

# TOWN OF BASSENDEAN

## MINUTES

### ORDINARY COUNCIL MEETING

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

ON TUESDAY 23 APRIL 2019 AT 7.00PM

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

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

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

##### 2.1 Public Question Time

Mr Don Yates, 10 Thompson Road, Success Hill/Bassendean

*Is there maintenance planned to clean up the undergrowth and leaf build up at the arboretum to reduce the risk of a fire.*

The Acting Director Operational Services advised that a contractor is due to commence maintenance work in that area.

*There is a lack of maintenance of the Town's playground equipment, is that going to be addressed.*

The Acting Director Operational Services advised that the Town intends to upgrade playground equipment under the Asset Management Plan. The Town is reviewing all the playgrounds in the area to see what needs to be done in terms of maintenance and replacement of equipment.

*Should the Sandy Beach playground be put on hold until funds are available through the the sale of the Lord Street blocks as part of the Town Planning Scheme 4A.*

The CEO responded that indications are that real estate activity will pick up after the federal election. The Town is hoping to sell those blocks after the federal election. The Town's preferred funding source is the sale of those blocks, but there are alternatives which will be put to Council should the need arise.

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

*It should be noted that public statements are not recorded in the minutes.*

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

### **Present**

#### **Councillors**

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

#### **Officers**

Ms Peta Mabbs, Chief Executive Officer  
Mr Ken Lapham, A/Director Corporate Services  
Mr Salvatore Siciliano, A/Director Community Development  
Mr Ken Cardy, A/Director Operational Services  
Mr Anthony Dowling, Director Strategic Planning  
Mr Brian Reed, Manager Development Services  
Mrs Amy Holmes, Minute Secretary

#### **Public**

Six members of the public were in attendance.

#### **Press**

Nil

### **Leave of Absence**

The following leaves of absence were requested:

- Cr Brown – 26 April to 20 May
- Cr McLennan – 24 April to 30 April

### **COUNCIL RESOLUTION – ITEM 3.0**

**OCM – 1/04/19** MOVED Cr Mykytiuk, Seconded Cr Hamilton, that the following leaves of absence be granted:

- Cr Brown – 26 April to 20 May 2019; and
- Cr McLennan – 24 April to 30 April 2019.

**CARRIED UNANIMOUSLY 7/0**

### **4.0 DEPUTATIONS**

4.1 Mr Brent Fleeton of Caff on Broadway, addressed Council on Item 10.4.

4.2 Mr Bruce Keay addressed Council on Item 10.10.

### **5.0 CONFIRMATION OF MINUTES**

#### **5.1 Ordinary Council Meeting held on 26 March 2019**

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

**OCM – 2/04/19** MOVED Cr Brown, Seconded Cr Mykytiuk, that the minutes of the Ordinary Council Meeting held on 26 March 2019, be received.

**CARRIED UNANIMOUSLY 7/0**

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

**OCM – 3/04/19** MOVED Cr Brown, Seconded Cr Mykytiuk, that the minutes of the Ordinary Council Meeting held on 26 March 2019, be confirmed as a true record.

**CARRIED UNANIMOUSLY 7/0**

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

The Ideas Hub was opened last Monday and will be open Monday to Friday, 9am-5pm. This is all part of the consultation process around the future planning of our Town.

Thursday is the Town's ANZAC day service at the War Memorial at the BIC Reserve.

In light of the recent activity in Sri Lanka, the Mayor acknowledged the Sri Lankan Consulate that is located within the Town and expressed sympathies to the Sri Lankan people.

**7.0 PETITIONS**

Nil.

**8.0 DECLARATIONS OF INTEREST**

Nil

**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)**

*Cr Gangell left the meeting at 7.47pm and returned at 7.49pm.*

**APPLICATION**

The purpose of this report was 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.

*Cr Gangell moved the officer recommendation.*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —  
ITEM 9.1

**OCM – 4/04/19** MOVED Cr Gangell, Seconded Cr Brown, 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 one 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.

LOST 2/5

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

*Cr Hamilton moved an alternative motion to include that Officers undertake an entire review of Local Planning Policy No 6 – Industrial Zones Development Guidelines and that Planning staff defer any action against other landowners identified during the fencing audit.*

COUNCIL RESOLUTION – ITEM 9.1

**OCM – 5/04/19** MOVED Cr Hamilton, Seconded Cr Wilson, that Council:

1. Approves a modification to Local Planning Policy No 6 – Industrial Zones Development Design Guidelines, to amend Landscaping part (d) from the existing ratio of one tree per six car parking bays to one tree per four car parking bays with all tree planting to comply with the Town's specifications; and
2. a) Notes that the Planning Department of the Town of Bassendean will cease compliance action against landowners of 76 and 80 May Holman Drive, Bassendean, provided the landowners enter into an agreement with the Town to install and maintain, at their own cost, verge landscaping and tree planting designed to improve the streetscape of the respective sites; and

- b) Requests that Planning staff defer any action against other landowners identified during the fencing audit as being non-compliant with conditions of approval until Point 3 of this motion is concluded; and
3. Requests officers undertake an entire review of Local Planning Policy No 6 – Industrial Zones Development Guidelines to regulate development standards during future renewal of industrial sites to achieve the following objectives:
    - a) To ensure built form and design provides a high standard of amenity and sustainability;
    - b) To achieve coordinated, quality development outcomes into the future that maximise streetscape amenity and tree canopy;
    - c) To establish a cohesive framework for the assessment of future applications for development within this zone.

**CARRIED 6/1**

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

## **10.0**                      **REPORTS**

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

It was agreed that items 10.2, 10.3, 10.4, 10.6, 10.10 & 10.11 be removed from the en-bloc table and considered separately.

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

**OCM – 6/04/19**                      MOVED Cr Wilson, Seconded Cr Brown, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Meeting Agenda of 23 April 2019:

Item	Report
10.5	Hardy Road Verge Parking
10.7	Bassendean Oval Football Facilities Project Control Group Meetings held on 21 February 2018, 22 August 2018 & 22 February and 22 March 2019
10.8	Economic Development Committee Meeting held on 13 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

CARRIED UNANIMOUSLY 7/0

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

Item	Report
9.1	Tonkin Park Industrial Estate (TPIE) Fencing Audit and Review
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
10.6	Food Organics Garden Organics (FOGO) Waste
10.9	Sandy Beach Reserve Nature Based Regional Playground
10.10	Finalisation of Town Planning Scheme No. 4A
10.11	Quarterly Report for Period Ended 31 March 2019
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/Ladrift Pty Ltd /Matax Pty Ltd (Ref: A3693 & A3714 - Brian Reed, Manager Development Services)**

APPLICATION

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

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.

*Cr Hamilton moved the officer recommendation with amendments as shown in bold to include consultation with the community and stakeholders prior to further consideration by Council and note that Council must observe the private treaty provisions of the Local Government Act 1995.*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.2

**OCM – 7/04/19** MOVED Cr Hamilton, Seconded Cr Wilson that:

1. Council adopts the Eden Hill Master Planning Concept Plan prepared by Taylor Robinson Chaney and Broderick dated March 2019 **purely** for the purposes of **consultation with community and stakeholders prior to further consideration by Council of the potential** sale of Lot 5 No 246 Morley Drive by private treaty; and
2. Further reports be brought to Council to address:
  - The proposed purchase price of the land;
  - **Design amendments that address Council's desire to preserve existing significant trees;**
  - Assurance for the community regarding good quality design and development **outcomes;**
  - Arrangements to ensure that the land is developed in a reasonable timeframe; and



- Any other information required to **evaluate** a proposal for the **Council owned** land to be sold by private treaty; and

3. **Council notes OCM-10/04/18 that 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.**

CARRIED UNANIMOUSLY 7/0

**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 was to provide feedback to Council in regards to the Notice of Motion (OCM 28/08/18) regarding best practice non chemical weed management practices.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.3

**OCM – 8/04/19** MOVED Cr Mykytiuk, Seconded Cr Wilson, 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.

CARRIED UNANIMOUSLY 7/0

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

APPLICATION

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.4

**OCM – 9/04/19** MOVED Cr Hamilton, Seconded Cr Wilson, 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.

CARRIED UNANIMOUSLY 7/0

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

APPLICATION

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATIONS – ITEM 10.5

**OCM – 10/04/19** MOVED Cr Wilson, Seconded Cr Brown, that Council approves the installation of verge parking restrictions at 1C and 5A Hardy Road, Bassendean.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/04/19 7/0

**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 was 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.

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.

*Cr McLennan moved the officer recommendation with the deletion of Point 1.*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.6

**OCM – 11/04/19** MOVED Cr McLennan, Seconded Cr Hamilton, that Council:

1. 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
2. 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.

CARRIED UNANIMOUSLY 7/0

**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 was 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.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.7

**OCM – 12/04/19** MOVED Cr Wilson, Seconded Cr Brown, 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.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-6/04/19 7/0

**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 was for Council to receive the report on a meeting of the Economic Development Committee held on 13 March 2019.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.8

**OCM – 13/04/19** MOVED Cr Wilson, Seconded Cr Brown, 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.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/04/19 7/0

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

APPLICATION

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

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.

*Cr Hamilton moved the officer recommendation with an amendment to Point 3, as shown in bold below, to include the development of a suitable lighting plan to be incorporated into the detailed design, and the removal of Point 5, as the CEO preferred that any offers to purchase the properties be referred back to Council for consideration.*

**COUNCIL RESOLUTION — ITEM 10.9**

**OCM – 14/04/19** MOVED Cr Hamilton, Seconded Cr Quinton, 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:
  - a) Prepare detailed drawings based on the concept plan; and
  - b) Liaise with the Town to develop a suitable lighting plan to be incorporated into the detailed design;**
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.

**CARRIED 6/1**

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

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

APPLICATION

Council was 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.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.10

**OCM – 15/04/19** MOVED Cr Gangell, Seconded Cr Hamilton, 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.

CARRIED UNANIMOUSLY 7/0

**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 was for Council to receive the Quarterly Report for the period ended 31 March 2019.

*Cr Mykytiuk left the meeting at 9.24pm.*

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.11

**OCM – 16/04/19** MOVED Cr Quinton, Seconded Cr Brown that Council receives the Quarterly Report for the quarter ended 31 March 2019.

CARRIED UNANIMOUSLY 6/0

*Cr Mykytiuk returned to the meeting at 9.26pm.*

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.12

**OCM – 17/04/19** MOVED Cr Wilson, Seconded Cr Brown, that Council notes the decisions made under delegated authority by the Principal Building Surveyor.  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-6/04/19 7/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 10.13

**OCM – 18/04/19** MOVED Cr Wilson, Seconded Cr Brown, that Council notes the decisions made under delegated authority by the Manager Development Services.  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-6/04/19 7/0

**10.14 Accounts for Payment – March 2019 (Ref: FINM/CREDTS/4  
– Jill Brazil, Acting Manager Corporate Services)**

APPLICATION

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION -  
ITEM 10.14

**OCM – 19/04/19** MOVED Cr Wilson, Seconded Cr Brown, that in accordance with Regulation 13(3) Local Government (Financial Management Regulations 1996) the List of Accounts paid March 2019 be received.  
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –  
OCM-6/04/19 7/0



**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.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.15

**OCM – 20/04/19** MOVED Cr Gangell, Seconded Cr Brown, 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.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.16

**OCM – 21/04/19** MOVED Cr Wilson, Seconded Cr Brown, that Council notes the affixing of the Common Seal to the documents during the reporting period.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/04/19 7/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.17

**OCM – 22/04/19** MOVED Cr Wilson, Seconded Cr Brown, that the Calendar for May 2019 be adopted.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-6/04/19 7/0

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

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

**COUNCIL RESOLUTION – ITEM 11.1**

**OCM – 23/04/19** MOVED Cr Hamilton, Seconded Cr Brown, 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.

**CARRIED UNANIMOUSLY 7/0**

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

Nil.

**13.0** **CONFIDENTIAL BUSINESS**

**COUNCIL RESOLUTION – ITEM 13.0(a)**

**OCM – 24/04/19** MOVED Cr Mykytiuk, Seconded Cr Hamilton, that the meeting go behind closed doors in accordance with Section 5.23 of the Local Government Act 1995, the time being 9.35pm.

**CARRIED UNANIMOUSLY 7/0**

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

OFFICER RECOMMENDATION - 13.1

That Council enters into a commercial arrangement with JcDecaux Australia for the installation for Payphones with third party advertising subject to the conditions laid out this report.

*Cr Quinton moved an alternation motion to reject the offer until a draft digital advertising policy be researched and compiled and returned to Council before any other offers for digital advertising be considered by the Town,*

COUNCIL RESOLUTION – ITEM 13.1

**OCM – 25/04/19** MOVED Cr Quinton, Seconded Cr Wilson, that:

1. Council reject the offer from JcDecaux Australia to install a digital pay phone in the Town of Bassendean; and
2. A draft digital advertising policy be researched and compiled and returned to Council before any other offers for digital advertising be considered by the Town, listing examples of the impacts of digital advertising from around Australia including the impacts on mental health.

CARRIED UNANIMOUSLY 7/0

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

OFFICER RECOMMENDATION – ITEM 13.2

That Council:

1. Awards the Town of Bassendean Sports Achievement Award to the first junior nominee shown in the Confidential Attachment to the Ordinary Council Meeting Agenda of 23 April 2019; and
2. Considers awarding the Sports Achievement Award to the second nominee shown in the Confidential Attachment to the Ordinary Council Meeting Agenda of 23 April 2019;
3. Presents the Sports Achievement Award at the May 2019 Ordinary Council Meeting; and

4. Notes the report and name of the recipient of the Award remain confidential until after the Award is presented.

*Cr Quinton moved the officer recommendation with the deletion of Point 2 as no travel costs were incurred for the second nominee.*

#### COUNCIL RESOLUTION - ITEM 13.2

**OCM – 26/04/19** MOVED Cr Quinton, Seconded Cr Gangell, that Council:

1. Awards the Town of Bassendean Sports Achievement Award to the first junior nominee shown in the Confidential Attachment to the Ordinary Council Meeting Agenda of 23 April 2019;
2. Presents the Sports Achievement Award at the May 2019 Ordinary Council Meeting; and
3. Notes the report and name of the recipient of the Award will remain confidential until after the Award is presented.

CARRIED UNANIMOUSLY 7/0

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

**OCM – 27/04/19** MOVED Cr Hamilton, Seconded Cr Wilson, that Council:

1. Notes the rationale for organisational structural change at the Town of Bassendean (as outlined in the Confidential Report provided by the CEO); and
2. Endorses the CEO to commence a process to identify opportunities for organisational structural change at the Town of Bassendean.

CARRIED UNANIMOUSLY 7/0

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

*This item was discussed and considered prior to Item 13.3.*

*All Officers, except the CEO and Minute Secretary, left the meeting at 9.54pm and did not return.*

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION –  
ITEM 13.4**

**OCM – 28/04/19** MOVED Cr Hamilton, Seconded Cr Mykytiuk, that Council requests the Chief Executive Officer to write to Local Government Insurance Services requesting that it liaises with the property owners of 118 Whitfield Street, Bassendean, regarding the alleged damage caused by the trees adjacent to their property.

**CARRIED UNANIMOUSLY 7/0**

*Mrs Amy Holmes, Minute Secretary left the meeting at 9.56pm and did not return.*

**COUNCIL RESOLUTION – ITEM 13.0(b)**

**OCM – 29/04/19** MOVED Cr Hamilton, Seconded Cr Wilson, that the meeting come from behind closed doors, the time being 10.20pm.

**CARRIED UNANIMOUSLY 7/0**

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

**14.0 CLOSURE**

The next Briefing Session will be held on Tuesday 21 May 2019 commencing at 7.00pm. The next Ordinary Council Meeting will be held on Tuesday 28 May 2019 commencing at 7.00pm.

There being no further business, the Presiding Member declared the meeting closed, the time being 10.20pm.