



TOWN OF
Bassendean

MINUTES

Ordinary Meeting of Council

Tuesday 28 February 2023 at 6:00 pm

in the Council Chamber,

Administration Building

48 Old Perth Road, Bassendean WA 6054

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1 Declaration Of Opening; Acknowledgment of Country; Acknowledgment of Visitors; Disclaimer

Acknowledgement of Traditional Owners

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 Announcements by The Presiding Person Without Discussion

Nil.

3 Attendances, Apologies and Applications for Leave of Absence

Councillors

Cr Kathryn Hamilton, Mayor
Cr Renee McLennan, Deputy Mayor
Cr Hilary MacWilliam
Cr Jennie Carter
Cr Paul Poliwka
Cr Tallan Ames

Apology

Cr Emily Wilding

Officers

Mr Luke Gibson, Acting Chief Executive Officer
Mr Paul White, Director Corporate Services
Mr Phil Adams, Executive Manager Infrastructure
Ms Nicole Davey, Executive Manager Sustainability & Environment
Ms Donna Shaw, Acting Director Community Planning
Mr Matthew Monkhouse, Manager Governance & Strategy

Public

Approximately seven members of the public were in attendance.

Leave of Absence

Cr Carter requested Leave of Absence from 14 March to 8 April 2023.
Cr MacWilliam requested Leave of Absence from 11 to 18 April 2023.

Council Resolution– Item 3.0 **OCM 1/02/23**

MOVED Cr Ames, Seconded Cr Poliwka, that:

1. Cr Carter be granted leave of absence from 14 March to 8 April 2023; and
2. Cr MacWilliam be granted leave of absence from 11 to 18 April 2023.

CARRIED UNANIMOUSLY 6/0

4 Declarations of Interest

Nil.

5 Presentations or Deputations

Mr George Lowry – board member for Technology for Ageing and Disability Western Australia (TADWA) provided a deputation in relation to Item 12. 8 - Relocation of the Town's Customer Service Centre. Mr Lowry suggested that TADWA were interested in expanding its existing Collier Road premises into the Town's depot site to the rear and as part of such a proposal, could make provision for office space to accommodate Town staff.

6 Statements by Members of the Public

Carol Seidel - 55 Broadway, Bassendean

The Volunteer Transport Services should have been included in the review of the Public Health Plan and that it be should considered for inclusion in future reviews.

Robert Hiersch – 47 Fifth Avenue, Bassendean

There are parking issues in Fifth Avenue on both sides of the street and limited space for construction workers to park their vehicles. This has been raised recently with the Rangers.

The Mayor suggested that Mr Hiersch contact the Rangers regarding the parking issues.

7 Questions from Members of the Public

Mr Don Yates, 10 Thompson Road, Bassendean:

The following questions were submitted in writing prior to the meeting, with below responses provided at the meeting:

Q. To resolve all the road and footpath lighting issues in the Town, including the main street of Old Perth Road, will the Council consider purchasing smart solar lighting, that can be sourced with appropriate long and/or short poles from Asia in container lots, usually with a CCTV community safety option, at (A) substantially better value and (B) almost instantly ready for installation, so street lighting long time failures like along Extension Road near Red Rooster and Old Perth Rd, are a community safety issue that is at long last resolved?

A. *The Town can investigate suitable solar lighting in these areas.*

Q. The Minister for Local Government in the last week has again flagged that the position of Inspector of Local Government is getting closer and that the procedures for questioning local government actions and outcomes are about to change. Does the Town of Bassendean Staff and Councillors accept that closer scrutiny of their actions, inaction and decision making is about to arrive, and what changes to public question time at Council meetings should be introduced, plus should this include a shakeup of the Audit and Governance committee's community's representation, maybe with no councillor representation, so that more comprehensive investigations into the actions of staff and councillors can be undertaken?

A. *The Town is aware of the impending changes and will review its practices as required.*

Fran Phelan – 15 River Street, Bassendean

Can Council consider CCTV in the carpark at the end of River Street?

The Mayor advised that there are limited funds in the budget. There is a Notice of Motion listed on tonight's agenda to consider CCTV and the availability of rebates for residents that install CCTV on their properties.

Aaron MacKay – 33 North Road, Bassendean

What changes to the lighting are proposed and has a gate to close the lower carpark been considered for Point Reserve? Has CCTV and an auto locking system for the public toilets been considered? Also were residents notified about the item going to Council?

The Mayor responded that a gate has not been proposed and that CCTV has not been budgeted for in this area. Also, consideration needs to be given to the type of lighting so as not to affect wildlife.

The Executive Manager Infrastructure advised that the Town is currently looking at self-closing/locking doors for ablution blocks along with a self-closing gate or bollard for the Point Reserve car park.

The Executive Manager Sustainability & Environment advised that there will be no reduction in current lighting levels. All adjacent neighbours and survey respondents will be advised of the final concept.

Bill Busby 53 Haig Street Ashfield

Can the gumtree at the rear of Ashfield Soccer Clubrooms be looked at as it is dropping limbs?

The Executive Manager Infrastructure advised that he will check with the arborist on the results of the inspection of the tree.

8 Petitions

8.1 Petition - Sandpit at Alf Faulkner Hall	
Property Address	Alf Faulkner Hall, Mary Crescent, Eden Hill
Landowner/Applicant	Town of Bassendean
File Reference	COUP/MAINT/2
Department	Community Planning
Previous Reports	Nil
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	Petition

Purpose

The purpose of this report was for Council to accept the petition submitted by SPARX Eden Hill OSHC in relation to the sandpit at Alf Faulkner Hall.

Council Resolution/Officer Recommendation – Item 8.1 OCM 2/02/23

MOVED Cr McLennan, Seconded Cr Ames that Council:

1. receives the petition submitted by SPARX Eden Hill OSHC in relation to the sandpit at Alf Faulkner Hall.
2. notes that the matter is proposed to be considered as part of the 2022/23 Mid-Year review, as addressed by a separate report on this agenda.

CARRIED UNANIMOUSLY 6/0

9 Confirmation of Minutes

9.1 Confirmation of Minutes	
Attachments	1. Ordinary Council Minutes of 13 December 2022 [9.1.1 - 30 pages]

Council Resolution/Officer Recommendation – Item 9.1 **OCM 3/02/23**

Moved Cr Ames, Seconded Cr McLennan, that the minutes of the Ordinary Council Meeting held on 13 December 2022, be received and be confirmed as a true record.

CARRIED UNANIMOUSLY 6/0

10 Business Deferred from Previous Meeting

Nil

11 External Committee Reports and Updates

Nil.

12 Officer Reports

It was agreed that Items 12.2, 12.5, 12.7, 12.8 and 12.12 be removed from the en-bloc table and considered separately.

Council Resolution/Officer Recommendation – Item 12.1 **OCM 4/02/23**

MOVED Cr McLennan, Seconded Cr Ames, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Agenda:

12.6	RFT 04/2022 Weed Control for Environmental Weeds in the Town of Bassendean
12.9	Adoption of Quarterly Report period ending 31 December 2022
12.13	Bassendean Local Emergency Management Committee Review
12.14	Bassendean Local Emergency Management Committee Meetings held on 14 September, 30 November and 7 December 2022
12.15	Audit and Governance Committee Meeting - 8 February 2023
12.16	Monthly Financial Report – December 2022 and January 2023

12.17	Accounts Paid November 2022 and December 2023
12.18	Use of Common Seal
12.19	Calendar March 2023

CARRIED UNANIMOUSLY 7/0

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

12.2	Use Not Listed (Short Stay Accommodation) - 88 (Lot 1) Reid Street, Bassendean
12.3	Parking Amendment Local Law 2023
12.4	Draft Public Health Plan - Final Adoption
12.5	Draft Local Planning Framework
12.7	Point Reserve Foreshore Plan
12.8	Relocation of the Town's Customer Service Centre
12.10	2021/22 Annual Report
12.11	Mid-Year Budget Review - Annual Budget 2022/23
12.12	Proposal to enter into a lease agreement with the Bassendean Bowling Club Inc.
13.1	Notice of Motion - Cr Hamilton
13.2	Notice of Motion - Cr Ames

12.2 Use Not Listed (Short Stay Accommodation) - 88 (Lot 1) Reid Street, Bassendean	
Property Address	88 (Lot 1) Reid Street, Bassendean
Landowner/Applicant	John Peter Corbellini
File Reference	2022-127
Department	Community Planning
Authority/Discretion	<p>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.</p>
Attachments	<ol style="list-style-type: none"> 1. Management Plan [12.2.1 - 6 pages] 2. Floor Plans [12.2.2 - 8 pages]

Purpose

The purpose of this report was for Council to consider an application for development approval for a Use Not Listed (Short Stay Accommodation) at 88 (Lot 1) Reid Street, Bassendean.

Council Resolution/Officer Recommendation – Item 12.2 **OCM 5/02/23**

MOVED Cr Ames, Seconded Cr McLennan, that Council approves the application for development approval of a Use Not Listed (Short Stay Accommodation) at 88 (Lot 1) Reid Street, Bassendean, subject to the following conditions:

1. The use must be undertaken in accordance with the submitted management plan at all times to the satisfaction of the Town;
2. The contact details of the owner/manger must be prominently displayed at the front of the property as viewed from the street to the satisfaction of the Town;
3. A register of all persons occupying the Short Stay Accommodation is required to be kept and shall be open to inspection on demand by the Town; and
4. No more than six persons who do not comprise a single family are permitted to be on the property between the hours of 10:00pm and 7:00am.

CARRIED 5/1

Cr Ames, McLennan, Hamilton, MacWilliam and Poliwka voted in favour of the motion. Cr Carter voted against the motion.

12.3 Parking Amendment Local Law 2023	
File Reference	LAW/LOCLWS/2
Department	Community Planning
Previous Reports	22 November 2022
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	<ol style="list-style-type: none"> 1. Draft Parking Amendment Local Law 2023 - post consultation with tracked changes [12.3.1 - 2 pages] 2. Draft Parking Amendment Local Law 2023 - post consultation for adoption [12.3.2 - 2 pages] 3. Amendment Parking Local Law - Schedule of Submissions [12.3.3 - 2 pages]

Purpose

The purpose of this report was for Council to consider making the *Parking Amendment Local Law 2023* (Amendment Local Law).

Council Resolution/Officer Recommendation – Item 12.3 **OCM 6/02/23**

MOVED Cr Ames, Seconded Cr McLennan, that Council in accordance with Section 3.12(4) of the *Local Government Act 1995*, makes the Town of Bassendean *Parking Amendment Local Law 2023*, as attached, and notes that the document will be executed in accordance with the *Local Government Act 1995* and Council's Execution of Documents Policy.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

12.4 Draft Public Health Plan - Final Adoption	
Property Address	NA
Landowner/Applicant	N/A
File Reference	PUBH/SVPROVN/3
Department	Community Development
Previous Reports	25 October 2022 (12.5)
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	<ol style="list-style-type: none"> 1. Draft Public Health Plan 2023 - Tracked Changes Post Advertising Version [12.4.1 - 62 pages]

	2. Draft Public Health Plan 2023 - February (Final) [12.4.2 - 60 pages]
	3. Schedule of Submissions [12.4.3 - 15 pages]

Purpose

The purpose of this report was for Council to consider the draft Public Health Plan (PHP) for final adoption and to revoke Council Policies relating to Active Ageing and Disability Access and Inclusion.

Officer Recommendation – Item 12.4

That Council:

1. Adopts the draft Public Health Plan;
2. Revokes Council Policy – Active Ageing; and
3. Revokes Council Policy – Disability Access and Inclusion.

The Mayor requested that consideration of the Public Health Plan be deferred to enable Council to further consider the financial implications of the plan.

Council Resolution – Item 12.4

OCM 7/02/23

MOVED Cr Hamilton, Seconded Cr Ames, that Council defers consideration of the Public Health Plan

CARRIED 6/0

12.5 Draft Local Planning Framework	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	LUAP/PLANNG/24
Department	Community Planning
Previous Reports	25 February 2020 28 April 2020 4 November 2020 24 August 2021 28 June 2022 27 September 2022 25 October 2022
Authority/Discretion	Information For the Council/Committee to note.

Attachments	<ol style="list-style-type: none"> 1. Local Planning Strategy Modifications [12.5.1 - 5 pages] 2. Local Planning Scheme Modifications [12.5.2 - 1 page] 3. Bassendean Town Centre Frame Area [12.5.3 - 1 page]
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Purpose

The purpose of this report was for Council to formally note endorsement of the draft Local Planning Strategy and certification to advertise draft Local Planning Scheme No. 11 (LPS 11) by the Statutory Planning Committee (SPC) of the Western Australian Planning Commission (WAPC) subject to modifications.

Cr McLennan moved an additional Point 5 to the Officer Recommendation in relation to trees.

Council Resolution/Officer Recommendation – Item 12.5 **OCM 8/02/23**

MOVED Cr McLennan, Seconded Cr Poliwka, that Council:

1. Notes that, on 7 February 2023, the Statutory Planning Committee of the Western Australian Planning Commission resolved to, in relation to the draft Local Planning Strategy, to:
 - “(i) determine the submissions in accordance with the Schedule of Submissions (Attachment 5 – Schedule of Submissions);*
 - “(ii) consider that modification to the Local Planning Strategy (Attachment 2 – Local Planning Strategy), in accordance with the attached Schedule of Modifications (Attachment 8 – Schedule of Modifications) is required;*
 - “(iii) subject to the above modifications being satisfactorily undertaken, endorse the Local Planning Strategy under regulation 15 of the Planning and Development (Local Planning Schemes) Regulations 2015;*
 - “(iv) authorise the Planning Director – Schemes, Amendments and Administration of the Department of Planning, Lands and Heritage to review the modifications to ensure they have been satisfactorily undertaken and execute the documents accordingly; and*

- (v) *advise the local government to publish a notice of the Local Planning Strategy advising of the endorsement of Local Planning Strategy in accordance with regulation 16 of the Planning and Development (Local Planning Schemes) Regulations 2015.*
2. Notes that, on 7 February 2023, the Statutory Planning Committee of the Western Australian Planning Commission resolved to, in relation to the draft Local Planning Scheme No. 11, to:
- “(i) *Consider that modifications to the Town of Bassendean draft Local Planning Scheme No.11 are required for it to be suitable for advertising, in accordance with the attached schedule of modifications (A6 – Schedule of Modifications);*
- (ii) *Advise Council that following completion of the modifications to the Town of Bassendean draft Local Planning Scheme No.11, it is to be advertised in accordance with Regulation 22 of the Planning and Development (Local Planning Schemes) Regulations 2015*”;
3. Notes that the Town will undertake the administrative tasks associated with initialising the draft Local Planning Strategy;
4. Notes that the Town will make the required modifications to draft Local Planning Scheme No. 11 in accordance with the Statutory Planning Committee resolution, and thereafter commence public consultation; and
5. **Notes that in relation to trees, the 4 November 2020 Council adopted version of draft Local Planning Scheme No.11 has been amended in accordance with the modifications required by the Department of Planning, Lands and Heritage and the Statutory Planning Committee of the Western Australian Planning Commission, to remove the following provisions:**
- **The ability for the local government to vary the development requirements under the R-Codes where it involves the conservation of a significant tree;**
 - **The retention of a significant tree as a condition of development approval, the planting of trees in a tree growth zone on all zoned land and notifications registered on the Certificate of Title under Section 70A of the Transfer of Land Act 1893 advising prospective purchasers that the site contains a tree which is required to be retained and protected from development works;**
 - **Clauses related to Tree Preservation Orders; and**
 - **Modifying the definition of development to include carrying out on the land of any excavation or other works, which includes the clearing and removal a significant tree.**

CARRIED 6/0

12.6 RFT 04/2022 Weed Control for Environmental Weeds in the Town of Bassendean	
File Reference	ENVM/TENDNG/18
Directorate	Corporate Services / Sustainability and Environment
Previous Reports	N/A
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. CONFIDENTIAL - Evaluation Report (Confidential) [12.6.1 - 12 pages]

Purpose

The purpose of this report was for Council to consider a summary of tenders received for RFT 04/2022 Weed Control for Environmental Weeds in the Town of Bassendean appoint the contractor considered to provide the best value for money to the Town.

Council Resolution/Officer Recommendation – Item 12.6 **OCM 9/02/23**

MOVED Cr McLennan, Seconded Cr Ames, that Council appoints Natural Area Holdings Pty Ltd t/as Natural Area Consulting Management Services to provide Weed Control for Environmental Weeds in the Town of Bassendean as specified in Tender 04/2022 for a period of One (1) Year, with two options for extension of One (1) year each, to commence upon Council Approval and Contractor Letter of Award.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION 6/0

12.7 Point Reserve Foreshore Plan	
Property Address	Point Reserve, North Road, Bassendean
Landowner/Applicant	Town of Bassendean Department of Planning, Lands and Heritage / Western Australian Planning Commission
File Reference	PARE/PLANNG/2
Department	Environment and Sustainability
Previous Reports	23 March 2021
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. Point Reserve Foreshore Plan (Draft) [12.7.1 - 17 pages]

	<ol style="list-style-type: none"> 2. Point Reserve Consultation Survey - Printed version [12.7.2 - 6 pages] 3. Point Reserve Consultation Survey Results Summary [12.7.3 - 15 pages] 4. Point Reserve Consultation Survey - Written comments [12.7.4 - 18 pages]
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Purpose

The purpose of this report was for Council to consider the elements / options for inclusion in the final Point Reserve Foreshore Plan, following the conclusion of community consultation.

Officer Recommendation – Item 12.7

That Council:

1. Approves the Point Reserve Foreshore Plan, contained in the attachment, subject to the inclusion of the following elements in the final concept:

Area for improvement (spatial extent)	Limit area to the Town’s land (existing park area): Option 1
Path configuration	A circuit within the Town managed land where the area becomes inundated (Option 10)
Playground/ carpark location	Relocation of the seating and barbeque so they are closer to the playground and move the carpark to the end of the access road with reduced bays (Option 3)
Jetty/ boardwalk options	Create a jetty into the river similar to historic jetty (Option 8)
Other elements	<p>All “other elements” within Town managed land:</p> <ul style="list-style-type: none"> • Retaining beach access at three locations • Lighting around car park and amenities (must be at low levels and wildlife friendly) • New playground with shade structures • Seating nodes • Celebration of Noongar stories through art and interpretation • Unobtrusive educational signage • Increased shade through additional tree planting • Foreshore stabilisation. This is likely to include rock in areas with visible erosion (around a few of the trees)/ either side of river access points. May also need some sand nourishment. • Riparian planting between the foreshore and the path, wetland planting in low-lying areas and some reduction of grassed areas (and mowing needs) by adding vegetation around mature trees • Creation of places for local animals including bat and bird boxes, insect hotels, fauna tunnels, sheltered areas and frog habitat • Planting along northern fence lines adjacent private property • Open area for multiple uses (upper park area)

2. Notes that the approved Foreshore Plan will be used to inform detailed design, with staged implementation to be considered for inclusion in the future Long Term Financial Plan and future Annual Budgets, with the intention to seek grant funding where possible.

Cr Hamilton moved the following amendments to the Officer Recommendation, as shown in bold below:

Council Resolution – Item 12.7
OCM 10/02/23

MOVED Cr Hamilton, Seconded Cr MacWilliam, that Council:

1. Approves the Point Reserve Foreshore Plan, contained in the attachment, subject to the inclusion of the following elements **as amended** in the final concept:
 - Area for improvement (spatial extent): Limit area to the Town’s land (existing park area): Option 1;
 - Path configuration: A circuit within the Town managed land where the area becomes inundated (Option 10) **keeping hard surfaces to the minimum in respect to path width and the occasional use of boardwalk sections over wetland planting areas;**
 - Playground/ carpark location: Relocation of the seating and barbeque so they are closer to the playground and move the carpark to the end of the access road with reduced bays (Option 3);
 - Jetty/ boardwalk options: Create a jetty into the river similar to historic jetty **but at approximately half the original length** (Option 8);
 - Other elements: All “other elements” within Town managed land:
 - Retaining beach access at three locations
 - Lighting around car park and amenities (must be at low levels and wildlife friendly)
 - New playground (**delete “with shade structures”**)
 - Seating nodes
 - Celebration of Noongar stories through art and interpretation
 - Unobtrusive educational signage
 - Increased shade through additional tree planting
 - Foreshore stabilisation. This is likely to include rock in areas with visible erosion (around a few of the trees)/ either side of river access points. May also need some sand nourishment.
 - Riparian planting between the foreshore and the path, wetland planting in low-lying areas and some reduction of grassed areas (and mowing needs) by adding vegetation around mature trees
 - Creation of places for local animals including bat and bird boxes, insect hotels, fauna tunnels, sheltered areas and frog habitat
 - Planting along northern fence lines adjacent private property
 - Open area for multiple uses (upper park area) **without disruption to viable mature trees;**

2. Notes that the approved Foreshore Plan will be used to inform detailed design, with staged implementation to be considered for inclusion in the future Long Term Financial Plan and future Annual Budgets, with the intention to seek grant funding where possible; and
3. **Requests that the Town assists the Bassendean Preservation Group and advertise/promote/contact other groups/individuals who may wish to establish a Bushcare Volunteer Group dedicated to enhancing the natural environment of Point Reserve.**

CARRIED 5/1

Cr Hamilton, McLennan, Ames, MacWilliam and Poliwka voted in favour of the motion. Cr Carter voted against the motion.

Reasons

The topography of the land already provides shade for a significant portion of the day particularly in the afternoons during the hottest part of the day. There are also multiple trees both established and a few years old that will also provide shade. The addition of shade structures at this site adds infrastructure that will required ongoing maintenance, and there are many other playgrounds in the Town that should be prioritised for shade structures over and above this area.

A “half-length jetty” provides a connection to the jetties of the past whilst offering practical benefits such as lower installation costs and lower ongoing maintenance costs.

An emphasis on the preservation of mature viable trees in all parts of the project should be a priority particularly the “Open Area in the Upper Park”.

Reducing hard surfaces to the functional minimum is desirable in an area of environmental value. It is also preferable from an ongoing maintenance perspective.

12.8 Relocation of the Town's Customer Service Centre	
Property Address	35 and 48 Old Perth Road, Bassendean
Landowner/Applicant	Town of Bassendean
File Reference	CORM/PLANNG/2
Department	Office of the CEO
Previous Reports	NA
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. CONFIDENTIAL - Relocation report - Hawaiian [12.8.1 - 1 page]

Purpose

The purpose of this report was for Council to consider the potential relocation of the Town's Administration staff associated with the vacation of the Town's premises at 35 Old Perth Road, Bassendean, in advance of the 2023/24 budget planning process.

Officer Recommendation – Item 12.8

That Council:

1. Endorses Option 1 for the relocation of the Town's Administration staff associated with the vacation of the Town's premises at 35 Old Perth Road, Bassendean.
2. Approves for inclusion in the 2023/24 Proposed Annual Budget (i) the release of \$220,000 from the Future Projects Reserve for project implementation, and (ii) a budget allocation of \$50,000 for Project Management.

Cr Hamilton proposed the following amendment:

“That Council:

1. *Requests the CEO to prepare a report to Council outlining the following in respect to the Depot site in Scaddan Street and Town Centre facilities:*
 - *Analysis of the future needs of the Town's depot operations and functions;*
 - *Analysis of the spatial requirements of each business unit of the organisation;*
 - *Review/analysis of the potential footprint of a future Civic facility in the Town Centre to accommodate public facing business units that work from a fixed location, and review/analysis of a future depot facility to accommodate other business units;*

- *Provision of the concept plans for the proposed relocation of the Town's Customer Service centre to the library together with estimated cost for this portion of the works;*
2. *Requests the CEO to engage with TADWA to assess and report to Council on the merits of a potential expansion of that organisation on adjoining depot land, and potential synergies that may exist in the co-location of new facilities for both organisations;*
 3. *Requests the CEO to write to Hawaiian to decline leasing a space at the shopping centre."*

Council Resolution – Item 12.8(a)

OCM 11/02/23

MOVED Cr McLennan, Seconded Cr Poliwka, that the meeting be adjourned for three minutes, to allow the Presiding Member to seek clarification on her amendment, the time being 8.00pm.

CARRIED 6/0

Council Resolution – Item 12.8(b)

OCM 12/02/23

MOVED Cr McLennan, seconded Cr Poliwka. that the meeting readjourn, the time being 8.03pm

CARRIED 6/0

Council Resolution – Item 12.8(c)

OCM 13/02/23

MOVED Cr Hamilton, Seconded Cr Carter, that Council:

1. Requests the CEO to prepare a report to Council outlining the following in respect to the Depot site in Scaddan Street and Town Centre facilities:
 - Analysis of the future needs of the Town's depot operations and functions;
 - Analysis of the spatial requirements of each business unit of the organisation;
 - Review/analysis of the potential footprint of a future Civic facility in the Town Centre to accommodate public facing business units that work from a fixed location, and review/analysis of a future depot facility to accommodate other business units;
 - Provision of the concept plans for the proposed relocation of the Town's Customer Service centre to the library together with estimated cost for this portion of the works;

2. Requests the CEO to engage with TADWA to assess and report to Council on the merits of a potential expansion of that organisation on adjoining depot land, and potential synergies that may exist in the co-location of new facilities for both organisations;
3. Requests the CEO to write to Hawaiian to decline leasing a space at the shopping centre.

CARRIED 5/1

*Cr Hamilton, Ames, Carter, MacWilliam and Poliwka voted in favour of the motion.
Cr McLennan voted against the motion.*

Reasons:

The staff facilities at the Depot were mostly created in the 1960's with demountable offices added in later years. Those facilities are not fit for purpose. It is preferable to examine ways in which to provide new facilities at the depot site that potentially could also house business units currently operating out of 35 and possibly 48 Old Perth Road.

The timeline for any potential development of 35 Old Perth Road is unknown, but it would seem wise to wait for the outcome of the EOI process for 35 Old Perth Road prior to making determinations about relocation of business units, particularly if that enables provision of additional information as requested in this alternative motion. The spatial requirements for most business units has been completed given the planning already undertaken for a potential relocation of business units to 48 Old Perth Road and to the Ashfield Community Centre.

Translating that into a footprint estimates for Councillors would be advantageous. To date Councillors have not been provided with concept plans associated with a proposal to relocate customer service facilities to the library. Provision of such information enables informed decision making by Council.

12.9 Adoption of Quarterly Report period ending 31 December 2022	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	GOVN/CCLMEET/1
Department	Office of the CEO
Previous Reports	N/A
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. Quarterly Report - Q2 of 2022/23 [12.9.1 - 23 pages]

Purpose

The purpose of this report was for Council to receive the Quarterly Report for the period ending 31 December 2022.

Council Resolution/Officer Recommendation – Item 12.9 **OCM 14/02/23**

MOVED Cr McLennan, Seconded Cr Ames, that Council receives the Quarterly Report for the quarter ending 31 December 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION 6/0

12.10 2021/22 Annual Report	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	TBA
Department	Office of the CEO
Previous Reports	N/A
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. Draft Annual Report [12.10.1 - 55 pages]

Purpose

The purpose of this report was for Council to considering accepting the Town of Bassendean Annual Report 2021/22 including the Audited Annual Financial Statements for the year ending 30 June 2022, and to set a date for the General Meeting of Electors.

Council Resolution/Officer Recommendation – Item 12.10 **OCM 15/02/23**

MOVED Cr MacLennan, Seconded Cr Ames, that Council:

1. Accepts the Town of Bassendean's 2021/22 Annual Report for the year ending 30 June 2022, including the Audited Annual Financial Statements for the year ended 30 June 2022;
2. Notes that the document will be amended by the insertion of a Mayoral foreword; and

3. Holds its General Meeting of Electors on Wednesday 29 March 2023 in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 6.00pm.
CARRIED BY AN ABSOLUTE MAJORITY 6/0

12.11 Mid-Year Budget Review - Annual Budget 2022/23	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	FINM/BUGTG/1
Department	Corporate Services
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. 2022-23 Mid Year Review Financials and Rate Setting Statement [12.11.1 - 4 pages] 2. CONFIDENTIAL - 2022-23 Operating Projects [12.11.2 - 1 page] 3. CONFIDENTIAL - 2022-23 Capital Works [12.11.3 - 2 pages]

Purpose

The purpose of this report was for Council to consider the adoption of the Mid-Year review to the Annual Budget 2022/23 (the Statutory Budget Review).

Council Resolution/Officer Recommendation – Item 12.11

OCM 16/02/23

MOVED Cr McLennan, Seconded Cr Ames, that Council adopts the Statutory Budget Review, as outlined in this report and detailed in the attached lists of proposed Budget amendments.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

12.12 Proposal to enter into a lease agreement with the Bassendean Bowling Club Inc.	
Property Address	Reserve 21150 (BIC Reserve)
Landowner/Applicant	Crown Land
File Reference	LEGL/AGMT/9
Directorate	Office of the CEO
Previous Reports	N/A

Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. Lease - Bassendean Bowling Club Inc [12.12.1 - 49 pages]

Purpose

The purpose of this report was for Council to consider entering into a lease agreement with the Bassendean Bowling Club Inc. in relation to a portion of Reserve 21150 (BIC Reserve).

Officer Recommendation – Item 12.12

That, if Council wishes to depart from the Council-adopted Community Leasing Framework, that:

1. it agrees to enter a lease agreement with the Bassendean Bowling Club Inc in relation to a portion of BIC Reserve, on the basis of the attached draft lease, subject to modifications so as to provide a lease term of two years; and
2. requests that the CEO coordinate a review of the Council-adopted Property Management Policy and Community Leasing Framework.

The CEO (Interim) advised that the Officer Recommendation is required to be amended to replace the prefacing phrase with “That Council”.

Amended Officer Recommendation/Council Resolution – Item 12.12 **OCM 17/02/23**

MOVED Cr Ames, Seconded Cr Hamilton, that Council:

1. agrees to enter a lease agreement with the Bassendean Bowling Club Inc in relation to a portion of BIC Reserve, on the basis of the attached draft lease, subject to modifications so as to provide a lease term of two years; and
2. requests that the CEO coordinate a review of the Council-adopted Property Management Policy and Community Leasing Framework.

CARRIED 6/0

12.13 Bassendean Local Emergency Management Committee Review	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	GOVN/CCLMEET/12
Department	Community Planning
Previous Reports	N/A
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. BLEMIC Instrument of Appointment and Delegation [12.13.1 - 3 pages]

Purpose

The purpose of this report was for Council to consider changing the Bassendean Local Emergency Management Committee (BLEMIC) to an external Committee of Council.

Council Resolution/Officer Recommendation – Item 12.13 **OCM 18/02/23**

MOVED Cr McLennan, Seconded Cr Ames, that Council:

1. Endorses the proposal for the Bassendean Local Emergency Management Committee will operate as an external Committee of Council, effective as of 24 October 2023;
2. Notes that draft Terms of Reference will be prepared generally in accordance with the Department of Fire and Emergency Management's draft Local Emergency Management Committee Handbook; and
3. Notes that a report will be presented to Bassendean Local Emergency Management Committee and Council prior to October 2023 to seek approval of the draft Terms of Reference and revocation of the Instrument of Appointment for the Bassendean Local Emergency Management Committee.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION 6/0

12.14 Bassendean Local Emergency Management Committee Meetings held on 14 September, 30 November and 7 December 2022	
Property Address	NA
Landowner/Applicant	NA
File Reference	GOVN/CCLMEET/12
Department	Community Planning
Previous Reports	Nil.
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	<ol style="list-style-type: none"> 1. BLEMC Minutes 14 September 2022 [12.14.1 - 5 pages] 2. BLEMC Minutes 30 November 2022 [12.14.2 - 3 pages] 3. BLEMC Minutes 7 December 2022 [12.14.3 - 7 pages]

Purpose

The purpose of this report was for Council to receive the minutes of the Bassendean Local Emergency Management Committee Meetings held on 14 September, 30 November and 7 December 2022.

Council Resolution/Officer Recommendation – Item 12.14

OCM 19/02/23

MOVED Cr McLennan, Seconded Cr Ames, that Council receives the minutes of the Bassendean Local Emergency Management Committee meetings of 14 September, 30 November and 7 December 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION 6/0

12.15 Audit and Governance Committee Meeting - 8 February 2023	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	GOVN/CCLMEET/18
Department	Corporate Services
Previous Reports	
Authority/Discretion	Information For the Council/Committee to note.
Attachments	<ol style="list-style-type: none"> 1. Audit and Governance Committee Minutes 8 February 2023 [12.15.1 - 9 pages] 2. AFS 30.6.22 Final Signed [12.15.2 - 54 pages] 3. Draft Opinion to Bassendean 2022 [12.15.3 - 3 pages] 4. APM Town of Bassendean F Y 2022 - Final [12.15.4 - 29 pages] 5. CONFIDENTIAL - RSM Auditor's Closing Report - 30 June 2022 [12.15.5 - 18 pages] 6. CONFIDENTIAL - Final Management Letter Attachment A - Town of Bassendean 30 June 2022 [12.15.6 - 8 pages] 7. CONFIDENTIAL - Final Management Letter Attachment B - ITGC Town of Bassendean 30 June 2022 [12.15.7 - 13 pages] 8. Management Representation Letter 30.6.22 [12.15.8 - 5 pages] 9. CONFIDENTIAL - Confidential Report 8 Feb 2023 [12.15.9 - 6 pages]

Purpose

The purpose of this report was for Council to receive the report on the meeting of the Audit and Governance Committee held on 8 February 2023.

Council Resolution/Officer Recommendation – Item 12.15 **OCM 20/02/23**

MOVED Cr McLennan, Seconded Cr Ames, that Council:

1. Adopts the draft 2021/22 Annual Financial Statements, as included in the draft Town of Bassendean Annual Report for 2021/22;
2. Notes the report of Serious Misconduct and the action the Town has taken to resolve the matter; and

3. Requests the CEO report to the Committee on the effectiveness of the processes introduced to support officers in recognising their compliance obligations.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION 6/0

12.16 Monthly Financial Report – December 2022 and January 2023	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	FINM/AUD/1
Department	Corporate Services
Previous Reports	N/A
Authority/Discretion	Information For the Council/Committee to note.
Attachments	<ol style="list-style-type: none"> 1. Financial Activity Statement as at 31 December 2022 [12.16.1 - 12 pages] 2. Financial Activity Statement as at 31 January 2023 [12.16.2 - 12 pages]

Purpose

The purpose of this report was for Council to receive the Monthly Financial Reports for December 2022 and January 2023 which incorporates the Statement of Financial Activity.

Council Resolution/Officer Recommendation – Item 12.16

OCM 21/02/23

MOVED Cr McLennan, Seconded Cr Ames, that Council:

1. Notes the Explanation of Material Variances in the Statement of Financial Activity; and
2. Receives the Monthly Financial Reports for the period ending 30 December 2022 and 31 January 2023, which incorporates the Statement of Financial Activity for the periods to December 2022 and January 2023.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION 6/0

12.17 Accounts Paid November 2022 and December 2023	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	FINM/CREDTS/4
Department	Corporate Services
Previous Reports	N/A
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	1. Payment Report December 2022 [12.17.1 - 13 pages] 2. Payment Report January 2023 [12.17.2 - 11 pages]

Purpose

The purpose of this report was for Council to receive the list of payments for December 2022 and January 2023.

Council Resolution/Officer Recommendation – Item 12.17 **OCM 22/02/23**

MOVED Cr McLennan, Seconded Cr Ames, that Council receives the list of payments for December 2022 and January 2023.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION 6/0

12.18 Use of Common Seal	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	INFM/INTPROP/1
Department	Office of the CEO
Previous Reports	Not applicable
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	Nil

Purpose

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

Council Resolution/Officer Recommendation – Item 12.18**OCM 23/02/23**

MOVED Cr McLennan, Seconded Cr Ames, that Council notes the affixing of the Common Seal during the reporting period.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION 6/0

12.19 Calendar for March 2023	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	N/A
Directorate	Office of the CEO
Previous Reports	N/A
Authority/Discretion	Information For the Council/Committee to note.
Attachments	Nil

Purpose

The purpose of this report is for Council to consider the Calendar for March 2023.

Council Resolution/Officer Recommendation – Item 12.19**OCM 24/02/23**

MOVED Cr McLennan, Seconded Cr Ames, that Council adopt the calendar for March 2023.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION 6/0

13 Motions of which Previous Notice has been given

13.1 Notice of Motion - Cr Hamilton	
Councillor	Cr Hamilton
Attachments	Nil

Council Resolution – Item 13.1

OCM 25/02/23

MOVED Cr Hamilton, Seconded Cr Carter, that Council:

- Notes that in accordance with Section 5.42(1) of the Local Government Act 1995, adopted the delegations of authority to the Chief Executive Officer as provided in attachment 12.12 of the Ordinary Council Meeting of the 12 December 2022; and
- “Following a subsequent review of the Delegations Register at a Councillor Workshop held on the 31 January 2023 and in accordance with Section 5.42(1) of the Local Government Act 1995, adopts the following amendments to the existing delegations of authority to the Chief Executive Officer:

1.2.11 - Expressions of Interest for Goods and Services:

- Delete this Delegation noting that this gives effect to EOI's over a value of \$250,000 being brought to Council.

1.2.12 - Tenders for Goods and Services

- Function point 1: After \$250,000 delete the words, “without further reference to Council unless expressly identified and itemised by resolution of the Council”; and
- Function point 10: Add the words in italics so that the clause reads as follows, “Authority to implement minor variations to a contract that has been entered into with a successful tenderer, provided the total variation value does not exceed 5 percent of the original contract; noting that a minor variation is a variation that does not alter the nature of the goods/services agreed to in the original contract”.
- Council conditions on this Delegation: Add a third point as follows; Variation proposals to existing contracts or contract extensions that are not of a minor nature are to be brought to Council for determination.

1.2.26 - Management of Vested Land and Unvested Facilities

- Function point 2: Amend to, "Authority to do anything for the purpose of controlling and managing land under the control and management of the Town that the Town of Bassendean could do under s.5 of the Parks and Reserves Act 1895. [s.3.54(1)]"

CARRIED 6/0Reasons

Many of these Delegations are a consequence of the Covid pandemic in 2020 when the Administration and Council were subject to the imperatives of quickly transitioning programs and various funds to deal with a rapidly changing environment with health implications for our community. That state of emergency no longer exists.

It is good governance to ensure Council has awareness of proposed changes in the provision of good and services for major contracts, and an ability to exercise decision making in instances where those proposed changes exceed minor variations to an existing contract or potential contract renewal. The amendments reflect desirable enhancements to the processes currently employed.

This item was discussed immediately prior to Item 12.11.

13.2 Notice of Motion - Cr Ames	
Councillor	Cr Ames
Attachments	Nil

Council Resolution – Item 13.2**OCM 26/02/23**

MOVED Cr Ames, Seconded Cr Carter, that Council:

1. Requests the CEO to create the "Town of Bassendean Residential Closed Circuit Television (CCTV) Rebate Program", including the following elements:
 - rebates of 50% (up to a maximum of \$200, whichever is the lowest amount) of the cost of new CCTV installations in the Town, that include a public angle field of view overlooking the road, footpath, front verge, or any other applicable public area;
 - the rebate would only apply for new installations purchased after the program's commencement date (no retrospective applications approved), and for surveillance cameras installed where the residential property owner/occupier provides evidence of having registered the CCTV system with Western Australia Police Force - Cam-Map WA;
 - Applications would only be accepted up until the budgeted funding is depleted;
 - Rebate applications will be limited to one per household;

- Western Australian Seniors Card members to be directed to the WA State Safety and Security Rebate scheme, and will therefore be ineligible for the Town of Bassendean Residential CCTV Rebate program; and
2. Considers a budget allocation of \$20,000 for the program in the 2022/23 Mid Year Budget Review.”

CARRIED 6/0

Reasons

Closed Circuit Television (CCTV) can deter potential offenders from criminal activity and help with the detection, investigation, and prosecution of offenders. CCTV can also increase people’s perceptions of safety and their use of public places.

This newly created rebate program is aimed at increasing the number of CCTV systems within the Town. The intent of the CCTV rebate is to encourage private residents to install an effective CCTV system and create a partnership between the applicant and WA Police to address crime and safety problems through visual surveillance.

14 Announcements of Notices of Motion for the next meeting

Nil.

15 Urgent Business

Nil.

16 Confidential Business

Nil.

17 Closure

The next Briefing Session will be held on Tuesday, 21 March 2023 commencing at 6pm.

The next Ordinary Council meeting will be held on Tuesday, 28 March 2023 commencing at 6pm.

There being no further business, the meeting closed at 8.32pm.