

TOWN OF BASSENDEAN

NOTICE OF ORDINARY COUNCIL MEETING

Dear Council Members

An Ordinary Meeting of the Council of the Town of Bassendean will be held on Tuesday, 24 March 2015 in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 7.00pm.

MR BOB JARVIS
CHIEF EXECUTIVE OFFICER

20 March 2015

Councillors, please note that the Briefing Session will commence at 5.00pm; a meal will be provided at 6.15pm; and the Ordinary Council meeting will commence at 7.00pm.

Cr Carter will be the facilitator for the Briefing Session.

A G E N D A

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Acknowledgement of Country

The Town of Bassendean acknowledges the People of the Nyoongar Nation as the traditional owners of the land on which we gather to conduct this meeting, and pays its respects to their Elders, both past and present.

Members of the public are requested to please sign the Attendance Sheet located in the Council Chamber.

2.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

2.1 Questions Taken on Notice

At the February 2015 meeting, Ms Bremmer asked a number of questions. The Director Operational Services replied to Ms Bremmer on 9 March 2015 – **See Attachment No. 1B.**

2.2 Public Question Time

Members of the public who wish to do so may ask questions at this point in the agenda.

2.3 Address by Members of the Public

Members of the public who wish to do so may address Council at this point in the agenda.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

4.0 DEPUTATIONS

Mr Bevan Carter and Ms Bella Bropho will be in attendance to provide a deputation on South West Native Title Settlement Agreement – Lot 3003 Lord Street (formerly Pyrton) and Lot 1000 Lord Street - Bennett Brook Reserve, which was deferred at the February 2015 Ordinary Council.

5.0 CONFIRMATION OF MINUTES

5.1 Ordinary Council Meeting held on 24 February 2015 (Attachment No. 1A)

OFFICER RECOMMENDATION – ITEM 5.1(a)

That the minutes of the Ordinary Council meeting held on 24 February 2015, be received.

OFFICER RECOMMENDATION – ITEM 5.1(b)

That the minutes of the Ordinary Council meeting held 24 February 2015, be confirmed as a true record.

6.0 ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT DISCUSSION

7.0 PETITIONS

8.0 DECLARATIONS OF INTEREST

9.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

10.0 REPORTS

10.1 Adoption of Recommendations En Bloc

The following information is provided to Councillors for guidance on the use of En Bloc voting as is permissible under the Town's Standing Orders Local Law 2011.

Standing Orders Local Law 2011, Clause 5.4 states:

- (1) In this clause adoption by en bloc voting means a resolution of the Council that has the effect of adopting, for a number of specifically identified reports, the officer recommendation as the Council resolution.
- (2) Subject to subclause (3), Council may pass an adoption by en bloc voting.
- (3) An adoption by en bloc voting may not be used for a matter –
 - (a) that requires a 75% majority or a special majority;
 - (b) in which an interest has been disclosed;
 - (c) that has been the subject of a petition or deputation;

- (d) that is a matter on which a member wishes to make a statement; or
- (e) that is a matter on which a member wishes to move a motion that is different to the Officer recommendation.

Councillors should be aware that should they wish to declare an interest in any of the items listed in the en bloc voting table, and have not done so under Item 8.0, Declarations of Interest, they should do so at this point of the agenda.

OFFICER RECOMMENDATION – ITEM 10.1

That Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda 24 March 2015:

Item	Report
10.2	Proposed Eight Multiple Dwellings on Lot 27; (Nos. 63A & 63B) Third Avenue, Bassendean
10.3	Eden Hill Telecommunications Facility Feasibility Investigation: Applicant Visionstream Pty Ltd on behalf of Optus and Vodaphone
10.4	State Administrative Tribunal Decision for Development Application for Proposed Ten Multiple Dwellings on Lot 251 (No 103) Guildford Road, Bassendean
10.5	Proposed Retaining Walls and Overfilling on to Mary Crescent Reserve associated with 35 Lot Residential Subdivision and Retention of Telephone Tower – Lot 3 (No 260) Morley Drive, Eden Hill
10.7	Proposed Town Planning Scheme Workshop
10.8	Plants to Residents Program
10.9	Traffic Management - Shackleton Street, Bassendean
10.12	Review of Workforce Plan and Corporate Structure
10.13	Code of Conduct Review
10.15	Cultural Development Advisory Committee Meeting held on 18 February 2015
10.16	Determinations Made by the Manager Development Services and Reported to Council
10.17	Bassendean Local Emergency Management Committee Meetings held on 10 December 2014 and 18 February 2015
10.18	Access and Inclusion Committee Meeting held on 11 March 2015
10.20	Accounts for Payment – February 2015
10.21	Implementation of Council Resolutions
10.22	Use of the Common Seal
10.23	Calendar for April 2015

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

Item	Report
10.6	Proposed Amendment to the Instrument of Appointment and Delegation for the Town Planning Scheme Review Committee and Exemption for Councillors to Participate in Amendments to the Town Planning Scheme No. 10 as a result of the Local Planning Strategy
10.10	Outstanding Debtor and Unauthorised Works Update
10.11	Replacement of HACC Vehicle P814 - IVECO Bus Registration 1CWW016
10.14	Conducting the 2015 Council Elections by Postal Vote
10.19	Financial Statements – February 2015

10.2 Proposed Eight Multiple Dwellings on Lot 27; (Nos. 63A & 63B) Third Avenue, Bassendean, Owner: Bellini Enterprises Pty Ltd, Applicant: Aaron Sice (Ref: DA 2014-169 Stephanie Radosevich, Planning Officer)

APPLICATION

The application seeks Council's approval for eight multiple dwellings which includes variations to the 'Deemed-to-comply' provisions of the Residential Design Codes of Western Australia (R-Codes) relating to boundary walls.

The aspects of the development, which do not meet the Deemed-to-comply provisions of the R-Codes, require assessment and determination against the 'Design Principles'.

ATTACHMENTS

Attachment No. 2:

- Plans of the proposed development
- Applicant's justification letter

BACKGROUND

An application for approval to build eight multiple dwellings on the subject lot was submitted on 18 August 2014. Neighbour consultation was undertaken as the initial proposal comprised variations to the Deemed-to-comply provisions of the R-Codes, with respect to building height, street setback and lot boundary setbacks; whereby one letter of objection was submitted to the Town in relation the proposed multiple dwellings.

The site is zoned residential with a split density code of R20/R40, with a site area of 953 square metres. The proposal relates to a two-storey development which comprises 8 two bedroom apartments.

Plans and a letter of justification as prepared by the applicant are included as attachments.

STRATEGIC IMPLICATIONS

Built Environment

Objective:

- Ensure Town provides choice in housing types.

Strategies:

- Plan for the highest densities to be centred on railway stations, the Town Centre, and major transport routes.
- Strive to ensure that higher density housing will have excellent design to ensure that development is people-friendly and attractive.
- Strive to ensure that new housing, and in particular higher density housing, has high environmental standards.
- Plan for the availability of a broad range of housing types and affordability.

Objective:

- Foster enhanced public space and street appearance.

Strategies:

- Plan for improved streetscapes which include better footpaths, street furniture and inviting verges with well-developed and maintained street trees.
- Encourage the retention of trees on development site

COMMENT

The application has been assessed against the provisions of the Local Planning Scheme No. 10, the Residential Design Codes (State Planning Policy 3.1) and relevant Local Planning Policies, including the Town's Energy Efficient Design Policy, Water Sensitive Design Policy and Percent for Art Policy.

ASSESSMENT

Land use

Multiple Dwellings are a permitted use in the residential zone under the Local Planning Scheme No. 10.

Housing Density

By virtue of Clauses 5.3.1.1 and 5.3.1.2 of the Local Planning Scheme No. 10, the site is to be considered as if the density code is R20, unless Council determines that it is appropriate to develop the site at the higher code of R40.

In order to develop the site at the higher code of R40, Council must be satisfied that the development complies with the following criteria:

- a) In the opinion of Council the lot has a road frontage sufficient to allow at least two homes and a shared access way, where required to service development to the rear;
- b) There is due regard for relevant Local Planning Policies;
- c) Identified heritage objectives are not compromised;
- d) The proposal demonstrates elements of water sensitive urban design; and
- e) The existing streetscape is being preserved.

The proposal is considered to comply with points a) to d). With regards to point e), the existing streetscape is characterised by single storey dwellings which have been developed to in accordance with the R20 density code. These dwellings are provided with generous setbacks and complemented by significant landscaping and associated areas of open space.

The proposed development proposes more intense development; however the building setbacks compliment those of other dwellings within the street, with comparable areas of landscaping and associated areas of open space.

In light of the above, development is able to be assessed against the higher density code of R40. It is noted that the development potential for multiple dwellings at an R40 density code is controlled by plot ratio rather than a site area per dwelling requirement as applies for the development of grouped dwellings and single houses.

Compliance with the Residential Design Codes

The proposal complies with the Deemed-to-comply requirements of the Residential Design Codes, with the following exceptions:

Street Setbacks

The proposed development is provided with a nil setback (enclosed residents bicycle spaces) from Third Avenue, whereas the Deemed-to-comply provisions of Clause 6.1.3 'Street Setback' C3.1 of the R-Codes provides for a 1.5 metre setback from Third Avenue.

In terms of the proposed street setback, buildings are required to be setback from street boundaries an appropriate distance to ensure they:

- contribute to the desired streetscape;
- provide articulation of the building on the primary and secondary streets;
- allow for minor projections that add interest and reflect the character of the street without impacting on the appearance of bulk over the site;
- are appropriate to its location, respecting the adjoining development and existing streetscape; and
- facilitate the provision of weather protection where appropriate.

The proposed minimum nil secondary street setback to Avenue is not considered to meet the Design Principles in this instance as the reduced street setback is not in keeping with the desired streetscape, results in undue building bulk on Third Avenue and does not respect the existing streetscape.

Further to the above, the proposed location of the residents bicycle spaces results in bicycle spaces which are not convenient in use.

It is recommended that a condition be placed on any approval issued which requires car parking spaces 2b and 3b to be deleted, with car bays 2a and 6 being moved up one space to the west, and the enclosed residents bicycle spaces being relocated behind the automatic gates.

Boundary Walls

The proposal comprises three (3) boundary walls to the western boundary; whereas the Deemed-to-comply provisions do not provide for boundary walls for multiple dwellings developed in areas coded R40.

The western boundary walls comprise five (5) stores (to units 1, 2, 4, 5 and 6) with a length of 12.81 metres, with an average height of 2.2 metres and a maximum height of 2.3 metres.

In terms of the proposed boundary walls, buildings are required to be setback from boundaries or adjacent buildings so as to:

- ensure adequate daylight, direct sun and ventilation for buildings and the open space associated with them;
- moderate the visual impact of building bulk on a neighbouring property;

- ensure access to daylight and direct sun for adjoining properties; and
- assist with the protection of privacy between adjoining properties.

The proposed western boundary walls are considered to meet the Design Principles in this instance as the boundary wall has a similar impact to a standard 1.8 metre high boundary fence on top of 0.5 metres of fill, which is considered acceptable under the Deemed-to-comply provisions of the R-Codes.

Further to this, a Single House developed in accordance with the R20 density code, could build a boundary wall with a length of 13.36 metres with a maximum height of 3.5 metres and an average height of 3 metres. As the proposed boundary wall is less than what could be approved for a Single House, it is considered to be in keeping with the Design Principles in this instance.

In light of the above, the boundary wall is not considered to have any adverse building bulk impacts on the adjoining western property.

It is noted that the proposal is compliant with the Deemed-to-comply provisions of Clause 6.4.1 'Visual Privacy' C1.1 and Clause 6.4.2 'Solar Access for Adjoining Sites' C2.1. In light of this, the proposed boundary wall is not considered to have any undue impact on overlooking or overshadowing in accordance with the Deemed-to-comply provisions of the R-Codes.

Parking

The proposal comprises two (2) visitor car parking spaces which abut the automatic gate separating the visitor car parking spaces from the residents car parking spaces; whereas the Deemed-to-comply provisions provide for car parking spaces to be design in accordance with AS2890.1 which requires a 1 metre deep aisle for the visitor car parking spaces to be able to enter the street in forward gear.

In terms of the proposed design of car parking spaces, car, cycle and other parking facilities are to be designed and located on-site to be conveniently accessed, secure, consistent with streetscape and appropriately manage stormwater to protect the environment.

The proposed car parking spaces are not considered to meet the Design Principles in this instance as the visitor car parking spaces are not considered to be conveniently accessed as they are not designed in accordance with AS2890.1, to provide for visitors to enter the street in forward gear.

It is recommended that a condition be placed on any approval issued which requires car parking spaces 2b and 3b to be deleted, with car bays 2a and 6 being moved up one space to the west, with the automatic gates being relocated back 1 metre to the west from the visitor bays.

Local Planning Policy No 15 Percent for Art Policy

If the proposal is approved, it is subject to compliance with the Town's Percent for Art Policy. All development proposals for multiple dwellings, mixed use, commercial, civic, institutional, educational projects or public works with a value greater than \$1,000,000 shall be regarded as eligible proposals under this policy.

Neighbour Consultation

Neighbour consultation was undertaken with the adjoining property owners. One (1) objection has been received in relation to the proposal; whereby the following comments were made:

1. Wall Height

- (a) The proposed wall height of 6.6 metres will adversely impact the amenity of the adjoining property by further shading the property and the northern aspect of the roofline, decreasing the efficiency and viability of a future solar panel install.
- (b) The wall height will reduce adequate daylight reaching the rooms of the adjoining property.
- (c) The building façade has not been designed such that the perception of height is reduced.
- (d) The wall height will reduce the efficiency, value and quiet enjoyment of the property.

2. Third Avenue street setback

- (a) The reduced street setback of the property does not comply with Table 4 of the R-Codes.
- (b) The reduced street setback will increase the shading of the adjoining property during certain times of day, reducing the efficiency and viability of a future solar panel install.

(c) The reduced street setback will contribute to an increased perception of size, with the proposed building not reflecting the character of the street, not respecting the adjoining development or complementing the existing streetscape.

3. Southern setback

(a) The reduced setback to the southern boundary raises the issues, namely increased shading of the property, reduced enjoyment due to darkening, and the increased perception of size.

The following comments are provided in response to the concerns that have been raised by the adjoining property owners:

1. Wall Height

Amended plans have been submitted which demonstrate that the proposal complies with the Deemed-to-comply provisions of Clause 6.1.2 'Building Height' C2 of the R-Codes, with the proposed wall height being a maximum of 6 metres. In light of this, the proposed development is not considered to have any undue impact with respect to building height in accordance with the Deemed-to-comply provisions of the R-Codes.

2. Third Avenue street setback

Amended plans have been submitted which demonstrate that the proposal complies with the Deemed-to-comply provisions of Clause 6.1.3 'Street Setback' C3.1 of the R-Codes, with the proposed development being setback a minimum 1.5 metres from Third Avenue. In light of this, the proposed development is not considered to have any undue impact with respect to building bulk on Third Avenue, in accordance with the Deemed-to-comply provisions of the R-Codes.

3. Southern setback

Amended plans have been submitted which demonstrate that the proposal complies with the Deemed-to-comply provisions of Clause 6.1.4 'Lot Building Setbacks' C4.1 of the R-Codes, with the proposed southern wall being setback 1.91 metres to 2.07 metres from the boundary. In light of this, the proposed development is not considered to have any undue impact with respect to building bulk, access to light or ventilation, in accordance with the Deemed-to-comply provisions of the R-Codes.

STATUTORY REQUIREMENTS

The application is subject to the provisions of the Town's adopted Local Planning Scheme No. 10 and the Residential Design Codes of Western Australia.

Clause 10.2 of LPS 10 identifies matters that are to be considered by the Local Government when dealing with an application for planning approval including:

- “(b) the requirements of orderly and proper planning including any relevant proposed new Local Planning Scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;*
- (c) any approved statement of planning policy of the Commission;*
- (e) any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State;*
- (f) any Local Planning Policy adopted by the local government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the local government under the Scheme;*
- (i) the compatibility of a use or development with its setting;*
- (n) the preservation of the amenity of the locality;*
- (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*
- (y) any relevant submissions received on the application;*
- (z) the comments or submissions received from any authority consulted under clause 10.1.1; and*
- (za) any other planning consideration the local government considers relevant.”*

In the event that Council was to refuse the application or was to grant approval, subject to conditions, and the applicant was aggrieved by those conditions, they would be entitled to a right of review under Part 14 of the Planning and Development Act 2005.

FINANCIAL CONSIDERATIONS

Nil.

Conclusion

The proposed development is seen to satisfactorily address the Design Principles specified within the R-Codes, for each of the areas where the building has not been designed to meet the relevant Deemed-to-comply provisions, for the reasons that have been discussed within the body of the report.

On this basis, it is recommended that Council grants approval for the proposed development in accordance with the recommendation presented below.

OFFICER RECOMMENDATION – ITEM 10.2

That Council grants planning approval for the proposed eight multiple dwellings at Lot 27 (Nos. 63A & 63B) Third Avenue, Bassendean, subject to the following conditions:

1. Amended plans are to be submitted prior to or in conjunction with the Building Permit demonstrating:
 - (a) Car bays 2b and 3b being deleted;
 - (b) Car bays 2a and 6 being relocated up one space to the west;
 - (c) The automatic gates being relocated back 1 metre to the west from visitor bays 1 and 2; and
 - (d) The residents bicycles parking spaces being relocated behind the automatic gates;

as marked in red on the site plan.
2. A detailed landscape plan being submitted prior to or with the application for a Building Permit for the Town's approval which addresses the following:
 - (a) Details of the location and type of proposed trees, shrubs, groundcover and lawn areas to be planted;
 - (b) Low water use;
 - (c) Landscaping of the verge area adjacent to the development site, including the provision of substantial street trees in accordance with the Town's adopted Street Tree Master Plan; and
 - (d) Details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months;

3. Pedestrian paths to be constructed which provide wheelchair accessibility connecting all entries to buildings with the public footpath and car parking areas;
4. Provision of lighting to pathways and car parking areas;
5. The site shall be landscaped in accordance with the approved landscaping plan and shall be maintained thereafter;
6. The street trees which sit within the verge and are not affected by the proposed development shall be protected by barricades during construction in accordance with the Town's Policy relating to street tree protection;
7. The existing crossover on the Third Avenue frontage of the development site being removed and the verge and kerbing being reinstated to the satisfaction of the Town;
8. Separate approval being obtained from the Town's Asset Services for the proposed crossover on the Third Avenue frontage of the development site and this crossover being constructed in accordance with that approval;
9. The sealing and kerbing of all car parking areas and access ways to the Town's specifications;
10. The car parking spaces and access ways being constructed and maintained thereafter to the Town's satisfaction;
11. Visitor parking spaces being clearly marked for "Visitors Only" and used as such;
12. A minimum of three (3) and one (1) bicycle bays shall be provided for the residents and visitors respectively. The bicycle parking spaces shall be located in the area identified on the approved drawings and shall be constructed in accordance with the provisions of AS 2890.3 (as amended);
13. Details of stormwater disposal being submitted for the approval of the Town in conjunction with or prior to the issue of the Building Permit, in accordance with Local Planning Policy No. 14 – On-Site Stormwater Policy;
14. Prior to the issue of a building permit a development bond for the sum of \$4,000 being lodged with Council to ensure the satisfactory completion of all works associated with landscaping, car parking, access ways and fencing;

15. The incorporation of public art into the proposed development or a cash-in-lieu payment of one per cent of the construction cost of the proposed development in accordance with the Town's adopted Local Planning Policy No. 15 'Percent for Art Policy'. Detailed arrangements and agreement with respect to art to be provided on-site or alternatively payment of the required fee shall be made prior to or in conjunction with the application for a Building Permit;
16. The street number being prominently displayed at the front of the development;
17. The provision of side and rear fences, behind the street setback line, of 1.8 metres in height. Where the ground levels vary on either side of the fence, the required 1.8 metre height shall be measured above the higher ground level;
18. A separate application and approval being obtained for any proposed fencing within the street setback area;
19. The provision of letterboxes and bin storage in materials to complement the development to the satisfaction of the Town;
20. External clothes drying facilities shall be screened from view of the street or any other public place at all times. No drying of clothes from upper floor balconies (units 5, 6 & 7) or ground floor outdoor living areas (units 1, 2 & 3) is permitted;
21. Air-conditioning units and external fittings shall be incorporated into the building or screened from view. Details of the treatment of such external fittings to the building being submitted prior to the issue of a building permit to the satisfaction of the Manager Development Services;
22. The applicant submitting to the satisfaction of the Manager Development Services a construction management plan that addresses issues of dust and noise control, hours of work, and provides contact details of a person to deal with complaints;

23. A Waste Management Plan (WMP) is to be submitted for the Town's approval prior to or in conjunction with the application for a Building Permit. The WMP shall address matters including, but not necessarily limited to, the following:
 - (a) Measures to be implemented for the purpose of minimising the delivery of waste to landfill during occupation, including: the on site separation of materials for recycling and the expectations of owners and/or tenants;
 - (b) Site Plan showing the location and size of the on-site rubbish disposal area, including the number of general rubbish and recycling bins to be provided for the development, including sharing arrangements where the number of bins is less than the number of dwellings;
 - (c) An estimation of the volume of waste to be generated by the proposed development and the capacity of this volume of waste to be accommodated by on site bin storage capacity;
 - (d) Details of intended method of collection (private contractor or Council contractor);
 - (e) Details of arrangements for transferring bins from the bin storage area to the verge for collection and subsequently from the verge back to the bin storage area, including timeframes at each stage;
 - (f) Details of where the bins would be located when waiting collection;
 - (g) Details of advice to be provided to owners and occupiers regarding the WMP; and
 - (h) Details of how the WMP will continue to be applied in perpetuity across the life of the development, including the WMP being incorporated into the strata by-laws for the proposed development;
24. The bin storage area is:
 - (a) To be provided with a self closing gate;
 - (b) To be provided with 75mm minimum thickness concrete floors grading to a 100mm industrial floor waste, with a hose cock to enable both the bins and bin storage area to be washed out; and
 - (c) To be provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning;
25. The proposed boundary wall shall be finished to the satisfaction of the Town;

26. All building works to be carried out under this planning approval are required to be contained within the boundaries of the subject lot;
27. The building hereby approved shall not be occupied until all of the conditions of planning consent have been complied with to the satisfaction of the Manager Development Services, unless the applicant has entered into an agreement with Council to comply with those conditions within a specified period; and
28. The issue of a building permit prior to the commencement of any on-site works.

ADVICE NOTE:

In relation to Condition 15, the owner/applicant is to liaise with the Town's Cultural Development Officer, early in the process, if it is intended that the public art is to be provided on-site.

Voting Requirement: Simple majority

10.3 Eden Hill Telecommunications Facility Feasibility Investigation: Applicant Visionstream Pty Ltd on behalf of Optus and Vodaphone (Ref: ESAT/MAINT/2 - Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report is to request Council approval to enter into discussions with Visionstream to find a site for a new telecommunications monopole on Council controlled land in the Eden Hill area.

ATTACHMENTS

Attachment No. 3: Correspondence from Visionstream

BACKGROUND

Correspondence has been received seeking the Town's support to find a site to house a new telecommunications Monopole within the Eden Hill area to improve local mobile coverage and meet the increasing demand for data and mobile voice calls.

The proposed facility incorporates joint venture technologies that combine Optus and Vodafone antennae to maximise the efficient deployment of telecommunication infrastructure within the community. Optus have identified this area within Eden Hill as requiring a new facility to meet shortage of capacity in its current mobile network.

Co-location on the existing 30m Telstra Monopole off Gallagher Street was a preferred location, however, has been discounted from structural, property and radio frequency perspectives. Preliminary assessments of this pole show that it is structurally fully loaded and would require major strengthening if it was to support joint venture antennae.

Furthermore, from a property perspective, the potential to secure a lease with the current landowner owning the land beneath the Telstra Monopole appears slim, given that he is investigating the potential for subdivision and appears reluctant to lease out any further land to carriers to house equipment shelters around the pole.

Finally, Telstra's antenna at the top of this monopole, Optus and Vodafone antennae, would have to be located beneath them. Therefore, the antenna height afforded on this pole would be below the necessary antenna height required to sufficiently meet Optus and Vodafone's coverage objectives of the area.

The current areas being investigated are:

Option A - part of Jubilee Reserve Eden Hi;

Option B - the former Service Station site located at 246 Morley Drive at the junction of Morley Drive and Ivanhoe Street; and

Option C - part of Mary Crescent Reserve.

Each of the sites is discussed briefly in the comment section below.

STRATEGIC IMPLICATIONS

The following is taken from the current Corporate Plan:

THEME

Economic Wellbeing and Prosperity

Objective

Build a strong local business economy to benefit the community

Strategy

Identify land assets to boost economic development activities and reduce the rates burden on the community.

COMMENT

Option A - Part of Jubilee Reserve Eden Hill

Jubilee Reserve is held under a Management Order to the Town and is reserved for Local Open Space under the Local Planning Scheme No. 10. It is classified as District open Space under the Town's Open Space Strategy.

The site has the advantage of being a large landscape where it is easier to accommodate the type of infrastructure proposed. The opportunity also exists to provide a reasonable buffer from residential property.

Option B - Former Service Station site located at 246 Morley Drive at the junction of Morley Drive and Ivanhoe Street

This site is owned freehold by the Town and is zoned for Local Shopping purpose by the Town of Bassendean Local Planning Scheme No 10. Residential development is permitted in the Local Shopping zones up to a maximum density of R60.

Council's long term plan for this site appears to be to not develop this site in the short term, but to retain the site so that it may be developed in conjunction with the adjoining shopping centre site to the west.

Placing a tower on this land does not appear to be compatible with the long term future of the site.

Option C - Part of Mary Crescent Reserve

This site is owned Freehold by the Town and is reserved for Local Open Space under the Local Planning Scheme No. 10. It is classified as District open Space under the Town's Open Space Strategy.

Potentially, there is an additional constraint on this land as the site is registered site under the Aboriginal Heritage Act 1972 and as such, approval would be required under that Act.

The site has the advantage of being a large landscape where it is easier to accommodate the type of infrastructure proposed. The opportunity also exists to provide a reasonable buffer from residential property.

Other requests to install Infrastructure.

In terms of other requests to install Telecommunication Infrastructure in recent times:

Council rejected a proposal to enter into a lease for a site to be established on the Service Station site and on Mary Crescent Reserve in August 2012: The officer report made mention of the incompatibility of a tower in terms of the potential future use of the site, and concern was expressed that additional telecommunication facilities in the general location would also be likely to have a negative impact on the Town's desire to facilitate the redevelopment of the surrounding land.

Council also rejected a proposal to establish a telecommunication facility on the Mary Crescent Reserve in January 2010. Council's decision was based in part on community objection to the facility as a result of community advertising of a planning proposal.

Conclusion

This report recommends that officers be authorised to hold further discussions with VisionStream into the feasibility of establishing a new telecommunication facility on the Mary Crescent Reserve Site and at Jubilee Reserve. In doing so it is considered that the community does not share the same concerns about the sitting of mobile facilities, and the Town has land within its control that accommodate such facilities.

It is of course open to Council to reject this recommendation by the deletion of one or both sites.

STATUTORY REQUIREMENTS

Nil at this stage.

FINANCIAL CONSIDERATIONS

Nil at this stage however it is understood that the income for the leases of sites for telecommunication infrastructure is around \$20,000 pa.

OFFICER RECOMMENDATION — ITEM 10.3

That the Chief Executive Officer be authorised to enter into further discussions with Visionstream regarding the feasibility of establishing a new telecommunication infrastructure site on Jubilee Reserve and Mary Crescent Reserve.

Voting requirements: Simple Majority

10.4 State Administrative Tribunal Decision for Development Application for Proposed Ten Multiple Dwellings on Lot 251 (No 103) Guildford Road, Bassendean (Ref: DA2013-198 - Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report is to update Council and the community on the outcome of the application for review (appeal) to the State Administrative Tribunal.

ATTACHMENTS

Attachment No. 4: Determination by the State Administrative Tribunal dated 17 March 2015.

BACKGROUND

This matter was last considered by Council in substance at its meeting held on 24 June 2014, when Council refused an application for planning consent for 10 multiple dwellings at Lot 251(No. 103) Guildford Road, Bassendean.

Advice has been received from the Tribunal that the application for review has been allowed and a conditional approval has been issued.

COMMENT

This is the second time that the Tribunal has granted approval for applications of this type. Council will need to have regard to the decisions of the Tribunal in dealing with similar applications for Multiple Dwellings in the Split Coded areas of the Town.

It is apparent that rejecting proposals for Multiple Dwellings that comply with the Split Coded Provisions of the Scheme, Council policies, and the Deemed- to-Comply, or performance based solutions of the Residential Design Codes, is not sustainable, irrespective of community objection to this type of proposal.

The only option open to Council is to investigate mechanisms through an amendment to the Local Planning Scheme No 10 to place extra controls on the development requirements for Multiple Dwellings in areas targeted primarily for family accommodation.

OFFICER RECOMMENDATION — ITEM 10.4

That Council notes that the decision of the Council of the Town of Bassendean made on 24 June 2014 to refuse development approval for ten multiple dwellings at No 103 (Lot 251) Guildford Road, Bassendean, has been set aside and a conditional approval has been granted for the proposed development.

Voting requirements: Simple Majority

10.5 Proposed Retaining Walls and Overfilling on to Mary Crescent Reserve associated with 35 Lot Residential Subdivision and Retention of Telephone Tower – Lot 3 (No 260) Morley Drive, Eden Hill – Owner: Lorenzo Bonazzi, Applicant: Miluc Civil Pty Ltd (Ref: DABC/BDVAPPS/2105-028 & 146605 - Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report is for Council to consider:

- 1 An application for planning approval for the construction of retaining walls that involves over filling on to the adjoining Mary Crescent Reserve; and
- 2 The retention of the current Telstra tower that exists on the site.

ATTACHMENTS

Attachment No. 5:

- Plans of proposed subdivision;
- Detailed area Plan for Lot 3 Morley Drive; and
- Landscape Concept Plan for Mary Crescent Reserve.

BACKGROUND

An application for planning consent has been received to carry out the erection of retaining walls at the above property and to overfill into the adjoining Mary Crescent Reserve.

In addition, is it proposed to retain the existing Telstra tower on the south western corner of the site?

Both issues are discussed further in the comment's section below.

STRATEGIC IMPLICATIONS

Town Planning and Built Environment

Objectives

Ensure Town provides choice in housing types

Strategy

Plan for the availability of a broad range of housing types and affordability.

Economic Wellbeing and Prosperity

Objectives

Build a strong local business economy to benefit the community

Strategy

Engage with redevelopment plans for shopping centres

COMMENT

Issue 1 - Retaining Walls and Overfill on to Mary Crescent Reserve

The application site falls by approximately 4.0m from Morley Drive to the north to the southern boundary of the site, which adjoins Mary Crescent Reserve.

With the combination of the fall of the site, the size of the lots and the requirements to tie into existing surrounding streets, it has been necessary to incorporate a retaining wall into the subdivision design.

The approved Detailed Area Plan for the site includes houses facing the park, served by a rear laneway, with uniform masonry fencing to a maximum height of 600mm, with visually permeable fencing to a maximum 1.8m height above, on the boundary of the reserve.

The Detailed Area Plan and subdivision design has been influenced by the Mary Crescent Reserve Concept Plan, which shows a new road on the northern boundary of the reserve, designed to facilitate redevelopment of the adjoining land to the north and encouraging passive surveillance of the park.

In order to reduce the impact of retaining walls to the park, Council officers have encouraged the developer to investigate a design that overfills in to the Park.

The submitted plans indicate overfilling into the reserve by approximately 5.0m on the south-eastern boundary of the site and approximately 10.0m on the south western boundary of the site. This has the impact of reducing the solid portion of the fence (retaining wall) to a maximum height of 800mm, with a visually permeable fence on top.

The overfilling is to incorporate a pedestrian path to give access to the front of the dwellings on a relatively level area, and then a batter to existing ground levels at a grade of 1:6. The batter is to be steepened by the use of stone pitching to protect existing trees in the park.

Mary Crescent Reserve is a registered site under the Aboriginal Heritage Act 1972. A Section 18 clearance is in existence for the proposed new road shown on the Concept Plan referred to above.

The location of the proposed overfilling is in the same location as the proposed new road. The matter of whether the overfilling is consistent with the extant section 18 Clearance has been discussed with the Department of Aboriginal Affairs.

The department advised that if the proposed overfilling onto Mary Crescent Reserve is to be contemplated then the *South West Aboriginal Land and Sea Council* should be consulted as a way of informing people of the proposed development.

It was also suggested the developer speak to Mr Albert Corunna as well, as he is an Important Elder for the area. Mr Corunna met with the developers in February 2005, and has raised no objection to the proposal, subject to a spotter being present during excavation of the pipe drain to check for any remains or artefacts during excavation. Should any remains or artefacts be found, then the excavation works should stop.

Both the height of the retaining walls and the proposed overfilling is considered acceptable and appropriate.

Issue 2 - Retention of telephone tower

The original subdivision application that was considered by Council in October 2012 was premised on the removal of the existing telecommunication tower.

It is now proposed to retain the telephone tower, at least in the short term, and the tower would occupy lots 27 and 28 that were intended to be developed with residential lots.

Whilst the developer did intend to retain the tower indefinitely, as a form of rental income. As it currently stands, the amount of rental return from the Telstra tower is not really viable to the developer, with the loss of income of 2 saleable blocks it currently sits on, so it is believed it will go in time but in saying that, Telstra will need another location to re-locate. It is likely to take 9-12 months to find an alternative site.

The developer has been advised that all of the other 33 lots have been sold (subject to title), and all future purchasers have signed an annexure with their sale contract advising knowledge of the Telstra tower currently sitting on lots 27 & 28.

The point is also made that if the tower is removed in 12 months, no-one would be actually living in the estate yet with titles and houses to be completed.

There are generally two issues in considering the siting of telecommunication infrastructure in close proximity to residential development, being possible health issues and the impact on visual amenity.

The Western Australian Planning Commission released a Draft State Planning Policy dealing with Telecommunication Infrastructure in October 2014. That policy makes the point that research undertaken by the Australian Radiation Protection and Nuclear Safety Agency ARPANSA demonstrates that environmental radio frequency levels near base stations for the mobile telephone network are extremely low. The ARPANSA study reported that the highest daily average level was well below one per cent of the Standard's public exposure limits and concluded that *"given the very low levels recorded and the relatively low power of these types of transmitters, it is unlikely that the radiofrequency radiation from base stations would cause any adverse health effects, based on current medical research"*.

Based on ARPANSA's findings, local planning authorities should not set additional setbacks for telecommunications infrastructure in local planning schemes or local planning policies for the purposes of health or safety standards for human exposure to electromagnetic radiation.

In terms of setbacks for visual amenity the draft planning policy states:

The planning authority may exercise discretion in its treatment of the visual amenity impacts of telecommunications infrastructure. If visual amenity setbacks are to be put in place, they should be no greater than the height of the tower to the lot boundary. The planning authority may choose to apply no setback in instances where it considers that the siting of infrastructure does not have a negative impact on existing visual amenity.

In this case, it should be noted that the proposal represents putting housing close to an existing telecommunication tower rather than the other way round.

It is also likely, but not guaranteed, that the existing tower will be removed within a period of around 12 months.

STATUTORY REQUIREMENTS

Mary Crescent Reserve is a registered site under the Aboriginal Heritage Act 1972.

The application is subject to the provisions of the Town's adopted Local Planning Scheme No. 10 and the Residential Design Codes of Western Australia.

Clause 10.2 of LPS 10 identifies matters that are to be considered by the Local Government when dealing with an application for planning approval including:

- “(b) the requirements of orderly and proper planning including any relevant proposed new Local Planning Scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;*
- (c) any approved statement of planning policy of the Commission;*
- (e) any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State;*
- (f) any Local Planning Policy adopted by the local government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the local government under the Scheme;*
- (i) the compatibility of a use or development with its setting;*
- (n) the preservation of the amenity of the locality;*
- (o) the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*
- (y) any relevant submissions received on the application;*
- (z) the comments or submissions received from any authority consulted under clause 10.1.1; and*
- (za) any other planning consideration the local government considers relevant.”*

In the event that Council was to refuse the application or was to grant approval, subject to conditions, and the applicant was aggrieved by those conditions, they would be entitled to a right of review under Part 14 of the Planning and Development Act 2005.

FINANCIAL CONSIDERATIONS

Nil to Council

OFFICER RECOMMENDATION — ITEM 10.5

That Council:

1. Grants planning approval for the proposed Retaining Walls at Lot 3 (No 260) Morley Drive, Eden Hill, incorporating overfilling to Lot 1; 70 Mary Crescent, Eden Hill, subject to the following conditions:
 - a) The trees within the Mary Crescent Reserve, likely to be impacted by the works on the Reserve associated with the development shall be protected during construction.
 - b) The proposed surface of the retaining walls adjacent to public spaces shall be finished to the satisfaction of the Town, and to reduce the impact of graffiti
 - c) The developer shall be responsible for the removal of any graffiti from the retaining walls that face on to public spaces until the site is handed over to the Town of Bassendean.
 - d) Further details of the overfill on to Mary Crescent shall be submitted for the approval of the Town, prior to the works commencing.
 - e) The batters of the overfill shall be landscaped with grass or other plantings to be agreed with the Town of Bassendean.
 - f) The issue of a Building Permit prior to the works commencing on site.

Footnotes

Prior to the commencement of the approved works, the landowner/applicant is advised to investigate whether or not approval is required pursuant to the *Aboriginal Heritage Act 1972*. The landowner/applicant should conduct a search of the Register of Aboriginal Sites to determine if any aboriginal sites have been recorded in the vicinity of their application, and this heritage information should be submitted to the Department of Indigenous Affairs with a request for advice.

In line with advice with advice previously supplied by the Department of Indigenous Affairs, the applicant is advised that *South West Aboriginal Land and Sea Council* should be consulted as a way of informing people of the proposed overfilling onto Mary Crescent Reserve.

2. Authorises officers to clear the subdivision of Lot 3 Morley Drive, Eden Hill, with the retention of the existing telephone tower

Voting requirements: Simple Majority

10.6 Proposed Amendment to the Instrument of Appointment and Delegation for the Town Planning Scheme Review Committee and Exemption for Councillors to Participate in Amendments to the Town Planning Scheme No. 10 as a result of the Local Planning Strategy (Ref: LUAP/PLANNING/14 - Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report is for Council to seek an exemption for all Councillors to fully participate in discussions on amendments to the Local Planning Scheme No 10 that emanate from the revised Local Planning Strategy, and to consider a proposed amendment to the Instrument of appointment of delegation to the Town Planning Scheme Review Committee.

ATTACHMENTS

Attachment No. 6:

Amended Instrument of Appointment and Delegation of the Town Planning Scheme Review Committee

BACKGROUND

Council has been working on a review of the Local Planning Scheme No. 10 since 2011. The work to date has been on a review of the Local Planning Strategy (LPS), which should be gazetted in the next month or two.

The LPS contains a commitment to increase the base density code from R15 to R25 throughout the Scheme area, and to change the density code of North Bassendean Precinct 2 to a split density code of R20/40 under the Local Planning Scheme No. 10.

The matter is discussed further in the comment section below.

STRATEGIC IMPLICATIONS

Built Environment

Objective:

- Ensure Town provides choice in housing types.

Strategies:

- Plan for the highest densities to be centred on railway stations, the Town Centre, and major transport routes.

- Strive to ensure that higher density housing will have excellent design to ensure that development is people-friendly and attractive.
- Strive to ensure that new housing, and in particular higher density housing, has high environmental standards.
- Plan for the availability of a broad range of housing types and affordability.

Objective:

- Foster enhanced public space and street appearance.

Strategies:

- Plan for improved streetscapes which include better footpaths, street furniture and inviting verges with well-developed and maintained street trees.
- Encourage the retention of trees on development site.

COMMENT

As mentioned in the background section of this report, the work on the LPS has now finished, however, Council now needs to give effect to the LPS through amendments to the Local Planning Scheme No 10.

Based on previous advice from the Department of Local Government, the only way that Councillors can participate in terms on discussions on proposed changes to the Scheme, is by way of the continuation of the Town Planning Scheme Review Committee, which will necessitate seeking new exemptions from the Minister of Local Government.

This report also suggests updating the Instrument of Appointment of Delegation to the Town Planning Scheme Review Committee to clarify the role of the Committee is now to implement the proposals of the LPS.

STATUTORY REQUIREMENTS

A Councillor who has as a financial or proximity interest in a matter before Council may not participate in Council or Committee meetings dealing with issues such as Local Planning Schemes, unless the Minister for Local Government has allowed the disclosing member to participate.

FINANCIAL CONSIDERATIONS

Nil.

OFFICER RECOMMENDATION — ITEM 10.6

That:

- 1 The CEO seeks an exemption from the Minister for Local Government pursuant to Section 5.69A to allow Councillors to participate in the Committee discussions, and to debate the recommendations of those committees at subsequent Council meetings; and
- 2 Council adopts the amended Instrument of Appointment and Delegation of the Town Planning Scheme Review Committee, as attached to the Ordinary Council meeting agenda of 25 March 2015

Voting Requirement:

Points 1 - Simple Majority

Point 2 – Absolute Majority.

10.7 Proposed Town Planning Scheme Workshop (Ref: GOVN/CCLMEET/1 - Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report is for Council to set a date and theme for a workshop to discuss planning issues.

BACKGROUND

There have been two Council resolutions passed requiring items to be referred to a planning workshop as shown below.

“OCM August 2014 - That the matter of Local Planning Policy No. 4, Floodplain Management & Development, be referred to a planning workshop for further discussion, following an inspection of sites within the floodplain.

OCM December 2014 -the Town holds a workshop to discuss initiating omnibus amendments to TPS No. 10 and TPS No. 4A to rezone portions of land currently zoned for residential, industrial or road reserve purposes but that are utilised as public/local open space to public/local open space.”

STRATEGIC IMPLICATIONS

Nil.

COMMENT

It is suggested that the first workshop be held on Tuesday, 21 April 2015, commencing at 7.00pm. It should be noted that it is likely that inspections will be held on this day prior to the workshop.

It is proposed to hold the workshop to discuss initiating omnibus amendments to TPS No. 10 and TPS No. 4A. If Council agrees with this approach, Councillors are asked to identify what land currently zoned for residential, industrial or road reserve purposes, should be included in any amendment to the Scheme, prior to the workshop.

STATUTORY REQUIREMENTS

Workshops do not have any ability to make decision and as such there is no need to develop an Instrument of Appointment and Delegation for the workshops. The consensus view of the workshops, along with relevant information and comment from Officers, will be brought forward for Council consideration through an officer report.

FINANCIAL CONSIDERATIONS

Nil other than the potential for additional catering.

OFFICER RECOMMENDATION — ITEM 10.7

That Council holds an Information Workshop on Tuesday, 21 April 2015, commencing at 7.00pm.

Voting requirements: Simple majority

10.8 Plants to Residents Program (Ref: GRSU/PROGM/1 - Jeremy Walker, Environmental Officer)

APPLICATION

The purpose of this report is for Council to consider amending the manner in which seedlings for the Plants to Residents program are provided to the Town's ratepayers.

BACKGROUND

In 2008, Council resolved that (OCM-22/05/08):

1. *Council considers the allocation of \$6,000 in the 2008/09;*
2. *As part of the Green Bassendean Program, Council resolves to provide plants to residents at a subsidised cost of \$1.00 per plant.*

Then in April 2009, Council resolved that (OCM-7/04/09):

1. *As part of the Green Bassendean Program, provides plants to residents at a subsidised cost of \$0.50 per plant.*

In 2010, over 3000 seedlings were provided to an unknown number of residents at a subsidised cost of 50 centres per plant. The 2010 budget for the purchase of these plants was \$6,000. Each resident was limited to 100 seedlings.

In 2011, the Men of the Trees organisation advised that it did not want the added administration work that was required in the previous year's program and insisted the Town collect the plants and administer the payment and collection itself. The seedlings were again offered to residents in similar arrangements to the 2010 program, however, that year only 30 seedlings were offered to residents at a subsidised cost of 50 cents, but this time residents were to collect their plants during the running of the Old Perth Road Markets.

Several problems occurred with the collection of plants at the Markets:

- There was not enough stock so several residents missed out on plants;
- The area was open and unsecured which resulted in theft of plants;
- A large queue formed before the opening time and residents became frustrated;

- There were added staffing costs as the Town had to collect the plants outside working hours;
- There were issues with the distribution of the plants as Men of the Trees required its equipment to be returned after the distribution and the Town was then required to provide bags for residents to collect their plants;
- Complaints were made from several residents suggesting that 30 seedlings was too many and that the quality of the stock was substandard; and
- There were also issues as to the location of the truck at the Markets, as some residents believed it was not in a prominent position and they could not find it. When they did the lines were long and very few, if any, plants were available for residents to purchase.

In 2012, Council resolved that (OCM-16/02/12):

1. It approves the changes to the new Plants to Residents programme and:
 - a) Provides a maximum of 10 seedlings per dwelling for Town of Bassendean residents at \$1.00 per seedling;
 - b) In March/April 2012 Council advertises the Plants to Residents Programme;
2. Residents of the Town of Bassendean wishing to take up the offer of Plants to Residents programme, be invited to place their orders and provide payment at the Customer Services Centre; and
3. Residents of the Town of Bassendean seedlings orders shall be available for collection at the June 2012 Bassendean Sunday Markets;

In 2012, the Town had 60 residents register for the program averaging 30 seedlings each and the Town issued 1,500 seedlings. In 2013, the Town had 70 residents register again averaging 30 seedlings each and issued 1,700 seedlings and in 2014, the Town had 180 residents register with an average of 15 seedlings each and a total of 3,800 plants were issued.

The original Council resolution offered residents 10 plants each per dwelling. In 2012, the registration form had a box that residents could tick if they would like to be considered for extra plants. 90% of residents asked to be considered for extra plants, so owing to low participation, the Town offered up to 30 plants to these residents. In 2013, the Town increased the number of seedlings from 10 per dwelling to 30 per dwelling. Again participation was low enabling the Town to do so. In 2014, interest in the scheme started early, prompting the Town to lower the number of seedlings to 15 per dwelling.

The Plants to Residents program is becoming increasingly more popular with the number of residents participating in the program, tripling in number since the 2012 scheme was introduced. In 2014, the program was so popular that the Town sold out of stock in 2 days. This growing popularity of the program has developed several issues such:

- Several complaints were received from residents who missed out on plants due to selling out of stock
- Several residents were unable to visit Customer Service Centre to view the plant display and order their plants; these residents were still offered the scheme and allowed to pay via the phone however they could not view the display so selecting the species became an issue.
- Due to the increased plant orders the Towns staff could not fit all the orders into one truck. The Town required the SES truck, Council utility vehicle and were required to borrow a Plant trailer from men of the Trees.
- Increased number of orders also created problem for Town staff on collection day as there were 180 orders to go through to find each residents order.
- The Town had an agreement with Men of the Trees which entailed the Town's Environmental Officer creating a spreadsheet with every resident's order. Men of the Trees would then pre-pack every order so that Town staff could hand them out on the day. Due to the increase in numbers, this has become a problem for both the Town Staff and Men of the Trees staff and it is now at a stage where the Men of the Trees cannot continue with the current arrangement.

COMMENT

Due to an increase in uptake of the Plants to Residents program, the 2012 Plants to Residents scheme has become unserviceable and requires some changes to meet the current demands.

The current scheme had residents attend the Customer Service Centre and complete a registration form selecting up to 10 seedlings from 15 different species that were on display. The Town's Environmental Officer then compiled all the order forms and generated an order list for Men of the Trees, who pre packed each order ready for the Sunday Markets. Due to the increase in popularity and demand for the Scheme, the Town has out grown this process, Men of the Trees can no longer pre-sort the orders and TOB staff struggle to issue the orders at the Markets. The original scheme had the program issue plants at the Sunday Markets to increase patrons' attendance at the Markets. This is no longer required with attendance at the Markets increasing and the collection point for plants has been in the Library carpark, away from the market stalls.

In 2015, the Plants to Residents proposal is to invite residents to register for up to 10 plants at a subsidised cost of \$1, and pay at the Customer Service Centre. Instead of selecting their 10 plants from a display, residents will be asked to pay for the quantity of plants they would like, up to 10 per dwelling, and will then be issued with a voucher for Men of The Trees. Residents will be informed by Council and the Men of the Trees when they register of the pick up date. The following dates are available for Saturday pickups – 30 May, 6 June, 20 June and 27 June.

Changing the registration system and pick up location will cut down on administration and labour costs for the Town, allowing more money to be spent on plants and will allow more residents to register using over the phone payment procedure without selecting their species. The current budget of \$7,000 including advertising costs and staff overtime is adequate.

To meet the current demand and the new procedure, an increase in the 2015/16 Budget of \$8,000 is required which will allow the Town to accommodate up to 450 residents with 10 seedlings each.

The City of Swan offers a similar program to its residents where they send out letters inviting residents to Men of the Trees on a particular day to collect plants. Men of the Trees and City of Swan have advised that this program has worked well and meets their current demands.

STATUTORY REQUIREMENTS

Local Govt Act 1995

FINANCIAL CONSIDERATIONS

List in the draft 2015/16 Budget, for Council's approval, an amount of \$8,000 for the Plants to Residents Program.

OFFICER RECOMMENDATION – ITEM 10.8

That Council:

1. Approves the proposed procedural changes to the new Plants to Residents programme; and
2. Lists \$8,000 in the draft 2015/16 Budget for the Plants to Residents Program.

Voting requirements: Simple Majority

10.9 Traffic Management - Shackleton Street, Bassendean (Ref: ROAD/STMNGT/1 – Ben Moore Engineering Technical Coordinator & Nicole Baxter, Engineering Design Officer)

APPLICATION

The purpose of this report is to update Council on traffic survey findings and present to Council alternative traffic calming methods as per Council resolution OCM – 12/07/14 and in line with recommendations made by OPUS Consulting Engineers, that Officers of the Town commence investigations into both the low to medium cost option and medium to high cost option regarding traffic calming devices in Shackleton Street.

ATTACHMENTS

Attachment No. 7:

- Traffic Survey Comparison June 2011 – February 2015.
- Shackleton Street Traffic Management – Option 1.
- Shackleton Street Traffic Management – Option 2.

BACKGROUND

In July 2014, Council considered a report regarding the Shackleton Street Traffic Management Devices. Council resolved to remove the traffic calming devices and in line with recommendations made by OPUS Consulting Engineers, that Officers of the Town commence investigations into both the low to medium cost option and medium to high cost option, for a report to be presented to Council at a later date with a view to implementing alternative traffic calming devices.

Council's reason for not supporting the Officer's recommendation within the report, at that time, was that following a three year trial period and subsequent survey of residents, 69% supported removal of the speed cushions which were installed based on hooning problems.

The Officer recommendation was for the retention of the devices pending assessment of alternate treatment options. This was in line with OPUS Consulting Engineers assessment that assessed traffic data illustrated no speeding issues along this street therefore showing the devices had achieved their purpose. (Addressing noise issues)

Traffic calming devices were removed immediately in August 2014.

COMMENT

Shackleton Street, Bridson Street and Palmerston Street are designated under the Town's Road Hierarchy as Local Distributor Roads. Local Distributor Roads carry up to 6,000 vehicles per day and based on recent surveys Shackleton/Bridson and Palmerston Streets remain within these limits.

Traffic classifiers/counters were recently installed in Shackleton, Bridson and Palmerston Streets in the same locations, as in 2014, and a comparison was made of traffic results pre/post-calming devices (speed cushions).

The results (see attachment) show since the devices (speed cushions) in Shackleton Street were removed, traffic flow is increasing in Shackleton Street, heading towards pre speed cushion volumes.

- Shackleton Street/Bridson Street traffic volume has increased.
- Palmerston Street traffic volume has decreased.
- Bridson Street (traffic classifier in front of house number 6) has increased in volume and the 85th percentile speed has decreased (from 50.8km/hr down to 50.4km/hr).
- Bridson Street (traffic classifier opposite house number 32) has increased in volume and the 85th percentile speed has decreased (from 58km/hr down to 56.5km/hr).

In accordance to Council's adopted Traffic Management Treatment Policy and Guidelines (OCM-18/04/04 & OCM17/10/04) Shackleton Street, Bridson Street and Palmerston Street do not warrant traffic management devices as the following criteria was not met:

The 85th percentile speed is 60km/h or greater in a 50km/h zone, or exceeds the posted speed limit by more than 10% in other speed zones.

As per Council OCM-12/07/14 resolution and in line with recommendations made by OPUS Consulting Engineers, Officers of the Town commenced investigations into both the low to medium cost option and medium to high cost option.

Whilst traffic calming devices are not warranted, in accordance with the Traffic Management Treatment Policy and Guidelines, there are a number of alternative measures available to provide traffic calming within local streets

The Bassendean Bike Plan provided some guidance and treatment options resulting in no impact to the Bike Plan, and public transport is not impacted as there is no bus route along Shackleton Street.

The Town's Asset Management Program Plan has programed Shackleton Street for resurfacing in 2017/18 financial year. This road may be eligible for funding under the MRRG rehabilitation program. Officers will apply for funding opportunities if Council approves this project under the program, lessening contribution of Council funding.

The following Treatments are suggested

Treatment Option Commentary – (source Main Roads WA (MRWA))

Option 1 - Medium to High Cost- (Estimated total cost \$210,000)

This option will not attract external funding for slow points but resurfacing may have MRRG funding. (Estimated Council contribution \$117,000)

Blister Islands are Local Area Traffic Management devices that provide horizontal deflection instead of vertical deflection. It is recommended that to utilise a series of slow points along the length of road will reduce traffic speeds. These could also double as refuge points if located at intersections where pedestrians are likely to be crossing.

Option 2. - Low to Medium Cost – (Estimated total Cost \$150,000)

This option is in conjunction with road resurfacing and MRRG funding 2/3 – 1/3 (estimated Council contribution \$50,000).

Central median islands are commonly used to regulate the movement of traffic and to provide refuge for staged pedestrian crossings.

Mid block, they are commonly used in series with painted medians or colour differentiating road surfacing (red asphalt), to provide a continuous separation along a road without unduly impacting on property access and breaks up the continuous sight line.

This option provides an opportunity to beautify the streetscape, through the planting of street trees within the central median islands.

STRATEGIC IMPLICATIONS

Town Planning and Built Environment:

Objectives: Provide safe access for all road users

Strategies: Continue to monitor traffic flows and intervene where necessary to ensure safety.

FINANCIAL CONSIDERATIONS

There are no funds allocated to this project in the current or 2015-16 financial budgets.

In line with the Town's Asset Management Program Plan, Officers will list funds for Council's consideration in the Capital Budget (2017-18) for costs associated to constructing the central medium treatments - Option 2.

Through the MRRG Funding Program (2017-18), Officers will source funding to help finance this project

OFFICER RECOMMENDATION – ITEM 10.9

That Council:

1. Receives the Shackleton Street Traffic Management Comparison Report; and
2. Endorses option two central medium treatments in Shackleton Street for public consultation.

Voting Requirement: Simple majority

10.10 Outstanding Debtor and Unauthorised Works Update (Ref RECC/LIAIS/1 - Tim Clark, Recreation Development Officer)

APPLICATION

To provide an update to Council on the outstanding matters with the Ashfield Soccer Club and for Council to determine a course of action.

ATTACHMENTS

Attachment No. 8: Images of Outstanding Works

BACKGROUND

At its February Council Meeting, Council resolved (OCM – 43/02/15), that subject to the unsuccessful outcome of any of the items required of the Ashfield Sports Club, the matter be referred to Council to consider termination of the lease of the Ashfield Sports Club. The Ashfield Sports Club has not complied with part 7 of Council Resolution OCM – 29/02/15 being, any unauthorised works carried out by the Ashfield Sports Club be rectified no later than the 28 February 2015. Council is requested to consider their options as a result of non-compliance in accordance with this resolution.

The Ashfield Sports Club has a lease over a portion of the Ashfield Recreation Reserve and is required to abide by a number of terms and conditions under the lease. The current lease began 31 October 1999 for a period of ten years with an option for a further 10 years, which was enacted on 30 October 2009 and subsequently expires on the 30 October 2019.

The Club is also required to abide by the statutory requirements of a number of acts and regulations and in particular the Health and Building requirements.

The Club has been made aware of the illegal infrastructure that was erected on the reserve and was given a number of deadlines in which to repair the illegal structures to comply with the requirement of Health Act 1911 and Health Regulations 1992.

A report was presented to the December Audit and Risk Management Committee and December Ordinary Council Meeting. Subsequently Council resolved the following.

“MOVED Cr Gangell, Seconded Cr Carter, that:

- 1. The Ashfield Sports Club provide detailed financial statements (including bank statements) for the past 3 years as well as a future long term Business Plan to ensure that the Club is sustainable and can meet its obligations under the Lease, no later than 31 January 2015;*
- 2. The Ashfield Sports Club makes an agreed lump sum payment of the arrears, for amounts owing up to the 31 August 2014 and that the current debt be repaid by the 30 June 2015;*
- 3. The Ashfield Sports Club ensures that any unauthorised works be rectified to comply with the requirements of the appropriate legislation no later than 31 January 2015; and*
- 4. Progress of the above matters be referred to the Audit and Risk Management Committee meeting to be held in February 2015.*

As per the above Resolution the matter was referred to the February Audit and Risk Management Committee Meeting. Following this, a report was prepared and presented to the February Council Meeting, at which Council resolved (in part) the following:

MOVED by Cr Lewis and Seconded Cr Pule, that:

- 3. The Ashfield Sports Club be requested to provide monthly financial statements to 30 June 2015;*
- 4. In order that the Ashfield Sports Club can pay the majority of its arrears by the 30 June 2015, the Club be required to make the following monthly payments, by direct debit:*

<i>February</i>	<i>\$2,500</i>
<i>March</i>	<i>\$2,500</i>
<i>April</i>	<i>\$4,500</i>
<i>May</i>	<i>\$4,500</i>
<i>June</i>	<i>\$4,500</i>

- 5. The current direct debit for the loan repayment of \$1,377 by the Ashfield Sports Club be continued as a separate reimbursement of the existing loan;*
- 6. Any invoice incurred after the 1 January 2015 be paid by Ashfield Sports Club in full by the due date (30 days from the issue of the invoice);*

7. *Any unauthorised works carried out by the Ashfield Sports Club be rectified no later than the 28 February 2015;*

8. *A retrospective building application be submitted to Council by the Ashfield Sports Club, together with a certified plan for approval by the Town by 28 February 2015;*

and

MOVED Cr Lewis, Seconded Cr Carter, that subject to the unsuccessful outcome of any of the items required of the Ashfield Sports Club, the matter be referred to Council to consider termination of the lease of the Ashfield Sports Club."

At an onsite inspection on 6 March 2015 with representatives from LGIS and Officers, it was noted that the following building items had not been completed in the requested timeframe (by 28 February 2015):

- Floor of newly created doorway;
- Carpet not affixed suitably; and
- Facial bricks.

These three items were specifically requested to be rectified in August 2014 and in December 2014 (OCM – 21/12/14). These were again specifically requested in correspondence between the Club and Officers on 4 February 2015.

LGIS advise that the carpet and doorway are occupational, health and safety risks (tripping hazard) that need to be addressed. The fact that different bricks have been used to close the opening, the value of the asset has been diminished. Rendering of the walls will alleviate this issue.

The Club has failed to comply with Item 7 of OCM – 29/02/15, resulting in Officers enacting OCM – 43/02/15, and referring this matter to Council. Council is requested to consider a number of scenarios relating to this matter which should resolve the issue.

STRATEGIC IMPLICATIONS

Leadership and Governance- Improve capability and capacity

"A risk management audit regime that demonstrates that Council has maintained an appropriate risk profile and put in place practices and procedures to ensure that Council's assets are secure."

The lease and management of the Ashfield Sports Club facility is included in the following strategic goal:

“To facilitate and provide services to meet changing community requirements and maximise quality of life benefit to community, and to provide well-maintained community facilities”.

COMMENT

Council has a number of options it can consider to resolve this issue and include:

- Termination of the lease;
- Allow the Club further time to rectify the works at their own cost;
- Require the Club to remove the structure and return the area to its original state;
- To authorise an over-expenditure of the 2014/15 Budget maintenance account for the facility to allow Officers to arrange for the works to be rectified and have associated costs on-charged to the Club;
- To authorise an over-expenditure of the 2014/15 Budget maintenance account for the facility to allow Officers to arrange for the room to be removed and the area returned to its original condition and have associated costs on-charged to the Club;
- To authorise an over-expenditure to either rectify works or remove the room, without on-charging costs.

Council needs to be aware that passing on the cost of compliance will merely add to the Club's current debt to the Town.

Further, Council needs to consider the impact of such a decision on the Town's reputation.

If the Town moves to terminate the lease, Council will need to do so having considered the reputation implications. This option could be viewed as contrary to the Town's Strategic Plan, in fostering a sense of belonging and community.

Council Resolution OCM – 43/02/15 states that termination of the lease agreement must be considered as part of this report. As with the termination of any legal agreement the Town will need to factor incurred legal costs associated with terminating this agreement.

Conversely, Council also needs to weigh up the impacts of continuing to tolerate the Club's non-compliance, without penalty.

If Council was to approve an over-expenditure to rectify the works, an initial estimated allocation of \$2,700 should be sufficient to complete the works, as follows:

Doorway Floor - \$200
Carpet - \$500
Render wall - \$2,000

It should be noted that staffing costs associated with achieving compliance has not been costed. As such, \$3,000 is the suggested amount included in the Officer Recommendation.

The exact costs of works could be on-charged to the Club, however, consideration must be given to the impact on or of the Club's current debt situation. Officers believe that this is the preferred option but this may impact the Club's compliance with Items 4 and 6 of Council's Resolution *OCM – 29/02/15 above. Officers believe that imposing the additional charges, given the Club's current debt situation, would send an appropriate message (to comply with Council's requests). Whilst the Club may consider this onerous the Town should not tolerate continued non-compliance without consequence.*

The Town could cover the costs of the works itself, without recouping any funds from the Club. Officers would not recommend this given the message this action would send.

Given the serious nature of this issue, Officers believe that the ongoing issues faced by the Club need to be discussed with its sports governing body - Football West, as an associated party.

The desired outcomes for this situation is to have the room completed, available for the Club to use, and compliant with relevant legislation. As the Club has failed to comply with requests to complete the works, Officers believe that the Town must step in to ensure that the work is completed in time for the coming winter season. Given that the Town would have had no desire to construct this room the whole costs should be borne by the Club. As such, the Officers recommendation is for Council to repair the unauthorised works with all costs being recouped from the Ashfield Sports Club.

An alternative Officer recommendation is included to terminate the lease agreement with the Ashfield Sports Club, in accordance with the February 2015 Council resolution.

STATUTORY REQUIREMENTS

Local Government Act 1995

FINANCIAL CONSIDERATIONS

All costs associated with the repair works carried out by Council could be invoiced to the Club.

Should Council wish to discuss this item which may refer to financial matters of the Ashfield Sports Club, it may do so behind closed doors, under Confidential Business.

OFFICER RECOMMENDATION — ITEM 10.10

That Council:

1. Approves an over-expenditure of \$3,000 and raises a private works order to rectify the works, with all associated costs being recouped from the Ashfield Sports Club;
2. Writes to the Ashfield Sports Club expressing Council's concern regarding this ongoing situation and that the Town will not tolerate continued non-compliance;
3. Writes to Football West to advise of the Town's concerns and how it may be able to assist with the Club's current situation; and
4. Officers hold an urgent meeting between the Club and Football West to discuss of the seriousness of this situation and to clearly express Council's position on the matter and plainly state its options, if there is continued non-compliance by the Ashfield Sports Club.

Voting requirement: Point 1 – Absolute majority

Point 2-4 - Simple majority

OR

That Council terminates the Ashfield Sports Club's lease immediately due to the Club's non compliance of Council's resolution, which reads (OCM 29/02/15, in part):

“Any unauthorised works carried out by the Ashfield Sports Club are to be rectified no later than the 28 February 2015”.

Voting requirement: Absolute majority

10.11 Replacement of HACC Vehicle P814 - IVECO Bus Registration 1CWW016 (Ref: COMDEV/PROGM/2 Mona Soliman, Managers Seniors and Disability Services)

APPLICATION

The purpose of this report is to seek Council's approval to replace a bus currently being used for HACC services and funding being transferred from the HACC Asset Replacement Reserve Fund.

BACKGROUND

The current bus was purchased in August 2008 and in order to maintain an efficient and effective service, the bus requires replacement. The funding for the bus will be provided by funds set aside in Council's HACC Asset Replacement Reserve Fund.

The 2014/15 Budget requires amendment to purchase the new bus and transfer the funds from the Reserve Fund.

STRATEGIC IMPLICATIONS

Objectives

Build a sense of belonging and connectivity in community

Strategies

- *Encourage people of all ages, abilities and backgrounds to actively participate in community life and democratic processes.*
- *Nurture community resilience and self-reliance toward a sense of belonging with residents to a highly connected (close knit) community.*

COMMENT

The Town provides many services that require the transportation of community members, and it is important that the vehicles used are equipped with the essential elements to ensure that the transportation is safe and comfortable for all passengers.

Staff have obtained quotes and undertaken an assessment of the quotes received and recommend Galleria Toyota at a cost of \$57,144.04. Less a trade in of \$20,000, the total outlay for the new bus will be \$37,144.04.

STATUTORY REQUIREMENTS

Local Government Act 1995- Section 6.8.

FINANCIAL CONSIDERATIONS

The replacement cost of the bus has no affect on Council's surplus, as the amount of expenditure equals the amount being transferred from the HACC Asset Replacement Reserve Fund. The funds in the Reserve Fund are externally funded by HACC.

Quotes received provide for a trade-in of \$20,000, reducing the outlay by that amount.

OFFICER RECOMMENDATION — ITEM 10.11

That:

1. Council accepts the quote received from Galleria Toyota for the purchase of a Toyota Hiace at a cost of \$57,144.04.
2. Council transfers an after trade-in balance of \$37,144.04 from the HACC Asset Replacement Reserve Fund for the purchase of the bus; and
3. The 2014/15 Budget be amended accordingly.

Voting requirements: Absolute majority

10.12 Review of Workforce Plan and Corporate Structure (Ref: GOVR/LREGLIA/15 - Bob Jarvis, Chief Executive Officer)

APPLICATION

Council is requested to consider the adoption of the revised Workforce Plan for the 2015- 2019 financial years.

ATTACHMENTS

Attachment No. 9: 2015- 2019 Workforce Plan

BACKGROUND

The Workforce Plan is an informing strategy to the Corporate Business Plan and the Long Term Financial Plan. The review of the plan identifies the current and future corporate structures to ensure that the Community Strategic Plan outcomes can be achieved within the required objectives and timeframes.

STRATEGIC IMPLICATIONS

Objectives

Improve capability and capacity

Strategies

Review and develop the workforce to meet changing needs

COMMENT

The review of the Workforce includes additional positions for the 2015-2019 financial years which will be incorporated in the Long Term Financial Plan. The Plan also includes the justifications for the following additional positions for the 2015/16 financial year:

- Engineering Technical Compliance Officer (Operational Services Directorate);
- Local Studies Librarian - Increase part-time to full-time (Library Services);
- Youth Librarian 0.5 FTE (Library Services);
- Emergency Services Officer (Subject to external funding);
and
- Environmental Health Officer 0.6 FTE (Development Services).

STATUTORY REQUIREMENTS

Local Government Act 1995

FINANCIAL CONSIDERATIONS

The review of the Workforce Plan is still subject to the affordability and inclusion in the 2015/16 financial year budget. A further report on the inclusion or exclusion of the additional staff will be incorporated in the report for the adoption of the budget.

OFFICER RECOMMENDATION — ITEM 10.12

That Council:

1. Endorses the revised 2015-2019 Workforce Plan;
2. Amends the Corporate Structure to include the additional positions within the 2015- 2019 Workforce Plan; and
3. Considers the funding for the additional positions in the 2015/16 Budget.

Voting requirements: Simple Majority

10.13 Code of Conduct Review (Ref: GOVN/CCL/1- Bob Jarvis, CEO)

APPLICATION

Council's review of its Code of Conduct pursuant to Section 5.103 of the Local Government Act 1995.

ATTACHMENTS

Attachment No. 10: Code of Conduct

BACKGROUND

Section 5.103 of the Local Government Act 1995 requires:

5.103. Codes of conduct

(1) *Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.*

[(2) deleted]

(3) *Regulations may prescribe codes of conduct or the content of, and matters in relation to, codes of conduct and any code of conduct or provision of a code of conduct applying to a local government under subsection (1) is of effect only to the extent to which it is not inconsistent with regulations.*

[Section 5.103 amended by No. 49 of 2004 s. 55; No.1 of 2007 s. 10.]

It is prudent from time to time to review the Code of Conduct, and this review should be in place in time for the 2015 Local Government Elections to be held in October 2015.

The current (adopted in 2011) Code of Conduct was based on a model adopted by the City of Joondalup which is cited by many as being a best practice model.

It is suggested that the only modification that the Council might wish to consider is an inclusion in the Code which recognises that Social Media is an area where Elected Members, Staff and Committee members need to be aware that, like emails, letters and public comment, discretion is required to ensure that a breach of the Code, Regulations, and the Local Government Act do not occur

COMMENT

The Act requires certain elements to be included in the Code of Conduct, specifically restrictions on gifts and declarations of impartiality interests by staff, but provides considerable latitude for the inclusion of other elements relating to general conduct, and dealing with breaches.

It is recognised that Social Media has grown in influence and coverage dramatically over the last several years and regrettable postings by persons have been commonplace and reported in the media. Section 5.93 of the Local Government Act 1995 prohibits the misuse of information acquired as an employee, elected member or committee member which gains an advantage directly or indirectly for the person or another person, or causes detriment to the local government or another person. The penalties that apply are a fine of \$10,000 or imprisonment for 2 years. The Act makes no distinction as to how this is caused and therefore includes Social Media.

It is therefore suggested, as a reminder to adherents to the Code of Conduct, a paragraph be included in the revised Code of Conduct which specifically provides a caution about the use of social media, and the suggested paragraph is as follows:

“Council Members, Committee members and Employees should exercise caution in using Social Media to ensure that in their communications they do not act contrary to the General Principles and Ethical Standards, or breach the Code of Conduct requirements which follow. The misuse of information, or confidential information, gained as an employee, council member or committee member to cause detriment to the Town or another person or to gain directly or indirectly an advantage for another person, applies to communications by Social Media as well and could result in prosecution under Section 5.93 of the Local Government Act 1995 which carries penalties of \$10,000 or imprisonment for 2 years.”

The current Code of Conduct with this inclusion (highlighted) is provided as an attachment, and is recommended for adoption as the revised Code of Conduct to be observed by council members, committee members and employees.

STATUTORY IMPLICATIONS

The Code of Conduct for Committee Members and Councillors does not reflect the content of the Local Government (Rules of Conduct) Regulations 2007 which must also be observed by Elected Members which includes quite specific prohibitions on misuse of the Town’s resources and behaviour towards staff and fellow Councillors.

OFFICER RECOMMENDATION - ITEM 10.13

That Council adopts the amended Town of Bassendean Code of Conduct for Councillors, Committee Members and Employees, as attached to the Ordinary Council Agenda of 24 March 2015.

Voting requirement: Simple majority

10.14 Conducting the 2015 Council Elections by Postal Vote (Ref: GOVN/ELEC/2Bob Jarvis, Chief Executive Officer)

APPLICATION

The purpose of this report is to determine whether the WA Electoral Commissioner will conduct the Town of Bassendean's 2015 Council elections, utilising the postal method of voting.

- Council can appoint the WA Electoral Commissioner to be responsible for conducting the October 2015 Council elections.
- Council needs to determine if those elections will be conducted by postal vote.
- The Chief Executive Officer recommends the same method previously used for Council elections be used for the 2015 Council election and that the WA Electoral Commissioner be responsible for conducting the 2015 Council election using the postal method for voting.

BACKGROUND

In previous Council elections, the Town of Bassendean has resolved to conduct elections using the postal voting method and has arranged for the WA Electoral Commissioner to supervise the election. In order to conduct the 2015 Council elections by the postal election method, under the supervision of the WA Electoral Commissioner, Council must resolve to do so by an absolute majority of Council.

RELEVANT LAW AND POLICY

Local Government Act 1995 section 4.20 (4), 4.61 (2).

Under the Local Government Act section 4.20 (4), 4.61 (2), an absolute majority vote is required.

COMMENT

The use of postal elections has proved successful at the Town of Bassendean and across the State, as participation rates have increased significantly. There does not appear to be any justification to return to the traditional (in person) elections.

The WA Electoral Commission has considerable experience in holding elections in the Town.

FINANCIAL IMPLICATIONS

The Western Australian Electoral Commission has estimated the cost for conducting the 2015 Election at \$38,000 and this amount will be entered for budget consideration in the 2015/16 Budget.

The costs are based on the following:

- 10,200 electors
- 35% response
- 3 vacancies
- Count to be conducted at the office of the Town of Bassendean

OFFICER RECOMMENDATION – ITEM 10.14

That:

1. Council declares, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner be responsible for the conduct of the 17 October 2015 Ordinary Elections, together with any other elections or polls which may also be required;
2. Council decides, in accordance with section 4.61(2) of the Local Government Act 1995, that the method of conducting the election will be as a postal election;
3. An amount of \$38,000 be listed for consideration in the 2015/16 Budget to hold the 2015 Ordinary Elections; and
4. The count for the 2015 Ordinary Elections be held at the Seniors' and Community Hall, 50 Old Perth Road, Bassendean.

Voting Requirements: Absolute Majority

10.15 Cultural Development Advisory Committee Meeting held on 18 February 2015 (Ref: GOVN/CCLMEET/8 – Salvatore Siciliano, Manager Recreation and Culture)

APPLICATION

Council is requested to receive the report on a meeting of the Cultural Development Advisory Committee held on Wednesday 18 February 2015.

ATTACHMENTS

Attachment No. 11: Cultural Development Advisory Committee Minutes of 18 February 2015

BACKGROUND

The Cultural Development Advisory Committee met on 18 February 2015. Six Committee members and five staff were in attendance. Given that the October 2014 Cultural Development Advisory Committee meeting did not achieve a quorum, some of the items included in this report are being carried over from the October meeting.

COMMENT

Discussion at the meeting focused on the following:

Evaluation of Past Events / Projects

Bassendean Visual Art Awards

The Bassendean Visual Art Awards was held from Thursday, 25 September to Wednesday, 1 October 2014 at the Cyril Jackson Recreation Centre, Ashfield.

The event included an increase in the number of visitors to the exhibition (approximately 700) and 15 artworks sold. 128 entries were received which was an increase of 20 more entries than the previous year and the highest number of entries since the inception of the current Acquisitive award format.

The Town has acquired another piece for its art collection, with artist Christine Baker being the winner in 2014. This is the second Indigenous artist to win the open award in the last five years. For the first time, in 2014, a new category sponsor, the Hawaiian Group, supported the event and sponsored its own acquisitive category.

Officers will begin seeking sponsors and calling for entries for the 2015 Bassendean Visual Art Award scheduled for Thursday 24 September to Wednesday 30 October 2015 at the Cyril Jackson Recreation Centre, Ashfield.

Summers Edge

The Summers Edge event was held at Sandy Beach Reserve, West Road, Bassendean on Sunday 23 November 2014, 3pm-7pm.

The event featured an estimated crowd of up to 2,000 with entertainment and activities included local artists Stratosfunk, Gina Williams & Guy Ghouse, Anna O, Kinetica, & the Bassonovas. The Bassendean Volunteer Centre attended along with the Assistance Dogs of Australia and promoted volunteering within the Town.

Australia Day Concert & Fireworks

The Australia Day Concert & Fireworks was held at Ashfield Reserve on Monday 26 January 2015.

Features of the event included an increase in attendance of 3,000 from 2014 with an estimated 18,000+ people attending in 2015 including locals and visitors from outside the Town.

The event continues to earn a great reputation as one of only a handful of key Australia Day events within the metropolitan area. The Town was successful in securing Akrim Azimi, an Australia Day Ambassador, to attend the event.

The scale of the event continues to be a challenge for the Town's resources particularly as this year it fell on an officially designated public holiday which made securing casual and volunteer staff difficult. An internal review is currently being completed by the Recreation and Culture Unit including recommendations for future consideration. A report will be tabled before the Cultural Development Advisory Committee and Council in the near future.

March Community Concert

This event was tentatively scheduled for mid-March 2015. A combination of Local Government Reform uncertainty, staff resources and directives from the Marketing Group, this event has not been progressed.

OPEN – as part of the Autumn Festival

In 2014, the Town presented a day of open studios, creative workshops, and art exhibitions showcasing art and artists within the Town. This provided the public with the opportunity to have a behind the scenes look at artists at work in their studios. There were opportunities to see selected works from the Town's Art Collection, to participate in creative workshops and an art/design market.

Planning on future events / projects

OPEN

Given that Local Government Reform has now been abandoned, Officers are now progressing planning for an OPEN event scheduled for Sunday 3 May 2015, 10am to 4pm in various locations in Bassendean, Eden Hill and Ashfield.

NAIDOC Family Day

Officers have begun negotiations with our event partners Derbal Yerrigan Health Services for the 2015 NAIDOC Family Day scheduled for Thursday 9 July at Ashfield Reserve.

Bassendean Historical Society Agreement

Officers presented a report to Council to renew the charter of agreement between the Town and the Bassendean Historical Society for the use of 1 Surrey Street and Pensioner Guard Cottage. The agreement allows use of the facility at 1 Surrey Street for a term of five years, with an option for negotiating a further five year period.

The agreement states that the Bassendean Historical Society are required to open the Pensioner Guard Cottage for a minimum of one afternoon monthly, which is in line with its current opening schedule.

Public Art Projects

A number of public art projects within the Town are continuing. These include:

- Percent for Art public art projects at 93 Old Perth Road and 78-80 Old Perth Road – these developments are only at early construction stage.
- Percent for Art public art projects at 85 Old Perth Road and Bassendean Village Shopping Centre – these projects are now complete.

Other items

Community Events Sponsorship Program - Eden Hill Primary School Centenary Fair

The Town received an application from the Eden Hill Primary School P & C for assistance via the Community Events Sponsorship Scheme to stage the Eden Hill Primary School Centenary on Saturday 2 May 2015. Funds totalling \$5,000 is allocated within the 2014/15 Council Budget for the Town's Community Events Sponsorship Program.

The event complied with the sponsorship guidelines and a resolution was passed that Council provides sponsorship of \$1,000 under the Community Events Sponsorship Program, to the Eden Hill Primary School P&C to assist with hosting the Centenary Fair on Saturday 2 May 2015, and that a sponsorship agreement is prepared between the Town and Eden Hill Primary School P&C to outline the conditions of the sponsorship.

CDAC Planning Workshop

The Cultural Development Advisory Committee provides recommendations to Council each year regarding the budget for cultural activities and events for the coming financial year.

A resolution was passed that a workshop of the Cultural Development Advisory Committee be held on Wednesday, 22 April 2015, to consider items for inclusion in the 2015/16 Draft Budget.

STATUTORY REQUIREMENTS

Local; Government Act 1995

FINANCIAL CONSIDERATIONS

There is currently \$4,000 available in the Community Events Sponsorship Account. The Committee recommends that the maximum \$1,000 be provided to the Eden Hill Primary School as part of the Community Events Sponsorship Program.

OFFICER RECOMMENDATION – ITEM 10.15

That Council:

1. Receives the report of the meeting of the Cultural Development Advisory Committee held on Wednesday 18 February 2015;
2. Provides sponsorship of \$1,000 to the Eden Primary School P & C under the Community Events Sponsorship Program to assist with the Centenary Celebrations to be held on Saturday, 2 May 2015; and
3. A sponsorship agreement be prepared between the Town and the Eden Hill Primary School P & C for the execution of the terms and conditions for sponsorship.

Voting requirements: Simple Majority

10.16 Determinations Made by the Manager Development Services and Reported to Council (Ref: LUAP/PROCED/1 – Christian Buttle, Development Services)

The Manager Development Services made the following planning decisions under Delegated Authority since those reported to the last Council meeting:

Applic No	Property Address	Type of Development	Determination
	Applications for Planning Approval		
2014-070	2 ESTHER STREET EDEN HILL 6054	ADDITIONS AND ALTERATIONS TO SINGLE HOUSE	DELEGATE APPROVED
2014-147	27 ANSTEY ROAD BASSENDEAN 6054	SINGLE HOUSE	DELEGATE APPROVED
2014-206	3 ASHFIELD PARADE ASHFIELD 6054	SINGLE HOUSE	DELEGATE APPROVED
2014-213	53 FOURTH AVENUE BASSENDEAN 6054	FOUR GROUPED DWELLINGS	DELEGATE APPROVED
2014-229	22 DOROTHY STREET ASHFIELD 6054	PATIO	DELEGATE APPROVED
2014-248	2 DAYLESFORD ROAD BASSENDEAN 6054	SINGLE HOUSE AND ANCILLARY DWELLING	DELEGATE APPROVED
2015-012	55 ANZAC TERRACE BASSENDEAN 6054	REVISIONS FOR PROPOSED 4 MULTIPLE DWELLINGS	DELEGATE APPROVED
2015-015	14 ANZAC TERRACE BASSENDEAN 6054	RETROSPECTIVE ADDITIONS AND ALTERATIONS TO SINGLE HOUSE (BALCONY)	DELEGATE APPROVED
2015-020	33 BLOCKLEY WAY BASSENDEAN 6054	ANCILLARY ACCOMODATION - AMENDMENT TO FORMERLY APPROVED DA 2014-200	DELEGATE APPROVED
	Subdivision Applications		
70-15	54 HARDY ROAD ASHFIELD 6054	TWO LOT SURVEY STRATA	STATUTORY ADVICE
99-15	26 SCADDAN STREET BASSENDEAN 6054	TWO LOT PLUS COMMON PROPERTY SURVEY STRATA	STATUTORY ADVICE
131-15	13 BRADSHAW STREET EDEN HILL 6054	FOUR LOT SURVEY STRATA	STATUTORY ADVICE
170-15	1 KENMURE AVENUE ASHFIELD 6054	TWO LOT SURVEY STRATA	STATUTORY ADVICE
151362	25-27 HAMILTON STREET BASSENDEAN 6054	AMALGAMATION	STATUTORY ADVICE
151363	38 HAMILTON STREET BASSENDEAN 6054	THREE LOT SUBDIVISION	STATUTORY ADVICE
151476	60 REID STREET BASSENDEAN 6054	TWO LOT SUBDIVISION	STATUTORY ADVICE

NOTE: Cr Pule, the owner of 1 Kenmure Avenue, Ashfield, had no involvement in the Town's consideration of subdivision application 170-15.

OFFICER RECOMMENDATION – ITEM 10.16

That Council notes the decisions made under delegated authority by the Manager Development Services.

Voting requirement: Simple majority

10.17 Bassendean Local Emergency Management Committee Meetings held on 10 December 2014 and 18 February 2015 (Ref: GOVN/CCLMEET/18 – Graeme Haggart, Director Community Development)

APPLICATION

The purpose of the report is for Council to receive the report on meetings of the Bassendean Local Emergency Management Committee held on 10 December 2014 and 18 February 2015.

ATTACHMENTS

Attachment No. 12: Minutes of the Bassendean Local Emergency Management Committee meetings held on 10 December 2014 and 18 February 2015.

COMMENT

At the meeting held on 10 December 2014, the Committee considered the following issues:

1. An application for Natural Disaster Resilience Funds (NDRF) has been submitted for the marking the flood height on the Western Power poles. It was noted that should the application not be successful, Council will consider allocating the necessary funds in the mid-year budget review;
2. Implications of the Local Government Reform process were discussed including:
 - No response has been received to this time from SEMC on the request not to proceed further with the revised draft LEMA and Recovery Plan, although it is noted that the City of Swan has recently circulated a new draft LEMA;
 - Only one LEMC will be retained by the new City of Bayswater and of strategies to ensure that local knowledge is represented. To this end the Committee resolved to host a joint meeting of LEMC's in February 2015 at the ordinary meeting date of the Bayswater LEMC in place of the scheduled 18 February meeting;
 - A request for a joint exercise with Bayswater for 24 June 2015 has been made; and
 - DFES confirms that there are no plans in place to vary the structure of SES Units in the metropolitan area at this time.

3. The Committee received Emergency Management Agency reports from:
 - State Emergency Management Committee Secretariat;
 - District Emergency Management Committee;
 - North and East Recovery Group;
 - WALGA Emergency Management Advisory Group;
 - and
 - Midland Local Welfare Group.
4. The Committee reviewed the list of contacts and their details in the Local Emergency Management Arrangements; received a post incident report from SES on callout activity of the Unit in the past 3 months; and a post exercise report from Child Protection and Family Support following a recent Welfare Plan exercise.
5. A number of Preparedness, Prevention, Response and Recovery issues were raised, including bush fire mapping by the Office of Bushfire Risk Management and incidents of minor fires in the Town (tree on the river, Depot & Library).

At the meeting held on 18 February 2015, the Committee considered the following issues:

1. The application for Natural Disaster Resilience Funds (NDRF) undetermined. The recommended outcome has progressed to Ministerial sign-off.
2. Implications of the Local Government Reform not proceeding were discussed, including:
 - Re-establishing the Working Party to progress finalising the revised draft LEMA and Recovery Plans. The Working Party is to meet on 2 March;
 - That the proposed joint meeting of Bayswater and Bassendean LEMC's will now not proceed; and
 - Membership of the Working Party to prepare the joint Bassendean/Bayswater LEMC exercise for 24 June 2015 was determined.

3. The Committee received Emergency Management Agency reports from:
 - State Emergency Management Committee Secretariat;
 - District Emergency Management Committee;
 - North and East Recovery Group;
 - WALGA Emergency Management Advisory Group; and
 - Midland Local Welfare Group.

4. The Committee reviewed the list of contacts and their details in the Local Emergency Management Arrangements and received a post incident report from SES on callout activities of the Unit in the past 3 months.

OFFICER RECOMMENDATION – ITEM 10.17

That the report on meetings of the Bassendean Local Emergency Management Committee held on 10 December 2014 and 18 February 2015 be received.

Voting requirements: Simple majority

10.18 Access and Inclusion Committee Meeting held on 11 March 2015 (Ref: GOVN/CCLMEET/16 - Graeme Haggart, Director Community Development)

APPLICATION

The purpose of the report is for Council to receive the minutes of the Access and Inclusion Committee Meeting held on 11 March 2015.

ATTACHMENTS

Attachment No. 13: Access and Inclusion Committee Minutes of 11 March 2015

BACKGROUND

The Bassendean Access and Inclusion Committee meets quarterly on the first Wednesday in the months March, June, September and December.

The objectives of the Committee are defined in the Instrument of Appointment and Delegation as being:

- 3.1 To consult with the community to identify barriers to access and inclusion existent in the community;
- 3.2 To work with and support the Town in working towards a genuinely inclusive community for all;
- 3.3 To prepare for Council a Disability Access and Inclusion Plan (DAIP) to ensure that people with disability have the same level of access to Council's facilities, functions, services and employment opportunities as all other members of the community;
- 3.4 To monitor the implementation of the Town's Disability Access and Inclusion Plan (DAIP) and prepare statutory obligation reports to Council and other stakeholders on the progress of the DAIP;
- 3.5 To review the Disability Access and Inclusion Plan in accordance with legislative obligations and make recommendations to Council to improve and update the plan; and
- 3.6 To maintain networks with people with disability, their carers and service providers.

Membership is comprised of:

- One appointed Councillor;
- Residents and others with disability who express identification with the community in the Town;
- Carers of residents and others with disability who express identification with the community in the Town,
- Representatives of organisations who provide services for people with disability; and
- Individuals who have skills, experience, interest and commitment to contribute to a truly inclusive community for all.

STRATEGIC IMPLICATIONS

The Access & Inclusion Committee:

- Improves the organisations capability and capacity; and
- Supports inclusiveness and social wellbeing of residents of the Town through building a sense of belonging and connectivity in the community by encouraging people of all abilities to actively in community life and democratic process.

COMMENT

Issues covered in the meeting included:

1. Committee received a presentation from Carers WA on their role and function. The presentation focussed on the importance of providing support to carers. Traditional support systems have been designed around assisting people living with disability. There is growing recognition of the needs of carers to deliver quality care and Carers WA is the funded peak body.
2. Progress reporting on the implementation of the Town's adopted Disability Access & Inclusion Plan (DAIP) was considered and received.
3. Following the cessation of the Local Government Reform process, the Committee determined to proceed with hosting an informal meeting with the Bayswater Access & Inclusion Committee at a date to be determined in May.

4. The Committee resolved to recommend Council develop a support program for people with a disability that subsidises access to life-skills, recreation and cultural activities for residents of the Town living with a disability. It was recommended the program to be modelled on the “Access All Areas” program of the City of Swan. The Committee recommended that the project be referred for consideration in the draft 2015/16 budget and that half the project cost be sourced from external sources.
5. Provision of inclusive toilets at the Swan Districts Football Club was discussed. Whilst the Club has installed a lift to facilitate access to the first floor, access to the toilets continues to be problematic.

STATUTORY REQUIREMENTS

Disability Services Act requires all Government Departments and Agencies (including Local Government) establish a Disability Access and Inclusion Committee and adopt a Plan to reduce barriers experienced in accessing the services and facilities of that organisation.

FINANCIAL CONSIDERATIONS

Nil

OFFICER RECOMMENDATION — ITEM 10.18

That Council:

1. Receives an Officer report on developing an “Access All Areas” funding scheme that subsidises access to life-skills, recreation and cultural activities for residents of the Town living with a disability and including assessment criteria and overall financial implications;
2. Raises the need for provision of inclusive toilets in the Swan Districts Football Club on behalf of residents; and
3. The report on a meeting of the Disability Access and Inclusion Committee held on 11 March 2015 be received.

Voting requirements: Simple Majority

10.19 Financial Statements – February 2015 (Ref: FINM/AUD/1 – Ken Lapham, Manager Corporate Services)

APPLICATION

The Local Government Financial Management Regulations, Clause 34(1) requires that a monthly financial report be presented to Council. A Local Government is to prepare each month a statement of financial activity reporting that clearly shows a comparison of the budget estimates with the actual revenue and expenditure figures for the year to date.

ATTACHMENTS

Attachment No. 14: Financial Statements for February 2015

BACKGROUND

The following statements are presented to Council on a monthly basis including.

- Statement of Financial Activity (statutory Reporting Program) - This provides the budget and actual income and expenditure for operating and non- recurrent, the amount of funds required from rates and the opening and closing surplus/ deficit.
- Balance Sheet - (This provides the current and non current assets and liabilities as well as the details of Council's equity). The notes verify the amounts included in the Balance Sheet.
- Cash Flow - (This provides the actual cash transactions and movements for the month as well as year amount at the bank.)
- Notes to the Financial Statements include:
 - Rating Information
 - Net Current Position
 - Borrowings
 - Investments
 - Accounts Receivables
 - Reserves Funds
 - Capital Works Program
 - Budget Amendments
 - Budget Amendments
 - Outstanding Creditors List

STRATEGIC IMPLICATIONS

Leadership and Governance

Improve capability and capacity

- *Ensure Financial sustainability*
- *Monitor and enhance organisational performance and service delivery*

COMMENT

The Summary of Financial Activity (by Nature & type) shows the YTD operating income is 2.53% ahead of operating budget estimates, due mainly to income from Grants, subsidies & contributions.

Expenditure by nature & type for YTD is 6.06% under operating budget estimates. This is mainly due to the major areas of expenditure, being materials & contracts, being under expended.

STATUTORY REQUIREMENTS

Local Government (Financial Management) Regulations 1996

FINANCIAL CONSIDERATIONS

The Financial Statements provide an overview of the income and expenditure for the period ended 28 February 2015.

OFFICER RECOMMENDATION – ITEM 10.19

That the Financial Statements for the period ended 28 February 2015, including budget amendments, as attached to the Ordinary Council Agenda of 24 March 2015, be accepted.

Voting Requirements: Absolute majority

10.20 Accounts for Payment – February 2015 (Ref: FINM/CREDTS/4 – Ken Lapham, Manager Corporate Services)

APPLICATION

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

ATTACHMENTS:

Attachment No. 15: List of Accounts

BACKGROUND

The Monthly payments made for the period 1 February 2015 to 28 February 2015 are presented to Council, with details of payments made by the Town in relation to goods & services received. The list of accounts is to be recorded in the Minutes.

STRATEGIC IMPLICATIONS

Leadership and Governance

Improve capability and capacity

- *Ensure Financial sustainability*
- *Monitor and enhance organisational performance and service delivery*

STATUTORY REQUIREMENTS

Local Government (Financial Management) Regulations 1996

FINANCIAL CONSIDERATIONS

All payments are authorised prior to disbursement in accordance with their allocated budget.

OFFICER RECOMMENDATION - ITEM 10.20

That Council receives the List of Accounts paid for February 2015 as attached to the Ordinary Council Agenda of 24 March 2015.

Voting Requirements: Simple majority

10.21 Implementation of Council Resolutions (Ref: Sue Perkins, Executive Assistant)

At the Ordinary Council meeting held on 14 December 2010, it was resolved that only those items that are to be deleted from the implementation of Council resolutions be referred to Council, and all other items in progress be included in the Councillors' Bulletin on the last Friday of the month.

STRATEGIC IMPLICATIONS

Strengthen Council governance and compliance.

COMMENT

The following table details those resolutions of the Council that are recommended for deletion:

Issue ID	Assigned To	Brief Description	Action Taken
81557	Michael Costarella	OCM-23/02/15 - Northcliffe Disaster Relief Funds Donations	Funds have been sent to the Shire of Manjimup. Recommend deletion.
65644	Brian Reed	OCM-18/2/13 - Establishment of a Heritage List Under the Local Planning Scheme No. 10	To be considered in the context of the current review of the MI. Recommend deletion.
74288	Brian Reed	OCM-13/2/15, OCM-7/4/14 - Town Planning Scheme Review Committee meeting held on 15 April 2014	Modified LPS has been forwarded to the WAPC for endorsement. Recommend deletion.
77553	Brian Reed	OCM-9/8/14 - Review of Planning Policy No 4 - Floodplain Management & Development Policy	Subject to a report to the March Council meeting. Recommend deletion.
79910	Brian Reed	OCM-19/12/14 - Notice of Motion – Cr Bridges: Omnibus Amendments to TPS No. 10 and TPS No. 4A	Subject to a report to the March Council meeting. Recommend deletion.

81541	Brian Reed	OCM-11/2/15 - Request for Deletion of Condition of Planning Approval relating to Town Planning Scheme No. 4A Unit Development Contribution – Proposed Single House - Lot 107 (No 27) Anstey Road, Bassendean	Applicant advised of Council's decision. Recommend deletion.
81542	Brian Reed	OCM-12/2/15 - Proposed Naming of Streets - Lot 3 Morley Drive, Bassendean	Applicant and Geographic Names advised of Council's decision. Recommend deletion.
81545	Brian Reed	OCM-14/2/15 - Development Assessment Panels: Local Government Nominations - Correspondence received from Director General of Department of Planning	DAP secretariat advised of Council nominations. Recommend deletion.
81546	Brian Reed	OCM-15/2/15 - State Administrative Tribunal Decision for Development Application for Proposed Eight Multiple Dwellings on Lots 446 & 447 (Nos 102-104) First Avenue, Bassendean	No action required. Recommend deletion.
81562	Brian Reed	OCM-31/2/15 - Municipal Heritage Inventory Review Committee Meeting held on 11 February 2015	Article included in Bassendean Briefings – Manager Development Services to write to property owners W/E 27 March 2015. Recommend deletion.
81565	Brian Reed	OCM--47/2/15 - Request for approval of unbudgeted expenditure associated with Town Planning Services for State Administrative Tribunal Services First Avenue and Guildford Road : Correspondence received from Harley Dykstra Planning and Survey Solutions	Account settled. Recommend deletion.
81558	Ken Lapham	OCM-24/2/15 - 2014/15 Budget Review	Budget Review adopted by Council. Recommend deletion.
81560	Mona Soliman	OCM-26/2/15 - Home and Community Care 2014-2015 Growth Funding Application	Completed. Recommend deletion.

81538	Stephanie Radosevich	OCM-7/2/15 - Request for Council to initiate a Scheme Amendment - Lot 10; No. 81 North Road, Bassendean	Determination issued in accordance with Council resolution. Recommend deletion.
81539	Stephanie Radosevich	OCM-9/2/154 - Section 31 – Reconsideration for Proposed Eight (8) Multiple Dwellings on Lots 435 & 436; (Nos. 124 & 126) First Avenue, Bassendean	Determination issued in accordance with Council resolution. Recommend deletion.
81540	Stephanie Radosevich	OCM-10/2/15 - Section 31 – Reconsideration for Proposed Eight (8) Multiple Dwellings on Lot 102; (No. 21) Lord Street, Bassendean	Determination issued in accordance with Council resolution. Recommend deletion.
81551	Susan Rolfe	OCM-19/2/15 - RFT CO 028 2014-15 - Installation of a New Artesian Bore, Steel Blue Oval, Bassendean	Will be listed in the Draft 2015-16 Capital Budget for Councils consideration. Recommend deletion.

OFFICER RECOMMENDATION – ITEM 10.21

That the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 24 March 2015 be deleted from the Implementation of Council Resolutions list.

Voting Requirements: Simple majority

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

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

24/2/15 Collaborative Arrangement between the Swan River Trust and the Town of Bassendean - Ashfield Flats Foreshore Stabilisation, adjacent to the Boardwalk.

25/2/15 Removal of Notification Under Section 70A of the Transfer of Land Act 1893 As Amended, relating to Ancillary Accommodation at 9 River Street, Bassendean - Owner: Robyn Ward.

12/3/15 Town of Bassendean Local Planning Strategy adopted by Council on 22 April 2014.

OFFICER RECOMMENDATION – ITEM 10.22

That Council authorises the affixing of the Common Seal to the documents listed in the Ordinary Council Meeting Agenda of 24 March 2015.

Voting Requirements: Simple majority

10.23 Calendar for April 2015 (Ref: Sue Perkins, Executive Assistant)

Fri	3 Apr		Good Friday Public Holiday – Offices closed
Mon	6 Apr		Easter Monday Public Holiday – Offices closed
Sat	11 Apr	10.30am	Opening of the Civic Gardens and Rededication of the Bassendean War Memorial
Thu	16 Apr	9.30am	Local Studies Collection Management Committee Meeting – Council Chamber (Cr Brinkworth)
Sat	25 Apr	11.00am	Anzac Day Parade & Service – Bassendean War Memorial
Mon	27 Apr		Anzac Day Public Holiday – Offices closed
Tue	28 Apr	7.00pm	Ordinary Council Meeting – Council Chamber
Thu	30 Apr	6.00pm	WALGA East Metropolitan Zone Meeting EMRC (Crs Gangell & Pule)

OFFICER RECOMMENDATION - ITEM 10.23

That the Calendar for April 2015 be adopted.

Voting Requirements: Simple majority

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Notice of Motion – Cr Pule: Street Hazard on Kenny Street, Bassendean

Cr Pule has advised that he wishes to move the following motion at this meeting:

“That a no standing zone be placed at Kenny Street, on the crest of the hill at 120 - 117 Kenny Street, Bassendean.”

COMMENT – CR PULE

1. The crest of the hill between 120 and 117 Kenny Street has long been observed as creating a safety hazard. Often there are vehicles parked on either side of the street, which blocks the lanes and effectively makes the access a single lane in the middle of the street.
2. The road safety is aggravated by the hill, which does not permit lines of vision to approaching vehicles, on both sides.
3. Restricting parking on the crest will alleviate these problems.
4. There is ample room for residents to park their vehicles on their own verges.
3. This is part of the long term Strategic Plan ... *“to improve the quality of life in Bassendean and part of the Traffic Management Plan.”*

OFFICER COMMENT

Administratively, Council Officers can investigate the above issue and take the required actions. For past issues of a similar nature, Officers have investigated and taken appropriate actions, including but not limited to, submitting a report to Council for consideration.

11.2 Effective Fire Safety Strategy for Ashfield Flats along Hardy Road, Ashfield

Cr Pule has advised that he wishes to move the following motion at this meeting:

“That an effective Fire Safety Strategy be prepared and implemented that provides effective measures to reduce and improve the safety of the line of homes along Hardy Road on the Ashfield Wetlands. This is to also include the homes along French Street side of Ashfield Parade along the private road and Ashfield Parade, including:

- 1. An effective clearance strip at the rear of the homes along Hardy Road.*
- 2. Regular mowing/slashing of the entire safety strip on a regular basis.*
- 3. An awareness program to educate and minimize danger from embers.*
- 4. The issue or offer of emergency kits to residents along Hardy Road and Ashfield Parade.*
- 5. A careful analysis of access to Fire Brigade vehicles and remediating action to address access.*
- 6. The resolving of different spheres of responsibility between WAPC and the Town of Bassendean to ensure that a uniform safety policy is applied across the entire area at the rear of all these homes.*
- 7. That the Town of Bassendean engage the WAPC on its practices of having drained the wetlands, which aggravated the fire danger to homes along Hardy Road. Also to engage the WAPC on its inadequate level of consultation with the Town of Bassendean and its inadequate consideration of the many requests by residents to improve and affect safety issues at the rear of the homes along Hardy Road.*
- 8. That a comprehensive Fire Safety Strategy be prepared and implemented with all parties as signatories.*
- 9. That all residents along Hardy Road and Ashfield Parade be consulted in the preparation of the Fire Safety Strategy.”*

COMMENT – CR PULE

On Thursday 5 March, children set fire to the dry wetlands on the Ashfield Flats and the Flats caught fire, which quickly burnt right up to the rear of some of these homes along Hardy Road. A very quick response from 6 fire brigades, supported by 12 to 15 helicopter water carriers, were able to contain the fire. However, some fire brigade vehicles got bogged and ground vehicles were unable to access large parts of the dry Wetland.

The Helicopter water carriers were then called on to address the access problems.

The fact that the WAPC had drained the wetlands by opening drainage channels contributed to the danger as this allowed the wetland to dry out. Parts of the wetlands that were not opened to drainage still had water in them and did not catch fire. This is a clear contributor to the drainage aggravating the safety hazard and threatening home along Hardy Road

Some damage was done to homes along Hardy Road. Fortunately, no one was hurt. Many of the residents received a terrible fright.

This is part of the long term Strategic Plan...*“to improve the quality of life in Bassendean and part of the Bassendean Emergency Management Plan, to mitigate perceived hazards.”*

OFFICER COMMENT

On Thursday 5 March 2015, a fire was illegally lit at the Ashfield Flats Reserve. The majority of the bush land that was impacted by the fire is owned by the Western Australian Planning Commission and is managed by the Department of Planning.

The Department of Planning has advised that depending on priority and availability of contractors, over the next two to three weeks, the following actions will be undertaken:

- Arborist inspection of the fire damaged trees;
- Clean-up of fire debris ;
- Removal of illegally dumped building materials;
- Reinstatement of bush fire access track and slashing work; and
- Post-bushfire weed management.

The Department of Planning is responsible for the management for the majority of the Ashfield Flats Reserve wetland, the Bush Forever site vegetation, and the ongoing requirement for the reserve to comply with the Bush Fires Act 1954.

With respect to the comment, that *“the opening of drainage channels”* contributed to the dangers, as this allowed the wetland to dry out, is misleading as only two channels were opened and these were on the opposite side of the main drain to where the fire took place, and therefore should not have made a contribution to the drying of the wetlands.

11.3 Submission on the Regional Integrated Transport Strategy 2014 – 2016

Cr Pule has advised that he wishes to move the following motion at this meeting:

‘That a workshop be arranged to address matters in the Regional Integrated Transport Strategy 2014 - 2016, especially relating to the Guildford Bridge crossing and cycle projects and greenways and that the outcomes be considered by Council for a submission to the EMRC.’

COMMENT – CR PULE

1. The Regional Integrated Transport Strategy 2014 - 2016 has now been prepared by the EMRC
2. This offers an opportunity for Town of Bassendean to have community input by arranging a workshop to prepare a response.
3. The three issues of the Guildford Bridge crossing and traffic management, cycleways and greenways may be added to by community input, to form a response.

This is part of the long term Strategic Plan...“to improve the quality of life in Bassendean and part of the Bassendean Traffic Management Plan.”

OFFICER COMMENT

On 23 October 2014, the EMRC (D2014/12528).endorsed the Regional Integrated Transport Strategy 2014 – 2016 and this document is being used to guide the priority projects for member Councils in the following key focus areas:

- 1 - Integrated Planning;
- 2 – TravelSmart;
- 3 - Public Transport;
- 4 - Active Transport; and
- 5 – Infrastructure.

The Regional Integrated Transport Strategy (RITS) 2014 – 2016 outlines on page 13 the timeframes and priorities identified for each action. Then on page 19, the priority road (Infrastructure) projects detail the schedule of actions to be undertaken.

For example, Guildford Road in the City of Bayswater, Town of Bassendean and City of Swan, has had numerous intersection improvements categorised as a “Medium” priority. This means that the EMRC’s Implementation Action Group will consider this issue during the 2014-2016 financial year.

The timeframes link to local government planning and budget cycles were selected based on an understanding of the regional context in which the action would be implemented.

In regards to the above Notice of Motion proposal for community workshops, please note that back in March 2010 a community workshop was conducted regarding Guildford Road and in April 2010 Council (OCM-13/04/10), received a report the ten community priorities. As a result, the Town lobbied State Government agencies to address the community’s concerns.

In regards to the cycleways and Town’s proposed Whitfield Street Greenway, the Town of Bassendean undertook extensive community consultation to develop the Council adopted (OCM-10/4/13) Bassendean Bike Plan. For the Local Area Traffic Management Plan, the Town also conducted extensive community consultation to develop this Council adopted plan.

Therefore, Officers do intend to provide to the EMRC’s RITS Implementation Action Group relevant Town of Bassendean plans, documents, community workshop information, Council resolutions and past lobbying activities for the priority listed projects.

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

13.0 **CONFIDENTIAL BUSINESS**

14.0 **CLOSURE**

The next Ordinary Council meeting will be held on Tuesday 28 April 2015.