



MINUTES

Ordinary Meeting of Council

Tuesday 26 March 2024, 6:03 pm

in the Council Chamber,

Administration Building

48 Old Perth Road, Bassendean

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

The Presiding Member declared the meeting open with the time being 6.03pm, 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

3 Attendances, Apologies and Applications for Leave of Absence

Present

Councillors

Cr Kathryn Hamilton, Mayor
Cr Paul Poliwka, Deputy Mayor
Cr Jamayne Burke
Cr Emily Wilding
Cr Jennie Carter
Cr Ken John

Officers

Mr Cameron Woods, Chief Executive Officer
Mr Paul White, Director Corporate Services
Mr Doug Pearson, (Acting) Exec Manager Infrastructure
Ms Nicole Davey, Exec Manager Sustainability & Environment
Ms Joanne Burges, Manager Governance & Strategy
Mrs Stephanie Williams, Minute Secretary

Public

1 member of the public was in attendance.

Apologies

Cr Tallan Ames

Leave of Absence

Council Resolution – Item 3.1

MOVED Cr Emily Wilding, Seconded Cr Paul Poliwka,

That Cr Jennie Carter be granted a leave of absence for 15th April to 20th April and Cr Jamayne Burke be granted a leave of absence for 10th April to 15th April;

OCM 2024-03-26/1

CARRIED UNANIMOUSLY 6/0

4 Declarations of Interest

Cr Emily Wilding declared an Impartiality Interest for Item 16.5.

5 Presentations or Deputations

Nil.

6 Statements by Members of the Public

Alex McKellar, Fourth Avenue, Bassendean

I am a member of Bassendean Tree Canopy Advocates and WATCA and I am grateful to live in a local government area that has been a leader in protecting our urban forest and the mitigation of some of the effects of climate change for a more liveable future for our community.

In regards to Item 12.10 - Revocation of Previous Council Decisions - Tree Retention and Provision, Bassendean Tree Canopy Advocates are devastated to see the amendments to the planning scheme imposed by Minister Carey that removal of trees is exempt from requiring development approval except if they are on a Significant Tree Register. As we are all aware, the minister has painted us all into a corner as this is now only possible if the owner nominates the tree, rendering the Town's policy therefore ineffective. I ask that Councillors continue to brainstorm new strategies to find ways of protecting our sparse canopy on private property within the Town. This cannot be the end of the discussion around protecting trees on private property.

Additionally, in regards to Item 12.2 General Electors Meeting - Consideration of Motions - Motion number 4, it is disappointing to read of the recommendation that council not support mandating of street tree planting on residential verges. In light of the adverse impact that Minister Carey's decisions will have upon Perth communities, I ask that Councillors consider utilising this measure of mandating street trees in order to attempt to increase our tree canopy cover, if we are going to have any chance of achieving 30% tree canopy cover by 2040. With more than 1800 potential street tree locations identified, does it not make sense to plant out as many as possible, as quickly as possible in order to achieve rapid cover?

The recommended alternative for the Town to liaise with residents to change their position sounds expensive and time consuming, and yet again allows the few negative voices to waste time and resources, when the Town's Street and Reserve Trees policy has already acknowledged this issue and states in Section 1.c. regarding tree planting: 'Tree planting to achieve a continuous canopy will take priority over a resident's objection to accommodate street trees.'

Like other important public health mandates of the past few decades, such as wearing seat belts in cars or banning smoking in restaurants and other public areas, there is a level of public protest and push back, followed by mostly widespread acceptance. With other strategies to achieve 30% canopy cover now in jeopardy, I ask that Councillors consider this motion to mandate street tree planting throughout

the Town as a feasible and legitimate strategy to achieve the Town's tree canopy goals.

Councillors - you are undoubtedly aware of the science and know that our own grandchildren may find Perth to become an unliveable city in the coming decades unless urgent and significant action is taken to mitigate urban heat island effect. I hope the Town of Bassendean can remain a leader on issues such as these and continue to clear a path forward for other LGAs to follow. Thank you.

7 Questions from Members of the Public

Please note that these questions were received for the 19 March 2024 Briefing Session

Don Yates, Thompson Road, Bassendean

Question: Look at what they are doing in New Jersey... selling a home for \$1. The city hopes the \$1 home lottery will shore up local homeownership and combat neighbourhood blight. It is not the first community to try the strategy, and it likely won't be the last. Is there a property/home in the Town of Bassendean's real estate collection that could be sold for \$1... it was done for 1 Surrey St... to create interest in Bassendean.

Alternatively, pick a property from the Town's real estate collection and run a raffle for say \$5. Is that feasible?

Answer: *The Mayor stated that she does not believe this is relevant to the Town and that the reference to Surrey Street is incorrect and there were a number of conditions with this sale and the buyer has to undertake a number of tasks. The Town has the ability to repurchase the property if those tasks are not completed within a certain timeframe.*

The Town of Bassendean does not hold any residential housing property.

Val Humphrey, Whitfield Street, Bassendean

Question: Are you aware that decisions are being made about the future of Bindaring Park that contradict the original vision for the park? And now that the conclusion of the 4a Scheme seems to be approaching will you prioritise a Master Plan that will articulate the vision to help secure it for the future?

Answer: *This question did not relate to a relevant Briefing Session Agenda item, therefore was not answered at this time. The resident is invited to resubmit at a future OCM should she wish.*

Please note that these questions were received for the 26 March 2024 Ordinary Council Meeting

Don Yates, Thompson Road, Bassendean

Question : Skateboard tracks usually include a feature called a 'spine'. Spines are basically two quarter pipes placed back-to-back, without a deck. The convex surfaces on both sides of a spine, aka spine transfer, allow a skater to transition from one side to the other in midair. You will find spines in bowls or halfpipes installed at most skateboard tracks.

Will the Town of Bassendean complete the skateboard design at the Bassendean Oval with the installation of a spine feature, possibly funded as part of the 2024/2025 financial year facilities installation budget?

Answer: The Presiding Member stated that planning would need to be done, so this will not be able to be considered for the 2024/2025 year. Input would need to be sought as to whether this structure is needed and supported by the users before allocating funds.

Further the Town is in the process of seeking consultants to prepare a master plan for the redevelopment of Bassendean Oval. The tender scope includes master planning options for the entire reserve including the existing skate park on this basis until this plan is completed, expenditure will be limited to the maintenance of existing skate park facilities.

Question: Whatever happened to the Planning Minister John Day's promised \$3M State Government contribution to improve the facilities at Bassendean Oval, that was made in November 2015, that could include improved Oval lighting and the installation of the spine feature at the skateboard installation?

Answer: As per the above the master planning process will determine future capital requirements prior to seeking grant funding.

The Bassendean Oval lighting project will be re tendered in April of 2024 and funding is secured.

Question: How popular are the Town's RELAX Courses, demonstrated by increasing participation?

Answer: The Relax program is reviewed annually as part of the budget workshops.

Question: Have courses like Urban Planning or the Power of Personal Purpose ever been considered to be added?

Answer: This question has been ruled out of order as it has been asked on numerous occasions before. The resident is aware of this and is under communication restrictions as per Council Policy.

8 Petitions

9 Confirmation of Minutes

Council Resolution/Officer Recommendation – Item 9.1a

MOVED Cr Emily Wilding, Seconded Cr Jamayne Burke

That the minutes of the Ordinary Council meeting held on 27 February 2024, be received and confirmed as a true and correct record.

OCM 2024-03-26/2

CARRIED UNANIMOUSLY 6/0

Council Resolution/Officer Recommendation – Item 9.1b

MOVED Cr Kathryn Hamilton, Seconded Cr Paul Poliwka

That the minutes of the Special Council meeting held on 11 March 2024, be received and confirmed as a true and correct record.

OCM 2024-03-26/2

CARRIED UNANIMOUSLY 6/0

10 Business Deferred from Previous Meeting

Nil

11 External Committee Reports and Updates

11.1 External Committee Reports and Updates	
Property Address	NA
Landowner/Applicant	NA
File Reference	GOVN/CCLMEET/1
Department	CEO and Council Support
Previous Reports	N/A
Authority/Discretion	Information For the Council/Committee to note.
Attachments	<ol style="list-style-type: none"> 1. East Metro Zone WALGA Minutes 15 February 2024 [11.1.1 - 14 pages] 2. EMRC Ordinary Meeting of Council Minutes 22 February 2024 [11.1.2 - 185 pages]

Purpose

The purpose of this report is for Council to note the minutes from external Committees and organisations have been received.

Council Resolution/Officer Recommendation – Item 11.1

MOVED Cr Emily Wilding, Seconded Cr Ken John

That Council notes the attached documents from external Committee meetings received within the reporting period.

OCM 2024-03-26/3

CARRIED UNANIMOUSLY 6/0

12 Officer Reports

Council Resolution/Officer Recommendation – Item 12.1

MOVED Cr Ken John, SECONDED Cr Jennie Carter

That Council;
Adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda:
Items 12.3, 12.4, 12.5, 12.6, 12.7

OCM 2024-03-26/3

CARRIED UNANIMOUSLY 6/0

12.2 General Electors Meeting - Consideration of Motions	
Property Address	
Landowner/Applicant	
File Reference	GOVN/CCLMEET/1
Directorate	
Previous Reports	
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. MINUTES General Meeting of Electors_ [12.2.1 - 20 pages]

Purpose

The purpose of this report is for Council to consider the Motions that were Carried at the General Electors Meeting held on 13 February 2024.

Officer Recommendation – Item 12.2

This recommendation lapsed for lack of a mover.

That Council:

- 1.Receives the Minutes of the General Electors Meeting held on 13 February 2024;
- 2.Notes the six (6) motions carried at the General Electors Meeting held on 13 February 2024;
- 3.Notes the actions taken at the Ordinary Council Meeting held on 27 February 2024 to address Motion 1;
- 4.Notes the outcome of Special Council Meeting held on 11 March 2024 regarding Motion 3;
- 5.Supports Part 1. of Motion 6 and Part 2 of Motion 2;
- 6.Does not support Part 2. of Motion 6; and
- 7.Does not support Part 1 of Motion 2, Motions 4 or 7 of the General Electors Meeting.

Cr Ken John moved an Alternative Motion.

Council Resolution – Item 12.2

MOVED Cr Ken John, Seconded Cr Paul Poliwka,

That Council;

1. Receives the Minutes of the General Electors Meeting held on 13 February 2024;
2. Notes the six (6) motions carried at the General Electors Meeting held on 13 February 2024;
3. Notes the actions taken at the Ordinary Council Meeting held on 27 February

- 2024 to address Motion 1;
4. Notes the outcome of Special Council Meeting held on 11 March 2024 regarding Motion 3;
 5. Supports Part 1. of Motion 6 and Part 2 of Motion 2, subject to the following amendments being made to Motion 6 (Part 1):
 - Requests the CEO writes to the Local Member and MRWA to request consideration of the installation of traffic signals at the intersection of Coulston Road and Guildford Road that includes investigation of potential future relocation of a close proximity level crossing to facilitate ease of entry/egress via a signalled crossroad at Coulston Road and Guildford Road that also provides traffic access to Railway Parade.
 6. Does not support Part 2. of Motion 6, and
 7. Does not support Part 1 of Motion 2 or Motion 7 of the General Electors Meeting.
 8. Council supports phasing in Motion 4 (mandatory planting of trees on verges) over the next 3 years, to assist in transitioning the Town's planting program together with improving public awareness of the benefits of trees.

Reasons provided for the alternative motion were:

Motion 6: The lights at Coulston Road have been an ongoing issue and one that multiple residents have raised with me. I have previously spoken with the local member about these lights and he has indicated his support. As such it would be prudent to follow up with MRWA directly as we have unresolved correspondence.

Motion 4 I would be happy with the amendment wording kindly provided by the Mayor

"Council supports phasing in Motion 4 (mandatory planting of trees on verges) over the next 3 years, to assist in transitioning the Town's planting program together with improving public awareness of the benefits of trees."

The reason being council has shown support previously for mandating verge trees & the community has shown an appetite for mandating verge trees via their own motion. There is no reason to unnecessarily delay making it council policy as it allows time for public awareness, education campaigns and may increase efficiency in tree planting.

OCM 2024-03-02/9

CARRIED UNANIMOUSLY 6/0

12.3 Proposed Outbuilding - 137 (Lot 385) Walter Road East, Bassendean	
Property Address	137 (Lot 835) Walter Road East, Bassendean
Landowner/Applicant	Oscar Holt Shepherd
File Reference	2023-146
Directorate	Community Planning
Previous Reports	24 May 2022
Authority/Discretion	<p>Quasi-Judicial</p> <p>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.</p>
Attachments	<ol style="list-style-type: none"> 1. Previously Approved Plans (2022-028) [12.3.1 - 2 pages] 2. Current Development Plans [12.3.2 - 2 pages] 3. Submission [12.3.3 - 1 page]

Purpose

The purpose of this report is for Council to consider an application for development approval for an outbuilding at 137 (Lot 835) Walter Road East, Bassendean. The matter is being referred to Council as it is outside the authority delegated to staff due to an objection being received during the consultation period.

Council Resolution/Officer Recommendation – Item 12.3

MOVED Cr Ken John, Seconded Cr Jennie Carter

That Council approves the application for development approval for the proposed outbuilding at 137 (Lot 835) Walter Road East, Bassendean, subject to the following conditions:

1. The outbuilding shall only be used for domestic purposes associated with the property and not be used for commercial purposes or human habitation.
2. All building works to be carried out under this development approval, including footings are required to be contained within the boundaries of the subject lot.
3. All stormwater being contained and disposed of onsite.

Voting requirements: Simple Majority

OCM 2024-03-02/4

CARRIED UNANIMOUSLY 6/0

12.4 Audit and Governance Committee Meeting - 6 March 2024	
Property Address	
Landowner/Applicant	
File Reference	GOVN/CCLMEET/18
Directorate	
Previous Reports	
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	<ol style="list-style-type: none"> 1. Compliance Audit Return 2023 [12.4.1 - 12 pages] 2. CONFIDENTIAL REDACTED - March 2024 Audit Findings Log [12.4.2 - 13 pages] 3. Audit and Governance Committee [12.4.3 - 6 pages]

Purpose

The purpose of this report is for Council to receive the report on the meeting of the Audit and Governance Committee held on 6 March 2024.

Council Resolution/Officer Recommendation – Item 12.4

MOVED Cr Ken John, Seconded Cr Jennie Carter

That Council:

1. Receives the Minutes of the Audit and Governance Committee of 6 March 2024;
2. Adopts the Compliance Audit Return 2023 for the Town of Bassendean for the period 1 January 2023 to 31 December 2023, as attached to this report; and
3. Receives the Audit Findings Log (confidential attachment)

Voting requirements: Simple Majority

OCM 2024-03-02/5

CARRIED UNANIMOUSLY 6/0

12.5 Bassendean Local Emergency Management Committee Meeting - 27 February 2024	
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	1. BLEMC minutes - 27 February 2024 [12.5.1 - 5 pages] 2. DFES Report [12.5.2 - 5 pages]

Purpose

The purpose of this report is for Council to receive the minutes of the Bassendean Local Emergency Management Committee (BLEMC) Meeting held on 27 February 2024.

Council Resolution/Officer Recommendation – Item 12.5

MOVED Cr Ken John, Seconded Cr Jennie Carter

That Council:

1. receives the minutes of the Bassendean Local Emergency Management Committee meeting of 27 February 2024;
2. authorises the update to the Town's LEMA to reflect that the Local Recovery Coordinator role will be performed by the Town's Manager Governance and Strategy.

Voting requirements: Simple Majority

OCM 2024-03-02/6

CARRIED UNANIMOUSLY 6/0

12.6 Accounts Paid - February 2024	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	FINM/CREDTS/4
Directorate	Corporate Services
Previous Reports	
Authority/Discretion	Legislative Includes adopting local laws, local planning schemes & policies.
Attachments	1. List of Payments February 2024 [12.6.1 - 16 pages]

Purpose

The purpose of this report is for Council to receive the list of accounts paid for February 2024.

Council Resolution/Officer Recommendation – Item 12.6

MOVED Cr Ken John, Seconded Cr Jennie Carter

That Council receives the list of accounts paid for February 2024.

OCM 2024-03-02/7

CARRIED UNANIMOUSLY 6/0

12.7 Monthly Financial Report - February 2024	
Property Address	NA
Landowner/Applicant	NA
File Reference	FINM/AUD/1
Author	Paul White
Department	Director Corporate Services
Previous Reports	N/A
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	1. Monthly Financial Report - February 2024 [12.7.1 - 12 pages]

Purpose

The purpose of this report is for the Council to receive the Monthly Financial Report for February 2024 which incorporates the Statement of Financial Activity.

Council Resolution/Officer Recommendation – Item 12.7

MOVED Cr Ken John, Seconded Cr Jennie Carter

That Council:

1. Notes the Explanation of Material Variances in the Statements of Financial Activity; and
2. Receives the Monthly Financial Report for the period ending 29 February 2024, which incorporates the Statement of Financial Activity for the period to February 2024.

OCM 2024-03-02/8

CARRIED UNANIMOUSLY 6/0

12.8 Draft Amended Land Asset Strategy	
Property Address	Various
Landowner/Applicant	Town of Bassendean
File Reference	
Directorate	Community Planning
Previous Reports	June 2020 December 2021 September 2023
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. CONFIDENTIAL REDACTED - Adopted Land Asset Strategy (September 2023) [12.8.1 - 27 pages] 2. CONFIDENTIAL REDACTED - Draft amended Land Asset Strategy (March 2024) [12.8.2 - 26 pages]

Purpose

The purpose of this report is for Council to consider adopting the draft amended Land Asset Strategy (LAS).

Officer Recommendation – Item 12.8

This Item was discussed along with other Confidential items at Item 16, when Council went behind closed doors.

MOVED Cr Kathryn Hamilton, Seconded Cr Paul Poliwka

That Council

1. adopts the draft amended Land Asset Strategy, as contained as a Confidential Attachment to this report; and
2. notes that the Land Asset Strategy is to remain a confidential document.

Voting requirements: Simple Majority

Council Resolution – Item 12.8

Amendment proposed by Mayor Kathryn Hamilton

That Council

1. adopts the draft amended Land Asset Strategy, as contained as a Confidential

Attachment to this report, subject to the following amendment:
- Add in the wording "and Hames Shirley 2008 Town centre Strategy and Guidelines" to Item 3's last recommendation.

2. notes that the Land Asset Strategy is to remain a confidential document.

OCM 2024-03-02/14

MOVED Cr Kathryn Hamilton, Seconded Cr Paul Poliwka

CARRIED UNANIMOUSLY 6/0

12.9 Administrative review of existing Local Planning Policies	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	LUAP/PLANNG
Directorate	Community Planning
Previous Reports	N/A
Authority/Discretion	Legislative Includes adopting local laws, local planning schemes & policies.
Attachments	Nil

Purpose

The purpose of this report is for Council to consider necessary administrative changes to the Town's suite of 18 Local Planning Policies (LPP).

Officer Recommendation – Item 12.9

MOVED Cr Paul Poliwka, Seconded Cr Emily Wilding

That Council, pursuant to Clause 5 of the Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, amends its 18 existing Local Planning Policies, to replace all references to LPS 10 with references to the equivalent provisions of new Local Planning Scheme No. 11 and to rectify minor spelling and grammatical errors, with the modifications to take effect upon gazettal of Local Planning Scheme No. 11. The policies as amended, are provided to Councillors through the CEO Bulletin with tracked changes.

Council Resolution – Item 12.9

Amendment proposed by Cr Paul Poliwka

That Council, pursuant to Clause 5 of the Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, amends its 18 existing Local Planning Policies, to replace all references to LPS 10 with references to the equivalent provisions of new Local Planning Scheme No. 11 and to rectify minor spelling and grammatical errors, with the modifications to take effect upon gazettal of Local Planning Scheme No. 11 and;

The Policies are to be provided to Council with tracked changes.

Voting requirements: Absolute Majority

OCM 2024-03-02/10

CARRIED UNANIMOUSLY 6/0

12.10 Revocation of previous Council decisions - Tree Retention and Provision	
File Reference	TBA
Department	Community Planning
Previous Reports	22 August 2023 17 October 2023 28 November 2023 27 February 2024
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	Nil

Purpose

The purpose of this report is for the Council to consider two previous decisions regarding trees on private property.

Officer Recommendation – Item 12.10

This recommendation lapsed for lack of a Mover

That Council pursuant to Regulation 10 of the Local Government (Administration) Regulations 1996 revokes the following resolutions:

1. the resolution made for Item 13.1 at the Ordinary Council Meeting of 22 August 2023, as follows.

“That Council requests the CEO to, upon gazettal of Town of Bassendean Local Planning Scheme 11, immediately initiate a Scheme Amendment to achieve tree protection on private property through the insertion of the following into Schedule A: Supplemental Provisions to the Deemed Provisions.

Clause 60A

No person shall remove a tree (which includes ring-barking, cutting down, topping, lopping, removing, pruning, transplanting, filling or excavating around, injuring, or wilful destruction) on a lot zoned Residential with a density code of R30 or below that meets the following criteria unless development approval has been granted in accordance with Part 8 of the deemed provisions:

- a) Tree height of 8m or greater; or*
- b) Canopy width of 6m or greater; or*
- c) A total trunk circumference of 1.5m, and where the tree has multiple trunks average trunk circumferences of 625mm, measured at 1.4m above ground level; or*

d) *On a Significant Tree Register.*

Clause 61

Development for which approval is not required:

2. the resolution made for Item 13.1 at the Ordinary Council Meeting of 17 October 2023, as follows.

“In an effort to, where practicable, support retention of mature trees to complement the delivery of quality development outcomes in the Bassendean Town Centre, Council requests the CEO to:

- i. Develop and release a request for quote (RFQ) to conduct an audit of mature trees on private property within the boundaries of the Bassendean Town Centre, for trees that meet the requirements of being classified as Significant Trees on the Town’s Significant Tree Register; and*
 - ii. Present the cost and the process for the conducting of the audit with an officers recommendation, to the 2024/25 budget workshop for council consideration.”*
3. the resolution made for Item 12.2 at the Ordinary Council Meeting of 28 November 2023, as follows.

“That Council requests inclusion of possible incentives as attached for the consideration of Council during the 2024/25 budget process:

- a) Tree Maintenance grants;*
- b) Potential reduction in fees associated with applications retaining mature or significant tree(s).*
- c) Where such incentives only apply to trees that are listed on the Town’s Significant Tree Register under LPS 11.”*

4. the resolution made for Item 12.9 at the Ordinary Council Meeting of 27 February 2024, as follows.

“That Council, pursuant to Clause 5(1) and 4(1) of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes)

Regulations 2015, adopts draft amended Local Planning Policy 13 – Tree Retention and Provision, as contained as Attachment 3, for the purposes of advertising.”

Cr Paul Poliwka moved an Alternative Motion.

Council Resolution – Item 12.10

MOVED Cr Paul Poliwka, Seconded Cr Jamayne Burke

That Council;

1. Council acknowledges that the final modifications to LPS11 as required by the Minister of Planning prior to gazettal, which includes the removal of trees being exempt development and the entry into the significant tree register being restricted to landowner originated nominations only, have now rendered several of Council's initiatives in the tree retention space unworkable going forward.

2. That Council pursuant to Regulation 10 of the Local Government (Administration) Regulations 1996 revokes the following resolutions:

a. the resolution made for Item 13.1 at the Ordinary Council Meeting of 22 August 2023, as follows.

"That Council requests the CEO to, upon gazettal of Town of Bassendean Local Planning Scheme 11, immediately initiate a Scheme Amendment to achieve tree protection on private property through the insertion of the following into Schedule

A: Supplemental Provisions to the Deemed Provisions.

Clause 60A

No person shall remove a tree (which includes ring-barking, cutting down, topping, lopping, removing, pruning, transplanting, filling or excavating around, injuring, or willful destruction) on a lot zoned Residential with a density code of R30 or below that meets the following criteria unless development approval has been granted in accordance with Part 8 of the deemed provisions:

a) Tree height of 8m or greater; or

b) Canopy width of 6m or greater; or

c) A total trunk circumference of 1.5m, and where the tree has multiple trunks average trunk circumferences of 625mm, measured at 1.4m above ground level; or

d) On a Significant Tree Register.

Clause 61

Development for which approval is not required:

b. the resolution made for Item 13.1 at the Ordinary Council Meeting of 17 October 2023, as follows.

"In an effort to, where practicable, support retention of mature trees to complement the delivery of quality development outcomes in the Bassendean Town Centre, Council requests the CEO to:

1. Develop and release a request for quote (RFQ) to conduct an audit of mature trees on private property within the boundaries of the Bassendean Town Centre, for trees that meet the requirements of being classified as Significant Trees on the Town's Significant Tree Register; and

2. Present the cost and the process for the conducting of the audit with an officers recommendation, to the 2024/25 budget workshop for council consideration.”

3. the resolution made for Item 12.9 at the Ordinary Council Meeting of 27 February 2024, as follows.

“That Council, pursuant to Clause 5(1) and 4(1) of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes)

Regulations 2015, adopts draft amended Local Planning Policy 13 – Tree Retention and Provision, as contained as Attachment 3, for the purposes of advertising.”

Reasons provided for the alternative motion were:

Part 1 – the community deserves to be made aware of why they have not been provided with the tree retention measures that they had requested through the process of advertising for LPS11.

Part 3 (the deletion of) – It is more important than ever to incentivise if we cannot require retention.

OCM 2024-03-26/11

CARRIED UNANIMOUSLY 6/0

13 Motions of which Previous Notice has been given

13.1	Waste Levy Advocacy
Councillor	Cr Hamilton

Attachments	Nil
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Voting requirements: Simple Majority
Council Resolution/Officer Recommendation – Item 13.1

MOVED Cr Kathryn Hamilton, Seconded Cr Emily Wilding

That Council support the following advocacy Notice of Motion to be submitted on or before the 5 April by Town of Bassendean for consideration at the upcoming WALGA East Zone scheduled to meet on the 18th of April 2024.

MOTION

That the East Metropolitan Zone;

Requests WALGA to advocate to the WA Government that 100% (rather than just 25%) of the Waste Levy be allocated to the Waste Authority for a minimum of five years commencing in 2024/25 to assist in funding the shortfall of FOGO processing infrastructure and other infrastructure required to improve the states circular economy, and

Requests WALGA advocates to the WA Government that appropriate funding mechanisms be established as grants and/or interest free long term investment partnerships with the Local Government sector and their regional associations, to fast-track the establishment of infrastructure that improves circular waste processing within the state.

OCM 2024-03-26/12

CARRIED UNANIMOUSLY 6/0

14 Announcements of Notices of Motion for the next meeting

Nil.

15 Urgent Business

Nil.

16 Confidential Business

Reason for the following Items being discussed behind closed doors:

16.2 2024 Community Awards

This item is to be considered behind closed doors pursuant to Clause 5.23. (2) (b) of the Local Government Act 1995 as the officer report discusses a matter affecting the personal affairs of any person.

16.3 EMRC Regional Waste Collection Service

This item is to be considered behind closed doors pursuant to Clause 5.23. (2) (c) of the Local Government Act 1995 as the officer report discusses a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

16.4 Acquisition of Land

This item is to be considered behind closed doors pursuant to Clause 5.23. (2) (e) (ii) of the Local Government Act 1995 as the officer report discusses information that has a commercial value to a person.

The Council Resolution relating to 16.4 will be reflected in the appropriate Minutes at such time as deemed appropriate by the Town of Bassendean CEO.

16.5 Service Level Review

This item is to be considered behind closed doors pursuant to Clause 5.23. (2) (a) of the Local Government Act 1995 as the officer report discusses a matter affecting an employee or employees.

The Council Resolution relating to 16.5 will be reflected in the appropriate Minutes at such time as deemed appropriate by the Town of Bassendean CEO.

Council Resolution/Officer Recommendation – Item 16.1

MOVED Cr Jamayne Burke, Seconded Cr Jennie Carter

That Council go behind closed doors, the time being 6.32pm.

OCM 2024-03-26/13

CARRIED UNANIMOUSLY 6/0

16.2 2024 Community Awards	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	COMR/AWADP/2
Directorate	Community Planning
Previous Reports	22 March 2023
Authority/Discretion	Executive
Attachments	1. CONFIDENTIAL REDACTED - Nominations [16.2.1 - 10 pages]

Purpose

The purpose of this report is for Council to determine the recipients of the 2024 Town of Bassendean Community Awards.

Cr Jamayne Burke left the Chamber, time being 6.40pm

Cr Jamayne Burke returned to the Chamber, time being 6.41pm

Council Resolution/Officer Recommendation – Item 16.2

MOVED Cr Emily Wilding, Seconded Cr Kathryn Hamilton

That Council:

Notes that the details of the award recipients will be embargoed until the awards are issued on Friday 24 May 2024.

Voting requirements: Simple Majority

OCM 2024-03-26/19

CARRIED UNANIMOUSLY 6/0

16.3 EMRC Regional Waste Collection Service	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	WSTMNGT/SVPROVN/3
Directorate	Sustainability and Environment
Previous Reports	24 August 2021 7 March 2023
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	<ol style="list-style-type: none"> 1. CONFIDENTIAL REDACTED - EMRC Waste Collection Service Proposal [16.3.1 - 5 pages] 2. CONFIDENTIAL REDACTED - EMRC Cost Comparison [16.3.2 - 3 pages] 3. CONFIDENTIAL REDACTED - Revised Risk Ratings [16.3.3 - 2 pages]

Purpose

The purpose of this report is for Council to consider an updated report on the Eastern Metropolitan Regional Council's (EMRC) Regional Waste Collection Service (RWCS), as per Resolution of Council SCM 3/03/23.

Council Resolution/Officer Recommendation – Item 16.3

MOVED Cr Jennie Carter, Seconded Cr Jamayne Burke

That Council :

1. Provides in-principle support for commencement of a pre-booked bulk verge and on-demand collection service with EMRC from 1 July 2025, subject to prior community engagement and finalisation of a Participation Agreement, to be approved by Council;
2. Does not support participation in the EMRC kerbside bin collection service at this time; and
3. Notes the Administration's intention to exercise a contract extension with Veolia Australia Pty Ltd for RFT 064W 'For the Supply of Waste Disposal Goods and Services' until 30 June 2027, with any necessary variation as detailed in the report.

Voting requirements: Simple Majority

OCM 2024-03-26/20

CARRIED UNANIMOUSLY 6/0

Council Resolution

MOVED Cr Ken John, Seconded Cr Emily Wilding

That Council come from behind closed doors, time being 7.11pm

OCM 2024-03-26/23

CARRIED UNANIMOUSLY 6/0

17 Closure

The meeting came out from behind closed doors, the time being 7.12pm

There being no further business, the Presiding Member declared the meeting closed, the time being 7.15pm.