

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

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

ON TUESDAY 26 JULY 2016 AT 7.00PM

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.

The Mayor presented a Sports Achievement Award to Mr Luke Summers.

2.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

2.1 Questions Taken on Notice

Mr Aaron McKay, 48 Watson Street Bassendean

At the June 2016 Ordinary Council meeting, Mr McKay asked if residents were consulted about the 40 street trees planted on Bridson Street.

The Director Operational Services responded to Mr McKay as follows:

“Thank you for the email concerning the recent street tree planting in Bridson Street, Bassendean

As mentioned at the 28th June Ordinary Council Meeting, a leaflet was placed into every letter box along Bridson Street to advise all residents of the proposed Street Tree planting.

To help beautify a number of streets in the Town, Council allocated funding in the 2015/2016 Budget to provide infill planting. As a result new Street trees were planted wherever possible to create an attractive themed streetscape.

The Town will water the newly planted street trees during their first two summers and it is the Town's responsibility to maintain new and existing street trees by carrying out pruning or other treatments as necessary.

After receiving your email, I have followed up and spoken to the Parks Supervisor who advised that leaflets were also dropped at the first house of every side street joining the roads where mass planting was to take place.

In recent years the metropolitan area has been experiencing a drying climate and water restrictions have been imposed, many street trees in the metro area are suffering from water stress. In the past, mature street trees relied on water sourced from the front gardens of residential properties but many of the verge areas adjacent to residential properties are no longer being watered. If you would like to adopt the street tree adjacent to your property and assist in the watering of the tree, please see the hyperlink to a form which can be returned to the Town or simply contact our Customer Service Centre on 93778000 and the officer will obtain the required information from you.

http://www.bassendean.wa.gov.au/7_info_feedback/pdfs/Info_sheet_17_AdoptaTree.pdf.

I thought that you may also be interested to know of some research funding that has identified a number of economic, environmental and societal benefits in street tree plantings. The advantages of the trees in our suburbs are that they enhance neighbourhood aesthetics and as a consequence, research has demonstrated an increase median property prices by 4.27%, trees capture carbon which is a vital tool in the global fight against climate change and in addition, having a shady green street improves the walkability of neighbourhoods.

I hope this clarifies your question."

Ms Kathryn Hamilton, 53 Broadway Street, Bassendean

In answer to questions by Ms Hamilton at previous meetings, the CEO provided a response on 8 and 12 July 2016.

Mr Moss Johnson, 6 Barton Parade, Bassendean

At the June 2016 Ordinary Council meeting, Mr Johnson asked for an explanation on what is entailed for the six month's extension of community consultation.

The CEO has provided the following response on 15 July 2016:

"I can advise that the resolution that was passed by Council was:

OCM – 9/05/16 - MOVED Cr Bridges, Seconded Cr Pule, that Council notes the contents of the petition received at the March 2016 Council meeting, and raises the matters contained therein with its partners in the Development Agreement approved by Council and supports an extension of the public consultation period by six months.

The matter was raised by the Councillors with LandCorp and Swan Districts and the decision was made to pursue the timetable which is now being promoted by LandCorp which states:

During July and August 2016 this plan will be available for the community to view at a number of venues across Bassendean.

- In September, the Project Steering Group (Town of Bassendean, LandCorp and Swan Districts Football Club will consider whether the concept plan can be recommended to Council.*
- The plan will then be considered by the Town of Bassendean Council for ratification to progress to the next stage being the statutory planning process.*
- The statutory planning process could take up to 2 years, and will include further community consultation prior to formal approvals being granted."*

Mr Kevin Prior, 15 Bridson Street, Bassendean

At the June 2016 Ordinary Council meeting, Mr Prior expressed concern about the excessive speed limit by vehicles using Bridson Street and requested Council provide some 50kmh signage.

The Director Operational Services has provided the following response on 15 July 2016:

“In response to the concerns you raised at the June 2016 Ordinary Council Meeting, regarding the excessive speed of vehicles using Bridson Street, I have reviewed the Bridson Street traffic assessment data.

It is evident that in February 2015, 85 percentile of vehicles travelled between 50.4km/hour and 56.4km/hour.

With regard to 50km/h signs, Main Roads WA (MRWA) publications, and discussions with MRWA officers, confirm that in built-up areas, speed limits are sign-posted only where these differ from the default 50km/hour speed limit. The majority of local distributor roads are 50km/hour speed limit unless posted otherwise by MRWA.

Monitoring of traffic in the area will continue. However, should you observe a hoon driver or a traffic breach, the WA Police request that you report to 131 444 or report online at:

<https://www.police.wa.gov.au/Police-Direct/Traffic/Traffic-Complaint-Form/Questions-A>”.

Mr Christian Foyle

At the June 2016 Ordinary Council meeting, Mr Foyle raised a number of questions regarding housing in Ashfield.

The Director Community Development has provided the following response on 18 July 2016:

“Sorry for the delay in responding. I have only now received advice from the Housing Authority into their housing stock.

Further to the advice provided on 28 June 2016 and to your questions taken on notice at the Ordinary Council Meeting of the same day, I can now confirm the Housing Authority currently has a total of 118 social housing properties in Ashfield. The numbers have trended as below.

Ashfield	as at 30 June 2001	as at 30 June 2006	as at 30 June 2011	as at 30 June 2016
<i>Total Number of Properties</i>	526	552	575	602
<i>Number of PH & CH Properties</i>	128	125	119	118

Of the 118, there are 11 that are managed by Community Housing Organisations and 107 managed by the Housing Authority directly. 59 of the properties are designated for seniors housing with the remainder being family accommodation (that is, no known disability housing).

All of the properties are townhouses (ie units in small single storey complexes) or single detached houses with the exception of the three storey apartment building at 34 Maidos (behind the shops).

Please contact me if this does not satisfy your queries.”

2.2 Public Question Time

Mr Bruce Keay, 11 Earlsferry Court, Bassendean

Mr Keay asked that the Town provide a quarterly report on the progress of the Town Planning Scheme amendments.

The CEO advised that the next quarterly report will be provided in the October Ordinary Council meeting agenda.

Mrs Val Dreyer, 31 Naunton Crescent, Eden Hill

Mrs Dreyer asked if last week's briefing session was advertised.

The CEO responded that he was not aware that it was advertised.

Mrs Dreyer asked that the Town follow up on a no parking sign that has been down for three weeks in Ivanhoe Street/Anzac Terrace.

Mr Warren Wright, 58 Margaret Street, Ashfield

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.

The CEO advised that he would take the question on notice and will clarify with the Department of Local Government.

Ms Kathryn Hamilton, 53 Broadway Street, Bassendean

Ms Hamilton asked how this Council can consider expending funds on feasibility studies and plans with LandCorp without having a business case completed first.

The CEO said that funds were expended on very preliminary investigations and geotechnical reports.

Mr Bill Dreyer, 31 Naunton Crescent, Eden Hill

Mr Dreyer asked if any financial assessment has been done on how much the State Government will contribute, and if Council has to contribute funds to the project, how will this organisation repay that money to the Government for the development of the BIC and Bassendean Oval.

The Mayor advised that he would take the question on notice and provide a response.

Mr Don Yates, 10 Thompson Road, Bassendean

Mr Yates referred to the Perth and Peel at 3.5million and suggested that Council should be considering a more permanent arrangement with the Casa Mia Montessori School.

The Mayor advised that in the past, the school did not wish to remain at the current location due to restrictions, however, it is now looking for more permanent tenure.

Mr Yates asked when will Council amend the Local Planning Scheme No. 10 to recognise core activity centres so that the Department of Education can make plans.

The Manager Development Services advised that the Department of Education was consulted and raised no concerns.

The CEO commented that it was recognised that a secondary school would be required in the future.

Mrs Fran Phelan, 15 River Street, Bassendean

Mrs Phelan asked if any progress has been made on the traffic congestion issues getting in and out of Success Hill.

The CEO advised that a meeting has been arranged with Main Roads for next month to have some proposals presented to the Town.

Mr Kevin Prior, 15 Bridson Street, Bassendean

Mr Prior referred to Item 10.3 and asked a number of questions in relation to commercial vehicle parking, and commented on the lack of public consultation.

The Manager Development Services advised that the timeframe imposed by the State Administrative Tribunal did not allow time for public consultation.

Mr Prior referred to Item 10.6 and asked why Bridson Street residents were not included in the consultation process when all other surrounding streets were included.

The Mayor advised that the question would be taken on notice.

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

Public

Approximately 26 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 28 June 2016

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 5.1(a)

OCM – 1/07/16 MOVED Cr Lewis, Seconded Cr Pule, that the minutes of the Ordinary Council Meeting held on 28 June 2016, be received.
CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 5.1(b)

OCM – 2/07/16 MOVED Cr Pule, Seconded Cr Bridges, that the minutes of the Ordinary Council meeting held 28 June 2016, as amended, be confirmed as a true record, with the following amendments:

- Pages 2 & 3 – ‘Director Community Developed’ should be ‘Director Community Development’.
- Page 2 – ‘7,200 sq metres’ should be ‘6,200 sq metres’.
- Page 2 – ‘provisional freehold’ should be ‘conditional freehold’.

CARRIED UNANIMOUSLY 6/0

5.2 Special Council Meeting held on 7 July 2016

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 5.2(a)

OCM – 3/07/16 MOVED Cr Pule, Seconded Cr Brown, that the minutes of the Special Council Meeting held on 7 July 2016, be received.
CARRIED UNANIMOUSLY 6/0

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 5.2(b)**

OCM – 4/07/16 MOVED Cr Pule, Seconded Cr Bridges, that the minutes of the Special Council Meeting held 7 July 2016, be confirmed as a true record.

CARRIED UNANIMOUSLY 6/0

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

The Mayor announced that the Council is confident that a Director of Strategic Planning will have been appointed by the next Ordinary Council Meeting.

7.0 PETITIONS

7.1 Petition – Request for Special Meeting of Electors

A petition was presented requesting that a Special Meeting of Electors be held to discuss the following matters:

- a) The redevelopment proposals for Bassendean Oval (Blue Steel Oval), BIC Reserve and Wilson Street carpark.
- b) Deputations to Council on the proposed Landcorp development.
- c) Questions to Council on the proposed Landcorp development.
- d) Proposal of motions to Council.
- e) Any related business.

COUNCIL RESOLUTION – ITEM 7.0

OCM – 5/07/16 MOVED Cr Bridges, Seconded Cr Brown, that the petition be received.

CARRIED UNANIMOUSLY 6/0

8.0 DECLARATIONS OF INTEREST

Nil

9.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

Nil

10.0 REPORTS

10.1 Adoption of Recommendations En Bloc

It was agreed that item 10.10 be removed from the en-bloc table and considered separately.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.1

OCM – 6/07/16 MOVED Cr Pule, Seconded Cr McLennan, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Meeting Agenda 26 July 2016:

Item	Report
10.2	Unauthorised Construction of a Front Screen Wall at Lot 713; No. 46 Broadway, Bassendean
10.3	Section 31 – Reconsideration for Proposed Commercial Vehicle Parking on rear (Bridson Street frontage) of Lot 153; No. 48 Watson Street, Bassendean
10.4	Compliance Matter - Unauthorised Filling on Lot 4690 (No. 90) Anzac Terrace, Bassendean
10.5	Proposed Modifications/Relocation of Existing Telstra Tower - Lot 9000; No. 2 Dobson Lane, Eden Hill
10.6	Shackleton Street Traffic Management
10.9	South West Native Title Settlement Agreement – Lot No. 4436, Reserve No, 22122, Bassendean – Land Base Consultation for Crown Land within Bindaring Park
10.13	Quarterly Reports for Quarter Ended 30 June 2016
10.14	Access and Inclusion Committee Meeting held on 6 July 2016
10.15	Determinations Made by the Principal Building Surveyor
10.16	Determinations Made by Development Services
10.17	Accounts for Payment – June 2016
10.18	Financial Statements – June 2016
10.19	Use of the Common Seal
10.20	Calendar for August 2016
10.21	Implementation of Council Resolutions

CARRIED UNANIMOUSLY 6/0

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

Item	Report
10.7	Acceptance of Perth Bicycle Network Local Government Grants Funding 2016-17
10.8	Acceptance of the WA Police State CCTV Strategy Infrastructure Fund Grant
10.10	Road Safety Committee
10.11	Access to Home and Community Care Asset Replacement Reserve
10.12	Application by Casa Mia Montessori School
11.1	Notice of Motion – Cr Brown: Diaries for Councillors
11.2	Notice of Motion – Cr Pule: Arborist report for previously pruned street Trees where underground power has been installed
11.3	Cr Paul Bridges – Apology to Mr & Mrs Gerry & Julie Coleman

10.2 Unauthorised Construction of a Front Screen Wall at Lot 713; No. 46 Broadway, Bassendean, Property Owner: Carmen Mifsud (Ref: 2015-138 – Timothy Roberts, Planning Officer)

APPLICATION

The purpose of this report was to seek Council authorisation to commence legal action to reconstruct an unauthorised front screen wall at the abovementioned property.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.2

OCM – 7/07/16 MOVED Cr Pule, Seconded Cr McLennan, that Council authorises the Chief Executive to engage the Town’s solicitors to commence formal prosecution action against the owner of Lot 713 (No. 46) Broadway, Bassendean, if the unauthorised front wall is not modified to comply with the Deemed-to-Comply requirements of the R-Codes, by 16 August 2016.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/07/16 6/0

10.3 Section 31 – Reconsideration for Proposed Commercial Vehicle Parking on rear (Bridson Street frontage) of Lot 153; No. 48 Watson Street, Bassendean, Owner/Applicant: AT & ML Mackay (Ref: DA 2015-240/DR 152/2016 – Christian Buttle, Senior Planning Officer)

APPLICATION

The Town, by virtue of an order made by the State Administrative Tribunal, has been invited to reconsider its decision to refuse development approval for proposed commercial vehicle parking at Lot 153 (No. 48) Watson Street, Bassendean.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.3

OCM – 8/07/16 MOVED Cr Pule, Seconded Cr McLennan, that in response to the invitation given by the State Administrative tribunal in its order dated 6 July 2016 pursuant to s 31(1) of the State Administrative Tribunal Act 2004 (WA), Council grants development approval for the proposed parking of a commercial vehicle at Lot 153 (No. 48) Watson Street, Bassendean, subject to the following conditions:

1. Only one commercial vehicle shall be parked on the site;
2. The commercial vehicle shall only be stored / parked in the designated location shown on the approved plan;
3. The approved location for the parking of the commercial vehicle shall be served by:
 - (a) A crossover of 3m minimum width that is constructed in accordance with the Town's specifications (Note: separate application and approval required); and
 - (b) A driveway on site that is paved and drained in accordance with the specifications contained within the Town of Bassendean Local Planning Policy No. 8 – Parking Specifications;
4. Fencing adjacent to the intersection of the driveway and the Bridson Street property boundary shall be kept clear of a 1.5m x 1.5m truncation area as specified within clause 5.2.5 of the Residential Design Codes of Western Australia;

5. The approval shall be personal to the applicant and vehicle make and model which is the subject of this application and shall not be transferred to any other person or vehicle make and model;
6. The approval is limited to the subject site only and no other property within the Town of Bassendean;
7. The Town retains the ability to revoke the approval where:
 - (a) The applicant is not complying with the conditions of approval;
 - (b) A nuisance or annoyance has been verified; and
 - (c) The applicant has not rectified the source of nuisance, annoyance or non compliance within seven (7) days of written notification being issued by the Town,

after which no person shall park a commercial vehicle upon that land without the further approval of the Town first having been obtained;

8. The commercial vehicle shall not operate to and from the site between the hours of 11:00pm and 7:00am on any day;
9. The vehicle shall not be fitted with refrigeration units and the loading and unloading of the commercial vehicle shall be prohibited on the site; and
10. Servicing, repairs or washing down of the commercial vehicle shall be prohibited on the site.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/07/16 6/0

10.4 Compliance Matter - Unauthorised Filling on Lot 4690 (No. 90) Anzac Terrace, Bassendean – Property Owner: Timewise Investments Pty Ltd (Ref: A119 – Christian Buttle, Senior Planning Officer)

APPLICATION

To authorise the Chief Executive Officer to commence formal prosecution action in relation to a compliance matter under investigation at Lot 4690 (No. 90) Anzac Terrace, Bassendean.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.4

- OCM – 9/07/16** MOVED Cr Pule, Seconded Cr McLennan, that Council authorises the Chief Executive to engage the Town’s solicitors to commence formal prosecution action against the owner of Lot 4690 (No. 90) Anzac Terrace with a view to having the unauthorised filling removed and the site cleared.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/07/16 6/0

10.5 Proposed Modifications/Relocation of Existing Telstra Tower - Lot 9000; No. 2 Dobson Lane, Eden Hill – Owners: Miluc Pty Ltd, Applicant: Investcorp Pty Ltd (Ref: DABC/BDVAPPS/146605 - Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report was for Council to consider a request to relocate the existing Eden Hill Mobile Base Station, from the “two” lots it currently sits on to one.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.5

- OCM – 10/07/16** MOVED Cr Pule, Seconded Cr McLennan, that Council authorises officers to clear the subdivision of Lot 9000; No. 2 Dobson Lane, Eden Hill, with the retention of the existing telephone tower.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/07/16 6/0

10.6 Shackleton Street Traffic Management (Ref: ROAD/STMNGT/1) Changeeka Jayakody Engineering Technical Coordinator & Nicole Baxter, Engineering Design Officer)

APPLICATION

The purpose of this report was to provide feedback to Council regarding the Shackleton Street Traffic Management Community Consultation Process as per Council’s resolution OCM-12/3/15.

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

OCM – 11/07/16 MOVED Cr Pule, Seconded Cr McLennan, that Council:

1. Receives the Shackleton Street Traffic Management Report;
2. Endorses Option A inline with the community consultation preferred option for traffic management within Shackleton Street;
3. Endorses Water Sensitive Urban Design Option A (swales & underground storage cells) to coincide with traffic management Options A within Shackleton Street; and
4. Considers the inclusion of \$400,000 in the Long Term Financial Plan for the 2017/18 capital works program for both traffic management Option A and Water Sensitive Urban Design.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/07/16 6/0**

10.7 Acceptance of Perth Bicycle Network Local Government Grants Funding 2016-17 (Ref: GRSU/APPS-D/8 – Ken Cardy, Manager Asset Services)

APPLICATION

Council was requested to accept funding from the Department of Transport–Perth Bicycle Network (PBN) Local Governments Grants Program 2016-17 for the amount of \$15,000.

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

OCM – 12/07/16 MOVED Cr McLennan, Seconded Cr Pule, that Council:

1. Accepts the Department of Transport - Perth Bicycle Network Local Government Grants funding 2016-17 totalling \$15,000 for the design of the Whitfield Street, Bassendean Boulevard between Extension Road and Ashfield Flats in 2016-17;
2. Amends the 2016/17 Budget to recognise the income and expenditure; and

3. Authorises expenditure of the funds in accordance with section 6.8(1)(b) of the Local Government Act.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.8 Acceptance of the WA Police State CCTV Strategy Infrastructure Fund Grant (Ref: GRSU/APPS-D/13 – Sharna Merritt, Senior Ranger)

APPLICATION

Council was requested to accept funding from the WA Police State CCTV Strategy Infrastructure Fund for the amounts of \$8,900 to fund a new CCTV installation at the rear of 48 Old Perth Road, Bassendean and \$9,490 to upgrade the existing CCTV system at the Bassendean Youth Services McDonald Pavilion and Skate park.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.8

OCM – 13/07/16 MOVED Cr Pule, Seconded Cr McLennan, that Council:

1. Receives the WA Police State CCTV Strategy Infrastructure fund grants for:
 - a) 48 Old Perth Road totaling \$8,900
 - b) Youth Services totaling \$9,490;
2. Council amends the 2016/17 Budget to recognise the income and expenditure; and
3. The expenditure be authorised under Section 6.8 of the Local Government Act.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.9 South West Native Title Settlement Agreement – Lot No. 4436, Reserve No, 22122, Bassendean – Land Base Consultation for Crown Land within Bindaring Park (Ref: COUP/ACQ-D/4 – Simon Stewert-Dawkins, Director Operational Services)

APPLICATION

The purpose of this report was for Council to provide comment on a proposal to include Lot No. 4436, Reserve No. 22122 Bassendean (which is within Bindaring Park) in the South West Native Title Settlement.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.9

OCM – 14/07/16 MOVED Cr Pule, Seconded Cr McLennan, that:

1. Council acknowledges the Noongar people and their cultural, spiritual and heritage connections to the land;
2. Council provides the following comments to the South West Settlement Department of Lands in response to the proposal to include for Lot No. 4436, Reserve No, 22122 Bassendean; currently forming part of Bindaring Park:

a) Future proposals for the land identified.

The Town of Bassendean Local Planning Scheme No. 10 reserves the land for Parks and Recreation.

Historically Bindaring Park of which Lot No. 4436, Reserve No, 22122 has been subject to comprehensive Local Planning Scheme amendment to achieve environmental benefits.

Lot No. 4436, Reserve No. 22122 is Crown Land managed by the Western Australian Department of Planning

The subject land parcel is currently part of an environmental wetland study and the degraded bush reserve is currently being rehabilitated.

The Town of Bassendean intends to amalgamate all the land that has an interest in the vicinity of the site, to request the closure of the road reserve (Forfar Road) adjacent Lot No. 4436, Reserve No, 22122 and amalgamate all of the land into a Crown Reserve with a Management order to the Town of Bassendean for Parks and Recreation. This action is likely to occur in the financial year 2018/9

b) Proposed planning scheme amendments

There are no proposals to amend the reservation of the land at this time, and the land is viewed as being an integral part of the Bindaring Park.

c) Future proposals for either the creation or amendments to reserves.

The Town of Bassendean intends to amalgamate all the land that has an interest in the vicinity of the site, to request the closure of the road reserve (Forfar Road) adjacent Lot No. 4436, Reserve No, 22122 and amalgamate all of the land into a Crown Reserve with a Management order to the Town of Bassendean for Parks and Recreation. This action is likely to occur in the financial year 2018/19

d) Known land management issues

The land is not included on the Department of Environment Regulations' contaminated sites database.

The road reserve (Forfar Road) adjacent Lot No. 4436, Reserve No, 22122 becomes inundated during the wet season

If the road reserve (Forfar Road) adjacent Lot No. 4436, Reserve No, 22122 is closed, as anticipated in 2018/19, the land becomes effectively land locked.

The land is currently effectively managed by the Town of Bassendean as part of the broader Bindaring Park, including weed control, bush fire management and water quality monitoring and bush rehabilitation.

The land is:

- included in a high risk area for Acid Sulphate Soils;
- falls within the boundaries of an environmentally sensitive area;
- contains bushfire vegetation
- lies within the flood fringe of the Swan River
- affected by the River Helena registered Aboriginal Heritage site.

A comprehensive, financial and environmental sustainable land use and servicing plan should be developed for Lot No. 4436, Reserve No, 22122 Bassendean, to ensure that it complements the work currently being undertaken for the site, as well as a management plan and natural area rehabilitation program.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/07/16 6/0**

10.10 Road Safety Committee (Ref: GOVN/CCLMEET/1 – Bob Jarvis, CEO & Simon Stewert-Dawkins, Director Operational Services.)

APPLICATION

The purpose of the report was to consider the Western Australian Local Government Association (WALGA) RoadWise Program and to request the East Metropolitan Regional Council (EMRC) establish Regional Road Safety Working Group.

OFFICER RECOMMENDATION – ITEM 10.10

That Council writes to the East Metropolitan Regional Council (EMRC) to request that it seeks the level of support from Member Councils of the Regional Integrated Transport Strategy to establish a Regional Road Safety Working Group or Committee.

Cr Pule moved the officer recommendation. The motion lapsed for want of a seconder.

COUNCIL RESOLUTION – ITEM 10.10

OCM – 15/07/16 MOVED Cr Brown, Seconded Cr Bridges, that Council writes to the City of Bayswater to seek its support to establish a Road Safety Committee.

CARRIED UNANIMOUSLY 6/0

10.11 Access to Home and Community Care Asset Replacement Reserve (Ref: INFT/ACQ/2 - Mona Soliman, Manager Seniors and Disability Services)

APPLICATION

Council considers purchasing a new Client Management Software (CMS) to replace CareAssist within Seniors and Disability Services Business Unit and approve access to HACC Asset Replacement Reserve (ARR) for the purpose.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.11

OCM – 16/07/16 MOVED Cr Pule, Seconded Cr Bridges, that:

1. Council approves access of up to \$100,000 from the HACC Asset Replacement Reserves for the purpose of purchasing a new Client Management Software (CMS) to replace CareAssist;

2. Council approves that the 2016/17 Budget be amended in accordance with section 6.8 of the Local Government Act; and
3. The results of the tender process be presented for Council's consideration in due course.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.12 Application by Casa Mia Montessori School for an extension to the current lease, an offer to purchase 11 Hamilton Street, Bassendean, and a request for the Council to approve rezoning to include "School" for 16 Whitfield Street, 11 Hamilton Street and that portion of the BIC Reserve which currently serves as a playground for the school, and for the Council to support the School's application to the State Government to lift the reservation on the playground site and to sell it to the school (Ref: A2137 – Bob Jarvis, CEO)

APPLICATION

Council's consideration of an application by the Casa Mia Montessori School for a lease extension beyond December 2017, as well as a request for the School to purchase 11 Hamilton Street from the Town, support of the Town for the school to purchase its playground site from the State Government, and to rezone those two sites and 16 Whitfield Street to permit school as an approved use.

Cr Bridges moved the officer recommendation with the addition of a point 3, as shown in bold.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.12

OCM – 17/07/16 MOVED Cr Bridges, Seconded Cr McLennan, that:

1. Council grants an extension of the lease to 31 December 2019 for the Casa Mia Montessori School located at 11 Hamilton Street, Bassendean; and
2. The lease extension fee for the Casa Mia Montessori School be based on 75% of the gross rental value of 11 Hamilton Street, Bassendean.
3. **Council informs the school it is prepared to consider the sale of 11 Hamilton Street, if the school purchases 16 Whitfield Street, and grants planning approval of the school and allows the ongoing use of the BIC currently used by the school.**

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.13 Quarterly Reports for Quarter Ended 30 June 2016 (Ref: FINM/AUD/1 – Bob Jarvis, Chief Executive Officer)

APPLICATION

The purpose of this report was for Council to receive the Quarterly Reports for the period ended 30 June 2016.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.13

OCM – 18/07/16 MOVED Cr Pule, Seconded Cr McLennan, that Council receives the Quarterly Reports for the quarter ended 30 June 2016.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/07/16 6/0

10.14 Access and Inclusion Committee Meeting held on 6 July 2016 (Ref: GOVN/CCLMEET/16 – Graeme Haggart, Director Community Development)

APPLICATION

The purpose of the report was for Council to receive the minutes of the Access and Inclusion Committee Meeting held on 6 July 2016.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.14

OCM – 19/07/16 MOVED Cr Pule, Seconded Cr McLennan, that the report on a meeting of the Access and Inclusion Committee held on 6 July 2016, be received.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/07/16 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.15

OCM – 20/07/16 MOVED Cr Pule, Seconded Cr McLennan, that Council notes the decisions made under delegated authority by the Principal Building Surveyor.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/07/16 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.16

OCM – 21/07/16 MOVED Cr Pule, Seconded Cr McLennan, that Council notes the decisions made under delegated authority by the Manager Development Services.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/07/16 6/0

10.17 Accounts for Payment – June 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 10.17

OCM – 22/07/16 MOVED Cr Pule, Seconded Cr McLennan, that Council receives the List of Accounts paid for June 2016, as attached to the Ordinary Council Agenda of 26 July 2016.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/07/16 6/0

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

The Annual Financial Statements for the 30 June 2016 are currently being developed. There is a considerable amount of work to be undertaken to provide Council with the Actual Closing Surplus for the end of the financial year.

The unaudited end of financial year statements will be presented to Council in August. This does not breach any legislative requirements.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.18

OCM – 23/07/16 MOVED Cr Pule, Seconded Cr McLennan, that Council notes that the unaudited end of financial year statements will be presented to Council in August.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/07/16 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.19

OCM – 24/07/16 MOVED Cr Pule, Seconded Cr McLennan, that Council notes the affixing of the Common Seal to the document listed in the Ordinary Council Meeting Agenda of 26 July 2016.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/07/16 6/0

10.20 Calendar for August 2016 (Ref: Sue Perkins, Executive Assistant)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION -
ITEM 10.20

OCM – 25/07/16 MOVED Cr Pule, Seconded Cr McLennan, that the Calendar for August 2016, be adopted.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/07/16 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.21

OCM – 26/07/16 MOVED Cr Pule, Seconded Cr McLennan, that the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 26 July 2016 be deleted from the Implementation of Council Resolutions list.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-6/07/16 6/0

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

The CEO left the Chamber, the time being 7.41pm.

11.1 Notice of Motion – Cr Brown: Diaries for Councillors

“That the Town of Bassendean, at the earliest opportunity, provide Councillors with a diary book and thereafter require Councillors to notate in this diary all and any contact or communication with any person seeking contact or communication with Councillors in their position as a Councillor for the Town of Bassendean. Such notation will include the time, date, method and or place of contact, the identity of the person contacting or communicating with the Councillor, their reason for doing so and any action taken by the Councillor as a consequence of the contact or communication. The diary may also be used to enter detail of any council related duties undertaken by the Councillor at their discretion. Maintaining this written diary will form part of the Councillor’s official duty and be subject to Local Government document retention guidelines. Each year the diaries will be provided by Councillors to the Town and stored for a period of safekeeping.”

COUNCIL RESOLUTION – ITEM 11.1

OCM – 27/07/16 MOVED Cr Pule, Seconded Cr Bridges that this motion be deferred until after the presentation of the Town’s new internet portal.

CARRIED UNANIMOUSLY 6/0

11.2 Notice of Motion – Cr Pule: Arborist report for previously pruned street Trees where underground power has been installed

This motion was withdrawn by Cr Pule.

11.3 Notice of Motion - Cr Paul Bridges: Apology to Mr & Mrs Gerry & Julie Coleman

“That subject to Mr & Mrs Coleman guaranteeing indemnity against any further action, the Town of Bassendean formally apologises to Mr Gerry Coleman and Mrs Julie Coleman for the heartache and hardship resulting from their purchase of Council owned land by auction on 29 May 2004, without previously disclosing that it contained uncontrolled fill and the subsequent dealings with the Colemans post sale. The apology is to be conveyed verbally, in writing, and in the Eastern Reporter.”

COUNCIL RESOLUTION – ITEM 11.3(a)

OCM – 28/07/16 MOVED Cr Lewis, Seconded Cr McLennan, that this item be discussed behind closed doors, under 13.0 Confidential Business.

CARRIED UNANIMOUSLY 6/0

12.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

12.1 Cr Bridges – Planting of trees under power lines

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

“That until completion of the review of the Street Tree Master Plan, trees not be planted under powerlines in the Town of Bassendean.”

13.0 CONFIDENTIAL BUSINESS

COUNCIL RESOLUTION – ITEM 13.0(a)

OCM – 29/07/16 MOVED Cr Lewis, Seconded Cr Bridges, that the meeting go behind closed doors in accordance with Section 5.23 of the Local Government Act 1995, the time being 7.45pm.

CARRIED UNANIMOUSLY 6/0

All members of the public vacated the Chamber, the time being 7.45pm.

The CEO returned to the Chamber, the time being 7.45pm.

11.3 Notice of Motion - Cr Paul Bridges: Apology to Mr & Mrs Gerry & Julie Coleman

COUNCIL RESOLUTION – ITEM 11.3(a)

OCM – 30/07/16 MOVED Cr Gangell, Seconded Cr Bridges, that Standing Orders be suspended, the time being 7.46pm.

CARRIED UNANIMOUSLY 6/0

Cr Gangell left the Chamber, the time being 7.55pm.

Cr Gangell returned to the Chamber, the time being 7.56pm.

COUNCIL RESOLUTION – ITEM 11.3(b)

OCM – 31/07/16 MOVED Cr Bridges, Seconded Cr Lewis, that Standing Orders be resumed, the time being 8.11pm.

CARRIED UNANIMOUSLY 6/0

MOVED Cr Bridges that subject to Mr & Mrs Coleman guaranteeing indemnity against any further action, the Town of Bassendean formally apologises to Mr Gerry Coleman and Mrs Julie Coleman for the heartache and hardship resulting from their purchase of Council owned land by auction on 29 May 2004, without previously disclosing that it contained uncontrolled fill and the subsequent dealings with the Coleman's post sale. The apology is to be conveyed verbally, in writing, and in the Eastern Reporter.

LAPSED FOR WANT OF A SECONDER

COUNCIL RESOLUTION – ITEM 13.0(b)

OCM – 32/07/16 MOVED Cr Bridges, Seconded Cr Brown, that the meeting proceed with open doors, the time being 8.12pm.

CARRIED UNANIMOUSLY 6/0

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

14.0 CLOSURE

The next Ordinary Council Meeting will be held on Tuesday 23 August 2016.

There being no further business the Presiding Member declared the meeting closed, the time being 8.12pm.