

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

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

ON TUESDAY 15 OCTOBER 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 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 Jai Wilson

Apologies

Cr Sarah Quinton – Leave of Absence

Officers

Ms Peta Mabbs, Chief Executive Officer
Mr Paul White, Director Corporate Services
Ms Mona Soliman, A/Director Community Planning
Mr Phil Adams, Executive Manager Infrastructure
Mr Brian Reed, Manager Development Services
Ms Renee Maher, Manager Human Resources
Mrs Amy Holmes, Minute Secretary

Public

Approximately four members of the public were in attendance.

Press

Nil

3.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

3.1 Public Question Time

Nil

3.2 Address by Members of the Public

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

4.0 DEPUTATIONS

Kerry Jacques and Ian Kirk of Bassendean Church of Christ addressed Council regarding Item 10.3.

5.0 CONFIRMATION OF MINUTES

5.1 Special Council Meeting held on 24 September 2019

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 5.1(a)

OCM – 1/10/19 MOVED Cr Gangell, Seconded Cr Brown, that the minutes of the Special Council Meeting held on 24 September 2019, be received.

CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 5.1(b)

OCM – 2/10/19 MOVED Cr Gangell, Seconded Cr Brown, that the minutes of the Special Council Meeting held on 24 September 2019, be confirmed as a true record.

CARRIED UNANIMOUSLY 6/0

5.2 Ordinary Council Meeting held on 24 September 2019

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

OCM – 3/10/19 MOVED Cr Gangell, Seconded Cr Brown, that the minutes of the Ordinary Council Meeting held on 24 September 2019, be received.

CARRIED UNANIMOUSLY 6/0

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

OCM – 4/10/19 MOVED Cr Gangell, Seconded Cr Brown, that the minutes of the Ordinary Council Meeting held on 24 September 2019, be confirmed as a true record.

CARRIED UNANIMOUSLY 6/0

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

Cr McLennan spoke on Cr Brown's and Cr Mykytiuk's time on Council and thanked them for their service. Cr Brown and Cr Mykytiuk spoke about their time on Council.

7.0 PETITIONS

Nil

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 items 10.2 & 10.6 be removed from the en-bloc table and considered separately.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.1

OCM – 5/10/19 MOVED Cr Gangell, Seconded Cr Hamilton, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Meeting Agenda of 15 October 2019:

Item	Report
10.7	Determinations Made by the Principal Building Surveyor
10.8	Determinations Made by Development Services
10.9	Use of the Common Seal
10.10	Calendar for October/November 2019

CARRIED UNANIMOUSLY 6/0

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

Item	Report
10.2	Joint Metropolitan Central Development Assessment Panel Application – Form 1 – Application for a Proposed Childcare Centre – Lot 54 (No. 72) Railway Parade, Bassendean
10.3	Community Benefit Sponsorship and Grants Applications: Carols at Steel Blue Oval
10.4	Community Benefit Sponsorship and Grants Applications: Swans Camp Out
10.5	Consideration of Ordinary Council Meetings and Briefings Sessions Dates and Citizenship Ceremonies for 2020
10.6	Chief Executive Officer's 12 Month Highlights Report
13.1	Sports Achievement Award
13.2	Engagement of Supplier to Facilitate Annual Performance Review of CEO

10.3 Community Benefit Sponsorship and Grants Applications: Carols at Steel Blue Oval (Ref: GRSU/PROGM/26 – Mona Soliman Acting Director Community Planning)

APPLICATION

This report provides for the assessment of an application for sponsorship from the Bassendean Church of Christ to stage the 2019 Carols at the Oval event.

Cr Wilson moved the officer recommendation with amendments as shown in bold.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.3

OCM – 6/10/19 MOVED Cr Wilson, Seconded Cr Gangell, that:

1. Council receives the Community Benefit Sponsorship and Grants application lodged by the Bassendean Church of Christ to stage the 2019 Carols at Steel Blue Oval;
2. Council approves funding in the amount of \$2,000 to Bassendean Church of Christ to stage the 2019 Carols at the Oval event, conditional upon agreement that glow sticks will not be used;
3. The event be opened with a Welcome to Country acknowledgement;
4. **Council approves up to an additional \$500 towards the cost of a Welcome to Country; and**
5. **All promotional material produced by the Bassendean Church of Christ acknowledges the Town's sponsorship.**

CARRIED UNANIMOUSLY 6/0

10.2 Joint Metropolitan Central Development Assessment Panel Application – Form 1 – Application for a Proposed Childcare Centre – Lot 54 (No. 72) Railway Parade, Bassendean, Owner: Mark Francis Hammond and Sandra Lee Hammond, Applicant: Dynamic Planning and Development (Ref: DABC/BDVAPPS/2019-106 - Brian Reed, Manager Development Services)

APPLICATION

The application seeks approval to build a childcare centre intended to accommodate 92 children and 16 staff at Lot 54 (No. 72) Railway Parade, Bassendean.

OFFICER RECOMMENDATION – ITEM 10.2

That Council endorse the Form 1 – Responsible Authority Report of the Manager Development Services for the proposed childcare centre intended to accommodate 92 children and 16 staff at Lot 54 (No. 72) Railway Parade, Bassendean.

Cr McLennan moved an alternative motion.

COUNCIL RESOLUTION – ITEM 10.2

OCM – 7/10/19 MOVED Cr McLennan, Seconded Cr Hamilton, that Council advise the Metro Central Joint Development Assessment Panel that Council does not support the officers recommendation in the Responsible Authority Report to the Panel and the application for the proposed childcare premises at Lot 54 (No. 72) Railway Parade, Bassendean should be refused on the grounds that:

1. It represents an underdevelopment of the land and does not align with Council's and State Government's future intent and desire for more intensive mixed use development in this location due to its close proximity to the Bassendean Train Station; and
2. The proposed childcare centre fails to meet all of the objectives of Planning Bulletin 72/2009 Childcare Centres and therefore is inconsistent with the principles of orderly and proper planning, given the childcare centre is proposed to be located next to an approval liquor store (76 Railway Parade, Bassendean). Council considers that a liquor store and childcare premises are incompatible land uses and it would therefore be inappropriate to locate a childcare premise next to an existing liquor store.

CARRIED UNANIMOUSLY 6/0

**10.4 Community Benefit Sponsorship and Grants Applications:
Swans Camp Out (Ref: GRSU/PROGM/26 – Mona Soliman
Acting Director Community Planning)**

APPLICATION

This report provides for the assessment of an application for sponsorship from the Swan Districts Football Club to stage the Swans Camp Out event.

Cr Hamilton moved the officer recommendation with amendments as shown in bold.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.4

OCM – 8/10/19 MOVED Cr Hamilton, Seconded Cr Wilson, that:

1. Council receives the Community Benefit Sponsorship and Grants applications lodged by the Swan Districts Football Club to stage the Swan's Camp Out event;
2. Council approves funding in the amount of **\$2,100** to Swan Districts Football Club to stage the Swans Camp Out event;
3. The Swan Districts Football Club offers a **70% discount to the first 30 concession card holders who are Town of Bassendean residents**;
4. The Risk Management Plan is revised by the Swan Districts Football Club to ensure risks associated with the 'fire pit' are managed appropriately; and
5. The event is free of single-use plastics (including balloons) in line with the Town's commitment to Council's resolution (OCM-13/3/18).

CARRIED 4/2

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

10.5 Consideration of Ordinary Council Meetings and Briefings Sessions Dates and Citizenship Ceremonies for 2020 (Ref: GOVN/CCLMEET/1 – Yvonne Zaffino, Council Support Officer)

APPLICATION

Council was requested to endorse its Ordinary Council Meeting and Briefings Sessions meeting dates and also Citizenship Ceremonies for 2020.

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

OCM – 9/10/19 MOVED Cr McLennan, Seconded Cr Mykytiuk, that Council endorses the following:

1. Briefings Sessions and Council meeting dates for 2020:

MONTH	Briefings Sessions	OCM
February	18	25
March	17	24
April	21	28
May	19	26
June	16	23
July	21	28
August	18	25
September	22	29
October	20	27
November	17	24
December	8	15

2. Citizenship Ceremonies for 2020 be held on:

Sunday 26 January

Wednesday 25 March

Wednesday 17 June

Wednesday 9 September

CARRIED BY AN ABSOLUTE MAJORITY 6/0

10.6 Chief Executive Officer's 12 Month Highlights Report (Peta Mabbs, Chief Executive Officer)

APPLICATION

This is a 12 month Highlights Report, following the appointment of the Chief Executive Officer on 22 October 2018.

The purpose of this report was to outline progress towards improving organisational performance thereby enabling greater value for community. The report is provided in the interests of transparency for Council and the community.

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

OCM – 10/10/19 MOVED Cr Mykytiuk, Seconded Cr Wilson, that Council notes the CEO's 12 month Highlights Report.

CARRIED UNANIMOUSLY 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.7

OCM – 11/10/19 MOVED Cr Gangell, Seconded Cr Hamilton, that Council notes the decisions made under delegated authority by the Principal Building Surveyor.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-5/10/19 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.8

OCM – 12/10/19 MOVED Cr Gangell, Seconded Cr Hamilton, that Council notes the decisions made under delegated authority by the Manager Development Services.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-5/10/19 6/0

10.9 Use of the Common Seal (Ref: INFM/INTPROP/1 – Peta Mabbs, CEO)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.9

OCM – 13/10/19 MOVED Cr Gangell, Seconded Cr Hamilton, that Council notes the affixing of the Common Seal during the reporting period.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-5/10/19 6/0

10.10 Calendar for October/November 2019 (Ref: Peta Mabbs, CEO)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION -
ITEM 10.10

OCM – 14/10/19 MOVED Cr Gangell, Seconded Cr Hamilton, that the Calendar for October/November 2019 be adopted.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-5/10/19 6/0

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 – 15/10/19 MOVED Cr Wilson, Seconded Cr Mykytiuk, that the meeting go behind closed doors in accordance with Section 5.23 of the Local Government Act 1995, the time being 8.50pm.
CARRIED UNANIMOUSLY 6/0

13.1 **Sports Achievement Award**

This report was discussed with members of the public excluded under Section 5.23 (2) (b) of the Local Government Act.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 13.1

OCM – 16/10/19 MOVED Cr Mykytiuk, Seconded Cr Brown, that the

1. Council awards the Town of Bassendean Sports Achievement Award to the recipient shown in the Confidential Report attached to the Ordinary Council Agenda of 15 October 2019;
2. Presents the Sports Achievement Awards at a future Ordinary Council Meeting; and
3. Note that the report and name of the recipient of the Award will remain confidential until after the Award is presented.

CARRIED UNANIMOUSLY 6/0

13.2 Engagement of Supplier to Facilitate Annual Performance Review of the CEO (Ref: HR/PER-FIL/2424 - Renae Maher, Manager Human Resources)

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.

The Director Corporate Services, Executive Manager Infrastructure, Manager Development Services and A/Director Community Planning left the meeting at 8.51pm and did not return.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 13.2

OCM – 17/10/19 MOVED Cr McLennan, Seconded Cr Mykytiuk, that Council:

1. Engages Angie Dominish – Price Consulting to facilitate the CEO Annual Review Process; and
2. In agreement with the CEO, extends the CEO's annual review beyond the review period outlined in the Town's *Annual Performance Review – CEO Policy*.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

COUNCIL RESOLUTION – ITEM 13.0(b)

OCM – 18/10/19 MOVED Cr Mykytiuk, Seconded Cr Brown, that the meeting come from behind closed doors, the time being 8.56pm.

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 Briefing Session will be held on Tuesday 19 November 2019 commencing at 7.00pm at the Ashfield Community Centre, 2 Colstoun Road, Ashfield.

The next Ordinary Council Meeting will be held on Tuesday 26 November 2019 commencing at 7.00pm.

There being no further business, the Presiding Member declared the meeting closed, the time being 8.56pm.