



AGENDA

ORDINARY MEETING OF COUNCIL

29 SEPTEMBER 2020

Notice is hereby given of the Ordinary Council Meeting to be held in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 6.00pm.

Peta Mabbs
CHIEF EXECUTIVE OFFICER

24 September 2020

Tune in to live streaming from the comfort of your own home by going to:
<https://www.youtube.com/channel/UC46mMs3D7vmHuO0ePibihg/live>

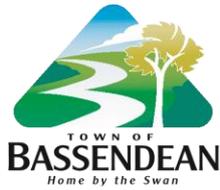
or if you miss it live, go to:
<https://www.youtube.com/channel/UC46mMs3D7vmHuO0ePibihg>

The Town is committed to ensuring our Council Meetings are a safe work environment, free of risks to the health and wellbeing of Elected Members, Officers and our community.

Any person attending is required to be respectful, courteous and have due regard for individual rights and differences.

Individuals may be asked to leave should their conduct adversely affect the health and safety of others.

By attending this meeting, you agree to abide by these conditions.



Council Seating Plan

<p>Minute Secretary Amy Holmes</p>	<p>Manager Governance and Strategy Elizabeth Kania</p>			<p>Director Corporate Services Paul White</p>	
		<p>Chief Executive Officer Peta Mabbs</p>	<p>Mayor Cr Renée McLennan E: crmcclennan@bassendean.wa.gov.au</p>	<p>Director Community Planning Luke Gibson</p>	
				<p>Executive Manager Infrastructure Phillip Adams</p>	
				<p>Executive Manager Sustainability and Environment Jeremy Maher</p>	
	<p>Cr Hilary MacWilliam E: crmacwilliam@bassendean.wa.gov.au</p>			<p>Cr Jai Wilson E: crwilson@bassendean.wa.gov.au</p>	
	<p>Cr John Gangell E: crgangell@bassendean.wa.gov.au</p>			<p>Cr Sarah Quinton E: crquinton@bassendean.wa.gov.au</p>	
	<p>Deputy Mayor Cr Kath Hamilton E: crhamilton@bassendean.wa.gov.au</p>			<p>Cr Chris Barty E: crbarty@bassendean.wa.gov.au</p>	

1.0 DECLARATION OF OPENING; ACKNOWLEDGEMENT OF COUNTRY; ACKNOWLEDGEMENT OF VISITORS; DISCLAIMER

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.

2.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

4.0 DECLARATIONS OF INTEREST

5.0 PRESENTATIONS OR DEPUTATIONS

6.0 STATEMENTS BY MEMBERS OF THE PUBLIC ON AGENDA ITEMS

Statements can be submitted prior to the Council meeting to:
<https://www.bassendean.wa.gov.au/forms/public-statement-time/37>

Each person is restricted to one statement of up to two minutes unless the Council, by decision, determines that they may speak for no more than a further two minutes.

It should be noted that 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.

7.0 QUESTIONS FROM MEMBERS OF THE PUBLIC

15 minutes will be allocated for questions by members of the public on matters contained in the agenda. Each member of the public with a question is entitled to ask up to two questions before other members of the public will be invited to ask their questions.

Questions can be submitted prior to the Council meeting to:
<https://www.bassendean.wa.gov.au/forms/public-question-time/36>

If a person asking a question is not present at the meeting, then the Mayor can choose to deal with it at the meeting or arrange a response by email.

8.0 PETITIONS

9.0 CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held on 25 August 2020 **Attachment No. 1:**

Officer Recommendation – Item 9.1(a)

That the minutes of the Ordinary Council meeting held on 25 August 2020, be received.

Officer Recommendation – Item 9.1(b)

That the minutes of the Ordinary Council meeting held on 25 August 2020, be confirmed as a true record.

10.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

11.0 EXTERNAL COMMITTEE REPORTS/UPDATES

Item No. 11.1	Receipt of External Committee and Organisation Minutes
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
File Ref/ROC	INFM/INTPROP/1
Previous Council Reports (if applicable)	Not applicable
Directorate	Chief Executive
Authority/Discretion <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
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Attachment No. 2	<ul style="list-style-type: none"> • Minutes - WALGA East Metropolitan Zone • Summary Minutes - WALGA State Council Meeting

Purpose

The purpose of this report is for Council to consider minutes from external Committees and organisations.

Background

Councillors are appointed as members of external Committees and organisations. The minutes are attached for consideration of all Councillors.

Proposal

Not applicable.

Communication and Engagement

Not applicable.

Strategic Implications

Priority Area 6: Providing visionary leadership and making great decisions

Direction	Potential Strategies	What Success Looks Like
Ensure operational activities reflect the strategic focus of Council	<ul style="list-style-type: none"> Ensure clear communication and flow of information from decision makers to operational staff Implement a framework on decision making that identifies delegated authority for different levels of decision 	<p>SHORT TERM</p> <ul style="list-style-type: none"> Efficient and effective Council meetings Outcomes-focused decision making (not process-focused) More delegated authority to CEO on appropriate items to enable Council to focus on strategy

Comment

The following meetings have been held where Councillors as delegates have attended during the reporting period.

Meeting	Date Held
Minutes - WALGA East Metropolitan Zone	27 August 2020
Summary Minutes - WALGA State Council Meeting	2 September 2020

Statutory Requirements

Not applicable.

Financial Considerations

Not applicable.

Risk Management Implications

Not applicable.

Officer Recommendation – Item 11.1

That Council notes the attached minutes from external Committee meetings held within the reporting period.

Voting requirements: Simple majority

12.0 REPORTS

12.1 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 Council Meeting Procedures Local Law 2020.

Council Meeting Procedures Local Law 2020, 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 4.0, Declarations of Interest, they should do so at this point of the agenda.

Officer Recommendation – Item 12.1

That Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda of 29 September 2020:

Item	Report
12.2	Joint Development Assessment Panel Application (Aged Care Facility & Commercial)
12.3	Bassendean Oval Business Case
12.4	Request for Office Space by the 5000meals Program inside the Bassendean Seniors and Community Centre
12.5	Local Planning Policy No. 7 – Local Shopping Centre Zone Design Guidelines
12.8	Monthly Financial Report – August 2020
12.9	Accounts Paid – August 2020
12.10	Use of Common Seal
12.11	Calendar for October 2020

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

Item	Report
12.6	Councillor Training and Professional Development Policy
12.7	Appointment of Acting Chief Executive Officer Policy
13.1	Cr Wilson – Differential Rates and Rateable Properties on Minimum Rates
16.1	Use of the Bassendean Seniors and Community Centre Kitchen for the Community Kitchen Pilot Program

Item No. 12.2	Joint Development Assessment Panel Application (Aged Care Facility & Commercial)
Property Address	Lot 54 (27) Hamilton Street, Lots 84 (68) & 85 (70) Old Perth Road, Bassendean
Landowner/Applicant	Ms Clare McLean, Peter Webb & Associates Mr Geoff Taylor, T & T Management Services Pty Ltd Mr Michael Cross, T & T Management Services Pty Ltd
File Ref/ROC	DABC/BDVAPPS/2020-082
Previous Council Reports (if applicable)	N/A
Directorate	Community Planning
Authority/Discretion	
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Attachment No. 3	<ul style="list-style-type: none"> • Responsible Authority Report • Development Report • Development Plans • Consultation Plan • Schedule of Submissions

Purpose

The purpose of this report is for Council to provide a recommendation to the Metro Inner-North Joint Development Assessment Panel (JDAP) for a proposed Aged Care Facility & Commercial development at Lot 54 (27) Hamilton Street, Lots 84 (68) & 85 (70) Old Perth Road, Bassendean.

Background

At its 17 May 2018 meeting, the Metro Central JDAP approved an application (DAP/18/01379) for a Mixed Use development comprising additions and alterations to a Nursing Home, Shops and 18 Multiple Dwellings.

The proposed development is consistent with this approval, with the exception of removing the 18 multiple dwellings component of the development (reducing the height of the building from five to four storeys) and a slight increase in the commercial floorspace. The proposal has been amended to respond to current market conditions.

In addition to the JDAP approval, an application to amalgamate the subject sites (WAPC Ref 156270) was approved on 1 May 2018, and therefore remains valid until 1 May 2023 as a result of the amendments to the *Planning and Development Act 2005* in response to the COVID-19 pandemic.

Proposal

The proposal includes:

- A four storey mixed use development comprising the following:
 - Lower Ground level – three commercial tenancies (71m², 87m² and 102m²) car parking and service areas;
 - Upper Ground level – 39 aged care beds connecting to the existing aged care facility. This will require the removal of 11 existing car parking bays, to be accommodated in the ground level car park.
 - First Floor – 27 aged care beds in addition to lounge, kitchen, amenity and staff and reception areas;
 - Second Floor – 37 aged care beds;
 - Third Floor – 33 aged care beds in addition to lounge, therapy and dining and servery areas.
- A total of 136 beds (existing and proposed) form the aged care component of the development and a total of 260m² of commercial space is provided.
- A total of 49 car parking bays, including one bay for the exclusive use of people with disabilities, four motorcycle bays, bicycle parking and end of trip facilities.
- The existing Nursing Home is intended to be retained, modified, extended and incorporated into the proposed development.

Details of the proposal, including the development report and plans, are attached to the Responsible Authority Report (RAR).

Communication and Engagement

Details of public consultation are contained within the RAR.

Strategic Implications

Priority Area 3: Creating a Vibrant Town and Precincts

Direction	Potential Strategies	What Success Looks Like
Support the town centre to thrive	<ul style="list-style-type: none"> • Advocate for economic growth of our Bassendean town centre • Engage potential government and private sector development partners to realise opportunities within the Town of Bassendean 	<p>LONG TERM</p> <ul style="list-style-type: none"> • Increased number of developments within the town centre • Increased population within the Town • Improved retention of existing businesses • Increased number and retention of new businesses • Increased local employment

Comment

The Town's assessment of the proposed development is contained within the RAR.

Statutory Requirements

The *Planning and Development (Development Assessment Panels) Regulations 2011* require the Town to prepare and submit a RAR for the JDAP which sets out the planning assessment and recommendation(s) on a JDAP application.

In considering this matter, Council is required to provide a reason for any decision it makes.

Financial Considerations

Nil.

Risk Management Implications

Nil.

Officer Recommendation – Item 12.2

That Council endorses the Officer Recommendation contained within the attached Responsible Authority Report for the following reasons:

“The proposed development is consistent with LPS 10 and relevant local planning policies, with the exception of those requirements outlined above that are acceptable to be varied or can be adequately addressed via conditions. The Town is satisfied that the proposed development is consistent with the objectives of the Town Centre Zone and it is therefore recommended that the application be approved subject to conditions.”

Voting requirements: Simple majority

Item No. 12.3	Bassendean Oval Business Case
Property Address	1 West Road, Bassendean
Landowner/Applicant	Crown land vested with Town of Bassendean
Ref	COMDEV/PLANNG/4 and ROC19/69544
Directorate	Community Planning
Decision Type	Executive
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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Attachment No. 10	DLGSC letter dated 17/8/20

Purpose

The purpose of this report is for Council to **consider suspending work temporarily on the Bassendean Oval Business Case project in light of the current, higher-order work on the development of a Town Centre Masterplan which also includes consideration of the Bassendean Oval.**

Background

On 13 July 2017, Council resolved to participate in the Bassendean Oval Football Facilities business case project.

A Project Control Group (PCG) was established by the Department for Local Government, Sport and Cultural Industries (DLGSC) to oversee the development of the business case. That group includes representatives from the Town, the Department the Swan Districts Football Club (SDFC), the West Australian Football Commission and DLGSC.

In early 2018, the Town, on the advice of the PCG, appointed a consultant (Dave Lanfear Consulting) to prepare the business case. The PCG oversees the role of the consultant.

To date, the consultant has completed two block design options which includes, at the request of SDFC, the provision of commercial space on the site, which would be able to be leased out by the SDFC.

In November 2019, Council resolved (among other things) to amend the scope of the project to including the investigation of **a third option, being** the potential for any redevelopment of Bassendean Oval to also incorporate community facilities, in addition to accommodating the Swan Districts Football Club.

The Bassendean Oval Business Case Project Control Group has not yet explored option 3. Discussions with DLGSC have been undertaken to seek further funding in 2020/21 to explore option 3 but this has not been forthcoming.

As part of the Bassendean Oval business case process, community feedback is a key component and as such, the finalisation of the business case (based upon either the two or three options described) will require engaging with the community.

Noting the Town of Bassendean has invested heavily in an extensive community engagement exercise (i.e. BassenDream Our Future) throughout most of 2019, there is now a strong sense of the desires, aspirations and thoughts of the community and how Bassendean, Ashfield and Eden Hill can be even better in the future.

One of the key themes emerging from this community feedback was the need for town centre vibrancy and development. By way of response, in June 2020, Council resolved to commence a Town Centre Masterplan project, so as to provide a vision for the Bassendean Town Centre area that responds to the community's desire to be a vibrant and activated mixed use precinct. This project will largely engage property owners, State Government, the development industry and those with a key stake in the town centre, including the SDFC. This project is designed to create a concept for the future of the town centre that responds to the needs of the broader community but a model that is potentially attractive to investors and developers. Bassendean Oval is a key landmark within the town centre and will be considered as a key focus as part of the Town Centre Masterplan.

Communication and Engagement

In July 2020, the Town met with the Director General, DLGSC and Officers and the Chief of Staff for the Minister for Sport and Recreation regarding both the Business Case **for Bassendean Oval** and Town Centre Masterplan project (**see attachment 10**).

On 15 September 2020, the CEO and Director Community Planning met with the CEO of the SDFC to discuss the Town Centre Masterplan project and the desire to include the SDFC as a key stakeholder in its development, **and in light of this broader work**, the proposal to Council to **temporarily** suspend the Business Case for the development of Bassendean Oval.

An invitation was also extended to the SDFC to attend the Council meeting.

Strategic Implications

Priority Area 4: Driving Financial Suitability

Direction	Potential Strategies	What Success Looks Like
Ensure community facilities are accessible to and well utilised by a diverse range of community members	<ul style="list-style-type: none"> • Community Infrastructure Strategy (use of community spaces, shared or individual hubs, appropriate number of facilities) • Leasing, Licensing and Hiring Strategy 	SHORT TERM <ul style="list-style-type: none"> • Increased use of facilities • Increased shared use of spaces/diversity of use

Comment

Recognising the business case development process commenced approximately three years ago, it must be recognised that much has changed since this time including an extensive community engagement process (i.e. BassenDream Our Future); progress of a new Local Planning Framework; adoption of a new Strategic Community Plan; a review of the Town’s land assets; and a recent decision by Council to create a Town Centre Masterplan based upon the BassenDream findings.

Based upon feedback from DLGSC, there is no practical issue with holding the Business Case project in abeyance pending the completion of the Town Centre Masterplan project. **The Town Centre Masterplan project is likely to conclude in the first quarter of 2020.**

Statutory Requirements

Nil.

Financial Considerations

The Town will need to acquit grant funds for costs previously incurred, but otherwise, suspension of the Business Case project will also suspend any further expenditure, **with approximately \$30,000 of the project budget unspent.**

Risk Management Implications

Engaging with the community on the Bassendean Oval business case in isolation of the higher-order project, i.e. the Town Centre Masterplan, may confuse the community in terms of what is happening in the town centre. It may also compromise a more strategic approach to developing the oval within a broader frame of the town centre to enable optimising its relationship to other key amenity and connectivity.

The Town Centre Masterplan project is a key advocacy and influencing strategy, targeting potential partners and key stakeholders. Proceeding with the Bassendean Oval Business Case in parallel to the Town Centre Masterplan may undermine the outcomes of this higher order project which has a broader focus beyond one site in the town centre.

Other risks include continued investment of internal resources in a Business Case that is not aligned to the higher order planning artefacts; and managing the expectations of key stakeholders involved in the Bassendean Oval redevelopment business case.

Officer Recommendation – Item 12.3

That Council:

1. **Temporarily** suspends the Bassendean Oval Business Case project until the completion of the Town Centre Masterplan project; and
2. Notes that the Swan Districts Football Club will be a key stakeholder as part of the Town Centre Masterplan project.

Voting requirements: Simple majority

Item No. 12.4	Request for Office Space by the 5000meals Program inside the Bassendean Seniors and Community Centre
Property Address (if applicable)	50 Old Perth Road, Bassendean (Bassendean Seniors and Community Hall)
Landowner/Applicant (if applicable)	Town of Bassendean
File Ref	COUP/USAGE/7
Directorate	Community Planning
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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Attachment No. 4	<ul style="list-style-type: none"> • Letter from 5000Meals • Letter of Support from 55plus Association

Purpose

The purpose of this report is for Council to consider allocating office space for the 5000meals Program inside the Bassendean Seniors and Community Centre.

Background

The 5000meals Program aims to:

- Utilise surplus local produce to minimise food wastage in the Food and Hospitality industries.
- Produce nutritious meals that will assist people in need.
- Provide students the opportunity to work with chefs and industry specialists.
- Assist teachers to deliver meaningful and relevant learning experiences.

The 5000meals Program was subject to positive media attention when during the COVID lock down the *Food for the Soul Program* was initiated at the Cyril Jackson Senior Campus.

The program involved chefs mentoring students with volunteers assisting to prepare food for the homeless, organisations working in the area of family domestic violence and some of the Town of Bassendean's senior residents. The program also partnered with The Town's Community Transport Service to deliver meals.

Recently, the *Food for the Soul Program* was successful in securing a grant through LotteryWest as the program continues to grow and diversify to offer food relief and training for schools, students and teachers.

Currently, the 5000meals Program use the dining room area at the Bassendean Seniors and Community Centre on a casual basis and are of the view that securing a central office space is critical to sustaining the next phase of their growth.

Whilst the catchment area of the 5000meals Program services some sections of the Town's community, the Program predominantly extends across the Perth metropolitan area. It is worth noting that during the COVID lockdown that the Town provided up to 70% of the volunteers to the Program to assist with the preparation and distribution of meals which included up to 20 Town residents. The Program had also previously provided excess fruit to schools located in the Town and as part of using the Bassendean Seniors and Community Centre, the Program has indicated a desire to conduct food nutrition workshops for schools and community groups within the Town. Given the broad reach of the Program, the preparation of meals not only occurs from the Cyril Jackson Senior Campus, but also across multiple sites in the Perth metropolitan area.

Proposal

The 5000meals Program has made a request to use the office space at the Bassendean Seniors and Community Centre for the expansion of the *Prepare Produce Provide - 5000meals Program*. It is requested that the use be on a trial basis at no cost. The office space being requested is currently being used as storage by the Bassendean 55plus Association, with the Association also supporting the 5000meals Program to use the space.

In addition, when not used by the Bassendean 55plus Association and subject to availability, the 5000meals Program would like to use the dining room space to host team meetings, provide volunteer training and small workshops, working alongside the 55plus group to deliver community outcomes.

Communication and Engagement

Through the Town's Volunteer Centre, a long standing relationship has been developed with the 5000meals Program and in turn the Program has supported the Town's projects for community nutrition programs and catering at some of the Town's community events.

Strategic Implications

Priority Area 1: Strengthening and Connecting our Community

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
<ul style="list-style-type: none"> Facilitate community connection 	<ul style="list-style-type: none"> Prioritise projects that bring people together and strengthen community connectedness 	<ul style="list-style-type: none"> Increased participation rates in volunteering, community activities and events
<ul style="list-style-type: none"> Establishing partnerships with the community that build capacity, connection and sense of belonging. 	<ul style="list-style-type: none"> Identify community members and organisations with the capacity to deliver projects and programs. Build capacity of community groups to deliver social return on investment. Identify and deliver community funding. Foster volunteering to provide services for our community and to build connections. Build capacity of volunteers to deliver programs and services with limited input from the Town. 	<ul style="list-style-type: none"> Increased percentage of services delivered by community groups compared to the Town. Increased social return on investment using an agreed approach. Increased volunteer participation rates. Town staff hours result in greater return for time in volunteer management.

Comment

Assessment

In considering the proposal, the following is relevant:

- The office space requested is currently not being used to directly benefit the community other than for storage. The proposed use will provide the 5000meals Program with a central location to run their operation and facilitate volunteer and community engagement opportunities through the service, training and workshops.
- By partnering with the 5000meals Program, the Town will be supporting a State-wide education initiative. The venue will be used for networking for stakeholder engagement and creating promotional opportunities for the Town's community groups and volunteers.
- Many of the current volunteers of the 5000meals Program are Town residents. During COVID, through the Town's Volunteer Centre and Neighbour2Neighbour Facebook page, the *Food for the Soul Program* provided an opportunity for the community to be involved and strengthen community connections. Through the 5000meals Program, further engagement of volunteers in the Town will contribute to achieving social and mental health outcomes based on the Act Belong Commit principles.

Town Officers are of the view that the 5000meals Program will derive a considerable community benefit to the Town and it is a reasonable request for Council to consider allocating office space for a period of 12 months at no cost.

Evaluation of Outcomes

If Council supports a trial, it is recommended that it be for 12 months commencing from 1 October 2020 with the 5000meals Program to submit an evaluation report in August 2021 outlining the following:

- Volunteer participation rates;
- Training and workshops delivered to strengthen the Town's community;
- Partnerships and projects with local community groups and schools;
- Promoting the Town's partnership with the 5000meals Program; and
- Engaging a diverse range of community members.

Statutory Requirements

Local Government Act 1995

Financial Considerations

The office space requires painting of the walls and ceiling and carpet cleaning. The total cost is estimated to be \$2,000 and can be covered as maintenance as part of the operational budget for the Bassendean Seniors and Community Centre.

Utility costs incurred for power and water are considered to be low and can be absorbed into the operating costs of the facility.

Risk Management Implications

As part of the Town's standard property management practices, it is proposed that an agreement be developed outlining roles and responsibilities on using the office space and accessing the Bassendean Seniors and Community Centre, as well as indemnifying the Town of any costs in the event of negligent damage. A public liability insurance Certificate of currency and proof of incorporation will also be required.

Based on the above, the subject issue represents a low risk to Council.

Officer Recommendation – Item 12.4

That Council approves the use of the office space in the Bassendean Seniors and Community Centre for the 5000meals Program at no cost for one year being from 1 October 2020 to 30 September 2021, subject to:

1. The 5000meals Program indemnifying the Town from any liability and provides a copy of current insurance certificates;
2. The 5000meals Program ensuring that any of their own equipment used on the premises complies with the requirements of the Occupation Health and Safety Act and has been certified by a qualified electrician; and follow the Town's policy and procedure for regular hirers;
3. The 5000meals Program acknowledging the Town in its promotion/branding for its contribution; and
4. Compliance with Council Policy 2.15 – Single Use Plastics & Balloons.

Voting requirements: Simple Majority

Item No. 12.5	Local Planning Policy No. 7 – Local Shopping Centre Zone Design Guidelines
Property Address	N/A
Landowner/Applicant	N/A
Ref	LUAP/POLCY/12
Previous Council Reports (if applicable)	
Directorate	Community Planning
Decision Type	Legislative
Authority/Discretion	
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Attachment No. 5	<ul style="list-style-type: none"> Local Planning Policy No. 7 – Local Shopping Centre Zone Design Guidelines Draft Local Planning Policy – Commercial and Mixed Use Development.

Purpose

The purpose of this report is for Council to consider amending Local Planning Policy No. 7 – Local Shopping Centre Zone Design Guidelines (LPP 7).

Background

LPP 7 was adopted by Council in 2008 and was intended to promote and maintain a high standard of commercial development and strong retail hierarchy within the Town. Notwithstanding the intent of the policy, it contains development controls only and does not prescribe a maximum retail floor space for each commercial site within the Town, which would otherwise be used to establish a hierarchy of centres. LPP 7 is attached.

Draft Local Planning Scheme No. 11 (LPS 11) proposes to remove the general development requirements relating to commercial development from the Scheme, with development standards instead contained within a LPP. As such, it is necessary to ensure the relevant LPP is updated.

Proposal

A copy of the draft policy is also attached. Details of the draft policy are discussed in the following sections.

Communication and Engagement

The draft policy was presented to the Design Bassendean Advisory Group on 8 July 2020, with comments required by 24 July 2020. No comments were received.

Should Council proceed with the draft policy, the *Planning and Development (Local Planning Schemes) Regulations 2015* require a notice advising of the proposed policy to be prepared by the local government and published in a newspaper circulating the Scheme area.

Strategic Implications

Strategic Priority 1: Strengthening and Connecting our Community

Direction	Potential Strategies	What Success Looks Like
Fostering a culture of collaboration and trust between the organisation and community	<ul style="list-style-type: none"> Provide opportunity to listen and involve our community in decisions that affect them 	<ul style="list-style-type: none"> Greater community support for decision making
Supporting healthy lifestyles throughout our Town	<ul style="list-style-type: none"> Improve functionality of amenities and lifestyle options Improve walkability and cycle-ability, including through infrastructure improvements 	<ul style="list-style-type: none"> Increased use of public open spaces and other amenities Improved health and wellbeing of residents

Comment

Application

The draft policy applies to all land zoned 'Local Shopping' under Local Planning Scheme No. 10. The 'Local Shopping' zone is not a model zone under the *Planning and Development (Local Planning Schemes) Regulations 2015*, with the relevant model zone being either the 'Commercial' or 'Mixed Use' zones. Draft LPS 11 proposes the use of the model zones for consistency with the Regulations, and as such, the application section of the draft policy will need to be updated to refer to the revised zone names once draft LPS 11 receives final approval by the Minister for Planning.

It should be noted that the Regulations allow the local government to make an amendment to a LPP without advertising the amendment if, in the opinion of the local government, the amendment is minor. The modification to update the names of the zones would be considered a minor amendment and not require further advertising.

Mixed Use Development

Whilst Local Planning Scheme 10 (LPS 10) provides for residential development on land zoned 'Local Shopping', no provisions for the assessment of mixed use development proposals are provided in LPP 7. Given draft LPS 11 retains the ability to develop mixed use on commercial and mixed use zoned land, LPP 7 needs to be updated to provide guidance in this respect.

State Planning Policy 7.3 – Residential Design Codes – Volume Two – Apartments, was gazetted on 24 May 2019 and is now the primary statutory instrument used for the assessment of mixed use development. It applies to the development of all multiple dwellings in areas coded R40 and above (including the dwelling components of mixed use development and activity centres).

As such, the draft policy makes reference to this document for the assessment of applications for mixed use development.

Retail Hierarchy

As previously advised, LPP 7 does not currently prescribe a maximum retail floor space for each 'Local Shopping' zoned site within the Town, which would otherwise be used to establish a hierarchy of centres.

Given the size and amount of existing 'Local Shopping' zone land, and that the proposed 'Mixed Use' zone would allow for development of both commercial and residential development (thereby potentially reducing the amount of commercial floor space in any development), the Town does not consider that retail floor space caps are required.

In the event that a proposed development could significantly impact the economic viability of existing centres, the Town can request a retail needs assessment and will assess the proposal against the requirement of State Planning Policy 4.2 – Activity Centres Policy.

Built Form

To improve built form outcomes, provisions relating to building articulation and presentation have been included, as well as requiring the entry to the development to be clearly identifiable from the street. A higher standard of built form outcome is achieved through the use of a varying building designs and materials.

Renewable energy systems have also been referenced in the draft policy to encourage sustainable development, both via energy systems and the provision of rainwater tanks, and capacity to retrofit electric vehicle charging points.

Façades

A key component of Crime Prevention through Environmental Design is ensuring natural surveillance of spaces is provided. Blank façades should be avoided as they can create a sense of isolation. To ensure that a commercial, interactive frontage is available to the development, minimum requirements for transparency in the façade and visual permeability of security devices have been proposed.

Setbacks

The draft policy retains the ability to determine setbacks having regard to the impacts of the development on the streetscape, and the provision of adequate parking and landscaped areas. Flexibility is considered appropriate in this regard to ensure good design outcomes are achieved.

Parking

Provisions relating to parking have been expanded to include access requirements and end-of trip facilities.

Turning movements of vehicles within developments sites can often conflict with pedestrian thoroughfares. The inside of showrooms or warehouses can be proposed to be used for manoeuvring space for vehicles if limited external space is available, which in practicality will not occur; resulting in insufficient area for vehicles to safely turn. The draft policy specifies that manoeuvring areas must be exclusive of car parking bays and the interior of buildings, with clear pedestrian paths that are separate to access and car parking areas.

In regards to end of trip facilities, whilst LPS 10 requires bicycle parking bays, the Town will undertake a review of Local Planning Policy No.8 – Parking Specifications, to require end of trip facilities such as showers and change rooms to service commercial and mixed use developments. Reference to LPS 10, any other policy and relevant Australian Standards as outlined in the draft policy will capture these requirements, with these references to be updated once draft LPS 11 receives final approval.

Landscaping

The minimum amount of landscaping required by LPP 7 has been increased, with additional requirements in the draft policy to specify maintenance requirements and the provision of shade trees in the verge and at a ratio of 1 per 4 car parking bays.

Servicing

Whilst the actual collection and management of waste is dealt with via a waste management plan (required as a condition of development approval), the storage and refuse area requirements of LPP 7 have been expanded to include the requirements of concrete floors, floor wastes and hose cocks to allow bin store areas to be washed out to be incorporated into the design. This can reduce odour nuisance to neighbouring properties.

The existing provision relating to open storage purposes has been removed, as open air display is a separate land use that would require development approval. Conditions can be imposed on any approval should the Town consider it likely that goods may be displayed in the verge or car parking areas.

Signage

To reduce the proliferation of signage and to ensure signs do not cause a distraction to drivers or become a nuisance, design requirements for signage have been included in the draft policy. Signs will be required to be integrated into the building design and not flash, pulsate or rotate etc. to cause a safety or nuisance issue.

Fencing and Screening

To provide an appropriate interface to existing or proposed residential development, a new provision has been included in the draft policy to require the construction of a masonry or similarly constructed wall or fence not less than 2 metres in height and screened by trees and shrubs.

Reducing fencing elsewhere to ensure ease of access to commercial centres and for natural surveillance and sight lines to be retained is also required.

Lighting

Effective lighting of developments not only provides adequate visibility of commercial businesses at night, but when strategically located, can also have a substantial impact on reducing the perception of crime. Consideration is to be given to design proposals to take into account the night time use of the outdoor spaces and specify the type, placement and intensity of lighting. The draft policy requires lighting under publicly accessible awnings and rear laneways, with sustainable energy efficient LED lighting required.

Subdivision

With the exception of built-strata subdivision, to ensure lot sizes are sufficient to accommodate appropriately sized tenancies, the draft policy requires subdivision to be supported by an approved development demonstrating site layout and design. This will ensure 'Local Shopping' zoned sites are not further fragmented and high quality design and the required provision of car parking and landscaped areas can be provided.

Statutory Requirements

If the local government resolves to amend a local planning policy the local government must, unless the Western Australian Planning Commission otherwise agrees, advertise the proposed policy as follows:

- “(a) *publish a notice of the proposed policy in a newspaper circulating in the Scheme area, giving details of –*
- (i) the subject and nature of the proposed policy; and*
 - (ii) the objectives of the proposed policy; and*
 - (iii) where the proposed policy may be inspected; and*
 - (iv) to whom, in what form and during what period submissions in relation to the proposed policy may be made;*
- (b) if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;*
- (c) give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.”*

Financial Considerations

The cost of publishing a notice in a newspaper circulating in the district can be met through Council's approved operational budget.

Risk Management Implications

The risk of not proceeding is that the Local Planning Policy will not be improved and it may compromise future built form outcomes.

Officer Recommendation - Item 12.5

That Council, pursuant to Clause 5(1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, advertises draft Local Planning Policy No.7 – Commercial and Mixed Use Development.

Voting requirements: Simple majority

Item No. 12.6	Councillor Training and Professional Development Policy
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref/ROC	
Previous Council Reports (if applicable)	
Directorate	Chief Executive
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans, reports and strategies, accepting tenders, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 6	<ul style="list-style-type: none"> • Councillor Training and Professional Development Draft Policy • Councillor Professional Development Policy • Councillors Allowances and Expenses Policy

Purpose

The purpose of this report is for Council to consider the adoption of the proposed Councillor Training and Professional Development Policy.

Background

The Town is currently reviewing its policy manual to ensure that all Council policies are relevant, useful and up to date. Council policies are required to assist with the efficient running of the local government and to address and provide guidance on matters within the district.

Amendment was made in 2019 to the *Local Government Act 1995* that requires all local governments to prepare and adopt a policy in relation to the continuing professional development of elected members and adopt it as a requirement under the *Local Government Act 1995*.

The current Councillor Professional Development Policy that was adopted by Council in September 2017, does not take into consideration the mandatory training requirements that now appear in the Act nor specifically provides a framework for authorising Councillor training. Further, it was considered that amendment to the current policy would be extensive to ensure compliance with the amendments. As a result, it was determined that a new policy be drafted providing a transparent and accountable framework to Councillor training and professional development.

Proposal

That Council adopts the proposed Councillor Training and Professional Development Policy as required under section 5.128 of the *Local Government Act 1995*.

5.128. Policy for continuing professional development

(1) A local government must prepare and adopt a policy in relation to the continuing professional development of council members.*

** Absolute majority required.*

(2) A local government may amend the policy.*

** Absolute majority required.*

(3) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.

(4) The CEO must publish an up-to-date version of the policy on the local government’s official website.

(5) A local government —

(a) must review the policy after each ordinary election; and

(b) may review the policy at any other time.

Communication and Engagement

The proposed policy was provided to the Corporate Management Committee for consideration and feedback. Submissions received were considered and where required amendment was undertaken.

Strategic Implications

Priority Area 6: Providing Visionary Leadership and Making Great Decisions

Direction	Potential Strategies	What Success Looks Like
Reinforce a culture of collaboration, trust and demarcation between	<ul style="list-style-type: none"> Build understanding and support for the vision and Strategic Community Plan 	SHORT TERM

<p>Council, administration and the community</p>	<ul style="list-style-type: none"> • Demonstrate clear connections between the Strategic Community Plan, project and business as-usual services and operations • Create an organisational culture of performance, innovation and excellence • Develop shared values between Council, administration and the community 	<ul style="list-style-type: none"> • Openness and transparency of decision making • Enhanced staff morale • Staff have appropriate strategic direction • Agreement on the link between projects and Strategic Community Plan <p>General alignment regarding values</p>
<p>Foster an environment of innovation and leadership</p>	<ul style="list-style-type: none"> • Foster an environment of innovation, where people are encouraged to contribute • Foster leadership: harness the talent of individuals • Recognise and reward innovation and leadership 	<p>SHORT TERM</p> <ul style="list-style-type: none"> • Councillors and staff feel empowered to make appropriate decisions • Professional development for staff and councillors • Inductions to professional networks <p>LONG TERM</p> <ul style="list-style-type: none"> • Recognition of excellence by other organisations

Comment

The *Local Government Act 1995* requires a local government to prepare and adopt a policy related to the continuing professional development of elected members. The policy requires adoption by an absolute majority. Once adopted, the policy is required to appear on the Town's website.

The proposed policy creates a comprehensive framework for Councillor attendance at training and professional development. It covers the requirements of mandatory training as well as continuing professional development.

The proposed policy provides a framework around Councillors' participation in continuing professional development, including attendance at metropolitan and regional intrastate courses, interstate and overseas courses. It ensures that any future attendance and involvement by Councillors at such courses is to be in accordance with the framework established under the policy. The framework requires a Councillor applying to attend a continuing professional development course to provide justification for the attendance and to align their application with relevance to the Councillor's professional development needs and the needs of the Town of Bassendean. This ensures transparency of decision-making and accountability on the part of the Councillor in their application to partake of professional development, and accountability on the Town in approving or not approving the application.

As with all expenditure of public monies, any decision is to be based on objective criteria and be in the interests of the district. A decision will also need to be based on the availability of funds and be reasonably and equitably apportioned.

The proposed policy also includes direction on the Town's liability to pay for the expenses incurred by an accompanying person. The proposed policy clearly establishes that any costs associated with an accompanying person will need to be covered by the attending Councillor as a private expense or by that person. An application for a person to accompany a Councillor will need to be approved at the time the Councillor is making the application for continuing professional development.

The exception is that where a Councillor has a disability as defined under the *Disability Services Act 1993* and, the accompanying person provides ongoing care and assistance to the Councillor, these expenses will be paid for by the Town. This ensures that the Town meets its obligations for inclusiveness under its Disability and Inclusion Access Plan.

At the Briefing Session held on 22 September 2020, the issue of reimbursement of child care expenses to an elected member for attendance at training or continuing professional development was raised. It is noted that Council in September 2017 in its Councillor Allowances and Expenses Policy extended child care costs to include authorised training by councillors. The current policy has been amended to reflect that policy.

Statutory Requirements

Local Government Act 1995 section 5.128
Local Government (Administration) Regulations 1996 regulation 35 and 36.

Financial Considerations

A budget is approved by Council annually providing for the professional development of Councillors.

Risk Management Implications

The Town is required under the *Local Government Act 1995* to prepare and adopt a policy in relation to the continuing professional development of elected members, failure to do so places the Town in contravention of its statutory requirement under the Act.

Officer Recommendation – Item 12.6

That Council:

1. adopts the proposed Councillor Training and Professional Development Policy as contained in and the attachment; and
2. **repeals the Councillor Professional Development Policy dated September 2017.**

Voting requirements: Absolute majority

Item No. 12.7	Appointment of Acting Chief Executive Officer Policy
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref/ROC	GOVR/POLCY/1
Previous Council Reports (if applicable)	
Directorate	Chief Executive
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans, reports and strategies, accepting tenders, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 7	<ul style="list-style-type: none"> • Chief Executive Officer and Executive Officers Employment Policy • Appointment of an Acting Chief Executive Officer Draft Policy

Purpose

The purpose of this report is for Council to consider the adoption of the proposed Appointment of an Acting Chief Executive Officer Policy, and the revocation of the current Chief Executive Officer and Executive Officers Employment Policy.

Background

The Town is currently reviewing its policy manual to ensure that all Council policies are relevant, useful and up to date. Council policies are required to assist with the efficient running of the local government and to address and provide guidance on matters within the district. Recently, the CEO applied for a period of leave to Council which under the policy and in the absence of any other guidance, required a formal report to be tabled at the Ordinary Council Meeting. No formal mechanism for the CEO to make the appointment of an Acting CEO had previously been established at the Town. The current policy does not allow for this to occur and was of limited assistance in dealing with this matter. It was deemed appropriate to

review the current policy and develop a new policy to replace it that would improve the efficiency in making an Acting appointment.

Proposal

It is proposed to revoke the Chief Executive Officer and Executive Officers Employment Policy and to replace it with the Appointment of an Acting Chief Executive Officer Policy.

Communication and Engagement

The proposed policy was presented at the Corporate Management Committee meeting for consideration and feedback. The feedback received was noted and amendments were made.

Strategic Implications

Priority Area 6: Providing Visionary Leadership and Making Great Decisions

Direction	Potential Strategies	What Success Looks Like
Reinforce a culture of collaboration, trust and demarcation between Council, administration and the community	<ul style="list-style-type: none"> • Build understanding and support for the vision and Strategic Community Plan • Demonstrate clear connections between the Strategic Community Plan, project and business as-usual services and operations • Create an organisational culture of performance, innovation and excellence • Develop shared values between Council, administration and the community 	SHORT TERM <ul style="list-style-type: none"> • Openness and transparency of decision making • Enhanced staff morale • Staff have appropriate strategic direction • Agreement on the link between projects and Strategic Community Plan • General alignment regarding values
Foster an environment of innovation and leadership	<ul style="list-style-type: none"> • Foster an environment of innovation, where people are encouraged to contribute • Foster leadership: harness the talent of individuals • Recognise and reward innovation and leadership 	SHORT TERM <ul style="list-style-type: none"> • Councillors and staff feel empowered to make appropriate decisions • Professional development for staff and councillors • Inductions to professional networks LONG TERM <ul style="list-style-type: none"> • Recognition of excellence by other organisations

Comment

Under the *Local Government Act 1995* section 5.36 –

- (1) A local government is to employ—
 - (a) a person to be the CEO of the local government;
- (2) A person is not to be employed in the position of CEO unless the council—

- (a) believes that the person is suitably qualified for the position; and
- (b) is satisfied with the provisions of the proposed employment contract.

It is for Council to be satisfied that the person who is employed in the position of CEO is suitably qualified for the position. Under the Act, it is for the CEO to determine that any other employee of the local government is suitably qualified for their position.

On this basis, Council would ultimately be responsible for the appointment of a person Acting in the role of the CEO, and the CEO would be responsible for the appointment of officers acting in higher roles within the Administration. However, it is available to Council to create a policy surrounding the appointment of an Acting CEO which allows for the efficiency of government whilst also maintaining its role in appointing an Acting CEO.

The proposed policy seeks to implement this. The proposed policy establishes that all requests for leave made by the CEO, except those periods of unexpected leaves of absence, shall be approved by the Mayor who is the ultimate representative of the Council body. All approved leave shall be communicated to the Council as a whole through the CEO Bulletin.

The proposed policy provides that where the CEO has approved leave for a period of up to 6 weeks, officers holding the position of Director are deemed appropriate officers to act in the position of CEO. The CEO is required to advise Council in writing of the appointment and the period to which the appointment applies.

The policy establishes that Council deems that officers who are appointed to the role of a Director are suitably qualified to perform the role of Acting CEO. Council maintains and has discharged its authority to approve persons to the role of CEO whilst also allowing for efficiency in the governance structure at the Town.

Any period of leave that exceeds 6 weeks requires the approval of the Council through a resolution.

The proposed policy covers unexpected leave or vacancy by providing a line of succession until Council is able to formally approve an Acting CEO.

Statutory Requirements

Local Government Act 1995 section 5.36.

Financial Considerations

Nil.

Risk Management Implications

The current policy does not adequately address the issue of the Appointment of an Acting Chief Executive Officer. Under the policy, the CEO is required to formally present to an Ordinary Council Meeting, all applications of proposed leave and appointment of an Acting CEO to Council where that period of leave is greater than 5 working days in duration. This would include any periods of unforeseen leave made by the CEO. The application of the policy does not lend itself to the efficient and seamless running of the organisation whereby minor periods of leave are required to be formally resolved by Council at a meeting. The risk may be that no officer is appointed to the role of Acting CEO until a Special Meeting of Council is called to determine the issue. However, unlikely, it may mean that some aspects of the business may not be undertaken where it is required that only the CEO may act on that responsibility/requirement. The policy addresses these instances, while acknowledging that the role of appointment of a suitable person to the position of a CEO resides with the Council.

Officer Recommendation – Item 12.7

That Council:

1. revokes the Chief Executive Officer and Executive Officers employment Policy; and
2. adopts the proposed Appointment of an Acting Chief Executive Officer Policy as attached.

Voting requirements: Absolute majority

Item No. 12.8	Monthly Financial Report – August 2020
Property Address (if applicable)	n/a
Landowner/Applicant (if applicable)	n/a
File Ref/ROC	FINM/AUD/1
Previous Council Reports (if applicable)	n/a
Directorate	Corporate Services
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 8	Financial Statements

Purpose

The purpose of this report is for Council to consider the monthly financial report for August 2020.

Background

The Local Government (Financial Management) Regulations 1996, Regulation 34, requires that a statement of financial activity be prepared each month and presented to Council.

The statement of financial activity is to show a comparison of the budget estimates with the actual revenue and expenditure figures for the year to date and can be presented by nature and type classification, program or Business Unit. The statement of financial activity hereby presented to Council is by nature and type classification and by program.

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

Each year Council is required to adopt a percentage or value to be used in statements of financial activity for reporting material variances. Council adopted \$5,000 or 10% whichever is higher, as part of its 2020-21 Annual Budget.

Proposal

That Council receive the monthly financial report for August 2020.

Communication and Engagement

Nil.

Strategic Implications

Priority Area 6: Providing visionary leadership and making great decisions

Direction	Potential Strategies	What Success Looks Like
Reinforce a culture of collaboration, trust and demarcation between Council, administration and the community	<ul style="list-style-type: none"> Build understanding and support for the vision and Strategic Community Plan Demonstrate clear connections between the Strategic Community Plan, project and business as-usual services and operations Create an organisational culture of performance, innovation and excellence Develop shared values between Council, administration and the community 	<p>SHORT TERM</p> <ul style="list-style-type: none"> Openness and transparency of decision making Enhanced staff morale Staff have appropriate strategic direction Agreement on the link between projects and Strategic Community Plan General alignment regarding values

Comment

The Statement of Financial Activity attached represents the adopted 2020-21 Annual Budget estimates and actual income and expenditure amounts for the month ending 31 August 2020.

Statement of Financial Activity (by nature or type)

The Statement of Financial Activity provides 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.

Item	Annual Budget	YTD Budget	YTD Actual	Variance to YTD Budget
	\$m	\$m	\$m	%
Revenue	22.9	17.6	17.5	(0.61%)
Expenditure	26.9	4.3	2.6	40.76%
Capital Works	6.4	1.3	0.1	91.00%
Non-Operating Grants, Subsidies and Contributions	1.8	0.1	0.1	(18.86%)

Operating Revenue

Revenue year to date is 0.61% below budget.

Interest earnings are under budget due to timing of late payment interest on rates and investment income. An accrual was also processed in July for interest earned to 30 June 2020.

Other revenue is under budget due to insurance premiums not yet paid. The revenue is the insurance surplus which will be used as a contribution credit that will reduce our premiums paid.

Operating Expenditure

Expenditure year to date is 40.76% under budget. Depreciation is still to be processed and the first instalment for insurance premiums will be paid in September.

Employee costs are under the year to date budget. An allowance for enterprise bargaining negotiations is included in the budget for 2020/21. Also, wage accruals for June 2020 were processed in July 2020.

Materials and contracts are under budget due to timing of rubbish collection charges, reserve maintenance, road and footpath maintenance, the street tree program and operational projects.

Utility charges are under the year to date budget due to timing of street lighting charges and the Hyde Retirement Village.

Capital Works

Expenditure on capital projects is under budget due to timing.

Cash backed reserves

The closing balance of the cash backed reserves at 31 August 2020 is \$6.4 million. The reserve summary shows all movements to and from reserve deriving the expected closing balance. The report provides information on Town's ability to allocate funds for future projects by providing a closing balance comparison to budget.

Statement of Financial Position

Town of Bassendean has current assets of \$31.5 million. The major components of which are cash and cash equivalents of \$13.4 million and trade and other receivables of \$18.1 million (includes rate debtors). There are current liabilities of \$7.4 million. The major components are trade and other payables (includes bonds and deposits) of \$5.2 million and employee provisions of \$2.3 million.

Statement of Cash Flows

Net cash used in operating activities is \$0.7 million and net cash provided by investing activities \$0.9 million.

Monthly Investment Report

The overall balance of Town's investments is \$9.5 million. This is comprised of municipal investments of \$2.4 million (including restricted bonds and deposits), reserve investments of \$6.4 million and trust investments (public open space) of \$0.7 million.

The administration uses *Marketforces.org.au* to assist in assessing whether a bank promotes non-investments in fossil fuel related entities. The Town currently has 58% of its funds invested in non-fossil fuel ADIs. This will increase as cash is received from the payment of rates.

Statutory Requirements

Local Government (Financial Management) Regulations 1996.

Financial Considerations

The monthly financial report provides an overview of income and expenditure for the appropriate period. There are no direct financial implications arising from this report.

Risk Management Implications

Nil.

Officer Recommendation – Item 12.8

That Council receive the Financial Report for August 2020.

Voting requirements: Simple majority

Item No. 12.9	Accounts Paid – August 2020
Property Address (if applicable)	n/a
Landowner/Applicant (if applicable)	n/a
File Ref/ROC	FINM/CREDTS/4
Previous Council Reports (if applicable)	n/a
Directorate	Corporate Services
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 9	List of Accounts

Purpose

The purpose of this report is for Council to receive the list of payments for August 2020.

Background

Payments made during August 2020 are presented to Council, showing the date, payee, amount and description in respect of each payment for goods and services received.

Proposal

That Council receive the list of payments for August 2020.

Communication and Engagement

Nil.

Strategic Implications

Priority Area 6: Providing visionary leadership and making great decisions

Direction	Potential Strategies	What Success Looks Like
Reinforce a culture of collaboration, trust and demarcation between Council, administration and the community	<ul style="list-style-type: none"> • Build understanding and support for the vision and Strategic Community Plan • Demonstrate clear connections between the Strategic Community Plan, project and business as-usual services and operations • Create an organisational culture of performance, innovation and excellence • Develop shared values between Council, administration and the community 	<p>SHORT TERM</p> <ul style="list-style-type: none"> • Openness and transparency of decision making • Enhanced staff morale • Staff have appropriate strategic direction • Agreement on the link between projects and Strategic Community Plan • General alignment regarding values

Comment

Nil.

Statutory Requirements

The Local Government (Financial Management) Regulations 1996, Regulation 13, requires a list of accounts paid by the CEO each month to be presented to Council at the next ordinary meeting of Council after the list is prepared.

Financial Considerations

All payments are authorised prior to disbursement in accordance with the Town’s Purchasing Policy, Procurement Guidelines and allocated budgets.

Risk Management Implications

Nil.

Officer Recommendation – Item 12.9

That Council receive the List of Payments for August 2020.

Voting requirements: Simple majority

Item No. 12.10	Use of Common Seal
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
File Ref/ROC	INFM/INTPROP/1
Previous Council Reports (if applicable)	Not applicable
Directorate	Chief Executive
Authority/Discretion <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment	Nil

Purpose

The purpose of this report is for Council to note the documents affixed with the Common Seal during the reporting period.

Background

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.

Proposal

Not applicable.

Communication and Engagement

Not applicable.

Strategic Implications

Priority Area 6: Providing visionary leadership and making great decisions

Direction	Potential Strategies	What Success Looks Like
Ensure operational activities reflect the strategic focus of Council	<ul style="list-style-type: none"> • Ensure clear communication and flow of information from decision makers to operational staff • Implement a framework on decision making that identifies delegated authority for different levels of decision 	SHORT TERM <ul style="list-style-type: none"> • Efficient and effective Council meetings • Outcomes-focused decision making (not process-focused) • More delegated authority to CEO on appropriate items to enable Council to focus on strategy

Comment

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

Document Sealed	Date Sealed
Landgate 70A Notification – 101 North Road, Bassendean – Lot 1 on Plan 2789	22 September 2020

Statutory Requirements

Affixing of the Common Seal is done in accordance with section 9.49A of the *Local Government Act 1995*

Financial Considerations

Not applicable

Risk Management Implications

Not applicable

Officer Recommendation – Item 12.10

That Council notes the affixing of the Common Seal during the reporting period.

Voting requirements: Simple majority

Item No. 12.11	Calendar for October 2020
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
File Ref/ROC	INFM/INTPROP/1
Previous Council Reports (if applicable)	
Directorate	Chief Executive
Authority/Discretion <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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Attachment	Nil

Purpose

The purpose of this report is for Council to consider the calendar for October 2020.

Background

Nil.

Proposal

Not applicable.

Communication and Engagement

Not applicable.

Strategic Implications

Priority Area 6: Providing visionary leadership and making great decisions

Direction	Potential Strategies	What Success Looks Like
Ensure operational activities reflect the strategic focus of Council	<ul style="list-style-type: none"> • Ensure clear communication and flow of information from decision makers to operational staff • Implement a framework on decision making that identifies delegated authority for different levels of decision 	<p>SHORT TERM</p> <ul style="list-style-type: none"> • Efficient and effective Council meetings • Outcomes-focused decision making (not process-focused) • More delegated authority to CEO on appropriate items to enable Council to focus on strategy

Comment

Calendar for October 2020:

Date	Time	Location	Meeting/ Event
Wed 7 October 2020	3.30pm	Council Chambers	Bassendean Local Emergency Management Committee
Tues 20 October 2020	6.00pm	Council Chambers	Briefing Session
Tues 27 October 2020	6.00pm	Council Chambers	Ordinary Council Meeting

Statutory Requirements

Not applicable.

Financial Considerations

Not applicable.

Risk Management Implications

Not applicable.

Officer Recommendation – Item 12.11

That Council adopt the calendar for October 2020.

Voting requirements: Simple majority

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13.1 Cr Wilson – Differential Rates and Rateable Properties on Minimum Rates

That the CEO:

1. Prepare a report for Council:
 - a) Outlining the requirements that a local government must meet in order for differential rates to be approved;
 - b) Providing an analysis of the percentage of rateable properties in all categories that are on the minimum rate; and
2. Convene a workshop for Councillors to discuss the report once it has been prepared.

OFFICER COMMENT

The requirements of the *Local Government Act 1995* (“LG Act”) and *Local Government (Financial Management) Regulations 1996* (“the Regulations”) may be summarised as follows:

- A local government may, by absolute majority, resolve to impose differential rates as part of the annual budget (section 6.32 of the LG Act).
- Differential rates may be based on zoning, land use, whether the land is vacant, situated in a townsite or in a particular district (section 6.33 of the LG Act; Reg 52A(2)).
- Provide budgeted revenue of between 90% and 110% of the estimated budget deficiency (section 6.34 of the LG Act).
- Ensure the minimum payment in any rating category is not imposed on more than 50% of properties in that category (section 6.35 of the LG Act; Reg 52).
- Comply with the advertising requirements of section 6.36 of the LG Act:
 - give local public notice, in the two months preceding the start of the financial year;
 - publish the objects and reasons for each proposed rate and minimum payment;
 - include details in the local public notice of each rate and minimum payment in the public notice and invite submissions, allowing at least 21 days;
 - advise in the public notice the place the objects and reasons can be inspected and that the objects and reasons are published on the website; and

- consider any submissions received.

Note 1(a) to the 2020/21 Annual Budget provides the rates and services charges budgeted for the current financial year. The imposition of a general rate of 8.323 cents in the dollar with a minimum payment of \$1,106 is expected to result in 2,397 of the 7,308 properties being subject to the minimum payment.

The breakdown of properties in different categories subject to the minimum payment is shown in the following table:

Rating category	Total number of properties	Number of properties on the minimum rate	Percentage of properties on the minimum rate
Industrial	271	3	1.11%
Industrial – Vacant	11	0	0%
Commercial	68	3	4.41%
Commercial – Vacant	7	0	0%
Residential	6,769	2,226	32.89%
Residential - Vacant	191	149	78.01%

The rates database used by the Town is based on land use, rather than zoning. The Town currently uses 51 land use codes. For the purpose of the above exercise, Rates staff created a test database and changed the land use codes to one of the above six rating categories. That required some judgment, for example for mixed-use properties, and involved 2.5 days of staff time. Where the land use was described as “residential/shop”, for example, it was considered “Commercial” for this exercise.

Differential rates imposed on the basis shown in the above table would, in the absence of approval from the Minister for Local Government, be unlawful, contravening section 6.35 of the LG Act by imposing the minimum rate on more than 50% of properties in the Residential – Vacant category.

It is clear from the above example that the minimum rate for vacant residential property will need to be lower than the present general minimum payment of \$1,106.

Should Council seek to impose differential rates for the 2021/22 financial year, careful consideration will be required to ensure compliance with the LG Act and that the objects and reasons clearly reflect the stated intent of Council.

A workshop to discuss differential rates is scheduled for 9 February 2021, in preparation for the start of the 2021/22 annual budget process. The workshop can be brought forward to occur in October or November 2020, should Council want to reschedule.

14.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

15.0 URGENT BUSINESS

16.0 CONFIDENTIAL BUSINESS

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

Item No. 16.1	Use of the Bassendean Seniors and Community Centre Kitchen for the Community Kitchen Pilot Program
Property Address (if applicable)	50 Old Perth Road, Bassendean
Landowner/Applicant (if applicable)	Town of Bassendean
File Ref	COUP/USAGE/7
Directorate	Community Planning
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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Confidential Attachment	Submitted Assessment Report

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.

17.0 **CLOSURE**

The next Briefing Session will be held on Tuesday 20 October 2020.

The next Ordinary Council meeting will be held on Tuesday 27 October 2020.