

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

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

ON TUESDAY 24 AUGUST 2021 AT 6.00PM

1.0 DECLARATION OF OPENING; ACKNOWLEDGEMENT OF COUNTRY; ACKNOWLEDGEMENT 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 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Since the July Council meeting, John Gangell has submitted his resignation from Council effective Friday 13 August 2021. John will be running for a seat on Council in the City of Swan and we wish him all the best for his future endeavours.

Five seats will be vacated at the upcoming elections for Bassendean. Nominations open on 2 September 2021 and close 9 September 2021. The caretaker period will take effect from 9 September 2021 until the local government elections.

The consultation around the Town Centre Master Plan is currently open. Details are on the Town website and there will also be a display at this weekend's markets.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Present

Councillors

Cr Renee McLennan, Mayor
Cr Kathryn Hamilton, Deputy Mayor
Cr Chris Barty
Cr Hilary MacWilliam
Cr Sarah Quinton
Cr Jai Wilson

Officers

Ms Peta Mabbs, Chief Executive Officer
Mr Paul White, Director Corporate Services
Mr Luke Gibson, Director Community Planning
Mr Phil Adams, Executive Manager Infrastructure
Ms Elizabeth Kania, Manager Governance & Strategy
Ms Donna Shaw, Manager Development & Place
Ms Rachael Mackey, Strategic Communications Officer
Mrs Amy Holmes, Minute Secretary

Public

Approximately five members of the public were in attendance.

Press

Nil

Leave of Absence

Council Resolution – Item 3.0 **OCM – 1/8/21**

MOVED Cr Wilson, Seconded Cr Hamilton, that Cr McLennan be granted a leave of absence from the commencement of the caretaker period on 9 September 2021 until the local government elections on 16 October 2021.

CARRIED UNANIMOUSLY 6/0

4.0 DECLARATIONS OF INTEREST

Cr Hamilton declared a proximity interest for Item 12.6 as her property adjoins a right of way.

5.0 PRESENTATIONS OR DEPUTATIONS

Nil

6.0 STATEMENTS BY MEMBERS OF THE PUBLIC ON AGENDA ITEM

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

7.0 QUESTIONS FROM MEMBERS OF THE PUBLIC

Nil

8.0 PETITIONS

Nil

9.0 CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held on 27 July 2021

Council Resolution/Officer Recommendation – Item 9.1(a)
OCM – 2/8/21

MOVED Cr Quinton, Seconded Cr Wilson, that the minutes of the Ordinary Council Meeting held on 27 July 2021, be received.

CARRIED UNANIMOUSLY 6/0

Council Resolution/Officer Recommendation – Item 9.1(b)
OCM – 3/8/21

MOVED Cr Wilson, Seconded Cr Barty, that the minutes of the Ordinary Council Meeting held on 27 July 2021, be confirmed as a true record.

CARRIED UNANIMOUSLY 6/0

10.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

Nil

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.
<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	Nil.

Council Resolution/Officer Recommendation – Item 11.1 **OCM – 4/8/21**

MOVED Cr Quinton, Seconded Cr McLennan, that Council notes that there are no External Committee or Organisation Minutes to consider within the reporting period.

CARRIED UNANIMOUSLY 6/0

12.0 REPORTS

12.1 Adoption of Recommendations En Bloc

It was agreed that items 12.2, 12.3, 12.5, 12.12, 12.13, 12.15, 12.16 & 12.17 be removed from the en-bloc table and considered separately.

Council Resolution/Officer Recommendation – Item 12.1 **OCM – 5/8/21**

MOVED Cr Hamilton, Seconded Cr Barty, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Meeting Agenda:

Item	Report
12.4	Draft Local Planning Strategy and Local Planning Scheme No. 11 – Progress update
12.8	Draft Amended Council Policy – Community Funding
12.9	Draft amended Council Policy - Community Awards

CARRIED UNANIMOUSLY 6/0

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

Item	Report
12.2	Jubilee Reserve Masterplan
12.3	Heritage Conservation Notice – 1 (Lot 223) River Street, Bassendean
12.5	Proposed Heritage Areas and Draft Local Planning Policy – Heritage and Character
12.6	Draft Rights of Way Strategy
12.7	Proposed Cats Local Law 2021
12.10	Supply, Preparation and Installation of Turf and Turf Renovation Services (RFT 03/2021)
12.11	Construction of Sandy Beach Reserve Play Space (RFT 01/2021)
12.12	Draft Property Management Policy and Community Leasing Framework
12.13	Councillor Information and Communications Technology (ICT) Policy
12.14	Review of Delegations Register
12.15	Quarterly Report for Period Ended 30 June 2021
12.16	Common Seal
12.17	Calendar for August/September 2021
16.1	Eastern Metropolitan Regional Council Establishment Agreement
16.2	Regional Waste Collection Services
16.3	CEO Key Performance Indicators 2021/2022

Item No. 12.2	Jubilee Reserve Masterplan
Property Address	N/A
Landowner/Applicant	N/A
Ref	CINDEV/REPRPNG/3
Directorate	Community Planning
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 & 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 permits, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment 2	Draft Jubilee Reserve Masterplan

Purpose

The purpose of this report was for Council to consider adopting the draft Jubilee Reserve Masterplan.

Cr Hamilton moved the officer recommendation with an amendment to point 4 as shown in bold.

Council Resolution/Officer Recommendation – Item 12.2 **OCM – 6/8/21**

MOVED Cr Quinton, Seconded Cr Barty, that Council:

1. Adopts the draft Jubilee Reserve Masterplan;
2. Notes that the detailed design of any future facility will be subject to a Council decision and will be based upon, but not necessarily the same as, the concept design contained within the Jubilee Reserve Masterplan;
3. Is prepared to consider up to 25% (capped at \$2 million) to the implementation of the Jubilee Reserve Masterplan, as it relates to the replacement of the existing Stan Moses Pavilion and the improvements to the immediate surrounds of the proposed new building (including lighting), with the remaining funds to be sourced from external sources;

4. Requests that the Chief Executive Officer advocate for external funding to enable the implementation of the Jubilee Reserve Masterplan funding from **including but not limited to** the Federal and State Governments; and
5. Advises that the future implementation of the Jubilee Reserve Masterplan, as it relates to the Bassendean Caledonian Soccer Clubrooms, will depend on financial resources, user demand and prioritisation relative to other projects, and will be subject to a further review of proposed design.

CARRIED UNANIMOUSLY 6/0

Item No. 12.3	Heritage Conservation Notice – 1 (Lot 223) River Street, Bassendean
Property Address	1 (Lot 223) River Street, Bassendean (Success Hill Lodge)
Landowner/Applicant	Michael John Murphey
Ref	DABC/BDVAPPS/2011-224
Directorate	Community Planning
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 type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input checked="" 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 permits, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment	Nil.

Purpose

The purpose of this report was for Council to consider giving a heritage conservation notice (HCN) to the owner of 1 (Lot 223) River Street, Bassendean (Success Hill Lodge), to ensure the maintenance and conservation of the heritage place.

Council Resolution/Officer Recommendation – Item 12.3
OCM – 7/8/21

MOVED Cr Hamilton, Seconded Cr Quinton, that Council, in accordance with Clause 13(2) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, gives the landowner of 1 (Lot 223) River Street, Bassendean (Success Hill Lodge), a Heritage Conservation Notice requiring the landowner to obtain development approval for, and thereafter carry out, the following specified repairs to the heritage place in accordance with the Conservation Management Strategy (dated 17 May 2019), to be completed by 30 June 2022:

- Repairs to the Dining Room west wall (internally and externally);
- Repairs to the double hung windows to the Dining Room;
- Reconstruction and stabilisation works, and removal of air vent pipes to the verandah; and
- Investigation and treatment for termite control.

CARRIED 4/2

Crs Hamilton, Quinton, McLennan & MacWilliam voted in favour of the motion. Crs Barty & Wilson voted against the motion.

Item No. 12.4	Draft Local Planning Strategy and Local Planning Scheme No. 11 – Progress update
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref	LUAP/PLANNG/24
Directorate	Community Planning
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 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 permits, 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.
<input checked="" type="checkbox"/> Information	For the Council/Committee to note.
Attachment	Nil.

Purpose

The purpose of this report was for Council to note the status of the draft amended Local Planning Strategy and draft Local Planning Scheme No. 11 (LPS 11).

Council Resolution/Officer Recommendation – Item 12.4

OCM – 8/8/21

MOVED Cr Hamilton, Seconded Cr Barty, that Council notes the status update on the draft amended Local Planning Strategy and draft Local Planning Scheme No. 11.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-5/8/21 6/0

Item No. 12.5	Proposed Heritage Areas and Draft Local Planning Policy – Heritage and Character
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
Ref	LUAP/POLCY/24
Directorate	Community Planning
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 & 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 permits, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment No. 3	Draft Local Planning Policy – Heritage and Character

Purpose

The purpose of this report was for Council to consider designating Heritage Areas and to consider a new Local Planning Policy – Heritage and Character, for the purposes of advertising.

Cr Wilson moved the officer recommendation with the addition of a Point 3.

Council Resolution/Officer Recommendation – Item 12.5
OCM – 9/8/21

MOVED Cr Wilson, Seconded Cr Hamilton, that Council:

1. Pursuant to Clause 9(3) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, advertises the proposed Old Perth Road Heritage Area, Devon Road Heritage Area and Kenny Street Heritage Area as shown on the attached map;
2. Pursuant to Clause 5(1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, advertises the draft Local Planning Policy - Heritage and Character Conservation, as attached to this report; and
3. **Requests the Town produce a visual reference guide to assist the community to understand and comply with the design elements of the policy.**

CARRIED UNANIMOUSLY 6/0

Item No. 12.6	Draft Rights of Way Strategy
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref	ROAD/STMNGT/4
Directorate	Community Planning
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 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 permits, 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.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment No. 4	Draft Rights of Way Strategy Existing Council Policy 1.20 – Right of Way Closure

Cr Hamilton declared a proximity interest and left the meeting at 6.45pm.

Purpose

The purpose of this report was for Council to consider a draft Rights of Way (ROW) Strategy for the purpose of advertising.

Cr McLennan moved the officer recommendation with an amendment as shown in bold.

Council Resolution/Officer Recommendation – Item 12.6 **OCM – 10/8/21**

MOVED Cr McLennan, Seconded Cr Quinton, that Council adopts the draft Rights of Way Strategy, for the purposes of advertising, **subject to it being modified, to the satisfaction of the Chief Executive Officer, to remove any references to the need for ceding land or the widening of any existing Rights of Way.**

CARRIED 4/1

Crs McLennan, Quinton, Barty & MacWilliam voted in favour of the motion. Cr Wilson voted against the motion.

REASON: Council does not support the ceding of land for the purpose of widening Rights of Way.

Cr Hamilton returned to the meeting at 6.59pm.

Item No. 12.7	Proposed Cats Local Law 2021
Property Address	N/A
Landowner/Applicant	N/A
Ref	LAWE/LOCLWS/2
Directorate	Community Planning
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 & 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 permits, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment No. 5	Responsible Cat Ownership Local Law Draft Cats Local Law 2021 Schedule of Submissions

Purpose

The purpose of this report was for Council to consider making the Town of Bassendean Cats Local Law 2021.

Council Resolution/Officer Recommendation – Item 12.7

OCM – 11/8/21

MOVED Cr Wilson, Seconded Cr Barty, that Council:

1. In accordance with Section 3.12(4) of the *Local Government Act 1995*, makes the Town of Bassendean *Cats Local Law 2021*, as attached, and authorises the Common Seal to be affixed to the local law;
2. Notes the progression of the remaining actions to finalise the local law adoption process as detailed in Section 3.12 of the *Local Government Act 1995*; and
3. Notes that the Town will engage the DPLH in discussions regarding resourcing and management of the Ashfield Flats as it relates to feral foxes and cats, dogs and mosquitos, and the potential drafting of a Memorandum of Understanding for the shared use of resources in this respect.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item No. 12.8	Draft Amended Council Policy – Community Funding
Property Address (if applicable)	NA
Landowner/Applicant (if applicable)	NA
File Ref/ROC	
Previous Council Reports (if applicable)	Nil.
Directorate	Community Planning
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.
<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">• Council Policy 1.18 - Financial Incentives for Municipal Heritage Inventory Listed Buildings• Council Policy 4.4 - Fee For Service, Community Groups, Public Events• Council Policy 5.16 - Use of Community Facilities• Council Policy 6.11 - Sponsorship and Grants• Draft Council Policy – Community Funding

Purpose

The purpose of this report was for Council to consider adopting a new Council Policy – Community Funding and revoking the following existing Council Policies:

- Council Policy 1.18 - Financial Incentives for Municipal Heritage Inventory Listed Buildings Policy (CP 1.18)
- Council Policy 4.4 - Fee For Service, Community Groups, Public Events Policy (CP 4.4)
- Council Policy 5.16 - Use of Community Facilities Policy (CP 5.16)
- Council Policy 6.11 – Sponsorship and Grants (CP 6.11)

Council Resolution/Officer Recommendation – Item 12.8 **OCM – 12/8/21**

MOVED Cr Hamilton, Seconded Cr Barty, that Council adopts a new Council Policy – Community Funding and revokes the following existing Council Policies:

- Council Policy 1.18 - Financial Incentives for Municipal Heritage Inventory Listed Buildings Policy;
- Council Policy 4.4 - Fee For Service, Community Groups, Public Events Policy;
- Council Policy 5.16 - Use of Community Facilities Policy; and
- Council Policy 6.11 – Sponsorship and Grants.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-5/8/21 6/0

Item No. 12.9	Draft amended Council Policy - Community Awards
Property Address (if applicable)	NA
Landowner/Applicant (if applicable)	NA
File Ref/ROC	
Previous Council Reports (if applicable)	27 April 2021
Directorate	Community Planning
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.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
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Attachment No. 7	<ul style="list-style-type: none"> • Current Council Policy – Community Awards • Draft Amended Council Policy – Community Awards

Purpose

The purpose of this report was for Council to consider amending Council Policy – Community Awards.

Council Resolution/Officer Recommendation – Item 12.9

OCM – 13/8/21

MOVED Cr Hamilton, Seconded Cr Barty, that Council amends the existing *Council Policy – Community Awards*, as contained as Attachment 2 to this report.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-5/8/21 6/0

Item No. 12.10	Supply, Preparation and Installation of Turf and Turf Renovation Services (RFT 03/2021)
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref/ROC	PARE/TENDNG/73
Previous Council Reports (if applicable)	
Directorate	Corporate Services
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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Confidential Attachment No. 1	RFT 03/2021 Tender Evaluation Report

Purpose

The purpose of this report was to present to Council a summary of tenders received for RFT 03/2021 Supply, Preparation and Installation of Turf and Turf Renovation Services for the Town of Bassendean and recommend appointment of the contractor considered to provide the best value for money to the Town.

Council Resolution/Officer Recommendation – Item 12.10 **OCM – 14/8/21**

MOVED Cr Barty, Seconded Cr Wilson, that Council accepts the tender submitted by GTF Pty Ltd t/a Greenacres Turf Group (Conforming Offer) for the supply, preparation and installation of turf and turf renovation services for the Town of Bassendean as specified in tender 03/2021 at the submitted schedule of rates for a period of four (4) years with annual price variations subject to the percentage change in the Perth Consumer Price Index (All Groups).

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item No. 12.11	Construction of Sandy Beach Reserve Play Space (RFT 01/2021)
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref/ROC	(PARE/TENDNG/72)
Previous Council Reports (if applicable)	
Directorate	Corporate Services
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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Confidential Attachment No. 2	RFT 01/2021 Tender Evaluation Report

Purpose

The purpose of this report was to present to Council a summary of tenders received for RFT 01/2021 Construction of Sandy Beach Reserve Play Space for the Town of Bassendean and recommend appointment of the contractor considered to provide the best value for money to the Town.

Cr Quinton moved the officer recommendation and spoke to the motion.

Council Resolution – Item 12.11(a) **OCM – 15/8/21**

MOVED Cr Wilson, Seconded Cr McLennan, that Cr Quinton be granted an extension of time to speak on this item.

CARRIED UNANIMOUSLY 6/0

Council Resolution/Officer Recommendation – Item 12.11(b)
OCM – 16/8/21

MOVED Cr Quinton, Seconded Cr Hamilton, that Council accepts the tender submitted by Phase3 Landscape Construction for the Construction of Sandy Beach Reserve Play Space as specified in tender 03/2021 at its submitted lump sum price with works to be completed within nine (9) months from the date of letter of acceptance.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item No. 12.12	Draft Property Management Policy and Community Leasing Framework
Property Address (if applicable)	Various
Landowner/Applicant (if applicable)	Town of Bassendean
File Ref/ROC	
Previous Council Reports (if applicable)	
Directorate	Corporate Services
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.
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Attachment No. 8	<ul style="list-style-type: none"> • Draft Property Management Policy • Draft Community Leasing Framework

Purpose

The purpose of this report was for Council to consider the draft Property Management Policy and draft Community Leasing Framework.

Council Resolution/Officer Recommendation – Item 12.12
OCM – 17/8/21

MOVED Cr Quinton, Seconded Cr McLennan, that Council adopts the draft Property Management Policy and draft Community Leasing Framework, as attached to this report.

CARRIED UNANIMOUSLY 6/0

Item No. 12.13	Councillor Information and Communications Technology (ICT) Policy
Property Address (if applicable)	n/a
Landowner/Applicant (if applicable)	n/a
File Ref/ROC	
Previous Council Reports (if applicable)	
Directorate	Corporate Services
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.
<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. 9	1. Draft Councillor ICT Policy 2. Councillor Allowances and Expenses Policy

Purpose

The purpose of this report was for Council to consider the draft Councillor Information and Communications Technology (ICT) Policy.

Officer Recommendation – Item 12.13

That Council adopts the draft Councillor Information and Communications Technology Policy, attached to this report.

Cr McLennan moved an alternative motion.

Council Resolution – Item 12.13

OCM – 18/8/21

MOVED Cr McLennan, Seconded Cr Hamilton, that Council:

1. Defers consideration of a Councillor Information and Communication Technology (ICT) Policy until the September 2021 Ordinary Council Meeting; and
2. Requests the CEO explore options for the Councillor ICT Policy to accommodate multiple/BYO devices.

CARRIED UNANIMOUSLY 6/0

REASON: Whilst acknowledging the need to reduce cyber security risk, maximise efficiency as well as the benefits of a consistent approach, it is also acknowledged that Councillors will wish to access the Councillor portal and their Town of Bassendean email from a variety of devices. There would be benefit in further exploration of how best to manage the use of multiple devices as well as any resourcing and security implications associated with BYOD for potential inclusion in a revised draft Councillor ICT Policy.

Item No. 12.14	Review of Delegations Register
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref/ROC	GOVN/CCLMEET/6
Previous Council Reports (if applicable)	27 October 2020
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.
<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. 10	Delegations Register

Purpose

The purpose of this report was for Council to review the delegations to the Audit and Governance Committee, the Complaints Committee, and to the Chief Executive Officer under s. 5.46(2) of the *Local Government Act 1995*.

Cr Hamilton moved the officer recommendation with amendments to Item 1.2.11 Expressions of Interest for Goods and Services and 1.2.12 Tenders for Goods and Services.

Council Resolution/Officer Recommendation – Item 12.14 **OCM – 19/8/21**

MOVED Cr Hamilton, Seconded Cr Wilson, that Council:

1. In accordance with Section 5.46(2) of the Local Government Act 1995, reviews its delegations to the Audit and Governance Committee, Complaints Committee, and those delegations to the Chief Executive Officer; and
2. In accordance with Section 5.42(1) of the Local Government Act 1995, adopts the amended delegations of authority to the Chief Executive Officer as provided in the attachment to this report **with amendments to the following items:**

1.2.11 Expressions of Interest for Goods and Services

Council Conditions on this Delegation.

Delete 'Nil' and insert:

- **Delegates exercising this delegation must comply with:**
 - **The Town of Bassendean Purchasing Policy**
 - **The Town of Bassendean Procurement Guidelines**
- **Prior to going to market, notification to Councillors through the CEO Bulletin of the nature of the goods and the estimated cost sought.**

1.2.12 Tenders for Goods and Services

Function (2)

Amend the following to include additional text:

- **Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement (F&G reg 11(f)) up to a maximum of \$50,000, with sole supplier proposals in excess of \$50,000 to come before Council for determination.**

CARRIED BY AN ABSOLUTE MAJORITY 4/2

Crs Hamilton, Wilson, Barty & Quinton voted in favour of the motion. Crs McLennan & MacWilliam voted against the motion.

Item No. 12.15	Quarterly Report for Period Ended 30 June 2021
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"/> <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, reports and strategies, accepting tenders, 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 No. 11	<ul style="list-style-type: none"> Quarterly Report, including Outstanding Resolutions Recommended for Deletion

Purpose

The purpose of this report was for Council to receive the Quarterly Report for the period ended 30 June 2021.

Council Resolution/Officer Recommendation – Item 12.15 **OCM – 20/8/21**

MOVED Cr Hamilton, Seconded Cr Barty, that Council:

1. Receives the Quarterly Report for the quarter ending 30 June 2021; and
2. Deletes the Outstanding Council Resolutions attached to the Quarterly Report that are marked for deletion.

CARRIED UNANIMOUSLY 6/0

Item No. 12.16	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 was for Council to note the documents affixed with the Common Seal during the reporting period.

Council Resolution/Officer Recommendation – Item 12.16 **OCM – 21/8/21**

MOVED Cr McLennan, Seconded Cr Barty, that Council notes that the Common Seal was not affixed to any documents during the reporting period.

CARRIED UNANIMOUSLY 6/0

Item No. 12.17	Calendar for August/September 2021
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.
<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 was for Council to consider the calendar for August/September 2021.

Council Resolution/Officer Recommendation – Item 12.17 **OCM – 22/8/21**

MOVED Cr McLennan, Seconded Cr MacWilliam, that Council adopt the calendar for August/September 2021, **with the following amendment:**

- Audit & Governance Committee – **rescheduled to Wednesday 15 September 2021 @ 5.30pm.**

CARRIED UNANIMOUSLY 6/0

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil

15.0 URGENT BUSINESS

Nil.

16.0 CONFIDENTIAL BUSINESS

Council Resolution – Item 16.0(a)

OCM – 23/8/21

MOVED Cr Wilson, Seconded Cr MacWilliam, that the meeting go behind closed doors in accordance with Section 5.23 of the Local Government Act 1995, the time being 7.46pm.

CARRIED UNANIMOUSLY 6/0

Item No. 16.1	Eastern Metropolitan Regional Council Establishment Agreement
Property Address (if applicable)	
Landowner/Applicant (if applicable)	
Ref	LEGL/AGMT/44
Directorate	Environment and Sustainability
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 & 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 Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Confidential Attachment No. 3	Draft EMRC Establishment Agreement

Purpose

The purpose of this report was for Council to consider the Eastern Metropolitan Regional Council's (EMRC's) draft Establishment Agreement (EA) and provide feedback to the EMRC.

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

Council Resolution/Officer Recommendation – Item 16.1
OCM – 24/8/21

MOVED Cr Quinton, Seconded Cr Hamilton, that Council adopts those decisions made, as per the Confidential Minutes attached to the Ordinary Council Minutes of 24 August 2021.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item No. 16.2	Regional Waste Collection Services
Property Address (if applicable)	
Landowner/Applicant (if applicable)	
Ref	WSTMNGT/SVPROVN/9
Directorate	Environment and Sustainability
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 & 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 Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Confidential Attachment No. 2	EMRC Draft ACCC Regional Waste Collection Submission

Purpose

The purpose of this report was for Council to consider the Eastern Metropolitan Regional Council's (EMRC's) application to the Australian Competition and Consumer Commission (ACCC) for Regional Waste Collection Services.

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

Council Resolution/Officer Recommendation – Item 16.2
OCM – 25/8/21

MOVED Cr Hamilton, Seconded Cr Barty, that Council adopts the decision made, as per the Confidential Minutes attached to the Ordinary Council Minutes of 24 August 2021.

CARRIED UNANIMOUSLY 6/0

Item No. 16.3	CEO Key Performance Indicators 2021/2022 - Confidential
Property Address	N/A
Landowner/Applicant	N/A
File Ref	
Directorate	Office of the CEO
Authority/Discretion	<input checked="" type="checkbox"/> <input 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 permits, 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. 5	Standards for CEO Recruitment, Performance and Termination Policy

Mr Paul White, Mr Luke Gibson, Mr Phil Adams, Ms Donna Shaw, Ms Elizabeth Kania and Ms Rachael Mackey left the meeting at 8.00pm and did not return.

Purpose

Council was requested to approve the Key Performance Indicators for the Chief Executive Officer (CEO) for 2021/22. This is in line with Council's adopted 'Standards for CEO Recruitment, Performance and Termination' Policy (OCM 25.5.2021) and the *Local Government Act 1995*.

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

Council Resolution/Officer Recommendation – Item 12.3

OCM – 26/8/21

MOVED Cr Hamilton, Seconded Cr Barty, that Council adopts those decisions made, as per the Confidential Minutes attached to the Ordinary Council Minutes of 24 August 2021.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Council Resolution – Item 16.0(b)

OCM – 27/8/21

MOVED Cr MacWilliam, Seconded Cr Barty, that the meeting come from behind closed doors, the time being 8.12pm.

CARRIED UNANIMOUSLY 6/0

17.0 CLOSURE

The next Briefing Session will be held on Tuesday 21 September 2021, commencing at 6pm. The next Ordinary Council Meeting will be held on Tuesday 28 September 2021, commencing at 6pm.

There being no further business, the Presiding Member declared the meeting closed, the time being 8.12pm.