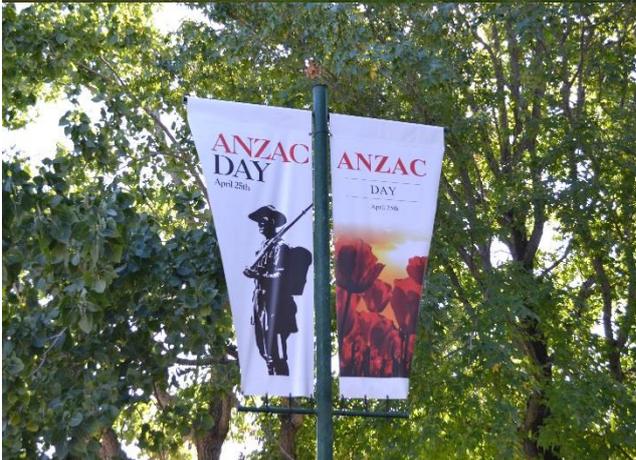




## ORDINARY MEETING OF COUNCIL

Tuesday 23 April 2019

### Agenda



Notice is hereby given of the Ordinary Council Meeting to be held in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 7.00pm.

Peta Mabbs  
**CHIEF EXECUTIVE OFFICER**

18 April 2019

## INTRODUCING OUR COUNCILLORS



**Mayor**  
**Renee McLennan**  
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**Deputy Mayor**  
**Bob Brown**  
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**Cr John Gangell**  
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**Cr Sarah Quinton**  
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**Cr Kathryn Hamilton**  
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## **1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

### **Acknowledgement of Traditional Owners**

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

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

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

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

### **2.1 Public Question Time**

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

### **2.2 Address by Members of the Public**

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

### **Apologies**

Cr Quinton, Leave of Absence

## **4.0 DEPUTATIONS**

Brent Fleeton, Caff on Broadway, will be present to make a deputation on Broadway and Railway Parade timed parking.

## **5.0 CONFIRMATION OF MINUTES**

### **5.1 Ordinary Council Meeting held on 26 March 2019 (Attachment No. 1 and Confidential Attachment No. 1)**

#### **OFFICER RECOMMENDATION – ITEM 5.1(a)**

That the minutes of the Ordinary Council meeting held on 26 March 2019, be received.

#### **OFFICER RECOMMENDATION – ITEM 5.1(b)**

That the minutes of the Ordinary Council meeting held on 26 March 2019, be confirmed as a true record.

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

## **7.0 PETITIONS**

## **8.0 DECLARATIONS OF INTEREST**

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

### **9.1 Tonkin Park Industrial Estate (TPIE) Fencing Audit and Review (Ref: LUAP/POLCY/2, DABC/BDVAPPS/2011-135, DABC/BDVAPPS/2013-125 - Cameron Hartley, Planning Officer)**

#### **APPLICATION**

The purpose of this report is to provide an audit into existing industrial fencing within the Tonkin Park Industrial Estate (TPIE) as well as provide a recommendation to council as to whether the Town's Local Planning Policy No. 6 (LPP6) requires modification in line with the audit findings. This report is linked to a Council Resolution from OCM 28 July 2015, which forms an attachment to this report. The report also includes a recommendation for an additional modification to LPP6, to increase the ratio of shade tree plantings within car parking areas from one tree per six bays to one tree per four bays.

*This item was deferred from the Ordinary Council meeting held in March 2019, to allow a site inspection prior to consideration of the item.*

## ATTACHMENTS

### Attachment No. 2:

- Extract from Council Resolution dated 28 July 2015 – Fencing Audit
- Map of Tonkin Park Industrial Estate
- Copy of LPP6

## BACKGROUND

At its meeting held 28 July 2015, matters were brought to Council's attention relating to five properties within the TPIE. These related to an application for retrospective approval (No.11 Purser Loop), non-compliance with conditions of development approval (Nos. 27-31 Purser Loop) and unauthorised fences (Nos.76 and 80 May Holman Drive). The predominant subject within these five separate matters before council was fencing along the front property boundary and the related policy variation to LPP6.

LPP6, amongst other provisions, specifies the setback for fencing for industrial sites. The policy requires a minimum setback of 2m behind the street alignment and to be an open style. It should be noted that LPP6 has undergone modification within the last 7 years, with the previous version of the policy (pre-2012) providing allowances to having fencing contained on the front boundary. The current policy has stood in place since August 2012, which effectively prohibits fencing along the front property boundary.

Council approved the application for retrospective fencing approval for No.11 Purser Loop, subject to verge beautification. Nos. 27-31 Purser Loop was initially refused by Council, but approved on appeal after a State Administrative Tribunal invitation to review the decision was submitted to Council.

Compliance actions for the remaining unauthorised fencing at Nos. 76-80 May Holman Drive, was to be temporarily suspended following this review of industrial fencing within the TPIE.

## COMMUNICATION & ENGAGEMENT

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

**STRATEGIC IMPLICATIONS**

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
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**

The results of the review of the TPIE fencing audit are as follows:

- Approximately 13% (or 12 properties) have council approved fencing on the front boundary. This includes approvals issued under delegation, by council or under a building permit;
- Approximately 23% (or 22 properties) have unapproved or unauthorised fencing forward of the building or on the front boundary;
- Approximately 34% (or 32 properties) have compliant fencing, setback the required 2 metres; and
- Approximately 20% (19 properties) have no fencing forward of the building.

Approximately 10% (9 properties) are not contained in the statistics above, as they include a combination of lots with temporary/construction fencing and were approved historically without a condition for a fencing setback or do not have any formal approval issued on the site (i.e. vacant land).

As derived from the above statistics, there is an inconsistent level of fencing within the TPIE.

Whilst over half of the properties either have compliant fencing or no fencing, over a third of sites within the TPIE either have legitimised and approved front fencing along the front property boundary or have presumably followed the predominant fencing line within the street, albeit not in accordance with current policy.

As there has been a clear position made in the past to remove this policy requirement or approve fencing along the primary street boundary, which only provides for a minor aesthetic benefit, the officer suggests that a modification is required to LPP6, which would delete the setback requirements of the policy.

It should be noted that in a review of neighbouring local governments there are inconsistent levels of fencing controls within industrial areas. At the City of Swan, there are no specific front fencing requirements for industrial areas within their scheme or local planning policies. The City of Bayswater does maintain specific controls for the special control area of the Tonkin Highway Industrial Estate and permits palisade fencing between the lot street boundary and the building alignment, subject to a maximum height of 1.8m. The City of Belmont does maintain specific fencing requirements within industrial zones; however, this does not specify a minimum setback distance.

These amendments are not required to be advertised as it represents minor policy changes, having no detrimental impact on landowners or occupiers of industrial zoned land within the Town. Indeed, this modification will remove any need for prosecution for the 22 properties, which currently have fencing on, or within 2m of the front property boundary.

#### Matters arising from the Briefings Session

Following discussion at the Briefings Session regarding the removal of any setback requirement for fencing, an additional element to the recommendation has been included to this report to increase the rate of tree plantings between car parking spaces, currently mandated as one tree per six consecutive bays. This modification will bring the policy to be one tree per four car parking bays.

#### STATUTORY REQUIREMENTS

As per Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015, in considering an application for development approval the local government is to have due regard to any local planning policy for the scheme area. This is the head of power for enforcing the Town's planning policy requirements.

As detailed in this report, the only relevant policy requiring review is Local Planning Policy No. 6 - Industrial Zones Development Design Guidelines. As per the officer recommendation, this is suggested to be modified to remove the 2m setback requirement of this policy.

## FINANCIAL CONSIDERATIONS

Nil. The Town would not be enforcing prosecution against any lots identified within this report, which includes unapproved or unauthorised fencing along the street boundary.

## OFFICER RECOMMENDATION — ITEM 9.1

That Council:

1. Amends Local Planning Policy No. 6 – Industrial Zones Development Design Guidelines, to delete reference for fencing to be setback 2 metres behind the street alignment, as well as modifying the number of shade trees in parking areas to a ratio of 1 per four car parking bays; and
2. Notes that the Planning Department of the Town of Bassendean will cease compliance action against landowners of 76 and 80 May Holman Drive, Bassendean, as the fencing will comply to the modified Local Planning Policy No. 6.

**Voting requirements: Simple Majority**

## **10.0                    REPORTS**

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

The following information is provided to Councillors for guidance on the use of en bloc voting as is permissible under the Town's Standing Orders Local Law 2011.

Standing Orders Local Law 2011, Clause 5.4 states:

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

Councillors should be aware that should they wish to declare an interest in any of the items listed in the en bloc voting table, and have not done so under Item 8.0, Declarations of Interest, they should do so at this point of the agenda.

### **OFFICER RECOMMENDATION – ITEM 10.1**

That Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda of 23 April 2019:

Item	Report
10.2	Request to Purchase Lot 5 (No. 246) Morley Drive East, Eden Hill – Proposed Concept Plan For Lots 4 & 5 (Nos. 246 & 248) Morley Drive East
10.3	Town of Bassendean Best Practice Non-Chemical Weed Management Notice of Motion Response
10.4	Broadway and Railway Parade Timed Parking
10.5	Hardy Road Verge Parking
10.6	Food Organics Garden Organics (FOGO) Waste
10.7	Bassendean Oval Football Facilities Project Control Group Meetings held on 21 February 2018, 22 August 2018 & 22 February 2019
10.8	Economic Development Committee Meeting held on 13 March 2019
10.10	Finalisation of Town Planning Scheme No. 4A
10.11	Quarterly Report for Period Ended 31 March 2019
10.12	Determinations Made by the Principal Building Surveyor
10.13	Determinations Made by Development Services
10.14	Accounts for Payment – March 2019
10.16	Use of the Common Seal
10.17	Calendar for May 2019

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

Item	Report
9.1	Tonkin Park Industrial Estate (TPIE) Fencing Audit and Review
10.9	Sandy Beach Reserve Nature Based Regional Playground
10.15	Financial Statements – March 2019
11.1	Notice of Motion – Cr Hamilton: Tonkin Park Containment Cell
13.1	Commercial Offer for Third-Party Signage on Payphone Facilities - JcDecaux Australia
13.2	Sports Achievement Awards
13.3	Organisational Structural Change
13.4	Council Street Trees – 118 Whitfield Street, Bassendean

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

APPLICATION

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

ATTACHMENTS

**Attachment No. 3:**

The Eden Hill Master Planning Concept Plan prepared by Taylor Robinson Chaney and Broderick dated March 2019.

BACKGROUND

This matter was last considered by Council at its meeting held in November last year when it was resolved by OCM – 8/11/18, that consideration of this matter be deferred to the February 2019 Ordinary Council Meeting to give the proponent the opportunity to respond to the comments raised in this report.

During the intervening period Council staff have met with the proponents which has led to further refinements to the draft Concept Plan as shown in the attachments.

The draft Concept Plan was presented to a Concept Planning workshop on 2 April 2019, where the opportunity was afforded to the proponents to explain the rationale behind the plan, and to answer questions from those in attendance.

Previously, the matter was considered at the April 2018 Council meeting where the following resolutions are relevant to the sale of the land and the required concept plan:

1. Responds to the correspondence received from Lavan Legal on behalf of Birmingham properties Pty Ltd dated 15 March 2018 advising that:
  - (a) Any proposal to sell lot 5 (No. 246) Morley Drive Eden Hill to the registered proprietors of lot 4 (No. 248) Morley Drive Eden Hill will be subject to clauses 3.58 (3) and (4) of the *Local Government Act 1995* and the following:

- (i) Prior to further consideration being given to any sale of lot 5 the registered proprietor is to cause the preparation of (at its expense) and submit to Council for endorsement a development concept plan for the whole of the land comprising lots 4 & 5;
  - (ii) The development concept plan required in (i) above is to be submitted for the Town's approval by 31 July 2018 and is to be informed by:
    - (1) Salient provisions of State Planning Policy (SPP) 4.2 – Activity Centres for Perth and Peel, which suggests lots 4 and 5 be developed as a Neighbourhood or local centre only;
    - (2) The recommended land use mix and residential density criteria prescribed for Urban Corridors in the Central Sub-regional planning framework (an adjunct to the Perth and Peel @ 3.5 Million planning framework published on 23 March 2018); and
    - (3) Section 5 - Commercial Floorspace Demand Analysis contained in the (draft) Bassendean Local Economic Review, once adopted by Council;
  - (iii) The development concept plan also sufficiently conveys to Council that any future development proposal for both lots will be capable of satisfactorily addressing applicable provisions in clause 10.2 of Local Planning Scheme (LPS) 10, especially part (o), namely “the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal.”
2. Advises Birmingham Properties that as part of implementing its Strategic Planning Framework and updating Local Planning Scheme (LPS) 10, the Town will consider suitably rezoning lots 4 and 5 in the near future as the current ‘Local Shopping’ zoning applying to these lots is no longer listed as a zoning category in the Model Scheme Text (MST); and

3. Advises Birmingham Properties that notwithstanding any of the above, the Council must observe the private treaty provisions of the *Local Government Act 1995* and give due consideration to the public consultation results and therefore gives no guarantee that it will sell Lot 5 (no 246) Morley Drive East regardless of what is supplied to the Council or undertakings made by the owners of 248 Morley Drive East Eden Hill.

The revised Concept is discussed further in the Comment section below.

### COMMUNICATION & ENGAGEMENT

Nil at this stage, however, it is envisaged that the Concept Plan will be advertised to the community, as part of the proposal to dispose of the Town owned land through the private treaty provisions of the Local Government Act 1995. The Act prescribes a minimum period of advertising of two weeks in a local paper alone, however, it is envisaged that the consultation will be for longer than this and be augmented through the Town's "Your Say" platform and a display of the Concept Plan at the Town's new Ideas Hub in Old Perth Road at the former Post Office.

### STRATEGIC IMPLICATIONS

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

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

## COMMENT

The current Concept Plan has the following features:

It contains a supermarket with a net lettable area of 3200m<sup>2</sup> adjacent to Morley Drive together with retail/ commercial, food and beverage facilities adjacent to Ivanhoe Street, ranging in size from 60m<sup>2</sup>-130m<sup>2</sup> with a net lettable area of 640m<sup>2</sup>.

Car parking is proposed to be provided at a rate of 4.8 bays per 100m<sup>2</sup>, which is a lesser standard than the 8 bays per 100m<sup>2</sup> called for by the current Local Planning Scheme No 10: 184 car parking bays are proposed with 169 bays on site to cover the commercial component, and 15 on street parking bays. The onsite car bays are provided central to the site and behind the frontages to the commercial components of the development.

The concept plan includes a planted façade/art screen to reduce the impact of a blank wall of the supermarket facing Morley Drive: the western elevation and part of the southern elevation is to be glazed.

A public plaza is intended to be created around the existing tree which is to be retained in the centre of the site, forming the entrance to the supermarket.

The commercial component of the development is proposed to be sleeved by single or two storey residential development adjoining Mary Crescent Reserve to the south and by two storey apartments adjoining Christie Way to the east.

### **Analysis of proposed Concept Plan**

The types of land uses proposed and the amount of retail floor space proposed appear to be consistent with Council's preference for a Neighbourhood Centre as contained in State Planning Policy 4.2 – Activity Centres for Perth and Peel.

Any future application for development approval, or Structure Plan required for the retail component of the site will need to be accompanied by a Retail Sustainability Assessment examining the impact of the development on nearby centres.

The density of the proposed residential development accords with the residential densities advocated for a Neighbourhood Centre at 28 dwellings per hectare. The target density is 15 dwellings per hectare minimum with 25 dwellings per hectare being desirable.

The Concept Plan is required to give an understanding of the proposed built form and how the site is intended to be developed and also to provide information to the community on any proposal to sell the land by private treaty under the *Local Government Act 1995*.

The Concept Plan meets the objectives stated above, and is in a form suitable to be advertised as part of the any proposal to sell the land by private treaty. It should be recognised that the eventual development form of the site, may be influenced by a number of factors including:

- Council's requirement for a Tree Preservation Order for a tree on the Ivanhoe Street frontage, which is not currently shown on the concept plan for retention;
- The apartments on the eastern edge of the site will likely require re-orientation to ensure that 70% of all living rooms and private open space obtain at least 2 hours of direct sunlight as required by State Planning Policy 7.3 Residential Design Codes Volume 2 –Apartments.
- Council's requirement for a 70% tree canopy target within road reserves which will have impacts on the layout of the proposed on-street car parking bays.

The quality of the design and quality of the development will be further assessed through the likely Development Plan that will be applied to the site.

Whilst this report recommends that Council adopts the Concept Plan for the purposes of advertising the sale of Lot 5 No 246 Morley Drive by private treaty there are a number of other issues that Council will need to consider, including:

- The purchase price of the land, including if any discount is to be offered having regard to the contaminated nature of the site.
- Arrangements to ensure that the land is developed in a reasonable time, and the staging of the various components of the development.

#### STATUTORY REQUIREMENTS

Nil at the stage.

## FINANCIAL CONSIDERATIONS

Nil at this stage.

## OFFICER RECOMMENDATION — ITEM 10.2

That:

1. Council adopts the Eden Hill Master Planning Concept Plan prepared by Taylor Robinson Chaney and Broderick dated March 2019, for the purposes of advertising the future proposed sale of Lot 5 No 246 Morley Drive by private treaty; and
2. That a further report be brought to Council to address:
  - the proposed purchase price of the land;
  - assurance for the community regarding good quality design and development;
  - arrangements to ensure that the land is developed in a reasonable timeframe; and
  - any other information required to allow a proposal for the land to be sold by private treaty.

**Voting requirements: Simple Majority**

**10.3 Town of Bassendean Best Practice Non-Chemical Weed Management Notice of Motion Response (ref: GOVN/CCLMEET/1) – Jeremy Walker, Senior Environmental Officer.**

APPLICATION

The purpose of this report is to provide feedback to Council in regards to the Notice of Motion (OCM 28/08/18) regarding best practice non chemical weed management practices

ATTACHMENTS

**Attachment No. 4:**

- Letter of Response from Minister of Transport; Planning; Lands on spraying of Glyphosate
- Letter of Response from Minister for Water; Fisheries; Forestry; Innovation and ICT; Science on Spraying Glyphosate on hard surfaces
- EMRC Steaming to Success: Alternative weed management Trial Report.

BACKGROUND

In August 2018, Council (OCM 28/08/18) supported the following Notice of Motion:

*“MOVED Cr Mykytiuk, Seconded Cr Quinton, that Council:*

- 1. Requests officers to provide Council with a report on best practice non chemical weed management within close proximity to waterways, wetlands, rivers and streams;*
- 2. Requests officers to work with the EMRC to develop and facilitate best practice non chemical weed management in close proximity to waterways, wetlands, rivers and streams;*
- 3. Requests staff and contractors from all companies and departments applying chemical weed control within the Town of Bassendean notify administration;*
- 4. Requests staff and contractors applying chemical weed control within the Town of Bassendean to continue to comply with legislative and regulatory requirements in relation to the application of herbicides and pesticides including public notification, Personal Protective Equipment (PPE) and safety guidelines.*
- 5. Requests staff undertake non-chemical weed control within the garden beds on Old Perth Road.”*

Prior to the above resolution, Council (OCM-37/09/16) Moved Cr McLennan Seconded Cr Bridges, that the relevant Town of Bassendean Officers:

1. *Prepare for Council, a comprehensive report identifying locations where glyphosate continues to be used within the Town of Bassendean including use by external agencies;*
2. *Provide details of potential chemical free weed management alternatives to glyphosate in each of the identified locations as well as the cost & any other implications of each for Council's consideration prior to the mid-year budget review; and*
3. *Write to all external agencies (e.g. PTA) known to be using glyphosate within the Town of Bassendean and communicate Council's previous resolution (OCM 12/04/16) to take a precautionary approach to glyphosate and the suspension of its use on hard surfaces and requesting that this policy be adhered to within its locality.*

On 30 September 2016, the Australian Pesticides and Veterinary Medicines Authority (APVMA) released the following statement concerning an assessment of the International Agency for Research on Cancer (IARC):

“The APVMA has completed its assessment of the IARC report and other recent assessments of glyphosate and has concluded that glyphosate does not pose a cancer risk to humans”.

As Council is aware from previous weed management reports, the APVMA is an independent statutory authority with responsibility for the regulation of agricultural and veterinary chemicals in Australia. Its statutory powers are outlined in the Agricultural and Veterinary Chemicals Code Act 1994.

The APVMA administers the National Registration Scheme for Agricultural and Veterinary Chemicals. The Scheme registers and regulates the manufacture and supply of all pesticides and veterinary medicines used in Australia, up to the point of wholesale sale.

As a result of the OCM-37/09/16 resolution, an officer report was presented in November 2016 and January 2017, with both being deferred.

Then in May 2017 Council (OCM – 8/05/17) resolved to:

1. Upholds the suspension of the use of glyphosate on hard surfaces in the urban environment as per the Council resolution OCM-12/4/16;
2. Allocates funds from account no. 211503 “steam weeding of roads” to initiate the clean-up of weeds that have grown in the paving expansion joints, edges of all footpaths, road kerb lines and expansion joints of road islands, using no- chemical means;
3. Allocates funds of \$130,000 in the 2017/2018 budget for non-chemical steam weed treatment of hard surfaces.

### COMMUNITY CONSULTATION & ENGAGEMENT

In regards to Council (OCM 28/08/18) resolution, Officers are planning to host a forum with expert keynote speakers to address better practice in integrated weed management to position the Town to develop a weed management strategy.

### STRATEGIC IMPLICATIONS

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

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
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	
2.2 Protect our River, Bushland reserves, and Biodiversity	2.2.1 Protect and restore our biodiversity and ecosystems 2.2.2 Sustainably manage significant natural areas 2.2.3 partner with stakeholders to actively protect, rehabilitate and enhance access to the river	Community stakeholder satisfaction survey (river, Bushland and reserves)  Biodiversity and bush condition (Keighery scale of Bush condition measurement)

## COMMENT

As detailed in the background information, Officers have provided several reports to Council on weed control within the Town of Bassendean. The following are Officer comments to the current Notice of Motion (OCM-28/08/18):

- 1. Requests officers to provide Council with a report on best practice non chemical weed management within close proximity to waterways, wetlands, rivers and streams;**

Attached is the EMRC Steaming to Success report on alternative weed management trial. The trial consisted of five 3 metre by 16 metre plots with each plot further divided into four 3 metre by 4 metre sub-plots. The trial focused on four different alternative weed control methods with the 5<sup>th</sup> plot used as a control, containing the sub-plots of no treatment, planting, mulch and planting plus mulching. The four alternative methods were Salt & Vinegar solution, Pine Oil, Pelargonic Acid and super-saturated steam, which were all tested on their own, and the same as control plot, in conjunction with mulching, planting and mulching plus planting.

The trial showed that the most successful treatment was steaming plus mulch, however steaming did show some negative effects to natives as hot water pooled around the base of plants resulting in losses and steaming weeds such as plantain is not recommended.

In undertaking weed control, Town of Bassendean staff also refer to the Town's Pesticide Policy & Operational Guidelines, section 2.2.13 - Weed control for river and wetland restoration work. This section of the policy outlines the guidelines for treating weeds in close proximity to waterways, wetlands, rivers and streams.

- 2. Requests officers to work with the EMRC to develop and facilitate best practice non-chemical weed management in close proximity to waterways, wetlands, rivers and streams;**

Officers have been working with EMRC on this issue since 2015 when the Working with Weeds seminar took place. As a result, the EMRC developed the Steaming to Success - Alternative weed management trial.

- 3. Requests staff and contractors from all companies and departments applying chemical weed control within the Town of Bassendean notify administration;**

On 7 July 2017, Officers wrote to Minister Dave Kelly (OLET-6811017) and Minister Rita Saffioti (OLET-6811017), requesting that they support the Town's decision to ban the use of Glyphosate on hard surfaces and asking the State Government to utilise non-chemical alternatives for the treatment of weeds within the Town's boundaries and advise the Town if and when treatments will occur. Officers were contacted by Water Corporation on the 7th May in regards to a complaint they received from a member of the public in regards to spraying a water corporation drain with glyphosate, Officers requested that the Town be when weed control is undertaken within the Town's boundaries.

4. **Requests staff and contractors applying chemical weed control within the Town of Bassendean to continue to comply with legislative and regulatory requirements in relation to the application of herbicides and pesticides including public notification, Personal Protective Equipment (PPE) and safety guidelines.**

All of the Town's staff and contractors working for the Town, apply chemicals in accordance with the Town's Pesticide Policy & Operational Guidelines, which specifically outlines PPE in section 2.2.7.

5. **Requests staff undertake non-chemical weed control within the garden beds on Old Perth Road.**

Officers have contacted the Town's steam weeding contractor to seek a quote to incorporate the garden beds on Old Perth Road into their steam weeding works. The contractor advised the Town that the garden beds on Old Perth Rd are not suitable for steam weed control as the pressure from the steam will displace too much mulch and soil, making the gardens beds and surrounds look untidy and being densely planted the steam head may cause untargeted plants kills. The contractor's recommendation is to utilise manual hand weeding. The Towns Parks & Gardens staff have been advised to cease the use of Glyphosate within Garden beds on Old Perth Road.

In addition to the responses above, Officers have been project scoping a Weed Management Strategy. The weed management strategy will result in the following outcomes:

- A clear Policy position on the management of Weeds in the Town of Bassendean owned and managed land;
- An integrated approach to the management of weeds reducing the reliance on pesticides;

- Comprehensive management practice document that guides the Town's management of weeds;
- Greater transparency and collaboration with the community regarding the Town's weed management processes;
- An overarching Strategy document that aligns with best practice; and
- An outline of the trial and implementation of innovative non-chemical weed control.

The proposed Weed Management Strategy will provide guidance on best practice weed management. It will aim to guide the coordination of efforts throughout the Town and affected stakeholders and to inform plans and actions. The Strategy will provide information on where improvements can be made at a local level that will result in benefits across the Town. It will draw attention to areas that require collaboration and will drive the development of consistent and coordinated approaches by providing clarity around priorities, roles and responsibilities. The Strategy will support three goals: prevention, detection and early intervention; minimise the impact of established weeds; and enhance the Town's capacity and commitment to weed management. It will also identify priority areas where improving the approach to weed management has the potential to reduce instances of new weeds establishing and spreading as well as the negative impacts of established weed species.

The strategy will articulate appropriate weed management techniques that support either prevention, eradication or containment, using an integrated approach of both herbicides and non-chemical methods. The strategy needs to meet community expectations whilst still implementing best management practices and complying with all Local, State and Federal Policies, legislation and regulations. The Strategy will provide guidance to Officers on how to implement, monitor, evaluate and adapt weed management techniques with a focus on both short and long term goals.

### STATUTORY REQUIREMENTS

Local Government Act 1995

### FINANCIAL CONSIDERATIONS

At the April 2019 Agenda Briefings Session, elected members asked for background information on the historical financial expenditure.

Prior to a OCM 12/04/16 Notice of Motion from Cr Paul Bridges, which suspended the use of glyphosate on hard surfaces, such as the treatment of expansion joints and edges of all footpaths, road kerbs lines, expansion joints of road islands etc, the following expenditure occurred:

2013/2014	\$ 9,553 *
2014/2015	\$10,671 *
2015/2016	\$10,608 *

*\*Note that the above historical expenditure figures have been extracted from the Town's financial system, which includes glyphosate treatment to Right of Ways and Public Access Ways. An estimated \$2,420 can be subtracted to estimate the hard paved areas only.*

Chemical weed control has \$50,000 allocated in the 2018/19 Budget which is in accordance with the Towns weed management plan for treatment of Natural areas.

Council OCM-8/05/17 resolved to appoint Natural Area Holdings Ltd commencing 1st January 2018 for 2 years, to undertake the work as specified in RFT CO 075 2017-18 Provision of Chemical Free Weed Control.

The tender specifications categorize the priority steam treatments. For distributor roads the specifications state that 5 steam treatments are required with the 1st occurring in February, then April, June, September and November each year. For Access Roads these have 3 treatments, being April, June and September each year.

The 2018/2019 budget allocated \$84,999 (Acc. 211503 – Steam Weeding of Roads in Community Consultation Gen) for the above steam treatments.

Elected Members were advised via the Councillor Bulletin that commencing Monday 7th January 2019 an additional steam treatment would be undertaken for the entire Town due to the emergence of Flea Bane and other summer weeds.

As a result of the additional steam treatment, Council increased the Steam Treatment funding to \$109,000 at the March 2019 Budget review. The additional steam treatment costs \$21,985.25 for the entire Town.

OFFICER RECOMMENDATION – ITEM 10.3

That Council:

1. Receives the EMRC Steaming to Success Alternative Weed Management Trial Report;
2. Notes that Officers are developing a weed management strategy that will take a holistic approach to the management of weeds via the use of integrated weed management control methods, reducing the reliance on herbicides alone, and increasing the chances of successful control or eradication; and
3. Notes that Officers intend to host a weed forum with invited professional experts, to provide an overview of weed management strategies, techniques, risks to position and inform the Town in the development of its Weed Management Strategy.

**Voting requirement: Simple majority**

**10.4 Broadway and Railway Parade Timed Parking (Ref: LAWE/REPRTNG/3 – Sharna Merritt – Senior Ranger)**

APPLICATION

The purpose of this report is to request Council to consider an amendment to the parking time limits on Broadway and Railway Parade, Bassendean.

ATTACHMENTS

**Attachment No. 5:**

- Parking area drawing for Broadway and Railway Parade, Bassendean showing existing restrictions and proposed amendments.
- Broadway design drawings in relation to the Station Access Cycling & Pedestrian Upgrade – Broadway, Bassendean Project.
- 2012 parking amendments map for Broadway, Bassendean (OCM-13/11/12)

BACKGROUND

In November 2012, the Town received requests from the community to review the parking arrangements along Broadway, Bassendean, primarily between the intersections with Railway Parade and Ida Street. Concerns raised were mainly regarding bin collection, sightline visibility, driveway obstruction and road congestion.

As a result of that investigation and in reference to the draft Town Centre Area Parking Strategy which was received in August 2012, (OCM-13/08/12) and subsequently adopted in April 2013 (OCM-12/4/13), Council resolved (OCM-13/11/12) to control parking in the vicinity to alleviate the raised concerns and deter commuter parking (map attached).

The following parking restrictions were implemented:

1. 'No Parking - Monday to Friday, 8am to 5pm' restrictions from the intersection of Broadway and Ivanhoe Street to the intersection of Ida Street;
2. 'No Verge Parking' restrictions from the intersection of Broadway and Railway Parade to the intersection of Broadway and Ivanhoe Street; and
3. Changed time restricted parking bays at 3 Broadway from three hour parking to one hour parking.

On 1 July 2014, the Public Transport Authority installed paid parking at the Bassendean Train Station, which increased the pressure on the surrounding area, and resulted in the installation of several different localised parking strategies to manage the over flow parking (OCM – 8/06/14). This included the introduction of a permit parking scheme , new restrictions and amendments to existing restrictions at all three train station locations in the Town.

In February 2019, the proprietor of 3 Broadway, Bassendean, currently operating as “*Caff on Broadway*”, advised the Town that he would like the parking surrounding his business to be reviewed with a focus on time limits and increasing the parking opportunities for his customers and other shoppers in the area.

The proprietor suggested changes are as follows:

- *Re-configure parking immediately outside Caff on Broadway to accommodate the maximum allowable number of bays,*
- *Implement time restrictions on street parking (2 or 3 hours) near the Train Station and outside the Deli on Railway Parade to deter commuters and allow locals and visitors to use for shopping on both sides of the train line, and*
- *Re-configure paving next to BWS to allow for parallel parking.*

Currently, there are -

- Three ‘1 hour’ angled time restricted bays immediately outside Caff on Broadway,
- Six untimed on-street parking bays on the northern side of Railway Parade to the south west of Caff on Broadway,
- Seven untimed on-street parking bays on the southern side of Railway Parade to the south west of Caff on Broadway,
- Two ‘15 minute’ time restricted parallel parking sections from 64 to 70 Railway Parade, and
- One ‘15 minute, 8am to 5.30pm Monday to Friday, 8am to 12pm Saturday’ time restricted parallel parking section on the southern side of Railway Parade, opposite 64 to 66 Railway Parade.

Officers have spoken with one of the owners of the Deli located at 66 Railway Parade and they advised that they do not want any of the timed restrictions around their business to be amended.

They advised that the 15-minute time limit is what allows their customers to attend their business and extending that limit may prevent or reduce access for their customers and encourage commuter parking.

At the February Ordinary Council Meeting (OCM – 5/02/19) Council endorsed the final Public Transport Authority design for the Station Access Cycle & Pedestrian Upgrade – Broadway, Bassendean project. The relevant drawing describing the intersection of Broadway and Railway Parade has been included in the attachments to this report for reference.

The design drawings for this intersection endorsed by Council may restrict any changes to the physical layout of the road and verge to allow for the proposed Station Access Cycling & Pedestrian Upgrade to occur.

**COMMUNICATION & ENGAGEMENT**

Officers have consulted the Deli on Railway Parade and the applicant has been invited to attend the Council Meeting to provide a deputation.

As the officer recommendation does not include amending the parking between 64 and 70 Railway Parade or the verge parking at 2-2B Broadway and the BWS at 76 Railway Parade, further consultation regarding these suggested changes was not undertaken.

If Council were to include amendments to the restrictions between 64 and 70 Railway Parade or the verge adjacent to 2-2B Broadway and the BWS at 76 Railway Parade, affected residents, businesses and the Public Transport Authority would need to be consulted.

**STRATEGIC IMPLICATIONS**

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
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)
	3.2.2 Advocate for improved and innovative transport access and solutions.	
	3.2.3 Enhance the liveability of local neighbourhoods.	Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.)
	3.2.4 Enhance road safety through design	

## COMMENT

In relation to the angle parking bays immediately adjacent to Caff on Broadway, the '1 hour' time limit was installed with consideration to previous businesses that were operating from this location and the time limit was also used to deter commuters and allow the community a better opportunity to park (OCM-13/11/12).

Whilst it is not the responsibility of the Town to provide dedicated parking to businesses within the Town, Officers support the amendment of the '1 hour' time restriction to a '2 hours, 8am to 5pm, Monday to Friday' restriction. This amendment will still allow members of the public to park in this location but will not encourage the use of all-day commuters to park in these bays.

In relation to the 6 existing parking bays on the northern side of Railway Parade to the south west of the café, there are currently 6 bays marked on the road and there are no time restrictions on these bays. Officers support the amendment of these bays to a '2 hours, 8am to 5pm, Monday to Friday' restriction.

Amending the Broadway and Railway Parade bays will provide increased opportunities for short-term parking in the area during business hours and will allow untimed parking after business hours when there is limited competing commuter demand.

The Railway Parade bays are located immediately adjacent to a non-residential/commercial block, as such, there is little to no impact on the local community for this amendment.

It is proposed to leave the 7 bays on the southern side of Railway Parade to the south west of Caff on Broadway as untimed bays as this will allow the community a section of parking for longer term, day parking.

On street parking along Broadway between Ivanhoe Street and Ida Street is restricted and will be potentially affected by the Station Access Cycling & Pedestrian Upgrade, so officers have not considered amending any restrictions in this location.

The Engineering Technical Coordinator has advised that due to the proximity of the intersection of Broadway and Railway Parade to the existing parking bays at 3 Broadway, Bassendean, it is not possible to extend the parking in a south east direction.

At the other end of the existing angle parking bays the cross-over for the cafe and the adjacent units also prevent the installation of any additional parking bays to the north west of the existing bays.

In addition to the above comments, due to the proposed Station Access Cycling & Pedestrian Upgrade along this section of Broadway, altering the paving at 2-2B Broadway and 76 Railway Parade to create parallel parking bays is also not supported.

As the owners of the Deli on Railway Parade (66 Railway Parade) do not support any changes to the parking restrictions in this section of Railway Parade and as no complaints have been received from residents between 64 and 70 Railway Parade, amendments to these restrictions were not investigated further at this time.

It was noted that the 15-minute bay on the opposite side of the Deli is frequently used by bus drivers and the community attending the deli to purchase items and the limits only apply from 8am to 5.30pm Monday to Friday and 8am to 12pm on Saturdays. As such, amendments to these restrictions were also not considered necessary, at this time.

It should be noted, however, that as the bays are public parking, there is no guarantee on customers being able to park in the bays. The only restriction that will be enforceable is the overstaying of the time limit.

Extending the time limit on the bays outside 3 Broadway, Bassendean to '2 hours, 8am to 5pm, Monday to Friday' and the application of the same restrictions on six bays along Railway Parade, will increase short-term parking in this location and provide for better opportunities for the community to access the businesses and services within the area.

#### Additional Information

At the Council Briefings Session held on 16 April 2019, a Councillor asked about the opportunity of amending the 7 bays on the southern side of Railway Parade to the south west of Caff on Broadway, from all day parking to restricted parking.

Currently, there are 3 bays immediately adjacent to Caff on Broadway and 6 new proposed time restricted bays on the northern side of Railway Parade, to the south west of the café, totalling 9 bays for customers to potentially use.

After further consideration, increasing parking by amending the 7 bays on the southern side of Railway Parade, to the south west of the Café, has been included in the Officer Recommendation.

An updated map was unavailable at the time of the circulation of the Council Agenda and Officers will endeavour to provide an updated map at the Ordinary Council meeting.

### STATUTORY REQUIREMENTS

*Parking and Parking Facilities Local Law 2010*

### FINANCIAL CONSIDERATIONS

The change of signage in this location can be achieved within in the current 2018/19 Operational Budget.

### OFFICER RECOMMENDATIONS – ITEM 10.4

That Council approves:

1. The amendment of the existing ‘1 hour’ time restrictions in front of 3 Broadway, Bassendean, to ‘2 hours, 8am to 5pm, Monday to Friday’ restrictions; and
2. The amendment of the 13 currently unrestricted parking bays on Railway Parade, between the intersections with Broadway and Scaddan Street, Bassendean, to ‘2 hours, 8am to 5pm, Monday to Friday’ restrictions.

**Voting Requirements: - Simple majority**

## **10.5 Hardy Road Verge Parking (Ref: LAWE/REPRTNG/3 – Sharna Merritt – Senior Ranger)**

### APPLICATION

The purpose of this report is to request Council consider verge parking restrictions between 1B and 5A Hardy Road, Bassendean.

### ATTACHMENTS

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

- Survey provided to residents
- Photographs of Hardy Road

#### **Confidential Attachment No. 3**

- List of properties consulted and survey responses

### BACKGROUND

In September 2017, Council resolved (OCM – 27/09/17) to install 'No Parking' restrictions on both sides of Hardy Road, between 1 and 9 Hardy Road and also requested Main Roads WA to consider the installation of a solid white line between the existing islands. These parking and line marking amendments were installed in early 2018.

Since then, Rangers have received reports of vehicles parked on the verge adjacent to 1C Hardy Road, Bassendean. The residents advise that vehicles parked on this verge create sight line concerns when exiting the private drive accessing 3A to 3H Hardy Road.

Under the *Parking and Parking Facilities Local Law 2010*, residents are permitted to park on their verges unless restrictions are in place. Parking is not permitted within 10m of an intersection, however, as this road is not a gazetted road, it is not considered an intersection under the local law.

Rangers have previously spoken to the resident at the property to advise of the issues raised by neighbours, even though the vehicles are not parked illegally.

When Rangers have attended to investigate complaints relating to verge parking in this location they have been unable to identify any illegal parking or witness the alleged sight line issues. As per normal road use, it is the driver's responsibility to take all care and drive to the conditions of the road.

Due to the road parking restrictions installed in this location, a Road Safety Audit was proposed to be undertaken in 2018/19, which would potentially include verge parking so further investigation into this issue was deferred. Funding was listed in the draft 2018/19 Budget for the audit, however, it was not included in the final 2018/19 Budget.

During this time, the Rangers continued to monitor the area to determine if restrictions were still warranted, however, no further reports were received and no illegal parking or regular verge parking was witnessed.

In December 2018, one of the residents advised that the verge parking was still occurring and causing issues. As a further complaint was received and there was no other action the Rangers could take, it was determined that verge parking restrictions would need to be considered by Council.

### COMMUNICATION & ENGAGEMENT

In consultation with the Town’s Engineering Technical Co-ordinator, consideration was given to potential sightline issues with relation to the layout of the land, crossovers and the proximity of the bend at the intersection of Hardy Road and Kenny Street. It was determined that the properties at 5A, 1C and 1B could potentially impact sightlines for vehicles entering onto Hardy Road.

The owners and residents of the potentially affected properties were provided with the attached survey, and the responses received have been tabled (attached).

Survey recipients were advised that the installation would require 50% or greater of the respondents to support the proposal for the restrictions to be implemented and that affected property owners/occupiers that choose not to respond will be considered neutral, neither supporting nor opposing the proposed restrictions.

### STRATEGIC IMPLICATIONS

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we’re going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
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)
	3.2.2 Advocate for improved and innovative transport access and solutions.	

	3.2.3 Enhance the liveability of local neighbourhoods.	Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.)
	3.2.4 Enhance road safety through design	

COMMENT

The layout of this private road is such that the houses that utilise this for access and egress are situated lower down an embankment than the houses that immediately access Hardy Road, resulting in the private road being a slight hill that crests at the intersection with Hardy Road.

The corner of the intersection of Hardy Road and Kenny Street is in close proximity to this private road and Hardy Road dips down at the bend. The residents report that when they are exiting the private road, vehicles parked on the verge at 1C Hardy Road obstruct the view of oncoming traffic that are exiting this corner and there are potential near misses with these vehicles.

During the site investigations, Rangers were unable to replicate the allegations of completely obstructed lines of sight, however, it was noted that vehicles parked on the verges at 5A, 1C or 1B could have the potential to reduce the lines of sight for road users exiting the private road, depending on the conditions, vehicle types and time of day.

With these findings and in consultation with the Engineering Technical Co-ordinator, it was determined that verge parking restrictions on one or more of these verges could alleviate the concerns raised.

Residents and property owners were surveyed as to the level of support for verge parking restrictions at 1B, 1C and 5A Hardy Road. Some of the surveyed properties are vacant lots and 8 of the 15 properties surveyed are owned by a related company or trust that has provided one response on behalf of all of the properties under their responsibility.

The results have been broken down into 'resident only' responses and 'all' responses received. As the company and trust come under the responsibility of one of the responders, so as not to skew the results, this responder was given the one vote, rather than a vote for each property they are responsible for.

Please find below the breakdown of the results –

Resident only responses

- 1B Hardy Road – 75% of respondents did not support restrictions on this verge.
- 1C Hardy Road – 62.5% of respondents support restrictions on this verge.
- 5A Hardy Road – 50% of respondents support restrictions on this verge.

All responses

- 1B Hardy Road – 66.6% of respondents did not support restrictions on this verge.
- 1C Hardy Road – 66.6% of respondents support restrictions on this verge.
- 5A Hardy Road – 55.5% of respondents support restrictions on this verge.

The property at 1B Hardy Road had the majority of responses in both analyses of not supporting the installation of restrictions. At the time of investigating, the considered impact from vehicles parking on this verge is limited and has less potential to create issues. Considering these factors, it was determined that restrictions on this verge would not be a benefit to the local community at this time.

Based on the feedback received from the survey responses, sight visits, investigations and consultations, verge restrictions should be considered for 5A and 1C Hardy Road. These properties immediately abut the private road and parking on these verges would result in the greatest potential impact to road users exiting the private road.

STATUTORY REQUIREMENTS

*Parking and Parking Facilities Local Law 2010*

FINANCIAL CONSIDERATIONS

The implementation of restrictions in this location can be implemented within in the 2018/19 Operational Budget.

OFFICER RECOMMENDATIONS – ITEM 10.5

That Council approves the installation of verge parking restrictions at 1C and 5A Hardy Road, Bassendean.

**Voting Requirements: - Simple majority**

**10.6 Food Organics Garden Organics (FOGO) Waste (Ref: WSTMNGT/TENDNG/10 - Ken Cardy, Manager Asset Services) and Simon Stewert-Dawkins, Director Operational Services.**

APPLICATION

The purpose of this report is to:

- provide a copy of the Eastern Metropolitan Regional Council (EMRC) confidential draft Financial model for processing Food Organics & Garden Organics (FOGO) waste at the Red Hill Waste Management facility;
- advise that the EMRC and the Town of Bassendean are submitting a joint grant application to the Waste Authority to assist with the FOGO community behavioural change and FOGO waste management process; and to
- confirm that from November 2019, the Town of Bassendean will commence the rollout of the Better Bins program, including the provision of the FOGO bins to ratepayers.

ATTACHMENT

**Confidential Attachment No. 4**

- EMRC FOGO Financial Model
- EMRC Key Terms to be agreed
- FOGO behavioural change estimates

BACKGROUND

Council (OCM – 28/01/18) resolved in part to advise the EMRC the following:

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

- d) *That the Town of Bassendean reaffirms its commitment to the EMRC and its desire to remain within the regional Council.*

In May 2018, Council (OCM-14/05/18) resolved:

*“That:*

1. *In developing the Town’s new waste management strategy (OCM-38/11/17),*
  - a. *Prioritises scheduling a weekend workshop for Councillors as soon as practicable with invitations extended to the Sustainability Committee members, Suez (the Town’s waste provider), the Waste Authority, WALGA’s Waste Manager and the EMRC’s Director of Waste Services to contribute;*
  - b. *Further investigates future waste options including but not limited to:*
    - i. *Weekly FOGO for possible implementation in 2020/21 financial year;*
    - ii. *The introduction of an On-Demand Three Cubic Metre Skip Bin Request System;*
    - iii. *Expanding residential recycling mornings;*
    - iv. *Expansion of the current facilitated on-call booking system to include additional white goods, timber and mattresses;*
  - c. *Refers any proposed changes to waste management practices to the Sustainability Committee for input;*
  - d. *Conducts a community forum to gather suggestions and feedback;*
2. *Endorses the implementation of a three bin system with rollout commencing in the 2019/20 financial year (July 2019) and lists funds of \$700,000 for consideration in the draft 2018/19 budget for the purchasing of 7750 rubbish bins with a red lid, distribution of bins to households within the Town and an education program;*
3. *Defers any consideration of a budget allocation for changing of current green lid bins to a lime green bin lid until a response has been received from the Minister for the Environment to the Town’s request for reconsideration of the requirement to change the lid’s colour;*
4. *Notes the Town is arranging a “Resident Recycling Morning” on 26 May 2018 and the cost will be borne out of the current Waste Recycling Budget (GL 761352);*

5. *Requests staff continue to liaise with the EMRC regarding the purchase of an anaerobic digester (or similar) at Red Hill in accordance with Council resolution OCM – 28/01/18 and formally request that planning for such a facility be included for consideration in the EMRC draft 2019/20 budget; and*
6. *Supports investigating a Round 2 Smart Cities funding submission for a waste management themed project in collaboration with Curtin University Sustainability Policy (CUSP) Institute and provide Council with a draft of the submission, for endorsement prior to submitting the funding application.”*

In September 2018, Council (OCM – 32/09/18) endorsed the following Notice of Motion:

1. *Commits to introducing FOGO (Food Organics & Garden Organics) at the same time as the introduction of the third bin through the Better Bins Program rollout;*
2. *Writes to the EMRC requesting immediate initiation of an amendment to the current greenwaste windrow licence to permit the processing and management of FOGO waste at the Red Hill Waste Management Facility, operational by the 1st of July 2019; and requests the EMRC to continue to investigate a scalable anaerobic digestion facility for the long term management of FOGO waste; and*
3. *The third bin program roll out date to be determined once the EMRC notifies the Town confirming the application to modify the existing licencing requirements has been submitted to the Department of Water and Environmental Regulation to permit FOGO to be processed and managed at Red Hill Waste Management Facility.*

In accordance with OCM-14/05/18 above, a weekend workshop was conducted on 7 July 2018. As a result, a Waste Management Planning report was presented to the Sustainability Committee and Council (OCM – 15/10/18) resolved to receive the report and noted that the Bassendean Waste Management Planning report will be used to inform the development of a future Town of Bassendean Waste Management Strategy.

In mid-February 2019, the Premier, Mark McGowan, released the Waste Avoidance and Resource Recovery Strategy 2030 and in a media statement advised in part that “A cornerstone of the Waste Strategy is a new target that will ensure all Perth and Peel households will have a third kerbside bin for Food Organics and Garden Organics (FOGO) by 2025”.

At the March 2019 Ordinary Council Meeting (OCM – 14/03/19) the following was resolved:

1. *Notes Council resolution (OCM– 32/09/18) that committed to introducing FOGO (Food Organics & Garden Organics) at the same time as the introduction of the third bin through the Better Bins Program rollout;*
2. *Notes Council (OCM– 32/09/18) resolution that stated the roll out date would be determined once the EMRC notifies the Town confirming the application to modify the existing licencing requirements has been submitted to the Department of Water and Environmental Regulation to permit FOGO to be processed and managed at Red Hill Waste Management Facility;*
3. *Receives 26 March 2019, Waste Collection Services – Collection of Food Organics Garden Organics (FOGO) Waste report;*
4. *Requests Officers invite tenders for the Supply, Assembly and Delivery of Variable Sized Mobile Garbage Bins (MGBs) Spare Parts and Tender documents for the Supply, Assembly and Delivery of Variable Sized Mobile Garbage Bins (MGBs), Spare Parts, including an option for kitchen caddy bins with matching Australian Certified compostable liners;*
5. *Requests Officers of the Eastern Metropolitan Regional Council and the Town of Bassendean continue to prepare the FOGO management and processing financial model and that a report be provided to the April 2019 Ordinary Council Meeting; and*
6. *Requests officers investigate cost estimates and seek out grants for the printing of UV rated visually relevant pictorial stickers for each bin type that will contribute to the public education process during the three bin FOGO rollout.*

#### COMMUNICATION & ENGAGEMENT

In accordance with OCM – 28/01/18; OCM – 14/05/18 and OCM – 32/09/18, the Town has written to the Eastern Metropolitan Regional Council (EMRC) and has had numerous discussions to progress Council's stated direction.

Since the Waste Authority advised that the Town of Bassendean's Better Bins Kerbside Collection Program "3-Bin System" was successful, Officers have liaised with the Waste Authority and the Western Australian Local Government Authority to ensure that future marketing publications used are consistent with the States Waste programs and the implementation of the 3-Bin (FOGO) system.

Furthermore, Officers have been conducting meetings with the Town's Waste Collection Contractor (Suez Recycling & Recovery Pty Ltd and other Local Governments regarding the 3-Bin delivery program and to develop additional future recycling programs.

At the December 2018 EMRC Ordinary Council Meeting the following was resolved:

*"That Council:*

- 1. Acknowledges the requests from the Town of Bassendean and the City of Bayswater for the investigation of the processing of Food and Garden Organic Waste (FOGO) at Red Hill Management Facility;*
- 2. Notes the options being considered for the processing of FOGO waste at Red Hill Waste Management Facility;*
- 3. As part of the various options being considered, that investigations and cost modeling be undertaken on options to establish an interim financial arrangement on behalf of Member Councils with the Southern Metropolitan Regional Council or other appropriate Third Parties for the processing of FOGO commencing 1 July 2019 until the Red Hill Waste Management Facility is able to receive and process FOGO Waste;*
- 4. Request the outcome from the review of the various options including cost modeling be presented to the March 2019 Ordinary Council Meeting."*

On 7 March 2019, the EMRC Resource Recovery Committee considered an Officer's report titled "Processing of Food Organics and Garden Organics (FOGO) Waste Management Facility" was presented. The key points in the Officer report were as follows:

- Options for processing FOGO Waste;
- Mobile Aerator Floor (MAF) composting system;
- Mobile Aerator Floor system could be installed and operated at Red Hill between July & November 2019;
- Site visit to view MAF processing facility at Bunbury Harvey Regional Council and private contractor facility;
- Preliminary Costings for various processing options; and

- Regional Marketing Campaign to assist with community messaging.

On Tuesday 12 March, the Chairman of the Waste Authority, Mr Marcus Geisler provided a presentation to Town of Bassendean Elected Members and staff on the Waste Avoidance and Resource Recovery (WARR) Strategy 2030 and Action Plan.

On Thursday 14 March 2019, the Chairman of the Waste Authority, provided the attached Waste Avoidance and Resource Recovery (WARR) Strategy 2030 and Action Plan presentation to the Eastern Metropolitan Regional Council.

To assist with the 3-bin (FOGO) implementation program, the Town has engaged CGM Communications to develop community engagement strategies and undertake the following:

1. **Desktop / case study research**, including:
  - Communications scan – review of communication materials, local media, past surveys to:
    - determine the history and messaging surrounding the initiatives;
    - Case study analysis – a review of similar projects in Perth and interstate to determine best practice models.
2. **Stakeholder interviews** – one-on-one discussion with CEO and Mayor to define success factors.
3. **Community research design** – based on the research and stakeholder interviews, design a community research approach to determine baseline support, communication and information needs, possible issues, and potential community advocates/detractors.
4. **Internal workshop** – conduct workshop with Councillors, Executives, other influential stakeholders as required, to:
  - Complete a SWOT analysis;
  - Identify key audiences and influencers;
  - Develop a compelling and clear narrative;
  - Define messaging for each audience; and
  - Assess communication platforms and tactic.

A kick-off meeting was held in late March 2019 with CGM Communications, to discuss the above. The information gained from the workshop, community research and interviews will be used to draft a report, which would also include a set of implementable recommendations for a campaign plan.

The Town has advised the EMRC that the information gained from the CGM Communications report will be used to assist in changing community behaviour, and will be shared with the EMRC to assist with the Regional Marketing Campaign.

At the 21 March 2019, EMRC Ordinary Council meeting, the “unconfirmed minutes” state the following:

*“Moved Cr Wilson Seconded Cr Mykytiuk, that:*

- 1. The EMRC begin the process of developing a long-term Food Organic & Garden Organic (FOGO) Strategy including, if required, seeking expressions of interest for the appropriate technology to implement long-term FOGO processing solutions to cater for all Member Council waste streams.*
- 2. In the interim, the EMRC proceeds with the procurement process and licence approval for the addition of a trial mobile aerator floor (MAF) composting system for the processing of up to 10,000 TPA of FOGO waste at the Red Hill Waste Management Facility.*
- 3. Approves the expenditure of up to \$400,000 ex gst for the purchase and installation of a suitable MAF system, including hardstand installation and that the funds be allocated from the secondary waste reserve.*
- 4. Notes that interim arrangements are available with several third party processors of FOGO waste if the installation of a processing facility or the licence approval is delayed for whatever reason beyond planned start dates for FOGO collections by Member Councils.*
- 5. Advise the Town of Bassendean and the City of Bayswater of the Council resolution and authorise the CEO to enter into negotiations with these Member Councils for a suitable processing arrangement.*
- 6. Seek funding support from the waste authority for the FOGO trial at the red hill waste management facility.*
- 7. That the EMRC explore all marketing opportunities for the compost product during the FOGO trial period.”*

On the 9 April 2019, the following EMRC representatives attended a Concept Workshop at the Town of Bassendean with Councillors and Officers:

- Cr David McDonnell, EMRCA Chairman,
- Acting EMRC CEO;
- Director Waste Services and
- Director Corporate Services

The EMRC presented a video of services provided and discussed the financial model for delivering FOGO waste processing.

**STRATEGIC IMPLICATIONS**

Town of Bassendean Strategic Community Plan:

Strategic Priority 2: Natural Environment

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
2.1 To display leadership in environmental sustainability	2.1.2 Reduce waste through sustainable waste management practices	Waste reduction ratio to population

**COMMENT**

The Waste Avoidance and Resource Recovery Strategy 2030 and Action Plan provides the following eight strategies:

- A consistent three bin kerbside collection system, which includes separation of food organics and garden organics from other waste categories, to be provided by all local governments in the Perth and Peel region by 2025 and supported by State Government through the application of financial mechanisms.
- Implement local government waste plans, which align local government waste planning processes with the Waste Avoidance and Resource Recovery Strategy 2030.
- Implement sustainable government procurement practices that encourage greater use of recycled products and support local market development.
- Provide funding to promote the recovery of more value and resources from waste with an emphasis on focus materials.
- Review the scope and application of the waste levy to ensure it meets the objectives of Waste Avoidance and Resource Recovery Strategy 2030 and establish a schedule of future waste levy rates with the initial schedule providing a minimum five year horizon.
- Develop state-wide communications to support consistent messaging on waste avoidance, resource recovery and appropriate waste disposal behaviours.
- Review and update data collection and reporting systems to allow waste generation, recovery and disposal performance to be assessed in a timely manner.

- Undertake a strategic review of Western Australia’s waste infrastructure (including landfills) by 2020 to guide future infrastructure development.

As outlined above, one of the cornerstones of the Waste Strategy is to provide a third kerbside bin for Food Organics and Garden Organics (FOGO), the Town has been working with EMRC Officers to provide a FOGO processing facility at Red Hill Waste Management facility or to facilitate a contractor to process the FOGO waste.

After receiving the Waste Authority Better Bins grant, Council (OCM – 32/09/18) committed to introducing FOGO (Food Organics & Garden Organics) at the same time as the introduction of the third bin through the Better Bins Program rollout. Therefore, the following waste collection program will apply:

- Food Organics and Garden Organic waste derived from living matter into a dedicated composting bin (lime green-lid 240L) is collected **weekly**. Contents are processed at a predetermined Regional Resource Recovery Centre (RRRC) into high quality compost.
- Recycling bin (yellow-lid 240L) is collected **fortnightly**. The contents are sorted, baled at the Towns Waste Contractors Resource Recovery and sold for reprocessing.
- General Waste bin (red lid 140L) is collected **fortnightly** (opposite fortnight to Recycling – Yellow lid bin). This bin is mainly for waste that can't be composted or recycled and will go into landfill.

Currently, ratepayers are provided with 2 x 240 litre bins, however, with the Better Bins Program, ratepayers will be provided with an additional 140 litre bin or an additional 29% bin capacity, to ensure waste is appropriately separated.

The below tentative timelines for the implementation of the 3-Bin (FOGO) project have been prepared, however, they are subject to the Department of Environment Water and Regulation (DEWR) providing an amendment to the current licence for the processing of Food Organics at Red Hill Waste Management Facility, or an interim third party arrangements being in place to process FOGO waste:

Date	Action	Status
March 2018	Better Bins Application	Completed
June 2018	Waste Authority funding Agreement for purchase of 3 bin system	Completed

March 2019	CGM Communications appointed to conduct research that will facilitate widespread community support to achieve behavioural change for the 3- Bin (FOGO) recycling and waste system	Commenced
March 2019	EMRC Council to consider FOGO report	Completed
April 2019	EMRC /TOB FOGO processing estimates provided to Council for consideration	Completed
April 2019	Complete Audit of TOB recorded Household Waste Bins	In Progress
April 2019	Invite Tenders for supply of Bins and Lids	RFT pending Council decision
May 2019	EMRC draft Food Organic Garden Organic (FOGO) processing Agreement and if required Legal Advice presented to Council for consideration and approval	
May 2019	CGM Communications to review Campaign Implementation Plan and present to Council	
June 2019	Formal announcement Better Bins Program to the community	
June 2019	Launch Engagement and Behaviour awareness campaign	
July 2019	EMRC and Town of Bassendean administration prepare a FOGO waste processing Agreement for Council consideration	
July 2019	Council appoints contractor to supply and deliver bins and lids- Issue Purchase Orders	
August-October 2019	Contractor manufactures and supplies bins and lids	
October 2019	Commence the engagement of casual staff to assist with public enquiries, waste education and the Bin Tagging Program for all properties	
November 2019	Implement stage one rollout to residential properties and stage two commercial properties. Change existing "green" lidded bin to "lime green" as per Australian Standard & Waste Authority requirement.	

December 2019 – June 2020	Waste Education and Bin audits to ensure residents comply with bin tagging program and Waste Local Law in order to minimise FOGO contamination	
June 2020	Waste Authority Grant Funding Acquittal for the Better Bins Project required	
On Going	Continued Waste Education and Bin audits to ensure residents comply with bin tagging program and Waste Local Law in order to minimise FOGO contamination	

*Note:* The above tentative timeframes are subject to the Department of Environment Water and Regulation (DEWR) providing an amendment to the current licence for the processing of Food Organics at Red Hill Waste Management Facility, or interim third party arrangements being in place to process FOGO waste.

### STATUTORY REQUIREMENTS

The Waste Avoidance and Resource Recovery (WARR) Strategy 2030 and associated Action Plan provide clear targets and actions for Community, Industry and Government to reduce waste and increase material recovery.

The strategic direction of the WA Government has been set towards a circular economy, with targets set for a 20% reduction in per capita waste generation and an increase in material recovery to 75% by 2030. The Waste Hierarchy, along with the principles of the Circular Economy are the tools used to determine best practice waste management approaches in Western Australia.

One of the Strategy Actions is the implementation of the Better Bin or 3-bin system for all local governments in the Perth and Peel Regions by 2025.

### RISKS CONSIDERATIONS

As Council is aware, the EMRC resolved in late March 2019, to proceed with the procurement process for a mobile aerator floor (MAF) composting system and to submit a variation to their waste licence in order to process FOGO waste at Red Hill Waste Management Facility.

The EMRC has advised that the procurement process generally takes a minimum of 90 days due to the time required to invite tender, Contractors submitting their fee proposals, the staff evaluation process and Council approval process.

In regards to the licence variation, the Department of Water and Environmental Regulation (DWER) regulates industrial emissions and discharges to the environment through a works approval and licensing process, under Part V of the *Environmental Protection Act 1986*. The DWER generally take 90 days to provide conditional approvals and should a condition require additional financial expenditure to comply with the licence, this may impact on EMRC being able to deliver the FOGO processing facility by November 2019.

The Eastern Metropolitan Regional Council and the Town of Bassendean are submitting a joint Community and Industry Engagement (CIE) grant application to the Waste Authority for Stream 1 – General Funding Stream and Stream 2 – Recycling Infrastructure Funding.

From the EMRC perspective they have included the purchase and installation of a suitable Mobile Aerator Floor (MAF) composting system, including hardstand installation and an Education Officer who would be based at the Town of Bassendean for approximately 18 months. However should the Waste Authority grant not be successful, the EMRC Council have approved funding to be allocated from the secondary waste reserve. If however the DWER require a higher level of FOGO containment due to the proximity of Red Hill Waste Management Facility to residential properties, then the capital costs for FOGO management and processing could be higher than the EMRC funding approval. This potential risk and other unforeseen risks could delay the EMRC's capacity to provide a FOGO management and processing facility.

From the Town's perspective the grant application has included funding to provide education and behavioural change programs in order to successfully implement the Better Bins program and to reduce contamination in the FOGO bin. The change program will include the following elements:

- Operation of an Information Hub – located at the Old Post Office
- FOGO hotline telephone receptionist to provide support to Asset Services during roll out of the Better Bins (FOGO) program - 1 person from 8:30am -3pm for 60 days
- Behaviour Change and Education program
- Stickers for bins - OCM – 14/03/19

- Kitchen Caddies & Compost Bags
- School Workshops and Programs
- Nappy subsidy and education
- Bin Tagging - Reward and Recognition program
- Whole of Town Bin Tagging program- Casual employment of 10 people for 12 weeks
- Follow up Bin Tagging program – Casual employment of 4 people for 12 weeks

Should the Waste Authority grant application not be successful or only be partly funded, there will need to be a reconsideration of the scope of the program and the impact of this on the contamination level in the FOGO waste delivered to the EMRC. This will impact the waste that can be turned into Australian Standard (AS 4454-2012) composts, soil conditioners and mulches.

### FINANCIAL CONSIDERATIONS

The Town has been successful in obtaining a Waste Authority grant of \$266,000 to purchase the 3<sup>rd</sup> Bin and in May 2018 Council (OCM-14/05/18) resolved in part to endorse the implementation of a three bin system and to list \$700,000 for consideration in the draft 2018/19 budget for the purchasing of rubbish bins, distribution of bins to households and for an education program.

In September 2018, Council (OCM – 32/09/18) resolved to commit to introducing FOGO (Food Organics & Garden Organics) at the same time as the introduction of the third bin, through the Better Bins Program rollout. As a consequence the Town has liaised with the EMRC in regards to the processing of Food Organics & Garden Organics at Red Hill Waste Management Facility and requested that they engage with third parties to assist with the processing.

Officers have prepared draft tender documents for the Supply, Assembly and Delivery of Variable Sized Mobile Garbage Bins (MGBs) and Spare Parts. However, considering the change of the project scope, the draft tender now requires contractors to provide a price for the supply and delivery of counter-top kitchen caddy bins with matching Australian Certified compostable liners.

Considering the EMRC decision and Council's recent decisions, it is intended that once Council formally determine a roll out date for the Better Bins program, the Town will invite tenders for the supply and delivery of the Supply, Assembly and Delivery of Variable Sized Mobile Garbage Bins (MGBs) and Spare Parts.

Attached to this report is an EMRC “Confidential” draft Financial Model for processing FOGO waste. The information in the EMRC draft financial model will be used by the Town to build the draft 2019/2020 budget Waste Management estimates.

The tender document has been designed with “Separable Portions” to provide Council with some flexibility to either include the kitchen caddy and compostable bags as part of the roll out program, or to not accept this portion of the tender.

In early April 2019, the Waste Authority announced Community and Industry Engagement (CIE) grant funding for the following:

- Stream 1: CIE – General Funding Stream (\$400,000 allocated in 2018-19)
- Stream 2: CIE – Recycling Infrastructure Funding Stream (\$1,000,000 allocated in 2018-19)

The application closing date is 10am, Monday 29 April 2019.

CIE provides funding for the development and implementation of waste management projects, infrastructure, initiatives and events that contribute to waste avoidance and resource recovery and/or recognise the adoption of improved waste management practices and achievements.

The Eastern Metropolitan Regional Council and the Town of Bassendean are submitting a joint grant application to the Waste Authority to assist with the FOGO community behavioural change and the FOGO waste management process.

#### OFFICER RECOMMENDATION — ITEM 10.6

That Council:

1. Receives the Eastern Metropolitan Regional Council confidential draft Financial Model for processing FOGO (Food Organics & Garden Organics) waste at the Red Hill Waste Management facility and notes that the information will be used by the Town to build the draft 2019/2020 budget Waste Management estimates;
2. Notes that the Eastern Metropolitan Regional Council and the Town of Bassendean are submitting a joint grant application to the Waste Authority to assist with the FOGO community behavioural change and FOGO waste management process; and

3. Advises the Eastern Metropolitan Regional Council that from 1 November 2019 the Town of Bassendean will commence the rollout of the Better Bins program, including the provision of the FOGO (Food Organics & Garden Organics) bins to ratepayers and request that the Red Hill Waste Management facility be in a position to receive and process FOGO waste.

**Voting requirements: Simple Majority**

**10.7 Bassendean Oval Football Facilities Project Control Group Meetings held on 21 February 2018, 22 August 2018 & 22 February 2019 (Ref: COMDEV/PLANNG/4 – Salvatore Siciliano, Manager Recreation and Culture)**

APPLICATION

The purpose of the report is for Council to receive the minutes of the Bassendean Oval Football Facilities Project Control Group meetings held on 21 February 2018, 22 August 2018 and 22 February 2019.

ATTACHMENTS

**Attachment No. 7:**

Minutes of the Bassendean Oval Football Facilities Project Control Group meetings held on 21 February and 22 August 2018 and 22 February 2019.

**Confidential Attachment No. 5:**

Block design options 1 and 2 of the Bassendean Oval football facilities presented at the Project Control Group meeting on 22 February 2019.

BACKGROUND

Council first resolved to participate in the Bassendean Oval Football Facilities business case project in July 2017:

*“OCM-13/07/17. MOVED Cr Pule, Seconded Cr Lewis, that Council:*

- 1. Agrees to participate in the Bassendean Oval Football Facilities business case project;*
- 2. Appoints the Cr Gangell, Cr Lewis, Cr Pule and the Director Community Development to the Project Control Group;*
- 3. Agrees to taking a chairing role on the Project Control Group;*
- 4. Agrees to manage the project’s finances; and*
- 5. Communicates to the project partners that the Town requires an open and transparent process and discussion about how this may best be achieved be undertaken at the first meeting.”*

The Department for Local Government, Sport and Cultural Industries (the Department) established the Project Control Group (PCG) for the specific purpose to oversee the development of a business case for the renewal or redevelopment of the Swan Districts Football Club (SDFC) Football Facilities. The cost of developing the business case is being funded through State funding.

Membership of the PCG is comprised of four representatives (3 Councillors, and the Director Community Development) from the Town; and one representative from Swan Districts Football Club (SDFC) (CEO), the Department (Senior Projects Manager); and West Australian Football Commission (WAFC) (Manager State Facilities). The primary role of the PCG is to oversee the Consultant engaged to undertake the business case study only.

Following Council's resolution in July 2017, two Project Control Group (PCG) meetings were held on 17 August and 7 September 2017 and focused mainly on establishing the scope of works for the business case consultancy and the governance model for the PCG.

A procurement process was conducted in November 2017 to appoint a suitable consultant, and in January 2018, Dave Lanfear Consulting (the Consultant) was formally appointed to develop the business case for the renewal or redevelopment of the SDFC facilities at Bassendean Oval.

On 21 February 2018, a meeting of the PCG was convened to commence the business case development.

Between March and July 2018, the Consultant undertook a desk top review of relevant information considered critical in formulating the business case, as well as regular engagement with the SDFC to understand their operational requirements and expectations for a renewal or redevelopment of the football facility.

Further PCG meetings were convened on 22 August 2018, 22 February 2019 and 22 March 2019 to receive project updates from the Consultant. Minutes from the meeting held on 22 March 2019 are yet to be ratified by the PCG.

The current status of the business case development is at the point where the SDFC are considering the block design options for the renewal or redevelopment of the Club's football facilities.

## STRATEGIC IMPLICATIONS

The Town's Strategic Community Plan 2017-2027 includes a strategy to: Provide accessible facilities that support leisure, learning and recreation for people of all ages.

## COMMUNICATION AND ENGAGEMENT

The scope of this project is limited to the development of a business case for the renewal or redevelopment of the SDFC football facilities. Once the PCG is satisfied with the options being presented by the Consultant as well as being endorsed by Council, a period of public comment will occur. At this stage, the project beyond the business case development is unfunded.

## COMMENT

The meeting of the PCG held on 21 February 2018 considered the following:

1. Background and update on the project given that the SDFC football facilities are now the only remaining West Australian Football League facilities that have yet to receive a major upgrade.
2. The Terms of Reference for the PCG were discussed to ensure that stakeholders were clear on the functions of the PCG.
3. General overview was given that an open and competitive procurement process was undertaken to appoint the Consultant to develop the Business Case.
4. The project brief was discussed in terms of the scope of the Business Case consultancy.

The meeting the PCG held on 22 August 2018 received a project update from the Consultant covering the following:

1. Desktop review of relevant plans/study reports, demographic information, benchmarking with Australian Football League guidelines, SDFC business requirements.
2. Consideration of non-SDFC controlled land including heritage considerations, activation of space and entry points to conduct a strategic risk analysis as part of the business case.

3. Next phases of developing a block design regarding the renewal/redevelopment of the SDFC facilities.

The meeting of the PCG held on 22 February 2019 received a comprehensive project update from the Consultant which outlined the following:

1. Focus of the Business Case to meet the needs of the SDFC, the Town and the community.
2. Benchmarking with venues in Victoria, South Australia and WAFL Clubs.
3. Development considerations of meeting the operational needs of the SDFC, the Town and community.
4. SDFC business requirements to meet the day to day operational needs, football match days and future commercial aspirations of the Club.
5. Development Option 1 and 2 including the alignment of Bassendean Oval under each option.
6. Strategic risk analysis and a suggested community consultation model.
7. Further review by the PCG of the development options presented and the need to engage with the Town's local Member of Parliament.

Whilst minutes from the PCG meeting held on 22 March 2019 are yet to be ratified by the group, discussion centred around the block design options and consideration of an advocacy strategy to secure funding once the business case is completed. A PCG meeting has been scheduled for 3 May 2019 to progress the business case development.

### STATUTORY REQUIREMENTS

Local Government Act 1995

### FINANCIAL CONSIDERATIONS

An initial budget of \$55,000 was approved in the 2017/18 year by Council with State funding.

In the 2018/19 year, a balance of \$45,000 remains and will more than likely will be required to be reallocated in 2019/20 Budget, as the Business Case is not due for completion until December 2019/January 2020.

**OFFICER RECOMMENDATION – ITEM 10.7**

That Council receives the report of the minutes of the Bassendean Oval Football Facilities Project Control Group meetings held on 21 February 2018, 22 August 2018 and 22 February 2019.

**Voting requirements: Simple majority**

**10.8 Economic Development Committee Meeting held on 13 March 2019 (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 13 March 2019.

ATTACHMENTS

**Attachment No. 8:**

Economic Development Committee Minutes of 13 March 2019

COMMENT

The Committee was presented with a draft of the Economic Development Strategy. The strategy has been prepared from research through -

- Survey of approximately 450 local businesses 2017;
- Bassendean Hub Discussion Paper and Localism Discussion Paper;
- Town of Bassendean Digital Business Marketing Strategy 2017; and
- Bassendean Local Economic Overview 2018.

Practical insight and road testing of proposals were discussed with business community members at two workshops held in November 2018.

The strategic goals and priority actions are aligned to the Corporate Business Plan 2018–2022 and Strategic Community Plan 2017–2027 and the EMRC's Regional Economic Development Strategy 2017 – 2021.

Finally, the outcomes of this strategy are designed to fit the Local Planning Strategy when completed, and it enables strong collaboration and alignment with Town Teams and the Vibrancy Program.

Overall, this strategy articulates the Town's strategic positioning and role in relation to economic development.

### Festival of Local Business (11 – 16 June)

The Committee was advised on the emerging structure and scope of the Festival. The working group has met regularly for the past six weeks. Significant progress has been made and we are very optimistic of delivering a landmark event.

The festival will be 9 separate events spread across six days. It will tentatively include an opening exhibition, collaborative displays, networking events, industry tours, demonstrations, presentations and discussion panels. The locations of these events include – Nail Brewing, Catalanos Seafood, Hofmann Engineering (TBC), Dome Coffee Shop, Bassendean Hotel, O2, Cork and Bottle.

The Festival does not just focus on Bassendean, but all of the presenters and participants are either from Bassendean or operate here. The festival will bring the business community together, it will build investment confidence for the commercial sector and it will bring significant respect for the Town.

The Committee is working to ensure that any promotional material/give-aways are consistent with the Town's values, which is sourcing locally produced merchandise which is cost effective.

### Conduct feasibility study for a co-working/shared office space within the Town Centre, and a space in the Bassendean Industrial Area dedicated to industrial and larger commercial enterprises

A notice of motion was presented and considered by the Committee to conduct a feasibility study for the creation of two co-working spaces. The first would be in the Town Centre providing office style accommodation, the second in the industrial area providing light industry facilities. A co-working space is a low cost, low risk start-up hub for entrepreneurs and new businesses.

The office co-working space could attract businesses in the professional, creative and technology sectors. The co-working space in the industrial area could attract businesses in trades, light manufacturing and the creative sectors.

There are a number of office style co-working spaces across Perth. Examples of an industrial type of co-working space are less common but do exist in the Eastern States. Such a facility would align perfectly with the industrial precinct of Bassendean.

STATUTORY REQUIREMENTS

Nil.

FINANCIAL CONSIDERATIONS

Nil.

OFFICER RECOMMENDATION — ITEM 10.8

That:

1. Council receives the report on a meeting of the Economic Development Committee held on 13 March 2019; and
2. The draft Economic Development Strategy be presented to a Concept Workshop for consideration.

**Voting requirements: Simple Majority**

**10.9 Sandy Beach Reserve Nature Based Regional Playground (Ref: PARE/DESCONT/10 – Graeme Haggart, Director Community Development)**

APPLICATION

Council is requested to receive the revised draft Concept Plan for the Sandy Beach Reserve playground and to determine the next stages of the project.

ATTACHMENTS

**Attachment No. 9:**

- Draft Concept Plan - Sandy Beach Reserve Playground.
- Site Location (including location of the new toilet block)

BACKGROUND

The project was last considered at the Ordinary Council Meeting held in August 2018, at which time it was resolved (OCM – 11/08/18) that Council does not proceed with the plan to build the playground on land that requires a new vesting order to the Town. Council resolved to build the facility in the alternate preferred site, being within Sandy Beach Reserve.

Since that time Chris Lawrence, Director of Nature Play Solutions and his team have worked on achieving a new concept playground design for Sandy Beach Reserve.

Initially, Nature Play Solutions produced a Sandy Beach Reserve Master Plan that defined the playground's footprint size and location. This was supported by Council.

On Tuesday 2 April 2019 Council received a presentation of the new concept plan at a Concept Workshop, at which time it was requested the plan be presented to Council in April.

The new Concept Plan has been prepared from the brief provided being:

- Scaled to an upper limit construction cost of \$1,000,000;
- Incorporates a site for the new ablutions;
- Provides separation from dogs off leash areas;
- Minimises fill requirement;
- Plantings to be endemic species;
- Minimises plastic and concrete;
- Demonstrates that storm water is managed on site; and

- Reflects the previous feedback provided by the community, and other advice from the Department of Biodiversity, Conservation and Attraction and from Council.

Once adopted by Council, the Concept Plan can then proceed to detailed design phase.

Given Sandy Beach Reserve is within the 1% AEP (1:100 flood level) floodway, an application for approval to construct the playground is required to the Department of Biodiversity, Conservation and Attraction. As the project exceeds \$500,000 a Part 5 application is required meaning Ministerial approval is necessary. This approval process is likely to be in the order of 6 months given the work required of the Department Officers in consulting with other Agencies and in preparing the report to the Minister with recommendations.

Once the concept plan is adopted, a Lotterywest funding application can also be pursued. Lotterywest has a lead time of approximately 4 months from application to determination.

It should be noted that neither 93 Lord Street Eden Hill and 48 Chapman Street Bassendean land sales that is expected to yield a significant proportion of the required capital for the new facility have sold. The Two properties were purchased from the Department of Lands at 5% of their notional value in order to sell them at market value for the expressed intentions that the proceeds will be used to construct the Nature-based Playground at Sandy Beach Reserve.

Advice from Mr Bruno Giorgi of Carter Giorgi Realty, the Town's contracted property agent, is that demand for properties in the Town is very soft but is anticipated to improve following the Federal Election. Property values continue to be flat at best.

The properties are being marketed at valuations received in March 2018. Property values have fallen significantly since. At this time it is not proposed there be any change in the market price, however approval is sought for the CEO to be granted a once off delegation to approve any reasonable offer for the properties.

Ministerial approval to access Cash in Lieu Reserve funds for the playground to the value \$238,700 has been received.

An application to access Cash in Lieu Reserve funds to the value \$250,000 to build the ablutions is in progress. Approval has yet to be received.

## COMMUNICATION & ENGAGEMENT

The Department of Biodiversity, Conservation and Attractions (DBCA) and Council have been briefed on the concept plan. Comment on the concept plan has been sought from DBCA.

A meeting with DBCA was conducted on Friday 12 April to ensure the concept plan took into consideration all factors previously articulated as important to the Department. More information was sought on the extent of fill proposed, but the advice was that the Department will support the facility and there appears no impediment to proceeding with the concept plan.

## COMMENT

The options available to Council are to proceed with the new playground concept within Sandy Beach Reserve or seek further design modifications.

Detailed design costs will require to be borne in the 2019/20 budget.

As noted above, considerable consultation processes with the community of the Town and agencies lead to the earlier design. Along with input from Council, the designers have accommodated all the intelligence acquired during that process in to the design of the attached draft concept plan.

The redesign process emanated from feedback to the earlier design and is to meet with those expectations. It is therefore recommended that Council adopts the Concept Plan.

Planning for the Safe Active Street in Whitfield Street is nearing completion and will shortly move to construction phase. Provision of the playground facility in Sandy Beach Reserve is considered a strong “anchor” to the Safe Active Street at the southern end.

## STATUTORY REQUIREMENTS

Local Government Act 1995

### STRATEGIC IMPLICATIONS

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
1.1 Build a sense of place and belonging	1.1.2 Activate neighbourhood spaces to facilitate community gathering	Community / Stakeholder Satisfaction Survey (Engagement and Participation)
1.2 Ensure all community members have the opportunity to be active, socialise and be connected	1.2.1 Provide accessible facilities that support leisure, learning and recreation for people of all ages.	Community / Stakeholder Satisfaction Survey (Activity and connectivity)
2.3 Ensure the Town's open space is attractive and inviting.	2.3.1 Enhance and develop open spaces and natural areas to facilitate community use and connection.	Community / Stakeholder Satisfaction Survey (Open Space and use of Open Space)
3.3 Enhance the Town's appearance	3.3.1 Improve amenity and the public realm	Community / Stakeholder Satisfaction Survey (heritage, amenity and appearance)

### FINANCIAL CONSIDERATIONS

Funding to construct the playground is proposed to be considered in the 2019/20 Budget.

Nature Play Solutions advise they are adept at designing playgrounds to a budget. The playground has been designed to a \$1,000,000 budget. Officers recommend accessing the approved cash in lieu reserves and an application to Lotterywest for \$200,000 with the remainder of the capital being from the proceeds from the sale of Chapman and Lord Street properties. The residual of the proceeds from the sale of the two properties (provided it does not exceed 25% the realised value) can then be invested in ancillary facilities (for instance lighting, shelters/BBQs).

The sale of the two properties by private treaty will yield offers that exceed the current limits of authority for the CEO to accept. Referring offers to a meeting of Council is considered inappropriate given the inherent time delays. Council is requested to approve a one time delegation to the CEO to accept any reasonable offer. Council can set limits on what is considered reasonable.

**OFFICER RECOMMENDATION — ITEM 10.9**

That Council

1. Endorses the Sandy Beach Playground Concept Plan as attached to the Ordinary Council Meeting Agenda of 23 April 2019;
2. Approves the Town proceeding to make application to Lotterywest for a \$200,000 grant toward the project cost;
3. Requests that Nature Play Solutions prepare detailed drawings based on the concept plan;
4. Approves the Town proceeding to prepare and submit a Part 5 application to the Department of Biodiversity, Conservation and Attractions for Ministerial approval for the project; and
5. Provides a one-time delegation to the CEO to accept any reasonable offer to purchase 93 Lord Street, Bassendean and 48 Chapman Street, Bassendean.

**Voting requirements:**

**Absolute majority: Point 5**

**Simple Majority: Points 1 - 4**

**10.10 Finalisation of Town Planning Scheme No. 4A (Ref: LUAP/PLANNG/16 - Brian Reed, Manager Development Services)**

**APPLICATION**

Council is requested to endorse the preparation of an officer report examining alternative strategies to finalise the Scheme and minimise financial losses that the Scheme is anticipated to make.

**BACKGROUND**

This matter was last considered by Council in June 2016, when Council resolved to receive a report on potential winding up of the Town Planning Scheme No. 4A and including the likely costs of the completion of the Scheme in Council's Long Term Financial Plan and including the project in the 2016-2020 Corporate Business Plan.

The report envisaged that Council would be in a position to finalise its commitments to the Scheme by the end of the 2018/19 financial year.

Similarly, Amendment No. 17 to the Scheme contained a goal of Council meeting its objectives to the Scheme within three years of the gazettal of the amendment, which occurred in February 2018.

The matter was discussed informally with Councillors at a Concept Workshop on 9 April 2019.

**COMMUNICATION & ENGAGEMENT**

There has been no engagement in the preparation of this report. However, an owner of reserved land within the Scheme area, has asked for Council to include sufficient funds to purchase their land during the next financial year. A further owner has indicated their willingness to swap land within the Scheme area.

**STRATEGIC IMPLICATIONS**

Whilst Council has made a commitment to finalise the Scheme through former resolutions and through the Scheme Text itself, the finalisation of the Scheme is not included in the current Strategic Community Plan

### COMMENT

The report that was presented to Council in June 2016 estimated that the Scheme, upon finalisation, would either break even or make a small financial profit. However, this position was based on the premise that land zoned for residential use would be sold by the Town to meet the acquisition costs of reserved land, however, much of this land has been rezoned to Parks and Recreation, and the land that is appropriately zoned for development, happens to be contaminated, with the estimated cost of remediation approaching the likely sale price of the land.

This means that finalisation of the Scheme could place the Scheme in deficit by up to \$2m, based on the 2016 estimates.

Some community members have indicated that they would like to see the Scheme finalised as a way of reducing administrative costs.

This report therefore recommends that a further report be presented to Council examining alternative strategies to reduce the likely losses the Scheme is likely to make, if it were to be brought to finalisation.

### STATUTORY REQUIREMENTS

Nil at this stage.

### FINANCIAL CONSIDERATIONS

As discussed under the comments section above.

### OFFICER RECOMMENDATION — ITEM 10.10

That planning staff prepare a further report for Council to examine alternative strategies to reduce the likely losses that Town Planning Scheme No. 4A is likely to make, if it were to be brought to finalisation.

**Voting requirements: Simple Majority**

**10.11 Quarterly Report for Period Ended 31 March 2019 (Ref: FINM/AUD/1 – Peta Mabbs, Chief Executive Officer)**

**APPLICATION**

The purpose of this report is for Council to receive the Quarterly Report for the period ended 31 March 2019..

**ATTACHMENTS**

**Attachment No. 10:**

Quarterly Report P/E 31 March 2019.

**BACKGROUND**

Council’s Quarterly Report format addresses progress against the CEO’s Key Performance Indicators, as well as providing a progress report on budget deliverables in the 2017-2027 Corporate Business Plan, where those deliverables will commence in the current financial year.

The Quarterly Report also provides information on the progress of cash in lieu projects and grants applied for and received in each quarter.

**STRATEGIC IMPLICATIONS**

Strategic Priority 5: Good Governance

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we’re going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
5.1 Enhance organisational accountability	5.1.1 Enhance the capability of our people	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

**OFFICER RECOMMENDATION – ITEM 10.11**

That Council receives the Quarterly Report for the quarter ended 31 March 2019.

**Voting requirements: Simple majority**

**10.12 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:

<b>Building Applications Determined in the Month of March 2019</b>		
<b>Application No</b>	<b>Property Address</b>	<b>Description</b>
201800276	110 HAMILTON STREET, BASSENDEAN	REMOVAL OF ROOM
201900050	38 ELSFIELD WAY, BASSENDEAN	PATIO
201900052	11 SUCCESS ROAD, BASSENDEAN	CARPORT ENCLOSURE
201900055	10 BRIGGS STREET, BASSENDEAN	SWIMMING POOL BARRIER
201900051	11 FRENCH STREET, ASHFIELD	ADDITION TO DWELLING
201900059	35 CLARKE WAY, BASSENDEAN	FULL DEMOLITION
201900011	13A GALLAGHER STREET, EDEN HILL	PATIO
201900038	13 GALLAGHER STREET, EDEN HILL	SINGLE STOREY DWELLING
201900036	22 AUSSAT DRIVE, EDEN HILL	GRANNY FLAT
201900039	138 SECOND AVENUE, EDEN HILL	FULL HOUSE DEMOLITION
201900035	17 DEAKIN STREET, BASSENDEAN	NEW SINGLE DWELLING
201900037	6 BRIDSON STREET, BASSENDEAN	ANCILLARY ACCOMMODATION
201900042	18 BASSENDEAN PARADE, BASSENDEAN	AMENDMENT TO BUILDING PERMIT 201800159
201900046	43B ESTHER STREET, EDEN HILL	DWELLING
201900044	188 ANZAC TERRACE, BASSENDEAN	SINGLE STORY DWELLING
201900048	19A JAMES STREET, BASSENDEAN	RETAINING WALL
201900043	81 PENZANCE STREET, BASSENDEAN	FULL DEMOLITION
201900049	33 EILEEN STREET, BASSENDEAN	FIBREGLASS SWIMMING POOL
201900041	Lot 2, WEST ROAD, BASSENDEAN	PILATES STUDIO - INTERNAL FIT OUT
201900045	188 ANZAC TERRACE, BASSENDEAN	SINGLE DWELLING
201800109	75 HAMILTON STREET, BASSENDEAN	ALTERATIONS TO DWELLING

**OFFICER RECOMMENDATION – ITEM 10.12**

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

**Voting requirement: Simple majority**

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

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

<b>PLANNING AND SUBDIVISION APPLICATIONS DETERMINED TO 29 MARCH 2019</b>			
<b>APPLIC NO.</b>	<b>PROPERTY ADDRESS</b>	<b>DESCRIPTION</b>	<b>DETERMINATION</b>
2018-135	88 SECOND AVENUE BASSENDEAN 6054	FOUR GROUPED DWELLINGS	DELEGATE APPROVED
2018-164	4 LUKIN WAY BASSENDEAN 6054	SINGLE HOUSE	DELEGATE APPROVED
2019-003	95A GUILDFORD ROAD BASSENDEAN 6054	GROUPED DWELLING	DELEGATE APPROVED
2019-008	31A TROY STREET BASSENDEAN 6054	BEE KEEPING	DELEGATE APPROVED
2019-017	10 JACKSON STREET BASSENDEAN 6054	ADDITION OF TOILETS AND OFFICE TO FACTORY	DELEGATE APPROVED
2019-021	85 ANZAC TERRACE BASSENDEAN 6054	ANCILLARY DWELLING	DELEGATE APPROVED
2019-023	2/16 NAUNTON CRESCENT EDEN HILL 6054	PATIO	DELEGATE APPROVED
2019-025	65 MARGARET STREET ASHFIELD 6054 (ASHFIELD PRIMARY SCHOOL)	SECURITY FENCE	STATUTORY ADVICE
2019-026	83A IVANHOE STREET EDEN HILL 6054 (EDEN HILL PRIMARY SCHOOL)	PRE-PRIMARY CLASSROOM & STORAGE SHED	STATUTORY ADVICE
2019-028	15 WATKINS STREET EDEN HILL 6054	PATIO	DELEGATE APPROVED
<b>SUBDIVISION APPLICATIONS</b>			
161-19	138 SECOND AVENUE EDEN HILL 6054	FOUR LOT SURVEY STRATA	STATUTORY ADVICE
188-19	91 WHITFIELD STREET BASSENDEAN 6054	TWO LOT SURVEY STRATA	STATUTORY ADVICE
268-19	37 SCHOFIELD STREET EDEN HILL 6054	THREE LOT SURVEY STRATA	STATUTORY ADVICE

**OFFICER RECOMMENDATION – ITEM 10.13**

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

**Voting requirement: Simple majority**

**10.14 Accounts for Payment – March 2019 (Ref: FINM/CREDTS/4 – Jill Brazil, Acting 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. 11:**

List of Payments made under delegated authority for the period March 2019

**BACKGROUND**

The monthly payments made for the period March 2019 are presented to Council, with details of payments made by the Town in relation to goods & services received.

**STRATEGIC IMPLICATIONS**

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

**STATUTORY REQUIREMENTS**

Local Government (Financial Management) Regulations 1996

**FINANCIAL CONSIDERATIONS**

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

OFFICER RECOMMENDATION - ITEM 10.14

That in accordance with Regulation 13(3) Local Government (Financial Management Regulations 1996) the List of Accounts paid March 2019 be received.

**Voting Requirements: Simple majority**

**10.15 Financial Statements – March 2019 (Ref: FINM/AUD/1 – Jill Brazil, Acting 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. 12:**

Financial Statements for March 2019

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 5% whichever is the greater.

**STRATEGIC IMPLICATIONS**

**Strategic Priority 5: Good Governance**

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

**COMMENT**

The attached monthly financial statements represent the adopted 2018/19 Budget estimates & actual income and expenditure amounts for the period ending 31 March 2019. The March Summary of Financial Activity (Income by Nature & type) is indicating that income for the Year to date is on target.

Expenditure by nature & type is 9% lower than budget forecasts. Materials & contracts is well under budget estimates, Depreciation & 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 next few months.

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 Budget amendments identified in these statements for March 2019.

**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. There are no direct financial implications arising from this report.

## OFFICER RECOMMENDATION – ITEM 10.15

That the:

1. Financial Reports for the period ending March 2019 be received; and
2. 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 23 April 2019, be approved.

**Voting Requirements: Absolute majority**

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

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

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

15/04/19 Restrictive Covenant relating to subdivision approval for three lots at 62 Railway Parade, Bassendean, relating to Local Planning Policy 2 between Rarewood (WA) Pty Ltd and the Town of Bassendean.

**OFFICER RECOMMENDATION – ITEM 10.16**

That Council notes the affixing of the Common Seal to the document shown above during the reporting period.

**Voting Requirements: Simple majority**

**10.17 Calendar for May 2019 (Ref: Sue Perkins, Executive Assistant)**

Thu	2 May	6.00pm	WALGA East Metropolitan Zone Committee Meeting – EMRC (Crs McLennan, Gangell & Quinton)
Wed	8 May	5.30pm	Audit & Governance Committee Meeting – Council Chamber (Crs Mykytiuk, Wilson & Hamilton)
Thu	9 May	6.00pm	EMRC Waste Advisory Committee – <b>If required</b> EMRC (Cr Mykytiuk)
Wed	15 May	7.00pm	People Services Committee Meeting – Council Chamber (Crs McLennan, Gangell, Quinton)
Thu	16 May	6.00pm	EMRC Strategy/Briefing Session – <b>If required</b> – EMRC (Crs Mykytiuk & Wilson)
Tue	21 May	7.00pm	Briefings Session – Council Chamber
Thu	23 May	6.00pm	EMRC Council Meeting – <b>If required</b> - EMRC (Crs Mykytiuk & Wilson)
Tue	28 May	7.00pm	Ordinary Council Meeting – Council Chamber
Thu	30 May	5.00pm	Perth Airports Municipalities Group – City of Canning (Cr Wilson)
Fri	31 May	5.00pm	Youth Advisory Council – Bassendean Youth Services

**OFFICER RECOMMENDATION - ITEM 10.17**

That the Calendar for May 2019 be adopted.

**Voting Requirements: Simple majority**

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

### **11.1 Notice of Motion – Cr Hamilton: Tonkin Park Containment Cell**

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

*“That Council:*

- 1. Requests the administration communicates with the land owner and relevant government agencies to provide an updated report to this council at the earliest opportunity on progression and implementation of the Remediation Action Plan (RAP) pertaining to decommissioning of the 4.5ha Tonkin Park Containment Cell and the contaminated soils/fill contained within said cell located on Lot 857 Yellard Way, Bassendean; and*
- 2. Thereafter, the administration continue to liaise with all relevant parties, and fully appraise future councils with progress reports on a yearly basis re the ongoing implementation of the Remediation Action Plan until such time as the Tonkin Park Containment Cell and it's contents are successfully and completely decommissioned; and*
- 3. Requests updated information relating to site audits of contamination together with relevant DWER reports/information be provided as a comparison to the mandatory auditor's report dated 18 August 2016.*

#### **Reasons:**

A report on this matter was last brought to Council at the 2017 November Ordinary Council Meeting, i.e. seventeen months ago. (Links provided at end of this document). This was in response to Resolution OCM - 29/04/16 unanimously supported by Councillors in April 2016, a copy of which is attached at the end of this document.

Following a meeting between Town officers and representatives of Ridgepoyt Pty Ltd in February 2017, the following information was conveyed to Councillors shortly thereafter:

The Containment Cell is a stable landform and Ridgepoynt has been able to achieve EPA clearance of all ongoing Ministerial Conditions which relate to the site;

Detailed analysis of the soils within the containment cell has been undertaken and confirmed that the soils are suitable as controlled fill for commercial and/or industrial land use;

A detailed Remediation Action Plan (RAP) has been completed;

The RAP and all supporting technical information have been reviewed by an independent auditor;

Ridgepoynt recently received a copy of the Auditor's interim advice to DWER, which provided "conditional approval of the RAP";

This implies that Ridgepoynt has provisional approval to decommission the containment cell, thus completing the remediation, upon there being a suitable location for the quantity and classification of the material;

Unlike other contaminated sites - the implementation of the RAP and final remediation will be subject to an acceptable business case for the soil reuse including the exemption of taxes and/or land fill levies, before any further activity will be undertaken; Ridgepoynt is currently exploring several opportunities for the reuse of this material with various stakeholders.

As the local governing authority, this Council has an obligation to pursue the best environmental and financial outcomes for the district as defined in the Strategic Community Plan i.e.

**Strategic Priority 1: Social**

Objective: 1.3 Plan for a healthy and safe community Strategies:

1.3.1 Facilitate safer neighbourhood environments

1.3.2 Promote and advocate community health and well-being

**Strategic Priority 2: Natural Environment**

Objectives: 2.2. Protect our River, Bushland Reserves, and Biodiversity Strategies: 2.2.1 Protect and restore our biodiversity and ecosystems

Sustainably manage significant natural areas

Partner with stakeholders to actively protect, rehabilitate and enhance access to the river

**Strategic Priority 4: Economic Objective**

Objectives: 4.1 Build economic capacity

Strategies: 4.1.1 Encourage and attract new investment and increase capacity for local employment

### Background – Cr Hamilton

In late 1989, during extensive demolition in the areas adjoining the existing Containment Cell, disposal of toxic waste to an appropriate landfill was not facilitated, and instead waste was stockpiled some 20m high at the site. This waste was the byproduct of redevelopment of 42 hectares of land for industrial purposes adjacent to Collier Road in Bassendean. The contaminated wastes from this remediation were stockpiled on-site and eventually capped in a 4.5ha containment cell.

An Environmental Protection Authority (EPA) document dated 1999 states that the Containment Cell could contain between 300,000 and 500,000 tonnes of contaminated material.

Council should note that "groundwater monitoring conducted in 2015 found metals (arsenic, aluminium, iron and zinc), ammonia and total phosphorous were present in groundwater beneath the adjacent land immediately south of the site at concentrations exceeding assessment levels for non-potable use of groundwater and/or fresh waters, as published in 'Assessment and management of contaminated sites' (DER 2014) and represents a potential risk to the Swan River."

DWER required that a "Remedial Action Plan be prepared for the decommissioning of the containment cell for full remediation and validation of the land for the proposed commercial/industrial land use; and that this be provided and validated by DWER no later than 1 December 2017."

Given the Remediation Action Plan was formalised in 2017, it is now timely for Council to press for remediation of a significantly large under-utilised area that poses an ongoing environmental risk to Ashfield Flats and the Swan River.

In April 2016, the following Motion by Councillor Brown was passed by Council:

#### Notice of Motion – Cr Brown: Tonkin Park Containment Cell

*"That in discussion with land owners and applicable government agencies, staff prepare a report on the removal of the Tonkin Park containment cell mound and the contaminated soil containment earthworks so as to make the site safe, reduce any risk of ground water and river pollution, and reuse the land for commercial redevelopment as it is currently classified. Furthermore, the Town enquire with a view to establishing what sampling, if any, has been undertaken since 2008 and make available the results of these samples."*

### Background information – Cr Brown

*Largely hidden from public view within a Bassendean industrial estate is a massive man-made hill covering an area as large as the Bassendean Oval playing surface and comprising approximately 500,000 tonnes (or 300,000 cubic metres) of toxic, contaminated material; innocuously referred to as the Tonkin Park Containment Cell.*

*The construction of the containment cell at Tonkin Park was the culmination of several formal environmental assessments of the site since 1989. It is fair to say the technology and approach to rectifying contaminated sites has changed significantly in more than 26 years.*

*This change was recognised when, in December 2014, the State Government published new guidelines on the management and containment of contaminated sites. The new guidelines cover:*

- \* Assessing and managing contaminated sites;*
- \* Assessing risks to human health, the environment and environmental values;*
- \* Generic assessment levels specific to WA and their application;*
- \* Applying the National Environmental Assessment Levels in WA;*
- \* Information to include when reporting on the various stages of contaminated site assessment and management; and*
- \* Community engagement.*

*Alignment with these guidelines should form the basis of the Town's response to this motion.*

*Of major concern is comparative testings over time conducted prior to 2008 that suggested the containment cell is not working as originally constructed therefore may be continuously leeching into soil strata and groundwater beneath the mound.*

*If so, it is inevitable these toxins will eventually seep into residential areas and our river system, if they have not done so already. It seems that no subsequent testing has been completed or if it has, the results have not been published.*

*The proven consequences of exposure to toxins contained in the mound include cancers, birth defects and other chronic health conditions. It is no exaggeration, nor alarmist, to suggest the Tonkin Park Containment Mound is akin to a festering boil within our community.*

*The moral and legal obligation to do something is incumbent on the Town, for to know of this danger and do nothing is not an option.*

*The upside to addressing this problem is almost 40,000 square metres of land will become available for industrial development, adding substantially to the Town's rateable portfolio."*

Links:

Agenda: Item 10.3 OCM November 2017

<https://www.bassendean.wa.gov.au/Profiles/bassendean/assets/moduledata/councilmeetings/b3299d10-a445-4748-a70c-102a21821fef/2.6/council-2017-11-28-agn.pdf>

Attachment 4: OCM November 2017

<https://www.bassendean.wa.gov.au/Profiles/bassendean/assets/moduledata/councilmeetings/b3299d10-a445-4748-a70c-102a21821fef/2.6/ORDINARY%20COUNCIL%20AGENDA%2028%20NOVEMBER%202017%20-%20ATTACHMENTS%20PART%201.pdf>

## **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 Commercial Offer for Third-Party Signage on Payphone Facilities - JcDecaux Australia (Ref: COMA/MARKT/1 - Brian Reed, Manager Development Services)**

*This matter is to be considered with members of the public excluded from the Chambers under Clause 5.23 (2) (c) of the Local Government Act 1995, as the report discusses a contract which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*

**13.2 Sports Achievement Awards (Ref: COMR/AWADP/4 – Tim Dayman, Recreation Development Officer)**

*This matter is to be considered with members of the public excluded from the Chambers under Clause 5.23 (2) (b) of the Local Government Act 1995, as the report discusses a contract which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*

**13.3 Organisational Structural Change (Peta Mabbs, Chief Executive Officer)**

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

**13.4 Council Street Trees – 118 Whitfield Street, Bassendean (Ref: COUP/MAINT/1 – Ken Cardy, Manager Asset Services)**

**APPLICATION**

*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 Briefings Session will be held on Tuesday 16 April 2019 commencing at 7.00pm.

The next Ordinary Council meeting will be held on Tuesday 23 April 2019 commencing at 7.00pm.