental sustainability	2.1.1 Strengthen environmental sustainability practices and climate change mitigation 2.1.2 Reduce waste through sustainable waste management practices	Waste reduction ratio to population

## COMMENT

The survey period was from the 4 to 17 December 2017. A total of 624 (403 Phone Surveys and 221 “Your Say Bassendean” surveys) ratepayer survey data details were collected, analysed and included in the Waste Collection Option Survey undertaken by Research Solutions.

Based on the data collected through the surveys, there is a strong support for the introduction of a 3-bin system waste collection system to reduce the amount of waste currently going to landfill.

- 88% of households either supported or strongly supported the introduction of green waste bin.
- 84% would use it regularly.

Support for the additional bin declined when a one off levy (\$80 - \$90) was introduced, however, still more than 2 in 3 households (69%) supported the introduction of the third bin.

It is also worth noting that older residents (over 40 years of age) were more likely than those younger to be opposed to the third bin introduction.

Results were consistent across all three suburbs, renters and ratepayers throughout the Town.

The survey company states the following regarding research companies, random telephone surveys, and online website and Facebook surveys:

*“As a survey for which the sample is self-selected (as opposed to one initiated by the research company (via telephone calls) and randomly selected, the results from the online website and Facebook survey conducted in conjunction with the telephone survey do provide additional results for Council to consider with some caution.*

*Traditionally, self-selected sample surveys provide the opportunity for those with stronger views to respond; either strongly in support or strongly in opposition to a concept or proposal to register their opinions, as opposed to a broader cross section of the overall community.*

*The results from this survey are no exception—in comparison with the representative telephone survey there is a “skew” towards a positive response to the 3-bin waste collection concept.*

*Whilst the results do have a positive “skew” they generally reflect the results of the telephone survey as respondents to the website and Facebook survey were predominately younger (60% under 40 years of age) - the age group more likely to support the concept and its introduction in the Town of Bassendean.*

*The survey also included a strong component of Bassendean residents who were more likely to oppose the concept in comparison with those from other suburbs.*

*Given results from the telephone survey were consistent across suburbs, these results may indicate the presence of a vocal group of residents that may actively oppose the introduction of the new system at Council meetings and other events.*

A list of comments, from residents through Facebook, regarding the survey and Waste Management options is provided as an attachment.

### RISK ASSESSMENT

In terms of risk management, during the Request for Quote procurement process, a Risk Assessment of the contractor was undertaken.

In the Waste Authority funding submission, it states that, in June 2018 the Waste Authority will advise the Local Government if their funding submission has been successful. Pending a result, Council will have the opportunity to review the direction of this project at this time. If successful, the project completion date is 30 June 2020.

## STATUTORY REQUIREMENTS

Local Government Act 1995

Waste Avoidance and Resource Recovery Act 2007

The primary objects of this Act is to contribute to sustainability, and the protection of human health and the environment, in Western Australia and the move towards a waste free society by —

- (a) promoting the most efficient use of resources, including resource recovery and waste avoidance; and
- (b) reducing environmental harm, including pollution through waste; and
- (c) the consideration of resource management options against the following hierarchy —
  - (i) avoidance of unnecessary resource consumption;
  - (ii) resource recovery (including reuse, reprocessing, recycling and energy recovery);
  - (iii) disposal.

## FINANCIAL CONSIDERATIONS

The 2017/18 budget includes an amount of \$30,000 for the appointment of a consultant to conduct recycling investigations, undertake a ratepayer survey, and obtain comments on the future waste management needs for the Town.

## OFFICER RECOMMENDATION — ITEM 10.3

That Council:

1. Receives the Survey Data Report on the implementation of a 3-bin waste collection system;
2. Notes that Officers have submitted a funding application to the Waste Authority - Community and Industry Engagement, for the placement of a UV rated sticker, attached to recycling bin lids, in order to educate residents to recycle correctly;;
3. Considers listing an amount of \$38,000 in the 2018/19 Capital Budget, for the placement of a UV rated sticker, attached to recycling bin lids;

4. Notes that Officers are preparing a funding submission to the Government of Western Australia's Waste Authority, for funding to implement a "Better Practice Kerbside Collection Service" (3 bin system), that will support higher recovery and the achievement of the State Government's 2020 municipal solid waste targets; and
5. Considers listing an preliminary estimate of \$1,200,000 within the 2018/19 and 2019/20 Capital Budgets, for the introduction of the 3 bin system within the Town of Bassendean; and
6. Notes a further report will be presented to Council in May 2018 relating to the proposed initiatives.

**Voting requirements: Simple Majority**

**10.4 Non-Compliant Verge Treatment at 115A Anzac Terrace, Bassendean (Ref: PARE/MAINT/1 – Andreea Balica, Engineering Technical Assistant/Compliance Officer)**

**APPLICATION**

The purpose of this report is to bring to Council's attention the non-compliant verge treatment that was installed on the verge adjacent to 115A Anzac Terrace, Bassendean.

**ATTACHMENTS**

**Attachment No. 5:**

- Verge Treatment and Maintenance Policy;
- Permissible Verge Treatment Information Sheet;
- Activities on Thoroughfares and Trading in Thoroughfares and Public Place Local Law 2010;
- Photographs of the verge;
- Letter to owner at 115A Anzac Terrace regarding non-compliant verge treatment.

**BACKGROUND**

In December 2012, Council adopted the Verge Treatment and Maintenance Policy, which was last reviewed in March 2014. The objectives of the policy are to:

- Encourage adjacent owners and occupiers to install and maintain permissible verge treatments that are waterwise, aesthetically pleasing, and that reflect our natural heritage.
- Provide guidelines as an adjunct to the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law for the installation and management of verges in the Town.

In addition to the policy and local law, the Town has developed a Permissible Verge Treatment Information Sheet for residents to assist them in the design of their verge.

The Verge Treatment and Maintenance Policy states that “A *permissible verge treatment is one that is approved by Council and subject to stringent conditions*”.

Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law states that:

*“2.2 Activities allowed with a permit – general*

*(1) A person shall not, without a permit –*

*Unless installing, or in order to maintain, a permissible verge treatment –*

- (i) Lay pipes under or provide taps on any verge; or
- (ii) Place or install any thing on any part of a thoroughfare, including gravel, stone, flagstone, cement, concrete slabs, blocks, bricks, pebbles, plastic sheeting, kerbing, wood chips, bark or sawdust; “

**COMMUNICATION & ENGAGEMENT**

The Town sent a letter on 18 September 2017 to the owner of 115A Anzac Terrace to inform about the non-compliant verge treatment.

The owner at 115A Anzac Terrace, made contact via phone in late September/early October to advise she would like to apply for an exemption regarding the non-compliant verge treatment. The owner was advised by the Town’s Officer to send the request via email and to include in the email the reasons why she would like to retain the current verge treatment.

The owner of 115A Anzac Terrace sent an email on 7 November 2017 requesting an exemption in regards to the verge treatment. The Town’s Compliance Officer replied to the home owner via email advising that a report will be prepared for Council’s consideration and that the email will be attached to the report.

**STRATEGIC IMPLICATIONS**

Built Environment:

3.2 Enhance connectivity between places and people	3.2.1 Connect the Town through a safe and inviting walking and cycling network.	Community / Stakeholder Satisfaction Survey (roads, footpaths and cycle paths)
	3.2.2 Advocate for improved and innovative transport access and solutions.	
	3.2.3 Enhance the liveability of local neighbourhoods.	Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.)
	3.2.4 Enhance road safety through design	

**COMMENT**

Site inspections were carried out on Anzac Terrace in September 2017. The site inspections revealed the verge adjacent to 115A Anzac Terrace is covered with compacted aggregate (compacted cracker dust).

The above-mentioned verge treatment does not comply with the Town's Permissible Verge Treatment Policy. The Permissible Verge Treatment Policy states that acceptable materials for a verge treatment are: composted mulch or chipper mulch material, small format porous pavers (no more than one third of the verge shall be paved), irrigation system, grass, low growing ground cover plants. The policy also gives some examples of non-acceptable materials such as frangible objects, loose objects (gravel or aggregate), concrete, bitumen and artificial turf.

Following the site inspection, a letter to inform about the non-compliant verge treatment was sent to the owner of 115A Anzac Terrace, on 18 September 2017.

The homeowner made contact with the Town via phone in late September/early October, and via email on 7 November 2017 and advised as follows:

*"I am writing in regards to the conversation we had in regards to the non compliance of the verge at 115A Anzac Tce Bassendean and would like to apply for an exemption.*

*When I was building the property over 2 years ago I was informed by Stephanie at your Council that as long as people could not pick up loose material such as pea pebble or rainbow stone that other materials for the verge would be acceptable. I have had cracker dust which has been compacted installed which makes the verge neat and tidy unlike other verges where the grass is allowed to grow to create a fire hazard and has also eliminated the tripping hazard from the tree roots several of which were cut back when the drains and curbing for Anzac Tce were re done. (I have also noticed that directly across from me they still have not completed the footpath where the drain was re done which is also now a tripping hazard).*

*As I have installed a water wise garden I do not want to waste water by installing grass on the verge and do not wish to install mulch as this is a breeding ground for cockroaches.*

*I find it very frustrating that the Council have once again given incorrect policy. Before I bought the block at 115A Anzac Tce I contacted the Council in regards to policy about verge trees and was informed that yes it could be removed at my cost as long as another tree was planted somewhere else in Bassendean and that I would have to pay to have it watered.*

*When my plans were finally submitted for approval I was told I would have to flip the house as no they did not just remove trees and that I could organise for the Telstra pit next to the tree to have a trafficable lid installed or the pit moved. Telstra do not do trafficable lids and to have the pit moved would be at a cost of \$350,000. (quote was sent through to Mr Reed at your office ) hence I now have a single crossover.*

*The cracker dust although compacted allows for water to seep through so eliminates any flooding.*

*As this has cost me money to have installed and will again cost money to have removed I ask that the Council approve my exemption and to leave the verge as is, regards."*

The compacted cracker dust is not listed as an acceptable material for verge treatments under the Town's Permissible Verge Treatment Policy. Due to the nature of the compacted cracker dust (fine particles well compacted) the verge area adjacent to 115A Anzac Terrace has a reduced permeability compared to compliant verge treatments (grass, mulch).

In addition, the compacted cracker dust was installed to the edge of the verge tree's trunk. Typically, approximately 90-95 percent of a tree's root system is in the top three feet of soil, and more than half is in the top one foot. The part of this root system in which construction damage should be avoided is called the Structural Root Zone (SRZ). Soil compaction is the single largest killer of urban trees. Tree roots need loose soil to grow, obtain oxygen, and absorb water and nutrients. Stockpiled building materials, heavy machinery, compaction of soils and excessive foot traffic all damage soil structure.

Lacking good soil aeration, roots suffocate and tree health declines. For this reason, the Town does not allow any works (for example crossovers) to be conducted within 1.5m from verge trees. Also, when works have to be carried out on the verge or on the property adjacent to a verge tree, the tree(s) must be protected in accordance with the Town's Street Tree Protection Policy.

The Verge Treatment and Maintenance Policy states that "A permissible verge treatment is one that is approved by Council and subject to stringent conditions". No verge treatment application was made in regards to the verge adjacent to 115A Anzac Terrace.

## STATUTORY REQUIREMENTS

Local Government Act 1995.

Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law.  
Verge Treatment Policy.

**FINANCIAL CONSIDERATIONS**

There are no financial implications associated with this report.

**OFFICER RECOMMENDATION – ITEM 10.4**

That Council advises the owner of 115A Anzac Terrace, Bassendean, that her request for an exemption from the Verge Treatment Policy is declined, and that the owner be required to comply with the Verge Treatment Policy.

**Voting Requirement - Simple majority**

**10.5 Success Hill Ingress and Egress - Community Feedback  
(Ref: TRAF/PLANNG/3 ROAD/DESCONT/5 - Trent  
Macpherson, Engineering Technical Coordinator)**

**APPLICATION**

The purpose of this report is to provide Council with the Success Hill entry and egress community survey feedback results, as resolved by Council at the October 2017 Ordinary Council Meeting.

**ATTACHMENTS**

**Attachment No. 6:**

- Success Hill Community Workshop Presentation – Ingress/Egress.
- Success Road and Lord St Crash Traffic Management Assessment.
- Lord St and Walter Rd East Crash Traffic Management Assessment.
- Crash Factor Matrixes – Walter Road East and Lord Street; and Walter Road and Success Road.

**Attachment No. 6A:**

- Community Responses (including Railway Parade PSP – Item 10.6 refers)

*An electronic copy of responses is available on the Town's website:*

*<http://www.bassendean.wa.gov.au/council-meetings/ordinary-council-meeting/250>*

*Hard copies will be available for viewing at the Council meeting.*

**BACKGROUND**

At the October 2017 Ordinary Council Meeting, Council resolved for the Town's officers to seek statistical information on road incidents that have occurred at the Success Road and Lord Street intersection, measurements of the volume of traffic and delay times during peak hours. The Town to engage with the community, specifically the residents of Success Hill, and to gauge the level of concern around the existing single point of vehicle access/ egress to the Success Hill area and seek suggestions and feedback on potential solutions.

On 16 January 2018, a community workshop was conducted where residents had the opportunity to discuss options and develop possible solutions.

Residents also had the opportunity to provide their feedback via a survey form provided on the evening of the workshop, distributed to the residents' letterboxes in the immediate vicinity, the Town's website (Your Say) survey or via email.

In the 2012, Local Area Traffic Management study by Opus, they recommended opening up the intersection of Walter Rd East and Lord St for it be an exit only from the Success Hill precinct, and to modify Success Road, as an entry only with an entry treatment designed to reflect this.

**COMMUNICATION & ENGAGEMENT**

In December 2017, a letter was delivered to residents of Success Hill, north of the train line, inviting them to attend the community workshop and to discuss and develop potential solutions of single vehicle access point to Success Hill.

Furthermore, a community workshop with the residents of Success Hill was held on 16 January 2018, and an online survey was made available through the Town's Webpage "Your Say Bassendean" from 16 January 2018 to 5 February 2018.

**STRATEGIC IMPLICATIONS**

**Built Environment:**

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <b>How we will be judged</b>
3.2 Enhance connectivity between places and people	3.2.1 Connect the Town through a safe and inviting walking and cycling network. 3.2.2 Advocate for improved and innovative transport access and solutions. 3.2.3 Enhance the liveability of local neighbourhoods. 3.2.4 Enhance road safety through design	Community / Stakeholder Satisfaction Survey (roads, footpaths and cycle paths)  Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.))

**COMMENT**

At the community workshop for the residents of Success Hill on 16 January 2018 (54 community members attended) the Town presented potential intersection treatments for Walter Rd East/ Lord St and Success Rd/ Lord St. These treatments, were devised to improve the entry and egress to the Success Hill precinct, and included traffic count data information.

The community, following the workshop, were given the opportunity to fill in a survey form on their preferred options.

Survey Results:

**Walter Rd East and Lord St intersection:**

**Option A:** Modify the intersection to allow exit only from Success Hill, using traffic light control.

**Option B:** Remove traffic lights, install a roundabout and allow a exit only from Success Hill.

**Other:** Community to provide alternative suggestions.

Results:

Option A	42
Option B	22
Other	19
Leave as is	13

The following key alternative suggestions were received in the survey feedback:

- Modify intersection to be a fully functional four way intersection, controlled by traffic lights.
- Install retractable bollards to allow emergency vehicles into Success Hill only.
- Modify timing on existing traffic lights.

**Success Rd and Lord St intersection:**

**Option A:** Modify Success Hill Rd to allow left in, right in with no exit onto Lord St.

**Option B:** Install traffic island to allow right in, left in and left out only

**Other:** Community to provide alternative suggestions

Results:

Option A	12
Option B	40
Other	26
Leave as is	11
Unsure	1

The following “key alternative” suggestions were received in the survey feedback:

- Install a roundabout at intersection

- Install a right turn pocket on Lord St to allow vehicles to turn right onto Success Rd.
- Modify traffic timing at Walter Rd East and Lord St to allow gaps in traffic so vehicles can exit out of Success Rd.

In summary, the community's preferred option is to modify the Walter Rd East and Lord St intersection is to allow exit only from Success Hill, using traffic light control and installing a traffic island at the intersection of Success Rd and Lord St to allow right in, left in and left out only.

### STATUTORY REQUIREMENTS

Local Government Act 1995

### FINANCIAL CONSIDERATIONS

Council has allocated funds in the 2017/2018 budget to engage a consultant to undertake Transport study and considering the feedback receive it would be prudent to provide to the contractor to ensure that they consider residents' concerns and address recommendations to resolve the current and future transport requirements.

### OFFICER RECOMMENDATION — ITEM 10.5

That Council:

1. Acknowledges the results from the survey and preferred treatments at the Walter Road East/Lord Street intersection and Success Road/Lord Street intersection;
2. Requests Main Roads WA to review the traffic light phasing to improve traffic flow between Walter Road East/Lord Street and the Guildford Road/Lord Street intersections in order to provide gaps in traffic flow to permit vehicles to gain entry to and exit from Success Road;
3. Forwards the feedback and surveys received from the community workshop to the consultant appointed to undertake the Bassendean Transport Study; and
4. Notes that the recommendations from the Bassendean Transport Study will be presented to Council for consideration.

**Voting requirements: Simple Majority**

**10.6 Railway Parade Proposed Principal Shared Path - Community Feedback (Ref: TRAF/PLANNG/3 ROAD/DESCONT/5 - Trent Macpherson, Engineering Technical Coordinator)**

**APPLICATION**

The purpose of this report is to provide Council with the community feedback on the proposed Principal Shared Path on Railway Parade, as resolved by Council at the November 2017 Ordinary Council Meeting.

**ATTACHMENTS**

**Attachment No. 7:**

- Councillor Workshop 13 February 2018 - Department of Transport presentation.
- Department of Transport 13 February 2018 revised concept plan 245215-54-SKE-001 Rev A.
- Community Workshop 16 January 2018 presentation
- Community Feedback

**BACKGROUND**

At the November 2017 Ordinary Council Meeting, Council resolved that officers carry out community consultation in regards to the proposed Principal Shared Path concept.

On 16 January 2018, the Town held a community workshop with the members of the community and residents of the Success Hill precinct. At this workshop, officers of the Town and Main Roads WA representatives presented the concept design to the community and answered questions the community asked in regards to the Principal Shared Path.

Following the workshop, an online survey was made available through the Town's website "Your Say Bassendean", for members of Success Hill and the wider community to provide feedback on the proposed Principal Shared Path.

**COMMUNICATION & ENGAGEMENT**

In December 2017, a letter was mailed to the residents of Success Hill, north of the train line, inviting them to attend the community workshop to discuss the proposed Principal Shared Path.

On 13 February 2018, a Councillors' Workshop was held with representatives from the Department of Transport to discuss the design options. Attached is a copy of the presentation and a revised concept plan.

The Department of Transport advised that they have listened to the feedback provided and have revised concept plan to include following changes:

1. Requires the removal of less trees/shrubs (23 vs 27), and no loss of large trees.
2. Two sections of the path could be built on platforms, this allows no disruption to roots in the area.
3. No changes to the road width at any point.

In addition, the Department advised that it would be seeking to apply a "Green Routes" pilot project initiative to support activation of the Principal Shared Path by targeting the space surrounding the path to enhance the cycling experience, increase community amenity and create bio-diverse corridors.

### STRATEGIC IMPLICATIONS

The Corporate Business Plan 2017 - 2021 includes the following under Strategic Priority 3 Built Environment:

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <b>How we will be judged</b>
3.2 Enhance connectivity between places and people	3.2.1 Connect the Town through a safe and inviting walking and cycling network. 3.2.2 Advocate for improved and innovative transport access and solutions. 3.2.3 Enhance the liveability of local neighbourhoods. 3.2.4 Enhance road safety through design	Community / Stakeholder Satisfaction Survey (roads, footpaths and cycle paths)  Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.)

### COMMENT

At the community workshop held on 16 January 2018, (54 community members attended) Main Roads WA presented the proposed concept of the Principal Shared Path. Residents asked questions and provided feedback on the proposal. Following the workshop, an online survey was made available for the community to provide feedback.

The Town received 69 surveys forms and all feedback was forwarded to the Department of Transport to provide a follow-up comment back to the Town.

STATUTORY REQUIREMENTS

N/A

FINANCIAL CONSIDERATIONS

Nil

OFFICER RECOMMENDATION — ITEM 10.6

That Council

1. Receives the community feedback regarding the proposed Principal Shared Path in Railway Parade, Bassendean;
2. Acknowledges the Department of Transport's responses provided at the Councillors' Workshop held on the 13 February 2018, including the new concept design that mitigates the loss of vegetation;
3. Approves in principle the revised concept plan 245215-54-SKE-001 Rev A for the design and construction of the Railway Parade Principal Shared Path; and
4. Requests that the Department of Transport implement the "Green Route" pilot project to support activation of the proposed Railway Parade Principal Shared Path.

**Voting requirements: Simple Majority**

**10.7 1 Surrey Street, Bassendean – Expenditure (Ref: COMDEV/TENDNG/10 - Director Operational Services, Simon Stewart-Dawkins)**

**APPLICATION**

The purpose of this report is confirm that on Wednesday 31 January 2018, a Councillor workshop was held in accordance with OCM – 12/12/17.

In order to progress any proposals, the Town requires Council authority to expend funds from the 2017/18 allocated budget.

**BACKGROUND**

In November 2017, Council resolved (OCM – 14/11/17)(in part) to request staff to provide an update of all expenditure to date associated with the investigation and creation of plans and investigate the whole of life costs for the 1 Surrey Street Project and provide to this Council the business cases for Option 1 and Option 2c.

A Councillor Workshop was held on the 31 January 2018 where Mr Paul Bridges made a presentation to Elected Members, and the Director Operational Services provided the year to date expenditure, the Whole of Life Costs for Option 1 and Option 2 based from a 2014 SIA Architects report previously presented to Council.

**STRATEGIC IMPLICATIONS**

The Community Strategic Plan 2017-2021, contains the following under the heading of:

Built Environment:

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
3.3 Enhance the Town's appearance	3.3.1 Improve amenity and the public realm 3.3.2 Strengthen and promote Bassendean's unique character and heritage 3.3.3 Implement design policies and provisions of buildings and places	Community / Stakeholder Satisfaction Survey (heritage, amenity and appearance)

### COMMENT

On Friday 16 February 2018, the Mayor requested a report be presented to the next Ordinary Council meeting to enable the Town to expend funds from the \$80,000 allocated in the 2017/2018 Budget.

Council (OCM – 12/05/17 and SCM – 6/07/17) resolved to allocate funding to appoint a Heritage Architect to manage the consultation, design and construction for the Option 1 design project.

Considering the Councillor Workshop has been conducted and elected members are seeking additional information which goes beyond the Council resolutions, it is suggested that Council authorise expenditure to undertake further investigation in regards to the SIA Architect Option 1 or Option 2 designs.

### STATUTORY REQUIREMENTS

Local Government Act 1995  
Local Government (Functions and General) Regulations 1996  
Heritage of Western Australia Act 1990

### FINANCIAL CONSIDERATIONS

The 2017/2018 Budget of \$80,000 allocated to account 151359 titled Pensioner Guard Cottage – Architect General, has been provided in accordance with Council (OCM – 12/05/17 , SCM – 6/7/17) resolutions to appoint a Heritage Architect to manage the consultation, design and construction for the Option 1 design project.

### OFFICER RECOMMENDATION – ITEM 10.7

That Council amends the 2017/18 Budget allocated for account 151359: Pensioner Guard Cottage – Architect General for the purpose of engaging a suitable contractor to explore the SIA Architect Option 1 or Option 2c designs.

### **Voting Requirements: Absolute Majority**

**10.8 Unauthorised Reroofing, stormwater management and external building works to a property listed on the State Register of Heritage Places at 1 River Street, Bassendean (Ref: DABC/BDVAPPS/2011-224 Timothy Roberts, Planning Officer)**

APPLICATION

The purpose of this report is to seek Council's authorisation to commence prosecution proceedings in the event that unauthorised reroofing, stormwater maintenance and external building works at 1 River Street, Bassendean, are not modified in line with the recommendations of the State Heritage Office, within 60 days from the date of any development approval.

ATTACHMENTS

**Attachment No. 8:**

Refusal Notice – 1 River Street  
Letter from Owner to Mayor

BACKGROUND

The dwelling located at 1 River Street, Bassendean, was constructed in 1896, as the Lockeridge Hotel, at a time when Bassendean was developing as a result of the rapid population growth caused by the gold boom. It ceased to operate as a hotel in 1902 and has been, over the years, a hospital on three separate occasions, a girl's boarding school and a Salvation Army men's home. The dwelling is now used for residential purposes. The dwelling is considered to hold cultural heritage significance to Western Australia and was subsequently permanently entered onto the State Register of Heritage Places on 29 May 2001 as the 'Success Hill Lodge (fmr)'.

On 29 November 2011, the Town of Bassendean received a development application for reroofing and stormwater maintenance to the former Success Hill Lodge located at 1 River Street, Bassendean. The application was not able to be determined due to the inadequacy of the information that accompanied the application. The Town conveyed this advice to the applicant by letter dated 17 February 2012. This letter also advised that it was observed that the proposed works had commenced without the requisite Town of Bassendean approvals or endorsement from the State Heritage Office, also required as part of this process. The Town received a response on 26 March 2012 with further detail however, the materials, works and level of detail proposed still did not allow an informed decision to be made.

This shortcoming was again conveyed to the applicant by letter on 1 May 2012. No response was ever received to this letter.

Noting that the application remained undetermined within the Town's system, in conjunction with the length of time taken by the applicant to provide the requested further information and that the unauthorised works cannot be supported, the application to commence development approval was subsequently refused (attached). These unauthorised works have now become the subject of compliance action by the Town.

### COMMUNICATION & ENGAGEMENT

The development application that was refused was informally referred to the State Heritage Office for comment. No formal referral was able to be undertaken as the level of detail provided could not allow for a full and comprehensive assessment. Recent communication with the State Heritage Office revealed that the applicant has expressed interest in applying for the Heritage Council's annual Heritage Grants Program, which offers assistance to private owners of State Registered heritage places to undertake urgent conservation works. Grants of up to \$100,000 are available through a competitive process and owners are required to match funds to the projects. Grants cannot be applied for until June 2018 with winners announced the following spring however, there is no guarantee that the applicant will even be successful. The Heritage Council mentioned they do not have the mechanisms within the *Heritage Places of Western Australia Act 1990* to prosecute property owners for damaging or neglecting a property listed in the State Register of Heritage Places unless that place has been demolished without approval. It was suggested that this continued non compliance become a prosecution matter by the Town if considered appropriate.

### STRATEGIC IMPLICATIONS

OBJECTIVE: Build a sense of place and belonging.  
STRATEGIES: Ensure our unique culture and history are shared and celebrated.

OBJECTIVE: Enhance the Town's appearance.  
STRATEGIES: Strengthen and promote Bassendean's unique character and heritage.

## COMMENT

As part of the refused application to commence development approval, the Town sought the advice of the State Heritage Office who have suggested the following modifications would be requested had a formal referral been made:

1. The unauthorised replacement roof sheeting is to be removed and replaced with short sheet galvanised iron roof sheeting to match the original;
2. A gutter is to be provided for the whole length of roof in either an ogee (preferable) or Stramit S profile to match the existing; and
3. The unauthorised PVC pipes are to be removed and replaced with galvanised iron pipes. These are to be located discreetly, consistent with their original location and with a profile and material to match the original. Pipe materials should be compatible with existing roof materials to avoid galvanic corrosion.

As the property is on the State Register of Heritage Places, these modifications require the approval of the Town prior to the commencement of any works on site. The owner was written to on 4 January 2018 notifying the owner that it would be open to the Town to commence prosecution proceedings in the event that the roof materials/style, gutter installation, stormwater arrangements and external pipe materials were not modified in accordance with these requirements. The Town also requested a development application reflecting these changes be lodged within 30 days from the date of the letter. The landowner wrote to both the Mayor and the Town on 31 January 2018 (attached) detailing a history of the site, financial hardship and unfamiliarity with approval processes.

The current owners purchased the site on 16 January 2004. At the time of purchase, the dwelling was listed on the State Register of Heritage Places. On 22 July 2010, the current owners applied to the Town seeking approval to pave a section of their verge for the purposes of off-street car parking. The Town's records indicate that the owner referred this application to the State Heritage Office as part of this process. This suggests that the property owners are aware of the requirements to obtain local government approval for all works in relation to a property listed within the State Register of Heritage Places.

The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015 and took effect on 19 October 2015. These regulations were a major part of Western Australia's planning reform agenda, affecting arrangements for local planning schemes and amendments. These regulations introduced a set of deemed provisions that form part of every local planning scheme in the State.

As part of these deemed provisions, if a local government forms the view that a heritage place is not being properly maintained the local government may give a person, who is the owner or occupier of the heritage place, a written notice requiring the person to carry out specified repairs to the heritage place within a specified time. This specified time cannot be less than 60 days after the day on which the notice is given.

If a person fails to comply with a heritage conservation notice, the local government may enter the heritage place and carry out the repairs specified in the notice. The expenses incurred by the local government in carrying out repairs may be recovered as a debt due from the person to whom the notice was given in a court of competent jurisdiction. A person who is given a heritage conservation notice may apply to the State Administrative Tribunal for a review of a heritage conservation notice. It should be noted that a heritage conservation notice has not yet been tested within Western Australia however remains an option open to Council.

The owner has suggested that they have three options moving forward being to attempt to obtain a Lotterywest grant, subdivide the property or sell the property. It appears that subdivision is not an achievable option as the curtilage of the state listing extends to the single storey addition to the west of the original two storey building and there is not enough land to the south of the dwelling. The State Heritage Office mentioned that there is no guarantee that a Lotterywest grant would be provided and in the event that the owners were successful, they would be required to match these funds which the owners have indicated they will not have the finances to do. When a State listed place is purchased, there is a level of responsibility that comes with that purchase for the ongoing maintenance and conservation of a state heritage listed place. The dwelling is in a degree of disrepair and is in a far worse condition now than when the house was first purchased. It is considered that the only reasonable option for the owners in the event that they are not able to adequately maintain and conserve the property is for them to sell the property.

The community expects practical action in response to the risk of loss of significant heritage places. The Town has received a number of complaints from the community as well as the Bassendean Historical Society in relation to the condition of the dwelling. The Bassendean Historical Society stated that Success Hill Lodge 'has been allowed to deteriorate, so that it now has a badly neglected appearance.' Continued inaction by Council could result in the loss of this significant heritage property not only to Bassendean but also to Western Australia.

It is therefore appropriate for Council to authorise the Chief Executive Office to initiate legal action if an application for development approval is not lodged with the Town proposing modifications in line with the recommendations of the State Heritage Office. In the event that these works are not substantially commenced within 60 days from the date of any subsequent development approval, it is appropriate for Council to also authorise the Chief Executive Office to commence prosecution proceedings against the landowner.

### STATUTORY REQUIREMENTS

#### Local Planning Scheme No. 10

A person must not commence or carry out any development without first having applied for and obtained the development approval of the local government, where required under the Scheme.

The following development does not require the development approval of the local government:

- (a) the carrying out of any building or work which does not materially affect the external appearance of the dwelling except where the building is located in a place that has been entered in the Register of Heritage Places under the Heritage of Western Australia Act 1990.

A person must not contravene or fail to comply with the provisions of the Scheme. A person must not commence any development within the Scheme area otherwise than in accordance with the Scheme and unless all approvals required by the Scheme have been granted. A person who fails to comply with the provisions of a Town Planning Scheme has committed an offence under Section 218 of the Planning and Development Act 2005.

### Planning and Development Act 2005

Where any land within a place entered in the State Register of Heritage Places, is to be the subject of development, an application for the approval of the development is required to be made. In the case of an application under a local planning scheme, this application is to be made to the local government.

A person who commences, continues or carries out any development (or causes or permits any development to be commenced, continued or carried out), affecting land within a place entered in the State Register of Heritage Places without the prior approval of that development first having been obtained and in a manner which is in conformity with the approval, commits an offence.

Unless otherwise provided, a person who commits an offence under this Act is liable to a fine of \$200,000 and in the case of a continuing offence, a further fine of \$25,000 for each day during which the offence continues.

### Heritage Places of Western Australia Act 1990

Where any place is entered in the State Register of Heritage Places, applications for approval under the Planning and Development Act 2005 are not to be determined until the application in question has been referred to the Heritage Council and the advice of the Council received.

### FINANCIAL CONSIDERATIONS

Should the Town be required to resort to legal action, the cost of prosecution proceedings is estimated to be approximately \$1,500. Should the matter go before a magistrate, the property owner is often required to pay the Town's costs.

### OFFICER RECOMMENDATION — ITEM 10.8

That:

1. Council authorises the Chief Executive Officer to initiate legal action if a competent application for development approval at No. 1 River Street, Bassendean, is not lodged within 28 days, being 27 March 2018, with the development application to demonstrate compliance with the following:
  - (a) The unauthorised replacement roof sheeting is to be removed and replaced with short sheet galvanised iron roof sheeting to match the original;

- (b) A gutter is to be provided for the whole length of roof in either an ogee (preferable) or Stramit S profile to match the existing;
  - (c) All unauthorised external PVC pipes are to be removed and replaced with galvanised iron pipes. These are to be located discreetly, consistent with their original location and with a profile and material to match the originals. Materials should be compatible with existing roof materials to avoid galvanic corrosion; and
2. In the event that a competent development application is received and approved by the Town and required works are not substantially commenced within 60 days of the date of that approval, Council authorises the Chief Executive Officer to initiate legal action.

**Voting requirements: Simple Majority**

**10.9 Draft State Planning Policy (SPP) 4.1 – Industrial Interface (Ref: GOVR/STLIAS/5 – Anthony Dowling, Director Strategic Planning)**

**APPLICATION**

The Western Australian Planning Commission (WAPC) recently released for public consideration and comment draft *State Planning Policy 4.1 – Industrial Interface*.

The draft Policy is intended to replace existing *State Planning Policy (SPP) 4.1 – State Industrial Buffer*.

Submissions on the proposed new policy are open until 5.00pm Wednesday 21 February 2018. This date precedes the February 2018 meeting date, however, an extension of time to lodge a submission from the Town has been granted by the Department of Planning, Lands and Heritage (DPLH) until at least Thursday 1 March 2018, in order for Council to consider and determine at the February 2018 Ordinary Meeting whether it wishes to make a submission on the draft policy.

**ATTACHMENTS**

**Attachment No. 9:**

Draft SPP 4.1 – Industrial Interface

Draft SPP 4.1 – Frequently Asked Questions (FAQ's)

SPP 4.1 – State Industrial Buffer Policy

**BACKGROUND**

As cited on the Western Australian Planning Commission's (WAPC) website, SPP4.1 guides planning decisions with the aim of protecting the long-term future operation of industry and infrastructure facilities, by avoiding encroachment from sensitive land uses and potential land use conflicts.

The intention of the draft (revised) policy is to reflect the broader policy measures which extend beyond the application of statutory buffers. It seeks to deal more generally with providing transitioning compatible zones, reserves and land uses between industry and sensitive land uses to avoid potential conflict.

According to the WAPC key changes to the policy include:

1. The application of statutory buffers around Strategic industrial areas (e.g. Kwinana) and infrastructure facilities of State significance (eg. ports, wastewater treatment plants, and power plants) to protect these areas and infrastructure from being encroached by incompatible and sensitive land uses.
2. General industrial land and sensitive land uses managed through land use transition and control;
3. Planning decisions not solely reliant on scientific/technical studies and investigations and to consider strategic factors such as future industrial expansion;
4. Adoption of the precautionary principle where a proponent is unable to demonstrate a proposal will not cause adverse impact to sensitive land uses;
5. Reference to interface requirements for high-pressure gas pipelines in order to strengthen policy application for related proposals;
6. Greater clarity for policy implementation including guidelines that illustrate how special control areas can be applied and/or how a transitioning of compatible land use/zones can be applied.

With reference to a “statutory buffer” mentioned above, a “statutory buffer” is a legislative mechanism applied to a region scheme and/or local planning scheme (eg. a Special Control Area) which designates an area of impact surrounding an emissions generating industry or industries with select provisions to control the use and disposition of development proposed within that area.

Such buffers are generally only required for planning proposals deemed to generate significant emissions that potentially result in adverse impacts on sensitive land uses. Proposals that typically require statutory buffers include strategic industrial areas and infrastructure facilities of State significance such as a major wastewater treatment plant.

With reference to “sensitive land uses” mentioned above, a “sensitive land use” defined under the draft policy is a use which is either residential or institutional in nature, and where people live or regularly spend extended periods of time.

This use includes a dwelling, short-stay accommodation, a school, a hospital, a childcare centre, and the like. Generally, it excludes commercial or industrial premises.

A copy of the draft SPP is provided as an attachment with a series of 'frequently asked questions (FAQ's)' further explaining the draft policy. A copy of the current SPP 4.1 is also provided as an attachment.

### STRATEGIC IMPLICATIONS

The draft SPP will be able to assist Council in achieving the following applicable objective cited in its *Strategic Community Plan 2017-2027*:

#### **Strategic Priority 1: Social**

##### *Objective/s*

##### 1.3 – Plan for a Healthy and Safe Community

In line with the below strategies prescribed in the *Strategic Community Plan 2017-2027* to achieve the aforementioned objective, Council ought to lodge a submission in support of the draft SPP, with or without suggested amendments.

##### *Strategies*

1.3.1 - Facilitate safer neighbourhood environments

1.3.2 - Promote and advocate community health and well-being

### COMMENT

In essence, the draft policy is similar in intent and application to the current SPP 4.1 but its format and structure has been substantially reconfigured.

It appears to provide clearer provisions regarding the protection of strategic industry and infrastructure facilities of State significance (section 5.1 of the draft policy), none of which (as far as can be ascertained) exist or are planned within the Bassendean local government area (LGA).

Sections 5.2 and 5.3 of the policy will have the most application to the Bassendean LGA.

Section 5.2 of the policy deals with principles and approaches to assessing and determining the extent of off-site impacts, especially in relation to sensitive land uses.

Section 5.3 of the policy provides for the application of the “Precautionary Principle”.

It is intended for this principle to be applied by a decision-maker (eg. local governments, Development Assessment Panels) where it is considered that a planning proposal has failed to adequately consider potential land use conflicts and demonstrate that it will not expose existing or proposed sensitive land uses to adverse impacts.

Section 6 of the draft policy outlines the various ways in which the policy is to be applied through the planning framework, and includes local planning strategies, local planning schemes, structure plans, applications to subdivide land, applications to develop land, and local planning policies.

It is noted that in respect to local planning strategies, the draft policy contains a provision that where an industrial zone has been identified to transition to a sensitive land use zone, local planning strategies should identify any existing industrial land uses with offsite impacts in the area and provide a framework for managing transition over time to avoid land use conflict between existing industries and new sensitive land uses.

This is a new provision, and quite possibly (regardless of whether draft SPP 4.1 is adopted with or without amendment) will apply to any agreement between the Town and the Minister for Planning should the Minister agree to set in motion a transitional framework for allowing multi-storey residential development on industrial land adjacent and to the north west of Ashfield Train Station, situated on Railway Parade, Ashfield (refer OCM - 27/01/18).

The draft SPP also includes guidelines (with illustrative diagrams) as to how to apply the provisions of sections 5.1 and 5.2.1 of the policy.

It is noted that the revised policy no longer includes special uses that may require a buffer area, such as major motor sports venues (eg. speedways), football and soccer stadia, presumably on the basis that these are not industrial uses.

Notwithstanding, it is recommended that the WAPC give consideration to developing a similar policy to draft SPP4.1 which addresses locational and buffer requirements for major sports venues and stadia, given that these types of uses can also generate adverse off-site impacts, particularly if they are proposed to be located within proximity of existing sensitive land uses.

This is particularly pertinent in respect to the current consideration being given by the State to the possible development of a State Football (Soccer) Centre upon Ashfield Reserve.

It is further noted that the draft policy will exempt a number of land uses from being subject to it. Pertinent to Bassendean, these include infrastructure corridors (road, rail), telecommunications infrastructure, and aircraft noise.

### STATUTORY REQUIREMENTS

Planning and Development Act 2005  
Planning and Development (Local Planning Scheme)  
Regulations 2015

### FINANCIAL CONSIDERATIONS

Nil.

### OFFICER RECOMMENDATION — ITEM 10.9

In response to the invitation from the Western Australian Planning Commission (WAPC) to consider and comment upon its draft *State Planning Policy (SPP) 4.1 – Industrial Interface*, Council advise the WAPC as follows:

1. The draft SPP as presented is generally supported; and
2. That the WAPC consider developing a similar State Planning Policy that addresses locational and buffer requirements for major sports venue and stadia, given that these types of uses can also generate adverse off-site impacts, particularly if they are proposed to be located within proximity of existing sensitive land uses.

**Voting requirements: Simple Majority**

**10.10 Crèche Services for Meetings (Ref: GOVN/CCLMEET/1 - Graeme Haggart, Director Community Development)**

**APPLICATION**

Council is requested to receive an officer report on the provision of crèche service for meetings of Council and other meetings open to community participation.

**BACKGROUND**

At the November 2017 meeting of Council (OCM-38/11/17) it was resolved *“that the CEO prepare a report for the consideration of Council, outlining the options and cost implications for each option, for the provision of an on-request crèche or child care service at Town meetings, including Council Meetings, Committee Meetings, and other Town meetings open to community participation.”*

**COMMUNICATION & ENGAGEMENT**

The Town’s Manager Children Services assisted with the preparation of the report.

**STRATEGIC IMPLICATIONS**

The Social Key Result Area includes an objective of “Building a sense of place and belonging” and plans to do so with a strategy to “facilitating engagement and empowerment of local communities”.

The Good Governance Key Result Area includes an objective to “Proactively partner with the community and our stakeholders” and plans to do so with a strategy to “improve customer interface and service”.

**COMMENT**

Councillors are entitled to reimbursement of childcare fees associated with Council business. This does not apply to community representatives on Committees.

**Setting up a crèche**

Crèche facilities are not subject to rigorous licencing requirements. Guidelines for the delivery of crèche services developed by the Department for Local Government and Communities uses language such as “should” and “is recommended” when articulating how to go about setting up and operating a crèche service. Those practices are adapted from childcare service standards best practice.

It is a requirement though that crèches are provided under the same roof as the parent's activity.

Duty of care requirements prevail. Failure to maintain appropriate duty of care can result in legal action against the provider.

Workers compensation and public liability insurances are a requirement.

Policies and procedures including age appropriateness, dealing with sick children, dealing with incidents/accidents and emergencies are recommended. All such documentation can be modelled on Wind in the Willows policy and procedures.

Above all, the crèche environment must be safe and secure and have access to appropriate scaled toilets and desirably an outside area.

### **Staffing**

Staffing could be acquired through the existing Wind in the Willows staffing compliment on a voluntary opt in basis where the care is sought for after hours. In most instances that would result in it being worked as overtime.

Utilising existing staff provides assurance of care quality, Working With Children Check compliance, first aid currency and ease with administration (on payroll, etc).

Staffing ratios apply to crèche facilities: one Educator to every 4 children for 0-2 year olds, 1:5 for 2-3 year olds and 1:10 for 3 plus year olds. A minimum of 2 Educators would be required at all times, costing between \$25.92-\$30.89 per hour per Educator, not taking into consideration any penalty and overtime rates. Ordinarily a 3-hour minimum paid period applies.

### **Venue Options**

#### ***Lesser Hall/Committee Room***

The Town conducts most meetings in the Administration Building: Either in the Council Chamber, Committee Room or the Community Hall. To meet the minimum requirements means the crèche would likewise be within the Administration building. While not a particularly appealing venue for the purpose, the Community Hall Lesser Hall has in the past been used for crèche for leisure courses. The room is, however, regularly booked and where a crèche service is to be paired with a meeting, availability of the Lesser Hall will require to be considered when setting the meeting.

The Lesser Hall is for instance booked for meetings at the time of Ordinary Council Meetings. Where a meal is not provided, the Committee Room may be used for the purpose, however, given the Committee Room is the principal space for staff meeting requirements, it is not recommended that it be generally considered for use as the crèche.

***Utilisation of Seniors and Ashfield Wind in the Willows***

Meetings that are out of operational hours for Wind in the Willows and Seniors and Disability Services could be scheduled for the Ashfield Community Centre. The Ashfield Wind in the Willows could operate as a crèche with the meetings in the Adult Day Care Centre. The Ashfield Service already has appropriate toilets, resources etc.

**Other Considerations**

***Toys and Equipment***

Some storage can be provided in the Community Hall for a limited range of age appropriate equipment and toys for use in the Lesser Hall or Committee Room. Ashfield Community Centre is purpose built and well equipped. The cost to replenish stocks will be minimal and can be met from existing operational budgets.

***Children with additional needs***

Parents of children with additional needs will require to negotiate with staff in advance. Where one on one care is required, the parent may be required to provide a carer or where necessary be informed the service is not appropriate.

**Alternative Schemes**

***Sessional care at Wind in the Willows***

During ordinary hours of operation and subject to availability, sessional care could be made available for already enrolled children at Wind in the Willows. Children would only be able to attend for the duration of the meeting and would need to be collected prior to 5:45pm in line with the operational licence. The cost could be charged at a half day fee or Council may consider waiving the fee.

***A baby sitting register***

Many meetings are evening meetings. It may be regarded as inappropriate to have young children in care late into the evening. A babysitting agency may be an option; fees are usually around the \$30 per hour with a minimum 3 hours.

A register of current Children's Service employees who are compliant with Working With Children Checks, may be an option.

Given the OH&S issues around working in private residences, this option would require the arrangement to be external of their employment with the Town and considered secondary employment.

### STATUTORY REQUIREMENTS

Local Government Act 1995  
Education and Care Services National Regulations 2012

### FINANCIAL CONSIDERATIONS

At a minimum, the cost of staffing a crèche would be in the order of \$215 for each meeting and is based on 2 staff at all time, for a minimum 3 hours at approximately \$28.50 per hour. The quoted amount is inclusive of plus overhead costs (workers compensation insurance, leave provision) at 25%. This amount will be 50% greater at \$320 where evening overtime rates apply.

Other costs include resources, be they consumable or not and facility hire. Where the fee is waived there remains an opportunity cost associated with not being able to otherwise hire the facility. Use of the facility for crèche services is likely to result in additional cleaning and potentially accelerated asset depreciation rates, given the nature of the activity. This is not costed, merely noted.

### OFFICER RECOMMENDATION — ITEM 10.10

That Council:

1. Notes the information on cost and logistics of providing crèche services for Council's meetings and meetings involving the public;
2. Provides sessional care at Wind in the Willows for enrolled children during normal working hours as available and establishes a baby sitter register to assist parents to provide childcare in order they can participate in Council decision making processes on Council Committees;
3. Agrees to trial the reimbursement of the cost of the childcare for parents who are participating on Council Committees up to a maximum of \$2,500 from Account 391361, until 30 June 2018, whichever is the sooner; and
4. Considers allocating funds for the purpose in the 2018/19 draft budget based on the trial period outcome.

**Voting requirements: Simple Majority**

**10.11 Bassendean Bowling Club Lease Agreement Renewal (Ref: LEGL/AGMT/9 – Tim Dayman, Recreation Development Officer)**

**PURPOSE**

The purpose of this report is for Council to consider the renewal of the lease agreement with the Bassendean Bowling Club.

**BACKGROUND**

The Bassendean Bowling Club commenced operating in 1934 so has a long history in the Town. The Club is situated on the BIC Reserve in Bassendean and has access to three bowling greens and the adjacent clubroom facility.

The club has recently undertaken approved cosmetic upgrades to its kitchen facilities, as well as works on the skirts of the greens and floodlighting on “C Green”, all at its own expense.

The Bassendean Bowling Club’s membership levels over the last five years were as follows:

<b>Year</b>	<b>Members</b>
2013/2014	180
2014/2015	165
2015/2016	202
2016/2017	260
2017/2018	281

The most recent number consists of:

- 77 Male bowlers
- 17 Female bowlers
- 24 Non bowling full members
- 106 Social members
- 53 Dart Club members
- 4 Tennis Club members

The previous Lease Agreement was developed in May 2007 for a 5 year period, with a 5 year option and was extended to December 2017 due to the outcome of the Facility Audit/Needs Assessment (although recently expired, it remains in “carry-over” mode until Council decides on the outcome of the expired agreement).

The Club is looking to enter into a new agreement with the Town.

## COMMUNICATION AND ENGAGEMENT

Communication has taken place between the club and Town of Bassendean Recreation and Culture staff, along with independent consultants from AECOM.

## COMMENT

Legal agreements (whether they be Leases, Licences or Management Agreements) are essential for the effective management of Council facilities, as they clearly outline the rights and responsibilities of the parties wishing to enter into contractual relationships.

The Bassendean Bowling Club has a consistent level of membership, has good engagement in the community, and appears to have sound governance. The Club undertakes regular fundraising, operates a bar facility and has obtained various private sponsorships, so is financially stable. The Club, as mentioned has made some amendments to the kitchen area, with the intention of allowing a small-scale commercial operation to operate, with the approval of the Town's Health Officer.

## STATUTORY REQUIREMENTS

Local Government Act 1995

## STRATEGIC IMPLICATIONS

*Objective:* Build a sense of place and belonging.

*Strategy:* Activate neighbourhood spaces to facilitate community gathering

*Objective:* Ensure all community members have the opportunity to be active, socialise and connected

*Strategy:* Support our volunteers and community groups to remain empowered, dynamic and inclusive.

## FINANCIAL CONSIDERATIONS

Under the terms of the lease, there are annual rent reviews linked to CPI. Under the current lease, the Club was to pay \$3,400 in advance annually from May 2007. The latest payment in May 2017 was \$4,696.72.

The new lease payments to the Town will be \$4,696.72 paid in advance on May 1 and indexed by CPI annually. The exact figure will be calculated when the CPI figure is released in March. The Club also pays building insurance payments, as reimbursements to the Town in two instalments each year.

OFFICER RECOMMENDATION – ITEM 10.11

That Council instructs its solicitors to draft a new lease agreement for the use of the Bowling Club facilities at 10 Whitfield Street, Bassendean, by the Bassendean Bowling Club Inc, that includes a 5-year term with a 5-year option, commencing with the 2018 season.

**Voting requirement: Simple majority**

**10.12 Appointment of a Member to the Access and Inclusion Committee 2017-19 Term (Ref: GOVN/CCLMEET – Graeme Haggart, Director Community Development)**

**APPLICATION**

Council is requested to consider nominating a replacement member to the Access and Inclusion Committee as Cr Quinton tendered her resignation in writing to the CEO on 22 February 2018.

**BACKGROUND**

At its meeting held on 30 January 2018, Council appointed Councillors as members to internal Statutory Committees. Cr Quinton was the appointed Member of the Access and Inclusion Committee and Cr Wilson as Deputy Member. Cr Quinton has work commitments that will prevent her from attending day time meetings. With the resignation of Cr Quinton, the Member vacancy is required to be filled.

**STRATEGIC IMPLICATIONS**

*Good Governance - Objectives*

- 5.1 Enhance organisational accountability
- 5.2 Proactively partner with the community and our stakeholders

**COMMENT**

In accordance with Council Policy, appointments to Committees are for a period of two years. Where a Councillor is to be appointed to an internal Committee and there are more nominations than vacancies, the CEO is to conduct a secret ballot using the first past the post system to establish the preferred delegate to fill the position. In the event of a tied vote for a position, lots will be drawn by the CEO to determine the preferred delegate.

It should be noted that the next meeting of the Access and Inclusion Committee is Wednesday, 14 March 2018, commencing at 10.00am.

**OFFICER RECOMMENDATION – ITEM 10.12**

That Council appoints Cr \_\_\_\_\_ to the Access and Inclusion Committee for a two year period expiring on the next ordinary Local Government Election Day.

**Voting Requirement: Absolute majority**

**10.13 Mayor's Report: Chief Executive Officer Recruitment Process (Ref: HR/PER-FIL/2018 – Cr McLennan, Mayor)**

In accordance with Clause 5 of the CEO's contract of employment, the Mayor initiated discussions with the Chief Executive Officer on the 3<sup>rd</sup> of January 2018. As a result of these discussions a report was presented to the January 2018 Ordinary Meeting of Council to formally inform Council of the CEO's intention not to seek employment with the Town of Bassendean beyond 15 January 2019 when the current contract expires.

At its meeting held in January 2018 (OCM 32/01/18), Council resolved:

"MOVED Cr McLennan, Seconded Cr Gangell, that Council:

1. *Notes the advice received from the CEO regarding his contract; and*
2. *Considers the CEO recruitment process at its February Ordinary Council Meeting."*

In accordance with this resolution, Council is now to consider the method and timing of its CEO recruitment process.

The recruitment of a Chief Executive Officer is a function of the Council under Section 5.36 of the *Local Government Act 1995*. Section 5.36(2) and (3) of the Act specifies that:

- "(2) *A person is not to be employed in the position of CEO unless the council:*
- (a) *believes that the person is suitably qualified for the position; and*
  - (b) *is satisfied\* with the provisions of the proposed employment contract.*

*\* Absolute majority required.*

Due to the specialised nature of recruiting Council's principal employee, it is commonplace for a Council to engage the services of a suitably qualified independent recruitment consultant, licensed under the *Employment Agents Act 1976 (WA)*, to guide Council through the process and ensure there is legislative compliance, equity and fairness. This engagement activity will be conducted in accordance with the Local Government's adopted Purchasing Policy.

To assist with the engagement of an independent recruitment consultant, the following Scope of Works has been developed to ensure respondents have a clear understanding of the Council's expectations.

### **Scope**

- Review CEO position description and selection criteria;
- Draft Job Advertisement and Information Package;
- Conduct Executive Search;
- Assist with initial KPI formulation;
- Perform Preliminary Assessments and Background Checks;
- Assist Council develop interview questions and prepare for conduct of interviews;
- Advise Council in interview process and selection process
- Conduct referee checks; AND
- Assist Council in developing a contract of Employment for the successful candidate.

### **Recruitment Consultant Skills and Experience**

- Demonstrated knowledge of CEO employment provisions as defined in the *Local Government Act 1995 (WA)*
- Demonstrated knowledge of the *Salaries and Allowances Act 1975*
- Demonstrated understanding of contractual provisions and salary trends
- Holds a WA Employment Agent's licence under the *Employment Agents Act 1976 (WA)*

In addition to the above, the Local Government (Administration) Regulations 18A, 18B, 18C, 18F and 19A also apply. Primary among these regulations is Regulation 18C which requires that:

*“A Local Government is to approve a process for the selection and appointment of a CEO for the Local Government before the position of the CEO is advertised”.*

Regulation 18C normally triggers the establishment of a Council Committee under Section 5.8 of the Act to oversee the process, with Council establishing Terms of Reference to guide its advisory role.

The Committee can either comprise of some or all Elected Members and, as indicated in the proposed Terms of Reference, include participation of a suitably qualified and independent recruitment consultant to guide the recruitment process to ensure compliance with relevant legislation and the application of contemporary recruitment practices. The proposed Terms of Reference are:

- The CEO Recruitment and Selection Committee is to be an advisory Committee for the duration of the CEO recruitment process;
- The CEO Recruitment and Selection Committee is to coordinate the recruitment process in an appropriately confidential manner, including working with the appointed independent recruitment consultant to attract and short list appropriate candidates;
- The CEO Recruitment and Selection Committee, with the assistance of the independent recruitment consultant, is to coordinate the advertising, search for candidates, short listing, development of interview process, conducting interviews, screening, assessing, conducting second round interviews, conducting referee checks, writing reports and contract preparation; and
- The CEO Recruitment and Selection Committee is to report back to Council throughout the process and provide Council with sufficient advice to permit a determining decision to be made at an Ordinary Meeting of Council regarding the final selection, appointment and contracting of the CEO.

Given Council will be seeking the appointment of a new CEO, a minimum of state-wide advertising will be required. Regulation 18A(2) then prescribes the minimum requirements to be included in an advertisement for the position of CEO, these requirements are:

- the details of the remuneration and benefits offered;
- details of the place where applications for the position are to be submitted;
- the date and time for the closing of applications for the position; and
- the duration of the proposed contract; and contact details for a person who can provide further information about the position.

In addition to the above, the Department of Local Government, Sport and Cultural Industries recommends that Councils include any other information in the advertisement which it believes is relevant, and the content and context of advertisements should be carefully considered.

A comprehensive application kit comprising documentation relevant to the vacant position should be developed and provided to potential applicants on request. This will be a task of the appointed recruitment consultant in consultation with the Committee.

### RECOMMENDATION – ITEM 10.13

That Council:

1. Invites quotations and statements addressing relevant experience and capacity from suitably qualified recruitment consultants to assist in the recruitment process of the Town of Bassendean's Chief Executive Officer, in accordance with the Scope set out in the report;
2. Establishes the "Chief Executive Officer Recruitment and Selection Committee" in accordance with Section 5.8 and Section 5.9(2)(a) of the Local Government Act;
3. Appoints the Mayor and \_\_\_\_\_ as members to the "Chief Executive Officer Recruitment and Selection Committee";
4. Authorises the "CEO Recruitment and Selection Committee" to liaise with the appointed independent recruitment consultant under the following Terms of Reference:
  - (a) The "CEO Recruitment and Selection Committee" is to be an advisory Committee for the duration of the CEO recruitment process;
  - (b) The "CEO Recruitment and Selection Committee" is to coordinate the recruitment process in an appropriately confidential manner, including working with the appointed recruitment consultant to attract and select appropriate candidates;
  - (c) The "CEO Recruitment and Selection Committee", with the assistance of the recruitment consultant, is to coordinate the advertising, search for candidates, short listing, development of interview process, conducting interviews, screening, assessing, conducting second round interviews, conducting referee checks, writing reports and contract preparation; and

(d) The “CEO Recruitment and Selection Committee” is to report back to Council throughout the process and with a short list of suitable candidates with sufficient advice to enable a decision to be made at an Ordinary Meeting of Council regarding the final selection, appointment and contracting of the CEO;

5. Commences its endorsed recruitment process as of \_\_\_\_\_ 2018; and
6. Approves an allocation in the 2018/19 budget of \$\_\_\_\_\_ for the costs associated with contracting the services of a recruitment consultant.

**Voting Requirement: Absolute Majority**  
(Section 5.8 of the Local Government Act)

**10.14 Design Bassendean Committee Meeting held on 7 February 2018 (Ref: GOVN/CCL/MEET/39 – Anthony Dowling, Director Strategic Planning)**

**APPLICATION**

Council is requested to receive this report on the inaugural Design Bassendean Committee meeting held on 7 February 2018.

**ATTACHMENTS**

**Attachment No. 10:**

Design Bassendean Committee Minutes of 7 February 2018.

**BACKGROUND**

Council has established the Design Bassendean Committee to inform it and make recommendations to Council in respect to the objectives and strategies listed under Strategic Priority 3: Built Environment of the Town's 2017-2027 Strategic Community Plan.

These are:

**3.1 Plan for an increased population and changing demographics**

- 3.1.1 Facilitate diverse housing and facility choices
- 3.1.2 Implement sustainable design and development principles
- 3.1.3 Plan for local neighbourhoods and their centres
- 3.1.4 Ensure infrastructure is appropriate for service delivery

**3.2 Enhance connectivity between places and people**

- 3.2.1 Connect the Town through a safe and inviting walking and cycling network.
- 3.2.2 Advocate for improved and innovative transport access and solutions.
- 3.2.3 Enhance the liveability of local neighbourhoods.
- 3.2.4 Enhance Road Safety through Design

**3.3 Enhance the Town's appearance**

- 3.3.1 Improve amenity and the public realm
- 3.3.2 Strengthen and promote Bassendean's unique character and heritage
- 3.3.3 Implement design policies and provisions of buildings and places

In order to achieve these objectives and strategies, the following list of projects (linked to the Town's *Corporate Business Plan 2017-2021*) were identified for the Committee's oversight and input:

### **Projects for the Term of the Committee**

- Review Local Planning Policy (LPP) 1 – Bassendean Town Centre Area Strategy
- Local Planning Strategy Review & Local Planning Scheme 10 Review
- Prepare a Strategy for the removal of contaminated cells within industrial area to free up land for industrial development
- Develop local planning policies
- Prepare and develop precinct/neighbourhood plans
- Prepare a Development Contribution Plan
- Identify land within areas destined for intensive development adjacent to stations and major transport routes for acquisition and development into pocket parks
- Bassendean Built Form and Character Study (part of Local Planning Strategy Review)
- Preserve heritage buildings with protection of the Local Planning Scheme
- Winding up of Town Planning Scheme 4A
- Establish a Design Advisory Panel
- Finalise and implement the Municipal Heritage Inventory
- Develop local planning policies and guidelines for sustainable design of buildings
- Local Area Traffic Management Plan
- Local Bike Plan
- Parking Strategy

### **STRATEGIC IMPLICATIONS**

The inclusion of local community members on the community will assist in the achievement of the following key objective and strategy listed under Strategic Priority 5: Good Governance in the Town's 2017-2027 Strategic Community Plan):

#### *Objective 5.2*

Proactively partner with the community and our stakeholders;

#### *Strategy 5.2.3*

Advocate and develop strong partnerships to benefit community

## COMMENT

### Presiding and Deputy Presiding Member

Being the inaugural meeting, the Committee elected Mr David Doy as the Presiding Member and Mayor McLennan as Deputy Presiding Member.

### Officer Reports

The Town's Director Strategic Planning (Anthony Dowling) and Acting Development Services Manager (Christian Buttle) respectively outlined to the committee their various matters, projects, programs etc for which they have responsibility and which are pertinent to the objectives and strategies listed under Strategic Priority 3: Built Environment, and for which the Committee will have oversight and input into.

A written outline of the various matters, projects, programs etc for which the Director Operational Services (Simon Stewart-Dawkins) has responsibility and which are also pertinent to the objectives and strategies listed under Strategic Priority 3: Built Environment, and for which the Committee will have oversight and input into, was tabled at the meeting.

### Design Matters for Consideration

Brief discussion took place on a range of design matters pertinent to the role and function of the Committee and which officers of the Town and Committee members will progressively report on to the Committee and Council over its term.

### Next Meeting of the Committee

Although the Committee is required to meet at least quarterly with the next meeting originally scheduled for Wednesday 6 June 2018, it is anticipated that the next meeting will be held sometime either late March 2018 or in April 2018 (following the Easter break) to consider and provide feedback on a number of upcoming studies, reports etc nearing completion which are informing the review of the Town's current Local Planning Strategy.

## STATUTORY REQUIREMENTS

*Local Government Act 1995*

FINANCIAL CONSIDERATIONS

Nil

OFFICER RECOMMENDATION – ITEM 10.14

That the report on the inaugural meeting of the Design Bassendean Committee held on 7 February 2018, be received.

**Voting requirement: Simple Majority**

**10.15 People Services Committee (PSC) Meeting held on 13 February 2018 (Ref: GOVN/CCL/MEET/36 – Graeme Haggart, Director Community Development)**

APPLICATION

Council is requested to receive the report on a meeting of the People Services Committee held on 13 February 2018.

ATTACHMENTS

**Attachment No. 11:**

People Services Committee Minutes of 13 February 2018.

BACKGROUND

The Committee's Instrument of Appointment and Delegation defines the Committees role to make recommendations to Council on achieving the Social Strategic Priority Area Objectives and Strategies of the 2017-2027 Strategic Community Plan.

Progress reports will be provided to Committee on a projects listed in the Social Strategic Priority Area of the 2017-2021 Corporate Business Plan.

Community Development Directorate Officer Reports provide an update on relevant activities and of items requiring determination by Council.

STRATEGIC IMPLICATIONS

The PSC is principally concerned with reporting on the Social Key Result Area of the 2017-2027 Strategic Community Plan and Corporate Business Plan 2017 - 2021:

COMMENT

The following items were considered at the meeting:

Presiding and Deputy Presiding Member

Being the inaugural meeting, Committee elected the Presiding Member (Cr Sarah Quinton) and Deputy Presiding Member (Ms Jeanette Maddison) for the term of the Committee.

### Cultural Plan Review

Consultant, Ricky Arnold, provided an overview of the Cultural Plan Review project and the project methodology and timeframes.

### Projects for the Term of the Committee

An update report was provided on the list of projects in the Corporate Business Plan 2017 – 2021 in the Social Strategic Priority Area.

While it was noted that some of the projects are not listed to commence during the term of the Committee, gearing to their commencement will and as a result, progress with all projects will be reported on to each meeting.

### Revised Town of Bassendean Youth Statement

The Committee received a revised Youth Statement document. The Youth Statement is a guiding document for decision making on issues relevant to young people in the Town. It has been revised periodically having first been established in 1998. This review was described as a minor review, with updated demographic information, updated agency names and titles and new effective dates.

Following discussion, it was agreed Committee members be invited to provide feedback and comment to the Manager Youth Services on the Town's Youth Statement and be further considered at the next meeting of the Committee.

### Ongoing Activity Progress Reports

Officers reported on activities relevant to Committee under their Business Units:

- Recreation and Culture
- Youth Services
- Volunteer Centre
- Library and Information Services (including a report on Local Studies Collection)
- Seniors and Disability Services
- Children's Services

Notable mentions include:

- Australia Day Event Review Working Group met on 5 February to receive the results of the community consultation survey. Final recommendations are to be referred for deliberation at the next meeting of Committee.
- Consultant's AECOM Australia Pty Ltd provided a final report on the Community Facilities and Ovals/Reserves Audit and Needs Assessment to Officers in late 2017. Committee sought the report be brought to it.
- The community engagement phase of the Cultural Plan Review is progressing with select community group interviews and three public forums planned for March
- RYDE Program continues to expand with negotiations for the City of Mandurah to sign up. The Towns operation has reached capacity with 100 registered users. A second vehicle has been purchased.
- Introduction of CERT I/II/III Education for local young people disengaged from mainstream education. Self paced and rolling intake model using the Centre's new IT to undertake custom learning modules. Psychologist on site once per fortnight to offer specialist services. Partnership model involves Youth Services delivering case management services to individual young people as required. This Program will utilise the Centre's interior space Mon – Thurs preceding the Drop-In Program.
- Volunteering in the Volunteer Centre is expected to have an annual value of \$352,992. In 2016/17 Community Transport received 5,904 enquiries and made 4,650 trips.
- Extension activities for adults in the Library include: Cyber Citizenry, Literary Salon, Library Craft Group, Saturday Game Day, Midvale Hub Parenting Service and Lunchtime Interludes.
- Library self-serve checkout will commence in May 2018.
- Monthly free guided walks for the community are provided by a Local Studies Volunteer:
  - Old Perth Road Guided Walk- every first Wednesday of the month, from 10am-12noon.
  - River Walk- new in 2018- starts from Point Reserve on North Road and heads toward Success Hill- every second Thursday of the month, from 10am-12noon.
- Renovations were conducted during the closure period at Ashfield Wind in the Willows to create a homely environment to facilitate children's security and wellbeing.

Works included painting and new blinds, floor covering and furniture. The new intentional teaching space now has a homely corner to read and relax, a place dedicated to craft and reuse, a dining area and a “construction” area. The outside area was also transformed with a new sandpit surrounded by jarrah logs and river stones.

- The Reforms in Aged Care and Disability continue unabated and the Town’s Seniors and Disability Services will continue to evolve in line with the new requirements as they happen. The Town had a Quality Service Review for the Home Care Packages last November against the current standards. These standards are about to be removed and a set of new standards will come into effect in July 2018 resulting in a review of all the Town’s Aged Care quality system, policies procedures and so on. The Commonwealth Home Support Programs also come into effect on that date, as does the consolidation of the State NDIS service model into the Federal one.

#### STATUTORY REQUIREMENTS

Local Government Act 1995

#### FINANCIAL CONSIDERATIONS

Nil.

#### OFFICER RECOMMENDATION – ITEM 10.15

That the report on a meeting of the People Services Committee held on 13 February 2018, be received.

**Voting requirement: Simple Majority**

**10.16 Audit & Governance Committee Meeting held on 14 February 2018 (Ref: GOVNCCL/MEET/3 – Ken Lapham, Manager Corporate Services)**

APPLICATION

The purpose of this report is for Council to receive the report on a meeting of the Audit & Governance Committee held on 14 February 2018, and adopt the recommendations from the Committee.

ATTACHMENTS

**Attachment No. 12:**

Minutes of the Audit & Governance Committee held on 14 February 2018.

COMMUNICATION & ENGAGEMENT

To ensure openness, accountability and integrity, Council has appointed two community representatives to be members of the Audit & Risk committee.

COMMENT

The following items were discussed:

Overview of the Committee's Role

The purpose of this report was to give an overview of the various roles that the Committee had to consider in the meeting calendar for 2018.

COMMITTEE/OFFICER RECOMMENDATION – ITEM 10.16

That:

1. The Audit & Governance Committee's Instrument of Appointment & Delegation be reviewed by the Committee and presented to Council for endorsement; and
2. The Audit & Governance Committee hold an additional meeting on Wednesday 14 March 2018; and
3. Council receives the report on the Audit and Governance Committee meeting held on 14 February 2018;

**Voting requirement: Simple Majority**

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

The Principal Building Surveyor made the following building decisions under Delegated Authority:

<b>Building Applications Determined in the Month of January 2018</b>		
<b>Application No</b>	<b>Property Address</b>	<b>Description</b>
201800005	17 BARTON PARADE, BASSENDEAN	ADDITIONS/ALTERATIONS TO EXISTING RESIDENCE
201800009	112 FIRST AVENUE, BASSENDEAN	ADDITIONS/ALTERATIONS (ENSUITE)
201800000	17 PARMELIA WAY, BASSENDEAN	EXTENSION OF DWELLING
201800008	82 SCADDAN STREET, BASSENDEAN	FENCE
201800004	21 LORD STREET, BASSENDEAN	DEMOLITION
201800002	6 DOBSON LANE, EDEN HILL	DWELLING
201800006	12 ALICE STREET, BASSENDEAN	RETROSPECTIVE COOL ROOM
201800011	32 HAIG STREET, ASHFIELD	REAR RETAINING WALL
201800013	6 FOURTH AVENUE, BASSENDEAN	PATIO
201800012	28 PARMELIA WAY, BASSENDEAN	CARPORT
201800010	130 SECOND AVENUE, BASSENDEAN	FRONT FENCE
201800014	1 BLOCKLEY WAY, BASSENDEAN	PATIO
201700284	88 HAMILTON STREET, BASSENDEAN	DWELLING
201700336	6 GAUNT STREET, EDEN HILL	ROOF REPLACEMENT
201700334	21 CHEDWORTH WAY, EDEN HILL	RESIDENTIAL DWELLING
201700337	87 PARKER STREET, BASSENDEAN	REAR VERANDA AND DECKING REDUCTION SIDE VERANDA & STAIR ADDITION
201700313	19 BROADWAY, BASSENDEAN	RESIDENTIAL ADDITIONS & ALTERATIONS
201700317	36 SCHOFIELD STREET, EDEN HILL	SINGLE RESIDENTIAL DWELLING
201700318	7 CLAY STREET, EDEN HILL	FRONT FENCE
201700307	27 MANN WAY, BASSENDEAN	FOUR RESIDENTIAL DWELLINGS
201700326	8 ROBINSON ROAD, EDEN HILL	FLAT PATIO
201700322	21 LORD STREET, BASSENDEAN	8 MULTIPLE DWELLINGS
201700321	90 ANZAC TERRACE, BASSENDEAN	8 MULTIPLE DWELLINGS
201700327	34 IOLANTHE STREET, BASSENDEAN	INTERNAL WALL REMOVAL

**OFFICER RECOMMENDATION – ITEM 10.17**

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

**Voting requirement: Simple majority**

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

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

<b>Planning and Subdivision Applications Determined to 9 Feb 2018</b>			
<b>Applic No.</b>	<b>Property Address</b>	<b>Description</b>	<b>Determination</b>
2017-134	80A IOLANTHE STREET BASSENDEAN WA 6054	SINGLE HOUSE	DELEGATE APPROVED
2017-151	59 KENNY STREET BASSENDEAN 6054	CARPORT	DELEGATE APPROVED
2017-156	1A CLAUGHTON WAY BASSENDEAN 6054	SINGLE HOUSE	DELEGATE APPROVED
2017-161	70 THIRD AVENUE BASSENDEAN 6054	PATIO	DELEGATE APPROVED
2017-162	65 ESTHER STREET EDEN HILL 6054	SINGLE HOUSE	DELEGATE APPROVED
2017-168	140 FIRST AVENUE EDEN HILL 6054	CARPORT	DELEGATE APPROVED
2017-170	33 TROY STREET BASSENDEAN 6054	SINGLE HOUSE	DELEGATE APPROVED
2018-001	166 WEST ROAD BASSENDEAN 6054	PATIOS X 3	DELEGATE APPROVED
2018-003	28 PARMELIA WAY BASSENDEAN 6054	CARPORT	DELEGATE APPROVED
2018-004	70 WEST ROAD BASSENDEAN 6054	NATURE BASED PLAYGROUND	STATUTORY ADVICE
2018-005	1 BLOCKLEY WAY BASSENDEAN 6054	PATIO	DELEGATE APPROVED
2018-007	28 BRADSHAW STREET EDEN HILL 6054	DEMOLITION (HOUSING AUTHORITY)	STATUTORY ADVICE
2018-008	8 ROBINSON ROAD EDEN HILL 6054	PATIO	DELEGATE APPROVED
2018-016	23A THIRD AVENUE BASSENDEAN 6054	PATIO	DELEGATE APPROVED
<b>Subdivision Applications</b>			
156183	84 HAMILTON STREET BASSENDEAN 6054	TWO LOT SUBDIVISION	STATUTORY ADVICE

**OFFICER RECOMMENDATION – ITEM 10.18**

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

**Voting requirement: Simple majority**

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

The Chief Executive Officer and the Mayor have been delegated the responsibility for affixing the Common Seal to documents requiring signing and sealing, and for reporting the exercise of that delegation to the next available Ordinary Meeting of the Council.

The Common Seal was attached to the following document during the reporting period:

30/01/18 Map showing R40 areas affected by Clause 5.3.2.1 in the Scheme Text for inclusion within Amendment No 8 to the Local Planning Scheme No 10.

06/02/18 Hyde Retirement Village Residence Deed between Mr Robert McManus and the Town of Bassendean.

20/02/18 Hyde Retirement Village Residence Deed between Mr Cyd Johnston and the Town of Bassendean.

**OFFICER RECOMMENDATION – ITEM 10.19**

That Council notes the affixing of the Common Seal to the document listed in the Ordinary Council Meeting Agenda of 27 February 2018.

**Voting Requirements: Simple majority**

**10.20 Calendar for March 2018 (Ref: Sue Perkins, Executive Assistant)**

Thu	1 Mar	7.00pm	Whitfield Street Bicycle Boulevard Community Forum – Bassendean Seniors’ & Community Centre
Thu	1 Mar	5.00pm	Perth Airports Municipalities Group Meeting - Perth Airport (Cr Wilson)
Thu	1 Mar	6.00pm	WALGA East Metropolitan Zone Meeting – EMRC (Crs Brown, Gangell & Quinton)
Tue	6 Mar	7.00pm	Economic Development Committee Meeting Council Chamber (Crs Brown & Gangell)
Wed	7 Mar	3.30pm	Bassendean Local Emergency Management Committee Meeting – Council Chamber (Crs Brown & Mykytiuk)
Tue	13 Mar	7.00pm	Sustainability Committee Meeting – Council Chamber (Crs McLennan, Quinton & Hamilton)
Wed	14 Mar	10.00am	Access & Inclusion Committee Meeting – Council Chamber (Vacant TBA)
Wed	14 Mar	5.30pm	Audit & Governance Committee Meeting – Council Chamber (Crs Mykytiuk, Wilson & Hamilton)
Thu	15 Mar	6.00pm	EMRC Strategy/Briefing – <b>If required</b> – EMRC (Crs Mykytiuk & Wilson)
Tue	20 Mar	7.00p0m	Briefings Session – Council Chamber
Thu	22 Mar	6.00pm	EMRC Council Meeting – EMRC (Crs Mykytiuk & Wilson)
Tue	27 Mar	7.00pm	Ordinary Council Meeting – Council Chamber
Wed	28 Mar	6.00pm	Sandy Beach Reserve Community Forum – Bassendean Community Hall

**OFFICER RECOMMENDATION - ITEM 10.20**

That the Calendar for March 2018 be adopted.

**Voting Requirements: Simple majority**

## **10.21 Implementation of Council Resolutions (Ref: GOVN/CCLMEET/1 – Sue Perkins)**

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

### **STRATEGIC IMPLICATIONS**

Strengthen Council governance and compliance.

### **COMMENT**

The following table details those resolutions of the Council that are recommended for deletion:

<b>ISSUE ID</b>	<b>ASSIGNED TO</b>	<b>BRIEF DESCRIPTION</b>	<b>ACTION TAKEN</b>
ROC18/59089	BOB JARVIS	OCM-13/1/18 - REVIEW OF GOVERNANCE POLICIES 6.6 6.8 6.9 & 6.16	POLICIES WILL BE UPDATED ACCORDINGLY. <b>RECOMMEND DELETION</b>
ROC17/53458	GRAEME HAGGART	OCM – 16/05/17MOVED CR PULE SECONDED CR BROWN THAT COUNCIL NOTES THE OWNERS OF THE LIBRARY EMAIL DATABASE WILL BE CONSULTED BY THE LIBRARY STAFF WITH AN OFFER TO PROVIDE AN OPT-IN BASIS FOR FUTURE EDITIONS OF THE BASSENDEAN BRIEFINGS AND OTHER OFFICIAL COMMUNICATIONS FROM THE TOWN BY EMAIL.	PROJECT COMPLETED. EMAILS SENT TO LIBRARY EMAIL DATABASE IN JANUARY. <b>RECOMMEND DELETION</b>
ROC18/58021	TIMOTHY ROBERTS	OCM-6/12/17 - PROPOSED CHANGE OF USE APPLICATION FROM 'OFFICE' TO 'MEDICAL CENTRE' AT LOT 119 (NO. 89) OLD PERTH ROAD BASSENDEAN	COUNCIL APPROVED THE DEVELOPMENT APPLICATION AT THE DECEMBER COUNCIL MEETING. NO FURTHER ACTION REQUIRED. <b>RECOMMEND DELETION</b>
ROC18/58038	YVONNE ZAFFINO	OCM-14/12/17 - CONSIDERATION OF MEETING DATES AND CITIZENSHIP CEREMONIES FOR 2018	MEETING DATES FOR 2018 HAVE BEEN ADVERTISED. <b>RECOMMEND DELETION</b>

ROC18/59098	YVONNE ZAFFINO	OCM-31/1/18 APPOINTMENT MEMBERS TO COMMITTEES – 2017 TO 2019	- OF TO	SUCCESSFUL AND NON SUCCESSFUL NOMINEES ADVISED OF COUNCIL DECISION. INSTRUMENTS OF APPOINTMENT AND DELEGATION HAVE BEEN AMENDED TO INCREASE MEMBERSHIP WHERE NECESSARY. READVERTISING AND RECRUITING FOR ADDITIONAL MEMBERS PROGRESSING. <b>RECOMMEND DELETION</b>
ROC18/59091	YVONNE ZAFFINO	OCM-15/1/18 APPOINTMENT COUNCILLORS STATUTORY COMMITTEES	- OF TO	LIST OF DELEGATES AND WEBSITE UPDATED. <b>RECOMMEND DELETION</b>

**OFFICER RECOMMENDATION – ITEM 10.21**

That the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 27 February 2018 be deleted from the Implementation of Council Resolutions list.

**Voting Requirements: Simple majority**

**10.22 Accounts for Payment – January 2018 (Ref: FINM/CREDTS/4 – Ken Lapham, Manager Corporate Services)**

**APPLICATION**

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

**ATTACHMENTS**

**Attachment No. 13:**

List of Accounts

**BACKGROUND**

The monthly payments made for the period January 2018 are presented to Council, with details of payments made by the Town in relation to goods & services received.

**STRATEGIC IMPLICATIONS**

***Good Governance***

**Enhance Organisational Accountability**

- *Ensure Financial sustainability*
- *Strengthen governance, risk management and compliance*

**STATUTORY REQUIREMENTS**

Local Government (Financial Management) Regulations 1996

**FINANCIAL CONSIDERATIONS**

All payments are authorised prior to disbursement in accordance with their allocated budget.

**OFFICER RECOMMENDATION - ITEM 10.22**

That Council receives the List of Accounts paid for January 2018, as attached to the Ordinary Council Agenda of 27 February 2018.

**Voting Requirements: Simple majority**

**10.23 Financial Statements – January 2018 (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.

ATTACHMENTS:

**Attachment No. 14:**

Financial Reports for January 2018

BACKGROUND

Regulations require a local government to prepare a monthly statement of financial activity, reporting on the revenue and expenditure as set out in the Annual Budget.

A statement of financial activity and accompanying documents are required to be presented to Council within 2 months after the end of the month to which the statement relates.

In addition to this and in accordance with Regulation 34 (5) of the Local Government (Financial Management) Regulations 1996 each year Council is required to adopt a percentage or value to be used in the reporting of material variances. For the 2017/18 financial year the amount is \$5,000 or 10% whichever is the greater.

STRATEGIC IMPLICATIONS

***Good Governance***

Enhance Organisational Accountability

- *Ensure Financial sustainability*
- *Strengthen governance, risk management and compliance*

COMMENT

The attached statements as presented represent the adopted 2017/18 Budget estimates & actual income and expenditure amounts for the period ending 31<sup>st</sup> January 2018. This does not include any proposed budget amendments.

The Summary of Financial Activity (Income by Nature & type) is indicating that income for the Year to date is slightly ahead of budget year-to-date estimates. Operating grants, interest earnings are marginally ahead of budget estimates. Other revenue and fees & charges are slightly behind original estimates.

Total expenditure by nature & type for the period ending January 2018 is well below budget. Employee costs, materials & contracts, utilities, interest expenses are under budget expectations in the current reporting period.

Expenditure on Infrastructure Capital expenditure work has commenced, with low levels of expenditure so far.

The Statements provide a comparison between actual and budget income and expenditure on year to date basis. The Notes accompanying the statements provide a detailed breakdown of the amounts.

#### STATUTORY REQUIREMENTS

Local Government (Financial Management) Regulations 1996.

#### FINANCIAL CONSIDERATIONS

The Financial Statements provide an overview of the income and expenditure for the period ending 31<sup>st</sup> January 2018. The notes accompanying the statements provide a detailed breakdown to the Financial Statements.

#### OFFICER RECOMMENDATION – ITEM 10.23

That the Financial Reports for the period ended 31 January 2018, as attached to the Ordinary Council Agenda of 27 February 2018, be received.

**Voting Requirements: Simple majority**

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

### **11.1 Notice of Motion – Cr Hamilton: Reward and Penalty: Vandalism of trees on public property**

Cr Hamilton has advised that she wishes to move the following motion at the meeting:

*“That Council:*

*Requests staff to prepare a Tree Vandalism Policy for presentation at the next OCM that includes the following:*

- 1. Rewards for information leading to the conviction of any person responsible for the vandalism of trees on public property;*
- 2. Financial penalty applicable to any person found to have caused vandalism to trees on public property. Said penalty should adequately cover the costs associated with Arborist Reports, Remedial Treatments, Reward, Staff time, Vandalism shaming signs, Tree Loppers, Traffic Management, New Tree Planting and the like;*
- 3. Long term prominent placement of large Tree Vandalism shaming signs at the sites of trees that have suffered damage;*
- 4. Prominent display of the “Reward leading to conviction” dollar amount on Tree Vandalism Signs;*
- 5. A two for one replacement tree planting program to be implemented at sites where vandalised trees do not recover;*
- 6. Public education program re the value of retaining trees and the implications of diminishing tree canopy; and*
- 7. Education for both public and staff in remedial actions that may be swiftly applied to assist in the recovery of vandalised trees.”*

#### **Background – Cr Hamilton**

There is a growing recognition by local Councils of the immense environmental benefits associated with healthy and sustainable tree assets.

The economic, environmental, social and health benefits trees bestow on our Town include:

- Providing cooler, greener, more comfortable access ways for walking and cycling;
- Improving air quality;
- Improving property values;
- Providing habitat for native fauna;
- Reducing urban heat island effect; and
- Enhancing the character of our suburbs.

It is therefore essential to protect tree assets and discourage vandalism by the strongest means available to this Council. The economic costs of tree vandalism is substantial.

If the damage to a public tree is serious, remedial work may be carried out to lessen the stress on the tree and to minimise any potential injury to the public. This work should be done as soon as practicable after the vandalism attack and could involve some or all of the following treatments:

- Drenching the surrounding soil with water, using sand bags as a moat to contain large volumes of water;
- Covering exposed branches with shadecloth to minimise sunburn;
- Repairing damaged branches/bark;
- Plugging of drill holes; and
- Branch pruning/thinning to lessen the danger of damaged/dying branches.
- 

The recent attacks on mature trees in this Town requires a strong and immediate response by this Council.

See below links for two local authorities that have created policies to address the issue of Tree Vandalism.

<http://www.sutherlandshire.nsw.gov.au/files/assets/website/temple-dms/policies-pdf/policy-tree-vandalism.pdf>

[https://www.bayside.vic.gov.au/sites/default/files/council/tree\\_reward\\_and\\_vandalism\\_policy\\_2013.pdf](https://www.bayside.vic.gov.au/sites/default/files/council/tree_reward_and_vandalism_policy_2013.pdf)

#### OFFICER COMMENT

Should Council support Cr Hamilton's Notice of Motion for a Tree Vandalism Policy, staff would prefer that more time is granted for time to prepare this policy, given the short timeframes between this meeting and the March round of meetings.

Council currently has in place the following:

- Street Tree Protection Policy (1.10) outlines that any costs associated with the implementation of the protection measures, shall remain the responsibility of the landowner/developer. Non-compliance with the implementation of the appropriate preservation strategy, as per Council's requirements, shall incur penalties; which will be determined by a valuation of the tree(s) based on the Council's approved Amenity Tree Evaluation Method and dependant on the extent of damage occurring.
- Amenity Tree Evaluation Policy (1.12) outlines the methodology for valuing existing trees and if a tree is vandalised or unlawfully removed, Council has a mechanism to seek compensation, in accordance with the Local Government regulations and policy provisions
- Crossover Policy (1.5) outlines a set of criteria by which to assess requests for the construction of new, and the upgrading of existing crossovers and that developers are required to implemented in conjunction with the Town's Street Tree Protection Policy whereby, unless there are valid reasons for its removal, the street tree shall take precedence over the crossover.
- Significant Tree Policy (1.8) sets out guidelines for the management and protection of trees listed on the Significant Tree Register.

The Local Government Regulations state in part, that:

*Any damages occurring to the tree, wilful or otherwise will be subject to prosecution under the Local Government 1995 Schedule 9.1 clause 2 Disturbing local government land or anything on it, the Uniform Local Provisions Regulations 1996, Regulation 5 Clause 1 Interfering with, or taking from, local government land or other relevant provisions under the Act.*

Considering the Local Government Regulations, the extent of the above Council policies, and that if a tree is vandalised, Council receives reports including a completed Tree Investigation form (see Attachment 15), which includes obtaining any evidence from neighbours. Officers of the Town are of the opinion that a new policy is not required.

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

**13.0**                    **CONFIDENTIAL BUSINESS**

**13.1**            **Request to Purchase Lot 5 (No. 246) Morley Drive East, Eden Hill (Ref: A3693, Christian Buttle, Acting Manager, Development Services)**

*This report is to be considered with members of the public excluded from the Chamber under Clause 5.23 of the Local Government Act 1995 as the Officer report discusses matters that relate to Clause 5.23.*

**13.2**            **Appointment of Members to Economic Development Committee – 2017 to 2019 (Ref: GOVN/CCLMEET/1 – William Barry, Snr Economic Development Officer)**

*This matter is to be considered with members of the public excluded from the Chamber under Clause 5.23 (2) (b) of the Local Government Act 1995, as the officer report discusses information of a personal nature.*

**13.3**            **Sports Achievement Award (Ref: COMR/AWADP/4 – Salvatore Siciliano, Manager Recreation & Culture and Tim Dayman, Recreation Development Officer)**

*This report is to be discussed with members of the public excluded under Section 5.23 (2) (b) of the Local Government Act in order to maintain the confidentiality of the name of the nominee.*

**14.0**                    **CLOSURE**

The next Briefing Session will be held on Tuesday 20 March 2017 commencing at 7.00pm.

The next Ordinary Council meeting will be held on Tuesday 27 March 2018 commencing at 7.00pm.