

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

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

ON TUESDAY 26 MARCH 2019 AT 7.00PM

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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

2.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

Nil.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Present

Councillors

Cr Renee McLennan, Mayor
Cr Bob Brown, Deputy Mayor
Cr John Gangell
Cr Kathryn Hamilton
Cr Melissa Mykytiuk
Cr Sarah Quinton
Cr Jai Wilson

Officers

Ms Peta Mabbs, Chief Executive Officer
Ms Jill Brazil, Acting Director Corporate Services
Mr Graeme Haggart, Director Community Development

Mr Simon Stewert-Dawkins, Director Operational Services
Mr Anthony Dowling, Director Strategic Planning
Mr Brian Reed, Manager Development Services
Mrs Amy Holmes, Minute Secretary

Public

Nil

Press

Nil

Leave of Absence

The following leaves of absence were requested:

Cr Mykytiuk - 29 March to 2 April and 8 April to 11 April 2019
Cr Hamilton - 27 March to 1 April 2019
Cr Gangell - 9 April 2019
Cr Quinton - 17 April to 23 April 2019

COUNCIL RESOLUTION – ITEM 3.0

OCM – 1/03/19 MOVED Cr Quinton, Seconded Cr Hamilton, that the following leaves of absence be granted:

Cr Mykytiuk - 29 March to 2 April and 8 April to 11 April 2019;
Cr Hamilton - 27 March to 1 April 2019;
Cr Gangell - 9 April 2019; and
Cr Quinton - 17 April to 23 April 2019.

CARRIED UNANIMOUSLY 7/0

4.0 DEPUTATIONS

Nil

5.0 CONFIRMATION OF MINUTES

5.1 Ordinary Council Meeting held on 26 February 2019

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

OCM – 2/03/19 MOVED Cr Gangell, Seconded Cr Brown, that the minutes of the Ordinary Council Meeting held on 26 February 2019, be received.

CARRIED UNANIMOUSLY 7/0

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

- OCM – 3/03/19** MOVED Cr Gangell, Seconded Cr Brown, that the minutes of the Ordinary Council Meeting held on 26 February 2019, be confirmed as a true record.
- CARRIED UNANIMOUSLY 7/0**

6.0 ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

7.0 PETITIONS

Nil

8.0 DECLARATIONS OF INTEREST

- 8.1 Cr Wilson declared an Impartiality Interest for Item 10.8 as he is a social member of the Lawn Bowls Club.

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, 10.6, 10.7, 10.9 10.13 and 10.21 be removed from the en-bloc table and considered separately.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.1

OCM – 4/03/19 MOVED Cr Gangell, Seconded Cr Mykytiuk, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Meeting Agenda of 26 March 2019:

Item	Report
10.3	Proposed Review of Local Planning Policy No. 2 – Energy Efficient Design
10.8	Community Sporting and Recreation Facilities Fund (CSRFF) Application – Bassendean Bowling Club
10.11	Determinations Made by the Principal Building Surveyor
10.12	Determinations Made by Development Services
10.14	Bassendean Local Emergency Management Committee Meeting held on 6 March 2019
10.15	People Services Committee Meeting held on 6 March 2019
10.16	Audit & Governance Committee Meeting held on 18 March 2019
10.17	Accounts for Payment – February 2019
10.18	Financial Statements – January 2019 and February 2019
10.19	Use of the Common Seal
10.20	Calendar for April 2019

CARRIED UNANIMOUSLY 7/0

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

Item	Report
10.2	Tonkin Park Industrial Estate (TPIE) Fencing Audit and Review
10.4	Tree Retention on Development Sites
10.5	Request for Contract Variation - Community and Stakeholder Engagement Strategy
10.6	Vandalism of Street Verge Trees – Adjacent to 14 Pryde Way, Eden Hill
10.7	Council Street Trees – 118 Whitfield Street, Bassendean
10.9	Waste Collection Services – Collection of Food Organics Garden Organics (FOGO) Waste
10.10	Mid Year Review of Annual Budget 2018/19
10.13	River Parks Committee Meeting held on 5 March 2019
10.21	Implementation of Council Resolutions
13.1	Service Review – Seniors and Disability Services Business Unit
13.2	Probationary Period Review – Chief Executive Officer
13.3	Draft Performance Agreement – Chief Executive Officer

10.2 Tonkin Park Industrial Estate (TPIE) Fencing Audit and Review (Ref: LUAP/POLCY/2, DABC/BDVAPPS/2011-135, DABC/BDVAPPS/2013-125 - Cameron Hartley, Planning Officer)

APPLICATION

The purpose of this report was to provide an audit into existing industrial fencing within the Tonkin Park Industrial Estate (TPIE) as well provide a recommendation to council as to whether the Town's Local Planning Policy No.6 (LPP6) requires modification in line with this audit's findings. This report is linked to a Council Resolution from OCM 28 July 2015, which forms an attachment to this report.

OFFICER RECOMMENDATION — ITEM 10.2

That Council:

1. Approves the modification to Local Planning Policy No. 6 – Industrial Zones Development Design Guidelines, to delete reference for fencing to be setback 2 metres behind the street alignment; and
2. Notes that the Planning Department of the Town of Bassendean will cease compliance action against landowners of 76 and 80 May Holman Drive, Bassendean, as the fencing will comply to the modified Local Planning Policy No. 6.

Cr Gangell moved that this item be deferred.

COUNCIL RESOLUTION – ITEM 10.2

OCM – 5/03/19 MOVED Cr Gangell, Seconded Cr Hamilton, that this item be deferred to allow for further consideration.

CARRIED UNANIMOUSLY 7/0

10.3 Proposed Review of Local Planning Policy No. 2 – Energy Efficient Design (Ref: LUAP/POLCY/2 – Christian Buttle, Senior Planning Officer)

APPLICATION

Council was requested to consider adopting a revised version of Local Planning Policy No. 2 – Energy Efficient Design (LPP2).

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.3**

OCM – 6/03/19 MOVED Cr Gangell, Seconded Cr Mykytiuk, that Council:

1. Modifies Section 6.0 – Assessment Procedure of Local Planning Policy No. 2 – Energy Efficient Design in the manner shown within the ‘Policy Extract as Revised’ provided as an attachment to this report;
2. Determines that the policy amendment is a minor amendment which is made without being advertised for public comment; and
3. Notes that the Town’s Administration will advertise the modified policy for public notice and will provide direct notice of the change to ‘regular’ applicants.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/03/19 7/0**

10.4 Tree Retention on Development Sites (Ref: LUAP/PLANNING/21 – by Anthony Dowling, Director Strategic Planning)

This item was withdrawn.

10.5 Request for Contract Variation - Community and Stakeholder Engagement Strategy (CSES) (Ref: LUAP/BASSEDEAN/LPS 2017-2030 - Anthony Dowling, Director Strategic Planning)

APPLICATION

Council was requested to approve a variation to the contract between the Town and Creating Communities Australia (CCA) Pty Ltd to design and deliver a community and stakeholder engagement strategy (CSES) to inform the vision for the development of a new Local Planning Strategy.

Cr Gangell moved that this item be deferred.

COUNCIL RESOLUTION – ITEM 10.5(a)

OCM – 7/03/19 MOVED Cr Gangell, Seconded Cr Brown, that this item be deferred.

LOST 2/5

Crs Gangell and Brown voted in favour of the motion. Crs McLennan, Hamilton, Mykytiuk, Quinton & Wilson against the motion.

Cr Hamilton moved the officer recommendation.

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.5**

OCM – 8/03/19 MOVED Cr Hamilton, Seconded Cr Mykytiuk, that Council:

1. Approves a variation (Variation 2) to the contract between the Town of Bassendean and Creating Communities Australia (RFQ 374 2018-19 Design and Implementation of a Community and Stakeholder Engagement Strategy to inform the development of a new Local Planning Strategy) to an increased value of \$34,500 for the purpose of additional modelling work as described in this report; and
2. Endorses the reallocation of \$30,000 in GL account 262362 and \$10,000 in GL account 261365 to GL account 261367 to cover the expense of the additional modelling work referenced in (1) above.

CARRIED UNANIMOUSLY 7/0

10.6 Vandalism of Street Verge Trees – Adjacent to 14 Pryde Way, Eden Hill (Ref: COUP/MAINT/1 – Ken Cardy, Manager Asset Services)

APPLICATION

The purpose of this report was to advise Council that two street verge trees adjacent to 14 Pryde Way, Eden Hill, have been interfered with, hacking/chopping at base of trees, and now only the base of the trees are remaining.

OFFICER RECOMMENDATION – ITEM 10.6

That Council:

1. Approves the removal of the base of the two vandalised street trees and requests officers communicate with the property owner regarding the planting of replacement street trees during the 2019 planting season; and
2. Installs a Vandalism Awareness sign on the verge adjacent to 14 Pryde Way, Eden Hill, until newly planted street trees are sufficiently established in approximately two years.

COUNCIL RESOLUTION – ITEM 10.6(a)

OCM – 9/03/19 MOVED Cr Gangell, Seconded Cr Wilson, that the meeting go behind closed doors, the time being 7.25pm.
CARRIED UNANIMOUSLY 7/0

COUNCIL RESOLUTION – ITEM 10.6(b)

OCM – 10/03/19 MOVED Cr Hamilton, Seconded Cr Wilson, that the meeting come from behind closed doors, the time being 7.31pm.
CARRIED UNANIMOUSLY 7/0

Cr Hamilton moved an alternative motion.

COUNCIL RESOLUTION – ITEM 10.6(c)

OCM – 11/03/19 MOVED Cr Hamilton, Seconded Cr Wilson, that Council:

1. Approves the removal of the base of the two vandalised street trees and **advises the property owner that Council has resolved to replace the trees during the 2019 planting season**; and
2. Installs a vandalism awareness sign, **with additional emphasis to the ‘Reward’ text**, on the verge adjacent to 14 Pryde Way, Eden Hill, until newly planted street trees are sufficiently established, in approximately two years.
CARRIED 5/2

Crs Hamilton, Wilson, McLennan, Mykytiuk & Quinton voted in favour of the motion. Crs Gangell & Brown voted against the motion.

**10.7 Council Street Trees – 118 Whitfield Street, Bassendean
(Ref: COUP/MAINT/1 – Ken Cardy, Manager Asset Services)**

Cr Gangell left the meeting at 7.45pm and returned at 7.50pm.

APPLICATION

The property owner of 118 Whitfield Street Bassendean has requested both verge street trees (*Eucalyptus rudis*), located on Council land adjacent to their property, 118 Whitfield Street Bassendean, be removed as the trees have allegedly damaged the property's fence base (limestone) which surrounds the property, with the possibility of damaging the house foundation and a general risk to the community and the family through falling branch.

OFFICER RECOMMENDATION – ITEM 10.7

That Council approves the removal of both street trees (*Eucalyptus rudis*) located at 118 Whitfield Street, Bassendean, and notes that officers will communicate with the property owners regarding the planting of new street trees during the 2019 planting season

Cr Hamilton moved that this item be deferred.

COUNCIL RESOLUTION – ITEM 10.7

OCM – 12/03/19 MOVED Cr Hamilton, Seconded Cr Gangell, that this item be deferred to allow for further consideration.

CARRIED UNANIMOUSLY 7/0

**10.8 Community Sporting and Recreation Facilities Fund
(CSRFF) Application – Bassendean Bowling Club (Ref:
GRSU/APPS-D/15 – Tim Dayman, Recreation Development
Officer)**

APPLICATION

The purpose of this report was to request approval from Council for Bassendean Bowling Club to apply for a Small Grant under the Community Sporting and Recreation Facilities Fund (CSRFF) and to rank the project in accordance with the CSRFF guidelines for Local Government Authorities.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.8

OCM – 13/03/19 MOVED Cr Gangell, Seconded Cr Mykytiuk, that:

1. Council supports the CSRFF small grant application lodged by the Bassendean Bowling Club;
2. In accordance with the CSRFF assessment guidelines, Council rates the project as well planned and needed by the applicant; and
3. \$25,601 be listed in the 2019/20 draft Capital Works Budget, subject to the CSRFF Small Grant application being approved by the Department of Local Government, Sporting and Cultural Industries.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/03/19 7/0

10.9 **Waste Collection Services – Collection of Food Organics
Garden Organics (FOGO) Waste (Ref:
WSTMNGT/TENDNG/10 - Ken Cardy, Manager Asset
Services) and Simon Stewert-Dawkins, Director
Operational Services.**

APPLICATION

The purpose of this report was to provide Council with an update of the Better Bins or Three Bin Project and propose an earlier inclusion of the Food Organic Garden Organic collection.

Cr Hamilton moved the officer recommendation with the addition of a Point 6.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.9

OCM – 14/03/19 MOVED Cr Hamilton, Seconded Cr Mykytiuk, that Council:

1. Notes Council resolution (OCM – 32/09/18) that committed to introducing FOGO (Food Organics & Garden Organics) at the same time as the introduction of the third bin through the Better Bins Program rollout;

2. Notes Council (OCM – 32/09/18) resolution that stated the roll out date would be determined once the EMRC notifies the Town confirming the application to modify the existing licencing requirements has been submitted to the Department of Water and Environmental Regulation to permit FOGO to be processed and managed at Red Hill Waste Management Facility;
3. Receives 26 March 2019, Waste Collection Services – Collection of Food Organics Garden Organics (FOGO) Waste report;
4. Requests Officers invite tenders for the Supply, Assembly and Delivery of Variable Sized Mobile Garbage Bins (MGBs) Spare Parts and Tender documents for the Supply, Assembly and Delivery of Variable Sized Mobile Garbage Bins (MGBs), Spare Parts, including an option for kitchen caddy bins with matching Australian Certified compostable liners;
5. Requests Officers of the Eastern Metropolitan Regional Council and the Town of Bassendean continue to prepare the FOGO management and processing financial model and that a report be provided to the April 2019 Ordinary Council Meeting; and
6. **Requests officers investigate cost estimates and seek out grants for the printing of UV rated visually relevant pictorial stickers for each bin type that will contribute to the public education process during the three bin FOGO rollout.**

CARRIED UNANIMOUSLY 7/0

10.10 Mid Year Review of Annual Budget 2018/19 (Ref: FINM/BUGTG/1 – Ken Lapham, Acting Director Corporate Services; Jill Brazil, Acting Manager Corporate Services)

APPLICATION

Council was requested to consider the mid-year review of the Annual Budget for 2018/19.

OFFICER RECOMMENDATION – ITEM 10.10

That Council adopts the mid-year budget review of the Annual Budget for the 2018/19 financial year, as detailed in the report and the amendments attached to the Ordinary Council Meeting Agenda of 26 March 2019, and in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996.

COUNCIL RESOLUTION – ITEM 10.10(a)

- OCM – 15/03/19** MOVED Cr Wilson, Seconded Cr Hamilton, that line item ‘Bike Locks’ be removed from the mid-year budget.
CARRIED UNANIMOUSLY 7/0

COUNCIL RESOLUTION – ITEM 10.10(b)

- OCM – 16/03/19** MOVED Cr Wilson, Seconded Cr Gangell, that line item ‘E-Bikes’ be removed from the mid-year budget.
LOST 3/4

Crs Wilson, Gangell and Brown voted in favour of the motion. Crs McLennan, Hamilton Mykytiuk and Quinton voted against the motion.

COUNCIL RESOLUTION – ITEM 10.10(c)

- OCM – 17/03/19** MOVED Cr Wilson, Seconded Cr Gangell, that line item ‘Cycling Without Age’ be removed from the mid-year budget.
CARRIED 4/3

Crs Wilson, Gangell, Brown and Quinton voted in favour of the motion. Crs McLennan, Hamilton & Mykytiuk voted against the motion.

COUNCIL RESOLUTION – ITEM 10.10(d)

- OCM – 18/03/19** MOVED Cr Hamilton, Cr Wilson, that line item ‘Lighting Audits for Bassendean, Jubilee and Ashfield Reserves’ be removed from the mid-year budget.
CARRIED 6/1

Crs Hamilton, Wilson, McLennan, Brown, Mykytiuk & Quinton voted in favour of the motion. Cr Gangell voted against the motion.

MOVED Cr Hamilton that line item ‘Bassendean History Book’ be removed from the mid-year budget.
LAPSED FOR WANT OF A SECONDER

COUNCIL RESOLUTION – ITEM 10.10(e)

OCM – 19/03/19 MOVED Cr Wilson, Seconded Cr Quinton, that

1. The savings identified be allocated to repairing the boat ramp at Pickering Park; and
2. A report be brought back to Council at the April Ordinary Council Meeting if the funds allocated are insufficient for the task.

CARRIED 4/3

Crs Wilson, Quinton, Brown and Hamilton voted in favour of the motion. Crs Gangell, McLennan & Mykytiuk voted against the motion.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.10

OCM – 20/03/19 MOVED Cr Wilson, Seconded Cr Quinton, that Council adopts the mid-year budget review of the Annual Budget for the 2018/19 financial year, as detailed in the report and the amendments attached to the Ordinary Council Meeting Agenda of 26 March 2019, and in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.11

OCM – 21/03/19 MOVED Cr Gangell, Seconded Cr Mykytiuk, that Council notes the decisions made under delegated authority by the Principal Building Surveyor.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/03/19 7/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.12

OCM – 22/03/19 MOVED Cr Gangell, Seconded Cr Mykytiuk, that Council notes the decisions made under delegated authority by the Manager Development Services.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/03/19 7/0

10.13 River Parks Committee Meeting held on 5 March 2019 (Ref: GOVNCCL/MEET/33 – Simon Stewert-Dawkins, Director Operation Services)

Cr Gangell left the meeting at 9.33pm and returned at 9.36pm.

APPLICATION

The purpose of this report was for Council to receive the report on a meeting of the River Parks Committee held on 5 March 2019, and consider the recommendations from the Committee.

COMMITTEE RECOMMENDATION – ITEM 10.13

That Council:

1. Receives the report on a meeting of the River Parks Committee held on 5 March 2019;
2. Council receives the project update on the Success Hill Reserve collapsed spillway;
3. Requests as a matter of urgency that Town Officers ask GHD consultants to provide the Success Hill Reserve concept design options to the River Parks Committee members and Council as soon as practicable before the next Committee meeting on 4 June 2019;
4. Requests Town Officers communicate with the Department of Transport to facilitate the installation of a river speed camera in the vicinity of the Success Hill spillway to assist in efforts to reduce riverbank erosion associated with the wakes produced by speeding boats;

5. Requests Town Officers explore and apply for grants that will assist in riverbank restoration of the degraded areas at and around the Success Hill Spillway, at the discretion of the Town administration
6. Requests that Town Officers commence consultation with the traditional owners of the land with respect to the Success Hill Project;
7. Requests Town Officers ask GHD to consider design options that create swale type water sensitive urban design basins that enable the street drained water to access the groundwater and allow the overspill to exit via the existing 450mm outlet pipe to the spillway;
8. Notes the Department of Planning, Lands and Heritage's implementation works that have commenced at the Ashfield Flats Reserve;
9. Requests Town Officers communicate the Town's concern to the Department of Planning, Lands and Heritage that the information provided at the public meeting stating the fencing realignment will not take place until the conclusion of the hydrological study (18 months-two years) has not been met;
10. Requests Officers ask that the Department of Planning, Lands and Heritage, as a priority, action points 3a and 3b of OCM-21/11/18 that states:
 - 3a) *the Department of Planning, Lands and Heritage to approach the Department of Transport and request a fixed Swan River speed camera be erected at Ashfield Flats to assist with the control of boat speed, with the aim to reduce the impact of boat wash as a contribution to reducing riverbank erosion at Ashfield Flats; and a sign be erected with a contact number to report speeding boats; and*
 - 3b) *the Department of Planning, Lands and Heritage to seek the advice of the Department of Transport to direct all Swan River traffic and modify existing nautical maps to use the channel navigation markers between Ron Courtney Island and Garvey Park;*

11. Requests the Town's administration independently make their own representations to the Department of Transport in respect to the matters outlined in Point 3 above, expanding the request to a total of three fixed Swan River speed cameras and associated signage, potentially installed in suitable locations at Sandy Beach, Ashfield and Success Hill;
12. Requests Officers ask the Department of Planning, Lands and Heritage to investigate the implementation of boardwalk style pathway with portions of the project to facilitate the community's continued connection with the river and wetlands;
13. Requests Officers as a matter of urgency, that the Department of Planning, Lands and Heritage liaises with the Town's administration and the Local State Member of Parliament to facilitate and widely promote an information public meeting for the community;
14. Requests Officers to request the Department of Planning, Lands and Heritage to fast-track the installation of signage in and around the project areas to inform the public of project work and aims;
15. Request Officers advance representations to the Minister and Department of Water to achieve funding for the design of a living stream from the Chapman Road drain outlet to the Villiers Street road reserve;
16. Requests Town of Bassendean staff improve the processes and procedures around turf management of the Town's parks, reserves and street verges with a view to minimising the pollution of our waterways and the Swan River and to improve ecosystem functions within our catchment;
17. Requests the Town of Bassendean to include testing for Perfluorooctane sulfonate (PFOS) and Polyfluoroalkyl Substances (PFAS) in the groundwater sampling programme to ascertain whether these chemicals are present.

Cr Mykytiuk moved the Committee Recommendation with some amendments as shown in bold.

COUNCIL RESOLUTION/COMMITTEE RECOMMENDATION
– ITEM 10.13

OCM – 23/03/19 MOVED Cr Mykytiuk, Seconded Cr Wilson, that Council:

1. Receives the **minutes of the** meeting of the River Parks Committee held on 5 March 2019;
2. Receives the project update on the Success Hill Reserve collapsed spillway;
3. Requests as a matter of urgency that Town Officers ask GHD consultants to provide the Success Hill Reserve concept design options to the River Parks Committee members **and/or directly to Council** as soon as practicable before the next Committee meeting on 4 June 2019;
4. Requests Town Officers communicate with the Department of Transport to facilitate the installation of a river speed camera in the vicinity of the Success Hill spillway to assist in efforts to reduce riverbank erosion associated with the wakes produced by speeding boats;
5. Requests Town Officers explore and apply for grants that will assist in riverbank restoration of the degraded areas at and around the Success Hill Spillway, at the discretion of the Town administration;
6. Requests that Town Officers **inform the working party of the Wadjuk People of the nature of the problem at Success Hill and seek their input** with respect to the Success Hill project;
7. Requests Town Officers ask GHD to consider **water sensitive urban design options that maximise effective utilisation of storm and ground water**;
8. Notes the Department of Planning, Lands and Heritage's implementation works that have commenced at the Ashfield Flats Reserve;

9. Requests Town Officers communicate the Town's concern to the Department of Planning, Lands and Heritage that the **undertaking** provided at the public meeting stating the fencing realignment will not take place until the conclusion of the hydrological study (18 months-two years) has not been met;
10. Requests Officers ask that the Department of Planning, Lands and Heritage, as a priority, action points 3a and 3b of OCM-21/11/18 that states:
 - 3a) *the Department of Planning, Lands and Heritage to approach the Department of Transport and request a fixed Swan River speed camera be erected at Ashfield Flats to assist with the control of boat speed, with the aim to reduce the impact of boat wash as a contribution to reducing riverbank erosion at Ashfield Flats; and a sign be erected with a contact number to report speeding boats; and*
 - 3b) *the Department of Planning, Lands and Heritage to seek the advice of the Department of Transport to direct all Swan River traffic and modify existing nautical maps to use the channel navigation markers between Ron Courtney Island and Garvey Park;*
11. Requests the Town's administration independently make their own representations to the Department of Transport in respect to the matters outlined in Point 3 above, expanding the request to a total of three fixed Swan River speed cameras and associated signage, potentially installed in suitable locations at Sandy Beach, Ashfield and Success Hill;
12. Requests Officers ask the Department of Planning, Lands and Heritage to investigate the implementation of boardwalk style pathway with portions of the project to facilitate the community's continued connection with the river and wetlands;
13. Requests Officers as a matter of urgency, that the Department of Planning, Lands and Heritage liaises with the Town's administration and the Local State Member of Parliament to facilitate and widely promote an information public meeting for the community;
14. Requests Officers to request the Department of Planning, Lands and Heritage to fast-track the installation of signage in and around the project areas to inform the public of project work and aims;

15. Request Officers advance representations to the Minister and Department of Water to achieve funding for the design of a living stream from the Chapman Road drain outlet to the Villiers Street road reserve;
16. Requests Town of Bassendean staff improve the processes and procedures around turf management of the Town's parks, reserves and street verges **to reflect best practice when mowing to maintain a grass height that reduces soil erosion, moisture loss and grass clippings**, with a view to minimising the pollution of our waterways and the Swan River and to improve ecosystem functions within our catchment; AND
17. Requests the Town of Bassendean include testing for Perfluorooctane sulfonate (PFOS) and Polyfluoroalkyl Substances (PFAS) in the groundwater sampling programme to ascertain whether these chemicals are present.

CARRIED UNANIMOUSLY 7/0

10.14 Bassendean Local Emergency Management Committee Meeting held on 6 March 2019 (Ref: GOVN/CCLMEET/18 – Graeme Haggart, Director Community Development)

APPLICATION

Council was requested to receive the report on a meeting of the Bassendean Local Emergency Management Committee held on 6 March 2019.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.14

OCM – 24/03/19 MOVED Cr Gangell, Seconded Cr Mykytiuk, that Council:

1. Notes that the Local Emergency Management Arrangements and Recovery Plan have been amended in line with the current list of amendments to State Policy and Procedures as approved by the SEMC on 7 December 2018; and
2. Receives the report on the meeting of the Bassendean Local Emergency Management Committee held on 6 March 2019.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/03/19 7/0

10.15 People Services Committee Meeting held on 6 March 2019
(Ref: GOVN/CCL/MEET/ – Graeme Haggart, Director
Community Development)

APPLICATION

The purpose of the report was for Council to receive the report on a meeting of the People Services Committee held on Wednesday 6 March 2019, and to adopt the following recommendations from the Committee:

PSC – 1/03/19 Arts and Cultural Plan 2019-2023.
PSC – 3/03/19 Community Groups Funding Application
PSC – 6/03/19 Garage Sale Trail

COUNCIL RESOLUTION/ COMMITTEE/ OFFICER
RECOMMENDATION – ITEM 10.15

OCM – 25/03/19 MOVED Cr Gangell, Seconded Cr Mykytiuk, that Council:

1. Adopts the final Arts and Cultural Plan 2019-2023 as attached to the Ordinary Meeting Agenda of 26 March 2019;
2. Approves sponsorship of \$1,000 to the Bassendean Church of Christ for the staging of the Easter Fair event on Sunday 14 April 2019, and a funding agreement be developed and signed between the applicant and the Town;
3. Endorses the Town's participation in the Garage Sale Trail for a four year term from 2019 to 2022 at a cost of \$3,791 per annum and refers the funding for consideration in the draft 2019/2020 Budget and subsequent three budgets; and
4. Receives the report of the meeting of the People Services Committee held on 6 March 2019.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-4/03/19 7/0

10.16 Audit & Governance Committee Meeting held on 18 March 2019 (Ref: GOVNCCL/MEET/3 – Jill Brazil, Acting Director Corporate Governance)

APPLICATION

Council was requested to receive the report on a meeting of the Audit & Governance Committee held on 18 March 2019, and adopt the recommendations from the Committee.

COUNCIL RESOLUTION/COMMITTEE RECOMMENDATION – ITEM 10.16

OCM – 26/03/19 MOVED Cr Gangell, Seconded Cr Mykytiuk, that Council:

1. Receives the report on the Audit and Governance Committee meeting held on 18 March 2019;
2. Receives the Compliance Audit Return 2018 for the period 1 January to 31 December 2018, as attached to the Ordinary Council Agenda of 22 March 2019; and
3. Endorses the engagement of Moore Stephens to undertake the Audit Regulation 17: Risk Management Review and Regulation (5) (2) (c) of the Local Government Financial Management Regulations 1996.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/03/19 7/0

10.17 Accounts for Payment – February 2019 (Ref: FINM/CREDTS/4 – Jill Brazil, Acting Director Corporate Services)

APPLICATION

Council was requested 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 – 27/03/19 MOVED Cr Gangell, Seconded Cr Mykytiuk, that in accordance with Regulation 13(3) Local Government (Financial Management Regulations 1996) the List of Accounts paid for February 2019, be received.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/03/19 7/0

10.18 Financial Statements – January 2019 and February 2019 (Ref: FINM/AUD/1 – Jill Brazil, Acting Director 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 10.18

OCM – 28/03/19 MOVED Cr Gangell, Seconded Cr Mykytiuk, that the Financial Reports for the period ended January 2019 and February 2019 be received.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/03/19 7/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.19

OCM – 29/03/19 MOVED Cr Gangell, Seconded Cr Mykytiuk, that Council notes the affixing of the Common Seal to the documents during the reporting period.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/03/19 7/0

10.20 Calendar for April 2019 (Ref: Sue Perkins, Executive Assistant)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.20

OCM – 30/03/19 MOVED Cr Gangell, Seconded Cr Mykytiuk, that the Calendar for April 2019 be adopted.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/03/19 7/0

10.21 Implementation of Council Resolutions (Ref: GOVN/CCLMEET/1 – Yvonne Zaffino, Council Support Officer)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.21

OCM – 31/03/19 MOVED Cr Hamilton, Seconded Cr Wilson, that the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 26 March 2019 be deleted from the Implementation of Council Resolutions list, **excluding ROC 18/64786 and ROC 17/53982.**

CARRIED UNANIMOUSLY 7/0

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil.

13.0 CONFIDENTIAL BUSINESS

COUNCIL RESOLUTION – ITEM 13.0(a)

OCM – 32/03/19 MOVED Cr Hamilton, Seconded Cr Gangell, that the meeting go behind closed doors in accordance with Section 5.23 of the Act 1995, the time being 9.50pm.

CARRIED UNANIMOUSLY 7/0

The Acting Director Corporate Services, Director Operational Services, Director Strategic Planning and Manager Development Services left the meeting at 9.50pm and did not return.

13.1 Service Review – Seniors and Disability Services Business Unit (Ref: COMS/SVPOVN/12 - Peta Mabbs, CEO & Graeme Haggart, Director Community Development)

This matter was 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.

COUNCIL RESOLUTION/OFFICER RECOMMENATION –
ITEM 13.1

OCM – 33/03/19 MOVED Cr Gangell, Seconded Cr Hamilton, that Council endorses the recommendations in the Confidential Minutes attached to the Ordinary Council Minutes of 26 March 2019.

CARRIED 6/1

Crs Gangell, Hamilton, McLennan, Brown, Mykytiuk & Quinton voted in favour of the motion. Cr Wilson voted against the motion.

The Director Community Development left the meeting at 10.20pm and did not return.

13.2 Probationary Period Review – Chief Executive Officer (Renaë Maher, Manager Organisational Development)

This matter was 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.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 13.2

OCM – 34/03/19 MOVED Cr Wilson, Seconded Cr Hamilton, that Council confirms Peta Mabbs, Chief Executive Officer's employment with the Town of Bassendean is in line with all terms and conditions outlined in the Employment Agreement.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

13.3 Draft Performance Agreement – Chief Executive Officer (Renaë Maher, Manager Organisational Development)

This matter was 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.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 13.3

OCM – 35/03/19 MOVED Cr Hamilton, Seconded Cr Brown, that Council adopts the Annual Performance Agreement – Chief Executive Officer, attached to the Ordinary Council Meeting Agenda of 26 March 2019.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

COUNCIL RESOLUTION – ITEM 13.0(b)

OCM – 36/03/19 MOVED Cr Gangell, Seconded Cr Wilson, that the meeting come from behind closed doors, the time being 10.30pm.
CARRIED UNANIMOUSLY 7/0

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 Briefing Session will be held on Tuesday 16 April 2019 commencing at 7.00pm. The next Ordinary Council Meeting will be held on Tuesday 23 April 2019 commencing at 7.00pm.

There being no further business, the Presiding Member declared the meeting closed, the time being 10.30pm.