

# TOWN OF BASSENDEAN

## MINUTES

### ORDINARY COUNCIL MEETING

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

ON TUESDAY 30 JANUARY 2018 AT 7.00PM

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#### 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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

#### 2.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

##### 2.1 Public Question Time

Mr Bruce Keay, 11 Earlsferry Court, Bassendean

Mr Keay referred to Item 10.14 and asked if the Council now has a plan in place to wind up Town Planning Scheme 4A.

The Manager Development Services advised that there is a business plan in place. A report will be presented to Council in March.

Ms Nonie Jekabsons, 6 Barton Parade, Bassendean

Ms Jekabsons referred to Item 10.6 and asked if the policy could be amended to allow residents to apply to install a feature on their verge, such as a 'little library' or a park bench.

The Mayor responded that an alternative motion will be presented for consideration.

Ms Jekabsons referred to Item 11.2 and asked if the dwelling at number 13 complies with the R Codes.

The Manager Development Services took the question on notice.

Ms Jekabsons referred to Item 11.5 and asked if the Town would be interested in collaborating or partnering with a company who are interested in composting.

The Mayor expressed her interest in the idea and asked that Ms Jekabsons forward some details to her about the proposed project.

Mr John Sutherland, 33 Anzac Terrace, Bassendean

Mr Sutherland asked if the Town intends forming a committee to plan events/activities for the 200<sup>th</sup> anniversary celebration in 2029 of the founding of the Swan River settlement.

The Director Community Development advised that the Town has not yet considered what action it will take.

Mrs Angie Piantadosi, 4 Jubilee Avenue, Eden Hill

Mrs Piantadosi referred to Item 10.4 and asked if the Local Planning Strategy workshop will be open to the public.

The Mayor responded that the workshop is being conducted to inform and update Councillors. There will be an opportunity for the community to be involved. Community interest will be taken on board.

Mr Don Yates, 10 Thompson Road, Bassendean

Mr Yates asked the Mayor if she has spoken with Alan Deering about ramp issues at the Bassendean Shopping Centre, and the Mayor responded that she had not.

Mr Warren Wright, 58 Margaret Street, Ashfield

Mr Wright asked if the Council is aware that the proposed State Soccer Centre is based on the one in Sydney which has a 50% bigger footprint than Ashfield Reserve.

The Mayor responded the Council is not aware of that. .

Mr Wright raised concern about Council's lack of knowledge relating to traffic management and public transport issues.

Mr Wright requested that Councillors vote no to the proposal and asked that before any public consultation takes place, the State Government hand over the old business case and the new business case, including the risk matrix, so all the information can be shared with the public.

Mr Don Yates – 10 Thompson Road, Bassendean

Mr Yates made a statement that the Town's staffing levels, in his opinion, were high and above industry standards.

The CEO replied that a substantial number of the Town's staff work in Children's Services and Seniors' and Disability Services.

The CEO has provided the following comments in the minutes to verify his statement to Mr Yates:

*"The Town of Bassendean has a staff establishment of 186 for a population 16,000.*

*These are based on all staff, not full-time equivalents (FTE's), and you should note that the Bassendean figures includes Children's Services staff and Seniors' and Disabilities staff. Many of those staff are part-time and casual because of the nature of those services. The Town has 140 full-time equivalents and these two services employ 47 FTE's of the Town's total of 140 FTE's."*

**2.2 Address by Members of the Public**

Nil.

**3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE**

Present

Councillors

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

Officers

Mr Bob Jarvis, Chief Executive Officer  
Mr Ken Lapham, A/Director Corporate Services  
Mr Graeme Haggart, Director Community Development  
Mr Simon Stewart-Dawkins, Director Operational Services  
Mr Anthony Dowling, Director Strategic Planning  
Mr Brian Reed, Manager Development Services  
Mrs Amy Holmes, Minute Secretary

Public

Approximately 22 members of the public were in attendance.

Press

One member of the press was in attendance.

Apologies

Mr Michael Costarella, Director Corporate Services

Leave of Absence

Cr Brown requested a leave of absence for 4 to 7 February 2018.

COUNCIL RESOLUTION – ITEM 3.0

**OCM – 1/01/18** MOVED Cr Quinton, Seconded Cr Hamilton, that Cr Brown be granted a Leave of Absence for 4 to 7 February 2018.  
CARRIED UNANIMOUSLY 7/0

**4.0 DEPUTATIONS**

Mr Daniel Stefanelli, of 13 Hamilton Street, Bassendean, addressed Council on Item 11.2 - Casa Mia Roof.

## **5.0 CONFIRMATION OF MINUTES**

### **5.1 Ordinary Council Meeting held on 19 December 2017**

*Cr Hamilton requested an amendment to Item 13.1 – Confidential Business (OCM – 26/12/17) to show that she voted against the motion that the meeting go behind closed doors*

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

**OCM – 2/01/18** MOVED Cr Hamilton, Seconded Cr Brown, that the minutes of the Ordinary Council Meeting held on 19 December 2017, be received, with the following amendment:

*“MOVED Cr Gangell, Seconded Cr Quinton, that the meeting go behind closed doors in accordance with Section 5.23 of the Local Government Act 1995, the time being 9.25pm.*

**CARRIED 6/1**

*All Councillors voted in favour of the motion, except Cr Hamilton who voted against the motion.”*

**CARRIED UNANIMOUSLY 7/0**

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

**OCM – 3/01/18** MOVED Cr Wilson, Seconded Cr Hamilton, that the minutes of the Ordinary Council Meeting held on 19 December 2017, as amended, be confirmed as a true record.

**CARRIED UNANIMOUSLY 7/0**

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

Nil

## **7.0 PETITIONS**

Nil

## **8.0                      DECLARATIONS OF INTEREST**

Cr Mykytiuk declared a Proximity Interest for Item 10.17 – Accounts for Payment - Remediation of 271 Hamilton Street, Bassendean, as she lives opposite the site.

Crs McLennan, Hamilton, Mykytiuk & Quinton declared an Impartiality Interest for Item 13.1 - Appointment of Members to Committees – 2017 to 2019.

The CEO declared a financial interest for Item 13.2 - Chief Executive Officer - Contract of Employment.

## **9.0                      BUSINESS DEFERRED FROM PREVIOUS MEETING**

Nil

## **10.0                     REPORTS**

### **10.1            Adoption of Recommendations En Bloc**

It was agreed that items 10.2, 10.6, 10.11 & 10.17 be removed from the en-bloc table and considered separately.

### **COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.1**

**OCM – 4/01/18**      MOVED Cr Mykytiuk, Seconded Cr Hamilton, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Meeting Agenda of 30 January 2018:

<b>Item</b>	<b>Report</b>
10.3	Third Party Appeal Rights in Planning – WALGA Consultation with Members
10.4	Report on Review of Western Australian Planning Commission Development Control Policy 2.2 – Residential Subdivision
10.12	Determinations Made by the Principal Building Surveyor
10.13	Determinations Made by Development Services
10.14	Use of the Common Seal
10.15	Calendar for February 2018
10.16	Implementation of Council Resolutions
10.18	Financial Statements – December 2017

**CARRIED UNANIMOUSLY 7/0**

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

Item	Report
10.2	Draft Town of Bassendean Development Bonds Policy – Compliance with Conditions of Development Approval
10.5	Whitfield Street and Hamilton Street On-Street Parking
10.6	Verge Treatment Policy and Verge Maintenance Policy
10.7	State Football (Soccer) Centre – Town of Bassendean Position on Ashfield Reserve as a Potential Site
10.8	Review of Governance Policies 6.6, 6.8, 6.9 & 6.16
10.9	Audio Council Chamber, Audio Recordings of Agenda, Briefing Sessions, Ordinary Council Meetings and Special Council Meetings to the Public via the Website (Ref: GOVN/CCLMEET/1 - Mike Costarella, Director Corporate Services)
10.10	Appointment of Councillors to Statutory Committees
10.11	Quarterly Report for Period Ended 31 December 2017
10.17	Accounts for Payment – December 2017
11.1	Notice of Motion – Cr McLennan: Caretaker Period Policy
11.2	Notice of Motion – Cr Hamilton: Casa Mia Roof
11.3	Notice of Motion – Cr Quinton: LED Light Report
11.4	Notice of Motion – Cr Brown: Industrial Land adjacent and to the north west of Ashfield Train Station, situated on Railway Parade, Ashfield
11.5	Notice of Motion - Cr Wilson: Waste Strategy
11.6	Notice of Motion – Cr Wilson: Hire of Facilities
13.1	Appointment of Members to Committees – 2017 to 2019
13.2	Chief Executive Officer - Contract of Employment

**10.2 Draft Town of Bassendean Development Bonds Policy – Compliance with Conditions of Development Approval (Ref: LUAP/PLANNG/1 - Timothy Roberts, Planning Officer)**

**APPLICATION**

The purpose of this report was for Council to consider an amendment to the Development Bonds Policy so that the Town can better manage compliance with conditions of development approval.

**OFFICER RECOMMENDATION — ITEM 10.2**

That Council adopts the ‘Town of Bassendean Development Bonds Policy – Compliance with Conditions of Development Approval’ Version 3 dated January 2018 with commencement of the policy to start in the 2018/2019 financial year.

*Cr Hamilton moved an amendment to the Policy.*

COUNCIL RESOLUTION – ITEM 10.2(a)

**OCM – 5/01/18** MOVED Cr Hamilton, Seconded Cr Wilson that the *Town of Bassendean Development Bonds Policy – Compliance with Conditions of Development Approval* Policy be amended to read:

“REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT

***New Grouped or Multiple Dwellings***

*A bond of \$1,500, or 1.5% of the estimated cost of the development, (whichever is the greater), is required prior to the issue of a building licence.”*

CARRIED 6/1

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

COUNCIL RESOLUTION – ITEM 10.2(b)

**OCM – 6/01/18** The substantive motion which was MOVED by Cr Hamilton and Seconded Cr Wilson, which reads:

*“That Council:*

- 1. Adopts the ‘Town of Bassendean Development Bonds Policy – Compliance with Conditions of Development Approval’ Version 3 dated January 2018 with commencement of the policy to start in the 2018/2019 financial; and*
- 2. Amends the Bassendean Development Bonds Policy – Compliance with Conditions of Development Approval’ Policy be amended to read:*

“REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT

***New Grouped or Multiple Dwellings***

*A bond of \$1,500, or 1.5% of the estimated cost of the development, (whichever is the greater), is required prior to the issue of a building licence.”*

was put to the vote and CARRIED UNANIMOUSLY 7/0



**10.3 Third Party Appeal Rights in Planning – WALGA Consultation with Members (Ref: DABC/LEGLTN/1 Christian Buttle, Senior Planning Officer)**

APPLICATION

To give consideration to the Western Australian Local Government Association's (WALGA) report on outcomes of consultation with members on Third Party Appeal Rights in Planning.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.3

**OCM – 7/01/18** MOVED Cr Mykytiuk, Seconded Cr Hamilton, that in response to a letter from WALGA dated 1 December 2017, Council advises WALGA that it supports its recommended position to support the introduction of Third Party Appeal Rights for decisions made by Development Assessment Panels.  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/01/17 7/0

**10.4 Report on Review of Western Australian Planning Commission Development Control Policy 2.2 – Residential Subdivision (Ref: Christian Buttle, Senior Planning Officer)**

APPLICATION

To provide Councillor's with an information report relating to the Western Australian Planning Commission's (WAPC) recent adoption of an amended Development Control (DC) Policy 2.2 – Residential Subdivision and to note current and potential future implications for the Town relating to the WAPC's adoption of this policy.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.4

**OCM – 8/01/18** MOVED Cr Mykytiuk, Seconded Cr Hamilton, that Council receives the Officer report, notes the recommendations that are identified within the report and has regard to the information contained within the report when further reviewing the current Local Planning Strategy.  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/01/17 7/0

**10.5 Whitfield Street and Hamilton Street On-Street Parking (Ref: LAWE/REPRNG/3 – Trent Macpherson, Engineering Technical Coordinator, Nicole Baxter, Engineering Officer)**

**APPLICATION**

The purpose of this report was to provide Council with feedback from residents regarding the On-Street Parking Bays in Whitfield Street and Hamilton Street between Old Perth Road and Palmerston Street.

**OFFICER RECOMMENDATIONS – ITEM 10.5**

That:

1. Council defers the consideration of the Whitfield Street and Hamilton Street parking bays issues until after the Community Workshop for the Whitfield Street Bicycle Boulevard and a concept plan proposal have been endorsed; and
2. After the Whitfield Street Bicycle Boulevard concept plan has been endorsed that a further report be provided in order to consider the Whitfield Street and Hamilton Street parking bay issues.

**OR**

That Council:

1. Acknowledges the on-street parking bays were installed as per the Australian Standard dimensions and that any reduction in the number of parking bays will impact the overall number of car parking spaces within residential streets and the Bassendean Activity Centre;
2. Authorises the decrease in the number of parking bays provided and the realignment of lessor parking bays to meet local residents expectations;
3. Approves “No Parking” restrictions on the opposite side to the on-street parking bays. This being “No Parking” in Hamilton Street on the eastern side of the road and in Whitfield Street “No Parking” on the western side of the road, from Old Perth Road to Palmerston Street, and monitor if the access issue is alleviated;

4. Approves allocating an amount of \$1,500 from the 2017-18 Operations Budget, "Street Signs & Road Marking" WR0004, for the installation of the No Parking Restrictions within Hamilton Street on the eastern side of the road and in Whitfield Street "No Parking" on the western side of the road, from Old Perth Road to Palmerston Street; and
5. Approves allocating an amount of \$3,000 from the 2017-18 Operations Budget, "Street Signs & Road Marking" WR0004 for the removal and realignment of lessor parking bays within Whitfield & Hamilton Street from Old Perth Road to Palmerston Street.

### MOTION

MOVED Cr Gangell, that Council:

1. Acknowledges the on-street parking bays were installed as per the Australian Standard dimensions and that any reduction in the number of parking bays will impact the overall number of car parking spaces within residential streets and the Bassendean Activity Centre;
2. Authorises the decrease in the number of parking bays provided and the realignment of lessor parking bays to meet local residents expectations;
3. Approves "No Parking" restrictions on the opposite side to the on-street parking bays. This being "No Parking" in Hamilton Street on the eastern side of the road and in Whitfield Street "No Parking" on the western side of the road, from Old Perth Road to Palmerston Street, and monitor if the access issue is alleviated;
4. Approves allocating an amount of \$1,500 from the 2017-18 Operations Budget, "Street Signs & Road Marking" WR0004, for the installation of the No Parking Restrictions within Hamilton Street on the eastern side of the road and in Whitfield Street "No Parking" on the western side of the road, from Old Perth Road to Palmerston Street; and
5. Approves allocating an amount of \$3,000 from the 2017-18 Operations Budget, "Street Signs & Road Marking" WR0004 for the removal and realignment of lessor parking bays within Whitfield & Hamilton Street from Old Perth Road to Palmerston Street.

LAPSED FOR WANT OF A SECONDER

*Cr McLennan moved an alternative Motion.*

COUNCIL RESOLUTION – ITEM 10.5

**OCM – 9/01/18** MOVED Cr McLennan, Seconded Cr Wilson, that Council:

1. Acknowledges the on-street parking bays were installed as per the Australian Standard dimensions and that any reduction in the number of parking bays will impact the overall number of car parking spaces within residential streets and the Bassendean Activity Centre;
2. Authorises remedial action of:
  - a) the parking bays located at the south east corner of the intersection of Whitfield Street and Old Perth Road to address the issues created by having a parking bay/s so close to the intersection; and
  - b) the parking bays outside of No. 30 & 32 Hamilton Street to address the concerns raised by residents;
3. Approves “No Street Parking” restrictions on the opposite side to the on-street parking bays. This being “No Street Parking” in Hamilton Street on the eastern side of the road and in Whitfield Street “No Street Parking” on the western side of the road, from Old Perth Road to Palmerston Street, but allowing parking on the verge adjacent to Palmerston Square, and monitor if the access issue is alleviated;
4. Approves allocating an amount of \$1,500 from the 2017-18 Operations Budget, “Street Signs & Road Marking” WR0004, for the installation of the No Parking Restrictions within Hamilton Street on the eastern side of the road and in Whitfield Street “No Street Parking” on the western side of the road, from Old Perth Road to Palmerston Street and remedying the bays at the corner of Whitfield Street & Old Perth Road and outside No. 30 & 32 Whitfield Street;
5. Letterboxes residents on Whitfield Street and Hamilton Street between Old Perth Road and Palmerston Street seeking feedback on the current parking arrangements before any further action is considered; and
6. Requests that staff prepare indicative costings for consideration in the budget process for the replacement of the kerb on the east side of Hamilton street adjacent to the park south to Palmerston Street with soft shoulder kerbing to facilitate parking on the verge instead of the east side of Hamilton Street.

CARRIED 6/1

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

**10.6 Verge Treatment Policy and Verge Maintenance Policy (Ref: COUP/MAINT/1 – Trent Macpherson (Engineering Technical Coordinator) and Andreea Balica (Engineering Technical Assistant / Compliance Officer))**

**APPLICATION**

The purpose of this report was to outline the proposed changes to the Verge Treatment and Maintenance Policy.

**OFFICER RECOMMENDATION – ITEM 10.6**

That Council refers the amended draft Verge Maintenance Policy and the amended draft Verge Treatment Policy, attached to the Ordinary Council Agenda of 30 January 2018, to the Town Assets Committee to be held on 6 February 2018, for consideration.

**LAPSED FOR WANT OF A MOVER**

*Cr McLennan moved an alternative Motion.*

**COUNCIL RESOLUTION – ITEM 10.6**

**OCM – 10/01/18** MOVED Cr McLennan, Seconded Cr Wilson, that Council:

1. Supports the continuation of the current free verge treatment review service but emphasizes that, although it is a requirement for landscaping to be compliant, it is not compulsory for an application to be submitted;
2. Acknowledges the efforts made by officers in preparing the amended draft “Verge Maintenance Policy” & the amended draft “Verge Treatment Policy” attached to the Ordinary Council Agenda of 30 January 2018 but notes that the documents do not fully achieve Council’s intended purpose;
3. Requests the City of Bayswater “Street Verges Policy” & “Verge Greening Guidelines” be presented to the Town Assets committee at its meeting scheduled for Tuesday 6th February and to the Verge Transformation Group for comment prior to re-drafting the new Town of Bassendean policy & guidelines;

4. Requests officers to prepare a new draft policy and associated guidelines that essentially replicate the current City of Bayswater "Street Verges Policy" & "Verge Greening Guidelines" including its clear, simplified format and incorporating feedback from the Town Assets Committee and Verge Transformation group;
5. Requests that an approval process be documented for the installation of verge infrastructure such as "little libraries" or bench seating;
6. Requests officers prioritise reviewing the "Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2010" as soon as possible with a view to amending clause 2.7(iii) to allow for the installation of compliant raised garden beds; and
7. Requests officers liaise with the City of Bayswater staff regarding their experience with public liability insurance to cover this change prior to negotiating with LGIS.

CARRIED UNANIMOUSLY 7/0

**10.7 State Football (Soccer) Centre – Town of Bassendean Position on Ashfield Reserve as a Potential Site (Ref: COUP/USAGE/9 - Salvatore Siciliano, A/Director Community Development)**

APPLICATION

The purpose of this report was for Council to consider a request from the Department of Local Government, Sport and Cultural Industries (Sport and Recreation WA) as to the Town's position on Ashfield Reserve being considered as a potential site for the development of the State Football (Soccer) Centre.

Cr Brown's foreshadowed the following motion, should be Officer Recommendation lapse:

*"That:*

1. *Council advises the Department of Sport and Recreation that it was very disappointed with how this project progressed despite the previous Council resolution which specified a non-negotiable condition (m) "A community engagement process to be maintained throughout the project and the preplanning information and plans be released to the public and all further project development be transparent" with the former Premier announcing that the Ashfield site had been selected and presenting plans for the site without there being any further consultation with*

*Council or the community and that this has created significant angst in the community around this project;*

- 2. Council advises the Department of Sport & Recreation of the previous, unanimous Council decision (OCM16/03/2017) to set aside the Ashfield Reserve Community Consultation survey and ensure that no reference to this survey is made in any future decision making;*
- 3. Council advises the Department of Sport & Recreation that before giving any further consideration of support to the proposal, open and transparent community consultation is required to allow well informed feedback to be received from the community around this project;*
- 4. Council requests the Department of Sport & Recreation liaise with the Town of Bassendean to arrange an open forum at the Ashfield Soccer Club and present details of the proposal to the community and provide the opportunity for questions;*
- 5. In addition, following the forum, the Town would conduct its own survey of the community, including letter boxing all residents in the immediate vicinity of the Ashfield Reserve, including concept plans of the proposed State Football Centre; and*
- 6. Only then will Council be in a position to notify the Department regarding support for the Ashfield Reserve continuing to be considered as a potential site for the State Football (Soccer) Centre”.*

#### OFFICER RECOMMENDATION – ITEM 10.7

1. That Council:
  - a) Advises Sport and Recreation (WA) of its current position on Ashfield Reserve being shortlisted as a potential site for the development of the State Football (Soccer) Centre;

or

2. That Council:

- a) Revokes its previous decision SCM – 1/5/16, Point 2, which reads:

*“The CEO notifies the Department for Sport and Recreation that Council supports Ashfield Reserve being shortlisted for consideration as a potential site for the State Football (Soccer) Centre”; and*

- b) Advises Sport and Recreation (WA) of its decision that it does not support Ashfield Reserve as a potential site for the State Football (Soccer) Centre.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.7

**OCM – 11/01/18** MOVED Cr Mykytiuk, Seconded Cr Wilson and Cr Hamilton, that Council:

1. Revokes its previous decision SCM – 1/5/16, Point 2, which reads:

*“The CEO notifies the Department for Sport and Recreation that Council supports Ashfield Reserve being shortlisted for consideration as a potential site for the State Football (Soccer) Centre”; and*

2. Advises Sport and Recreation (WA) that Council does not support Ashfield Reserve as a potential site for the State Football (Soccer) Centre.

CARRIED BY AN ABSOLUTE MAJORITY 5/2

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

**10.8 Review of Governance Policies 6.6, 6.8, 6.9 & 6.16 (Ref: GOVR/POLCY/1 - Bob Jarvis, Chief Executive Officer and the Corporate Management Team)**

APPLICATION

Council was requested to adopt the revised Leadership and Governance Policies following a workshop held on the 21 November 2017.



It should be noted that Policy 6.7 – Electronic Recording of Council Meetings, is subject to a separate report in the agenda.

**OFFICER RECOMMENDATION - ITEM 10.8**

That Council adopts Governance Policies 6.6; 6.8; 6.9; and 6.16, as attached to the Ordinary Council Meeting Agenda of 30 January 2018.

*Cr Wilson moved an alternative motion.*

**COUNCIL RESOLUTION – ITEM 10.8(a)**

**OCM – 12/01/18** MOVED Cr Wilson, Seconded Cr Quinton, that:

1. In order to give effect to the amendment of Policy 6.8 as marked in track changes in attachment 7 to the Ordinary Council Agenda of 30 January 2018, which seeks to remove unnecessary restrictions on Councillors' Notices of Motion, Council rescinds OCM2–13/08/09, which reads:

*“1. When a Notice of Motion is proposed and presented, a reasonable amount of supportive background information, including but not limited to drawings and/or pictures submitted by Councillors, be included with the Notice of Motion;*

*2. The maximum printed size of the motion and background material be limited to an A4 page document; and*

*3. Such supportive background information is not to be part of the body of the motion, unless so included”;*

2. Policy No. 6.16 – Investments, include that the Town will not engage in leverage investments or securities.

**CARRIED UNANIMOUSLY 7/0**

COUNCIL RESOLUTION - ITEM 10.8(b)

**OCM – 13/01/18** The motion which as MOVED Cr Wilson, Seconded Cr Quinton, that:

1. Council adopts Governance Policies 6.6; 6.8; 6.9; and 6.16, as attached to the Ordinary Council Meeting Agenda of 30 January 2018;
2. In order to give effect to the amendment of Policy 6.8 – Notices of Motions, as marked in track changes in attachment 7 to the Ordinary Council Agenda of 30 January 2018, which seeks to remove unnecessary restrictions on Councillors' Notices of Motion, Council rescinds OCM2–13/08/09, which reads:
  - “1. *When a Notice of Motion is proposed and presented, a reasonable amount of supportive background information, including but not limited to drawings and/or pictures submitted by Councillors, be included with the Notice of Motion;*
  2. *The maximum printed size of the motion and background material be limited to an A4 page document; and*
  3. *Such supportive background information is not to be part of the body of the motion, unless so included” and*
3. Policy No. 6.16 – Investment Policy, include that the Town will not engage in leverage investments or securities,

was put to the vote and CARRIED BY AN ABSOLUTE MAJORITY 7/0

**10.9 Audio Council Chamber, Audio Recordings of Agenda, Briefing Sessions, Ordinary Council Meetings and Special Council Meetings to the Public via the Website (Ref: GOVN/CCLMEET/1 – Bob Jarvis – Chief executive Officer)**

APPLICATION

The purpose of this report was for Council to consider:

1. Quotations received for the upgrade of the Audio Recording and Public Address system for the Council Chambers;
2. Summary of Risk advice provided for Councillors consideration and

3. The amendment to Policy 6.7 to reflect the Council resolution.

OFFICER RECOMMENDATION — ITEM 10.9

1. That Council:
  - a) Upgrades the Council Chamber public address system and recording system to a digital system;
  - b) Allocates an amount of \$14,000 in the 2017/18 Budget review for this purpose; and
  - c) Adopts a revised Policy 6.17- Electronic Recordings of Council Meetings which reflects Council's resolutions.

**OR**

2. That Council:
  - a) Pursues a modest upgrade of the Chambers recording and audio system to improve amplification and provide a basic live streaming option using existing staff resources to design and implement using off-the-shelf equipment, acknowledging that the Chambers does not lend itself well to cabling, it will not include an audio loop or equivalent, and that \$5,000 be allocated in the Budget Review to carry out the work; and
  - b) Adopts a revised Policy 6.17 - Electronic Recordings of Council Meetings which reflects Council's resolutions.

*Cr McLennan moved Officer Recommendation 2 with an amendment to point b), now point 2.*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.9

**OCM – 14/01/18** MOVED Cr McLennan, Seconded Cr Hamilton, that Council:

1. Pursues a modest upgrade of the Chambers recording and audio system to improve amplification and provide a basic live streaming option using existing staff resources to design and implement using off-the-shelf equipment, acknowledging that the Chambers does not lend itself well to cabling, it will not include an audio loop or equivalent, and that \$5,000 be allocated in the Budget Review to carry out the work; and

**2. Requests that officers redraft “Policy 6.17 – Electronic Recordings of Council Meetings” to:**

- a) update the objectives including a reference to transparency and accessibility for the public;
- b) remove obsolete paragraphs from the strategy;
- c) incorporate the provision of live streaming;
- d) identify what parts of the meeting will be included/excluded in recordings &/or streaming;
  
- e) outline what measures will be taken to ensure the public are aware that they are being recorded, including an announcement by the presiding person and a written notification in the Council Chamber;

and presents the revised draft to Council for consideration at the February OCM.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

**10.10 Appointment of Councillors to Statutory Committees (Ref: GOVN/CCLMEET/1 – Yvonne Zaffino, Council Support Officer)**

APPLICATION

Councillors are requested to consider nominating as delegates on Council’s internal Statutory committees for a two year period, expiring on the next ordinary Local Government election day, unless otherwise indicated.

*Due to the resignation of Cr Mykytiuk from the Town Assets Committee, nominations were called for this vacant position.*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.10

**OCM – 15/01/18** MOVED Cr Mykytiuk, Seconded Cr Quinton, that Council appoints the following Councillors to be Members and Deputy Members to the following Statutory Committees for the 2017/19 term:

<b>Committee</b>	<b>Member(s)</b>	<b>Deputy</b>
Access and Inclusion Committee	Cr Quinton	Cr Wilson
Audit and Governance Committee	Cr Hamilton Cr Wilson Cr Mykytiuk	Cr Brown
Bassendean Local Emergency Management Committee	Cr Mykytiuk Cr Brown	Cr Hamilton
Town Assets Committee	Cr McLennan	

CARRIED BY AN ABSOLUTE MAJORITY 7/0

**10.11 Quarterly Report for Period Ended 31 December 2017 (Ref: FINM/AUD/1 – Bob Jarvis, Chief Executive Officer)**

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.11

**OCM – 16/01/18** MOVED Cr Wilson, Seconded Cr Mykytiuk, that Council receives the Quarterly Report for the quarter ended 31 December 2017.

CARRIED UNANIMOUSLY 7/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.12

**OCM – 17/01/18** MOVED Cr Mykytiuk, Seconded Cr Hamilton, that Council notes the decisions made under delegated authority by the Principal Building Surveyor.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/01/17 7/0

**10.13 Determinations Made by Development Services (Ref: LUAP/PROCED/1 – Christian Buttle, Senior Planning Officer)**

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.13

**OCM – 18/01/18** MOVED Cr Mykytiuk, Seconded Cr Hamilton, that Council notes the decisions made under delegated authority by the Manager Development Services.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-4/01/17 7/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.14

**OCM – 19/01/18** MOVED Cr Mykytiuk, Seconded Cr Hamilton, that Council notes the affixing of the Common Seal to the document listed in the Ordinary Council Meeting Agenda of 30 January 2018.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-4/01/17 7/0

**10.15 Calendar for February 2018 (Ref: Sue Perkins, Executive Assistant)**

COUNCIL RESOLUTION/OFFICER RECOMMENDATION -  
ITEM 10.15

**OCM – 20/01/18** MOVED Cr Mykytiuk, Seconded Cr Hamilton, that the Calendar for February 2018 be adopted.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-4/01/17 7/0

**10.16 Implementation of Council Resolutions (Ref: GOVN/CCLMEET/1 – Sue Perkins)**

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.16**

**OCM – 21/01/18** MOVED Cr Mykytiuk, Seconded Cr Hamilton, that the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 30 January 2018 be deleted from the Implementation of Council Resolutions list.  
**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/01/17 7/0**

**10.17 Accounts for Payment – December 2017 (Ref: FINM/CREDTS/4 – Ken Lapham, Manager Corporate Services)**

*Cr Mykytiuk declared a Proximity Interest and left the Chamber, the time being 8.50pm.*

**APPLICATION**

The purpose of this report was for Council to receive the Accounts for Payment in accordance with Regulation 13 (3) of the Local Government (Financial Management) Regulations 1996.

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.17**

**OCM – 22/01/18** MOVED Cr Wilson, Seconded Cr Brown, that Council receives the List of Accounts Paid for December 2017, as attached to the Ordinary Council Meeting Agenda of 30 January 2018.  
**CARRIED UNANIMOUSLY 6/0**

*Cr Mykytiuk returned to the Chamber, the time being 8.55pm.*

**10.18 Financial Statements – December 2017 (Ref: FINM/AUD/1 – Ken Lapham, Manager Corporate Services)**

**APPLICATION**

The Local Government Financial Management Regulations, Clause 34(1) requires that a monthly financial report be presented to Council. A Local Government is to prepare each month a statement of financial activity that clearly shows a comparison of the budget estimates with the actual revenue and expenditure figures for the year to date.

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.18**

**OCM – 23/01/18** MOVED Cr Mykytiuk, Seconded Cr Hamilton, that the Financial Reports for the period ended 31 December 2017, as attached to the Ordinary Council Agenda of 30 January 2018, be received.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/01/17 7/0**

**11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**11.1 Notice of Motion – Cr McLennan – Caretaker Period Policy**

**COUNCIL RESOLUTION – ITEM 11.1**

**OCM – 24/01/18** MOVED Cr McLennan, Seconded Cr Brown, that Council:

1. Endorses the introduction of a caretaker period in the lead up to ordinary local government elections; and
2. Requests staff prepare a draft “Caretaker Period Policy” for Council’s consideration in advance of the next local government election scheduled for 2019.

**CARRIED UNANIMOUSLY 7/0**



## **11.2 Notice of Motion – Cr Hamilton: Casa Mia Roof**

### **COUNCIL RESOLUTION – ITEM 11.2**

**OCM – 25/01/18** MOVED Cr Hamilton, Seconded Cr Gangell, that Council:

1. Requests staff liaise with the owner of 13 Hamilton Street regarding the Town's installation of zincalume roofing to the Casa Mia School at 11 Hamilton Street in an effort to seek an economical solution to the reflective glare issue it is reported to have created;
2. Requests that a summary of the agreed course of action, together with the financial costings and any other implications be provided to Council for consideration prior to the commencement of any remedial works;
3. Funds any remedial work from the residual balance of the initial budget allocation for the roofing works that is left over from the works completed in December 2017;
4. Requests staff to prepare a "Reflective Roofing Policy" for Council's consideration when reviewing the Town's building policies; and
5. In future, when capital works are planned to be conducted on one of the Town's buildings that will potentially impact adjoining properties, communication with the adjacent property owners about the proposed works will be undertaken prior to any works commencing.

**CARRIED UNANIMOUSLY 7/0**

## **11.3 Notice of Motion – Cr Quinton: LED Light Report**

### **COUNCIL RESOLUTION – ITEM 11.3**

**OCM – 26/01/18** MOVED Cr Quinton, Seconded Cr Hamilton, that Council:

1. Requests staff investigate Western Power's recently completed Local Government procurement process to upgrade street lamps with LED luminaires; and
2. Requests staff prepare a report for the first Sustainability Committee meeting on 13 March 2018, detailing:
  - a) The current list of LED lights within the Town of Bassendean;
  - b) The current underground power by street;

- c) The current cost of power to the Town on a monthly basis;
- d) The current Co2 emissions calculated over 12 months;
- e) The expected cost to transition to LED lights based on Western Power's new LED procurement process;
- f) The expected financial cost and Co2 savings once transitioned.

CARRIED UNANIMOUSLY 7/0

**11.4 Notice of Motion – Cr Brown: Industrial land adjacent and to the north west of Ashfield Train Station, situated on Railway Parade, Ashfield**

COUNCIL RESOLUTION – ITEM 11.4

**OCM – 27/01/18** MOVED Cr Brown, Seconded Cr Wilson, that the Town of Bassendean approach the Minister for State Planning seeking to generate discussion on the subject of development for multi-storey residential purposes, upon that industrial land adjacent and to the north west of Ashfield Train Station, situated on Railway Parade, Ashfield.

CARRIED 6/1

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

**11.5 Notice of Motion - Cr Wilson: Waste Strategy**

COUNCIL RESOLUTION – ITEM 11.5

**OCM – 28/01/18** MOVED Cr Wilson, Seconded Cr McLennan, Cr Hamilton and Cr Quinton, that Council:

1. Revokes the decision of the Ordinary Council Meeting held 30 October 2017 (OCM - 30/1/17) – Item 13.3 - Eastern Metropolitan Regional Council Resource Recovery Facility – Participant Agreement for Waste Supply and Financiers Side Deed, update, and progress on request for extension Council Resolution - Item 13.3), which reads:

*“1. Council authorises the Chief Executive Officer, in consultation with the Mayor, to immediately seek legal advice and make changes to the Agreements forming the confidential attachments to the 17 October 2017 Ordinary Council Meeting agenda; and*

2. *Council commits to support the Participants Agreement for a Waste Supply Agreement and the Financier Side Deed (attached as confidential items to the Ordinary Council Meeting agenda of 17 October 2017), subject to being negotiated to the satisfaction of the Town of Bassendean in regard to the independent legal advice received by the Town;*
3. *Council authorises the Mayor and the Chief Executive Officer to sign the Participants Agreement for a Waste Supply Agreement and the Financier Side Deed with the Security Trustee under Common Seal (attached as confidential items to the Ordinary Council Meeting Agenda of 17 October 2017), subject to the satisfactory amendments as detailed in point 2 above; and*
4. *The report and attachments remain confidential and be certified by the Mayor and Chief Executive Officer.”*

and

2. Advises the EMRC:

- a) That the Town of Bassendean has committed to developing a waste strategy, in conjunction with the community, with the purpose of reducing the Town's waste production and increasing the Town's waste diversion levels through waste management according to measures higher up the waste hierarchy than disposal;
- b) Therefore, the Town of Bassendean will not be committing any of its residual waste to a long term contract for a waste-to-energy Resource Recovery Facility in East Rockingham at this stage;
- c) That instead, the Town would like to work with the EMRC to explore **alternative options to the incineration of the Town's residual waste including** a trial/scalable anaerobic digester facility at the EMRC's Red Hill site for the Town's residual waste; and
- d) That the Town of Bassendean reaffirms its commitment to the EMRC and its desire to remain within the regional Council.

CARRIED 6/1

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

**11.6 Notice of Motion – Cr Wilson: Hire of Facilities**

Cr Wilson added additional wording to the motion, as shown in bold below:

**COUNCIL RESOLUTION – ITEM 11.6**

**OCM – 29/01/18** MOVED Cr Wilson, Seconded Cr Brown, that Town staff **amend the conditions of hire for Town facilities to make it a requirement** that any advertising for events held at those facilities by the applicant clearly state who the applicant hiring the facility is.

**CARRIED UNANIMOUSLY 7/0**

**12.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**

Nil

**13.0 CONFIDENTIAL BUSINESS**

**COUNCIL RESOLUTION – ITEM 13.0(a)**

**OCM – 30/01/18** MOVED Cr Hamilton, Seconded Cr Quinton, that the meeting go behind closed doors in accordance with Section 5.23 of the Local Government Act 1995, the time being 9.55pm.

**CARRIED UNANIMOUSLY 7/0**

*All members of the public vacated the Chamber, the time being 9.55pm.*

**13.1 Appointment of Members to Committees – 2017 to 2019 (Ref: GOVN/CCLMEET/1 - Yvonne Zaffino, Council Support Officer)**

*This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (2) (b) of the Local Government Act 1995, as the officer report discusses information of a personal nature.*

**APPLICATION**

Council was requested to appoint community members to its Committees for a two year period expiring on the next ordinary Local Government election day.

*Crs McLennan, Hamilton, Mykytiuk & Quinton declared an Impartiality Interest for Item 13.1 - Appointment of Members to Committees – 2017 to 2019.*

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 13.1**

**OCM – 31/01/18** MOVED Cr Brown, Seconded Cr Quinton, that:

1. Council appoints the following members and notes those organisations on its Committees for the 2017/19 term:

<b>Name of Committee</b>	<b>Members</b>
Access and Inclusion Committee	Annie Klaassen Darren Taylor Terri Aldridge Wouterina (Tina) Klein Jennie MacLachlan
Audit and Governance Committee	Tom Klaassen Ian Walters
Design Bassendean	Ross Jutras-Minett Coan Harvey Phillip Burton Moss Johnson David Doy Jennie Collins
Economic Development Committee	Elliott Brannen Stuart Ridgway
People Services Committee	Donna Czekalowski Emily Wilding Jeanette Maddison Marie Molloy Shonie McKibbin Jennie Carter
River Parks Committee	John Wood Nonie Jekabsons Paul Bridges Naomi Bannister Jane Bremmer

Sustainability Committee	Chris Mahony Laura Simes Miles Flavel Mick Doyle Caroline Easton
Youth Advisory Council	Andrew Harrison Adam Foster Michael Young Matt Pearson

2. Council re-advertises and actively recruits for additional members on those Committees where vacancies are required to be filled;
3. Those nominees who have been unsuccessful be thanked for their interest in nominating for a Committee.
4. **The Instruments of Appointment and Delegation be amended to increase the membership, where necessary.**

CARRIED UNANIMOUSLY 7/0

**13.2 Chief Executive Officer - Contract of Employment (Ref: HR/PER-FIL/2018 - Mike Costarella, Director Corporate Services)**

*The CEO declared a financial interest for Item 13.2 - Chief Executive Officer - Contract of Employment.*

*All staff vacated the Chamber, the time being 10.40pm.*

*This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (2) (c) and (d) of the Local Government Act 1995, as the Officer report discusses details of the CEO's contract.*

**APPLICATION**

This report was to inform Council of the CEO's intention not to renew the current contract which expires on the 19 January 2019, in accordance with Clause 5 of the Contract of Employment.

COUNCIL RESOLUTION – ITEM 13.2

**OCM – 32/01/18** MOVED Cr McLennan, Seconded Cr Gangell, that Council:

1. Notes the advice received from the CEO regarding his contract; and
2. Considers the CEO recruitment process at its February Ordinary Council Meeting.

CARRIED UNANIMOUSLY 7/0

COUNCIL RESOLUTION – ITEM 13.0(b)

**OCM – 33/01/18** MOVED Cr Gangell, Seconded Cr Wilson, that the meeting come from behind closed doors, the time being 10.51pm.

CARRIED UNANIMOUSLY 7/0

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

**14.0** **CLOSURE**

The next Briefing Session will be held on Tuesday 20 February 2017 commencing at 7.00pm.

The next Ordinary Council meeting will be held on Tuesday 27 February 2018 commencing at 7.00pm.

There being no further business, the Presiding Member declared the meeting closed, the time being 10.52pm.