

TOWN OF BASSENDEAN

MINUTES

SPECIAL MEETING OF ELECTORS

HELD IN THE BASSENDEAN COMMUNITY HALL, 48 OLD PERTH ROAD, BASSENDEAN

ON MONDAY 13 MARCH 2017 AT 7.00PM

1.0 DECLARATION OF OPENING

The Mayor declared the meeting open, welcomed all those in attendance and conducted an Acknowledgement of Country.

2.0 ATTENDANCES & APOLOGIES

Present

Councillors

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

Officers

Mr Michael Costarella, Acting Chief Executive Officer
Mr Graeme Haggart, Director Community Development
Mr Simon Stewert-Dawkins, Director Operational Services
Mr Anthony Dowling, Director Strategic Planning
Mrs Amy Holmes, Minute Secretary

Public

Approximately 70 members of the public were in attendance.

Press

One member of the press was in attendance.

Apologies

Cr Renee McLennan
Mr Bob Jarvis, Chief Executive Officer

3.0 GENERAL BUSINESS

3.1 Petition – Request for Special Meeting of Electors

A petition containing 103 signatures was received by Council on 10 February 2017, requesting that a Special Meeting of Electors be held to discuss the following matters:

- The conduct of Council and processes surrounding implementation and execution of all community consultations, particularly in relation to Ashfield Reserve 'Home of Soccer' and LandCorp 'Activity Centre' plans;
- Council transparency issues that fail to meet the needs and expectations of the ratepayers and electors of the Town; and
- The Council's predilection for plans that limit and/or reduce residents use and/or enjoyment of existing public open spaces and green spaces.

4.0 DEPUTATIONS

- 4.1 Ms Kathryn Hamilton spoke on the proposed State Football Centre development at Ashfield Reserve and raised concerns regarding Council's process of public consultation.
- 4.2 Ms Megan Longwill spoke on the proposed State Football Centre development at Ashfield Reserve and raised concerns regarding Council's process of public consultation, particularly the most recent publication of the Bassendean Briefings.
- 4.3 Ms Sarah Quinton spoke on the availability of audio recordings of Council Meetings.
- 4.4 Mr Warren Wright addressed the Council on the proposed State Football Centre development at Ashfield Reserve and raised concerns regarding Council's process of public consultation. Mr Wright also commented on the concrete batching plant.
- 4.5 Ms Kathryn Hamilton on behalf of Tessa spoke on the high density development of the avenues in Bassendean and the slow response of Council to address these developments.
- 4.6 Ms Tina Klein spoke on the availability of audio recordings of Council Meetings.

5.0 PUBLIC QUESTION TIME

Ms Nonie Jekabsons, 6 Barton Parade, Bassendean

Ms Nonie Jekabsons spoke on the agenda of tonight's meeting and stated that it does not accurately reflect the order of proceedings.

Dr John Goldsmith

Dr John Goldsmith spoke on the Mayor's and CEO's refusal to respond to and progress his formal complaint.

Mrs Fran Phelan, 15 River Street, Bassendean

Mrs Fran Phelan stated that Councillors are elected to represent the ratepayers not to rule them and they are given responsibility not power.

Ms Kathryn Hamilton, 53 Broadway Street, Bassendean

Ms Hamilton asked why were some Councillors were not supplied with a copy of the Ashfield Reserve plans prior to their voting in May.

The Director Community Development responded that Councillors were given the opportunity to view the concept plan, including the relocation of some facilities. The concept plan was developed so that the project could be costed.

Ms Hamilton asked why the survey had such minimal information.

The Director Community Development stated that the aim of the survey was to find out whether the community generally supported the proposal and that was put to the community.

Ms Hamilton asked why the Council allows a state government department to dictate what happens in our community.

Cr Bridges commented that the Department of Sport and Recreation (DSR) put the proposal forward and said that Bassendean was one of three preferred sites and were asked to keep it confidential. Council was concerned about keeping it confidential and imposed a number of conditions with regard to public consultation. Council was only made aware of the preferred site when the Premier announced it.

Cr Gangell commented that information in the Bassendean Briefings was provided to the residents so they could be kept informed.

Ms Hamilton asked why Council did not demand the state government publically release the business case and other pre-planning information, especially as the DSR had agreed to the terms of this Council's May motion.

Cr Gangell responded that the document was deemed cabinet in confidence and Council could not release the document.

Ms Sarah Quinton, 23 Deakin Street, Bassendean

Ms Quinton asked whether the project is still going ahead under a Labor government.

Cr Gangell responded there was no commitment from the Labor government that this project would go ahead.

Ms Quinton asked why a proposal was put forward for audio recordings to not be made available to the public.

The Acting CEO responded that it was considered as part of a policy review. The audio recordings are used to assist the Minute Clerk and are not deemed accurate enough for use by the public.

Ms Nonie Jekabsons, 6 Barton Parade, Bassendean

Ms Jekabsons asked whether anyone had previously contacted the opposition government to see if they were supportive of the project.

Cr Gangell responded that he had contacted the opposition – they were supportive but not committed to fund it.

Ms Jekabsons referred to the Bassendean Briefings and stated that under the Code of Conduct, ratepayers' funds should not be expended on political promotional material.

Cr Gangell responded that the information was provided as it was deemed of interest to the public.

Mr Nick Virgana, 63 Parker Street, Bassendean

Mr Virgana asked what review will be conducted by the Council to improve future processes and public consultation.

Cr Pule responded that Council has agreed to undertake a complete review of its policy on community communication. Cr Pule stated that at the next Ordinary Council meeting, he will move a motion that audio recordings are made available to the public.

Mr Jon Moore, 2 Prowse Street, Bassendean

Mr Moore asked how Council surveys are carried out as he has lived here for 36 years and has never been asked to complete a survey.

The Acting CEO advised that Council conducts online surveys, as well as paper based. In the consultation of the Community Strategic Plan, Councillors and staff attended shopping centres and workshops, which Council had received 1,200 responses.

Mr Don Yates, 10 Thompson Road, Bassendean

Mr Yates asked when the Town is going to sort out the website so that old minutes are available.

The Acting CEO advised that minutes and attachments are gradually being changed over to pdf to be made available on the Town website, however all minutes are available at the Library.

Mr Yates asked why the Mayor needed to have a statement prepared for the December 2016 Council meeting, and was the speech ever delivered.

The Acting CEO responded that Town staff engaged a consultant to prepare a statement which was given to the Mayor to use at his discretion. The Mayor did not request it, it was authorised by staff.

Mr Yates asked why Main Roads took 14 months to respond to the CEO regarding traffic access issues coming down from Ellenbrook to Lord Street.

The question was taken on notice due to the CEO's absence.

Mr Yates asked how long has Macri Partners been the auditors for the Town of Bassendean.

Cr Gangell did not accept the question as it is not part of this meeting.

Mr Yates asked if deputations should be heard before items at an Audit and Risk Management Committee meeting.

Cr Pule responded that Mr Yates was asked to provide Cr Pule, the Presiding Member of the Audit and Risk Management Committee, a written copy of the deputation, but this did not happen. Based on the request, Cr Pule did not allow the deputation.

Mr Terry Blanchard, 5 Devon Road, Bassendean

Mr Blanchard asked if there are any other additional plans for the Ashfield soccer stadium.

Cr Gangell responded that it is his understanding that under the new Labor government, the project will not be going ahead.

Mr Blanchard asked if there will be a meeting to discuss the potential LandCorp developments.

Cr Gangell responded that this is another project that will not go ahead under the new government.

Ms Tina Klein, 2 Wicks Street, Eden Hill

Ms Klein asked if the Deputy Mayor is in a position to step in when the Mayor is unavailable.

Cr Gangell responded that part of the Deputy Mayor's role is to fill in for the Mayor.

Ms Klein asked for clarification on whether Town staff have the authority to spend money without the Council's authority.

The Acting CEO responded that he has the authority to spend funds included in the budget and within authority limits.

Mr Moss Johnson, 6 Barton Parade, Bassendean

Mr Johnson asked if this meeting is being conducted in the same format as the last Special Meeting of Electors.

Cr Gangell responded that it is up to the Presiding Member's discretion on how the meeting is conducted and believes he is very consistent with the format.

Mr Johnson asked if Council will be reviewing its processes to see a more bottom up approach to governance.

Cr Gangell responded that he would see that happening and believes it's what the community expects.

Mr Tony Dorling, 45 Haig Street, Ashfield

Mr Dorling referred to an article in the Eastern Reporter newspaper regarding the development of sporting facilities and asked if the sporting clubs and community have been consulted. Mr Dorling also asked if Council takes into consideration the current community value of the land or is it considered as vacant land.

The Director Community Development responded that staff are in the process of putting out a Request for Quote for the review of our facilities to ensure they meet community needs.

Cr Gangell stated that developments are to enhance current facilities and would be a fantastic investment.

Mr Dorling asked if Councillors were made aware that the trees at Ashfield Reserve would be lost and how could the Council think this development would be a good idea.

The Director Community Development advised that the Councillors were made aware at the presentation by the Department of Sport and Recreation.

Cr Gangell commented that the development would be a great asset to have in the Town, it would increase the number of people coming into the Town and increase job opportunities.

Cr Brown stated that we have an opportunity to create something worthwhile at Ashfield and improve the existing facilities. It needs to be done in consultation with the community. We shouldn't abandon the project, we need to come up with alternative plans.

Ms Kim Petrig, Colstoun Road, Ashfield

Ms Petrig asked that if this project goes ahead, will the Council come back to the community with proper information and consultation and stated that the playground and trees should not be removed.

Cr Pule stated that he gave a commitment to maintain the trees at Ashfield Reserve and will maintain this commitment. Cr Pule stated that Council will give full consultation should the Labour Government provide a new proposal.

Mr Nick Virgana, 63 Parker Street, Bassendean

Mr Virgana asked for an affirmation from the Mayor that all future surveys conducted by the Town of Bassendean will be done so with truth, accuracy and precision.

Cr Gangell responded that the Town always conducts its surveys that way.

Mr Steven Bacich, 4/41 Cyril Street, Bassendean

Mr Bacich asked if the survey results were used to confirm public support of the Ashfield Reserve redevelopment.

Cr Gangell responded that the survey results were one of the many things considered by Council.

Mr Bacich asked what safeguards will Council implement to ensure all future investment projects have genuine community support and have a positive impact on amenity for ratepayers.

Cr Gangell responded that this project was only at the very early stage. The State Government had determined Ashfield was the preferred location and that was as far as the project had gone.

Mr Ian Veale, 33 Bassendean Parade, Bassendean

Mr Veale asked the electors present if they read and understood the Council's Code of Conduct, Standing Orders and Corporate Governance Charter and suggested that future meetings may run better if people make themselves familiar with Council processes and procedures.

Ms Noni Jekabsons, 6 Barton Parade, Bassendean

Ms Jekabsons asked if the survey results had shown a complete lack of support, would the project have still gone ahead.

Cr Gangell responded that it's a hypothetical question.

Mrs Bev Barnsley, 42 Cyril Street, Bassendean

Mrs Barnsley expressed her concern at the article on the front page of the Bassendean Briefings relating to Ashfield Reserve, and stated that promotional material supporting a political party should not be produced by the Council.

Mr Warren Wright, Ashfield

Mr Wright stated that a letter sent to DSR showed that the survey was a major factor of the project going ahead.

Cr Gangell commented that the survey was one of a number of factors, including the investment in the Town.

Mr Robert Quelch, 49 Haig Street, Ashfield

Mr Quelch asked what is happening with the floodlights on Ashfield Reserve that are shining into people's properties.

The Director Community Development responded that he is happy to speak to Mr Quelch after the meeting.

Mr Robert Cross, 49 Haig Street, Ashfield

Mr Cross commented on three signs on the street that need to be addressed, as they have been like it for a considerable amount of time.

The Director Operational Services advised that he will make a report to Main Roads and will discuss further with Mr Cross after the meeting.

Ms Anne Marie van Hoek, 22 Haig Street, Ashfield

Ms van Hoek asked why the Council is speaking to the State Government when the Ashfield Reserve and Bassendean Oval are A class reserves.

The Director Community Development responded that both Ashfield and Bassendean ovals are State Government land that are vested in the Town and the Town has a management order over that land.

Mr Tony Dorling, 45 Haig Street, Ashfield

Mr Dorling asked whether local sporting clubs will be advised of the community's response to the development of the sporting facilities or will that be up to DSR.

The Director Community Development responded yes, absolutely.

MOTION 1

SME - 1/3/17

MOVED Megan Longwill, Seconded Kathryn Hamilton, that the Council establish a Committee of residents to work with staff to review the format of the Bassendean Briefings as well as assess the relevance and accuracy of information of each Bassendean Briefings and that this be coordinated through the Volunteer Centre.

CARRIED

MOTION 2

SME - 2/3/17 MOVED Sarah Quinton, Seconded Tina Klein, that:

1. The audio of all formal Council Meetings including Special Meetings continue to be recorded, except when Council resolves to go behind closed doors; and
 - a) that the original recordings of meetings remain unmodified;
 - b) that all recordings are retained as part of the Town's records for a minimum of five years;
 - c) that copies of the recorded audio of Council Meetings be available at the Library so members of the public can access and listen to the recordings whilst at the Library;
 - d) that audio recordings of Council Meetings continue to be made available to members of the public upon request on disc or USB; and
2. All formal Council Meetings, including Special Meetings are streamed live online, which is followed by recordings being made available to the public by uploading to the Town's website within three business days and maintained online as an archive.

CARRIED

MOTION 3

SME - 3/3/17 MOVED Warren Wright, Seconded Moss Johnson, that Council:

1. Set aside the Ashfield Reserve Community Consultation Survey as this document was not sufficient or of a standard;
2. Ensure no reference to this survey is made in any future decision making.

CARRIED

MOTION 4

SME - 4/3/17 MOVED Warren Wright, Seconded Kathryn Hamilton, that the Town of Bassendean measures the air quality in several locations, some within 500metres of the site for the concrete batching plant, to establish a baseline for air quality before the plant becomes operational and that these locations are regularly monitored to check for possible air quality contamination from the concrete batching plant.

CARRIED

MOTION 5

SME - 5/3/17 MOVED Kathryn Hamilton, Seconded Teresa Scott, that Council immediately implement detailed quality design guidelines with primary controls unique to our area that, after statutory process, become part of our Town Planning Scheme in an effort to improve the quality of development in this town.
CARRIED

MOTION 6

SME - 6/3/17 MOVED Tina Klein, Seconded Kathryn Hamilton, that the accuracy of all Council Meeting minutes is to be a major assessment area of the Chief Executive Officer's Key Performance Indicators.
CARRIED

MOTION 7

MOVED Michael Grogan, that the Council formally censure Deputy Mayor Mike Lewis for contravening the Town of Bassendean's Code of Conduct by engaging in unseemly conduct and making derogatory pronouncements whilst Chairing the Annual Meeting of Electors on 23 November 2016 and whilst Chairing the Ordinary Council Meeting on 31 January 2017.

This Motion was ruled out of order by the Mayor.

MOTION 8

MOVED Anthea Marshall, that a vote of no confidence in the Chief Executive Officer, Bob Jarvis and the Mayor, Cr John Gangell be passed.

This motion was ruled out of order by the Mayor.

MOTION 9

MOVED Peter Pearson, that a vote of no confidence in the Chairperson be passed.

This motion was ruled out of order by the Mayor.

MOTION 10

SME - 7/3/17 MOVED Don Yates, Seconded Megan Longwill, that all Council meetings and Committee meetings include public question time and presentations.
CARRIED

MOTION 11

SME - 8/3/17 MOVED Michelle Grady, Seconded Kathryn Hamilton, that Council no longer accepts any proposals from State, Federal, Local Government or other non-government entities, which are done so on a confidential basis.

CARRIED

6.0 **CLOSURE**

Members of the public were invited to partake of light refreshments at the conclusion of the meeting.

There being no further business the Mayor declared the meeting closed, the time being 9.00pm.