

AGENDA

Ordinary Council Meeting Tuesday 25 March 2025

NOTICE OF MEETING

Dear Council Member

The next Ordinary Meeting of Council will be held at 6:00 pm on Tuesday 25 March 2025, in the Council Chamber, Administration Building, 48 Old Perth Road, Bassendean.

Please note, that parts of this meeting may be closed to the public, as the agenda contains confidential attachments which may be discussed by Council behind closed doors, in accordance with s5.23 (2)(c) of the *Local Government Act 1995*.



Cameron Woods
CHIEF EXECUTIVE OFFICER

13 MARCH 2025

Meeting Information

Recording and Live-streaming

All participation in the meeting, except for confidential business, will be audio recorded and live-streamed on the Town's website. The live stream will be archived and made available on the Town's website after the meeting.

Conduct at meetings

The Town is committed to ensuring our Council Meetings are a safe work environment, free of risks to the health and wellbeing of Elected Members, Officers and our community. Any person attending is required to be respectful, courteous and have due regard for individual rights and differences. Individuals may be asked to leave should their conduct adversely affect the health and safety of others.

By attending this meeting, you agree to abide by these conditions.

For any questions regarding the Ordinary Council meeting or any item presented in the agenda, please contact the Town of Bassendean at:
mail@bassendean.wa.gov.au.

Tune in to live streaming from the comfort of your own home by going to:
Town of Bassendean Council - YouTube

or if you miss it live, go to:
<https://www.youtube.com/channel/UC46mMs3D7vmHuO0ePibihhg>

Council Chambers Seating Plan



Chief Executive Officer
Cameron Woods



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CrHamilton@bassendean.wa.gov.au



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Cr Ken John
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Deputy Mayor
Cr Paul Poliwka
CrPoliwka@bassendean.wa.gov.au



Director Corporate Services
Paul White



Director Community and Place
Michelle Brennand



Director Infrastructure Services
Shane Asmus

Public Gallery

Council Role

Each Report presented will identify what Council's Role is in the item

Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, setting and amending budgets.
Legislative	Includes adopting local laws, local planning schemes and policies.
Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
Quasi-Judicial	When the Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building permits, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be subject to review by the State Administrative Tribunal.
Information	For the Council/Committee to note.

Table of Contents

1 Declaration of Opening; Acknowledgment of Country; Acknowledgment of Visitors; Disclaimer	7
2 Announcements by The Presiding Person Without Discussion.....	7
3 Attendances, Apologies and Applications for Leave of Absence	7
4 Declarations of Interest.....	7
5 Presentations or Deputations	7
6 Statements by Members of the Public.....	8
7 Questions from Members of the Public.....	8
8 Petitions	8
9 Confirmation of Minutes	8
10 Business Deferred from Previous Meeting	8
11 External Committee Reports and Updates.....	9
11.1 External Committee Reports and Updates	9
12 Officer Reports	10
12.1 Adoption of Recommendations En Bloc	13
12.2 Consideration of Motions from the 4 February 2025 General Meeting of Electors	14
12.3 Success Hill South Heritage Considerations	25
12.4 Scheme Amendment No.1 - Short Term Rental Accommodation	32
12.5 Arts, Culture and Events Committee - 7 March 2025	35
12.6 Bassendean Local Emergency Management Committee - 12 March 2025	38
12.7 Verge Maintenance Policy	40
12.8 James Street On-Street Parking Removal.....	43
12.9 Policy Review - Asset Management	47
12.10 RFT 01/2025 Supplying & Laying of Asphalt, Road Surfacing and Road Profiling	50
12.11 Project Reporting	53
12.12 Policy Review - Differential Rates Refund Policy.....	56
12.13 Audit and Governance Committee - 12 March 2025.....	61
12.14 Accounts Paid - February 2025	64
12.15 Monthly Financial Report - February 2025.....	66

13 Motions of which Previous Notice has been given67

 13.1 Notice of Motion - Fire Station Site - Cr Kathryn Hamilton.....67

 13.2 Notice of Motion - Dogs On Lead in Public70

14 Announcements of Notices of Motion for the next meeting72

15 Urgent Business72

16 Confidential Business.....72

17 Closure72

1 Declaration of Opening; Acknowledgment of Country; Acknowledgment of Visitors; Disclaimer

Acknowledgment of Country

The Town of Bassendean acknowledges the Whadjuk people of the Noongar Nation as the Traditional Custodians of this land. We pay our respects to Elders past and present, and acknowledge their continuing culture and the contribution they make to the region.

2 Announcements by The Presiding Person Without Discussion

3 Attendances, Apologies and Applications for Leave of Absence

Councillors

Cr Kathryn Hamilton, Mayor (Presiding Member)
Cr Paul Poliwka, Deputy Mayor
Cr Jamayne Burke
Cr Jennie Carter
Cr Tallan Ames

Officers

Mr Cameron Woods, Chief Executive Officer
Mr Paul White, Director Corporate Services
Ms Michelle Brennand, Director Community & Place
Mr Shane Asmus, Director Infrastructure & Sustainability
Mr Alex Snadden, Manager Regulation & Planning
Ms Joanne Burges, Manager Governance & Strategy
Ms Ana Fernandez, Minute Secretary

Public

Apologies

Cr Emily Wilding (Leave of Absence)
Cr Ken John (Leave of Absence)

4 Declarations of Interest

5 Presentations or Deputations

6 Statements by Members of the Public

Public statement time will be limited to two minutes per person.

Members of the public are encouraged to submit their statements in advance by completing the relevant form:

Online Form - Public Statement Time » Town of Bassendean

Please complete this form and submit it to the Town's Chief Executive Officer by no later than 12noon on the day of the meeting.

It should be noted that comments are recorded and live streamed via YouTube, and that there is no protection from legal action being taken against you, should it arise from your comments delivered at the meeting.

7 Questions from Members of the Public

15 minutes will be allocated for questions by members of the public any question that relates to the district.

Each member of the public with a question is entitled to ask up to two questions before other members of the public will be invited to ask their questions.

Questions can be submitted prior to the Council meeting to:
www.bassendean.wa.gov.au/forms/public-question-time/36

If a person asking a question is not present at the meeting, then the Mayor can choose to deal with it at the meeting or arrange a response by email.

8 Petitions

9 Confirmation of Minutes

9.1 Confirmation of Minutes	
Attachments	1. Ordinary Council Meeting 25 February 2025 Unconfirmed Minutes [9.1.1 - 80 pages]

Officer Recommendation – Item 9.1

That the minutes of the Ordinary Council meeting held on 25 February 2025 be received and confirmed as a true and correct record.

Voting requirements: Simple Majority

10 Business Deferred from Previous Meeting

Nil

11 External Committee Reports and Updates

11.1 External Committee Reports and Updates	
Property Address	NA
Landowner/Applicant	NA
File Reference	GOVN/CCLMEET/1
Directorate	Office of the CEO
Responsible Officer	Chief Executive Officer
Previous Reports	N/A
Authority/Discretion	Information For the Council/Committee to note.
Attachments	1. Minutes_ East Metropolitan Zone 20 February 2025 [11.1.1 - 39 pages]

Purpose

The purpose of this report is for Council to note the minutes from external Committees and organisations that have been received.

Background

Councillors are appointed as members of external Committees and organisations. The minutes are attached for consideration of all Councillors.

Comment

The following minutes have been received:

- WALGA East Metropolitan Zone Meeting – 20 February 2025

Officer Recommendation – Item 11.1

That Council notes the documents from external Committees that have been received within the reporting period.

Voting requirements: Simple Majority

12 Officer Reports

Adoption of Recommendations En Bloc

The following information is provided to Councillors for guidance on the use of en bloc voting as is permissible under the Town's Council Meeting Procedures Local Law 2020.

Council Meeting Procedures Local Law 2020, Clause 5.4 states:

- (1) In this clause adoption by en bloc voting means a resolution of the Council that has the effect of adopting, for a number of specifically identified reports, the officer recommendation as the Council resolution.
- (2) Subject to subclause (3), Council may pass an adoption by en bloc voting.
- (3) An adoption by en bloc voting may not be used for a matter –
 - (a) that requires a 75% majority or a special majority;
 - (b) in which an interest has been disclosed;
 - (c) that has been the subject of a petition or deputation;
 - (d) that is a matter on which a member wishes to make a statement; or

that is a matter on which a member wishes to move a motion that is different to the Officer recommendation.

Councillors should be aware that should they wish to declare an interest in any of the items listed in the en bloc voting table, and have not done so under Item 4.0, Declarations of Interest, they should do so at this point of the agenda.

Item	Report	Vote
12.1	Adoption of Recommendations En Bloc	Simple Majority
12.2	Consideration of Motions from the 4 February 2025 General Meeting of Electors	Simple Majority
12.3	Success Hill South Heritage Considerations	Simple Majority
12.4	Scheme Amendment No.1 - Short Term Rental Accommodation	Simple Majority
12.5	Arts, Culture and Events Committee - 7 March 2025	Simple Majority
12.6	Bassendean Local Emergency Management Committee - 12 March 2025	Simple Majority
12.7	Verge Maintenance Policy	Simple Majority
12.8	James Street On-Street Parking Removal	Simple Majority
12.9	Policy Review - Asset Management	Absolute Majority Simple Majority
12.10	RFT 01/2025 Supplying & Laying of Asphalt, Road Surfacing and Road Profiling	Absolute Majority
12.11	Project Reporting	Absolute Majority

12.12	Policy Review - Differential Rates Refund Policy	Simple Majority
12.13	Audit and Governance Committee - 12 March 2025	Simple Majority
12.14	Accounts Paid - February 2025	Simple Majority
12.15	Monthly Financial Report - February 2025	Simple Majority
13	Motions of which Previous Notice has been given	
13.1	Notice of Motion - Fire Station Site - Cr Kathryn Hamilton	Simple Majority
13.2	Notice of Motion - Dogs On Lead in Public	Simple Majority
16	Confidential Business	

Officer Recommendation Item 12.1

That Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda:

Item	Report
12.3	Success Hill South Heritage Considerations
12.4	Scheme Amendment No.1 - Short Term Rental Accommodation
12.5	Bassendean Local Emergency Management Committee - 12 March 2025
12.6	James Street On-Street Parking Removal
12.8	Verge Maintenance Policy
12.9	Policy Review - Differential Rates Refund Policy
12.10	Policy - Capital Grants
12.14	Accounts Paid - February 2025
12.15	Monthly Financial Report - February 2025

Council is requested to consider the balance of the Officer recommendations independently.

Item	Report
12.2	Consideration of Motions from the 4 February 2025 General Meeting of Electors
12.7	Policy Review - Asset Management
12.11	Revocation of Council Decision - Project Reporting
12.12	Audit and Governance Committee - 12 March 2025
12.13	RFT 01/2025 Supplying & Laying of Asphalt, Road Surfacing and Road Profiling
13.1	Notice of Motion - Fire Station Site - Cr Kathryn Hamilton
13.2	Notice of Motion - Dogs On Lead in Public

Voting requirements: Simple Majority

12.2 Consideration of Motions from the 4 February 2025 General Meeting of Electors	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	GOVN/CCLMEET/1
Directorate	Office of the CEO
Responsible Officer	Chief Executive Officer
Previous Reports	
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. General Meeting of Electors 4_ February 2025 Minutes [12.2.1 - 26 pages]

Purpose

The purpose of this report is for Council to consider the motions that were carried at the General Meeting of Electors held 4 February 2025.

Background

A total of 15 motions, were considered at the General Meeting of Electors, 10 of which were carried. There were 35 electors present at the 4 February meeting. It should be noted that electors 'may' vote at an Electors meeting however they are not compelled to.

Proposal

This report considers each of the ten (10) carried motions, provides an administrative comment and an Officers Recommendation, for Council consideration.

Decision 1: Reinstate Graffiti Removal Policy

GME 2025-02-04/2

MOVED Don Yates, Seconded Jane Dundas

That the Town of Bassendean, restore the graffiti removal policy that aims to remove such degradation on any public or private buildings, signs or structures with minimum delay within the Town of Bassendean.

CARRIED 19/0

Officer Comment

The previous Graffiti Policy, which was mainly based on educating the community was revoked in 2020 after the gazettal of the *Graffiti Vandalism Act 2016* which provides legislative guidance to Local Governments on their capacity to manage graffiti vandalism. Council has delegated some powers of the Act to the CEO, these are listed in the Delegations Register.

Council at its 28/7/2020 OCM rescinded its Policy as it has powers to request removal and or remove it itself from both private and public properties under the Graffiti Vandalism Act 2016.

This legislation ensures that the Town has the power to act without requiring a Policy.

Due to the extent of graffiti appearing in Bassendean, particularly within private land, it is recommended that the Town prepare a new Graffiti Management Policy which clearly sets priorities around graffiti removal from public land and defines when or if the Town will intervene and remove graffiti from private land.

Officer Recommendation 1 – Item 12.2

That Council request the administration prepare a Graffiti Management Policy for Council consideration prior to 30 June 2025.

Voting requirements: Simple Majority

Decision 2: Re-install Removed Rubbish Bins**GME 2025-02-04/3**

MOVED Don Yates, Seconded Cheryl Simmons

That the Town of Bassendean re-install removed rubbish bins at multiple locations within the Town of Bassendean to reduce public waste issues and improve community safety.

CARRIED 21/0

Officer Comment

Based on the Town records one public litter bin was removed in 2024/25, following several complaints of dumping of household waste. This bin was located on Thompson Road, Bassendean near the pedestrian overpass exit from Success Hill Train Station.

After assessing the site it was determined that a public litter bin is not warranted at this location. Thompson Road is a residential street, and a bin is located on the

train station platform. There are no nearby parks/ recreational areas or uses that will generate litter. As a result, the bin was removed. The closest public litter bins are at Kelly Park and the Skate Park (6 minute walk). There has been no evidence of a public waste issue since removal of the bin. Should there be any other locations of concern, residents are encouraged to contact the Town of Bassendean.

Please also note that the draft Public Open Space Strategy currently open for consultation, proposes that no bins will be provided at small or local parks (up to 1 hectares in size). Depending on feedback received, this will affect future provision of litter bins in reserves.

Officer Recommendation 2 – Item 12.2

That Council:

1. Notes that only one public litter bin has been removed by the Town in 2024/25 to date and will not be replaced, and
2. Does not support GME 2025-02-04/3

Voting requirements: Simple Majority

Decision 3: Inclusion of Mixed Use Planning Options in Higher Density Areas

GME 2025-02-04/4

MOVED Don Yates, Seconded Jane Dundas

That the Town of Bassendean recognises that an older average population that cannot walk as far as a younger population is to be supported by including MIXED USE planning options in all areas classified as R40 or higher densities, encouraging community services like a local 'corner store'.

CARRIED 2/0

Officer Comment

The zoning table within the Local Planning Scheme No.11 contemplates a range of land uses that can be considered within the residential zone, including quasi commercial land uses such as home businesses, consulting rooms and home store.

A home store means a shop attached to a dwelling that – (a) has a net lettable area not exceeding 100m²; and
(b) is operated by a person residing in the dwelling and can facilitate a 'corner store'.

Officer Recommendation 3 – Item 12.2

That Council notes the Town's Local Planning Scheme 11 (LPS 11) currently allows for the development of a "corner store"; and on this basis the GME 2025-02-04/4 Motion is not supported.

Voting requirements: Simple Majority

Decision 4: Recognition of Australian Standards Ratings**GME 2025-02-04/5**

MOVED Don Yates, Seconded Holly Allday

That the Town of Bassendean recognises the multiple Australian Standards and endeavours to comply in all instances, including:

AS/NZS 1158-2015	Minimum Street lighting
AS/NZS 1428	Safe walking grades
AS/NZS 2890	Road entrance minimum widths and grades
AS/NZS 3700	Masonry walls
AS/NZS 5100	Bridge protection of supporting uprights
AS/NZS 4970-2009	Trees on development sites

CARRIED 11/0

Officer Comment

The Town makes reference to, and utilises, Australian Standards wherever they may apply to a design, planning decision etc. There are other guideline documents such as Austroads, Building Codes etc. that the Town will also reference as required.

Officer Recommendation 4 – Item 12.2

That Council notes the Town currently references the relevant design and construction standards for its designs, specifications, quotes, tenders and other documentation for all its projects and on this basis GME 2025-02-04/5 is not supported.

Voting requirements: Simple Majority

Decision 5: Reinstate Traffic Signals at West Rd and Guildford Rd**GME 2025-02-04/6**

MOVED Don Yates, Seconded Jane Dundas

That the Town of Bassendean requests that Main Roads WA re-instates the traffic control signal, removed about 2003, at the intersection of West and Guildford Rds as a matter of some urgency, so allowing safer traffic exit from Thompson Road.

CARRIED 5/2**Officer Comment**

The management of the traffic control signals at this intersection falls entirely within Main Roads WA responsibility. The community are encouraged to approach Main Roads WA directly with any queries about these traffic control signals.

Officer Recommendation 5 – Item 12.2

That Council does not support GME 2025-02-04/6.

Voting requirements: Simple Majority**Decision 6: Upgrade of Lord Street****GME 2025-02-04/7**

MOVED Don Yates, Seconded Robert Gerisch

That the Town of Bassendean requests that Main Roads WA with the WAPC, complete the widening of the identified Rapid Transit Urban Corridor namely Lord Street and details related works before the end of 2025, as per the March 2018 gazetting of the Perth and Peel @ 3.5 Million study update that was also endorsed in the subsequent Bassendean Local Planning Strategy and the April 2024 gazetted Local Planning Scheme 11.

CARRIED 6/2**Officer Comment**

RN9	Undertake further investigation to support alternative design concept (boulevard with central median) for Lord Street south of Morley Drive	Town of Bassendean/Department of Planning, Lands and Heritage	Short: planning studies and analysis Medium/ Long: implementation/works
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The Towns adopted Local Integrated Transport Plan (2019) identifies that the Town undertake further investigation to support alternative design concepts

(boulevard with central median) south of Morley Drive. The integrated transport plan was an informing document to the Town's adopted Local Planning Strategy. The strategy identifies that future consideration to upgrades to Lord Street are required, which will seek to provide a safer transport route and provide for alternative modes of transport.

The Town's Local Planning Scheme No. 11 has carried through the Metropolitan Region Scheme Reservation for the Other Regional Road but does not indicate support or a detailed design for the upgrade of Lord Street.

The upgrade of Lord Street will fall to the Town of Bassendean and not Main Roads WA. The Town is aware that the WAPC is in the process of acquiring land that sits within the Lord Street - Other Regional Road Reservation to enable upgrades to Lord Street to occur, however, there are a number of properties that remain outstanding. Furthermore, the Town does not have a Council endorsed design, nor have funding committed in its Long-Term Financial Plan for this upgrade.



Officer Recommendation 6 – Item 12.2

That Council notes that the Town's Local Integrated Transport Plan identifies that the Town is to investigate alternative design concepts for Lord Street. Furthermore, the responsibility to widen and upgrade the road is not the

responsibility of Main Roads WA, or the WAPC, but rather the Town and therefore GME 2025-02-04/7 is not supported.

Voting requirements: Simple Majority

Decision 7: Amendments to Ashfield Flats Master Plan

GME 2025-02-04/8

MOVED Robert Brown, Seconded Jane Dundas

That Council consider minor amendments to the Ashfield Flats Master Plan in order to:

1. Explore and implement alternatives that will enshrine the existing riverside heritage trail linking Ashfield to Bassendean, from the Roy Hookway Fishing Platform to the Sandy Beach Reserve; and furthermore
2. Acknowledge the distinction between the iconic Ashfield Flats Wetland and the historic dairy farm and pastureland contained within Ashfield Flats, and extending the length of the riverbank from Sandy Beach Reserve to the Chapman Street Drain Timber Bridge.

CARRIED 16/4

Officer Comment

The Ashfield Flats Master Plan is not a Town of Bassendean document, and on this basis, Council is not able to implement amendments.

Regarding Part 1 of the Motion, while there is no record of a riverside heritage trail linking Ashfield to Bassendean based on official heritage records, it is acknowledged that the community value a riverside path, close to the river's edge.

Now the Urban Rivers and Catchments Program grant has been confirmed, the Town will commence the project with a Request for Quotation process for design of the Foreshore Restoration Plan, including review of path alignment options, in consultation with the community.

Indicative timeframes are as follows:

- Release of Request for Quotation for design: March/ April 2025
- Evaluation and award of contract: April / May 2025
- Development of Foreshore Restoration Plan (design) including community and Traditional Owner consultation: May – December 2025

Regarding Part 2 of the Motion, there are various State Government wetland and environmental protection classifications over the Ashfield Flats Master Plan study area, which include: conservation category geomorphic wetlands, flood way/ flood fringe, Bush Forever and protected saltmarsh Threatened Ecological Community.

The extent of these areas is outlined in Part 2 of the Ashfield Flats Master Plan document. Some of these locations include previously disturbed areas used for grazing, as they are not mutually exclusive. The Post-colonial heritage also referenced in Part 2 of the Master Plan document.

Officer Recommendation 7 – Item 12.2

That Council:

1. Does not support GME 2025-02-04/8, to amend the Ashfield Flats Master Plan.
2. Instructs the CEO to consider the development of a riverside path connection from the Roy Hookway Fishing Platform to the Sandy Beach Reserve during detailed design; and
3. Note that Part 2 of the Ashfield Flats Master Plan document adequately acknowledges and distinguishes historic land use and conservation land use classifications.

Voting requirements: Simple Majority

Decision 8 – Financial and Legal Risk Assessment of APCR Immobilisation Project

GME 2025-02-04/9

MOVED Jane Bremmer, Seconded Holly Allday

I request that the TOB to seek a full financial and legal liability risk assessment from the EMRC in relation to the APCR immobilisation project and to be provided before the facility becomes operational and made publicly available.

CARRIED 17/1

Officer Comment

The EMRC has undertaken the appropriate due diligence and risk mitigation in relation to this project, and as an independent legal entity will determine what information will be made publicly available.

The EMRC's publicly available Environmental Protection Authority Referral for the APCR Immobilisation Plant and Disposal Solution (APCr_ERD_EPA_Referral_6_0_-_Public_Facing_19_Dec_2024.pdf) outlines the legislative context associated with the proposal, with approvals required by both the EPA and to DWER.

The referral document identifies the potential environmental risks, impacts and proposed management measures to mitigate these risks. This includes individual risks, a holistic risk assessment and cumulative impact assessment.

Officer Recommendation 8 – Item 12.2

That Council does not support GME 2025-02-04/9.

Voting requirements: Simple Majority

Decision 9: Communications Framework

GME 2025-02-04/10

MOVED Ben Woodward, Seconded Sasha Rademakers

That Council staff develop and implement a communication framework to categorise resident communications as either must know or good to know information and allocate promotional spending of Facebook posts containing must know information to maximise community reach and that relevant metrics are regularly reported to the CEO.

CARRIED 11/1

Officer Comment

Note: As part of the LG Reforms, Councils will be required to develop both a Communications Agreement and a Community and Stakeholder Engagement Charter which set out how local government will communicate processes and decisions with their community.

Officer Recommendation 9 – Item 12.2

That Council requests the CEO address the intent of GME 2025-02-04/10 in the development of the Town's Community and Stakeholder Engagement Charter to comply with the local government reform agenda.

Voting requirements: Simple Majority

Decision 10: Support Waste Management Compliance

GME 2025-02-04/11

MOVED Holly Allday, Seconded Val Humphrey

That Council support in good faith our social housing complexes in achieving the required waste management compliance by:

- Housing estates to be granted access to larger bins to combat waste overflows (which are weekly occurrences) for Claughton Way and Cyril Street.
- Housing estates to have house number stickers on all bins.

- Housing estates to have infographics stickers on bins for ease of understanding.

CARRIED 14/0**Officer Comment**

The Town currently supports social housing complexes with waste management in liaison with the operators. Housing estates do have access to larger bins, with approval of the relevant housing manager (Department of Communities or other) and payment by the property owner as per the Annual Fees & Charges.

The Town has arranged a waste education site visit with all tenants of 15 Cloughton Way to assist including review of adequate bin provision, and installation of bin stickers for each property address as well as the infographics for what is accepted in the FOGO, General Waste and Recycling Bins. This may also include additional waste disposal through skip bins. This has been conducted previously for other social housing complexes (including Cyril Street), with improved outcomes.

Officer Recommendation 10 – Item 12.2

That Council:

1. Notes that the Town currently supports social housing providers and social housing managers with a range of waste initiatives including those outlined in GME 2025-02-04/11.
2. Requests the CEO to continue to educate residents and work with social housing managers and community housing providers in relation to responsible and compliant waste disposal.

Voting requirements: Simple Majority**Strategic Implications****Performance Area 1: People**

2.2 Advance opportunities, community participation and quality of life for people of all ages and abilities.

Performance Area 5: Performance

9.1 Continuously improve operational performance and service delivery.

Comment

Comments from responsible Officers of the Town are included in the Table.

Statutory Requirements

Local Government Act 1995 Section 5.33. Decisions made at electors' meetings

- 1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —*
 - (a) *at the first ordinary council meeting after that meeting; or*
 - (b) *at a special meeting called for that purpose, whichever happens first.*
- 2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*

Financial Considerations

N/A

Risk Management Implications

Compliance
High

Environmental
Low

Financial Risk
High

Failure to consider the motions carried by the electors at the General Electors Meeting held on 4 February 2025 will place the Council in breach of s.5.33 of the *Local Government Act 1995*.

Reputational
High

Breach of statutory obligation would place the Council at risk of reputational damage and possible censure from the Department.

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation 11 – Item 12.2

That Council receive the Minutes of the General Meeting of Electors held on 4 February 2025.

Voting requirements: Simple Majority

12.3 Success Hill South Heritage Considerations	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	LUAP/POLCY/24
Directorate	Community and Place
Responsible Officer	Manager Planning and Regulation
Previous Reports	19 December 2023
Authority/Discretion	Legislative Includes adopting local laws, local planning schemes & policies.
Attachments	1. Success Hill South - Heritage Assessment Report [12.3.1 - 36 pages]

Purpose

The purpose of this report is for Council to consider recommendations within a Heritage Assessment Report (the report), prepared by Hocking Heritage Architecture, in relation to properties bounded by the railway line to the north and Guildford Road to the south.

A copy of the Heritage Assessment Report is attached to this report.

For the purposes of this report, the area is known as Success Hill South and includes properties identified in red in the plan below.



Background

Council, at their Ordinary Council Meeting held on the 19 December 2023, resolved, to:

“3. Requests preparation of a report to Council on heritage and character within the Nurstead Avenue precinct, outlining possible expansion of the provisions contained in Local Planning Policy 4 – Heritage and Character that potentially identifies all or part of Nurstead Avenue precinct as a Heritage Area.”

On 19 March 2024, Town staff conducted a community information session with residents (and some councillors) regarding the potential expansion of Local Planning Policy No. 4 – Heritage and Character to identify all or part of the Nurstead Avenue precinct as a Heritage Area.

At the conclusion of the information session, residents in the locality were asked the following questions:

*What do landowners want to achieve through inclusion on the Heritage List?
What do landowners want to achieve through a Heritage Area?
In the context of the R100 coding, what built form development outcomes do landowners want?*

Based on the responses to the questions asked by the Town, those who provided submissions have a desire to preserve the old homes and the existing streetscape and that any new dwellings/development (considering the Local Planning Scheme No. 11 R100/R160 zoning) be built in the same character as the existing housing.

The submissions highlight a desire to retain the Nurstead Avenue precinct due to its perceived significant aesthetic and cultural value. The response from landowners emphasizes a desire for a set of design guidelines (similar to the existing Local Planning Policy No. 4 - Heritage and Character) to guide development in the area, ensuring it is sympathetic to the existing older homes.

Council was advised via the Bulletin on 10 May 2024 that this would be considered as part of the preparation of the Bassendean Town Centre Precinct Structure Plan (PSP), noting that the area is located within the identified PSP boundary.

In July 2024, the Town appointed GHD to prepare the PSP for the Town Centre. As part of this process, GHD engaged subconsultants to prepare specialist reports to inform the documentation and analysis of the Town Centre. Through this process, GHD engaged Hocking Heritage Architects to undertake a Heritage Assessment of the Nurstead Avenue area and the frame area known as Success Hill South.

Proposal

The report prepared by Hocking Heritage Architects does not recommend that the precinct has sufficient significance to be designated as a heritage area.

However, the report makes several recommendations to the Town, including a review of the Town's Local Heritage Survey to incorporate additional properties and investigate others for potential inclusion. Additionally, it recommends that the PSP ensures future development in this location is respectful of the area's heritage and character.

Places recommended for inclusion on the Local Heritage Survey

The report identifies four places, based on historical research and supplemented by physical assessment, that are worthy of inclusion in the Local Heritage Survey with Management Categories 3 or 4, given the properties have some heritage value.

These properties are as follows:

Category 3 places.	
4 Nurstead Avenue, Bassendean	Built c1904, similar in age and style to Nurstead Avenue places already on the LHS.
10 Nurstead Avenue, Bassendean	Built c1910, similar in age and style to Nurstead Avenue places already on the LHS.
14a Nurstead Avenue, Bassendean	Built 1900s, similar in age and style to Nurstead Avenue places already on the LHS.
Category 4 place.	
13 Nurstead Avenue, Bassendean	Built 1900s, similar in age and style to Nurstead Avenue places already on the LHS, but reduced integrity due to later additions.

It is recommended that 'Place-Specific' reviews are initiated, and the Town's Local Heritage Survey is amended to have these places included on the Town's Local Heritage Survey. This review will include engagement with the landowners.

Places Requiring Further Investigation

The report recommends further investigation and assessment of 10 properties, noting that they date from the interwar period and demonstrate the form and detail characteristic of this era in homes for working families. The properties were recognised as being in good condition and well maintained. A heritage consultant should undertake the further assessment. These properties are as follows:

1 Thompson Road, Bassendean	Built 1930s, intact form and detail of the Inter War period and similar in age and style to places already on the LHS.
11 Thompson Road, Bassendean	Built 1930s, intact form and detail of the Inter War period and similar in age and style to places already on the LHS.
4 Lamb Street, Bassendean	Built 1940s, intact form and detail and similar in age and style to places already on the LHS.
6 Lamb Street, Bassendean	Built 1940s, intact form and detail and similar in age and style to places already on the LHS.
13 Lamb Street, Bassendean	Built 1930s, intact form and detail and similar in age and style to places already on the LHS.
15 Lamb Street, Bassendean	Built 1930s, intact form and detail and similar in age and style to places already on the LHS.
17 Lamb Street, Bassendean	Built 1930s, intact form and detail and similar in age and style to places already on the LHS.
256 Guildford Road, Bassendean	Built 1930s, intact form and detail and similar in age and style to places already on the LHS.
258 Guildford Road, Bassendean	Built 1930s, intact form and detail and similar in age and style to places already on the LHS.
2 Earlsferry Court, Bassendean	Built 1930s, intact form and detail and similar in age and style to places already on the LHS.

Whilst it is open to Council to commence this process, this is not the recommended approach. It is recommended that the further assessment and investigation of these properties is included as part of a general review of the Town's Local Heritage Survey. This process is due to commence in 2027.

Future Development

Whilst the frame is not considered worthy of designation as a Heritage Area, future development should be cognisant of the heritage values and character of the area. The assessment prepared by Hocking recommends that this be expressed in the PSP as development requirements or design guidelines.

The Town acknowledges that some residents within this precinct seek design guidelines like those in the Town's Local Planning Policy No. 4 – Heritage and Character to ensure future development respects and reflects the area's heritage

and character. A Precinct Structure Plan (PSP) is the appropriate planning instrument for this purpose.

Incorporating bespoke design guidelines within the Precinct Structure Plan will ensure that future development is responsive to the area's heritage, values, and character while also carrying greater statutory weight. This is preferable to designating the area as a local heritage or character area under the local planning policy framework or adopting a standalone Local Planning Policy (LPP), particularly noting the recommendation of the heritage assessment.

This is because a Precinct Structure Plan is adopted as part of the local planning scheme, meaning its provisions carry greater weight than those of a Local Planning Policy. Additionally, any adoption, amendment, or revocation of a PSP requires endorsement from not only Council but the Western Australian Planning Commission (WAPC), whereas an LPP can simply be revoked by Council. As a result, once design guidelines are adopted within a PSP, they are less likely to be lost or weakened over time.

Town staff will liaise with GHD to develop suitable bespoke design guidelines for the area as part of the PSP. Once the draft PSP has been prepared, it will be presented to Council for review and adoption for the purpose of public advertising, during which residents will have the opportunity to provide feedback on any draft provisions.

Strategic Implications

Performance Area 1: People

1.2 Promote and celebrate local history, heritage and cultural diversity.

Performance Area 3: Place

5.1 Responsible planning and development, with population growth concentrated around the town centre, train stations and transport corridors.

Performance Area 4: Prosperity

8.1 Revitalise Bassendean town centre to support economic growth.

Statutory Requirements

The Heritage Act 2018 requires each local government to prepare a Local Heritage Survey (LHS) to identify and record places that are, or that might become, of cultural heritage significance.

There are three types of updates and reviews to a LHS:

- Administrative updates: minor corrections and addition of file notes or other information or future consideration.
- Place Specific reviews: addition or more substantial amendment of a heritage assessment of an individual place.

- General review: open process inviting community participation to produce a new version or edition of the LHS.

The Heritage Council 'Guidelines for Local Heritage Surveys' recommend general reviews occur every 5-8 years for local governments with ongoing urban development or coinciding with the major review of a strategic community plan or Local Planning Strategy. On this basis, a general review may commence in 2027.

Financial Considerations

Place specific reviews of the Local Heritage Survey to include the 4 properties suitable for inclusion on the Town's Local Heritage Survey can be absorbed by the existing operational budget.

Further investigation and review of the 10 properties identified should be undertaken by a specialist heritage consultant. It is estimated that this cost would be approximately \$8,000. and has not been budgeted for in 2024/2025

Risk Management Implications

Compliance

Low

Environmental

Low

Financial Risk

Low

Reputational

Low

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation – Item 12.3

That Council:

1. Notes the recommendations of the Heritage Assessment prepared by Hocking Heritage & Architecture.
2. Initiates 'Place-Specific' reviews of the Local Heritage Survey to recognise the following properties within the Town's Local Heritage Survey:
 - 4 Nurstead Avenue, Bassendean (category 3):
 - 10 Nurstead Avenue Bassendean (category 3):
 - 13 Nurstead Avenue, Bassendean (category 4): and
 - 14a Nurstead Avenue, Bassendean (category 3).

Voting requirements: Simple Majority

12.4 Scheme Amendment No.1 - Short Term Rental Accommodation	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	LPS11-01
Directorate	Community and Place
Responsible Officer	Manager Planning and Regulation
Previous Reports	N/A
Authority/Discretion	Legislative Includes adopting local laws, local planning schemes & policies.
Attachments	1. To B_ Scheme Amendment No.1 LP S 11 - STRA [12.4.1 - 10 pages]

Purpose

The purpose of this report is for Council to consider initiation of an amendment to Local Planning Scheme No.11 (the scheme) to implement the State Government's planning reforms for Short Term Rental Accommodation (STRA).

Background

In November 2023, the Western Australian Planning Commission (WAPC) released its *Position Statement: Planning for Tourism and Short-Term Rental Accommodation* (Position Statement) and associated Guidelines.

Amendments to planning regulations were flagged as a key part of the State Government's goal to ensure a fairer and more consistent treatment of STRA from both a legal and practical standpoint.

The planning changes, which have triggered the need for the Town to amend its scheme, aim to provide greater consistency across the state in relation to what approvals are needed for STRA proposals as well as how these uses are defined in local planning schemes.

As outlined in the WAPC Planning Bulletin 115/2024 amendments to local planning schemes should be completed by mid-2025, to allow for development approvals to be obtained from the 1 January 2026.

Proposal

The proposed scheme amendment is detailed in the attached Scheme Amendment Report.

Communication and Engagement

In accordance with Division 3 of the *Planning and Development (Local Planning Schemes) Regulations*, as per the requirements for a standard amendment, Should the Council resolve to initiate the Amendment, it would then be referred to the Western Australian Planning Commission (WAPC) and the Environmental Protection Authority (EPA) for consent to advertise the proposed amendment.

Should consent be granted, in accordance with section 47(4) of the regulations, the Amendment is to be advertised for a minimum period of 42 days commencing on the day on which the notice is published in a newspaper circulating in the scheme area. The amendment will also be advertised on the Town's website, and physical copies provided at the Town's customer service centre and library.

Strategic Implications

Performance Area 3: Place

5.1 Responsible planning and development, with population growth concentrated around the town centre, train stations and transport corridors.

Performance Area 5: Performance

9.1 Continuously improve operational performance and service delivery.

Comment

The proposed changes bring the Scheme into alignment with the State Planning Framework and ensure consistency and efficiency in considering applications for STRA within the Town of Bassendean.

Statutory Requirements

Planning and Development Act 2005

Section 75 of the *Planning and Development Act 2005* allows a local government authority to amend its local planning scheme with the approval of the Minister for Planning.

Planning and Development (Local Planning Schemes) Regulations 2015.

Regulation 35 of *Planning and Development (Local Planning Schemes) Regulations 2015* requires a resolution of a local government to adopt an amendment to a local planning scheme which must specify if it is a “basic amendment”, “standard amendment” or “complex amendment” and an explanation of the reason for the local government forming that opinion.

This amendment is considered to be a ‘standard amendment’ by virtue of it being:

- An amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;

- An amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- An amendment that is not considered a complex or basic amendment.

Should Council resolve to initiate the amendment, the amendment will be referred to the Environmental Protection Authority for comment prior to advertising, following comments being received, the amendment will be advertised for a period of not less than 42 days, and then presented back to Council for further consideration.

Financial Considerations

The costs of administering and advertising the proposed amendment will be met for the Planning and Regulation operational accounts.

Risk Management Implications

Compliance
Low

Financial Risk
Low

Reputational
Low

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation – Item 12.4

That Council resolves to initiate proposed Amendment No.1 to the Town of Bassendean Local Planning Scheme No.11 as set out in Attachment 1.

Voting requirements: Simple Majority

12.5 Arts, Culture and Events Committee - 7 March 2025	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	GOVN/CCLMEET/41
Directorate	Office of the CEO
Responsible Officer	Director Community and Place
Previous Reports	
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. Arts Culture and Events Committee 7_ March 2025 Unconfirmed Minutes [12.5.1 - 23 pages]

Purpose

The purpose of this report is for Council to receive the minutes of the meeting of the Arts, Culture and Events Committee held on Friday 7 March 2025.

Background

The ACE Committee is scheduled to meet at least four times each year in carrying out its functions, with the scope of the Committee being to undertake the following:

- Provide high-level strategic direction regarding matters relating to the community arts, culture and/or events that assist fostering strong community expression, identity and pride
- Provide advice on the formulation and adoption of the annual budget, as it relates to matters of arts, culture and/or events
- Review and provide feedback on any proposed strategies, plans or policies that relate to matters of arts, culture and/or events
- Provide advice on the acquisition and decommissioning of art works under Council's Art Acquisition, Management and Decommissioning Policy, and
- Review and provide feedback on the procurement of public art, either under Local Planning Policy 15 – Public Art or via municipal funding.

Communication and Engagement

Community Development staff provided the input for the Committee Agenda.

Strategic Implications

Performance Area 1: People

1.3 Increase engagement in arts, culture, and community events.

Comment

The minutes of the meeting are attached to this report. In summary the committee considered the following items:

- 2024/25 Events Review
- 2025/26 Events Program
- Percent for Art Public Art Project, and
- ACE Committee Future

Statutory Requirements

Council's *Meeting Procedures Local Law 2020* states that a committee is to report on its activities when, and to the extent, required by the Council.

Financial Considerations

Any changes to the current draft Public Events Program will require additional consideration during the 2025/26 budget development.

Risk Management Implications

Compliance

Low

Environmental

Low

Financial Risk

Low

Reputational

Medium

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation – Item 12.5

That Council:

1. Receives the minutes of the Arts, Culture and Events Committee held on 7 March 2025
2. Notes the summary of public events and the output achieved from the allocated budget and resources
3. Note the public event program principles
4. Notes the draft public Events Program for the 25/26 budget development workshop and requests budget workshop time to discuss events program
5. Approve the process and proposed order of delivery across the five sites subject to review of the Collier Rd site
6. Does not support disbanding the committee at this time
7. Supports the development of an alternative structure to the ACE Committee
8. Supports the proposal to provide information and opportunities for Council Members input via budget workshops, the Council Plan, and an annual evaluation report, and
9. Supports the development of a Creative Strategy that includes the convening of a Creatives Roundtable discussion with Councillors, the local community, key stakeholders and industry representatives.

Voting requirements: Simple Majority

12.6 Bassendean Local Emergency Management Committee - 12 March 2025	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	GOVN/CCLMEET/12
Directorate	Office of the CEO
Responsible Officer	Director Community and Place
Previous Reports	
Authority/Discretion	Information For the Council/Committee to note.
Attachments	1. Bassendean Local Emergency Management Committee 12 March 2025 Unconfirmed Minutes [12.6.1 - 23 pages]

Purpose

The purpose of this report is for Council to receive the minutes of the Bassendean Local Emergency Management Committee (BLEMC) Meeting held on 12 March 2025.

Strategic Implications

Performance Area 1: People

2.1 Create a safe town for everyone.

Comment

The Committee discussed the following items at the meeting:

- Review of State Recovery Arrangements
- Post Incident Reports and Post Exercise Reports - Exercise Stormado
- Agency Member Reports (Round the Table)

During discussion of the Exercise Stormado Exercise Report, the Committee moved a motion for Council to support BLEMC approaching the City of Bayswater LEMC to consider holding joint LEMC meetings. The Committee is seeking support from Council to endorse the proposal for collaborative engagement with the City of Bayswater LEMC, with the aim of enhancing coordination, resource sharing, and improving the overall effectiveness of emergency management efforts in the region.

Statutory Requirements

Under sections 38 - 40 of the *Emergency Management Act 2005*, local governments are required to establish and carry out the functions of a Local Emergency Management Committee, which includes coordinating the development and submission of documents in accordance with legislative and policy requirements including an Annual Report, Annual Business Plan and maintenance of Local Emergency Management Arrangements.

Financial Considerations

Nil

Risk Management Implications

Compliance

Low

Environmental

Low

Financial Risk

Low

Reputational

Low

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation – Item 12.6

1. That Council receives the minutes of the Bassendean Local Emergency Management Committee meeting held on 12 March 2025; and
2. That BLEMC approaches the City of Bayswater LEMC to consider joint LEMC meetings.

Voting requirements: Simple Majority

12.7 Verge Maintenance Policy	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	COUP/POLCY/3
Directorate	Infrastructure and Sustainability
Responsible Officer	Director Infrastructure and Sustainability
Previous Reports	
Authority/Discretion	Legislative Includes adopting local laws, local planning schemes & policies.
Attachments	<ol style="list-style-type: none"> 1. Draft Policy verge maintenance DIS [12.7.1 - 3 pages] 2. DRAFT Verge Maintenance Policy FAQ FINAL [12.7.2 - 4 pages] 3. DRAFT Verge Maintenance Assistance Program FINAL [12.7.3 - 6 pages] 4. Verge Maintenance Locations Map [12.7.4 - 1 page]

Purpose

The purpose of this report is for Council to consider the new Verge Maintenance Policy.

Background

The Town maintains parks, reserves, easements, medians, main roads verges and entry statements.

Each year it budgets approximately \$560,000 to maintain a significant amount of residential, commercial, and industrial verges. These funds form a substantial portion of the Town's annual Parks and Reserves Operating Budget.

Based on benchmarking with other Council's within the Perth Metropolitan Area as part of the Infrastructures Service Level Review in 2024, it was apparent that the Town offers the highest level of service with verge maintenance, with no other Council performing this service to the extent that the Town does.

While this service has been in place for many years, the use of ratepayer funds to maintain verges fronting privately owned properties is no longer considered a reasonable use of these funds, particularly as there are a high proportion of residents currently maintaining their own verge.

Proposal

For Council to adopt the new Verge Maintenance Policy.

Communication and Engagement

The new Draft Verge Maintenance Policy, FAQ sheet and Draft Verge Maintenance Assistance Program was sent to Councillors in January 2025 seeking feedback.

No feedback has been received.

Strategic Implications

Performance Area 5: Performance

9.1 Continuously improve operational performance and service delivery.

Comment

Under the Town's new draft Verge Maintenance Policy, any roads not covered under **Managed Roads in Clause 1** of the Policy are the responsibility of the adjacent landowner or resident.

This change aligns with service standards across Bassendean where the Town continues to make greater investments to the local community and focus its resources to improve other services such as the presentation and amenity of local parks, public spaces, increase in tree canopy and vegetation maintenance.

The road verges that remain the Town's responsibility are those that have high traffic volumes and therefore could place residents at risk of undertaking maintenance within proximity to passing traffic.

Statutory Requirements

Local Government Act 1995

Financial Considerations

N/A

Risk Management Implications

Compliance

Low

Environmental

Low

Financial Risk

Low

Reputational

Medium

Should the Council not approve the new policy, additional budget funds resulting from the reduction in this service, which could be used for essential renewal and operations within the LTFP may not be realised.

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation – Item 12.7

That Council adopt the Verge Maintenance Policy as attached to this report.

Voting requirements: Simple Majority

12.3 James Street – Parking restrictions	
Property Address	2 James Street, Bassendean
Landowner/Applicant	
File Reference	ICRF-25283025: James Street – Parking Restrictions
Directorate	Infrastructure and Sustainability
Responsible Officer	Director Infrastructure and Sustainability
Previous Reports	N/A
Authority/Discretion	Legislative Includes adopting local laws, local planning schemes & policies.
Attachments	N/A

Purpose

The purpose of this report is for Council to consider approving the proposed parking restrictions on James Street, adjacent to the Hyde Retirement Village (HRV).

Background

On 11 January 2025, the Town received correspondence from a resident at the HRV with safety concerns when exiting the two main crossovers from the village onto James Street. In addition, these concerns were also raised at a previous HRV Annual General Business meeting where several residents also expressed concerns.

According to the residents, the existing on road parking on either side of the crossovers restricts the motorist's line of sight when entering the road. They have also claimed that there have been several accidents and near misses as a result.

At this location on James Street, on road parallel parking bays are provided on both sides of the road and with the HRV, the cafe on the opposite side and its proximity to Old Perth Road, these bays are consistently full.

The locality map on the following page illustrates the two HRV crossovers.



Proposal

A site inspection and assessment of the sight lines was undertaken to check against the current road design standards.

These investigations revealed that the parking bays immediately to the south of both crossovers do not meet the required standards for sightlines and should be removed.

While parking in this precinct is at a premium and the loss of two parking bays is not ideal, the road safety hazard is such that they can no longer remain in place and motorists will need to find an alternative parking location.

The parking prohibition will consist of “No Stopping” yellow lines, which is consistent with parking restrictions along other sections on James Street.

The plan below illustrates the location of the proposed yellow lines.



Communication and Engagement

The Town met with concerned residents following lodgement of the complaint and subject to Council approval, the HRV Committee will be advised prior to the Town arranging the No Stopping yellow lines.

Strategic Implications

Performance Area 5: Performance

9.1 Continuously improve operational performance and service delivery.

Statutory Requirements

Clause 1.9 of the *Parking Local Law 2019* states that Council can prohibit or regulate the stopping or parking of any vehicle within the district

Financial Considerations

The linemarking required to be completed as outlined on the parking plan will cost approximately \$500 and can be accommodated from within the current 2024/25 Operating Budget.

Risk Management Implications

Compliance

Low

Environmental

Low

Financial Risk

Low

Reputational

Low

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation – Item 12.3

That Council approves the Parking Prohibition Plan as included in the report.

Voting requirements: Simple Majority

12.9 Policy Review - Asset Management	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	Policy Review - Asset Management
Directorate	Infrastructure and Sustainability
Responsible Officer	Director Infrastructure and Sustainability
Previous Reports	
Authority/Discretion	Legislative Includes adopting local laws, local planning schemes & policies.
Attachments	<ol style="list-style-type: none"> 1. Asset Management Policy [12.9.1 - 4 pages] 2. Existing Asset Management Policy [12.9.2 - 5 pages]

Purpose

The purpose of this report is for Council to revoke the existing Asset Management Policy and consider the new Asset Management Policy, due to significant changes reflected in the new Policy.

Background

The asset management policy should define the criteria to determine where and how new and replacement assets are managed throughout the Town.

The purpose of bringing this to Council's attention is to advise of the update to the document, which was last reviewed in May 2022.

Proposal

For Council to adopt the reviewed Asset Management Policy.

Communication and Engagement

Councillors were advised at the Council Workshop on the 11 February 2025 that an administration review had been undertaken of the Town's Asset Management processes and practices, which included a review of the Town's existing Policy.

Strategic Implications

Performance Area 5: Performance

9.1 Continuously improve operational performance and service delivery.

Comment

While there are several changes to ensure the Policy meets the current Council direction on Asset Management, the three main changes are as follows:

1. The Town will continually monitor and maintain the Asset Management Framework that comprises of three key informing documents:
 - Asset Management Policy
 - Asset Management Strategy
 - Asset Management Plans (AMP) for each Asset Class
2. The Town will manage its assets in a whole of life, environmentally and Financially sustainable manner, the focus is not on the asset itself, but the value it provides to the Town and the community's requirements.
3. Prioritise resources towards the maintenance or renewals of existing assets before the creation of new assets, to ensure sustainable Asset Management and minimisation of the Asset Renewal funding gap.

Statutory Requirements

Local Government Act 1995

Financial Considerations

N/A

Risk Management Implications

Compliance

Low

Environmental

Low

Financial Risk

Low

Reputational

Low

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation 1 – Item 12.9

That Council revoke the existing Asset Management Policy.

Voting requirements: Absolute Majority

Officer Recommendation 2 – Item 12.9

That Council adopt the new Asset Management Policy as attached to this report.

Voting requirements: Simple Majority

12.10 RFT 01/2025 Supplying & Laying of Asphalt, Road Surfacing and Road Profiling	
Property Address	
Landowner/Applicant	
File Reference	ROAD/TENDNG/54
Directorate	Corporate Services
Responsible Officer	Director Corporate Services Director Infrastructure and Sustainability
Previous Reports	
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. CONFIDENTIAL - RFT 01 2025 EVALUATION REPORT [12.10.1 - 13 pages]

Purpose

The purpose of this report is to present to Council a summary of tenders received for RFT 01/2025 Supply and Laying of Asphalt Road Surfacing and Road Profiling for the Town of Bassendean and recommend appointment of the contractor considered to provide the best value for money to the Town.

Background

The Town has a requirement to engage a contractor to provide Supply and Laying of Asphalt Road Surfacing and Road Profiling. The Town does not have the internal resources to supply the required services and as such requires an appropriate external service provider.

The Town had a single contract for this service with Asphaltech Pty Ltd, which expired on 31 December 2024.

Proposal

To appoint a contractor to provide Supply and Laying of Asphalt Road Surfacing and Road Profiling for the Town of Bassendean.

Communication and Engagement

The Request was advertised in The West Australian Newspaper and on the Town's website on Saturday 11 January 2025 and closed on Wednesday 29 January 2025.

Strategic Implications

Performance Area 3: Place

7.1 Deliver an efficient, safe and sustainable transport network.

Performance Area 5: Performance

9.1 Continuously improve operational performance and service delivery.

Comment

Submissions were received from the following four (4) Tenderers:

- Roads 2000 Pty Ltd;
- Asphaltech Pty Ltd;
- Fulton Hogan Industries Pty Ltd; and
- Downer EDI Works Pty Ltd.

The Evaluation Panel for this tender comprised three members with the appropriate technical expertise and experience. The panel carried out the assessment of submissions in a fair and equitable manner.

All four (4) Tenderers met the compliance requirements of the Tender and were evaluated against the qualitative criteria and weightings shown in the following table. The predetermined qualitative threshold was set at 65% for this tender.

QUALITATIVE CRITERIA	WEIGHTING
Capacity	30%
Demonstrated Experience	40%
Demonstrated Understanding of the Requirements	30%

Following the qualitative assessment, the panel carried out a comparison of the submitted schedule of rates pricing offered by each tenderer qualified for stage two to assess value for money to the Town.

The pricing assessment undertaken by the Evaluation Panel compared pricing supplied by the respondents against a typical road project, which enabled a valid basis on which to compare offers to determine the best value for money outcome to the Town.

Pricing is regarded as commercial in confidence and is included in the attached confidential Tender Evaluation Report.

Statutory Requirements

A public tender was advertised, opened and evaluated in accordance with clauses 11(1) and 18(4) of Part 4 of the *Local Government (Functions and General) Regulations 1996*, where tenders are required to be publicly invited if the consideration under a contract is, or is estimated to be, more, or worth more, than \$250,000.

Financial Considerations

The costs associated with this contract will be included in the Town's budget for each year of the contract.

Risk Management Implications

Compliance

Low

Financial Risk

Low

Reputational

Low

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation – Item 12.10

That Council appoints the recommended tenderer shown in the confidential Tender Evaluation Report attached to this report (**Confidential Attachment 1**), to provide Supply and Laying of Asphalt Road Surfacing and Road Profiling to the Town of Bassendean as specified in Tender 01/2025 for a period of Three (3) years with a further option to extend the Term of the Contract, by One (1) Year, to commence upon Council Approval and Letter of Award.

Voting requirements: Absolute Majority

12.11 Project Reporting	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	GOVN/CCLMEET/1.2
Directorate	Corporate Services
Responsible Officer	Director Corporate Services
Previous Reports	N/A
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	Nil

Purpose

The purpose of this report is for Council to consider revoking Resolution of Council (RoC) OCM 19/5/22 – Project Updates.

Background

In May 2022, Council resolved as follows:

1. *Council requests the CEO provide Project Updates in each financial year in a simple spreadsheet format that includes columns identifying completed projects, and identifying potential carry forward dollar amounts; and*
2. *That these updates for all budget approved Operational and Capital projects be provided annually to Councillors per the following schedule:*
 - a. *Project update spreadsheets up to the end of December to be provided in the first week of February or prior to the mid-year budget review (whichever comes first);*
 - b. *Project update spreadsheets up to the end of March to be provided in the first week of May prior to the first budget workshop for May; and*
 - c. *Project update spreadsheets up to the end of May to be provided in early June prior to Annual Performance Review.*

The above Resolution of Council was in support of a Notice of Motion from the Mayor Hamilton, with the reason given in support of the Notice of Motion as follows:

Provision of a simple spreadsheet format that updates Councillors three times a year on the progress of all budgeted Capital and Operational Projects supports better

decision making during the Mid-year budget review, during consideration of the annual budget, and during the Annual Performance Review.

The administration implemented the Resolution of Council and has provided the requisite project updated to Councillors via the CEO Bulletin since that time.

In June 2024, Council adopted the Key Performance Indicators for the Town's Chief Executive Officer for 2024/25, which included:

Project Management and Reporting

4.1 Improve the project management and reporting of operating and capital projects and provide early notification to council of project risks.

The administration has developed new project reporting templates, building on those provided in response to the earlier Resolution of Council in support of annual budget processes, to include project milestones, grant funding obligations and communication requirements, for quarterly reporting to Councillors via the CEO Bulletin.

Proposal

That Council revokes OCM 19/5/22.

Communication and Engagement

The new project reports were provided to Councillors via the CEO Bulletin on 8 November 2024 for the September quarter, and 20 December 2024, for the December quarter.

At a workshop with Council Members on 11 February 2025, it was proposed that the resolution of Council be withdrawn in favour of proceeding with the new project reporting process.

Quarterly reporting is proposed to continue, with more regular reporting during budget processes, if required.

Strategic Implications

Performance Area 5: Performance

9.1 Continuously improve operational performance and service delivery.

Comment

The two project reporting mechanisms represent duplicated effort for the administration, in a manual reporting environment. With two processes occurring semi-concurrently, there is the very real risk of inconsistent information being provided, due to the dynamic nature of project delivery.

The new project reports are comprehensive, containing all information currently in the RoC project reports aside from the identification of carry forward projects. It is proposed to incorporate carry forward project indicators to the new project reporting templates, for the second half of the financial year when project delivery timeframes are more readily determined.

Statutory Requirements

Nil.

Financial Considerations

Nil. All projects have been approved by Council as part of the adopted budget for the relevant year, with any contract variations approved by Council or under delegated authority.

Risk Management Implications

Financial Risk

Low

Reputational

Low

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation 1 – Item 12.11

That Council notes the new project reports will be distributed to Councillors at least quarterly.

Voting requirements: Simple Majority

Officer Recommendation 2 – Item 12.11

That Council revokes OCM 19/5/22.

Voting requirements: Absolute Majority

12.12 Policy Review - Differential Rates Refund Policy	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	RAT&VAL/FEECHAG/3
Directorate	Corporate Services
Responsible Officer	Director Corporate Services
Previous Reports	28/09/2021 28/11/2023
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. Draft Amended Differential Rates Refund Policy 2025 [12.12.1 - 3 pages]

Purpose

The purpose of this report is for Council to consider a review of the Differential Rates Refund Policy.

Background

In July 2021, following the imposition of a higher differential rate on vacant land in the Town for the first time, Council resolved to request the CEO to:

“Develop a Policy for Council that provides for the owners of vacant land to make application for a concession up to the additional rates paid due to the imposition of differential rates where the property is developed within a specified period of time”.

Council adopted the Differential Rates Refund Policy in September 2021. The objective of the policy was to ensure landowners who develop their land within the specified period were not penalised through the imposition of differential rates.

The Policy achieved this objective by providing for a refund of additional rates levied on vacant land due to the imposition of differential rates, where all appropriate applications for approvals and permits were made to the Town and the land was subsequently developed in accordance with those approvals and permits.

The policy applied where all appropriate applications for approvals and permits were lodged with the Town before 30 June 2022. The landowner was required to make retrospective application to the Town for the applicable refund, within 12 months of the date of the Interim Rates Notice, following revaluation of the property by Landgate.

The operation of the Policy is time-specific, in that it applies to differential rates imposed for 2021/22. All required development applications must have been made by 30 June 2022, and the development completed in accordance with the approvals and permits.

Council considered a review of the Policy in November 2023, and specifically, whether to amend the Policy to provide for its continued operation, or to leave the policy intact, thereby allowing it to expire through the effluxion of time. Council resolved to allow the Policy to expire, in accordance with the Officer Recommendation.

At the time of the November 2023 decision by Council, the Town had 32 properties that were potentially eligible for a refund under the Policy but had not received any applications. The Town subsequently wrote to all potentially eligible property owners and provided a copy of the Policy and has since made two refunds of differential rates to landowners.

Proposal

That Council reconsider amending the Refund of Differential Rates Policy to allow it to have continued operation, from its inception, resulting from a change in the Officer Recommendation.

Communication and Engagement

Nil.

Strategic Implications

Performance Area 5: Performance

9.1 Continuously improve operational performance and service delivery.

Comment

In 2024, a dispute with a ratepayer over differential rates arose, in circumstances where a residence was demolished, and construction of a new residence had commenced.

Following demolition of the residence, Landgate revalued the land on the basis that it was vacant land. In doing so, Landgate determined the value based on 3% of the capital value of the land, as required under the *Valuation of Land Act 1978* (VL Act), and classified the land as 'vacant land'. Gross Rental Value (GRV) cannot be used for vacant land, due to the absence of comparable rental information.

Following receipt of the revaluation from Landgate, the Town issued an Interim Rates Notice, using the updated valuation and applying its differential rate for vacant

land, in accordance with long-established practice at the Town and widespread practice in Local Government.

Once construction of the new residence is complete, Landgate will revalue the land using comparable rental values and advise the Town of the new GRV valuation. The Town would then issue a new Interim Rates Notice, based on the new valuation and apply the rate in the dollar for residential land.

The ratepayer was ineligible for a refund of differential rates under the current policy due to the time periods specified therein, however would be eligible for a refund of differential rates under the draft amended Policy attached to this report, for a total period of up to two years, provided the development is completed in accordance with relevant approvals and permits.

This latter outcome is consistent with the Town's stated objective in introducing a higher differential rate on vacant land, which for 2024/25 states:

"The object of this rate category is to impose a higher differential general rate on vacant land within the Town. The reason is to encourage development, as the Town considers the development of all vacant rateable land to be in the best interests of the community, to stimulate growth and development and improve the vibrancy of the Town".

Further, there is a disconnect between established practice and the Statutory regime, due to the definition of merged improvements in the VL Act. Established practice, which is supported by other sections within the VL Act, is to value the land on the basis that it is vacant from the point of demolition until such time as construction is complete, the property is habitable and capable of being rated using comparative rental values. However, the definition of merged improvements in the VL Act implies that land ceases to be vacant well before construction is complete and the property is capable of habitation.

The draft amended Differential Rates Refund Policy removes any ambiguity, by providing for a refund of differential rates from the time of demolition to the time of completion, subject to a maximum period of two years.

It is for these reasons that the Officer Recommendation has changed since November 2023, and it is now recommended that Council amend the policy to give it ongoing operability.

Statutory Requirements

Section 6.25 of the *Local Government Act 1995* (LG Act) defines 'Gross Rental Value', 'Interim Valuation' and 'Vacant Land' by reference to the definitions of those terms in the VL Act (section 4):

Gross rental value of land means the gross annual rental that the land might reasonably be expected to realize if let on a tenancy from year to year upon condition that the landlord were liable for all rates, taxes and other charges thereon and the insurance and other outgoings necessary to maintain the value of the land, provided that —

- (a) where the gross rental value of land cannot reasonably be determined on such basis, the gross rental value shall be the assessed value; and

...

Assessed value of land means such percentage of the capital value of the land as may from time to time be prescribed (currently 3% for residential land) either —

- (a) in respect of land generally; or
- (b) in respect of a class of lands which includes the land.

Interim valuation means a valuation made under section 23.

Vacant land means land on which there are no improvements other than merged improvements.

Merged improvements means any works in the nature of draining, filling, excavation, grading or levelling of the land, retaining walls or other structures or works for that purpose, the removal of rocks, stone or soil, and the clearing of timber, scrub or other vegetation.

The Minister for Lands is to determine the method of valuation of land to be used by a local government as the basis for a rate. Where the land is predominantly used for non-rural purposes, the GRV of the land is used. Where there is an interim or new valuation during the year, that valuation is to be used by a local government (LG Act, section 6.28).

Section 6.33 of the LG Act governs the imposition of differential general rates and provides that a local government may impose differential general rates according to various characteristics, including whether or not the land is vacant land.

While the Minister for Lands is responsible for determining the method of valuation and the GRV for the land, the local government must use that valuation for rating purposes. The local government is responsible for levying the rate in the dollar applicable to the GRV.

Financial Considerations

Should Council adopt the draft amended policy, the Town's rates revenue could be reduced by the equivalent of up to two years of differential rates for each eligible

development, although the timing and quantum of the impact is unknown at this stage.

For reference, the total amount to be raised through differential rating of all vacant land in the Town in the 2024/25 Annual Budget is \$105,576.

Risk Management Implications

Financial Risk

Low

Financial risk is low, given the quantum raised by differential rates on vacant land annually by the Town, and that in any given year it is highly likely only a small proportion of vacant land within the Town will be developed.

Reputational

Low

Reputational risk is also low and arises generally by having a policy that may be considered inconsistent with the Objects of Reasons for the imposition of a higher rate in the dollar on vacant land.

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Section 5.60A of the *Local Government Act 1995* provides that:

‘A person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.’

Therefore, Councillors who have vacant land in the Town of Bassendean will have a direct financial interest and should make the relevant declaration.

Officer Recommendation – Item 12.12

That Council adopt the draft amended Differential Rates Refund Policy, attached to this report.

Voting requirements: Simple Majority

12.13 Audit and Governance Committee - 12 March 2025	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	GOVN/CCLMEET/18
Directorate	Office of the CEO
Responsible Officer	Manager Governance and Strategy
Previous Reports	
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	<ol style="list-style-type: none"> 1. DLGSC Version for signing Compliance Audit Return 2024 [12.13.1 - 12 pages] 2. Audit and Governance Committee 12 March 2025 Unconfirmed Minutes [12.13.2 - 19 pages] 3. CONFIDENTIAL - Town of Bassendean Regulation 5 Review Final Report (4 March 2025) – [12.13.3] 4. CONFIDENTIAL - Town of Bassendean Regulation 17 Final Report (4 March 2025) – [12.13.4] 5. CONFIDENTIAL - March 2025 Audit Findings Log – [12.13.5]

Purpose

The purpose of this report is for Council to receive the report on the meeting of the Audit and Governance Committee held on Wednesday 12 March 2025.

Background

The Town's Audit and Governance Committee meets at least four times each year in carrying out its functions under the Audit and Governance Committee Charter (the Charter). The Charter specifies the authority, objectives and responsibilities of the Committee and governs its membership and meeting requirements.

Proposal

For Council to receive the report on the meeting of the Audit and Governance Committee held on 12 March 2025.

Communication and Engagement

To enhance openness, accountability and integrity, Council has appointed a community representative and an independent advisor to the Committee.

Strategic Implications

Performance Area 5: Performance

9.1 Continuously improve operational performance and service delivery.

Comment

The Committee considered the following items:

Regulation 5 Internal Audit Report

The purpose of this report was to receive the Regulation 5 Internal Audit Review, prepared by the Town's internal auditors Paxon, and to consider the recommendations therein and the management action proposed by the Town.

Regulation 17 Internal Audit Report

The purpose of this report was to receive the Regulation 17 Internal Audit Review, prepared by the Town's internal auditors Paxon, and to consider the recommendations therein and the management action proposed by the Town.

Compliance Annual Return 2024

The purpose of this report was for the Audit and Governance Committee to consider the Compliance Audit Return 2024 (CAR) for the Town of Bassendean for the period 1 January 2024 to 31 December 2024.

In the current reporting period, there was one instance of non-compliance.

Audit Findings Log

The purpose of this report was to provide the Audit and Governance Committee with the Town's Audit Findings Log, with updated actions since the meeting of the Committee on 12 December 2024.

The findings and recommendations from the 2023/24 Financial Audit and the Information Technology General Control Audit completed by the Auditor General and tabled at the December 2024 meeting of the Committee have been incorporated into the Audit Findings Log.

Statutory Requirements

Section 7.1A of the *Local Government Act 1995* requires a local government to establish an audit committee consisting of three or more persons to exercise the powers and discharge the duties conferred on it. The local government appoints the members of the audit committee and at least three of the members, and the majority of the members, are to be council members. Regulation 16 of the *Local Government (Audit) Regulations 1996* specifies the functions of the audit committee.

Financial Considerations

Implementation of some audit recommendations may require additional funds and will be the subject of separate budget submissions as and when required. The Town's Purchasing Policy and Procurement Guidelines will govern any required engagements.

Risk Management Implications

Compliance

Medium

Failure to adopt the CAR within the statutory timeframe will place the Town in breach of the Act. This could lead to reputational damage both within the community and with the DLGSC.

Environmental

Low

Financial Risk

Low

Reputational

Low

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation – Item 12.13

That Council:

1. Receives the Minutes of the Audit and Governance Committee of 12 March 2025
2. Receives the Regulation 5 Internal Audit Report (confidential attachment)
3. Receives the Regulation 17 Internal Audit Report (confidential attachment)
4. Adopts the Compliance Audit Return 2024 for the Town of Bassendean for the period 1 January 2024 to 31 December 2024, as attached to this report; and
5. Receives the Audit Findings Log (confidential attachment).

Voting requirements: Simple Majority

12.14 Accounts Paid - February 2025	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	FINM/CREDTS/4
Directorate	Corporate Services
Responsible Officer	Director Corporate Services
Previous Reports	N/A
Authority/Discretion	Legislative Includes adopting local laws, local planning schemes & policies.
Attachments	1. List of Payments 01-28 February 2025 [12.14.1 - 20 pages]

Purpose

The purpose of this report is for Council to receive the list of accounts paid for February 2025.

Background

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* requires a list of accounts paid by the CEO each month to be presented to Council at the next ordinary meeting of Council after the list is prepared.

Proposal

For Council to receive the list of accounts paid for February 2025.

Communication and Engagement

Nil

Strategic Implications

Performance Area 5: Performance

9.1 Continuously improve operational performance and service delivery.

Comment

Payments made during February 2025 are presented to Council, showing the date, payee, amount, and description in respect of each payment for goods and services received.

Statutory Requirements

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* provides:

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

- (a) the payee's name; and*
- (b) the amount of the payment; and*
- (c) the date of the payment; and*
- (d) sufficient information to identify the transaction.*

Financial Considerations

All payments are authorised prior to disbursement in accordance with the Town's Delegations, Purchasing Policy, Procurement Manual and allocated budgets.

Risk Management Implications

Financial Risk

Low

The Town has adequate controls in place to mitigate external and internal risks in accounts payable. As an extra measure, the Town uses EftSure to independently check bank account details of suppliers paid by the Town.

Declaration of Conflicts of Interest

All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.

Officer Recommendation – Item 12.14

That Council receives the list of accounts paid for February 2025.

Voting requirements: Simple Majority

12.15 Monthly Financial Report - February 2025	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	FINM/AUD/1
Directorate	Corporate Services
Responsible Officer	Director Corporate Services
Previous Reports	N/A
Authority/Discretion	Legislative Includes adopting local laws, local planning schemes & policies.
Attachments	Nil

Please note: A report on this item will be circulate prior to the meeting.

13 Motions of which Previous Notice has been given

13.1 Notice of Motion - Fire Station Site - Cr Kathryn Hamilton	
Councillor	Cr Hamilton
Attachments	1. Notice of Motion Fire Station Site Cr Kathryn Hamilton [13.1.1 - 3 pages]

I, Cr Kathryn Hamilton, hereby give notice in writing to the CEO to have the following Notice of Motion listed on the agenda of Ordinary Council Meeting to be held on 25 March 2025, at which it is proposed to be moved:

Motion – 13.1

That Council:

1. Affirms its advocacy for the activation and/or redevelopment of long term unoccupied buildings, particularly within the Town Centre Precinct;
2. Requests the CEO to engage with appropriate government agencies/Ministers to advocate for state government to gift or sell to the Town, for a nominal fee, the State owned long-term vacant Fire Station site located at 10 - 14 Parker Street, Bassendean; and
3. Requests the CEO to provide updates to Councillors, via the Bulletin, re the progress of discussions with State Government agencies as outlined in Point 2.

Voting requirements: Simple Majority

Reasons

Long term unoccupied buildings are not tenable in these times of extreme rental shortages, growing homelessness, and challenging housing affordability. Likewise historic sites require ongoing care and maintenance that generally only comes from continued active use of these buildings.

The state-owned Fire Station site has been left vacant and disused from 2013 with little or no progress to date in activating or redeveloping the site. This long term neglect is evident with cracking to walls, water damage to ceilings, marks on walls due to removal of fixtures, water damaged mouldy carpets and the like. Although the building shows signs of wear and tear, a visual inspection seems to indicate the building is still in reasonable condition structurally.

Having regard for the historic value of the building with its distinctive Inter-War Stripped Classical detailing and rendered entry bay, this is a site crying out for restoration and community use. The Town is aware that assessment of soil contamination surrounding

the site will need to be undertaken prior to developing future plans and/or a Business Case for presentation to Council.

This is a call to action to assess what options may be available to turn a neglected state government holding into something that benefits this community. Certainly, as a beloved historic local landmark, something must be done now before the building deteriorates further.

To that end, I encourage councillors to support this Notice of Motion to explore options for the site.

Officer Comment

The administration supports the intent of the Notice of Motion and suggests amendments to meet the objectives of the motion whilst reducing any financial and reputational risk to the Town.

The current motion can be supported subject to the site constraints being fully understood, such as; the extent of any contamination, the cost of remediation, and if the state would allow the Town to partner with the not for profit and private sector to develop the site to reduce the financial risk to the Town in the activation of the site.

It is suggested that if the intent is for activation of the site including residential, commercial and community use, then the Town could also advocate to the state to seek EOI for the site that would preclude land banking whilst obtaining the highest and best use of the site.

On this basis an alternate to the motion is provided for Council consideration.

Alternative Motion – 13.1

That Council:

1. Affirms its advocacy for the activation and/or redevelopment of long-term unoccupied buildings, particularly within the Town Centre Precinct;
2. Requests the CEO to engage with appropriate government agencies and Ministers to advocate for the state government to consider the disposal options for 10 -14 Parker Street, that include:
 - Disposal to the Town for a nominal fee rather than at market value subject to the development of a business case and further investigations in relation to the site constraints
 - Seeks Expressions of Interest from the private and not for profit sector to develop the site to include residential, commercial and community uses, with conditions to prevent land banking.

3. Requests the CEO to provide updates to Councillors, via the Bulletin, re the progress of discussions with State Government agencies as outlined in Point 2.

13.2 Notice of Motion - Dogs On Lead in Public	
Councillor	Cr Hamilton
Attachments	1. NoM Dogs on Lead in public OCM March 2025 [13.2.1 - 2 pages]

I, Cr Kathryn Hamilton, hereby give notice in writing to the CEO to have the following Notice of Motion listed on the agenda of Ordinary Council Meeting to be held on 25 March 2025, at which it is proposed to be moved:

Motion – 13.2

That Council:

1. Requests the CEO to facilitate the replacement or installation of “Dogs on Lead” signage as required in public places;
2. Authorises the CEO to expend up to eight thousand dollars in educational aids / programs / videos to assist in comprehensive public “Responsible Dog Ownership” promotions; and
3. Requests the CEO to investigate and implement measures to deter and reduce incidents of irresponsible dog ownership.

Voting requirements: Simple Majority

Background

Reasons:

Recent escalation in complaints re off-lead dogs in areas not designated as such requires additional resourcing and management.

Updating “Dogs on Lead” signage where necessary will ensure public awareness of local regulations and requirements.

Regular community education campaigns throughout the year help to remind pet owners of their responsibilities and obligations. These campaigns are designed to address the most common areas of complaint, and to make owners aware of the potential consequences of not maintaining effective control of their pets at all times. Through comprehensive education around the necessity of maintaining effective control of animals in public areas, council will encourage positive contact between pet owners, residents and staff as we seek to enjoy the many public spaces around us.

Rangers frequently patrol public areas and seek to ensure the By-Laws of the district are adhered to. Tasking the CEO with assessing the effectiveness or otherwise of a

comprehensive education campaign in responsible dog ownership, it is logical to also request the implementation of measures to deter and reduce incidents of irresponsible dog ownership.

Officer Comment

The Town has developed a Responsible Pet Ownership – Action Plan, which has been circulated to Councillors via the 14 March 2025 bulletin.

The motion is supported and consistent with the Town's recruitment for additional rangers.

14 Announcements of Notices of Motion for the next meeting

15 Urgent Business

16 Confidential Business

Officer Recommendation

That the following matters be considered with members of the public excluded from the Chamber under Clause 5.23 (2) of the Local Government Act 1995, in the list below.

17 Closure

The next Ordinary Council meeting will be held on Tuesday 22 April 2025 commencing at 6pm.