

# TOWN OF BASSENDEAN

## NOTICE OF ORDINARY COUNCIL MEETING

An Ordinary Meeting of the Council of the Town of Bassendean will be held on Tuesday, 27 November 2018 in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 7.00pm.

Peta Mabbs  
**CHIEF EXECUTIVE OFFICER**

23 November 2018

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## A G E N D A

### 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

#### Acknowledgement of Traditional Owners

The Town of Bassendean acknowledges the past and present traditional owners of the land on which we gather to conduct this meeting, and pays its respects to their Elders, both past and present.

**Members of the public are requested to sign the attendance sheet located on the table at the rear of the Council Chamber.**

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

*It should be noted that public questions and 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.*

#### 2.1 Public Question Time

*Members of the public who wish to do so may ask questions at this point in the agenda.*

**2.2 Address by Members of the Public**

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

Apologies

Cr Renee McLennan – Leave of Absence

**4.0 DEPUTATIONS**

**5.0 CONFIRMATION OF MINUTES**

**5.1 Ordinary Council Meeting held on 23 October 2018**  
**(Attachment No. 1)**

OFFICER RECOMMENDATION – ITEM 5.1(a)

That the minutes of the Ordinary Council meeting held on 23 October 2018, be received.

OFFICER RECOMMENDATION – ITEM 5.1(b)

That the minutes of the Ordinary Council meeting held on 23 October 2018, be confirmed as a true record.

**5.2 Special Council Meeting held on 20 November 2018**  
**(Attachment No. 2)**

OFFICER RECOMMENDATION – ITEM 5.2(a)

That the minutes of the Special Council meeting held on 20 November 2018, be received.

OFFICER RECOMMENDATION – ITEM 5.2(b)

That the minutes of the Special Council meeting held on 20 November 2018, be confirmed as a true record.

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

## **7.0                      PETITIONS**

## **8.0                      DECLARATIONS OF INTEREST**

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

### **9.1                      Dog Local Law Review 2018 (Ref: LAWE/LOCLWS/2 – Sharna Merritt, Senior Ranger)**

#### **APPLICATION**

The purpose of this report is for Council to consider the preparation of the new Dogs Local Law.

**Section 3.12 (2) of the Act requires the person presiding at the Council meeting to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.**

#### **PURPOSE AND EFFECT**

##### **DOGS LOCAL LAW**

The **purpose** of the proposed Dogs Local Law is to provide for the management of dogs within the Town of Bassendean in relation to containment, number of dogs at a premise and excreta.

The **effect** of the proposed Dogs Local Law is that dog owners within the Town are to comply with the provisions of this local law.

#### **ATTACHMENTS**

##### **Attachment No. 3:**

Proposed Town of Bassendean Dogs Local Law

#### **BACKGROUND**

Section 3.16 of the *Local Government Act 1995* requires that all adopted local laws be reviewed within a period of 8 years to determine whether or not it considers that it should be repealed or amended.

The Town's *Dogs Local Law 2001* was gazetted in 2001 and amended in 2006 and are therefore overdue for a review.

At the October Council Meeting the reviewed Parking and Dogs Local laws were presented for approval to commence advertising, as per the requirements under the *Local Government Act 1995*.

The proposed Dogs Local Law was deferred (OCM – 10/10/18) due to concerns over the upcoming review of the *Dog Act 1976* by the Department of Local Government, Sports and Cultural Industries (DLGSC).

The Town adopted the Dogs Local Law in 2001, repealing the local law Relating to Dogs published in the Government Gazette on 13 July 1984, and further amended the Local Law with the *Dogs Amendment Local Law 2006*.

### COMMUNICATION & ENGAGEMENT

Officers have spoken to representatives at the DLGSC and they have advised that the review is scheduled to occur next year with a report to be presented to Parliament at the end of 2019.

The report being presented is not a review of the Dog Act, but rather advice on whether the Dog Act requires reviewing. Should the recommendation be to review the Dog Act and the report be adopted by Parliament, the drafting of amendments would not occur until after this stage of the process.

If the Dog Act is reviewed, the amendments would also then have to go through Parliament to be enacted. This process will take at least 18 months to 2 years at the earliest.

Advice received by the officer at the Department was to not defer the making or amending of Local Laws due to the potential review of the Dog Act. The review is still some time away from resulting in amendments to the Dog Act and is also not guaranteed to result in amendments at this stage.

Should Council approve the advertising and consultation process communication and engagement will be undertaken with the next step in the required process, as described in the comment section.

### STRATEGIC IMPLICATIONS

It is also covered in the Community Strategic Plan 2017-2027 under Priority 5 - Good Governance.

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
5.2 Proactively partner with the community and our stakeholders	5.2.1 Improve customer interfaces and service	Community / Stakeholder Satisfaction Survey (Community engagement and participation)
	5.2.2 Engage and communicate with the community	
	5.2.3 Advocate and develop strong partnerships to benefit community	

**STATUTORY REQUIREMENTS**

The process for making a local law is governed by section 3.12 of the *Local Government Act 1995* and Dog Local Law provisions appear in the *Dog Act 1976*.

**FINANCIAL CONSIDERATIONS**

In order to reduce costs, the advertising of the Dogs Local Law will be undertaken in conjunction with the advertising for the endorsed proposed Parking Local Law.

The costs of advertising the Local Laws will be covered in the 2018/19 Operational Budget. The costs of advertising are likely to be approximately \$750 and will be met by Account number 401333.

**COMMENT**

Clause (2) of Section 3.12, described above, requires that the purpose and effect of a proposed Local Law be noted. This clause is satisfied if the purpose and effect are recorded in the officer's report and the official minutes of the meeting. The purpose and effect of the Dogs Local Law are outlined below, along with other relevant considerations.

The Local Law has been updated to delete sections that are no longer relevant due to amendments to relevant State Legislation. It has also been updated with new penalties.

One major change is the removal of designated dog prohibited and exercise areas. This is now enacted from a decision of Council, rather than a section of Local Law, as per the 2013 amendments to the *Dog Act 1976*.

Due to these suggested amendments, it is not thought appropriate to prepare an amending Local Law which would simply delete and insert the appropriate modifications.

This proposed local law replaces the existing *Dogs Local Law 2001*.

#### OFFICER RECOMMENDATION – ITEM 9.1

That Council commences the advertising and consultation processes outlined in clauses (3) and (3a) of section 3.12 of the *Local Government Act 1995* for the proposed Dogs Local Law.

**Voting requirement: Simple majority**

## 10.0 REPORTS

### 10.1 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 Standing Orders Local Law 2011.

Standing Orders Local Law 2011, 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
  - (e) 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 8.0, Declarations of Interest, they should do so at this point of the agenda.

### OFFICER RECOMMENDATION – ITEM 10.1

That Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda of 27 November 2018:

Item	Report
10.2	Amended Application for 8 Multiple Dwellings (for Minor Design Modifications and to Extend the Period of Validity of Approval) - Lot 761 (No. 39) Broadway, Bassendean
10.3	Request to Purchase Lot 5 (No. 246) Morley Drive East, Eden Hill – Proposed Concept Plan For Lots 4 & 5 (Nos. 246 & 248) Morley Drive
10.4	Gift Vouchers for Employees - Years of Service
10.6	Town of Bassendean Access and Inclusion Plan 2018 – 2022
10.7	Working Groups - Draft Term of Reference
10.8	Town of Bassendean's Draft Arts and Cultural Plan 2019-2023
10.11	Auditor General's Report on Local Government Procurement
10.12	Bassendean Local Emergency Management Committee Meeting held on 7 November 2018
10.13	River Parks Committee Minutes of 13 November 2018
10.15	Determinations Made by the Principal Building Surveyor
10.16	Determinations Made by Development Services
10.17	Accounts for Payment – October 2018
10.19	Use of the Common Seal
10.20	Calendar for December 2018
10.21	Implementation of Council Resolutions

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

Item	Report
9.1	Dog Local Law Review
10.5	Old Perth Road Vibrancy Framework
10.9	Consideration of Meeting Dates & Citizenship Ceremonies for 2019
10.10	Conducting the 2019 Council Elections by Postal Vote
10.14	Audit & Governance Committee Meeting held on 7 November 2018
10.18	Financial Statements – September/October 2018
11.1	Cr Gangell: Branding – Bassendean Village
11.2	Cr Gangell: Signage: Bassendean Village
11.3	Cr Gangell: Visioning Project – Old Perth Road
11.4	Cr Gangell: People's Choice Business Award
11.5	Cr Gangell: Kenny Street Parking Bays
11.6	Cr Brown: Bassendean Oval Chain Link Boundary Fence
13.1	Auspire – The Australia Day Council WA, Community Citizen of the Year Awards
13.2	Local Studies Working Group - Nominations

**10.2 Amended Application for 8 Multiple Dwellings (for Minor Design Modifications and to Extend the Period of Validity of Approval) - Lot 761 (No. 39) Broadway, Bassendean, Applicant/Owner: Praetorium Pty Ltd (Ref: DABC/BDVAPPS/2018-058: Christian Buttle, Senior Planning Officer)**

**APPLICATION**

The application seeks to amend a development approval that was previously granted by Council at its Ordinary Meeting (OCM) held 28 April 2015 for the development of eight (8) multiple dwellings (apartments) by:

- Making minor design modifications (which address condition No. 1 from the original approval along with other very minor design changes); and
- Extending the period of validity of the now expired development approval.

These matters are discussed in more detail within the body of the report.

The application is referred to a Council meeting for determination noting that:

- (a) The original application was determined by Council; and
- (b) When originally determined, the application was the subject of neighbour consultation and objections were received in response to that consultation.

**ATTACHMENTS**

**Attachment No. 4:**

2015 application documentation comprising:

- (a) Agenda item 10.2 from April 2015 OCM;
- (b) Attachments to Agenda item 10.2 from April 2015 OCM; and
- (c) Extract from Minutes of April 2015 OCM.

2018 application documentation comprising:

- (a) Application drawings revision number 14 dated 6 September 2018.

## BACKGROUND

As identified, the application was approved by Council at its OCM held 28 April 2015, subject to conditions.

Cr Gangell is the only current Councillor who was also a Councillor when the original application was determined in 2015.

The subject property was originally developed with a single house that was demolished in late 2014 / early 2015. The site has remained vacant since this time.

Properties on either side of the development site are each developed with two grouped dwellings, while the property to the rear is developed with a single house.

Under Local Planning Scheme No. 10 the development site is zoned Residential with a split density coding of R20/40. The application proposes development at the higher R40 density code and is also prepared on the basis of dwelling density being calculated on plot ratio floor area rather than a land area per dwelling calculation, noting the proximity of the development site to the Bassendean train station (approximately 375m 'as the crow flies' from the closest part of the development site to the pedestrian entrance to the station).

The development site is 1064 sq.metres in area.

## COMMUNICATION & ENGAGEMENT

When the original application was assessed and determined in 2015, objections were received from the following property owners:

<b>Address of Property Consulted and Relationship to Development Site</b>
37A Broadway (LHS of Development Site)
32 Scaddan St (Rear of Development Site)
41 Broadway (Right Hand Side of Development Site)
41A Broadway (Right Hand Side of Development Site)

With the exception of the property at No. 37A Broadway, the ownership of all properties identified above remains the same as it was when the application was first determined in 2015.

A summary of comments made during the initial application assessment, along with an Officer response, is provided in the original Officer report which has been provided as an attachment to this report.

The majority of matters for which the original application was initially advertised to adjoining neighbours have been addressed through the preparation of revised drawings (this is explained in the 2015 officer report). The components of the application for which discretion is still required were discussed in detail in the 2015 report and these components of the development are similarly discussed in more detail in the 'Comment' section of this report.

As part of the assessment of the current application, adjoining property owners have been notified of the new application and its referral to a Council meeting for determination. These owners have also been provided with a copy of the current plans for their information.

Noting that the application is seeking to extend the validity of a previously approved development, communication to neighbours has been prepared on the basis of providing information rather than seeking their comment.

### STRATEGIC IMPLICATIONS

The following objective from the Strategic Community Plan 2017-2017 is of relevance:

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
3.1 Plan for an increased population and changing demographics	3.1.1 Facilitate diverse housing and facility choices	The number of new dwelling approvals granted by the Town against the <i>Perth Peel @ 3.5 Million</i> planning framework target for Bassendean (4,200 new dwellings by 2050)  The level of community engagement and participation into Local Area Planning (Input into plans and policy development.)
	3.1.2 Implement sustainable design and development principles	
	3.1.3 Plan for local neighbourhoods and their centres	
	3.1.4 Ensure infrastructure is appropriate for service delivery	

## COMMENT

Components of the development which require the exercise of discretion as detailed in the 2015 Officer report are detailed below:

### **Boundary Walls**

The proposed development incorporates three separate sections of boundary wall for storerooms along the common boundary with No. 37 Broadway (eastern boundary of the development site).

These walls have a combined length of 17.01 metres whereas the Deemed-to-comply provisions allow for an 'as of right' wall length of 15.60 metres.

These walls do not adversely affect the amenity of the adjoining property; satisfactorily address the specified Design principles; and are supported for the reasons discussed in the attached 2015 Officer report.

### **Vehicular Access**

The Deemed-to-comply provisions of the R-Codes require two way vehicle access for developments of this kind, whereas for the most part the proposed development incorporates single width vehicular access. Opportunities for vehicles to pass in opposing directions are provided at the front of the development site and at the rear of the access driveway where it meets the main car parking area on site.

The vehicular access arrangement as proposed is consistent with that originally approved and is supported for the reasons discussed in the attached 2015 Officer report.

It is also noted that the design of store 3 has been adjusted as required by condition 1 of the 2015 approval to assist two way vehicle movement at the rear of the site.

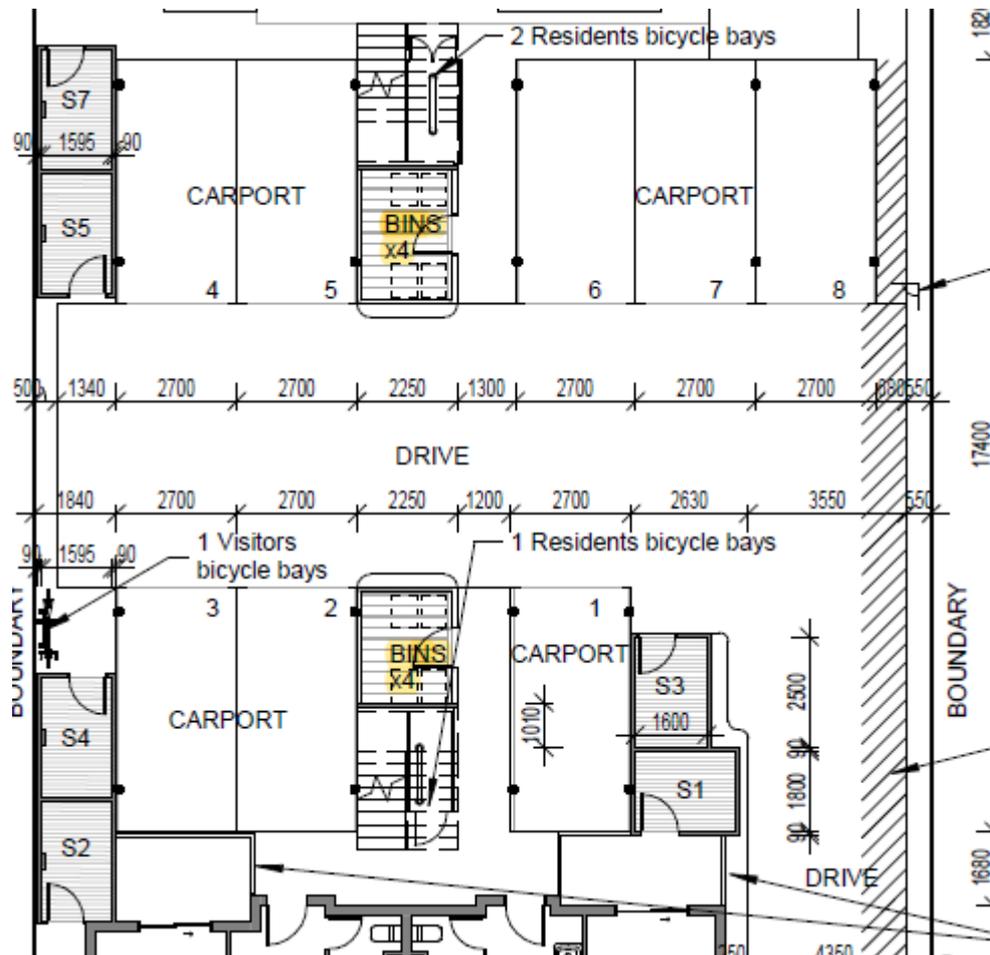
### **Council Briefing Session**

At the Council Briefing Session held 20 November 2018, queries were raised in relation to bins and the future planning framework for the locality. Comments in relation to each of these matters are provided below:

#### Bins

As identified at the Briefing Session, the approved arrangement for this development includes 8 bins (4 x 240L recycling and 4 x 240L general rubbish) for the 8 apartments (i.e. a pair of bins shared per 2 units).

Cr Quinton queried whether or not there would be sufficient capacity within the approved bin stores to accommodate additional bins if the Town were to change from a 2 bin to a 3 bin system. As can be seen from the extract of the plans below, the bin stores have been designed with extra storage capacity, meaning that the third bin (up to 4 additional 'third' bins) could comfortably be accommodated within the bin stores if the Town were to change over to such a model.



Future Planning Framework

Cr Quinton also queried whether or not Broadway was located within a proposed heritage precinct and whether or not the proposed development addressed design guidelines that are contemplated for the Town.

The following information summary has been compiled based upon advice provided by the Director, Strategic Planning:

- The subject land is included in the Iolanthe Street / Broadway / Ivanhoe St urban corridor as designated in the Perth and Peel @ 3.5 Million planning framework (meaning that this locality is likely to be subject to substantial built form change and increased densities in the future);
- The Bassendean Built Form and Character Study (BBFCS) (which Cr Quinton alluded to) has no official status at this time;
- The BBFCS divided the entirety of the Town into 26 precincts and the subject property was situated within precinct 8 which was included in the 'Core Character Area' within the document;
- Design Guidelines leading on from the work undertaken in the BBFCS are now in the early stages of preparation but are unlikely to be finalised until sometime in the first half of 2019; and
- As the study has not yet been endorsed by Council, and as Design Guidelines have not yet been prepared (and adopted as a Local Planning Policy), they cannot be identified as seriously entertained planning proposals and on this basis it would not be appropriate to attempt to assess the current application against this preliminary planning work.

## STATUTORY REQUIREMENTS

### **Planning and Development (Local Planning Schemes) Regulations 2015**

Clause 77 of the Planning and Development (Local Planning Schemes) Regulations 2015 (which forms a part of the Town's Local Planning Scheme No. 10) contains a provision relating to the amendment or cancellation of a development approval, as copied below:

#### ***"77. Amending or cancelling development approval***

*(1) An owner of land in respect of which development approval has been granted by the local government may make an application to the local government requesting the local government do any or all of the following –*

- (a) to amend the approval so as to extend the period within which any development approved must be substantially commenced;*

- (b) to amend or delete any condition to which the approval is subject;*
  - (c) to amend an aspect of the development approved which, if amended, would not substantially change the development approved;*
  - (d) to cancel the approval.*
- (2) An application under subclause (1) –*
- (a) is to be made in accordance with the requirements in Part 8 and dealt with under this Part as if it were an application for development approval; and*
  - (b) may be made during or after the period within which the development approved must be substantially commenced.*
- (3) Despite subclause (2), the local government may waive or vary a requirement in Part 8 or this Part in respect of an application if the local government is satisfied that the application relates to a minor amendment to the development approval.*
- (4) The local government may determine an application made under subclause (1) by –*
- (a) approving the application without conditions; or*
  - (b) approving the application with conditions; or*
  - (c) refusing the application.”*

As identified above, an application to extend the period of validity of a development approval is now able to be made after a development approval has expired.

### **Changes to Legislative Framework (Town of Bassendean Local Planning Scheme No. 10 and R-Codes) Since 2015**

Amendment No. 8 to LPS10 was gazetted on 23 February 2018 and had the effect of imposing a land area per dwelling requirement for multiple dwellings where an R40 coded development site is situated beyond 800m from the Bassendean train station.

This application is not affected by the changes brought in by Amendment No.8 given its close proximity to Bassendean train station.

Minor amendments were made to the R-Codes when revised versions were gazetted on 23 October 2015 and 2 March 2018. The proposed development is not impacted by the changes that were made to the R-Codes at these times.

Other Statutory Requirements (matters to be considered by Council in the decision making process) accord with those identified in the original officer Report which has been provided as an Attachment.

### FINANCIAL CONSIDERATIONS

Nil.

### Conclusion

Condition No. 1 from the 2015 development approval required:

*“1. Amended plans are to be submitted prior to or in conjunction with the Building Permit demonstrating that store 3 is relocated, to provide for two vehicles to pass at the rear of the access way.”*

As the drawings have subsequently been amended to suitably address this matter, this condition can be deleted.

Condition No. 14 from the 2015 required the payment of a \$4000 development bond (as specified in Council’s then operative Fees and Charges schedule). This condition has been changed to reference 1.5% of the value of the works which are the subject of a building permit to reflect the now operative Fees and Charges schedule (\$26,250).

In order to provide certainty in relation to visual privacy screens that are shown on the upper floors of the dwelling, it is recommended that an additional condition be added which specifies design requirements as follows:

*“27. Visual Privacy screening, where shown on the approved drawings, having a minimum height of 1.6 metres above floor level; being fixed; incorporating a maximum 50mm gap between slats / louvres; and having no more than 25% of the surface area being open.”*

A carport column has been added to car bay 1 which does not demonstrate compliance with the positioning requirements specified within AS2890.1 (Off-street car parking), so it is also recommended that an additional condition be added which specifies the need for an adjustment to be made in this respect as follows:

*“28. Revised drawings shall be submitted with the application for a Building permit which reposition columns for the carport associated with parking bay 1 so as to be clear of the design envelope specified within Figure 5.2 of AS2890.1.”*

With the exception of the changes identified above, all other conditions remain as imposed on the original approval.

#### OFFICER RECOMMENDATION — ITEM 10.2

That Council grants planning approval for the proposed eight (8) multiple dwellings at Lot 761 (No. 39) Broadway, Bassendean, subject to the following conditions:

1. A detailed landscape plan being submitted prior to or with the application for a Building Permit for the Town’s approval which addresses the following:
  - (a) Details of the location and type of proposed trees, shrubs, ground cover and lawn areas to be planted;
  - (b) Low water use;
  - (c) Landscaping of the verge area adjacent to the development site, including the provision of substantial street trees in accordance with the Town’s adopted Street Tree Master Plan; and
  - (d) Details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months.
2. Pedestrian paths to be constructed which provide wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas.
3. Provision of lighting to pathways and car parking areas.
4. The site shall be landscaped in accordance with the approved landscaping plan and shall be maintained thereafter.
5. The street trees which sit within the verge and are not affected by the proposed development shall be protected by barricades during construction in accordance with the Town’s Policy relating to street tree protection.
6. Separate approval being obtained from the Town’s Asset Services for the proposed crossover on the Broadway frontage of the development site and this crossover being constructed in accordance with that approval.

7. The sealing and kerbing of all car parking areas and access ways to the Town's specifications.
8. The car parking spaces and access ways being constructed and maintained thereafter to the Town's satisfaction.
9. Visitor parking spaces being clearly marked for "Visitors Only" and used as such.
10. A minimum of three (3) and one (1) bicycle bays shall be provided for the residents and visitors respectively. The bicycle parking spaces shall be located in the area identified on the approved drawings and shall be constructed in accordance with the provisions of AS 2890.3 (as amended).
11. Details of stormwater disposal being submitted for the approval of the Town in conjunction with or prior to the issue of the Building Permit, in accordance with Local Planning Policy No. 14 – On-Site Stormwater Policy.
12. The applicant shall submit a certified Stormwater Management Plan that will address issues associated with stormwater during storm events of 1:100 Annual Rainfall Interval (ARI) up to 24 hours duration, prior to the submission of a Building Permit.

In the event that changes to the approved plans (i.e. finished floor levels and ground levels) are required in order to comply with the stormwater drainage management plan, then an application for a modification to the planning approval will be required.

13. Prior to the issue of a building permit a development bond for the sum of 1.5% of the value of the proposed works the subject of the application for a Building Permit being lodged with Council to ensure the satisfactory completion of all works associated with landscaping, car parking, access ways and fencing.
14. The incorporation of public art into the proposed development or a cash-in-lieu payment of one per cent of the construction cost of the proposed development in accordance with the Town's adopted Local Planning Policy No. 15 'Percent for Art Policy'.

Detailed arrangements and agreement with respect to art to be provided on-site or alternatively payment of the required fee shall be made prior to or in conjunction with the application for a Building Permit.

15. The street number being prominently displayed at the front of the development.
16. The provision of side and rear fences, behind the street setback line, of 1.8 metres in height. Where the ground levels vary on either side of the fence, the required 1.8 metre height shall be measured above the higher ground level.
17. A separate application and approval being obtained for any proposed fencing within the street setback area.
18. The provision of letterboxes and bin storage in materials to complement the development to the satisfaction of the Town.
19. External clothes drying facilities shall be screened from view of the street or any other public place at all times. No drying of clothes from upper floor balconies (units 3 & 4) or ground floor outdoor living areas (units 1 & 2) is permitted.
20. Air-conditioning units and external fittings shall be incorporated into the building or screened from view. Details of the treatment of such external fittings to the building being submitted prior to the issue of a building permit to the satisfaction of the Manager Development Services.
21. The applicant submitting to the satisfaction of the Manager Development Services a construction management plan that addresses issues of dust and noise control, hours of work, and provides contact details of a person to deal with complaints;
22. A Waste Management Plan (WMP) is to be submitted for the Towns approval prior to or in conjunction with the application for a Building Permit. The WMP shall address matters including, but not necessarily limited to, the following:
  - (a) Measures to be implemented for the purpose of minimising the delivery of waste to landfill during occupation, including: the on site separation of materials for recycling and the expectations of owners and/or tenants;

- (b) Site Plan showing the location and size of the on-site rubbish disposal area, including the number of general rubbish, recycling and organic waste bins to be provided for the development, including sharing arrangements where the number of bins is less than the number of dwellings;
  - (c) An estimation of the volume of waste to be generated by the proposed development and the capacity of this volume of waste to be accommodated by on site bin storage capacity;
  - (d) Details of intended method of collection (private contractor or Council contractor);
  - (e) Details of arrangements for transferring bins from the bin storage area to the verge for collection and subsequently from the verge back to the bin storage area, including timeframes at each stage;
  - (f) Details of where the bins would be located when waiting collection;
  - (g) Details of advice to be provided to owners and occupiers regarding the WMP; and
  - (h) Details of how the WMP will continue to be applied in perpetuity across the life of the development, including the WMP being incorporated into the strata by-laws for the proposed development;
23. The bin storage area is:
- (a) To be provided with a self closing gate;
  - (b) To be provided with 75mm minimum thickness concrete floors grading to a 100mm industrial floor waste, with a hose cock to enable both the bins and bin storage area to be washed out; and
  - (c) To be provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning;
24. The proposed boundary walls shall be finished to the satisfaction of the Town;
25. All building works to be carried out under this planning approval are required to be contained within the boundaries of the subject lot;
26. The building hereby approved shall not be occupied until all of the conditions of planning consent have been complied with to the satisfaction of the Manager Development Services, unless the applicant has entered into an agreement with Council to comply with those conditions within a specified period; and

27. Visual Privacy screening, where shown on the approved drawings, having a minimum height of 1.6 metres above floor level; being fixed; incorporating a maximum 50mm gap between slats / louvres; and having no more than 25% of the surface area being open.
28. Revised drawings shall be submitted with the application for a Building permit which reposition columns for the carport associated with parking bay 1 so as to be clear of the design envelope specified within Figure 5.2 of AS2890.1.
29. The issue of a building permit prior to the commencement of any on-site works.

**Voting requirements: Simple Majority**

**10.3 Request to Purchase Lot 5 (No. 246) Morley Drive East, Eden Hill – Proposed Concept Plan For Lots 4 & 5 (Nos. 246 & 248) Morley Drive East – Owners: Town of Bassendean and Birmingham Properties Pty Ltd/Ladriфт Pty Ltd /Matax Pty Ltd (Ref: A3693 & A3714 - Anthony Dowling, Director Strategic Planning and Brian Reed, Manager Development Services)**

**APPLICATION**

The purpose of this report is for Council to consider a proposed Concept Plan for the proposed development of Lots 4 & 5 (Nos. 246 & 248) Morley Drive East.

**ATTACHMENTS**

**Attachment No. 5:**

- Concept plan for Lots 4 and 5 Morley Drive East – prepared by Taylor Robinson Chaney Broderick.
- Report explaining the redevelopment concept plan for Lots 4 and 5 Morley Drive East prepared by Elton Consulting.
- Suggested modifications to the concept plan for Lots 4 and 5 Morley Drive East.
- Renders prepared by Architect showing views from cnr Ivanhoe St and the intersection of Faulkner Way.

**BACKGROUND**

This matter was last considered by Council at its meeting held in September this year when it was resolved by OCM – 8/09/18, that:

1. Birmingham Properties Pty Ltd be advised that unless a Concept Plan is submitted for the Town’s approval, in line with Council’s April resolution, by 5 October 2018, that the Town of Bassendean rejects its offer to purchase Lot 5 (No. 246) Morley Drive East, Bassendean;
2. After which time Council requests that the Chief Executive Officer proceed with actions required to have an Improvement Plan prepared for Lots 4 & 5 (no’s. 246 & 248) Morley Drive East, Eden Hill, pursuant to the provisions contained within Part 8 of the Planning and Development Act 2005; and
3. Officers present a further report detailed proposed actions to be undertaken in conjunction with the initiation of an Improvement Plan for the land in question and remediation works required to be undertaken for Lot 5, for Council’s consideration.

Previous to this the matter was considered by Council at its meeting held in April 2018, when it was resolved by OCM-10/04/18 that Council:

1. Suspends for a period of 3 months from the date of this meeting, its resolution OCM-30/02/18 made at the Ordinary Council meeting held on 27 February 2018, which reads:

*“MOVED Cr McLennan, Seconded Cr Hamilton, that:*

- 1. In response to the offer to purchase the Town of Bassendean owned Lot 5 (No. 246) Morley Drive East, Eden Hill, by the owners of the adjoining Lot 4 (No. 248) Morley Drive East, Eden Hill, the owners of No. 248 Morley Drive East and their representatives be advised that Council declines the current offer to purchase.*
  - 2. Council requests that the Chief Executive Officer proceed immediately with actions required to have an Improvement Plan prepared for Lots 4 & 5 (Nos. 246 & 248) Morley Drive East, Eden Hill, pursuant to the provisions contained within Part 8 of the Planning and Development Act 2005.*
  - 3 Officers present a further report to the Ordinary Council Meeting in March 2018 detailing proposed actions to be undertaken in conjunction with the initiation of an Improvement Plan for the land in question and remediation works required to be undertaken for Lot 5, for Council’s consideration”;*
2. Responds to the correspondence received from Lavan Legal on behalf of Birmingham properties Pty Ltd dated 15 March 2018 advising that:
    - (a) Any proposal to sell lot 5 (No. 246) Morley Drive Eden Hill to the registered proprietors of lot 4 (No. 248) Morley Drive Eden Hill will be subject to clauses 3.58 (3) and (4) of the Local Government Act 1995 and the following:
      - (i) Prior to further consideration being given to any sale of lot 5 the registered proprietor is to cause the preparation of (at its expense) and submit to Council for endorsement a development concept plan for the whole of the land comprising lots 4 & 5;

(ii) The development concept plan required in (i) above is to be submitted for the Town's approval by 31 July 2018 and is to be informed by:

- (1) Salient provisions of State Planning Policy (SPP) 4.2 – Activity Centres for Perth and Peel, which suggests lots 4 and 5 be developed as a Neighbourhood or local centre only;
- (2) The recommended land use mix and residential density criteria prescribed for Urban Corridors in the Central Sub-regional planning framework (an adjunct to the Perth and Peel @ 3.5 Million planning framework published on 23 March 2018); and
- (3) Section 5 - Commercial Floorspace Demand Analysis contained in the (draft) Bassendean Local Economic Review, once adopted by Council;

(iii) The development concept plan also sufficiently conveys to Council that any future development proposal for both lots will be capable of satisfactorily addressing applicable provisions in clause 10.2 of Local Planning Scheme (LPS) 10, especially part (o), namely “the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal.”

3. Advises Birmingham Properties that as part of implementing its Strategic Planning Framework and updating Local Planning Scheme (LPS) 10, the Town will consider suitably rezoning lots 4 and 5 in the near future as the current ‘Local Shopping’ zoning applying to these lots is no longer listed as a zoning category in the Model Scheme Text (MST); and
4. Advises Birmingham Properties that notwithstanding any of the above, the Council must observe the private treaty provisions of the Local Government Act 1995 and give due consideration to the public consultation results and therefore gives no guarantee that it will sell Lot 5 (no 246) Morley Drive East regardless of what is supplied to the Council or undertakings made by the owners of 248 Morley Drive East Eden Hill.

The Concept Plan which was presented to the Town on 5 October 2018, in line with Council's September 2018 resolution and is discussed further in the Comment section below.

### COMMUNICATION & ENGAGEMENT

Nil at this stage, however it is envisaged that the Concept Plan will be advertised to the community, once it is in form acceptable to Council, as part of the proposal to dispose of the Town owned land through the private treaty provisions of the Local Government Act 1995.

### STRATEGIC IMPLICATIONS

The Town of Bassendean Strategic Community Plan contains the following objectives and strategies under Strategic Priority 4: Economic:

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
4.1 Build economic capacity	4.1.1 Encourage and attract new investment and increase capacity for local employment	Economic and Commercial Activity
	4.1.2 Plan for and build capacity for Commercial and Industrial	New businesses (including home based) granted development approval by the Town.
	4.1.3 Support and promote home based businesses	
4.2 Facilitate local business retention and growth	4.2.1 Strengthen local business networks and partnerships	Number of local business and Stakeholder Survey (Engagement and Facilitation of local Business Networks)
	4.2.2 Continue the activation of Bassendean's Town Centre	
	4.2.3 Enhance economic activity in neighbourhood centres	

### COMMENT

The following comments have been provided by Mr Anthony Dowling Director Strategic Planning

### **LAND USE CONSIDERATIONS**

1. Proposed mix of uses deemed acceptable;
2. Proposed residential density or estimated dwelling yield is unknown—this ought to be provided with any further plan development;

3. The proposed amount of retail floor space is also deemed acceptable.

FARlane, who prepared and produced the Town's *Local Economic Overview* and who are preparing a new economic development strategy for the Town have indicated that the amount of retail floor space proposed is unlikely to detrimentally impact the catchment for the Bassendean town centre.

Whether it may detrimentally impact upon the network of activity centres within the locality, such as the neighbourhood shopping centres located at Kiara and Walter Road/Ida Street through a loss of community services is presently unknown.

The Eden Hill concept plan does not propose any community services upon the subject land (some already exist within the adjacent Mary Crescent Reserve), thus it is unlikely to result in any loss of community services at these centres (if such services exist).

A retail sustainability assessment (RSA) may assist in determining the viability of the proposed Eden Hill centre but the proponent is correct that, pursuant to *SPP 4.2—Activity Centres for Perth and Peel*, an RSA is not required to be undertaken by the proponent for the size and scale of the centre development proposed.

In respect to the proponent's claim that the LUES data used to model future commercial floorspace projections for the subject land was incorrect resulting in a flawed future floor space projection can be upheld to a certain extent, FARlane was requested to provide comment and has responded as follows:

*" ... there are some aspects of the gravity model that may compromise the accuracy of the outputs for the specific purposes of estimating the impact of a future development at Eden Hill. These mostly result from the utilisation of a gravity model that was intended to provide a general estimation of commercial (retail) floor space demand based upon general population forecasts , datasets, and development projections provided by the Town.*

*The data discrepancy related to existing floorspace utilisation raised by the proponent is a consequence of the Department of Planning, Lands and Heritage's Employment Land Use and Employment Survey's (2015-2017) land utilisation estimates, which indicate a total floor space of 660m<sup>2</sup> (NLA) for Eden Hill (existing at 2015/17), 160m<sup>2</sup> of this being SHP (Shop/Retail) and 500m<sup>2</sup> being ENT (Entertainment). This is different to the proponent's claimed a floor space of a recent 1,200m<sup>2</sup>.*

*It is unclear from the proponent's submission as to whether this count is gross area, gross lettable area (GLA) or net lettable area (NLA).*

*In addition, given these discrepancies, further analysis with the consideration of a higher retail NLA in Eden Hill and alternative population forecasts (provided by the proponent) would be necessary to determine whether a 3,000m<sup>2</sup> of retail floor space would be viable in this location, and what impact it might have on the Bassendean Town Centre.*

*Given that the model's purpose and scope was to provide a high-level estimate across Bassendean's activity centre network, only large centres (over 5,000m<sup>2</sup>) outside of the Town's boundaries were included. As such, Kiara shopping centre was not included in the the list of key centres considered. Given the mechanics behind retail gravity models, the addition of the Kiara shopping centre to the gravity model would in fact reduce the projected retail floor space demanded for a supermarket at the Eden Hill site."*

With respect to FARlane's advice, and in order to determine or assure the Bassendean community, especially the Eden Hill community that the proposed centre is unlikely to have any significant adverse impact upon the Town's activity centre network and its local community services in the northern part of the Bassendean locality and the Eden Hill locality, the undertaking of a RSA appears warranted;

4. Any requirement for undertaking a RSA ought to be undertaken by the proponent at its expense, and be completed with its outcomes to be provided to Council prior to any further land acquisition negotiations and public advertising of any intention to dispose of lot 5. The completed RSA ought to be provided with any plans and documents advertising the disposal of lot 5.

## **SITE DESIGN AND LAYOUT**

The submitted master plan appears to generally respond well to the subject land's site-context through linking Korbosky Park (in Lockeridge) with Mary Crescent Reserve, and interfacing Mary Crescent Reserve and existing housing immediately to the east with proposed townhouses and apartments.

However, the proposed layout appears to be predominantly car-oriented. As a future neighbourhood centre that ought to primarily serve its immediate neighbourhood, and to encourage walkability and cycling, the site layout should be more pedestrian-oriented.

To this end, the following changes are suggested to the initial master plan as presented.

1. Create the pedestrian link from Korbosky Park to Mary Crescent Reserve as a 'pedestrian main street' by enclosing or framing it with continuous lineal mixed use buildings on its western flank and shifting the proposed supermarket further westwards. This will require the northern car park being flipped over to the eastern side of the supermarket;
2. This pedestrian link should also be incorporated within an arbor along its full length;
3. Create a further pedestrian link from Ivanhoe Street to Pryde Way, deleting proposed vehicle access from the Ivanhoe Street/Faulkner Way intersection and the Christie Way and Pryde Way intersections;
4. Provide landscaped forecourts at the north west corner of lot 5, and where the aforementioned new pedestrian link connects to Ivanhoe Street—these provide clear entrances to the supermarket and exposure to passing traffic;
5. The loss of any onsite parking shown on the initial master plan can be partially offset by the provision of on street parking (including for service vehicles) immediately within the Ivanhoe Street verge serving adjacent proposed mixed uses;
6. Onsite parking concessions should be favourably considered as a way of encouraging a more pedestrian-oriented environment; all onsite car parking proposed to be sufficiently shaded and be provided with perimeter landscaping;

7. The mixed use buildings proposed along Ivanhoe Street need to be articulated on all facades and be provided with continuous awnings, verandahs or shade structures along them—no blank walls should be allowed;
8. Similarly, the proposed supermarket building also needs to be articulated on its northern, western and southern facades with continuous awnings, verandahs or shade structures provided along them—no blank walls should be allowed;
9. Consideration could be given to ‘sleeving’ the northern façade of the supermarket with a series of tenancies to avoid the potential for a blank wall;
10. Some short-term kerbside parking could be provided within the Morley Drive verge to serve the proposed supermarket;
11. A kerbside bus stop to be provided adjacent to the centre, ideally abutting pedestrian crossings, links;
12. Extend the area of proposed housing to occupy land initially set aside for internal driveway access and car parking as shown on the initial master plan.

### Conclusion

Overall Staff do not have any fundamental objections to the proposed Concept Plan that has been submitted, however there are opportunities to improve it as outlined above. Staff have not had the opportunity to discuss the suggested modifications with the applicants, having regard to the agenda preparation cycle, and it therefore suggested that Council consider the Concept Plan as submitted together with the officer comments and defer consideration of this item to the December Ordinary Council meeting, to allow the applicants to provide an amended Concept Plan, having considered the officer comment in this report.

### STATUTORY REQUIREMENTS

Nil at the stage.

### FINANCIAL CONSIDERATIONS

Nil at this stage

**OFFICER RECOMMENDATION — ITEM 10.3**

That consideration of this matter be deferred to the December 2018 Ordinary Council meeting to give the proponent the opportunity to respond to the comments raised in this report.

**Voting requirements: Simple Majority**

## **10.4 Gift Vouchers for Employees - Years of Service Awards** **(Ref: Peta Mabbs, CEO)**

### APPLICATION

The purpose of this report is for Council to consider a resolution resulting from a Notice of Motion from Cr Hamilton relating to gift vouchers provided to staff and others.

### ATTACHMENTS

#### **Attachment No. 6:**

Policy 6.19 - Presentation to Staff

### BACKGROUND

In September 2017, Council reaffirmed its policy on gift vouchers for employees who have achieved 5, 10, 15 and 20 years of service, and every 5 years of service after that.

The policy provides gift vouchers to staff, as follows:

- 5 Years Service - Certificate of Service and \$100 gift voucher;
- 10 Years Service - Certificate of Service and \$250 gift voucher;
- 15 Years Service - Certificate of Service and \$400 gift voucher;
- 20 Years Service – Certificate of Service and a gift voucher (max value \$550); and
- Every 5 years after 20 years – Certificate of Service plus a gift voucher (maximum value of \$750) and a dinner voucher for two (maximum \$200).

At the October 2018 OCM, Council resolved (*OCM– 29/10/18*):

*“MOVED Cr Hamilton, Seconded Cr Brown that Council requests staff report back at the November Ordinary Council Meeting:*

- 1. A process where Gift Vouchers authorised for distribution to Town of Bassendean employees and other nominated recipients supports local businesses;*
- 2. A gift voucher system created by the Town be equitable providing scope for voucher recipients to choose from a selection of different types of independent local businesses trading within the Town of Bassendean district;*

3. *A simple Gift Voucher Scheme assisted by the “Draft template for voucher” contained in the attachment to the agenda;*
4. *Staff, as a matter of urgency, liaise with the Mayor regarding implementation of a trial involving approximately 20 to 30 local small businesses willing to honour gift vouchers provided to nominated Town of Bassendean Employees at the annual staff Christmas Party in late December 2018; and*
5. *The CEO reports on alternatives to acknowledge the service of Town staff to our community.”*

Staff comments on the notice of motion, were included in the agenda for the October 2018 meeting.

#### COMMUNICATION & ENGAGEMENT

Nil

#### STRATEGIC IMPLICATIONS

Nil

#### COMMENT

The notion of linking gift vouchers for employees and other recipients to support local businesses is designed to deliver a benefit to our local community. Whilst the proposal has merit for our local economy, the rationale underpinning the giving of gifts must first be considered i.e. for what purpose are we giving gifts?

It is also reasonable for the community to expect that public money is used scrupulously, and only modest gifts are offered when public money is being spent.

On this basis, it is timely that the CEO reviews the Town of Bassendean’s policies and practices on “gifts” in relation to employees. The review will enable an understanding of better practice cognisant of the regulatory environment and community standards and expectations.

The review will result in a clear policy on staff “rewards and recognition” reflective of the above.

### Proposal for Pilot

With regards to the immediate requirement regarding *“implementation of a trial involving approximately 20 to 30 local small businesses willing to honour gift vouchers provided to nominated Town of Bassendean Employees at the annual staff Christmas Party in late December 2018”*, the current timeframe inhibits a pilot at this stage. This is due to the set-up required of the pilot prior to December.

Based upon the current scheme, there are 25 vouchers to be purchased for the 2018 year equating to \$6,800 (plus \$400 for dinner vouchers). Presently, staff can use the gift vouchers at a wide range of shopping outlets. The administrative overhead involved in this process equates to a staff member purchasing the vouchers online. (Dinner vouchers, however, will be aligned to a local Bassendean restaurant, as this is relatively straight forward.)

The cost of establishing a pilot gift voucher system as proposed with a reimbursement to each local business is as follows:

• Seeking interest from local businesses (10 hours)	\$400
• Printing of vouchers	\$100
• Reimbursing vouchers (10 hours)	\$400
• Maintaining a register of used vouchers	<u>\$50</u>
TOTAL	<u>\$ 950</u>

Further to the cost and time constraints, there is also likely to be an expectation of staff who are receiving gift cards in December to be able to use the gift voucher widely, rather than being limited to local businesses. Industrially, the compressed timeframe for implementation may cause some staff financial hardship if the scheme was to change with limited notice given the current gift scheme has been a long standing practice.

### STATUTORY REQUIREMENTS

Nil.

### FINANCIAL CONSIDERATIONS

The amount required is included in the operational budget each year.

**OFFICER RECOMMENDATION — ITEM 10.4**

That:

1. Gift vouchers in accordance with current Policy 6.19 – Presentation to Staff, continue to be provided in 2018;
2. The CEO reviews the Town of Bassendean’s policies and practices on “gifts” in relation to employees with a new policy to be established by 1 July 2019; and
3. Any gifts linked to other recipients (other than those identified in Point 2) are aligned to supporting local businesses effective immediately.

**Voting requirements: Simple Majority**

**10.5 Old Perth Road Vibrancy Framework (Ref: - Graeme Haggart, Director Community Development)**

APPLICATION

For Council to consider a short-term, targeted intervention to activate the west end of Old Perth Road.

ATTACHMENT

**Attachment No. 7:**

Draft Old Perth Road Vibrancy Framework

BACKGROUND

The closure of Daisy & Rowe, Red Poppies and the Bassendean Butcher in the last six months have focused attention on the shrinking commercial value of Old Perth Road, between Wilson Street and Guildford Road, in the activities of the Town.

More than half of the outlets on street are service/office related: Real Estate, Medical Services, Dental Services and Politician Electoral Office etc. They do not generally create shop window displays and visual merchandising, and do not create significant vibrancy and foot traffic. However, the recent closures of tenancies, which come on the back of other longer-term shop vacancies on the street, have all been in the retail sector and thereby have made a bigger impact to the foot traffic and street activity.

Over the years, the Town has acted to enhance the vibrancy of the area through events such as the Community Cinemas and monthly Old Perth Road Markets. In addition, Council has enhanced the appearance of the area through the installation of up-lighting on the Padbury building and the Bassendean Hotel, the commissioning of several mural art projects and installation of new street furniture. In this same section of Old Perth Road, O2 café is currently doubling its capacity and creating a new small bar; a new tenant has been secured for the ex-Daisy and Rowe premises, and expanding the focus to include James Street: Holly Rayes is increasing its capacity by 130 – 150%. These three developments are expected to be operational within 3 to 6 months.

However, this part of Old Perth Road is perceived as the heart of Bassendean, where the identity of Bassendean resides. It is the “flagship” of the Town.

Community members and Councillors believe urgent, targeted action is warranted to stem the decline of vibrancy, to support the commercial viability of current tenants and to attract new contemporary retail offerings.

### CURRENT SITUATION

A number of staff brainstorming workshops, consultation sessions with traders and conversations in the street with the community on this broad subject have generated lots of ideas and suggestions. Several Notices of Motion have also recently been adopted by Council that individually address place-making through beautification or activation in Old Perth Road.

The ideas and suggestions are being considered for implementation over the next 18 months (to align to the remainder of 2018/2019; and 2019/2020). All ideas and suggestions are being assessed against a range of elements, including costs, practicality, expediency, suitability, impact and engagement. There is a mixture of simpler ideas which are highly visual through to more complicated proposals requiring multi party collaboration and longer gestation periods.

The short-term, targeted interventions identified have been selected based upon their high impact, low cost nature. These are generally either focused on environmental enhancement or are event related. The new initiatives are combined with initiatives the Town had already planned.

### COMMUNICATION AND ENGAGEMENT

There have been several workshops and discussions with the community, the Economic Development Committee and Councillors.

### STRATEGIC IMPLICATIONS

Objectives	Strategies	Measures of Success
1.1 Build a sense of place and belonging	1.1.3 Encourage our unique culture and history are shared and celebrated	Community Stakeholder Satisfaction Survey (Engagement and Participation)
4.1 Build economic capacity	4.1.1 Encourage and attract new investment and increase capacity for local employment  4.1.2 Plan for and build capacity for Commercial and Industrial	Economic and commercial activity  New businesses (including home-based) granted development approval in the Town

4.2 Facilitate local business retention and growth	4.2.2 Continue the activation of the Bassendean Town Centre	Number of local businesses and community/Stakeholder
----------------------------------------------------	-------------------------------------------------------------	------------------------------------------------------

**COMMENT**

A draft Framework is presented here of proposals which are considered to have strong potential. Ideas which are viewed as less likely are not listed, but are not necessarily being dismissed. This draft Framework is a short-term, targeted intervention focusing on a suite of complementary initiatives including events, community projects, and, environmental projects to build vibrancy. As a draft Framework, these proposals are still being fully scoped. Permissions/consultations are required for some, while more detailed costings are required for others. It remains a work in progress and is therefore considered a guiding framework rather than a definitive set of actions.

The Framework will increase foot-traffic and economic activity in the area in the short term. In the medium to longer term, a more economic sustainable outcome can be achieved by bringing an increased number of people to the area through residential densification and relevant commercial activity in and around the Bassendean train station and the west end of Old Perth Road. This is consistent with State Government policy focusing on infill targets and transit-oriented developments.

**STATUTORY REQUIREMENTS**

Local Government Act 1995

**FINANCIAL CONSIDERATIONS**

Some of the attached initiatives can be met from within the existing 2018/2019 Budget; some are dependent on the reprioritisation of funding as part of the Town's mid-year review process in early 2019, while others, scheduled for 2019/2020, will be dependent on being a priority for funding in that year.

### OFFICER RECOMMENDATION - ITEM 10.5

That Council:

1. Commits to supporting traders in the west end of Old Perth Road through a series of targeted interventions in the short term, to be known as the Old Perth Road Vibrancy Project;
2. Adopts the draft Old Perth Road Vibrancy Project Framework as attached to the Ordinary Council Agenda of 27 November 2018, as a guiding document for the actions to be taken by the Town in the short term;
3. Approves the transfer of funds totaling \$27,500 from the Art Infrastructure Reserve for mural art projects associated with the Vibrant Old Perth Road Project; and
4. Refers items listed in the draft Old Perth Road Vibrancy Project Framework requiring additional funding, to the mid-year budget review for consideration or for consideration in the draft 2019/20 Budget.

#### **Voting requirements:**

**Point 3 – Absolute Majority**

**Points 1, 2 & 4 - Simple Majority**

#### Footnote

Related Notices of Motion adopted at the 23 October Ordinary Council Meeting were as follows. Other than for OCM – 25/10/18, all have been incorporated to within the Old Perth Road Vibrancy Project Framework.

#### **OCM – 25/10/18**

MOVED Cr Gangell, Seconded Cr Wilson, that Council receives a report on the cost of installing below ground bollards on intersections on Old Perth Road from Guildford Road to James Street. (To be addressed separately).

#### **OCM – 26/10/18**

MOVED Cr Gangell, Seconded Cr Wilson, that Council receives a report on the cost of installing festoon lighting within the grassed area out the front of the Council Chambers.

**OCM – 27/10/18**

MOVED Cr Gangell, Seconded Cr Hamilton, that the Town seeks quotations from suitably qualified organisations/businesses that are located within the Town for the commissioning of street art and furniture to be installed around the Town Centre and Council receives a report back with costings for consideration in future budgets.

**OCM – 28/10/18**

MOVED Cr McLennan, Seconded Cr Mykytiuk, that Council recognises that the existing Old Perth Road street trees are not providing significant shading or amenity to the Town's main street and therefore requests staff:

1. Audit the street trees planted along Old Perth Road to identify opportunities for increasing canopy through either:
  - a) additional plantings with broad canopy trees;
  - b) transplanting/replacement of existing smaller and/or narrow tree species with broad canopy trees;
2. Explore other possibilities for further greening of Old Perth Road with additional plantings (eg. pots, planter boxes, wall gardens, trellis etc); and
3. Report back to Council by January 2019 the results of the audit and the options identified for increasing tree canopy & greening along the main street.

**OCM – 29/10/18**

MOVED Cr McLennan, Seconded Cr Mykytiuk, that Council requests that the Town's event staff explore the possibility of a community street art competition and report back to Council regarding the feasibility and logistics of such an event.

**10.6 Town of Bassendean Access and Inclusion Plan 2018 – 2022 (Ref: G084 – Graeme Haggart, Director Community Development)**

APPLICATION

Council is requested to endorse for public comment a new draft Access and Inclusion Plan (AIP) for the Town.

ATTACHMENTS

**Attachment No. 8:**

Town of Bassendean Access and Inclusion Plan 2018 – 2022

BACKGROUND

All people have the same right to access services, buildings/facilities, information, level and quality of service, to make complaints, to be consulted and to be employed.

These rights are enshrined in State and Commonwealth legislation which makes it unlawful to discriminate against a person with disability.

The WA Disability Services Act (1993) as amended, requires public authorities to develop and implement Access and Inclusion Plans, progressively building on the achievements of the previous 5-year Plan. The Town first developed an Access and Inclusion Plan (AIP) in 1995 and has maintained a Plan since.

To comply with the Act, the Town of Bassendean is required to:

- Develop the AIP which furthers the principles and objectives of the Act and meets the seven standards of the Disability Services Regulations 2017;
- Take all practicable measures to ensure that the Plan is implemented by the Town, staff, and relevant agents and contractors;
- Review the Plan at least every five years;
- Report to the Department of Communities (Disability Services) by 31 July each year about progress in achieving the seven desired AIP outcomes; and
- Detail in the annual report the implementation of the Plan.

The Town's AIP lapsed in 2017. Funding to achieve the revised Plan was allocated in the 2018/19 Budget. Following a request for quote process, The "*Include Programme*" was appointed to undertake the community consultation and prepare the draft new Plan.

### COMMUNICATION AND ENGAGEMENT

The Consultants engaged widely with internal and external stakeholders. Their resultant Consultation Report detailed the breadth of engagement conducted as being:

- Mayor and elected members of the Town of Bassendean;
- Nominated Town personnel representing a crossing section of the organisation;
- Bassendean Cultural Advancement Group members;
- Bassendean Access and Inclusion Committee members;
- Schools within and servicing the Town;
- Patients of the Street Doctor Service at Ashfield Reserve;
- Casa Mia Montessori School;
- Bassendean Child Care Centre;
- St Michael's School and OOSC;
- Wind in the Willows Childcare;
- At Work Midland;
- Activ Foundation;
- Senses Australia Midland;
- Acacia Hill OOSC
- Bassendean Over 55's President and Coordinators;
- Aegis Care Manager and Occupational Therapist;
- TADWA;
- Bassendean Library and Volunteers services;
- Intelife Area Services;
- Local businesses; and
- Community members (20) who attended public information on 8 and 15 August.

Consultation methods included:

- Face-to-face interviews;
- Telephone interviews;
- Focus groups/small group meetings;
- Public meetings; and
- Written submissions.

The draft AIP was prepared based on the consultation outcome.

**COMMENT**

The Director Community Development seeks Council endorse for a period of public comment the draft AIP.

In this regard, the draft AIP will be advertised inviting public comment in the Eastern Suburbs Reporter, on social media and on the Town’s website.

Comments received will be considered and incorporated where relevant.

The final draft AIP will then be forwarded to the Officer within the Department of Communities who is responsible for ensuring the Plan is compliant.

The final draft AIP will then be presented to Council for adoption.

The newly established Access and Inclusion Working Group will monitor implementation of the AIP and report its progress.

**STATUTORY REQUIREMENTS**

- Local Govt Act 1995
- Disability Discrimination Act (1993)
- WA Disability Services Act (2004)
- Equal Opportunity Act (1988)
- Federal Disability Discrimination Act (1992)

**STRATEGIC IMPLICATIONS**

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we’re going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
1.1 Build a sense of place and belonging	1.1.3 Ensure our unique culture and history are shared and celebrated	Community / Stakeholder Satisfaction Survey (Engagement and Participation)
1.3 Plan for a healthy and safe community	1.3.2 Promote and advocate community health and well-being	Community / Stakeholder Satisfaction Survey (Safety, health and well-being)

**FINANCIAL CONSIDERATIONS**

There are no direct financial implications in this report other than the cost of advertising the endorsed draft AIP in the local newspaper.

OFFICER RECOMMENDATION – ITEM 10.6

That Council endorses for public comment the draft Town of Bassendean Access and Inclusion Plan 2018-2022 as attached to the Ordinary Council Agenda of 27 November 2018.

**Voting requirements: Simple majority**

**10.7 Working Groups - Draft Term of Reference (Ref: COMDEV/MEETS/4 and COMDEV/MEETS/5 – Graeme Haggart, Director Community Development)**

APPLICATION

The purpose of this report is for Council to consider the Draft Term of Reference for the Access and Inclusion Working Group and the Suicide Prevention Working Group.

ATTACHMENTS

**Attachment No. 9:**

- Draft Terms of Reference Access and Inclusion Working Group.
- Draft Terms of Reference Suicide Prevention Working Group.

BACKGROUND

*Access and Inclusion Working Group*

At the Ordinary Council Meeting held on 25 September 2018, it was resolved (OCM – 22/09/18) that Council:

1. *Disbands the Access and Inclusion Committee;*
2. *Thanks members of the Committee for their service to the community;*
3. *Establishes an Access and Inclusion Working Group that reports to the People Services Committee;*
4. *Encourages sitting members and nominees to express interest in being a part of the Working Group; and*
5. *Receives a report on draft Terms of Reference and nominations to the Access and Inclusion Working Group.*

*Suicide Prevention Working Group*

The Coordinator of the Wanneroo and Communities Suicide Prevention Network attended the People Services Committee meeting held on 9 October 2018 and presented on the role of that group. The deputation followed the release of data that defined the Town as having the highest incidents of suicide in the Perth metropolitan area. Committee discussed options.

On the recommendation of the People Services Committee, at the Ordinary Council Meeting held on 23 October 2018, it was resolved (OCM - 17/10/18) that Council establishes a Suicide Prevention Working Group that reports to the People Services Committee.

This report presents for consideration Terms of Reference for the two Working Groups.

### COMMUNICATION AND ENGAGEMENT

The Department of Communities (Disability Services) was consulted in the preparation of the attached draft Access and Inclusion Working Group Terms of Reference.

The Chair of the People Services Committee was consulted in the preparation of the attached draft Suicide Prevention Working Group.

### COMMENT

Both draft Terms of Reference have been prepared based on the framework detailed in Policy 6.24 (*Town of Bassendean Advisory Group Policy*) and include: Authority, Background, Purpose, Membership, Chairperson, Meetings, Quorum, Meeting notes, Reporting timeframes and Termination of the Working Group.

Advertising for nominations to the Working Group will follow adoption of the Terms of Reference and result in a subsequent report seeking members be appointed.

### STATUTORY REQUIREMENTS

Local Government Act 1995

### STRATEGIC IMPLICATIONS

Strategic Priority 1 : Social

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
1.2 Ensure all community members have the opportunity to be active, socialise and be connected	1.2.4 Ensure people with disability and those from diverse backgrounds are valued and supported to participate in community life	Community / Stakeholder Satisfaction Survey (Activity and connectivity)  Volunteer rate

1.3 Plan for a healthy and safe community	1.3.2 Promote and advocate community health and well-being	Community / Stakeholder Satisfaction Survey (Safety, Health and Well-being)
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**FINANCIAL CONSIDERATIONS**

Nil.

**OFFICER RECOMMENDATION — ITEM 10.7**

That Council adopts the following Terms of References as attached to the Ordinary Council Meeting Agenda of 27 November 2018:

1. Access and Inclusion Working Group; and
2. Suicide Prevention Working Group.

**Voting requirements: Simple majority**

**10.8 Town of Bassendean's Draft Arts and Cultural Plan 2019-2023 (Ref:COMDEV/PLANNG/3 - Gabriella Filippi, Cultural Development Officer)**

**APPLICATION**

The purpose of this report is for the Council to receive the Town of Bassendean's draft Arts and Cultural Plan 2019-2023 and advertise the Plan for public comment.

**ATTACHMENTS**

**Attachment No. 10:**

- Draft Arts and Cultural Plan 2019-2023
- Revised Community Consultation and Communication Plan

**BACKGROUND**

In August 2017, the Town engaged a consultant, Ricky Arnold and Associates, to research, consult and prepare the Town's Arts and Cultural Plan.

The aim of the Arts and Cultural Plan is to create a five year vision for the community that represents, highlights, supports and showcases the dynamic and creative heartbeat of the Town of Bassendean. The Arts and Cultural Plan provides an opportunity to envision what the Town of Bassendean has to offer and how this can enrich, benefit and create pride in the Town, linking to all facets of community.

In undertaking this process, the Town conducted an extensive period of engagement, targeting all members of the community for input, guidance and support to meet this vision for the Town.

The Consultant undertook extensive desktop research and engaged with both the Cultural Development Network – CDN (who have created a framework for cultural planning) and the Chamber of Arts & Culture, throughout this process. There has also been extensive community engagement and internal engagement within Town Staff.

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In formulating the draft Arts and Cultural Plan which includes recommended activities to be undertaken, the Consultant adopted the Theory of Change process as outlined by the Cultural Development Network (CDN). Theory of Change is essentially a model to create an effective plan, starting from identifying long term goals, and working backwards to identify the conditions or outcomes that must be in place for the goals to be met.

The Town's draft Arts and Cultural Plan is now ready to be made available for a period of public comment.

### COMMUNICATION AND ENGAGEMENT

The Town's draft Arts and Cultural Plan 2019-2023 is the result of the considerable research and extensive consultation activities undertaken by the Consultant, which included:

- A Cultural Plan reference group being formed, comprising of local artists, arts managers, teachers and residents;
- The Town's CEO and Corporate Management Team were interviewed;
- Three open community consultation gatherings were held in March 2018 in Ashfield, Bassendean and Eden Hill;
- Regular presentations to the Town's People Services Committee;
- Conducting a workshop with Councillors;
- A survey questionnaire on "Your Say Bassendean" was conducted throughout March to June;
- Face to face interviews with Town staff and other key individuals; and,
- Consultation with all local primary school arts teachers and principals.

Officers are proposing for the period of public comment to be open from 8 December 2018 to 8 February 2019 and facilitated online through the Town's *Your Say Bassendean* portal, as well as hard copies also being made available.

### STRATEGIC IMPLICATIONS

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
1.1 Build a sense of place and belonging	1.1.1 Facilitate engagement and empowerment of local communities	Community / Stakeholder Satisfaction Survey (Engagement and Participation)
	1.1.2 Activate neighbourhood spaces to facilitate community gathering	
	1.1.3 Ensure our unique culture and history are shared and celebrated	
	1.1.4 Continue to support and facilitate participation in the arts, community festivals and events	

## COMMENT

The key findings of the consultation process identified the following which has been captured into the Town's draft Arts and Cultural Plan 2019-2023:

Bassendean's unique culture comes from:

- Its history as a significant Aboriginal gathering place;
- Its position on the swan river, the preserved natural environment, its green spaces, trees;
- Its history as one of the first colonial settlements;
- Its importance in transport: river, rail, road and this connection to industry in the region;
- Its wealth of creativity in its community;
- Its awesome events that connect the community and make it a welcoming place.

Bassendean values arts and culture because:

1. Arts is good for health and well-being;
2. All types of artistic and creative activities are really important;
3. We regularly draw, paint, make craft, design things, build stuff, perform, sing, play;
4. It is important for our children to learn art, dancing, music, and other creative things.

The Town's draft Arts and Cultural Plan 2019-2023 has been maintained as a high order document to establish the vision and context on the future direction of arts and culture within the Town.

The purpose for the period of public comment, is to check in with the community to ensure that the feedback provided through the consultation process has been accurately captured in the draft Arts and Culture Plan.

Questions that will form part of the period of public comment have been included in the revised Community Consultation and Communication Plan that has been provided as an attachment to this report. The questions specifically focus on the key outcomes for the Arts and Cultural Plan, namely:

- Sense of belonging to a shared heritage: Connecting the community;
- A positive sense of place;
- Appreciation of diversity of cultural expression;
- Stimulation of creativity;
- Experience of aesthetic enrichment;

- Capacity building: new knowledge, ideas and insights gained;
- Cultural and creative industry strengthened; and
- Overall.

Officers are of the view that the Town's draft Arts and Cultural Plan 2019-2023 is well and truly ready for a period of public comment and would like to recommend that the plan be made available for comment from 8 December 2018 to 9 February 2019. . Whilst part of the public comment period is over the festive season, this is compensated by allowing for eight weeks to receive comments, as well as easy access to view the plan online.

At the conclusion of the period of public comment, Officers together with the Consultant will further refine the Arts and Culture Plan from the feedback received, with a view to present the final Arts and Culture Plan for adoption by Council in March/April 2019 with an official launch in mid June 2019. The final Arts and Culture Plan presented for adoption will include specific projects that have been costed to be listed for consideration in the 2019/2020 budget process.

#### STATUTORY REQUIREMENTS

Local Government Act 1995

#### FINANCIAL CONSIDERATIONS

Nil at this stage.

#### OFFICER RECOMMENDATION - ITEM 10.8

That Council receives the Town of Bassendean's draft Arts and Cultural Plan 2019-2023 and advertises the Plan for public comment from 8 December 2018 to 8 February 2019.

**Voting requirement: Simple requirement**

**10.9 Consideration of Meeting Dates & Citizenship Ceremonies for 2019 (Ref: GOVN/CCLMEET/1 – Yvonne Zaffino, Council Support Officer)**

**APPLICATION**

Council is requested to endorse its 2019 meeting dates for Council and Committees and Citizenship Ceremonies.

**BACKGROUND**

In 2017 and 2018, Council reviewed and adopted the following Committees structure:

- Access and Inclusion Committee (Jan 2018)
- Audit and Governance Committee (Jan 2018)
- Bassendean Local Emergency Management Committee (Jan 2018)
- Design Bassendean (Nov 2017)
- Economic Development Committee (Nov 2017)
- People Services Committee (Nov 2017)
- River Parks Committee (Nov 2017)
- Sustainability Committee (Nov 2017)
- Town Assets Committee (December 2017)
- Youth Advisory Council (Nov 2017)

In April 2018, Council resolved to disband the Design Bassendean Committee and establish a working group named the Design Bassendean Advisory Group.

In September 2018, Council resolved to also disband the Access and Inclusion Committee and establish the Access and Inclusion Working Group that reports to the People Services Committee.

**STRATEGIC IMPLICATIONS**

*Section 5 - Good Governance*

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>
5.2 Proactively partner with the community and our stakeholders	5.2.1 Improve customer interfaces and service
	5.2.2 Engage and communicate with the community
	5.2.3 Advocate and develop strong partnerships to benefit community

## COMMENT

In setting the meeting dates, factors, such as public holidays, school holidays, availability of community members, Councillors, Officers and the Minute Secretary have been taken into consideration.

The Council adopted Instruments of Appointment and Delegation recommend that these Committees meet at least quarterly (excluding the Youth Advisory Council). Should additional meetings be required during the year, Council can endorse these as part of a Committee/Officer recommendation.

The Audit and Risk Management Committee, Bassendean Local Emergency Management Committee and the River Parks Committee have representatives from a number of State Government departments and other organisations, and therefore meetings for the Committee have scheduled (as in the past) during core working hours to accommodate these members.

It should be noted that any amendments to these dates may clash with other scheduled meetings. Council should also be mindful of the availability of Committee members, Officers and the Minute Secretary when making amendments to the calendar.

## STATUTORY REQUIREMENTS

*Local Government Act 1995, Section 5.25(1)(g) and Local Government (Administration) Regulation 12.*

A local government is required at least once each year to give local public notice of all Ordinary Council meetings and Committee meeting dates, times and places that are open to the public and are to be held in the next twelve months.

## FINANCIAL CONSIDERATIONS

Nil.

### Additional Officer Comment

Since the Briefings Session held on 20 November 2018, minor amendments have been made to the Officer Recommendation as follows:

- The October 2019 Briefings Session and Ordinary Council meeting have been amended to bring those meetings forward one week, to allow the current Council to meet prior to the Local Government Elections on 19 October 2019;
- The Special Council Meeting (Elections) for October has been rescheduled to Tuesday, 22 October 2019, as rescheduling has now freed up this date;
- The Sustainability Committee meeting for October 2019 has been rescheduled to 29 October 2019, due to the Briefings Session being held one week earlier.
- The Audit and Governance Committee meeting for October 2019 has been rescheduled to 13 November 2019, on request by Cr Hamilton, who is a member of that Committee.

These amendments are shown in bold type below.

### OFFICER RECOMMENDATION — ITEM 10.9

That:

1. Council endorses the following Briefings Sessions, Council and Committee meeting dates to be held in the Council Chamber, 48 Old Perth Road, Bassendean:

#### **Briefings Sessions – Tuesdays 7.00pm**

19 February, 19 March, 16 April, 21 May, 18 June, 16 July, 20 August, 17 September, **8 October**, 19 November and 10 December.

#### **Ordinary Council Meetings – Tuesdays 7.00pm**

26 February, 26 March, 23 April, 28 May, 25 June, 23 July, 27 August, 24 September, **15 October**, 26 November and 17 December.

**Audit and Governance Committee – Wednesdays, 5.30pm**

6 February, 8 May, 7 August and **13 November**

**Bassendean Local Emergency Management Committee – Wednesdays, 3.30pm**

6 March, 5 June, 4 September and 6 November

**Economic Development Committee – Tuesdays, 7.00pm**

12 March, 11 June, 3 September and 5 November

**People Services Committee – Tuesday, 7.00pm**

5 February, 14 May, 13 August and 12 November

**River Parks Committee – Tuesdays, 3.00pm**

5 March, 4 June, 10 September and 3 December

**Sustainability Committee – Tuesdays 7.00pm**

12 February, 9 April, 9 July and **29 October**

**Town Assets Committee – Wednesdays 10.00am**

6 February, 10 April, 10 July and 9 October

**Youth Advisory Council – Fridays, 5.00pm**

29 March, 31 May, 28 June, 26 July, 30 August, 25 October and 29 November

2. A Special Council meeting be held on **Tuesday, 22 October** 2019 at 7.00pm for the swearing in of new Councillors following the Local Government Elections; and
3. Council endorses the following Citizenship Ceremonies for 2019:

Saturday, 26 January;  
Tuesday, 2 April;  
Tuesday, 2 July; and  
Tuesday, 1 October.

**Voting requirement: Absolute majority**

**10.10 Conducting the 2019 Council Elections by Postal Vote (Ref: GOVN/ELEC/2 – Peta Mabbs, Chief Executive Officer)**

APPLICATION

The purpose of this report is to determine whether the WA Electoral Commissioner (WAEC) will conduct the Town of Bassendean's 2019 Council elections, utilising the postal method of voting.

Council can appoint the WA Electoral Commissioner to be responsible for conducting the October 2019 Council elections. Council needs to determine if those elections will be conducted by postal vote.

The Chief Executive Officer recommends the same method previously used for Council elections be used for the 2019 Council election and that the WA Electoral Commissioner be responsible for conducting the 2019 Council election using the postal method for voting.

ATTACHMENTS

**Attachment No. 11:** Postal Election Timetable

BACKGROUND

In previous Council elections, the Town of Bassendean has resolved to conduct elections using the postal voting method and has arranged for the WA Electoral Commissioner to supervise the election. In order to conduct the 2019 Council elections by the postal election method, under the supervision of the WA Electoral Commissioner, Council must resolve to do so by an absolute majority of Council.

RELEVANT LAW AND POLICY

Local Government Act 1995 section 4.20 (4), 4.61 (2).

Under the Local Government Act section 4.20 (4), 4.61 (2), an absolute majority vote is required.

COMMENT

The use of postal elections has proved successful at the Town of Bassendean and across the State, as participation rates have increased significantly. There does not appear to be any justification to return to the traditional (in person) elections.

The WA Electoral Commission has considerable experience in holding elections in the Town.

Based upon past experiences, the postal voting election system is considered the best way to obtain a higher return of ballot papers/voter response.

### FINANCIAL IMPLICATIONS

The Western Australian Electoral Commission has estimated the cost for conducting the 2019 Election at \$50,000 and this amount will be entered for budget consideration in the 2019/20 Budget.

The costs are based on the following:

- 10,800 electors;
- 40% response;
- 3 vacancies; and
- Count to be conducted at the Seniors' and Community Hall, 50 Old Perth Road, Bassendean.

It should be noted that the WAEC has advised that an additional \$2,160 would be incurred if Council decides to opt for the Australia Post Priority Service.

The role of the WAEC in the election process provides for the use of election counting software, thereby streamlining the process on counting night. WAEC ensures compliance with statutory advertising is undertaken. The WAEC Returning Officer takes responsibility for dealing with candidate election issues, advertising, disputes between candidates - thereby separating this role from the CEO.

The WAEC has been running the Elections in Bassendean for the past 15 years.

### OFFICER RECOMMENDATION – ITEM 10.10

That:

1. Council declares, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner be responsible for the conduct of the 19 October 2019 Ordinary Elections, together with any other elections or polls which may also be required;
2. Council decides, in accordance with section 4.61(2) of the Local Government Act 1995, that the method of conducting the election will be as a postal election;

3. An amount of \$50,000 be listed for consideration in the 2019/20 Budget to hold the 2019 Ordinary Elections; and
4. The count for the 2019 Ordinary Elections be held at the Seniors' and Community Hall, 50 Old Perth Road, Bassendean.

**Voting Requirements: Absolute Majority**

**10.11 Auditor General's Report on Local Government Procurement (Ref: FINM/AUD/14 - Peta Mabbs, Chief Executive Officer)**

APPLICATION

Council is requested to note the findings of the Auditor General's Report on Local Government Procurement, as it relates to the Town of Bassendean.

ATTACHMENTS

**Attachment No. 12:**

Western Australian Auditor General's Report "Local Government Procurement"

BACKGROUND

The *Local Government Amendment (Auditing) Act 2017* was proclaimed on 28 October 2017 and gave a mandate to the Auditor General to conduct performance audits and financial audits within local governments.

In recent months, the Auditor General selected the Town of Bassendean as part of a group of local governments to be subject to a performance audit focusing on procurement.

Audit Report

On 11 October 2018, the Auditor General tabled a report in Parliament titled "Local Government Procurement" under the provisions of section 25 of the *Auditor General Act 2006*.

The report stated:

*"This was a narrow scope performance audit, conducted under section 18 of the Auditor General Act 2006 and in accordance with Australian Auditing and Assurance Standards. Narrow scope performance audits have a tight focus and generally target compliance with legislation, public sector policies and accepted good practice.*

*The audit objective was to determine if local governments have effective procurement arrangements in place."*

Specific lines of inquiry were:

- 1) Have local governments established policies and procedures for procurement of goods and services?
- 2) Is there effective oversight and control of procurement activities?

(A more detailed outline of the audit focus areas is outlined in the attachment to the report.)

Audit Findings and Action Plan

The performance audit identified weaknesses in the practices of all 8 local governments reviewed, including the Town of Bassendean. Importantly, the audit report indicated that there was no evidence of misconduct.

Findings from the report identified weaknesses in key policies and control principles as outlined on page 8 of the report.

COMMUNICATION & ENGAGEMENT

To ensure openness, accountability and integrity, Council has appointed two community representatives to be members of the Audit & Governance Committee. Further capability development will be undertaken with the Administration staff to ensure proficiency in procurement policies and practices.

STRATEGIC IMPLICATIONS

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
5.1 Enhance organisational accountability	5.1.1 Enhance the capability of our people	Community / Stakeholder Satisfaction Survey (Governance)
	5.1.2 Ensure financial sustainability	
	5.1.3 Strengthen governance, risk management and compliance	Compliance Audit
	5.1.4 Improve efficiency and effectiveness of planning and services	Risk Management Profile
	5.1.5 Ensure optimal management of assets	Financial Ratio Benchmarked.  Asset Ratio Benchmarked

COMMENT

In light of the Auditor General's findings, the Administration will undertake a review of the Town's procurement policies, processes and controls by the end of Quarter 3 in 2018/2019, and the outcomes of this work will be presented to Council through the Audit & Governance Committee upon completion.

STATUTORY REQUIREMENTS

*Local Government Amendment (Auditing) Act 2017*

## FINANCIAL CONSIDERATIONS

Nil.

## OFFICER RECOMMENDATION — ITEM 10.11

That Council:

1. Notes the audit findings of the Auditor General's Report on Local Government Procurement; and
2. Notes that the Administration will undertake a review of the Town's procurement policies, processes and controls by the end of Quarter 3 in 2018/2019, and that the outcomes of this work will be presented to Council through the Audit & Governance Committee upon completion.

**Voting requirements: Simple Majority**

**10.12 Bassendean Local Emergency Management Committee Meeting held on 7 November 2018 (Ref: GOVN/CCLMEET/18 – Graeme Haggart, Director Community Development)**

**APPLICATION**

The purpose of the report is for Council to receive the report on a meeting of the Bassendean Local Emergency Management Committee held on 7 November 2018. The Committee discussed the following items:

- BLEMC – 1/11/18 - Swan and Helena Rivers Flood Study:  
Hydrology Final Report
- BLEMC – 2/11/18 - State Emergency Management Committee  
Draft Local Recovery Guidelines
- BLEMC – 3/11/18 - Flood Mitigation Project
- BLEMC – 4/11/18 - Emergency Management Risk Project report
- BLEMC – 5/11/18 - Local Emergency Welfare Plan for the  
Midland Region
- BLEMC – 6/11/18 - Emergency Management Agency Reports
- BLEMC – 7/11/18 - Post incident and post exercise reports be  
received
- BLEMC – 8/11/18 - Committee members' contact details  
amended
- BLEMC – 9/11/18 - Preparedness, Prevention, Response and  
Recovery Issues

**ATTACHMENTS**

**Attachment No. 13:**

Minutes of the Bassendean Local Emergency Management Committee meeting held 7 November 2018.

**COMMENT**

At the meeting Committee considered the following:

1. A report on the Swan and Helena River Flood Study:  
Hydrology Final Report;
2. A report on the State Emergency Management Committee  
Draft Local Recovery Guidelines;
3. An update report on the Flood Mitigation Project;
4. An update report on the Local Government Emergency  
Risk Management Project;
5. Receiving the updated Midland Local Welfare Plan;

6. Emergency Management Agencies Reports;
7. Post incident and post exercise reports;
8. Committee contact and key holder details updated; and
9. Any other preparedness, prevention, response and recovery issues.

**OFFICER RECOMMENDATION – ITEM 10.12**

That Council receives the report on a meeting of the Bassendean Local Emergency Management Committee held on 7 November 2018.

**Voting requirements: Simple majority.**

**10.13 River Parks Committee Meeting held on 13 November 2018  
(Ref: GOVNCCL/MEET/33 – Simon Stewert-Dawkins,  
Director Operation Services)**

**APPLICTION**

The purpose of this report is for Council to receive the report on a meeting of the River Parks Committee held on 13 November 2018, and consider the recommendations from the Committee.

RPC – 1/11/18	Ashfield Flats Draft Works Program 2018-2023 (alternative motion moved RPC – 2/11/18)
RPC – 2/11/18	Ashfield Flats Draft Works Program 2018-2023
RPC – 3/11/18	The AshfieldCAN Lookout Concept Plan for Lot 821/52 Villiers St
RPC – 4/11/18	Ashfield Flats, Bindaring Park and Pickering Park fox activity and cage trapping

**ATTACHMENTS**

**Attachment No. 14:**

Minutes of the River Parks Committee meeting of 13 November 2018.

Please note attachments provided at the Committee Meeting can be found at:

<https://www.bassendean.wa.gov.au/council-meetings/river-parks-committee/292>

**COMMENT**

The following items were discussed and updates provided where relevant:

- Ashfield Flats Draft Works Program Report and public consultation;
- The AshfieldCAN Lookout Concept Plan for Lot 821/52 Villiers St; and
- Results of fox trapping at Ashfield Flats, Bindaring Park and Pickering Park.

COMMITTEE RECOMMENDATION – ITEM 10.12

That Council:

1. Receives the report on a meeting of the River Parks Committee held on 13 November 2018;
2. Acknowledges the community feedback received regarding the Ashfield Flats Draft Works Program 2018-2023;
3. Endorses the Department of Planning, Lands & Heritage's "Report on the community feedback received for the Ashfield Flats Draft Works Program 2018-2023" attached to the 13 November 2018 River Parks Committee agenda;
4. Notes that a number of the recommendations contained in the "Report on the community feedback received for the Ashfield Flats Draft Works Program 2018-2023" are contingent on the outcomes of the Hydrological Study being completed in approximately 18-24 months and that the study will heavily influence the recommendations proposed and the preparation of an Ashfield Flats Foreshore Management Plan to be prepared by the Department of Planning, Lands and Heritage in consultation with the Department of Biodiversity Conservation and Attractions;
5. Provides in principal support for all the recommendations contained in the "Report on the community feedback received for the Ashfield Flats Draft Works Program 2018-2023" and requests the following:
  - a) That the Department of Planning, Lands & Heritage and the Town of Bassendean work together with dog walkers and the community to develop a policy at Ashfield Flats covering access by dogs and the control of this access to protect high value conservations areas and restoration sites whilst facilitating recreation and community connection;

- b) That high value conservation areas and restoration sites be identified in conjunction with the Department of Biodiversity, Conservation and Attractions and a workshop convened with the Department of Planning, Lands and Heritage and the Town of Bassendean, dog walkers and community representatives to inform a policy at Ashfield Flats covering access by dogs and the control of this access and develop educational signage regarding on and off lead areas;
  - c) That officers provide information on responsible dog ownership to the community regarding the Ashfield Flats and generally via multiple media platforms;
  - d) That any foreshore fencing constructed be sympathetic to the natural environment, facilitate river views and provide multiple access points to the foreshore.
6. Council endorse the AshfieldCAN Lookout Concept Plan for Lot 821/52 Villiers Street Ashfield, prepared by Urban Botanic, attached to the 13 November 2018 River Parks Committee agenda;
  7. Notes the Department of Water & Environmental Regulation letter regarding contaminated Lot 821/52 Villiers Street, Ashfield, attached to the 13 November 2018 River Parks Committee agenda;
  8. Requests Officers to provide a report on a management order or lease agreement for the high ground depicted in the AshfieldCAN Lookout Concept Plan for Lot 821/52 Villiers Street, Ashfield subject to the WAPC/Department of Planning Lands & Heritage preparing a site management plan including specific health and safety management and an estimate of annual maintenance costs, including mowing and weeding;
  9. Receives the report updating on cage trapping within Ashfield Flats Reserve, Bindaring Park and Pickering Park;
  10. Endorses that no further cage trapping will be implemented, until a re-evaluation of the programme is undertaken, due to the high volume of domestic dogs wandering "off leash" within the Ashfield Flats Reserve;

11. Requests that the Department of Planning Lands & Heritage and Town of Bassendean officers continue to monitor the Ashfield Flats fox activity and reconsiders a fox cage trapping programme once guidelines for dog access on the Ashfield Flats have been implemented and their effectiveness evaluated;
12. Requests that officers continue to monitor the wandering cat problem at Bindaring Park and Pickering Park and on an 'as required' basis, the Town of Bassendean Rangers provide cat owners education materials regarding responsible pet ownership, in order to protect wildlife; and
13. Requests temporary signage be erected notifying the public that fox cage trapping is in effect and not to access affected areas.

**Voting requirement: Simple majority**

**10.14 Audit & Governance Committee Meeting held on 7 November 2018 (Ref: GOVNCCL/MEET/3 – Mike Costarella, Director Corporate Governance)**

**APPLICATION**

The purpose of this report was for Council to receive the report on a meeting of the Audit & Governance Committee held on 7 November 2018, and adopt the following recommendations from the Committee:

AGC-1/11/18 - Audited Annual Financial Statements year ended 30 June 2018

AGC-2/11/18 - Purchasing Policy

AGC-3/11/18 - Request for Rate Exemption June 2018

AGC-5/11/18 - Interest Penalty on Outstanding Rates

**ATTACHMENTS**

**Attachment No. 15:**

- Minutes of the Audit & Governance Committee held on 7 November 2018.
- 2017/18 Audited Annual Financial Statements

**Confidential Attachment No. 1**

- Confidential Report/Minutes and Attachments of the Audit & Governance Committee held on 7 November 2018.

**COMMUNICATION & ENGAGEMENT**

To ensure openness, accountability and integrity, Council has appointed two community representatives to be members of the Audit & Governance Committee.

**COMMENT**

The following items were discussed:

**Audited Annual Financial Statements for the Year Ended 30 June 2018**

The purpose of this report was to receive the Audited Annual Financial Statements for the year ended 30 June 2018.

### Review of Purchasing Policy 6.14

The Audit and Governance Committee was requested to recommend Council adopt the revised Purchasing Policy that was deferred at the August 2018 Council meeting. The matter was deferred in view of the WALGA Sustainability report and receipt of the Auditor General's Office report on Local Government Procurement.

The policy also addresses the November 2017 resolution of Council pertaining incentives for local businesses for the purchase of goods and services.

### Request for a Rate Exemption – Morley Baptist Church, 33 Hanwell Way, Bassendean

The purpose of this report was to provide Council with information to assess whether a rates exemption from Council rates could be granted under Section 6.26(2) (d) of the Local Government Act.

### Interest Penalty on Outstanding Rates and Charges

*This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (2) of the Local Government Act 1995, as the Officer report discusses the financial affairs of a person.*

### COMMITTEE RECOMMENDATION – ITEM 10.14

That Council:

1. Receives the audited 2017/18 Annual Financial Statements and draft Audit Report and Completion Report, as attached to the Audit and Governance Committee Agenda of 7 November 2018;
2. Defers the review of Policy 6.14 pending a Councillors' workshop;
3. Advises that the Trustee of the Morley Baptist Church Inc is eligible for a Rates Exemption on 33 Hanwell Way Bassendean for the 2018/19 financial year in accordance with Section 6.26 (2)(d) of the Local Government Act, on the proviso that the planning use is changed from 'reception centre' to 'place of worship';

***(Note: For the information of Councillors the property changed its use from reception centre to place of worship in September 2014)***

4. Accepts the Audit and Governance Committee's recommendation contained within the confidential section of the minutes of the 7 November 2018; and
5. Receives the report on a meeting of the Audit and Governance Committee of 7 November 2018.

**Voting requirement:**

**Point 3 & 4 – Absolute majority**

**Point 2 - Simple majority**

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

<b>Building Applications Determined in the Month of October 2018</b>		
<b>Application No</b>	<b>Property Address</b>	<b>Description</b>
201800089	33 CLARKE WAY, BASSENDEAN	ADDITION TO REAR OF DWELLING
201800209	10 JACKSON STREET, BASSENDEAN	OFFICE & FACADE
201800203	10 WHITFIELD STREET, BASSENDEAN	REPLACEMENT OF EXISTING PATIO TO BOWLING CLUB
201800206	128 KENNY STREET, BASSENDEAN	PATIO
201800200	14 CHAPMAN STREET, BASSENDEAN	GARAGE
201800208	74 BROADWAY , BASSENDEAN	RETROSPECTIVE CARPORT & PATIO
201800225	5 SEVENTH AVENUE, BASSENDEAN	SWIMMING POOL & FENCE
201800221	1 PERWAY LANE, BASSENDEAN	PATIO
201800229	77A NORTH ROAD, BASSENDEAN	DWELLING
201800227	40 LITTLEMORE WAY, EDEN HILL	PATIO
201800223	9 PADBURY WAY, EDEN HILL	PATIO & SHED
201800226	17 MONS STREET, ASHFIELD	SHED
201800224	31 PARMELIA WAY, BASSENDEAN	PATIO
201800220	2 SCHOFIELD STREET, EDEN HILL	ALTERATION/ADDITION TO DWELLING
201800217	58 CYRIL STREET, BASSENDEAN	DEMOLITION OF HOUSE
201800213	24 DEVON ROAD, BASSENDEAN	SINGLE DWELLING
201800219	32A NORTH ROAD, BASSENDEAN	2 STOREY DWELLING
201800215	46 ANZAC TERRACE, BASSENDEAN	DEMOLITION OF DWELLING
201800216	56 CYRIL STREET, BASSENDEAN	DEMOLITION OF DWELLING
201800212	14 KENNY STREET, BASSENDEAN	PATIO
201800234	17 MONS STREET, ASHFIELD	RETAINING WALL - RETROSPECTIVE
201800239	4 CALNON STREET, BASSENDEAN	DEMOLITION
201800231	57 EILEEN STREET, BASSENDEAN	OUTBUILDING
201800233	13 CLARKE WAY, BASSENDEAN	ADDITIONS/ALTERATIONS
201800128	66 EILEEN STREET, BASSENDEAN	ADDITIONS / ALTERATIONS TO EXISTING SINGLE DWELLING
201800177	33 IVANHOE STREET, BASSENDEAN	PATIO
201800199	52 ESTHER STREET, EDEN HILL	PATIO
201800193	2 ROSETTA STREET, BASSENDEAN	ADDITIONS / ALTERATION TO EXISTING DWELLING
201800197	105 BROADWAY , BASSENDEAN	FACTORY/WAREHOUSE CONVERSION TO ASSEMBLY BUILDING
201800198	174 RAILWAY PARADE, BASSENDEAN	LUNCHBAR FITOUT
201800194	19 HARDY ROAD, BASSENDEAN	RESIDENTIAL DWELLING & RETAINING WALL
201800159	18 BASSENDEAN PARADE, BASSENDEAN	ADDITION/ALTERATION TO DWELLING

OFFICER RECOMMENDATION – ITEM 10.15

That Council notes the decisions made under delegated authority by the Principal Building Surveyor.

**Voting requirement: Simple majority**

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

The Manager Development Services made the following planning decisions under Delegated Authority since those reported to the last Council meeting:

<b>Planning and Subdivision Applications Determined to 9 November 2018</b>			
<b>Applic No.</b>	<b>Property Address</b>	<b>Description</b>	<b>DETERMINATION</b>
2018-062	77A NORTH ROAD BASSENDEAN 6054	SINGLE HOUSE	DELEGATE APPROVED
2018-082	79C IVANHOE STREET BASSENDEAN 6054	GROUPED DWELLING	DELEGATE APPROVED
2018-089	53 KENNY STREET BASSENDEAN 6054	DETACHED HABITABLE ROOM	DELEGATE APPROVED
2018-102	190 RAILWAY PARADE BASSENDEAN 6054	MODIFICATION TO ACCESS / EGRESS ARRANGEMENTS	DELEGATE APPROVED
2018-108	14 LATHAM STREET ASHFIELD 6054	ADDITIONS AND ALTERATIONS TO SINGLE HOUSE AND ANCILLARY DWELLING	DELEGATE APPROVED
2018-116	31 ANZAC TERRACE BASSENDEAN 6054	ADDITIONS AND ALTERATIONS TO SINGLE HOUSE ALONG WITH CONVERSION OF SINGLE HOUSE TO SINGLE HOUSE AND ANCILLARY DWELLING	DELEGATE APPROVED
2018-121	10 WHITFIELD STREET BASSENDEAN 6054	REPLACEMENT VERANDA	DELEGATE APPROVED
2018-122	10 JACKSON STREET BASSENDEAN 6054	ALTERATIONS TO EXISTING BUILDING INVOLVING A CHANGE OF USE FROM WAREHOUSE AND OFFICES TO GENERAL INDUSTRIAL USE, SHOWROOMS & OFFICES	DELEGATE APPROVED
2018-123	17 HARDY ROAD BASSENDEAN 6054	RETROSPECTIVE APPLICATION FOR ADDITIONS AND ALTERATIONS TO SINGLE HOUSE	DELEGATE APPROVED
2018-127	33 IVANHOE STREET BASSENDEAN 6054	PATIO	DELEGATE APPROVED
2018-129	52 ESTHER STREET EDEN HILL 6054	PATIO	DELEGATE APPROVED
2018-131	174 RAILWAY PARADE BASSENDEAN WA 6054	AMENDED APPLICATION FOR LUNCH BAR	DELEGATE APPROVED
2018-133	32 COLSTOUN ROAD ASHFIELD 6054	PATIO	DELEGATE APPROVED
2018-136	31 PARMELIA WAY BASSENDEAN 6054	PATIO	DELEGATE APPROVED

	<b>Subdivision Applications</b>		
1121-18	67 HAMILTON STREET BASSENDEAN 6054	TWO LOT SURVEY STRATA	STATUTORY ADVICE
156889	184 RAILWAY PARADE BASSENDEAN 6054	FOURTEEN LOT SUBDIVISION	STATUTORY ADVICE

**OFFICER RECOMMENDATION – ITEM 10.16**

That Council notes the decisions made under delegated authority by the Manager Development Services.

**Voting requirement: Simple majority**

**10.17 Accounts for Payment – October 2018 (Ref: FINM/CREDTS/4 – Ken Lapham, Manager Corporate Services)**

**APPLICATION**

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

**ATTACHMENTS**

**Attachment No. 16:**

List of payments made under delegated authority for the period October 2018

**BACKGROUND**

The monthly payments made for the period October 2018 are presented to Council, with details of payments made by the Town in relation to goods & services received.

**STRATEGIC IMPLICATIONS**

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
5.1 Enhance organisational accountability	5.1.1 Enhance the capability of our people	Community / Stakeholder Satisfaction Survey (Governance)
	5.1.2 Ensure financial sustainability	
	5.1.3 Strengthen governance, risk management and compliance	Compliance Audit
	5.1.4 Improve efficiency and effectiveness of planning and services	Risk Management Profile
	5.1.5 Ensure optimal management of assets	Financial Ratio Benchmarked.
		Asset Ratio Benchmarked

**STATUTORY REQUIREMENTS**

Local Government (Financial Management) Regulations 1996

**FINANCIAL CONSIDERATIONS**

All payments are authorised prior to disbursement in accordance with their allocated budget.

OFFICER RECOMMENDATION - ITEM 10.17

That in accordance with Regulation 13(3) Local Government (Financial Management Regulations 1996) the List of Accounts paid for October 2018 be received.

**Voting Requirements: Simple majority**

**10.18 Financial Statements – September/October 2018 (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.

**ATTACHMENTS**

**Attachment No. 17:**

Financial Reports for September/October 2018

**BACKGROUND**

Regulations require a local government to prepare a monthly statement of financial activity, reporting on the revenue and expenditure as set out in the Annual Budget. In accordance Regulation 34(3) the reports can be undertaken by either nature & type classification or statutory program or Business Unit.

A statement of financial activity and accompanying documents are required to be presented to Council within 2 months after the end of the month to which the statement relates.

In addition to this and in accordance with Regulation 34 (5) of the Local Government (Financial Management) Regulations 1996 each year Council is required to adopt a percentage or value to be used in the reporting of material variances. For the 2018/19 financial year the amount is \$5,000 or 10% whichever is the greater.

**STRATEGIC IMPLICATIONS**

***Good Governance***

Strategic Priority 5: Good Governance

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
5.1 Enhance organisational accountability	5.1.1 Enhance the capability of our people 5.1.2 Ensure financial sustainability 5.1.3 Strengthen governance, risk management and compliance	Community / Stakeholder Satisfaction Survey (Governance)  Compliance Audit  Risk Management Profile  Financial Ratio Benchmarked.  Asset Ratio Benchmarked

### COMMENT

The attached monthly financial statements as presented represent the adopted & revised 2018/19 Budget estimates & actual income and expenditure amounts for the period ending 30 September and 31 October 2018.

### September 2018

The Summary of Financial Activity (Income by Nature & type) is indicating that income for the Year to date is on target. Fees & charges are on target, Operating Grants, Interest Earnings, & other revenue are well ahead of Budget.

Total expenditure by nature & type is 24% lower than budget forecasts. Materials & contracts is well under budget estimates, as well as employee costs, utilities, Interest expenses and other expenditure in the current reporting period.

### October 2018

The Summary of Financial Activity (Income by Nature & type) is indicating that income for the Year to date is on target. Fees & charges are on target, Operating Grants, Interest Earnings, & other revenue are well ahead of Budget.

Total expenditure by nature & type is 2.6% lower than budget forecasts. Materials & contracts is well under budget estimates, with Employee Costs is marginally over budget with utilities, Interest expenses and other expenditure are all under budget expectations in the current reporting period.

### Capital Expenditure Summary

Expenditure on Infrastructure Capital projects is progressing, and can be further explained by examining the main categories of infrastructure expenditure:

- Land & Buildings;
- Infrastructure – Roads, Infrastructure and Footpaths ;
- Infrastructure – Drainage; and
- Park Plant & Equipment.

The Statements provide a comparison between actual and budget income and expenditure on year to date basis. The Notes accompanying the statements provide a detailed breakdown of the amounts.

### Budget Amendments

There are a number of Budget amendments identified for 30 September 2018, that requires Council adoption. These are listed in Note 9 of the statements, with it being noted that these adjustments will not increase the estimated closing surplus.

### STATUTORY REQUIREMENTS

Local Government (Financial Management) Regulations 1996.

### FINANCIAL CONSIDERATIONS

The Financial Statements provide an overview of the income and expenditure for the appropriate period periods. There are no direct financial implications arising from this report.

### OFFICER RECOMMENDATION – ITEM 10.18

That:

1. The Financial Reports for the period ending 30 September and 31 October 2018, be received; and
2. The 2018/19 Budget be amended in accordance with the schedule listed in Note 9 (Budget Amendments) and as attached to the Ordinary Council Agenda of 27 November 2018, be approved.

**Voting Requirements: Absolute majority**

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

The Chief Executive Officer and the Mayor have been delegated the responsibility for affixing the Common Seal to documents requiring signing and sealing, and for reporting the exercise of that delegation to the next available Ordinary Meeting of the Council.

The Common Seal was attached to the following documents during the reporting period:

25/10/18 Licence Agreement between Movies by Burswood Inc and the Town of Bassendean, Reserve 21150 (Trading as Telethon Community Cinemas); and

1/11/18 Hyde Retirement Village Residence Deed between Maria Ioannisci and the Town of Bassendean.

**OFFICER RECOMMENDATION – ITEM 10.19**

That Council notes the affixing of the Common Seal to the document listed in the Ordinary Council Meeting Agenda of 27 November 2018.

**Voting Requirements: Simple majority**

**10.20 Calendar for December 2018 (Ref: Sue Perkins, Executive Assistant)**

Tue	4 Dec	7.00pm	Economic Development Committee Meeting – Council Chamber (Crs Brown & Gangell)
Thu	6 Dec	6.00pm	EMRC Council Meeting – EMRC (Crs Wilson & Mykytiuk)
Tue	11 Dec	7.00pm	Briefings Session – Council Chamber
Tue	18 Dec	7.00pm	Ordinary Council Meeting – Council Chamber

**OFFICER RECOMMENDATION - ITEM 10.20**

That the Calendar for December 2018 be adopted.

**Voting Requirements: Simple majority**

**10.21 Implementation of Council Resolutions (Ref: GOVN/CCLMEET/1 – Sue Perkins, Executive Assistant)**

At the Ordinary Council meeting held on 14 December 2010, it was resolved that only those items that are to be deleted from the implementation of Council resolutions be referred to Council, and all other items in progress be included in the Councillors' Bulletin on the last Friday of the month.

**STRATEGIC IMPLICATIONS**

Strengthen Council governance and compliance.

**COMMENT**

The following tables detail those resolutions of the Council that are recommended for deletion:

Issue ID	Assigned To	Brief Description	Action Taken
91828	Brian Reed	OCM-7/6/16 - Proposed Acquisition of Road Reserve on Lot 105 Clune Street, Bassendean	The Statutory Planning Committee of the Western Australian Planning Commission at its meeting held on 6 November 2018 has allowed clearance of stage 2 of the Tonkin Highway Industrial Estate relying on certain upgrades to sections of Clune Street and Lavan Street, rather than the acquisition of part of lot 105 Clune and the construction of Wicks Street. The need to acquire the land for road purposes no longer exists. <b>Recommend Deletion</b>

Issue ID	Assigned To	Brief Description	Action Taken
ROC18/63883	GRAEME HAGGART	OCM-21/09/18 - REVIEW OF DONATIONS POLICY	REVISED POLICY AND FUNDING GUIDELINES ADOPTED BY COUNCIL AT THE OCTOBER OCM. <b>RECOMMEND DELETION.</b>
ROC17/53457	GRAEME HAGGART	OCM-34/3/17 - NOTICE OF MOTION – CR MCLENNAN: CHILDREN & FAMILIES' SERVICES FACILITY	CHILD HEALTH CLINIC AND COMMUNITY SPACE SUITABLE FOR A PLAYGROUP HAS BEEN INCORPORATED TO WITHIN THE 1 SURREY STREET REDEVELOPMENT PLAN. <b>RECOMMEND DELETION.</b>

ROC18/64232	GRAEME HAGGART	OCM-13/10/18 - REVIEW OF DONATIONS POLICY	SECTION 6 OF POLICY MANUAL UPDATED TO REFLECT AMENDED POLICY. <b>RECOMMEND DELETION.</b>
ROC18/60872	GRAEME HAGGART	OCM-38/04/18 - NOTICE OF MOTION – CR QUINTON: ESTABLISH A INTEGRATED CHILDREN AND FAMILY SERVICES CENTRE WORKING GROUP	CHILD HEALTH CLINIC AND PLAYGROUP SPACE DESIGNED INTO THE 1 SURREY STREET REDEVELOPMENT PLAN THAT HAS BEEN ADOPTED BY COUNCIL. <b>RECOMMEND DELETION.</b>
ROC18/62198	MIKE COSTARELLA	OCM-18/06/18 - AUDIT & GOVERNANCE COMMITTEE MEETING HELD ON 20 JUNE 2018	NO FURTHER ACTION REQUIRED. <b>RECOMMEND DELETION.</b>
ROC18/61611	SIMON STEWERT-DAWKINS	OCM-29/05/18 - RIVER PARKS COMMITTEE MEETING HELD ON 8 MAY 2018	ON THE 13 NOVEMBER THE RIVER PARKS COMMITTEE RECEIVED A REPORT FROM THE DEPARTMENT OF PLANNING LANDS AND HERITAGE ON THE DRAFT ASHFIELD FLATS CONCEPT PLAN. THE NOVEMBER 2018 OCM INCLUDES THE COMMITTEE MINUTES WHICH OUTLINES THE COUNCILS REQUESTED ACTIONS HAD BEEN UNDERTAKEN. <b>RECOMMEND DELETION.</b>
ROC18/62194	SIMON STEWERT-DAWKINS	OCM-13/06/18 - SMART CITIES ROUND 2 EXPRESSION OF INTEREST APPLICATION - BASSENDEAN SMART RESOURCE TRACKING SYSTEM (SRTS) FOR SUSTAINABLE WASTE MANAGEMENT	TOWN OF BASSENDEAN AND CURTIN UNIVERSITY'S SMART CITIES ROUND 2 EXPRESSION OF INTEREST APPLICATION FOR BASSENDEAN SMART RESOURCE TRACKING SYSTEM (BSRT) FOR SUSTAINABLE WASTE MANAGEMENT DID NOT RECEIVE GRANT FUNDING. <b>RECOMMEND DELETION.</b>
ROC18/60854	BRIAN REED	OCM-7/09/18 - POSSIBLE IMPROVEMENT PLAN FOR LOTS 4 & 5 (NOS. 246 & 248) MORLEY DRIVE EAST EDEN HILL OWNERSHIP LOT: 4 BIRMINGHAM PROPERTIES PTY LTD/LADRIFT PTY LTD /MATAX PTY LTD LOT 5: TOWN OF BASSENDEAN	THE REQUIRED CONCEPT PLAN WAS SUBMITTED IN LINE WITH COUNCIL'S RESOLUTION. <b>RECOMMEND DELETION.</b>

ROC17/56341	JEREMY WALKER	OCM-26/9/17 - NOTICE OF MOTION – CR PULE: CONNECTING COMMUNITIES – CONNECTING BRIDGE PROPOSAL	ITEM IS DOUBLED UP <b>RECOMMEND DELETION.</b>
ROC18/61600	SALVATORE SICILIANO	OCM-20/05/18 - MOVIES BY BURSWOOD INC. - NEW CONTRACT TERM	LICENCE AGREEMENT HAS BEEN EXECUTED BY BOTH PARTIES. <b>RECOMMEND DELETION.</b>
ROC18/62730	SALVATORE SICILIANO	OCM-19/07/18 - TOWN OF BASSENDEAN COMMUNITY FACILITIES AND OVALS/RESERVES AUDIT AND NEEDS ASSESSMENT	PROJECTS FROM THE ENDORSED COMMUNITY FACILITIES AUDIT AND NEEDS ASSESSMENT WILL PROGRESSIVELY BE IMPLEMENTED BY TOWN STAFF. <b>RECOMMEND DELETION.</b>
ROC18/60316	SALVATORE SICILIANO	OCM-26/3/18 - MOVED CR WILSON SECONDED CR GANGELL THAT:	EVENT WAS SUCCESSFULLY STAGED BY THE SWAN DIST FC ON 13/14 OCT 2018. FOR 2019 NEED TO LOOK AT A MORE AFFORDABLE PRICING MODEL FOR THE COMMUNITY TO PARTICIPATE IN. <b>RECOMMEND DELETION.</b>
ROC17/56653	SALVATORE SICILIANO	OCM-26/10/17 - REQUEST FOR EXTENSION OF LICENCE AGREEMENT – SWAN DISTRICTS FOOTBALL CLUB INC.	LICENCE AGREEMENT HAS BEEN EXECUTED. <b>RECOMMEND DELETION.</b>
ROC18/64231	SUE PERKINS	OCM-12/10/18 - REVIEW OF DELEGATIONS TO THE CEO AND OTHER OFFICERS	DELEGATION REGISTER UPDATED IN ACCORDANCE WITH COUNCIL'S RESOLUTION. <b>RECOMMEND DELETION.</b>

OFFICER RECOMMENDATION – ITEM 10.21

That the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 27 November 2018 be deleted from the Implementation of Council Resolutions list.

**Voting Requirements: Simple majority**

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

### **11.1 Cr Gangell: Branding – Bassendean Village**

*“That Council receives a report on branding the Bassendean town centre along Old Perth Road as Bassendean Village.”*

#### Officer Comment

Included in the Old Perth Road Vibrancy Project report found elsewhere in this agenda is reference to Old Perth Road as being very long and having character that defines three discrete sections: West end, Central; and East end. The “historic” west end is argued in that report to be best placed to be branded as the Village and the Old Perth Road Vibrancy Framework Action Plan proposed in that report is targeted at defining the precinct and enhancing it’s branding as the “Historic Village”.

### **11.2 Cr Gangell: Signage: Bassendean Village**

*“That Council receives a report on providing signage that attracts people to the proposed Bassendean Village Precinct highlighting the businesses, activities, places of historic interest and community facilities available within the Bassendean town centre along prominent roads specifically Guildford Road.”*

#### Officer Comment

A plan to action a Wayfinding Sign program for the west end of Old Perth Road has been included in the Old Perth Road Vibrancy Framework Action Plan found elsewhere in this agenda.

### **11.3 Cr Gangell: Visioning Project – Old Perth Road**

*“That Council receives a report on conducting a visioning project for Old Perth Road and the town centre.”*

### **11.4 Cr Gangell: People’s Choice Business Award**

*That Council receives a report on conducting a Town of Bassendean People’s Choice Business Awards 2019.*

#### Officer Comment

Officers recommend this matter be referred to the Economic Development Committee to scope the proposal.

### **11.5 Cr Gangell: Kenny Street Parking Bays**

*“That Council receives a report in relation to car parking bays being clearly delineated on Kenny Street with the parking bays being marked out with paint.”*

#### **OFFICER REPORT**

As the painting of on-street parking bays is the marking out of existing permissible parking areas, and not an installation of new parking restrictions, this can be actioned administratively and would not require a resolution of Council to do so.

### **11.6 Cr Brown: Bassendean Oval Chain Link Boundary Fence**

*“That the Town of Bassendean engage with the Committee of the Swan Districts Football Club to gauge their enthusiasm for realigning the chain-link boundary fence on the southern or Old Perth Road side of the Oval, thus creating a more accessible park and thoroughfare linking the CBD with the river environs.”*

#### **Background – Cr Brown**

The Town is committed to creating community accessible green space and has long held an ambition to create an avenue linking the Commercial Business District (CBD) to the river.

Although accessible from time to time, within the fenced off area along Old Perth Road is a strip of parkland, maintained by the Town, which is essentially restricted to our community by a 2.2m chain-link fence.

With careful consideration of the importance of the existing iconic oval entry gate, there is little doubt that realigning the fence will create a more accessible informal park and a more appealing avenue linking the CBD with our river environs

If there is acceptance of the proposal, financing the realignment could be considered for the 2019-2020 Budget.

#### **Officer Comment**

A consultant has been engaged by the Town to prepare a Football Facilities Business Case study for Bassendean Oval. The study includes the Swan District Football Club facilities and ancillary/spectator facilities.

A Project Control Group is overseeing the project and includes Swan Districts Football Club, Department of Local Government, Sport and Cultural Industries, WA Football Commission, and Councillors and Officers from the Town. It is recommended by Officers that fencing for football purposes be referred to the consultant and that community needs be factored to within the Business Case.

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

**13.0** **CONFIDENTIAL BUSINESS**

*It should be noted that that the audio and live streaming will be turned off whilst confidential items are being discussed.*

**13.1** **Auspire – The Australia Day Council WA, Community Citizen of the Year Awards (Ref: COMR/AWADP/2 – Salvatore Siciliano, Manager Recreation and Culture)**

*This matter is to be 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.*

**13.2** **Local Studies Working Group - Nominations (Ref: COMDEV/LPIAC/2 – Renata Pietracatella, Manager Library and Information Services)**

*This matter is to be 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.*

**14.0** **CLOSURE**

The next Briefing Session will be held on Tuesday 11 December 2018 commencing at 7.00pm.

The next Ordinary Council meeting will be held on Tuesday 18 December 2018 commencing at 7.00pm.