

TOWN OF BASSENDEAN

NOTICE OF ORDINARY COUNCIL MEETING

An Ordinary Meeting of the Council of the Town of Bassendean will be held on Tuesday, 18 December 2018 in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 7.00pm.

Peta Mabbs
CHIEF EXECUTIVE OFFICER

14 December 2018

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 Questions Taken on Notice

Mr Aaron MacKay - Bridson/Whitfield/Watson Streets- Newly Planted Trees and Remaining Stump

The Director Operational Services wrote to Mr MacKay on 4 December 2018, in response to his query raised at the November 2018 Ordinary Council meeting, as follows:

“The Town of Bassendean's Elected Members have considered your request that the new trees be removed. In balancing the needs of our community to encourage children to play outdoors with the aim of cooling our suburb, they did not think that the trees would completely hinder children being able to play in the park. On that basis, they advised that they would prefer the two trees remain.

The Elected Members, however, requested that in future, that the Town liaise with the users of our parks and reserves, to obtain feedback on suggested tree planting locations.

In regards to the stump in the same park, this was removed by the Town's contractor on 28 November 2018.”

Mr David White - Expenditure on weed control at Success Hill Reserve in the 2017/2018 financial year.

The Director Operational Services wrote to Mr White on 6 December 2018, in response to a question raised at the October 2018 Ordinary Council meeting, as follows:

“I apologise for the delay in providing a response to the question taken on notice. The Town's financial records show that in the 2017/2018 financial year, the total expenditure for weed control at Success Hill Reserve was \$7,522.90.

Further to the comments I provided at the meeting in regards to the effectiveness of the weed control, the Town uses two methods to measure success, the first being the Keighery Scale of Bushland Condition and the second being weed mapping which is undertaken every two years.

On 16 October 2018, the Town's Senior Environmental Officer provided you with a copy of the most recent weed mapping report and the final treatment report for the steam weeding and brush cutting. These reports show that the non-chemical weed control has been ineffective in the control of weeds, in particular veldt grass, however, in the areas treated with herbicides, the weed density/coverage has been reduced and the bushland condition improved.

I understand from our telephone conversation on 3 December 2018 that you are preparing a Success Hill Action Group volunteer Bushcare Action Plan. The Town is keen to work with volunteers, and the Town's Senior Environmental Officer is looking forward to receiving the Action Plan so that any required planning can be further discussed with you.

The Town's Volunteer Bush Care Guide refers to a book titled 'Bushland Weeds - A practical guide to their management', which includes case studies from the Swan Coastal Plain. For your information I have added a web link to this book http://nrpg.org.au/userfiles/Bushland_Weeds_Book.pdf.

I trust this information along with the above response to your questions, will be of assistance to you. "

2.2 Public Question Time

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

2.3 Address by Members of the Public

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

4.0 DEPUTATIONS

5.0 CONFIRMATION OF MINUTES

5.1 Ordinary Council Meeting held on 27 November 2018 **(Attachment No. 1)**

OFFICER RECOMMENDATION – ITEM 5.1(a)

That the minutes of the Ordinary Council meeting held on 27 November 2018, be received.

OFFICER RECOMMENDATION – ITEM 5.1(b)

That the minutes of the Ordinary Council meeting held on 27 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

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 18 December 2018:

Item	Report
10.4	Station Access Cycle & Pedestrian Upgrade – Broadway, Bassendean
10.5	Draft Emission Reduction Plan
10.7	Sparx Early Learning Centre – Risk Mitigation Options for Tree Roots
10.9	RFT 088 2018-19 Provision of Drainage Cured in Place Pipe (CIPP) Relining for the Town of
10.11	Design and Implementation of a Community and Stakeholder Engagement Strategy to inform the development of a new Local Planning Strategy
10.12	Economic Development Committee Meeting held on 4 December 2018
10.13	Determinations Made by the Principal Building Surveyor
10.14	Determinations Made by Development Services (
10.15	Accounts for Payment – November 2018
10.17	Use of the Common Seal
10.18	Calendar for January 2019
10.19	Implementation of Council Resolutions

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

Item	Report
10.2	Amended Delegation Arrangements to respond to subdivision applications involving lots that comply with WAPC Development Control Policy 2.2 – Residential Subdivision
10.3	Proposed Third-Party Signage on Payphone Facility- adjacent to the Bassendean Hotel Lot 5; No. 25 Old Perth Road, Bassendean
10.6	River Parks Committee – Instrument of Appointment and Delegation
10.8	Annual Report for the Year Ended 30 June 2018
10.10	Call for Notices of Motions - National General Assembly 2019
10.16	Financial Statements – November 2018
11.1	Notice of Motion – Cr Quinton: Street Doctor
11.2	Notice of Motion – Cr Quinton: Early Childhood Australia (WA Branch) Campaign
11.3	Cr Gangell: Lighting & CCTV at the Boat Ramp at Pickering Park
11.4	Notice of Motion – Cr Hamilton: Changing the Permitted Use of Properties
13.1	Application from Sparx Early Learning Centre For a New Lease/Licence Period at the Expiration of the Current Lease/Licence Agreement in 2021

10.2 Amended Delegation Arrangements to respond to subdivision applications involving lots that comply with WAPC Development Control Policy 2.2 – Residential Subdivision (Ref: GOVN/CCLMEET/6 – Alex Snadden – Planning Officer)

APPLICATION

The purpose of this report is for Council to review the delegations made to the Chief Executive Officer and to other officers under the *Local Government Act 1995* with respect to providing advice to the Western Australian Planning Commission (WAPC) on applications to amalgamate and subdivide land having regard to Development Control Policy 2.2-Residential Subdivision.

ATTACHMENTS

Attachment No. 2:

Development Control Policy 2.2 – Residential Subdivision

BACKGROUND

The CEO and Town staff were initially delegated the authority to give advice to the WAPC on subdivision applications at Council's Ordinary Council Meeting on 19 December 2004. This delegation has been reviewed by Council annually since its inception, with the most recent review occurring at Council Ordinary Meeting held on 23 October 2018.

COMMUNICATION & ENGAGEMENT

Delegations are a matter for Council and as such, no consultation is required for the review of delegations to the Chief Executive Officer and other Officers.

STRATEGIC IMPLICATIONS

The following objective from the Strategic Community Plan 2017-2027 is of relevance.

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <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 Perth Peel @ 3.5 million planning framework target for Bassendean (4,200 new dwellings by 2050).
5.1 Enhance organizational accountability	5.1.4 Improve efficiency and effectiveness of planning and services	Community/stakeholder satisfaction survey (Governance)

COMMENT

Development Control Policy 2.2 – Residential Subdivision (DCP 2.2) establishes the WAPC’s position on residential subdivision and circumstances in which the WAPC can exercise their delegation to vary the minimum, average and battle-axe lot sizes and frontage requirements above and beyond those outlined in State Planning Policy 3.1 - Residential Design Codes (R-Codes).

DCP 2.2 in particular provides guidance on allowing variations to minimum and average lot size up to five percent, reiterating provisions within the R-Codes, as well as providing criteria where variations to average lot size greater than five per cent can be considered. The criteria to allow for variations greater than five per cent to the average lot size are as follows:

1. *“A single residential coding of R20 to R35 applies to the land.*
2. *The site is a corner lot with frontage to two different street names or any other lot with frontage to more than one dedicated street (excluding primary and other regional roads). Corner lots with frontage to the same street name are generally not supported, however will be considered on merit against this policy, recommendation of the local government and presented to the WAPC for determination.*
3. *All proposed lots comply with the minimum lot size and frontage requirements specified in Table 1 of the R-Codes.*
4. *Crossovers and driveways to proposed lots are provided in accordance with Australian Standard (AS 2890) and the R-Codes.*

5. *Any corner truncation, pedestrian access way, vehicle right of way or laneway widening is excluded from the calculation of the minimum lot size.”*

In summary, the above enables a corner lot to be subdivided at the minimum lot requirement without achieving the average.

Criteria 1 & 2 above are similar criteria to that of the density bonus provided under Part 4.3.1.3 of LPS 10 which allows corner lots with a density code of either R17.5 or R20 to be developed or subdivided at the R25 density.

The WAPC has already set a precedence that they would be willing to support a further density bonus by allowing the variations to average lot size greater than five percent in accordance with DCP 2.2, for lots affected by Part 4.3.1.3 of LPS 10. i.e. corner lots coded R17.5 or R20 by LPS 10 can be subdivided against the minimum 300m² lot size (without any averaging requirement) assigned to the R25 density code.

As it stands, when assessing a subdivision application, Town staff have only been delegated the powers to provide advice to the WAPC on a subdivision applications provided it is consistent with the provisions of the Local Planning Scheme No. 10 (LPS 10) and the Residential Design Codes, which are incorporated into Part 4 of LPS 10.

Therefore, recommendations to the WAPC are made without taking into consideration the provisions of DCP 2.2 (which can go beyond what is accommodated by the R-codes as highlighted in the table below).

Density Code	R25 (with average lot requirement as per the R-Codes)	R25 (without average lot requirement as per DCP 2.2)
Minimum & Average Site Area Requirements	Min Lot Area: 300m ² Average Lot Area: 350m ²	Min Lot Area 300m ² No averaging requirement
Outcome	1 lot per 350m ²	1 lot per 300m ²

Subsequently scenarios have arisen where Town staff have made recommendations to the WAPC for refusal on the basis that the subdivision does not comply with the provisions of LPS 10 and the R-Codes, knowing the subdivision meets the circumstances outlined in DCP 2.2 and that the WAPC are likely to approve the subdivision application.

For example, if a 600m² corner lot with a density code of R25 proposed a two lot subdivision, the application, when assessed against the requirements of the R-codes could not achieve an average lot requirement of 350m² and therefore Town staff would not support the proposal. However, in accordance with DCP 2.2 the proposal would still satisfy the minimum lot requirement of 300m² and therefore the WAPC would support the application without average lot requirements.

When a local government objects to a variation to the average lot requirements and the WAPC is of the view the application should be supported due to overall compliance with DCP 2.2, further consultation may be undertaken with the Local Government before the application is determined. If the Town takes into consideration DCP 2.2, it will reduce the number of discrepancies between the Town's recommendation and the WAPC determination, avoiding the need for further correspondence. In turn this will improve the efficiency and effectiveness of the Towns planning department and facilitate the densification of the town.

Amending the delegation to enable the CEO and Town staff to consider DCP 2.2 will enable Town's staff to take into consideration the policy framework the WAPC will ultimately make a determination on and aid in the achievement of the Town's objectives to plan for an increased population and changing demographics and enhance organizational accountability. The existing delegation and proposed delegations are listed below.

Existing Delegation	The authority to give advice to the Western Australian Planning Commission on applications to amalgamate and subdivide land under s142 of the Planning and Development Act 2005, provided the advice is consistent with the requirements of Local Planning Scheme No. 10, subject to all applications for subdivision or amalgamation being presented to the Development Control Unit.
Proposed Delegation	The authority to give advice to the Western Australian Planning Commission on applications to amalgamate and subdivide land under S142 of the Planning and Development Act 2005, provided the advice is consistent with the requirements of Local Planning Scheme No. 10 and WAPC Development Control Policy 2.2 – Residential Subdivision , subject to all applications for subdivision or amalgamation being presented to the Development Control Unit.

The amendment to the delegation simply seeks to expand the planning framework that the Town’s staff can consider when assessing a subdivision application on a corner lot.

STATUTORY REQUIREMENTS

Local Government Act 1995

S5.42 Delegation of Some powers and duties to CEO

- 1) A local government may delegate to the CEO the exercise of any of its powers or discharge of any of its duties under –
 - a. This Act other than those referred to in section 5.43; or
 - b. The Planning and Development Act 2005 section 214 (2), (3) or (5).

- 2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Planning and Development Act 2005

Local Planning Scheme No. 10

FINANCIAL CONSIDERATIONS

The new delegation should reduce the Town’s operational costs by eliminating the need to deal with an application twice where a corner lot is affected by the policy.

OFFICER RECOMMENDATION — ITEM 10.2

That Council modifies the existing delegation listed in Part 4.1 of the Delegation Register to read as follows:

PLANNING SERVICES			
4.1	Advice to the Western Australian Planning Commission	Planning & Development Act 2005 & Local Planning Scheme No. 10	The authority to give advice to the Western Australian Planning Commission on applications to amalgamate and subdivide land under S142 of the Planning and Development Act 2005, provided the advice is consistent with the requirements of Local Planning Scheme No. 10 and WAPC Development Control Policy 2.2 – Residential Subdivision, subject to all applications for subdivision or amalgamation being presented to the Development Control Unit.

Voting requirements: Absolute Majority

10.3 Proposed Third-Party Signage on Payphone Facility-adjacent to the Bassendean Hotel Lot 5; No. 25 Old Perth Road, Bassendean, Applicant: JCDecaux C/o Urbis (Ref: DABC/BDVAPPS/2018-137 - Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report is for Council to consider an application for development approval for a payphone facility containing third party advertising on the footpath outside the Bassendean Hotel, and more broadly whether the Town supports this form of advertising.

ATTACHMENTS

Attachment No. 3:

- Planning report prepared by Urbis
- Telstra Smart City Payphones Brochure
- Plans of proposed Telstra Smart City Payphone
- Sign Management/Advertising Strategy

BACKGROUND

An application for development approval has been submitted to erect a payphone containing third party advertising on the Old Perth Road footpath adjacent to the Bassendean Hotel.

The proposal forms part of a wider proposal to roll out over 1800 new Smart City Payphones across Australia, to replace existing dated payphone facilities.

The Smart City Payphone at this location is intended to replace the existing payphone located some 70m along Old Perth Road on the south eastern corner of Guildford Road and Old Perth Road.

The Payphone structure has an overall height of 2.727m, a width of 1.2m and an effective depth of 1.019 m.

Two signs are proposed to be located on the payphone. The rear sign measures 900mm x 1600mm, and the front sign measures 400mm x 700mm. The rear screen will be used primarily for third party unrelated advertising, although could be used for the display of emergency information, while the smaller front screen will be used for Telstra advertising and could be used for the Town's digital content.

The new generation payphone will also enable, Wi-Fi access, Nearfield Communication ('tap for information' tags) and USB charging stations.

The application is discussed further in the comment section below.

COMMUNICATION & ENGAGEMENT

External consultation has not been carried out associated with the preparation of this report.

STRATEGIC IMPLICATIONS

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
3.3 Enhance the Town's appearance	3.3.1 Improve amenity and the public realm	Community / Stakeholder Satisfaction Survey (heritage, amenity and appearance)
	3.3.2 Strengthen and promote Bassendean's unique character and heritage	
	3.3.3 Implement design policies and provisions of buildings and places	

COMMENT

Internal consultation

Internal consultation on the application site has occurred with the Director of Operational Services and the Town's Engineering Technical Coordinator.

The Director of Operational Services does not support the proposal for the following reasons:

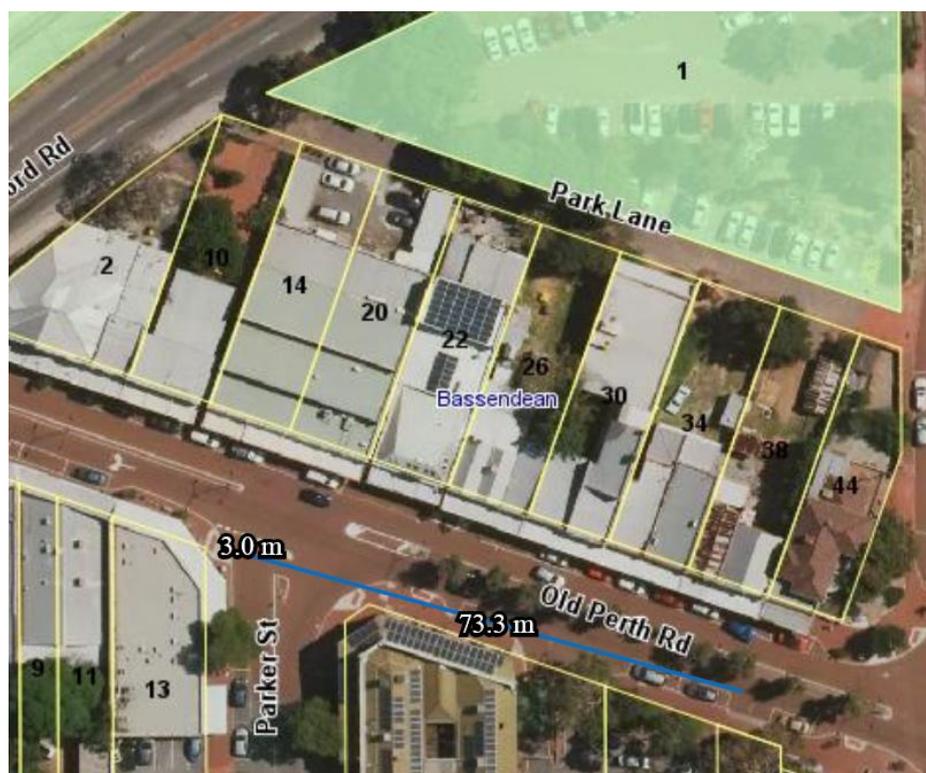
- The Bassendean Hotel has been up lit to illuminate the 1927 architectural features of this historic building and the proposed new payphone with electronic advertising will negatively impact the streetscape;
- The Bassendean Hotel is listed on the Town of Bassendean's Municipal Inventory and the proposed new payphone with electronic advertising will negatively impact the building; and
- Illuminated/ electronic advertising creates visual pollution and driver distraction within the road reserve.

The Engineering Technical Coordinator offers the following comments:

- Sight line requirements

Old Perth Road is a 40km zone. In accordance with MRWA Supplement to Austroads Guide to Road Design-Part 4a guidelines the minimum Safe Intersection Sight Distance (SISD) must be 73m (From a distance back from the hold or giveaway line = 3.0m and reaction time of 2 seconds). This is indicated on aerial photo below.

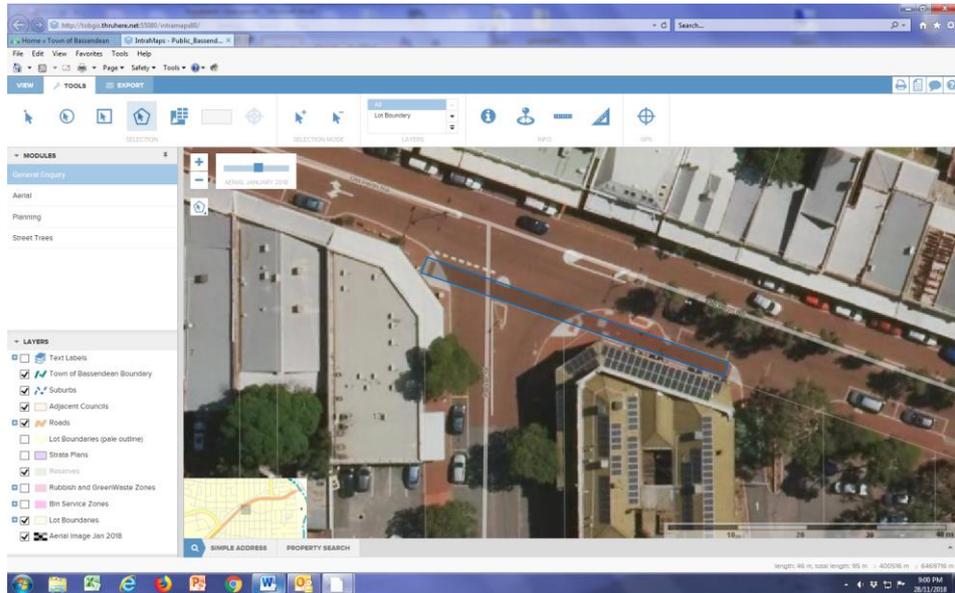
Sight line shall remain visually clear to see approaching vehicles. This is not met so the proposal is not supported (see areal below)



- Pedestrian access path

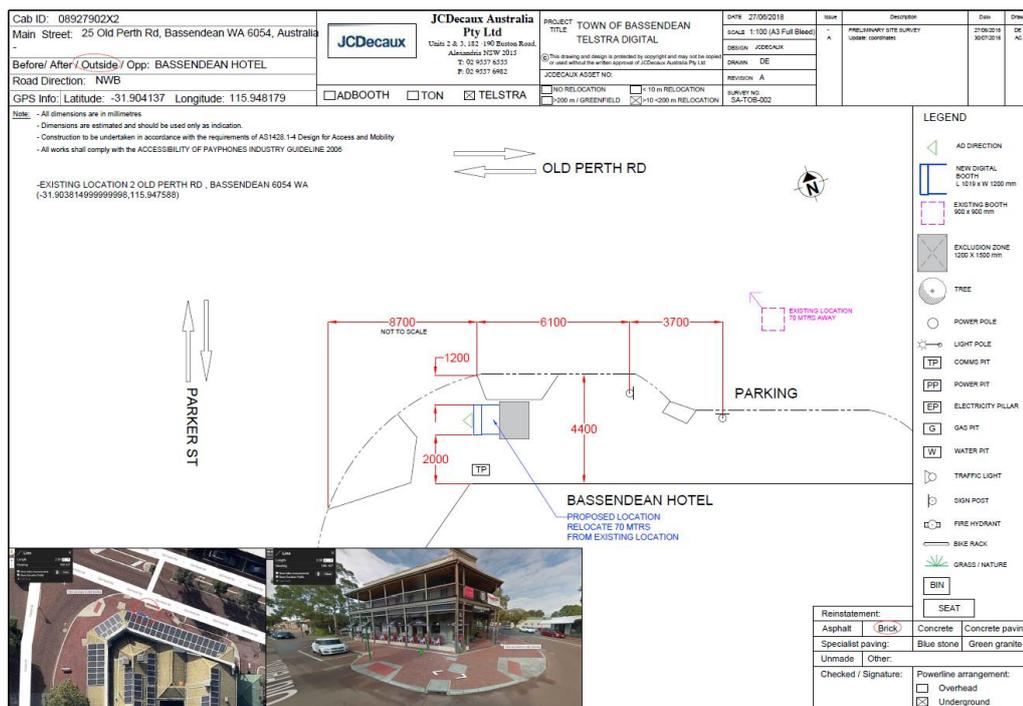
2.0m or wide pedestrian access path shall be clear of all street furniture.

I have indicated diagrammatically 2.0m wide path on aerial photo below. Any proposal shall be out of this area.



- Australian Standards AS1428. 1-4 Design for Access and Mobility shall be adhered to: A clear landing area at the top of pram ramps shall be provided.

The proposed location as shown on below plan inhibits the use of pram ramp crossing Old Perth Rd. This is a safety concern and the proposal would not be supported.



Conclusion

Asset Services does not support the proposed location of the Telstra Digital phone facility. Alternative locations shall be investigated.

Policy framework

The Town Area Strategy Policy and Guidelines are really designed to control the form of development that occurs on private land rather than the public realm. The only real guidance comes from section 7.10 of the document that states that:

Seating, lighting and other street furniture should match that proposed in public areas or be of high quality design durable materials and approved by Council.

Similarly Local Planning Policy No 16 – Control of Advertisements under the Local Planning Scheme No 10 aims at controlling advertisement on private land, dependant on the type of advertisement proposed, however contains the general following advice on the placement of advertisements, which are relevant to the current proposal:

An advertisement should not be displayed where -

- (b) in the case of an internally illuminated advertisement, its display would cause glare or dazzle or would otherwise distract the driver of any vehicle;
- (d) it would be likely to interfere with, or cause risk or danger to traffic on a thoroughfare by virtue of the fact that it:
 - (i) may be mistaken or confused with, or obstruct or reduce the effectiveness of any traffic control device;
 - (v) may obscure the vision of a person driving a vehicle.
- (e) in the case of an illuminated advertisement, it may be confused with or mistaken for the stop or tail light of a vehicle or vehicles;
- (g) it would detrimentally affect the amenity of the area.
- (h) It would detrimentally affect the significance and aesthetics of a Heritage Area or a place on the Heritage List.

Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 sets out matters to be considered by a local government when determining any application for development approval.

Relevant considerations for the proposal include the amenity of the locality (n), the probable effect on traffic flow and safety (t), the availability and adequacy of public utility services (u(ii)), the potential loss of any community service or benefit (v), and the impact of the development on the community as a whole (x).

Questions raised at Briefings Session

A number of questions were asked at the Briefings Session which are included below, together with a response from the applicant:

- If the Town is unsupportive of the advertisement, would Telstra still look to replace the existing payphone? – The application represent a symbiotic relationship whereby the provision of the third-party advertising is able to supplement the installation and ongoing maintenance of the facility. In the instance that the application was not supported it would be unlikely that the existing payphone would be replaced.
- Would Telstra consider moving the new facility and placing it within/on the train station where there will be greater foot traffic? – As previously discussed, both Telstra and JCDecaux are happy to discuss further with the Town any locations which may be more preferable. The preference would be for such facilities to be located in ‘town center’ areas to complement the commercial aspects of such zones. It would be unlikely that a facility would be placed on / within the Train station under consideration of various commercial and land dealings that would be required.
- How does the Town get the digital content uploaded on the front screen? – The availability of uploading content to the front screen is managed through the Signage Management Plan and through direct correspondence and agreement with JCDecaux who will manage the content. I have included the details of JCDecaux’s Matthew Vincent (National City Relations Manager) who will be able to coordinate this further.
- Will the Town be required to pay for the uploading of the digital content on the front screen? – No fee will be required. This will be outlined within the agreement with JCDecaux as required.

- What percentage of the Town's content in relation to Telstra content will be shown on the front screen? – The front screen is to be shared with Telstra STS advertising and would be subject to an agreement as such. It is expected that sufficient capacity is available for the Town to display advertising as required and would be subject to availability and further negotiations with Telstra and JCDecaux. Again, Matthew Vincent will be able to discuss these details further as required.
- Are there any plans to roll out other payphones with or without advertising in the Town? – Should any payphones be installed WITHOUT advertising, this would be at the discretion and consideration of Telstra directly. Any such installation would be considered under the Telecommunications Act 1997 and would not be subject to a Development Application as has currently being lodged. No additional sites have been identified within the Town to our knowledge that would include advertising, though may be subject to future dealings and consideration from Telstra and JCDecaux.

In addition to the above feedback, Council is advised that the Town does not have a policy dealing with commercial advertising in streets, with the exception of Policy 1.4 - Street Name & Directional Signs Policy, which in essence deals with the blue finger signs attached to lamp posts

Conclusion

The current proposal is considered to be unacceptable in the proposed location proposal due to it compromising the minimum Safe Intersection Sight Distance at the junction of Parker Street and Old Perth Road, being inappropriately located adjacent to a pram ramp, and not providing the minimum 2.0m clear pedestrian path.

Concern has also been expressed by the Director of Operational Services that the proposal will have a negative impact on a heritage building, the streetscape, and will create visual pollution and driver distraction.

Having regard to the above comments, the proposal cannot be supported in its current form and options for Council are to either refuse the application, or to invite the applicant to investigate alternative sites in the Town Centre, if it supports the provision of this type of utility in the Town.

Whilst approval cannot be recommended in the currently proposed location, the Manager Development Services supports the provision of a Smart City Payphone within the west end of Old Perth Road as it provides increased facilities, through WiFi and USB charging facilities, and represents an increase in investment if the West end of Old Perth Road.

STATUTORY REQUIREMENTS

Telstra can install and operate these Smart City Payphones as a 'low -impact facility' without the need for formal approval from the relevant Local Government, pursuant to Schedule 3 of the Telecommunications Act 1997. The Telecommunications Act 1997 is federal legislation thus prevails over any other relevant state or local government legislation.

Whilst Telstra can install and use these phones without approval from the Town, they can only display Telstra's Standard Telephone Service (STS) advertising and information.

Approval of the Local Government is required where Telstra seek to use the advertising screens for the display of third party content. Therefore, Telstra requires the City's approval to utilise the digital displays on the phone infrastructure for advertising of third party information.

Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 sets out matters to be considered by a local government when determining any application for development approval. Relevant considerations for the proposal include the amenity of the locality (n), the probable effect on traffic flow and safety (t), the availability and adequacy of public utility services (u(ii)), the potential loss of any community service or benefit (v), and the impact of the development on the community as a whole (x).

FINANCIAL CONSIDERATIONS

Nil to the Town.

OFFICER RECOMMENDATION — ITEM 10.3

That Council:

- 1 Invites JCDecaux to lodge amended plans for an upgraded Telstra Smart City Payphone facility in another location in the west end of Old Perth Road; and
- 2 Authorises the Manager Development Services to deal with an amended proposal for an upgraded Telstra Smart City Payphone facility under delegated authority.

Voting requirements:

Point 1 - Simple Majority

Point 2 - Absolute Majority

10.4 Station Access Cycle & Pedestrian Upgrade – Broadway, Bassendean (Ref: ROAD/DESCONT/7 – David Dwyer, Engineering Technical Coordinator and Ken Cardy, Manager Asset Services)

APPLICATION

The purpose of this report is to inform Council of results of the community consultation completed for the above aforementioned project and an update on the progress of the detailed design.

Furthermore, seek approval to progress to construction within 2018/19 financial year.

ATTACHMENTS

Attachment No. 4:

- Letters sent to adjacent residents
- “Your Say” engagement report
- Responses received and officer comment
- Current Design Drawings

BACKGROUND

In March 2018, Council (OCM-27/03/18) provided in principle support to the Public Transport Authority for the implementation of the Station Access Cycling & Pedestrian Upgrade – Broadway, Bassendean Project. Council requested the Public Transport Authority present the draft plans to Council for consideration.

In May 2018, Council (OCM22/05/18) received presentation from Public Transport Authority of concept plans for the Station Access Cycling & Pedestrian Upgrade – Broadway, Bassendean. Council noted the Station Access Cycling & Pedestrian Upgrade – Broadway Bassendean Project concept plan and requested the Public Transport Authority be advised that the Town continued interest in the project and that final determination will be made at Council’s 2018/19 Budget consideration. Council (OCM 16/05/18) also resolved to commence a period of public consultation regarding the design, specifically with residents along the affected route

In the 2018/19 Budget, \$100,000 was committed to the Station Access Cycling & Pedestrian Upgrade – Broadway, Bassendean Project.

The project will make riding or walking to the Bassendean Station a more attractive option for local residents, by improving the separation of these modes from vehicle movements. The project also has the potential to reduce traffic congestion around Bassendean Station by encouraging more people to choose active transport modes when commuting to the station.

The project will include:

- Upgrading 550m of bicycle lane on either side of the roadway along Broadway;
- Upgrade kerbing and footpaths at the start and finish of the bicycle lanes to improve connectivity with existing bicycle and pedestrian paths; and
- Improvements to pedestrian crossings at the intersection of Broadway/Iolanthe St and Iolanthe St/Railway Parade.

The red asphalt bicycle lanes will be 1.25m wide and separated from traffic lanes by a painted buffer. The lanes will be created within the existing roadway without encroaching on verges or driveways.

COMMUNICATION CONSULTATION & ENGAGEMENT

Concept drawings and all community engagement documents were presented 12 October 2018 Councillors' Bulletin.

The community consultation program (2 weeks: commenced on 12 October and concluded on 26 October 2018) and included the following:

1. Letter drop to 61 residents adjacent to the project - A3 concept plans and project information letter;
2. Residents adjacent to the project were offered via letter the opportunity to attend a "walk through" on 18 October between 4pm and 5pm. Interested residents were required to register their interest prior;
3. Engagement, feedback gathering and information via the "Your Say Bassendean" interactive web platform; and
4. Promotion of project via the Town's social media channels which informed the community about project and linked to the "Your Say Bassendean" platform.

After the two week community consultation period, Asset Services reviewed all feedback.

No residents registered for the “walk through”. Representatives from the Town and the Public Transport Authority attended the site between 4:00pm and 4:30pm, in case any residents wished to go through the project. No residents were in attendance.

“Your Say Bassendean” received 79 visits with 9.3% engaging. Seven people completed the survey and 22 people downloaded documents.

One email was received directly by the Town’s Engineering Technical Coordinator.

STRATEGIC IMPLICATIONS

Strategic Priority 3: Built Environment

Objectives <i>What we need to achieve</i>	Strategies <i>How we’re going to do it</i>	Measures of Success <i>How we will be judged</i>
3.2 Enhance connectivity between places and people	3.2.1 Connect the Town through a safe and inviting walking and cycling network.	Community / Stakeholder Satisfaction Survey (roads, footpaths and cycle paths) Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.)
	3.2.2 Advocate for improved and innovative transport access and solutions.	
	3.2.3 Enhance the liveability of local neighbourhoods.	
	3.2.4 Enhance road safety through design	

COMMENT

Eight people from the community provided feedback regarding the Bassendean Station Access, Cycle and Pedestrian Upgrade Project (seven via “Your Say” and one via direct email).

Seven “Your Say” responses were received by the Town - five are in support of the project and two were not.

One email received directly by The Town’s Engineering Technical Coordinator, was in support of the project with comments regarding traffic calming.

In total, six of the responses received were in support of the project and two were not in support. In each response, an officer comment has been provided (see attachment).

DESIGN PROGRESS

The Public Transport Authority commenced detailed design in November in consultation with Town of Bassendean's Engineering Officers. A topographical feature survey of the design area has been completed.

Following consultation with external stakeholders - Main Roads and TransPerth and in order to gain necessary approvals, the proposed design has been slightly modified to provide 3.2m traffic lanes (absolute minimum lane width acceptable for a bus route) and will delineate the 1.25m cycle lane by the use of red asphalt and incorporate a 0.3m painted buffer area between the cycle lane and vehicle lane. Narrowing the vehicle lane width (lane width to be reduced from 4.0m to 3.2m) has been shown to reduce passive vehicle speed by visually confining the available space and is expected to help address traffic speeding concerns raised by the community.

As mentioned in the community consultation material, the implementation of on-site stormwater infiltration is being considered in the detailed design.

STATUTORY REQUIREMENTS

Nil.

FINANCIAL CONSIDERATIONS

An amount of \$100,000 has been listed in 2018/19 Budget.

OFFICER RECOMMENDATION — ITEM 10.4

That Council:

1. Receives feedback from the community and notes the outcome of community consultation period, and
2. Endorses the update on the progress of the detailed design for the Station Access Cycle & Pedestrian Upgrade – Broadway, Bassendean

Voting requirements: Simple Majority

10.5 Draft Emission Reduction Plan (Ref: ENVM/PLANNG/1 - Jeremy Walker, Senior Environmental Officer)

APPLICATION

The purpose of this report is for Council to endorse the revised draft Town of Bassendean Emissions Reduction Plan in order to invite community comment for future Council consideration.

ATTACHMENTS

Attachment No. 5:

Draft Town of Bassendean Emission Reduction Plan

BACKGROUND

Since the year 2000, the Town of Bassendean, in conjunction with the East Metropolitan Regional Council, has been implementing climate mitigating strategies and actions. In 2004, Council adopted its first Environmental Management Plan, which was used by staff to develop numerous plans and policies. In order to improve strategic direction, a 2014-2024 Environmental Management Plan document was prepared and adopted by Council to guide and to be used as a reference document for staff covering the following six focus areas:

1. Governance and Communication;
2. Land Use and Cultural Heritage;
3. Atmosphere and Climate Change;
4. Biodiversity;
5. Waste Management; and
6. Water Conservation.

In regards to the Atmosphere and Climate Change focus area, the Town has been implementing the required actions to reduce carbon emissions and the impacts of climate change, such as increased heatwaves, floods and storms that will affect current and future generations and the Bassendean environment. Reducing the emission of greenhouse gases is just one way that the Town is contributing to mitigating climate change, as well as the sustainability of corporate activities and the resilience of the Bassendean community.

As part of the ongoing environmental work, in 2014/2015 the Town of Bassendean set a 7.5% Emissions Reduction Target based on the 2011/2012 corporate emissions.

As a result, Council allocated funding to implement the required actions to achieve a 10.8% reduction in emissions by 2016/2017, through the implementation of solar photovoltaic (renewable energy) systems, LED lighting, energy efficient products and much more.

During 2017/2018, the Town's Emissions Reduction Plan was reviewed with the desktop study of the EMRC's Regional Environment Strategy 2016-2020 and taking into consideration the Australian Government's Emissions Reduction Target of reduce emissions by 26-28% on 2005 levels by 2030, which was developed as part of the its commitment to the 2015 Paris Agreement global climate change treaty.

It was determined that the Town's new target is to "reduce 2014/2015 corporate emissions by 26-28% by 2029/2030". This will require emissions reductions against the Town's current carbon footprint within all organisational units including buildings and facilities, fleet, parks and gardens, auxiliary lighting and street lighting.

COMMUNICATION & ENGAGEMENT

In March 2018, the draft of the ACER Emission Reduction Plan was presented to the Sustainability Committee. The Committee (SC-6/03/18) resolved in part to receive the first draft ACER Emission Reduction Plan and requested that members of the Committee review the draft ACER Emission Reduction Plan and provide feedback to officers by COB Friday 14 April 2018, to enable officers to review feedback and provide an update at meeting on 29 May 2018.

As the Town did not receive the requested feedback from the members of the Sustainability Committee by 14 April 2018 on the proposed target or actions, a follow up request was forwarded with one community member providing the following feedback:

'I've had a read and think it looks really good! One comment I would make is that maybe we don't need to tie our emissions reductions target to Australia's Paris Commitment. The first round of country commitments aren't anywhere near enough to keep the world below 2 degrees, let alone 1.5 degrees warming. It's expected that countries will continue to ramp up their efforts at the five-yearly review of Paris Targets. So given this, maybe Bassendean can aim higher than that. I also wonder whether it would be worth Bassendean considering joining in on an the emissions reduction pledge or framework?

For example the Climate Council runs the Cities Power Partnership, which launched mid last year and already has 10 WA Local Governments participating. It sounds like a pretty good program as participants get access to resources, publicity for actions taken, and are 'buddied up' to other Local Governments. There are other ones too, like One Planet Councils and the Compact of Mayors.'

Officers have taken this feedback on board and the Emission Reduction Plan was updated to include the Town joining the 'Cities Power Partnership'. On 2 October 2018, the Town was included into the partnership along with 31 other new councils. Cities Power Partnership now has over 100 Local Governments across Australia. As part of the program, Councils pledge five actions to tackle climate change locally, from ramping up renewable energy through to planning sustainable transport systems. The Town has captured these five actions within its Emission Reduction Plan.

It is not proposed to include an item in the Bassendean Briefings as the distribution date will not commence until 18 to 22 February 2019, and Officers are looking to report to Council in February 2019, to enable funding to be listed for Council consideration. As a result, the draft Emission Reduction Plan attached to this agenda will be advertised in January 2019 for a 6 week period, on the Town's Facebook page, the Eastern Reporter and the "Your Say Bassendean" website, inviting public feedback. It is intended that the feedback provided will be reviewed and presented to Council for consideration.

On Tuesday 7 December 2018, at the Council Briefings Session, Officer feedback was provided that in the absence of a current Town of Bassendean emissions reduction target, the draft Emissions Reduction Plan will provide direction to staff when preparing the draft 2019/2020 Budget and that estimated costs for each of the projects and estimated percentage emissions reduction, will be provided for Council consideration.

Officers also advised that in providing Council feedback on the community consultation process, the Town can provide a more ambitious emissions reduction target. For example the City of Sydney has set targets to increase the use of renewable electricity to 50% by 2030, a reduction in greenhouse gas emissions to 70% by 2030 and net zero emissions by 2050.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2017-2027- Strategic Priority 2 Natural Environment, states:

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
2.1 To display leadership in environmental sustainability	2.1.1 Strengthen environmental sustainability practices and climate change mitigation	Waste reduction ratio to population Carbon emissions ("Planet Footprint")
	2.1.2 Reduce waste through sustainable waste management practices	
	2.1.3 Initiate and drive innovative Renewable Energy practices	

COMMENT

In regards to the comment relating to the Town aligning its target with the Australian Paris agreement, the Town's previous CRP set a target to reduce base year (2011/2012) corporate emissions by 7.5% by 2016/2017.

The Town achieved this target early, prompting the review and creation of a new target. If the Town is to achieve the Federal Government's target early, the plan can be reviewed once again and a new target set, as this is a working document.

Officers believe that aligning with the Federal Government target is a good starting point and the Town can improve on this target, if achieved early. The Emissions Reduction Plan is an implementation tool for the strategy and provides actions for the Town over a five year period (2018-2023) to achieve a new emissions reduction target.

Since the new target baseline year of 2014/2015, the Town has already reduced its corporate carbon emissions by 10.8% through the implementation of solar PV systems, LED lighting, energy efficient products and much more. For the Town to achieve its new target, corporate carbon emissions will need to be reduced by a further 258.0 - 331.5 tonnes CO²-e to reach a 26-28% reduction by 2029/2030.

Within the emission reduction plan, the Town's emissions boundary is defined, and actions developed in the CRP review process are listed in action tables. To aid in identifying priority actions, the action tables list budget types, estimated cost ranges, emissions reduction potential and timeframes, as well as outline the responsible department/s.

These actions will assist the Town to progress emissions reductions towards its new target.

The Town's carbon footprint is the aggregated emissions from the Town's corporate operations and activities that use stationary energy and liquid fuels, such as electricity, gas, unleaded petrol and diesel. The Town's emissions are measured in tonnes of carbon dioxide equivalent (tCO₂-e) and each source type has different emissions factors that are used for calculation. The Town mainly consumes electricity and gas for Council buildings and facilities such as administration, community centres and lighting. The Town's 2014/2015 total carbon footprint was 1,699.1 tCO₂-e. Of that total, 44.3% of emissions were produced by street lighting, 33.6% by buildings and facilities, 16.4% by fleet, 5.5% by parks and gardens (operation of plant and equipment, eg irrigation pumps) and 0.2% by auxiliary lighting.

The areas which have the most potential for reductions include the Town's buildings and facilities, fleet, and parks and gardens. These areas make up over 55% of the Town's carbon footprint and reducing emissions in these areas can be achieved with technology and measures that are currently accessible.

The Town is on its way to achieving its new target, and officers will continue their efforts, including thinking of new ways to reduce the Town's carbon footprint as it approaches 2030.

STATUTORY REQUIREMENTS

Local Government Act 1995

FINANCIAL CONSIDERATIONS

The following funds have been allocated in 2018-19 Budget to undertake short-term actions identified in Emission Reduction Plan:

- Electric car charging Station \$6,000 – OCM 15/10/18 approved site for charging station which was officially launched Saturday 1st December 2018;
- Switch your Thinking Program \$5,000 - OCM 15/10/18 resolve to promote the program to residents and the discounted solar photovoltaic (PV) systems;
- Climate Clever Program \$5,000 - OCM 15/10/18 endorsed the program with an information session held at 3:30pm on 12 November 2018 and notes that the "Switch Your Thinking" subsidy will be made available to the schools;

- Community Grants & Projects \$5,000 - OCM 15/10/18 resolved for the Sustainability Committee to prepare a draft application form and grant funding selection criteria that assists applicants to demonstrate their ability to deliver the intended outcome, including evidence of financial management and demonstrate capabilities; and to make recommendation to Council as to how the grant funding shall be distributed or expended; and
- Community Grants & Projects \$5,000 OCM 15/10/18 resolved to provide a subsidy to residents for either composting, Bokashi or worm farm subject to attendance at a workshop and being a resident of the Town.

The Emissions Reduction Plan - page 16: Action Table 1: Whole Organisation, outlines ongoing actions, short, medium and long term financial commitments and actions, in order for Council to achieve the required target. Please also refer page 14 which provides the index for the Budget, Cost, Timeframe and Estimated percentage reduction in emissions.

The plan indicates an estimated dollar range to undertake the proposed actions and the estimated percentage reduction in emissions. It is intended that Officers will obtain quotes for the proposed actions for future budget cycles.

OFFICER RECOMMENDATION – ITEM 10.5

That:

1. Council receives the Draft Emission Reduction Plan attached to the Ordinary Council Agenda of 18 December 2018;
2. The draft Emission Reduction Plan be advertised for a period of 6 weeks in January 2019 via the Town's Facebook page, "Your Say Bassendean" website and the Eastern Reporter inviting community feedback;
3. Estimated costs be obtained for each of the projects and list funds in the draft 2018/2019 Budget, along with the estimated percentage reduction in carbon reduction; and
4. The community feedback provided will be reviewed and presented to Council for consideration.

Voting requirement: Simple majority

10.6 River Parks Committee – Instrument of Appointment and Delegation (Ref: GOVN/CCLMEET/33 – Simon Stewart-Dawkins, Director Operational Services)

APPLICATION

The purpose of this report is for Council to endorse the proposed amendments to the River Parks Committee's Instrument of Appointment and Delegation for the 2017-19 term.

ATTACHMENTS

Attachment No. 6:

Draft Instrument of Appointment and Delegation – River Parks Committee

BACKGROUND

On 26 September 2017, Council authorised the continuation of the Bassendean River Parks Management Committee and called for expressions of interest from community members and notifies government agencies of the continuation of this Committee for the 2017-19 term.

The Instrument of Appointment currently states that membership of the River Parks Committee consists of the following, with voting rights:

- Three Councillors from the Town of Bassendean; and
- Five community representatives.
- One representative from the Department of Planning;
- One representative from the Department of Parks and Wildlife;
- One representative from the Department of Water; and
- One representative Department of Fire and Emergency Services.

As part of a recent review of the Instrument of Appointments, the Western Australian Local Government Association (WALGA) Governance Manager advised that in order for the State Government Agencies to have voting rights, Council would need to appoint the individuals.

In the past Council has invited representatives from State Government Agencies rather than appointing an individual person from an agency, because of the limited resources within a Government Agency and it provided flexibility for another officer to attend.

COMMUNICATION & ENGAGEMENT

At the 13 November 2018 River Parks Committee meeting, the Committee was informed of the WALGA advice and the general consensus from the current State Government Agency representatives is that they would prefer not to have voting rights on this Committee, because at times they feel that there could be a perceived conflict of interest when particular matters may arise.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2017-2027 Section 5 - Good Governance

Objectives <i>What we need to achieve</i>	Strategies <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

It is suggested that the Instrument of Appointment of Delegation for the River Parks Committee be amended, as follows:

"MEMBERSHIP

Membership of the Committee shall consist of 8 members, with voting rights, comprising the following:

- *Three Councillors from the Town of Bassendean; and*
- *Five community representatives.*

Four members in an advisory role, with no voting rights, comprising the following:

- *One representative from the Department of Planning Lands and Heritage;*
- *One representative from the Department of Biodiversity, Conservation & Attractions;*
- *One representative from the Department of Water and Environmental Regulation; and*
- *One representative from the Department of Fire & Emergency Services.*

As State Government Agency representatives may change from time to time, because of competing demands on their limited resources, it is recommended that the Instrument of Appointment be amended in accordance with the Local Government Act and the Town of Bassendean Standing Orders 2011.

STATUTORY REQUIREMENTS

Local Government Act 1995

Town of Bassendean Standing Orders Local Law 2011, states:

Part 2 – Establishment and membership of committees

2.1 Establishment of committees

- (1) The establishment of committees is dealt with in the Act.

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees. **Absolute majority required.*
[Section 5.8 of the Act]

- (2) A Council resolution to establish a committee under section 5.8 of the Act is to include –
 - (a) the terms of reference of the committee;
 - (b) the number of council members, officers and other persons to be appointed to the committee;
 - (c) the names or titles of the council members and officers to be appointed to the committee;
 - (d) the names of other persons to be appointed to the committee or an explanation of the procedure to be followed to determine the appointments; and
 - (e) details of the delegation of any powers or duties to the committee under section 5.16 of the Act.

FINANCIAL CONSIDERATIONS

Nil.

OFFICER RECOMMENDATION — ITEM 10.6

That the Instrument of Appointment of Delegation for the River Parks Committee be amended, as follows:

MEMBERSHIP

Membership of the Committee shall consist of 8 members, with voting rights, comprising the following:

- *Three Councillors from the Town of Bassendean; and*
- *Five community representatives.*

Four members in an advisory role, with no voting rights, comprising the following:

- *One representative from the Department of Planning Lands and Heritage;*
- *One representative from the Department of Biodiversity, Conservation & Attractions;*
- *One representative from the Department of Water and Environmental Regulation; and*
- *One representative from the Department of Fire & Emergency Services.*

Voting requirements: Absolute majority

10.7 Sparx Early Learning Centre – Risk Mitigation Options for Tree Roots (LEGL/AGMT/7 - Salvatore Siciliano – Manager Recreation and Culture)

APPLICATION

This report is for Council to determine their preferred option in mitigating the risks associated with exposed tree roots in the play area of the Sparx Early Learning Centre located at 128 Ivanhoe Street, Eden Hill.

ATTACHMENTS

Attachment No. 7:

- Arborist report
- Public liability risk assessment

BACKGROUND

Funtrain Enterprises Pty Ltd (Lessee), trading as Sparx Early Learning Centre located at 128 Ivanhoe Street, Eden Hill is currently exercising the third and final 5 year option of their lease from 5 February 2016 to 4 February 2021 and have a licence agreement for the use of Alf Faulkner Hall for the same period for their out of school care program.

There are two mature flooded gum trees (*Eucalyptus rudis*) in the centre of the child care playground that have exposed tree roots in the outside play area. The Lessee has raised safety concerns after an employee first tripped over the roots in January 2017 and was part of a worker's compensation claim for approximately 8 weeks.

An arborist site inspection and visual tree assessment was undertaken from ground level on 24 October 2017, with an additional site visit conducted on 22 August 2018 to determine the monetary value of both trees.

The arborist report was conducted within the context of maintaining tree retention and outlining options to mitigate the issue of exposed tree roots.

In early 2018, a Public Liability Risk Assessment was commissioned by Officers and undertaken by Local Government Insurance Services (LGIS), with a final risk assessment report being provided to the Town in April 2018. A range of options for mitigating the risks of the exposed tree roots was outlined in the report.

From the outset, the Lessee has been mitigating the risk of exposed tree roots by placing play equipment and synthetic surfaces over the tree roots and in the long term does not present a viable option.

The Lessee has recently advised Officers that the softfall in the play area has undergone considerable wear and tear and would more than likely need to be replaced. Without knowing the mitigation strategy for dealing with the exposed tree roots, the Lessee is currently reluctant to replace any softfall.

Whilst a separate issue and the subject of a separate report to Council, the Lessee has requested Council to consider an extension to the current lease prior to the expiration of the existing lease in February 2021.

Given that the issue of exposed tree roots was first raised with Officers in January 2017, it is critical that the matter be resolved as soon as possible.

As part of the lease agreement, the lessee is responsible for the general upkeep of the outside play area and garden.

COMMUNICATION AND ENGAGEMENT

Town Officers have maintained regular communication with the owner of Sparx, which has included site visits and linking the owner with the Arborist and LGIS for their respective site visits and report writing.

A site inspection of the property has been scheduled for Tuesday 11 December 2018, prior to the Briefings Session be held.

STATUTORY REQUIREMENTS

Local Government Act 1995

STRATEGIC IMPLICATIONS

The issue of exposed tree roots and mitigation strategies to manage associated risks align with the following:

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
1.3 Plan for a healthy and safe community	1.3.1 Facilitate safer neighbourhood environments	Community / Stakeholder Satisfaction Survey (Safety, Health and Well-being)
	1.3.2 Promote and advocate community health and well-being	
2.2 Protect our River, Bushland Reserves, and Biodiversity	2.2.1 Protect and restore our biodiversity and ecosystems	Community / Stakeholder satisfaction Survey (River, Bushland and Reserves)
	2.2.2 Sustainably manage significant natural areas	
5.1 Enhance organisational accountability	5.1.3 Strengthen governance, risk management and compliance	
	5.1.5 Ensure optimal management of assets	

COMMENT

In determining the appropriate strategy to mitigate the risks of exposed tree roots in the play area of Sparx Early Learning Centre, the following options have been recommended for the Town's consideration by both the Arborist and LGIS:

Source	Option	Officer Comment
Arborist Report (Bowden Tree Consultancy)	<p>Option 1 (Where tree retention is desired for both trees)</p> <p>Removal of synthetic turf within structural root zone and replace with mulch and/or landscape plantings.</p> <p>For root/surfacing conflicts beyond the structural root zones, consideration could be given to lifting of the synthetic turf, raising the soil slightly to achieve a level surface and re-applying the synthetic turf.</p> <p>Pruning of a small number of roots beyond the structural root zone provides an option to alleviate the conflicts, however ongoing pruning as part of normal maintenance will be required in the medium term (2-5 years) to prune subsequent adventitious root growth.</p>	<p>Presents a short to medium solution to mitigate the risks of exposed tree roots, ie. 2-5 years and could be implemented as part of Asset Services/Parks and Gardens annual operating budget.</p> <p>Whilst not mentioned in the arborist's report, a possible solution to this option could be also to remove the synthetic surface and cracked damaged slabs around trees, retain the existing trees and manage in accordance with a suitable low timber deck to be installed around the trees. The timber deck can be incorporated into the outdoor space and can be used as a play space. This option would be considered to be a capital item and would need to be included in the February 2019 budget review and/or 2019/2020 budget process.</p>

<p>Arborist Report (Bowden Tree Consultancy)</p>	<p>Option 2 (As tree/root growth is likely to continue)</p> <p>Relocate the synthetic turf surface and play area away from the trees.</p>	<p>To maintain the existing size of play area, would mean that the perimeter fence would need to be extended eastward towards Mary Crescent Reserve and ground works to be undertaken to level the area.</p> <p>Whilst this option is a long term solution, the re-location of the play area becomes a capital project and would need to be costed and included as part of the February 2019 budget review or included in the 2019/2020 budget process.</p>
<p>Risk Treatment Options - LGIS</p>	<p>Option 1 – Arboricultural Assessment (short to medium solution)</p> <p>This treatment option does not permanently eliminate identified hazards within the centre of the play area.</p> <p>Roots within the structural root zone are critical to the trees stability, so landscaping to delineate this area would mitigate the risk of instability, however this alone would reduce the play area by 78sqm.</p> <p>Lifting the synthetic surface in order to raise the soil level is a short to mid-term fix.</p> <p>Although this option mitigates some risks in the short to medium term, the hazards and potential consequences will continue to persist in the play area longer term.</p>	<p>The LGIS report does describe the trees as being mature and structurally sound and in good health.</p> <p>Presents a short to medium solution to mitigate the risks of exposed tree roots, ie. 2-5 years and could be implemented as part of Asset Services/Parks and Gardens annual operating budget .</p>
<p>Risk Treatment Options - LGIS</p>	<p>Option 2 – Arboricultural Assessment (long term solution)</p> <p>Relocate the synthetic turf surface and play area away from the Flooded Gum Trees.</p> <p>This option allows the Town to preserve the trees, however it's a longer term solution to address hazards identified.</p> <p>Implementing this recommendation would require extending the play area boundaries to include part of the Mary Crescent Reserve. This would be expensive as it would require the relocation of a number of fixed / permanent play area fixtures.</p>	<p>Capital project, would need to be costed and included in February 2018/2019 budget review or considered in the 2019/2020 budget process.</p> <p>To maintain the existing size of play area, would mean that the perimeter fence would need to be extended eastward towards Mary Crescent Reserve and ground works to be undertaken to level the area.</p> <p>It is important to note that there are a number of trees within the relocation area and ground works may impact these trees.</p>

	<p>Ground works would also need to be conducted as there is a drop in surface level of approximately 60cm from the current perimeter fencing of the play area to the far edge of the area under consideration.</p> <p>It is important to note that there are a number of trees within the relocation area and ground works may impact these trees.</p>	
<p>Risk Treatment Options - LGIS</p>	<p>Option 3 – Remove both trees. (long term solution)</p> <p>Identified as a further risk treatment option to remove both trees as this option resolves all issues relative to the root/surface conflicts and are likely to be cost effective.</p>	<p>The Town has in place a Tree Protection Policy and an Amenity Evaluation Policy. The option of removing both trees would require a resolution from Council. The arborist has valued the amenity tree value of both trees as follows: Tree 1 (southernmost tree) \$8,941 Tree 2 (northernmost tree) \$11,391 Total value = \$20,332</p> <p>The cost to plant new trees as per the Town's fees/charges for 2018/2019 is \$2,264.80 per tree.</p> <p>The Lessee has advised that the removal of both trees would present a long term solution from the perspective of safety. Also, given the low leaf foliage of both trees with minimal shade being currently provided, the Lessee is of the view that the removal of both trees would have little or no impact on the ability of children to play outside. More than half the outside area is covered in shade.</p> <p>The financial viability of removing trees versus the cost of implementing other risk mitigation options needs to be considered.</p>
<p>Risk Treatment Options - LGIS</p>	<p>Option 4 – Do nothing. (short term solution)</p> <p>The suitability of this option is dependent upon the Town's risk tolerance.</p> <p>To date there has been one worker's compensation claim associated with root/surface conditions and a number of children have tripped over the exposed roots, of which no injuries have been recorded to date.</p>	<p>It is not an option for the Town to do nothing given that the safety concerns of exposed tree roots have been raised by the Lessee, with one employee sustaining an injury and a number of children reportedly tripping over the tree roots.</p>

Given that safety is the driving factor to find a suitable solution to mitigate the risks of exposed tree roots of the two mature flooded gum trees, subject to Council retaining the view that 128 Ivanhoe Street, Eden Hill is to continue to be used for the purpose of a child care centre, Officers would like to recommend that the following two options represent the best long term course of action:

Option 2 – Arborist Report / Risk Treatment Option (LGIS)

Relocate the synthetic turf surface and play area away from the Flooded Gum Trees.

Extend the play area boundaries to include part of the Mary Crescent Reserve with associated ground works to be undertaken.

Additional item to cover the affected area of exposed tree roots with mulch and native bush garden to reduce the incidence of child care staff and children from accessing the affected area.

OR

Option 3 – Risk Treatment Option (LGIS)

Remove both mature flooded gum trees (southernmost and northernmost trees).

FINANCIAL CONSIDERATIONS

The implementation of Option 2 - Arborist Report / Risk Treatment Option (LGIS), represents a capital item and would need to be costed out and considered as part of the February 2019 budget review or as part of the 2019/2020 budget process.

The implementation of Option 3 - Risk Treatment Option (LGIS), would cost the Town \$20,332 in amenity tree value plus removal costs.

Using the Streetscape Contribution as per the Town's Fees and Charges Schedule 2018/2019 as a guide, if Option 3 was to be implemented, the cost to the Town to plant two new trees would equate to \$4,529.60.

Whilst not fully costed out, the implementation of Option 2 would represent a more expensive option for the Town to complete given that ground works need to be completed with a fence extension.

If Option 2 was adopted, the ongoing costs of mulching and maintaining the native bush garden in the affected area would become the responsibility of the Lessee once the initial installation is completed by the Town.

OFFICER RECOMMENDATION - ITEM 10.7

That:

1. Council receives the Arborist's Report and the Public Liability Site Risk Assessment by Local Government Insurance Services regarding exposed tree roots and associated risks of the two mature flooded gum trees;
2. Officers obtain quotations on the implementation of Option 2 for the relocation of the playground with associated ground works and fence extension, versus the viability of implementing Option 3 for the removal of both flooded gum trees; and
3. Writes to the Lessee of 128 Ivanhoe Street, Eden Hill, advising of Council's preferred interim course of action.

Voting requirements: Simple Majority

10.8 Annual Report for the Year Ended 30 June 2018 (Ref: FINM/AUD/7 – Peta Mabbs, Chief Executive Officer)

APPLICATION

The purpose of this report is to:

- Adopt the 2017/18 Annual Report that includes the Audited Annual Financial Statements for the year ended 30 June 2018; and
- Set a date for the General Meeting of Electors.

ATTACHMENTS

Attachment No. 8:

- Draft 2017/18 Annual Report
- 2017/18 Audited Annual Financial Statements including the Audit Report.

BACKGROUND

The 2017/18 Annual Report has been completed and Council is requested to adopt the document.

The CEO is required to give local public notice of the availability of the report. Additionally, a General Meeting of Electors is to be held within 56 days of the adoption by Council of the Annual Report.

It is suggested that the People Services Committee be rescheduled to Tuesday 5 March 2019. This will allow the General Meeting of Electors to be held on Tuesday 5 February 2019.

It should be noted that a number of dates have been investigated to hold the General Meeting of Electors, including statutory timeframes, availability of officers, venue availability, and other Town events.

RELEVANT LAW

The Local Government Act specifies as follows:

Section 5.53. Annual reports

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain:

- (a) a report from the mayor or president;
- (b) a report from the CEO;
- [(c) (d) deleted]

- (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;
- (f) the financial report for the financial year;
- (g) such information as may be prescribed in relation to the payments made to employees;
- (h) the auditor's report for the financial year;
- (ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993;
- (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including -
 - (i) the number of complaints recorded in the register of complaints
 - (ii) how the recorded complaints were dealt with;
 - (iii) any other details that the regulations may require;and
- (i) such other information as may be prescribed.

Section 5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

* *Absolute majority required.*

- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Section 5.55 - Notice of Annual Reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

COMMUNICATION & ENGAGEMENT

The General Meeting of Electors provides members of the public the opportunity to ask questions and make statements. A community bar-b-que is proposed to be hosted by the Town of Bassendean prior to the meeting. Members of the public will be asked to RSVP to the event and provide notice of any questions.

STRATEGIC IMPLICATIONS

Leadership and Governance

- *We will be accountable and make decisions for the good of the community*
- *Strengthen Council governance and compliance.*

COMMENT

The Annual Report and the 2017/18 Audited Financial Statements provides an overview of the activities of the Town of Bassendean and reports on the measures of success in line with the Corporate Business Plan.

The Independent Audit Report provided by the Town's Auditors, Macri & Partners, is included in the Financial Report.

OFFICER RECOMMENDATION – ITEM 10.8

That Council:

1. Accepts the Town of Bassendean's 2017/18 Annual Report for the year ended 30 June 2018; and
2. Endorses that the People Services Committee be rescheduled to Tuesday 5 March 2019; and
3. Holds its General Meeting of Electors on Tuesday, 5 February 2019 in the Bassendean Community Hall , 48 Old Perth Road, Bassendean, commencing at 7.00pm.

Voting requirement:

Point 1: Absolute majority

Point 2: Simple majority

10.9 RFT 088 2018-19 Provision of Drainage Cured in Place Pipe (CIPP) Relining for the Town of Bassendean (Ref: SEWD/TENDNG/21 - David Dwyer, Engineering Technical Coordinator.

APPLICATION

The purpose of this report is to appoint a successful contractor from those tender offers received for RFT 088 2018-19 Provision of Drainage Cured in Place Pipe (CIPP) Relining for the Town of Bassendean.

ATTACHMENTS

Confidential Attachment No. 1:

Tender assessment

BACKGROUND

Potential tenderers were invited to submit a tender offer for “RFT 088 2018-19 Provision of Drainage Cured in Place Pipe (CIPP) Relining for the Town of Bassendean” through a Western Australian Newspaper advertisement, Town of Bassendean Webpage and Facebook article on Saturday 24 November 2018.

The Town received one response, prior to the closing time 11:00am on Monday 10 December 2018. The tender received conformed with the specifications and general conditions of the tender document.

A further tender was received at 08:00am on 13 December 2018 (via express post mail) from Allpipe Technologies, however, as this tender was received well after the closing date and time and in accordance with the Local Government (Functions and General) Regulations 1996 Clause 18, this tender was rejected. (See below):

“18 Rejecting and Accepting Tenders

A tender is required to be rejected unless it is submitted at a place, and within the time, specified in the invitation for tenders.”

COMMUNICATION AND ENGAGEMENT

The “Request for Tender” was advertised in the West Australian Newspaper on 24 November 2018 and through the Town’s website and Facebook page.

STRATEGIC IMPLICATIONS

Strategic Priority 3: Built Environment

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
3.1 Plan for an increased population and changing demographics	3.1.4 Ensure infrastructure is appropriate for service delivery	The level of community engagement and participation into Local Area Planning (Input into plans and policy development.)

COMMENT

An Evaluation Panel was formed to assess the submission against the selection criteria. The Panel included the Town's Engineering Technical Coordinator, Engineering Design Officer and the Director of Corporate Services.

Tenderers pricing details, regarded as commercial in confidence, and the selection criteria weightings are included in the attached Confidential Report.

STATUTORY REQUIREMENTS

Local Government Act 1995
Local Government (Functions and General) Regulations 1996

FINANCIAL CONSIDERATIONS

The costs associated with this contract are included in the 2018-19 Budget. The budget consists of the following items:

- Drainage relining works;
- Auxiliary drainage works (lid replacement, pit repairs, Etc.);
- Traffic management; and
- Pre-relining condition survey inspection.

OFFICER RECOMMENDATION – ITEM 10.9

That Council appoints T.C. Drainage (WA) Pty Ltd T/As TCD Services Australia to undertake the work as required in RFT 088 2018-19 Provision of Drainage Cured in Place Pipe (CIPP) Relining for the Town of Bassendean in accordance with its offer and the specification and terms and conditions for works to be completed and finalised by 31 May 2019.

Voting Requirement: Absolute majority

10.10 Call for Notices of Motions - National General Assembly 2019 (Ref: GOVR/LREGLIA/2 - Sue Perkins, Executive Assistant)

APPLICATION

The purpose of this report is for Council to consider whether it wishes to put forward any notices of motions for inclusion on the agenda for the 2019 National General Assembly.

ATTACHMENTS

Attachment No. 9:

Discussion Paper "Future Focused" Call for Motions Discussion Paper 2019

BACKGROUND

The National General Assembly of Local Government is to be held from 16-19 June 2019 at the National Convention Centre in Canberra.

This will be the 25th National General Assembly and will focus on the future of local government and local communities. It will consider what Councils can do today to get ready for the challenges, opportunities and changes that lie ahead.

As the major event on the annual local government events calendar, the NGA typically attracts more than 800 mayors, councillors and senior officers from councils across Australia. The NGA is Council's opportunity to contribute to the development of national local government policy and to receive updates on the top policy issues facing local government nationally.

COMMUNICATION & ENGAGEMENT

Nil.

STRATEGIC IMPLICATIONS

Nil.

COMMENT

The National General Assembly of Local Government is the peak meeting for local government associations in Australia and is particularly relevant to elected members. It is an opportunity for Council to make sure that its views and those of the community are represented at the NGA.

The national agenda for local government into the future is determined at this assembly.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must follow this criteria:

1. be relevant to the work of local government nationally;
2. be consistent with the themes of the NGA;
3. complement or build on the policy objectives of the local state government association;
4. be from a council which is a financial member of their local state government association;
5. propose a clear action and outcome; and
6. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of local government.

To assist Council in preparing motions, a Discussion Paper has been prepared and is attached for information.

Motions are to be submitted online and received by ALGA no later than Friday 29 March 2019.

STATUTORY REQUIREMENTS

Nil.

FINANCIAL CONSIDERATIONS

Nil.

OFFICER RECOMMENDATION – ITEM 10.10

That Council considers whether it wishes to put forward any notices of motions for inclusion on the Business Papers for the 2019 National General Assembly to be held in Canberra in June 2019.

Voting requirements: Simple Majority

10.11 The Design and Implementation of a Community and Stakeholder Engagement Strategy to inform the vision for the development of a new Local Planning Strategy (Ref: LUAP/BASSEDEAN/LPS 2017-2030) – by Peta Mabbs, Chief Executive Officer and Anthony Dowling, Director Strategic Planning

APPLICATION

Council is requested to endorse a draft scope of work, key deliverables, and an indicative project timeline for commissioning an experienced consultant team to design and deliver a Community and Stakeholder Engagement Strategy (CSES) to inform the vision for the development of a new Local Planning Strategy.

ATTACHMENTS

Attachment No. 10:

Draft consultancy scope of works, key deliverables, and indicative project timeline

BACKGROUND

At its Ordinary meeting held on 23 October 2018 Council resolved to defer a request from the Director, Strategic Planning for approval to commence public advertising of residential density scenarios and associated preliminary key design principles in accordance with a draft communications plan developed for that purpose (refer OCM – 7/10/18).

Council was of the view that it needed to further consider the draft communications plan before it was prepared to release the scenarios and preliminary key design principles for public comment and feedback.

Council wanted to be comfortable and satisfied that the community will be sufficiently empowered and effectively engaged in shaping how the Town will look into the future. A Councillors' workshop was held on 4 December 2018 to further discuss and consider how this could be effected.

In light of the specialist expertise required to design and deliver a comprehensive community engagement strategy—it was determined at the workshop that an experienced and expert consultant team in the field of community engagement and place-making be commissioned for this work.

It was further determined that the purpose of the strategy is to:

- Define the project structure, key roles and responsibilities of the consultant team, along with communication protocols;
- Establish guiding communication and engagement objectives;
- Identify key project stakeholders;
- Establish an appropriate community engagement approach, tools and techniques;
- Outline the engagement and communications schedule;
- Acknowledge political sensitivities and provide an approach to dealing with community and stakeholder conflict; and
- Establish a feedback mechanism.

To this end, a draft scope of works has been prepared outlining the nature and type of work envisaged, together with expected deliverables and an indicative timeframe. A copy of these are provided as an attachment.

This scope of works is to be included in a proposed Request for Quotation (RfQ) document (RfQ 374 2018-19), intended to be issued to select consultants (having experience and expertise in this field).

In essence, the work will be undertaken in two (2) phases—the first being the design of the strategy; the second being the implementation (or delivery) of it.

Once the community and stakeholder engagement strategy (CSES) has been designed it will be presented to Council for its consideration and endorsement prior to commencing delivery.

Following completion of the community and stakeholder consultation the consultant team will be required to produce a final report reflective of community and stakeholder feedback, with a clear vision of how Bassendean will look into the future. The final report will then be presented to Council for endorsement.

This final report will inform the development of a new Local Planning Strategy (LPS), which will be undertaken in-house, and will continue to be developed in parallel with the design and delivery of the CSES.

Council's endorsement of the draft consultant scope of works, expected deliverables and indicative project timeframe is now sought.

STRATEGIC IMPLICATIONS

The proposed design and delivery of the CSES will accord with the following priorities and objectives of the current *Community Strategic Plan 2017-2027*:

Strategic Priority 1: Social

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>
1.1 Build a sense of place and belonging	1.1.1 Facilitate engagement and empowerment of local communities

Strategic Priority 5: Good Governance

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>
5.2 Proactively partner with the community and our stakeholders	5.2.2 Engage and communicate with the community

COMMENT

As previously reported to Council, the State Government expects local planning frameworks to be suitably modified or changed to incorporate planned activity centres and urban corridors and to accommodate prescribed increased dwelling targets as per the *Perth and Peel @ 3.5 Million (PP3.5M)* planning framework.

A Local Planning Strategy provides strategic direction for land use planning and development within a local district. This direction should reflect the aspirations and ambitions of the community it serves. It therefore makes sense that the community is involved and engaged at the outset in defining and establishing the direction.

The CSES is an opportunity to build legitimacy and support with the community in shaping and building the future vision for the Town of Bassendean.

STATUTORY REQUIREMENTS

Nil

FINANCIAL CONSIDERATIONS

It is anticipated that quotations to undertake the design and delivery of the community and stakeholder engagement strategy are estimated to be in the order of \$80,000 ~ \$140,000. This includes the appointment of a consultant team. Funding of \$110,000 is available via the Strategic Planning account in the 2018/19 Budget.

It is also proposed to lease a shop-front on Old Perth Road for a period of approximately 6 months to enable community access during the engagement period. Quotes will be obtained on suitable vacant premises.

Physical design models are proving to be incredibly valuable tools in assisting with urban development. Whilst this cost may be built into the engagement process, if the preferred provider does not possess these skills or capabilities, a separate cost may be attributed to the development of physical design models.

The Community Engagement Strategy project will be undertaken over two financial years and is envisaged to be completed in October 2019.

The financial impact of this project can be reviewed and adjusted in February 2019 as part of the 2018/19 mid-year budget review process and through the planning process for the 2019/20 budget.

OFFICER RECOMMENDATION — ITEM 10.11

That Council:

1. Endorses the draft scope of works, expected deliverables and indicative project timeline provided at Attachment 10 to this meeting agenda dated 18 December 2019 for inclusion in a Request for Quotation (RfQ 374 2018-19) to design and deliver a community and stakeholder engagement strategy (CSES) to inform the vision for the development of the Town's Local Planning Strategy; and
2. Lists for inclusion in the 2018/19 Town Budget review (to be undertaken in February 2019) and the 2019/20 budget an allowance for the accepted quotation to design and deliver the CSES; leasing costs for a shop-front; and design models and tools (as outlined).

Voting requirements: Simple Majority

10.12 Economic Development Committee Meeting held on 4 December 2018 (Ref: GOVN/CCLMEET/13 – William Barry, Senior Economic Development Officer)

APPLICATION

The purpose of the report is for Council to receive the report on a meeting of the Economic Development Committee held on 4 December 2018, and adopt the following recommendations from the Committee:

- EDC – 1/12/18 Traineeship/apprenticeship programmes as part of its Economic Development Strategy.*
- EDC - 2/12/18 Economic Development Officer’s Activity Report*
- EDC – 3/12/18 Review policies to support local business and local economy*
- EDC – 3/12/18 Consideration of “Bassendean First” with sponsorship of events*

ATTACHMENTS

Attachment No. 11:

Economic Development Committee Minutes of 4 December 2018, including Draft Vibrancy Framework and Town Team Movement Brochure

COMMENT

The Committee received details of the proposed vibrancy programme for Old Perth Road.

The Committee was advised of the planned Old Perth Road Street Christmas Party, Tuesday 18 December. The opportunity to launch the beginning of a Town Team with Dean Cracknell founder of the Town Team Movement at the street party was proposed, but in view of competing matters for Council and challenges for residents at the time, the Committee agreed to postpone the launch of the Town Team until early in the new year.

A progress presentation of the Economic Development Strategy (2019 – 2023) highlighted the proposed themes and actions. These are currently being canvassed amongst the local businesses. The Committee identified more effort can and should be taken by the Town to target employment opportunities for our youth. When all business feedback is received, the strategy will be drafted and presented to Council for consideration.

The Committee supported a notice of motion for a review be carried out of its own policies, particularly in the planning area, to determine if they are contributing to vacant commercial premises remaining vacant and/or stymieing new developments within the Town; and removing or amending policies with the intention of making it easier to start and continue doing business within the Town.

A second notice of motion was also supported recommending the Council add a “Bassendean First” condition on its own events and events that it supports.

The aim is that opportunities of sponsorship and involvement in events held in the Town, or hosted by the Town, are first offered to local suppliers and operators wherever possible.

COMMITTEE RECOMMENDATION — ITEM 10.12

That Council:

1. Identify support for traineeship/apprenticeship programmes for businesses as part of the new Economic Development Strategy;
2. Receives a review of its policies:
 - a. assessing their impact on local business; and
 - b. recommends “business friendly” polices that drive investment and support the local economy;
3. Reviews its event sponsorship programme to encourage local content; and
4. Receives the report on a meeting of the Economic Development Committee held on 4 December 2018.

Voting requirements: Simple Majority

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

The Principal Building Surveyor made the following building decisions under Delegated Authority:

Building Applications Determined in the Month of November 2018		
Application No	Property Address	Description
201800246	7 PARKER STREET, BASSENDEAN	DEMOLITION OF AN ASSEMBLY BUILDING ONLY
201800242	25 LITTLEMORE WAY, EDEN HILL	SHED
201800248	18 IDA STREET, BASSENDEAN	DEMOLITION OF DWELLING
201800240	9 SURREY STREET, BASSENDEAN	FENCE
201800244	58 SCADDAN STREET, BASSENDEAN	WIDENING OF DOORWAY
201800243	5 YELLAND WAY, BASSENDEAN	FILLING OF FIRE RATED WALLS
201800247	184 RAILWAY PARADE, BASSENDEAN	RETAINING WALL
201800241	14 SURREY STREET, BASSENDEAN	DEMOLITION OF DWELLING
201800249	176 WEST ROAD, BASSENDEAN	BELOW GROUND FIBREGLASS POOL
201800262	6 FILKINS STREET, BASSENDEAN	PATIO
201800261	188 ANZAC TERRACE, BASSENDEAN	FULL HOUSE DEMOLITION
201800265	11 BARTON PARADE, BASSENDEAN	DEMOLITION OF DWELLING
201800254	62 RAILWAY PARADE, BASSENDEAN	DEMOLITION OF DWELLING
201800250	176 WEST ROAD, BASSENDEAN	INSTALL POOL SAFETY FENCE
201800258	42 WALTER ROAD EAST, BASSENDEAN	FULL DEMOLITION
201800256	97 WHITFIELD STREET, BASSENDEAN	REMOVE AND REPLACE ROOF (TILE TO STEEL)
201800252	19 SCHOFIELD STREET, EDEN HILL	FULL DEMOLITION
201800251	112 FIRST AVENUE, BASSENDEAN	SHED & PATIO
201800259	16 NURSTEAD AVENUE, BASSENDEAN	FULL DEMOLITION OF DWELLING
201800255	97 WHITFIELD STREET, BASSENDEAN	REMOVE AND REPLACE PATIO ROOF (SHADE CLOTH TO STEEL)
201800253	32 COLSTOUN ROAD, ASHFIELD	PATIO
201800257	80 PARKER STREET, BASSENDEAN	ADDITIONS INCLUDING ALFRESCO TO EXISTING DWELLING
201800230	1/1 ANZAC TERRACE, BASSENDEAN	RESIDENTIAL ALTERATIONS/ADDITIONS
201800236	42 WALTER ROAD EAST, BASSENDEAN	FOUR DOUBLE STOREY DWELLINGS
201800235	125A WALTER ROAD EAST, BASSENDEAN	SINGLE DWELLING
201800237	33 MARGARET STREET, ASHFIELD	ADDITIONS TO EXISTING DWELLINGS CONSISTING OF FAMILY ROOM KITCHEN MEALS AREA THEATRE ROOM ALFRESCO AND GARAGE
201800129	79 IVANHOE STREET, BASSENDEAN	DWELLING

201800103	53 KENNY STREET, BASSENDEAN	REPLACE & REPOSITION EXISTING STUDIO
201800182	17 HARDY ROAD, BASSENDEAN	RETROSPECTIVE APPROVAL FOR SOLID GLASS PANEL INSTALLED TO WORK FLOOR TIMBER CONSTRUCTION CREATED FOR DRYING AREA

OFFICER RECOMMENDATION – ITEM 10.13

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

Voting requirement: Simple majority

10.14 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:

Planning and Subdivision Applications Determined to 30 November 2018			
Applic No.	Property Address	Description	Determination
2018-064	48 GALLAGHER STREET EDEN HILL 6054	CONSULTING ROOMS	Refused
2018-094	18 CLARKE WAY BASSENDEAN 6054	SINGLE HOUSE	Delegate Approved
2018-098	UNIT 2/23 PURSER LOOP BASSENDEAN 6054	CHANGE OF USE - WAREHOUSE TO FOOD PROCESSING FACTORY	Delegate Approved
2018-124	14 PALMERSTON STREET BASSENDEAN 6054	RELOCATION OF EXISTING SINGLE HOUSE	Delegate Approved
2018-130	50 LORD STREET EDEN HILL WA 6054	ADDITIONS AND ALTERATIONS TO GROUPED DWELLING	Delegate Approved
2018-132	2A WALTER ROAD EAST BASSENDEAN 6054	HOME OCCUPATION (WAXING SERVICES)	Delegate Approved
2018-139	57 FIRST AVENUE BASSENDEAN 6054	AMENDED APPLICATION FOR 8 MULTIPLE DWELLINGS TO EXTEND PERIOD OF VALIDITY OF APPROVAL	Delegate Approved
2018-140	63 FOURTH AVENUE BASSENDEAN 6054	AMENDED APPLICATION FOR FOUR GROUPED DWELLINGS TO EXTEND PERIOD OF VALIDITY OF APPROVAL	Delegate Approved
2018-149	84A IVANHOE STREET EDEN HILL 6054	SINGLE HOUSE	Delegate Approved
2018-150	87 HAMILTON STREET BASSENDEAN 6054	AMENDED APPLICATION FOR SINGLE HOUSE	Delegate Approved
2018-161	UNIT 3/335 COLLIER ROAD BASSENDEAN 6054	AMENDED APPLICATION FOR CONVENIENCE STORE SIGNAGE	Delegate Approved
Subdivision Applications			
1180-18	84 WHITFIELD STREET BASSENDEAN 6054	TWO LOT SURVEY STRATA	Statutory Advice (Recommend Approval)
157405	81 PENZANCE STREET BASSENDEAN 6054	TWO LOT SUBDIVISION	Statutory Advice (Recommend Approval)

OFFICER RECOMMENDATION – ITEM 10.14

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

Voting requirement: Simple majority

10.15 Accounts for Payment – November 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. 12:

List of Accounts

BACKGROUND

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

STRATEGIC IMPLICATIONS

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <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 10.15

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

Voting Requirements: Simple majority

10.16 Financial Statements – November 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. 13:

Financial Statements for November 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 presented by nature & type classification, 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 variance amount is \$5,000 or 10% whichever is the greater.

STRATEGIC IMPLICATIONS

Good Governance

Strategic Priority 5: Good Governance

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <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 November 2018.

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

Expenditure by nature & type is 7% lower than budget forecasts. Materials & contracts is well under budget estimates, Employee Costs & Insurance costs are 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 has commenced and it is anticipated that significant progress will be made in the early part of 2019.

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 small number of budget amendments identified for 30 November 2018, which requires Council adoption. These are listed in Note 9 of the Statements.

These adjustments will have no effect on the estimated surplus for the year end position.

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 10.16

That:

1. The Financial Statements for the period ended 30 November 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 18 December 2018.

Voting Requirements: Absolute majority

10.17 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 not attached to any documents during the reporting period:

OFFICER RECOMMENDATION – ITEM 10.17

That Council notes that the Common Seal was not attached to any documents during the reporting period.

Voting Requirements: Simple majority

10.19 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
ROC18/60873	PETA MABBS	OCM-39/04/18 - NOTICE OF MOTION – CR HAMILTON: INFORMATION PROCESS & DISTRIBUTION TIMELINES	POINT 1 WILL BE ADDRESSED AS PART OF THE INDUCTION PROCESS FOLLOWING THE LOCAL GOVERNMENT ELECTIONS; POINT 2 THIS WILL BE PROVIDED BY STAFF AS APPROPRIATE ; POINT 3 WILL BE ADDRESSED THROUGH THE QUARTERLY REPORTS; POINT 4 THIS WILL BE ACTIONED AS APPROPRIATE . RECOMMEND DELETION.
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. RECOMMEND DELETION.
ROC18/64603	GRAEME HAGGART	OCM-12/11/18 - WORKING GROUPS - DRAFT TERM OF REFERENCE	ADOPTED TERMS OF REFERENCE PROCESSED TO THE SYSTEM. RESOLUTION COMPLETED. RECOMMEND DELETION.
ROC17/57461	MIKE COSTARELLA	OCM-32/11/17 - NOTICE OF MOTION - CR BROWN: INCENTIVE FOR LOCAL BUSINESS	MATTER DEFERRED TO A WORKSHOP. RECOMMEND DELETION.

ROC18/64610	MIKE COSTARELLA	OCM-22/11/18 - AUDIT & GOVERNANCE COMMITTEE MEETING HELD ON 7 NOVEMBER 2018	ALL ACTIONS UNDERTAKEN. RECOMMENDED DELETION.
ROC18/62198	MIKE COSTARELLA	OCM-18/06/18 - AUDIT & GOVERNANCE COMMITTEE MEETING HELD ON 20 JUNE 2018	NO FURTHER ACTION REQUIRED. RECOMMEND DELETION
ROC18/64606	MIKE COSTARELLA	OCM-15/11/18 - CONDUCTING THE 2019 COUNCIL ELECTIONS BY POSTAL VOTE	CORRESPONDENCE HAS BEEN SENT TO THE WAEC APPOINTING THEM AS THE RETURNING OFFICER. RECOMMEND DELETION.
ROC18/64597	CHRISTIAN BUTTLE	OCM-7/11/18 - 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	DEVELOPMENT APPROVAL ISSUED IN ACCORDANCE WITH COUNCIL'S DETERMINATION. RECOMMEND DELETION.
ROC18/64226	CHRISTIAN BUTTLE	SCM-2/10/18 - RESPONSIBLE AUTHORITY REPORT TO BE PRESENTED TO THE METRO CENTRAL JOINT DEVELOPMENT ASSESSMENT PANEL FOR A CONVENIENCE STORE PROVIDING FOR THE SALE OF FUEL AND CONVENIENCE GOODS (VIBE) AT LOT 75 (NO 72 WALTER ROAD EAST EDEN HILL	APPLICATION REFUSED BY JDAP AT ITS MEETING HELD 27 NOVEMBER 2018. RECOMMEND DELETION.
ROC18/59086	DAVID DWYER	OCM-9/1/18 - WHITFIELD STREET AND HAMILTON STREET ON- STREET PARKING	COMPLETED. RECOMMEND DELETION

ROC18/60871	RENATA PIETRACATELLA	OCM-37/04/18 - NOTICE OF MOTION – CR QUINTON: PROPOSED LOCAL STUDIES COLLECTION WORKING GROUP	COMPLETED: MEMBERS OF LSCWG APPOINTED AT OCM 27 NOVEMBER 2018. RECOMMEND DELETION.
ROC18/64605	YVONNE ZAFFINO	OCM-13/11/18 - CONSIDERATION OF MEETING DATES & CITIZENSHIP CEREMONIES FOR 2019	COMMITTEE MEMBERS HAVE BEEN ADVISED OF 2019 MEETING DATES AND PUBLIC ADVERTISING HAS BEEN UNDERTAKEN. RECOMMEND DELETION.

OFFICER RECOMMENDATION – ITEM 10.19

That the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 18 December 2019 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 Notice of Motion – Cr Quinton: Street Doctor

Cr Quinton has advised that she wishes to move the following motion:

“That the CEO request staff to investigate and consult with the doctors and outreach workers for improved shelter options for the Street Doctor located at the Ashfield Reserve on Colstoun Road and provide a report to Council for consideration in the 2018/19 budget mid-year review.

Strategic Objectives

1.3 Plan for a healthy and safe community

1.3.2 Promote and advocate community health and wellbeing

1.4 Improve lifestyle choices for aged, families and youth

1.4.3 Enhance the wellbeing and participation of our youth and children.

BACKGROUND – CR QUINTON

The Street Doctor is a mobile service that provides free medical appointments to homeless, transient, disadvantaged and marginalised people in Perth. The Street Doctor operates at the Ashfield Reserve on Colstoun Road every Wednesday and Friday between 9.30am – 3pm, and can see up to 30 people per session.

During the winter, people who visit the service often sit in the cold wind under the shelter of the Ashfield Reserve toilets, which includes elderly and sick people.

Given the Town’s commitment to the service and the benefits it provides to Bassendean community members, providing a roller door, café blinds or some other permanent option where the service can store tables and chairs to ensure people who are waiting to see the doctor are comfortable, and out of the cold wind and rain, particularly in the winter months, would fit into the remit of the Town’s responsibilities.

11.2 Notice of Motion – Cr Quinton: Early Childhood Australia (WA Branch) Campaign

Cr Quinton has advised that she wishes to move the following motion:

“That the Town of Bassendean endorse the Early Childhood Australia (WA Branch) campaign to develop and implement a play strategy in Western Australia.”

Strategic Objectives

1.3 Plan for a healthy and safe community

1.3.2 Promote and advocate community health and wellbeing

1.4 Improve lifestyle choices for aged, families and youth

1.4.3 Enhance the wellbeing and participation of our youth and children.

BACKGROUND – CR QUINTON

Early Childhood Australia (WA) is campaigning for the State Government to develop and implement a play strategy which would ensure that children have the opportunity to play. Local Governments are at the forefront to provide those opportunities by building playgrounds, incorporating play elements into built form on the streetscape and constructing spaces where children can play both indoors and outdoors.

The specific aspect that Town of Bassendean can action through the strategy is this part:

- Plan our future environments and community infrastructure taking play and children into account as a fundamental priority.

The endorsement will give gravitas to the campaign in their efforts to lobby the State Government to develop and play strategy; and signal the Town’s agreement that children should always be considered when developing and designing built form in Town.

The letter of endorsement from ECWA is included as **Attachment No. 14.**

11.3 Cr Gangell: Lighting & CCTV at the Boat Ramp at Pickering Park

Cr Gangell has advised that he wishes to move the following motion:

“That Council receives a report on the feasibility and costings on providing lighting at the boat ramp at Pickering Park and also the provision of CCTV being provided in that location.”

OFFICER COMMENT

In regard to upgrading the boat ramp area, the Town previously submitted an expression of interest application to the Department of Transport, and was successful in obtaining the grant funding to upgrade the boat ramp and security lighting. In July 2017, when Council adopted the 2018/19 Budget, Council (OCM – 11/07/18) resolved that an additional point be added, to the Council resolution, as follows:

“20. That in relation to the Pickering Park Boat Ramp, Council revokes its previous decision OCM–7/02/17, which reads:

“MOVED Cr Pule, Seconded Cr Brown, that Council notes, if funding for the design of the Pickering Park boat ramp and floating jetty is successful and receipt of the grant, funding of \$22,500 for this project be included in the draft 2017-18 Operating Budget for Council’s consideration”.

As a result of this item being removed from the budget, the Town advised the Department of Transport that due to other funding priorities at this time, the Town of Bassendean wished to withdraw from the Pickering Park Boat Ramp and Jetty Planning Study.

At the Council Briefings Session in December 2018 , the Mayor requested that staff obtain and provide to Council, the WA Police data for antisocial behaviour at Pickering Park. Officers will contact the WA Police and request the data for the December Ordinary Council meeting.

11.4 Notice of Motion – Cr Hamilton: Changing the Permitted Use of Properties

Cr Hamilton has advised that she wishes to move the following motion:

“That Council:

- 1. Requests staff to review and commence the process of changing the permitted use of properties zoned Local Shopping to prohibit development of ‘Convenience Stores Providing for the Sale of Fuel and Convenience Goods’ and ‘Service Stations’ at undesirable locations within the Town; and*
- 2. Requests staff to review and commence the process of changing the permitted use of properties zoned Town Centre to prohibit development of ‘Convenience Stores Providing for the Sale of Fuel and Convenience Goods’ and ‘Service Stations’ at undesirable locations within the Town’s central business district.”*

Background: Cr Hamilton

Strategic Priority 3: Built Environment, Objective Strategy 3.1.3: Plan for Local neighbourhoods and their Centres Objective Strategy 3.2.3: Enhance the Liveability of Local Neighbourhoods

Scheme Amendments are about precisely deciding appropriate and inappropriate land uses. An application for a Convenience Store Providing for the Sale of Fuel and Convenience Goods at Lot 75 (No. 72) Walter Road East (corner Marion Street), Eden Hill was refused at a JDAP hearing on 27th of November 2018. The minuted reasons for refusal suggest that it is timely for the Town to now initiate a review of permitted land uses to ascertain the suitability of these types of businesses in various locations with a view to minimise potential conflicts between adjoining land uses and road networks.

OFFICER COMMENT

Officers will endeavour to bring a report on this matter to the February Council meeting, should the Notice of Motion be passed.

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 **Application from Sparx Early Learning Centre For a New Lease/Licence Period at the Expiration of the Current Lease/Licence Agreement in 2021 (Ref: LEGL/AGMT/7-Graeme Haggart, Director Community Development and Salvatore Siciliano, Manager Recreation & 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.

14.0 **CLOSURE**

The next Briefing Session will be held on Tuesday 19 February 2019 commencing at 7.00pm.

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