

# TOWN OF BASSENDEAN

## MINUTES

### ORDINARY COUNCIL MEETING

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

ON TUESDAY 23 AUGUST 2016 AT 7.00PM

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

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

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

##### 2.1 Questions Taken on Notice

Mr Bill Dreyer, 31 Naunton Crescent, Eden Hill

At the Ordinary Council meeting in July 2016, Mr Dreyer queried how the Town will repay its share of the cost of the redevelopment of Bassendean Oval.

The CEO responded to Mr Dreyer on 16 August 2016, as follows:

*"I refer to your question taken on notice at the Ordinary Meeting of Council in July 2016.*

*The Town is not required to pay any of the costs of development of the land, and LandCorp will provide considerable improvements to open space as part of the development process, estimated to be worth around \$2 million.*

*I trust that this answers your question, but if you require further information please respond with your questions."*

Mr Warren Wright, 58 Margaret Street, Ashfield

At the Ordinary Council meeting in July 2016, Mr Wright asked for the Town's business case on the disposal of land at the BIC in relation to section 3.59 of the Local Government Act.

The CEO advised that at this stage there is no proposal to dispose of any land at the BIC and as such no business plan is required and advised that he would take the question on notice and will clarify with the Department of Local Government.

The CEO responded to Mr Wright on 19 August 2016, as follows:

*“Further to my e-mail of 8<sup>th</sup> August 2016, I can advise that, although the Department of Local Government has contacted me regarding a complaint lodged with them, they were unable to provide a direction at that time as to the need for a Section 3.59 process if and when a Development Plan is considered by Council.*

*The Department is hoping to provide a definitive response in the near future. What is very clear from the advice the Town has received is that it has not breached any part of the Local Government Act or the Regulations in its dealings to this point.*

*I will keep you informed as to any progress on this matter.”*

**2.2 Public Question Time**

Ms Val Humphrey

Ms Humphrey commented on the use of herbicide at Bindaring Park and asked why there has been such widespread use of it, killing a large area of groundcover.

Ms Humphrey also asked if the two community groups can be consulted and involved in the development of the park.

The CEO advised that he would liaise with the Town's Environmental Officer and provide a response.

Mr Don Yates, 10 Thompson Road, Bassendean

Mr Yates commented on the 'For Sale' sign at the Bassendean Hotel and asked why it is zoned 'business centre'.

The Manager Development Services responded that it is a term used by the selling agents, but under the Town Planning Scheme it is zoned 'Town Centre'.

Mr Yates asked who checked the final documentation that went out to the strategic planning candidates and the CEO responded that it was either himself or the Manager Development Services.

Mr Aaron McKay, 48 Watson Street, Bassendean

Mr McKay commented that it is hard for the public to follow what is being discussed at the Briefing Sessions and the Mayor responded that some changes can be made to make it clearer.

Mr Jai Wilson, 78c Hamilton Street, Bassendean

Mr Wilson asked if the automated telephone survey was put out by the Town.

The Mayor responded that the Town had no part in the survey and he was not aware that it was put out by LandCorp, but perhaps by a political party.

**2.3 Address by Members of the Public**

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

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

Present

Councillors

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

Officers

Mr Bob Jarvis, Chief Executive Officer  
Mr Mike Costarella, Director Corporate Services  
Mr Graeme Haggart, Director Community Development  
Mr Ken Cardy, Acting Director Operational Services  
Mr Anthony Dowling, Director Strategic Planning

Mr Brian Reed, Manager Development Services  
Mrs Amy Holmes, Minute Secretary

Public

Approximately 14 members of the public were in attendance.

Press

One member of the press was in attendance.

**4.0 DEPUTATIONS**

Nil

**5.0 CONFIRMATION OF MINUTES**

**5.1 Ordinary Council Meeting held on 26 July 2016**

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

**OCM – 1/08/16** MOVED Cr Pule, Seconded Cr Bridges, that the minutes of the Ordinary Council Meeting held on 26 July 2016, be received.  
**CARRIED UNANIMOUSLY 6/0**

*Cr McLennan queried the wording in Item 10.12 - point 3 and it was agreed that it should be amended, as shown in bold below.*

3. Council informs the school it is prepared to consider the sale of 11 Hamilton Street, Bassendean, if the school purchases 16 Whitfield Street, and ***in which case Council will consider granting planning approval*** of the school and allows the ongoing use of the BIC currently used by the school.

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

**OCM – 2/08/16** MOVED Cr Pule, Seconded Cr Bridges, that the minutes of the Ordinary Council Meeting held on 26 July 2016, as amended, be confirmed as a true record.

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

The Mayor welcomed and introduced Mr Anthony Dowling - Director Strategic Planning.

## **7.0                    PETITIONS**

Nil

## **8.0                    DECLARATIONS OF INTEREST**

- 8.1**      Cr Bridges declared a financial and proximity interest for Item 10.2 - Review of the Town of Bassendean Local Government Heritage Inventory for Community Consultation.

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

Nil

## **10.0                  REPORTS**

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

It was agreed that items 10.2, 10.4 and 10.16 be removed from the en-bloc table and considered separately.

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

- OCM – 3/08/16**      MOVED Cr Pule, Seconded Cr Lewis, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda 23 August 2016:

<b>Item</b>	<b>Report</b>
10.3	Request for Restricted Parking – Fifth Avenue, Eden Hill
10.5	Ashfield CAN Storage Container Proposal for Gary Blanch Reserve
10.6	Determinations Made by the Principal Building Surveyor
10.7	Determinations Made by Development Services
10.8	Accounts for Payment – July 2016
10.9	Financial Statements – June 2016
10.10	Use of the Common Seal
10.11	Calendar for September 2016
10.12	Implementation of Council Resolutions
10.13	Municipal Heritage Inventory Review Committee Meeting held on 12 July 2016
10.14	Bassendean Local Emergency Management Committee Meeting held on 3 August 2016
10.15	Bassendean Local Studies Collection Management Committee Meeting held on 4 August 2016

**CARRIED UNANIMOUSLY 6/0**

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

Item	Report
10.2	Review of the Town of Bassendean Local Government Heritage Inventory for Community Consultation
10.4	Community Sporting and Recreation Facilities Fund Application - Town of Bassendean Facilities Needs Assessment Project
10.16	Liveable Town Advisory Committee Meeting held on 9 August 2016
10.17	Audit & Risk Management Committee Meeting held on 10 August 2016

**10.2 Review of the Town of Bassendean Local Government Heritage Inventory for Community Consultation (Ref: DABC/LIAIS/2 Timothy Roberts, Planning Officer)**

*Cr Bridges declared a Financial and Proximity Interest, and left the Chamber the time being 7.15pm.*

**APPLICATION**

This report requests Council's approval to commence public advertising of the draft Municipal Heritage Inventory and to request a commitment of intent that category 3 heritage places that choose to 'opt-in' to the Heritage List are able to retain the existing heritage building without loss to their current development potential.

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

**OCM – 4/08/16** MOVED Cr Pule, Seconded Cr Brown, that:

1. Council acknowledges the proposed places recommended for inclusion within the draft Municipal Heritage Inventory as provided;
2. The reviewed draft Municipal Heritage Inventory is adopted for community consultation purposes and during the consultation period, each landowner included in the Municipal Heritage Inventory is to be advised in writing of the proposed management category of their property and the advantages and possible concessions that may be available to the landowners under a future heritage policy;

3. The draft Municipal Heritage Inventory is advertised and a minimum period of 42 days be allowed for the receipt of submissions. On completion of the consultation period the outcomes be referred back to the Council for consideration and final adoption;
4. Council considers allocating funds in the 2016/17 Budget Review to employ consultants to prepare a heritage strategy, inclusive of heritage incentives and design guidelines for heritage precincts identified in the draft MHI; and
5. Council supports, in principle, all category 3 places that choose to opt-in to the Heritage List under Local Planning Scheme No. 10 will suffer no loss of current development potential and have access to heritage incentives and assistance.

CARRIED 4/1

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

*Cr Bridges returned to the Chamber, the time being 7.21pm.*

**10.3 Request for Restricted Parking – Fifth Avenue, Eden Hill  
(Ref: LAWE/REPRTNG/3 – Sharna Merritt, Senior Ranger)**

APPLICATION

The Town has received requests, from local residents, to review the current Fifth Avenue, Eden Hill, parking arrangements (between Walter Road East and Esther Street). Their concerns are in regard to driveway access, line of sight and road blockages within the avenue.

COUNCIL RESOLUTION/OFFICER RECOMMENDATIONS –  
ITEM 10.3

**OCM – 5/08/16** MOVED Cr Pule, Seconded Cr Lewis, that Council approves the installation of ‘No Parking’ restrictions between the top of the crest of the hill outside 56 Fifth Avenue and 9 Esther Street continuing to 52 & 53 Fifth Avenue, Eden Hill.  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/08/16 6/0

**10.4 Community Sporting and Recreation Facilities Fund (CSRFF) Application - Town of Bassendean Facilities Needs Assessment Project (Ref: GRSU/APPS-D/15 - Salvatore Siciliano, Manager Recreation and Culture and Tim Dayman, Recreation Development Officer)**

APPLICATION

The purpose of this report was to request approval from Council to apply for a Small Grant under the Community Sporting and Recreation Facilities Fund (CSRFF) to contribute to funds already approved by Council for the Facilities Needs Assessment Project and to rank the project in accordance with the CSRFF guidelines for Local Government Authorities.

OFFICER RECOMMENDATION – ITEM 10.4

That Council endorses the lodgement of a CSRFF Small Grant application for the Community Facilities and Ovals/Reserves Audit and Needs Assessment with the Department of Sport and Recreation by 31 August 2016 and that the project be ranked 1 as part of Council's assessment and that the consultancy is well planned and much needed by the municipality.

*Cr Bridges proposed an additional point to the recommendation:*

- 2. That Council be provided with the project description and scope of works of all proposed future grant applications for endorsement, or comment if the deadline is prior to a Council meeting, prior to lodgement and be provided on a confidential basis where it is considered appropriate.*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.4(a)

**OCM – 6/08/16**

MOVED Cr Pule, Seconded Cr Bridges, that Council endorses the lodgement of a CSRFF Small Grant application for the Community Facilities and Ovals/Reserves Audit and Needs Assessment with the Department of Sport and Recreation by 31 August 2016 and that the project be ranked 1 as part of Council's assessment and that the consultancy is well planned and much needed by the municipality.

CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION – ITEM 10.4(b)

**OCM – 7/08/16** MOVED Cr Bridges, Seconded Cr McLennan, that Council be provided with the project description and scope of works of all proposed future grant applications for endorsement, or comment if the deadline is prior to a Council meeting, prior to lodgement, and that it be provided on a confidential basis where considered appropriate.

CARRIED UNANIMOUSLY 6/0

**10.5** **Ashfield CAN Storage Container Proposal for Gary Blanch Reserve (Ref: PARE/MAINT/76 - Graeme Haggart, Director Community Development)**

APPLICATION

For Council to consider approving the Ashfield Community Action Network Inc. (Ashfield CAN) install a storage container in Gary Blanch Reserve.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.5

**OCM – 8/08/16** MOVED Cr Pule, Seconded Cr Lewis, that, subject to there being an application and the issuing of a Development Approval:

1. Council approves the Ashfield CAN to install a Storage Cube in Gary Blanch Reserve to house the Groups equipment and be decorated and clad as proposed so as to not resemble a shipping container;
2. The cost of the installation be met by the Ashfield CAN;
3. In accordance with Clause 3.13(2) of the Local Law Property 2001, that Council exempts Ashfield CAN from requiring a permit to erect a building on Council property; and
4. Officers of the Town liaise with the Ashfield CAN to achieve site preparation requirements.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-3/08/16 6/0

**10.6 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:

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.6**

**OCM – 9/08/16** MOVED Cr Pule, Seconded Cr Lewis, that Council notes the decisions made under delegated authority by the Principal Building Surveyor.  
**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/08/16 6/0**

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

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.7**

**OCM – 10/08/16** MOVED Cr Pule, Seconded Cr Lewis, that Council notes the decisions made under delegated authority by the Manager Development Services.  
**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/08/16 6/0**

**10.8 Accounts for Payment – July 2016 (Ref: FINM/CREDTS/4 –  
Ken Lapham, Manager Corporate Services)**

**APPLICATION**

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

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION -  
ITEM 10.8**

**OCM – 11/08/16** MOVED Cr Pule, Seconded Cr Lewis, that Council receives the List of Accounts paid for July 2016, as attached to the Ordinary Council Agenda of 23 August 2016.  
**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/08/16 6/0**

**10.9 Financial Statements – June 2016 (Ref: FINM/AUD/1 – Ken Lapham, Manager Corporate Services)**

APPLICATION

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.9

**OCM – 12/08/16** MOVED Cr Pule, Seconded Cr Lewis, that the Financial Reports for the period ended 30 June 2016, as attached to the Ordinary Council Agenda of 23 August 2016, be received.  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/08/16 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.10

**OCM – 13/08/16** MOVED Cr Pule, Seconded Cr Lewis, that Council notes that the Common Seal was not attached to any documents during the reporting period.  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/08/16 6/0

**10.11 Calendar for September 2016 (Ref: Sue Perkins, Executive Assistant)**

COUNCIL RESOLUTION/OFFICER RECOMMENDATION -  
ITEM 10.11

**OCM – 14/08/16** MOVED Cr Pule, Seconded Cr Lewis, that the Calendar for September 2016 be adopted.  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/08/16 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.12

**OCM – 15/08/16** MOVED Cr Pule, Seconded Cr Lewis, that the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 23 August 2016 be deleted from the Implementation of Council Resolutions list.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/08/16 6/0

**10.13 Municipal Heritage Inventory Review Committee Meeting held on 12 July 2016 (Ref: GOVN/CCLMEET/30 – Brian Reed, Manager Development Services )**

APPLICATION

The purpose of the report was for Council to receive the report on a meeting of the Municipal Heritage Inventory Review Committee held on 12 July 2016.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.13

**OCM – 16/08/16** MOVED Cr Pule, Seconded Cr Lewis, that the report on a meeting of the Municipal Heritage Inventory Review Committee held on 12 July 2016, be received.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/08/16 6/0

**10.14 Bassendean Local Emergency Management Committee Meeting held on 3 August 2016 (Ref: GOVN/CCLMEET/18 – Graeme Haggart, Director Community Development)**

APPLICATION

The purpose of the report was for Council to receive the report on a meeting of the Bassendean Local Emergency Management Committee held on 3 August 2016.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.14

- OCM – 17/08/16** MOVED Cr Pule, Seconded Cr Lewis, that Council receives the report on a meeting of the Bassendean Local Emergency Management Committee held on 3 August 2016.  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/08/16 6/0

**10.15** **Bassendean Local Studies Collection Management Committee Meeting held on 4 August 2016 (Renata Pietracatella - Manager Library and Information Services)**

APPLICATION

The purpose of this report was for Council to receive the report on a meeting of the Local Studies Collection management Committee held on 4 August 2016.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.15

- OCM – 18/08/16** MOVED Cr Pule, Seconded Cr Lewis, that the report on a meeting of the Bassendean Local Studies Collection Management Committee held on 5 August 2016, be received.  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-3/08/16 6/0

**10.16** **Liveable Town Advisory Committee Meeting held on 9 August 2016 (Ref: GOVN/CCL/MEET/34 – Graeme Haggart, Director Community Development)**

APPLICATION

The purpose of the report was for Council to receive the report on a meeting of the Liveable Town Advisory Committee held on Tuesday 9 August 2016.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.16

- OCM – 19/08/16** MOVED Cr Bridges, Seconded Cr Brown, that:
1. Council approves entry into a partnership with the City of Cockburn to deliver the RYDE Program; and
  2. Receives the report of a meeting of the Liveable Town Advisory Committee held on 9 August 2016.  
CARRIED UNANIMOUSLY 6/0

**10.17 Audit & Risk Management Committee Meeting held on 10 August 2016 (Ref: GOVNCCL/MEET/3, Michael Costarella, Director Corporate Services)**

APPLICATION

The purpose of this report was for Council to receive the report on a meeting of the Audit & Risk Management Committee held on 10 August 2016 and adopt the recommendations from the Committee.

COUNCIL RESOLUTION/COMMITTEE RECOMMENDATION  
– ITEM 10.17

**OCM – 20/08/16** MOVED Cr Pule, Seconded Cr Bridges, that Council:

1. Receives the correspondence from the Minister for Local Government; Community Services; Seniors and Volunteering; Youth;
2. Requests additional information on the costs associated with the audit services undertaken by the OAG;
3. Appoints Mr Anthony Macri from Macri Partners to undertake the audit requirements in accordance with the scope submitted with the quote obtained for the Audit Services;
4. Macri Partners be appointed for the period commencing 1 October 2016 and expiring on 30 September 2018;
5. Receives the information on the actions undertaken by staff in the management reports for the 2012/13, 2013/14, 2014/15 and 2015/16; and
6. Receives the report on a meeting of the Audit & Risk Management Committee held on 10 August 2016.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

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

**11.1** **Cr Bridges – Planting of Trees under Powerlines**

**COUNCIL RESOLUTION – ITEM 11.1**

**OCM – 21/08/16** MOVED Cr Bridges, Seconded Cr McLennan, that until completion of the review of the Street Tree Master Plan, trees not be planted under powerlines in the Town of Bassendean.  
**CARRIED UNANIMOUSLY 6/0**

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

**12.1** **Cr Bridges**

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

*“That the CEO ensures that Friends of Bindaring Park are informed in advance of all planned spraying and the issue of RFQ’s or RFT’s for studies or work in Bindaring Park.”*

**13.0** **CONFIDENTIAL BUSINESS**

Nil

**14.0** **CLOSURE**

The next Ordinary Council meeting will be held on Tuesday 27 September 2016.

There being no further business the Presiding Member declared the meeting closed, the time being 7.38pm.