

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, 22 August 2017 in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 7.00pm.

BOB JARVIS
CHIEF EXECUTIVE OFFICER

17 August 2017

A G E N D A

Councillors, please note that the Briefing Session is open to the public and will commence at 5.00pm. A meal for Councillors and Officers will be provided at 6.00pm; and the Ordinary Council meeting will commence at 7.00pm.

Cr Bridges will be the facilitator for the Briefing Session.

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Acknowledgement of Traditional Owners

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

Members of the public are requested to sign the attendance sheet located on the table at the rear of the Council Chamber.

2.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

2.1 Questions Taken on Notice

Ms Nonie Jekabsons, 6 Barton Parade, Bassendean

The following response has been provided to Ms Jekabsons on 9 August 2017:

"At the 2017 June Ordinary Council meeting, your question regarding water associated with the proposed concrete batching plant at Nos. 2-8 Clune Street, Bassendean, was taken on notice. I subsequently provided you with a written response by way of a letter dated 17 July 2017. This letter quoted advice provided by both the Department of Water and the Department of Environment Regulation.

At the 2017 July Ordinary Council meeting, you asked a follow up question seeking clarification with respect to the advice provided to you. In response to this further request, the Town has liaised further with the newly established Department of Water and Environment Regulation who have provided the following further advice:

'Process wastewater is generally water that has been used in the process and left over.

Storm water is water that comes from rain and may be of two types:

- *Storm water that may have come into contact with the process and materials storage, and*
- *Storm water that has not come into the contact with the process or materials storage.*

A storm water management strategy was prepared for the applicant at the request of the Town of Bassendean (David Wills and Associates Consulting Engineers November 2016) shows that the two types of storm water are separated by a high point (ridge) in the forecourt which directs storm water that falls near the plant and storage areas to a separate settlement basin before discharging to the soak wells on site.

Storm water that falls directly on the plant is also separated by a gradient and treated as process wastewater and reused in the concrete batching process.

I can also confirm that there will be a Town requirement for storm water that has not come into contact with the process or materials storage to be contained on site, and that the Town will not permit the applicant to connect to the Town's storm water drainage system for the off-site discharge of this water.

I trust that this further information satisfies your query.

Christian Buttle, Senior Planning Officer."

Mr Ian Veale, 33 Bassendean Parade, Bassendean

Mr Veale asked about an old wooden floodway sign at Point Reserve.

The Director Community Development advises that he met with Mr Veale on site at Point Reserve to inspect the floodway sign. It was agreed the sign remains functional and will be renovated.

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.

It should be noted that Public Statements are not recorded in the minutes. Statements raised by members of the public must be regarding items on the agenda.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

4.0 DEPUTATIONS

5.0 CONFIRMATION OF MINUTES

5.1 Ordinary Council Meeting held on 25 July 2017 **(Attachment No. 1)**

OFFICER RECOMMENDATION – ITEM 5.1(a)

That the minutes of the Ordinary Council meeting held on 25 July 2017, be received.

OFFICER RECOMMENDATION – ITEM 5.1(b)

That the minutes of the Ordinary Council meeting held 25 July 2017, 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 of 22 August 2017:

Item	Report
10.2	Application for a Proposed Outbuilding at Lot 81; No. 45 Maley Street, Bassendean
10.3	Amended Application for Development Approval for a Concrete Batching Plant at Lot 105 (Nos. 2-8) Clune Street, Bassendean
10.4	Application for a Change of Use to Place of Worship (Chin Christian Church) at Lot 143; No. 105A Broadway, Bassendean,
10.5	Joint Metropolitan Central Development Assessment Panel Application – Form 2 – Application for Amendment of a Development Assessment Panel Application for a Convenience Store – Lot 25 (No. 300) Collier Road, Bassendean
10.6	Proposed Amendment to the Local Planning Scheme No. 10 dealing with Multiple Dwellings on Land with a Density Code of R40 and Below
10.7	Adoption of the Town of Bassendean Municipal Heritage Inventory
10.8	Community Sporting and Recreation Facilities Fund (CSRFF) Application
10.9	Proposed Method of Disposal of Land - 48 Chapman Street Bassendean and Lot 7557 Lord Street Eden Hill
10.10	Bassendean River Parks Management Committee Meeting held on 2 August 2017
10.12	Liveable Town Advisory Committee (LTAC) 8 August 2017
10.13	Determinations Made by the Principal Building Surveyor
10.14	Determinations Made by Development Services (
10.15	Use of the Common Seal
10.16	Calendar for September 2017
10.17	Implementation of Council Resolutions
10.18	Accounts for Payment – July 2017
10.19	Financial Statements – June 2017

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

Item	Report
10.11	Audit & Risk Management Committee Meeting held on 9 August 2017
11.1	Notice of Motion – Cr Brown: Realignment of boundary between the Town of Bassendean and the City of Bayswater
11.2	Notice of Motion – Cr Brown: Floodway Contingent Development
11.3	Notice of Motion – Cr Pule: Reference: Better use of Rubbish Tip Passes
11.4	Notice of Motion – Cr Pule: Improved Anzac Day Service
11.5	Notice of Motion – Cr Pule: Future Value of Town Assets
11.6	Notice of Motion – Cr Pule: Addressing Family Violence
11.7	Notice of Motion – Cr Pule: Welcome Cities Program
11.8	Notice of Motion – Cr Pule: Sister Council Initiatives
11.9	Notice of Motion – Cr Pule: Letter of Thanks to the Premier Mark McGowan
11.10	Notice of Motion – Cr Pule: Letter of Thanks to Prime Minister Malcolm Turnbull
13.1	Business Case Report for the Potential Purchase by the Town of 10-14 Parker Street, Bassendean - Bassendean Fire Station

10.2 Application for a Proposed Outbuilding at Lot 81; No. 45 Maley Street, Bassendean – Property Owner: Lee White and Freea Itzstein-Davey (Ref: DABC/BDVAPPS/2017-070 – Dylan Stokes, Planning Officer)

APPLICATION

The purpose of this report is for Council to consider an application for an outbuilding at Lot 81, No. 45 Maley Street, Bassendean, that involves a setback variation.

ATTACHMENTS

Attachment No. 2:

- A. Plans of Proposed Development.
- B. Two sets of justification provided by the applicant dated 26 July 2017 and 11 August 2017.

BACKGROUND

An application was initially submitted for an outbuilding on the 24 April 2017 for consideration by the Town. As the application incorporated a reduced lot boundary variation to the Residential Design Codes (R-Codes), the application was advertised to the adjoining landowner for comment for a period of 21 days. During this advertising period, the Council Officers were contacted and informed that the property had been sold to a different landowner. Council Officers subsequently readvertised the application and received a substantial objection from the new landowner.

STRATEGIC IMPLICATIONS

Objectives:

Foster enhanced public space and street appearance

Strategies:

Plan for improved streetscapes that include better footpaths, street furniture and inviting verges with well-developed and maintained street trees.

COMMENT

The application is considered to meet all the requirements of the Deemed-to-Comply (DTC) requirements of the R-Codes with the exception of Clause 5.1.3 and 5.4.3, which both relate to lot boundary setback requirements. Under the R-Codes, a DTC setback of 1m is required for structures under 9m in length and under 3m in wall height.

The applicant has proposed a setback of 0.5m in lieu of the required 1m setback required under the Residential Design Codes.

The R-Codes is separated into the DTC requirements and the Design Principles. In the event that the DTC requirements have not been met, the application can be considered against the corresponding Design Principles under the same Clause. In the event that an objection is received from advertising, the objection is considered against the corresponding Design Principles.

CONSULTATION AND ENGAGEMENT

The objection, dated 27 June 2017 and 28 June 2017 is summarised as follows:

- The proposed outbuilding is considered to detract from the streetscape, visual amenity of residents and neighbouring properties which is in contradiction of the Design Principles.
- The outbuilding is in full view of the street without screening.
- It is an 'unattractive, industrial, or agricultural' looking shed.
- The proposed building is not visually suitable to be in the front garden area of the home and will detrimentally affect streetscape amenity.
- It is forward and in full view of the dwelling at 47 Maley Street. The outbuilding would dominate the view from the adjoining home towards the street. The residents should expect a residential view to their front garden and not an 'imposing blank-walled shed.'
- The proposed development is completely out of keeping with modern planning principles to protect streetscape character.
- The outbuilding should be located behind the dwelling away from the streetscape and the adjoining neighbours.
- The dwelling on the subject site is new and leniency should not be provided for having to accommodate an outbuilding into a constrained site.
- The approval of this development would set an undesirable precedent.

Justification has been provided on behalf of the applicant, dated 26 July 2017, as attached and is summarised as follows:

- The existing tree, whose trunk sits on our common boundary, screens the outbuilding.
- Sun and ventilation to the adjoining lot will not be impacted as the tree will shelter the impacts of shading from the proposed outbuilding.

- The proposed outbuilding will increase privacy to the adjoining landowner rather than decreasing it due to the proposed location.
- By seeking a reduced setback we are protecting the existing tree on the boundary that would otherwise be replaced by a boundary fence.
- The outbuilding cannot be moved closer to the main dwelling due to plumbing for black and greywater.
- Many houses in our area have a separate outbuilding and the size and form of the proposed outbuilding is consistent with those in Ashfield.
- The proposed outbuilding is setback 6 m from the streetscape as required under the R codes and will be built from Colourbond that matches our house.
- Once future gardens are installed and have matured, the impact of the outbuilding from the streetscape will be reduced.

The applicant provided further justification dated 11 August 2017, as attached and is summarised as follows:

- The landowner intends to establish fruit trees and vegetable gardens to the rear of the site.
- The proposed location minimises the need to install hard surfaces across a large area, reducing the area for productive gardens.
- The outbuilding would block light to the rear alfresco at Lot 80, 47 Maley Street.
- The outbuilding will act in place of the boundary fence, and thereby by not permitting the outbuilding with a 0.5m setback from the lot boundary, a boundary fence will be required which may involve the removal of the existing tree.

STATUTORY REQUIREMENTS

The DTC requirements of Clause 5.1.3 C3.1 state the following:

“Buildings which are set back in accordance with the following provisions, subject to any additional measures in other elements of the R-Codes:

- i. buildings set back from lot boundaries in accordance with Table 1, Tables 2a and 2b (refer to Figure Series 3 and 4)”*

Table 2A states that for any building with a length of up to 9m and a wall height of under 3m, a 1.0m setback is required. As a setback of 0.5m is proposed, the application must meet the following Design Principles:

“Buildings set back from lot boundaries so as to:

- *reduce impacts of building bulk on adjoining properties;*
- *provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and*
- *minimise the extent of overlooking and resultant loss of privacy on adjoining properties.”*

Regarding the impacts to building bulk on adjoining properties, approximately half of the outbuilding will be completely screened by the existing landscaping and an established tree which sits either on or very close to the lot boundary. Both neighbours have confirmed their intent to retain the mature tree.

The rear portion of the outbuilding will be visible to the adjoining neighbours. However, there are no windows as part of the dwelling that face directly toward the outbuilding that would be substantially impacted as a result. As part of the adjoining dwelling, a single window faces east and a window faces to the south, but both windows have an obscured angle to the outbuilding and therefore aren't considered to be impacted. There will be no clear views of the outbuilding from habitable rooms within the dwelling at 47 Maley Street. Increasing the setback of the outbuilding to 1.0m from the lot boundary in its current location to meet the DTC requirements would result in little to no difference in the impact to amenity of the adjoining landowner as opposed to the proposed 0.5m setback.

There is an existing clothes line on the adjoining lot that abuts the location of the proposed outbuilding, but even this will not be impacted as the outbuilding will sit forward of the entire building line. Sunlight and ventilation will adequately enter the clothes drying area. Views of the outbuilding in its current location from the rear outdoor living area will be minimal due to the dwelling at 47 Maley and the rear patio restricting views between the dwellings.

It should also be noted that there are no boundary walls or reduced lot boundary setback variations incorporated as part of the previous development at 45 Maley Street being imposed onto the neighbour at 47 Maley Street. The existing dwelling is setback at a distance of approximately 3m from the lot boundary. As such there is no existing extensive bulk being imposed upon the neighbours that is being exacerbated by the outbuilding.

The outbuilding will not have any windows and there is no overlooking issues that result from the outbuilding. As there is no existing boundary fence forward of the building line at 47 Maley Street, it may even be argued that the outbuilding will provide additional privacy to both residents in the place of a fence.

The DTC requirements of Clause 5.4.3 C3 are specific to outbuildings and state the following:

*“Outbuildings that:
viii. are set back in accordance with Tables 2a and 2b.”*

Similar to Clause 5.1.3, the DTC requirements of Clause 5.4.3 require compliance with Tables 2a and 2b, to prevent outbuildings from being permitted as-of-right on the boundary. As there was a variation to Table 2a as discussed previously, the application must be assessed against the corresponding Design Principles:

“Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.”

The objector has made detailed comments regarding the impact to streetscape amenity that will result from the proposed outbuilding. Whilst Council Officers note the appearance of the outbuilding, the DTC criteria specifically states that outbuildings are not permitted within the primary or secondary street setback area. Table 1 states that the primary street setback area is 6.0m and this has been achieved with the proposal. Given that the DTC provisions allow outbuildings as-of-right at a 6.0m setback, this is therefore considered a sufficient setback from the primary street to meet a Design Principle assessment.

Technically, if the outbuilding were to maintain a 6.0m setback from the primary street boundary but instead with a 1.0m setback from the neighbouring lot boundary, the outbuilding would be permitted as-of-right without planning approval being required. A lot boundary setback to the neighbouring landowner at a distance of either 0.5m or 1.0m is therefore considered irrelevant when considering the streetscape. On this basis, the visual amenity of the adjoining landowner is considered to be the main element to be considered under this Design Principle assessment as opposed to any consideration regarding the streetscape. Visual amenity of resident and neighbour properties and has been discussed in detail previously in the report as part of the other Design Principle for Clause 5.1.3.

Review of Decision

Should Council refuse the application for Development Approval, or impose conditions that are unacceptable to the applicant or land owner, then the determination becomes a reviewable determination in accordance with the Planning and Development Act 2005 Part 14 and a review of the determination may be sought through the State Administrative Tribunal.

FINANCIAL CONSIDERATIONS

Nil.

OFFICER RECOMMENDATION – ITEM 10.2

That Council grants development approval for the proposed Outbuilding at Lot 81 (45) Maley Street, Ashfield, subject to the following conditions:

1. The outbuilding shall not be used for habitable or commercial purposes;
2. All stormwater being contained on site. Details of the method of storm water being submitted for approval in conjunction with the application for a Building Permit;
3. The floor level of the proposed Outbuilding being raised not more than 100mm above existing natural ground levels;
4. All building works to be carried out under this development approval shall be contained within the boundaries of the subject lot;
5. External finishes matching those specified on the approved drawings; and
6. The issue of a Building Permit prior to the commencement of any works on site.

Voting requirements: Simple Majority

10.3 Amended Application for Development Approval for a Concrete Batching Plant at Lot 105 (Nos. 2-8) Clune Street, Bassendean, Owner: Keppel Holdings Pty Ltd, Applicant: Rowe Group (Ref: DABC/BDVAPPS/DA2017-103 – Timothy Roberts, Planning Officer/Brian Reed, Manager Development Services)

APPLICATION

The Town has received an amended development application for three silos and additions to plant equipment for an approved concrete batching plant at Lot 105 (Nos. 2-8) Clune Street, Bassendean. The approved concrete batching plant was approved by the State Administrative Tribunal (SAT) on 5 December 2016, as part of an appeal process.

The purpose of the proposed amended development application is to increase the storage facilities at the location. Condition 7 of the previous development approval limits the annual output from the subject site to 105,300m³ the proposed amendment will not result in any increase to the estimated output from the approved concrete batching plant. There are also minor modifications proposed to the parking layout.

This report seeks Council's endorsement to approve the amended development application.

ATTACHMENTS

Attachment No. 3:

- A. SAT Approval; and
- B. Proposed plans of development.

BACKGROUND

On 18 December 2015, the Town of Bassendean received a development application for a proposed concrete batching plant at Lot 105 (Nos 2-8) Clune Street, Bassendean. The application was considered a 'deemed refusal' as it was not determined within the specified timeframes as detailed within the *Planning and Development (Local Planning Schemes) Regulations 2015*. The applicant subsequently lodged an appeal with the State Administrative Tribunal (SAT) on 15 March 2016 where after extensive mediation and receipt of amended plans, the Town was invited to reconsider its decision by 28 June 2016.

The proposed development was referred to Council for reconsideration at its 2016 June Ordinary Council meeting where Council resolved to refuse the application, in line with the officer's recommendation, due to non-compliance with the objectives and provisions of both Town of Bassendean Local Planning Scheme No. 10 (LPS10) and Local Planning Policy No. 6: Industrial Zones Development Guidelines (LPP6). The unquantified impact of the proposed development on nearby sensitive land uses as well as traffic management concerns also formed reasons for refusal.

The matter was subsequently referred to a further two directions hearings on 15 July and 5 August 2016 where the applicant was prepared to have the matter reconsidered again by Council, with further information to be provided for the purpose of reconsideration. A final hearing date of 5 December 2016 was also made pending Council's resolution. At its 2016 September Ordinary Council meeting, Council deferred the application to allow time for further investigation. The matter was referred to the 2016 October Ordinary Council meeting for reconsideration with an officer recommendation for approval. Council rejected the application on the grounds that Council was not satisfied with the disposal of the water from the site, which is required to remediate the dust.

The matter progressed to a final hearing on 5 December 2016. The Council's October 2016 refusal on reconsideration had the effect that the only substantive issue was the adequacy of the drainage and liquid waste disposal systems proposed by the applicant. The Town's expert environmental witness advised that while the existing plans did not incorporate the full design details, the essential drainage requirements are set out in the *Concrete Batching Plant Regulations*, and the issue could be adequately dealt with by a condition of development approval. There was no evidentiary basis upon which the Town was able to argue for refusal to approve the development.

The applicant did not agree with all the draft conditions proposed by the Town, and the hearing therefore dealt with the conditions in dispute. These were condition 6 (hours of operation) and conditions 7, 9 and 10 (annual and daily production limitations). The applicant's argument was that there was a need for flexibility in both hours of operation and production rates, because the applicant needed to be able to respond to the requirements of the market. According to the applicant, this might lead to occasional night time concrete pours, or days during which the production rate may be substantially higher than the 350m³ per day average proposed.

The Town's solicitors submitted that the annual production limit of 105,300m³ proposed by the Town is fundamental to the acceptability of the proposal, as that annual limit was derived from the daily average rate proposed by the applicant. That in turn is the basis of the application, meeting the generic recommended separation distance in the Environmental Protection Authority (EPA) Guidance Statement No. 3, which is 300-500m 'depending on size' for concrete batching plants. The applicant's contention was that the 420m separation distance in this case is adequate based on the 350m³ daily production rate proposed.

The Tribunal had sympathy for the Town's position on the annual rate, together with the need for there to be a daily maximum limit and a limitation on the hours of operation, at least in the absence of any site specific scientific evidence from the applicant which would justify deleting those conditions. The Tribunal approved the application subject to the Town's draft conditions ([see attachment A](#)). The Tribunal gave reasons for the decision in which it noted:

- (a) the Tribunal had regard to the officer's report to Council on 27 September 2016 which deals with the development application. The report identifies the relevant planning instruments and issues and canvasses the appropriate separation distance for the development, including the response from the DER which is to the effect that 420m is appropriate given the proposed production rate of 350m³ per day and reflected by the Town's expert witness statement;
- (b) the Tribunal also had regard to the draft works approval approved by the DER for the proposed development;
- (c) the Tribunal is satisfied based on the evidence of the Town's Planning Officer and environmental expert that the relevant issues have been canvassed and that the development should be approved subject to draft conditions proposed by the Town dated 02 December 2016.

COMMUNICATION & ENGAGEMENT

In considering an application for development approval, the local government shall have regard to the possible effects of the development on the amenity of the surrounding area. The previous application was therefore advertised in accordance with clause 9.4 of LPS1, through:

- (a) Advertisement in the local newspaper;

- (b) Advertisement on the Town of Bassendean website;
- (c) Letters to surrounding landowners/occupiers within the Town of Bassendean within 500m of the subject site; and
- (d) Letters to surrounding landowners/occupiers within the City of Bayswater within 500m of the subject site.

The application was also referred internally to the Town's Engineering team for comment on both vehicle manoeuvring and traffic impacts. The application was also referred to the City of Bayswater and the Department of Environment Regulation (now Department of Water and Environment Regulation) for comment.

As this application is to increase storage facilities at the location with no change to annual output, it was decided that the application should not be advertised.

STRATEGIC IMPLICATIONS

Nil.

COMMENT

The amended proposal involves:

- a) The placement of an amenities module (toilet block) within the existing workshop building, located close to the northern boundary of the site;
- b) A slight adjustment to the approved car parking layout; and
- c) The introduction of three new silos which will increase the height of the plant on site.

In terms of issue a) the amenities module is to be provided within an existing building and there will be no negative amenity implications associated with this structure. The amenities module will not create a greater demand for parking spaces as parking for this component will be calculated at the same rate, being 1 space per 50m² of floor area.

The adjustment to the car parking layout, which involves the addition on one car parking bay and the relocation of another, is supported subject to the new bays being relocated 1.0m closer to the lot boundary to ensure that the southernmost bay does not interfere with the general circulation of vehicles on site. This element is addressed through condition 1 of the recommendation below.

It is proposed to introduce three new silos on site to increase the storage facilities on site. The applicant makes the point that the silos will provide the following benefits:

- Additional cement types such as Ground Granulated Blast Furnace Slag, a product used in the manufacture of low heat cement and blended cements used on Green Star projects and Creme Cement; and
- Minimise turnaround time for cement tankers, as they would not be held on site whilst concrete is manufactured due to limited storage capacity.

The proposed silos are to be provided in the middle of the site, adjacent to the approved concrete batching plant equipment, and setback approximately 27m from the front boundary of the lot.

The silos have a height of 15.1m compared with the height of the approved concrete batching plant equipment at 10.6m. It should be noted that the Scheme does not prescribe a maximum height for buildings or plant in the industrial area, and the height of the structures proposed is comparable with other buildings and plant in the industrial area.

Importantly the proposals contained within the amended application does not result in an increase the annual output for the site which is capped at 105,300m³, or change any of the fundamentals of the approval.

STATUTORY REQUIREMENTS

The following section shows the matters that are to be considered by the Town in determining the application:

67. Matters to be considered by local government

In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application—

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving;

- (c) any approved State planning policy;
- (d) any environmental protection policy approved under the *Environmental Protection Act 1986* section 31(d);
- (e) any policy of the Commission;
- (f) any policy of the State;
- (g) any local planning policy for the Scheme area;
- (h) any structure plan, activity centre plan or local development plan that relates to the development;
- (i) any report of the review of the local planning scheme that has been published under the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;
- (k) the built heritage conservation of any place that is of cultural significance;
- (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;
- (m) the compatibility of the development with its setting including the relationship of the development 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 development;
- (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;
- (s) the adequacy of —
 - (i) the proposed means of access to and egress from the site; and
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;

- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (u) the availability and adequacy for the development of the following —
 - (i) public transport services;
 - (ii) public utility services;
 - (iii) storage, management and collection of waste;
 - (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
 - (v) access by older people and people with disability;
 - (v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;
 - (w) the history of the site where the development is to be located;
 - (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
 - (y) any submissions received on the application;
 - (za) the comments or submissions received from any authority consulted under clause 66;
 - (zb) any other planning consideration the local government considers appropriate.

Review of Decision

Should Council refuse the application for Development Approval, or impose conditions that are unacceptable to the applicant or land owner, then the determination becomes a reviewable determination in accordance with the Planning and Development Act 2005 Part 14 and a review of the determination may be sought through the State Administrative Tribunal.

FINANCIAL CONSIDERATIONS

Nil

OFFICER RECOMMENDATION — ITEM 10.3

That Council approves the amended Development Application for the proposed mobile concrete batching plant at Lot 105 (Nos 2-8) Clune Street, Bassendean, subject to the following conditions imposed:

1. The proposed car parking spaces marked in red on the approved plans shall be relocated 1.0m closer to the front lot boundary, to ensure that the southernmost bay does not interfere with the general circulation of vehicles on site; and
2. All other conditions and requirements detailed on the previous approval dated 20 January 2017 shall remain unless altered by this approval.

Voting requirements: Simple Majority

10.4 Application for a Change of Use to Place of Worship (Chin Christian Church) at Lot 143; No. 105A Broadway, Bassendean, Applicant: Dynamic Planning & Developments Pty Ltd, Owner: Judy Kane (Ref: DABC/BDVAPPS/2017-109 – Dylan Stokes, Planning Officer)

APPLICATION

The purpose of this report is for Council to consider an application for a Change of Use application for a Place of Worship (Chin Christian Church) at Lot 143, No. 105A Broadway Bassendean.

ATTACHMENTS

Attachment No. 4:

- A. Plans of the proposed development
- B. Submission provided by Dynamic Planning.
- C. Schedule of Submissions

BACKGROUND

An application was initially submitted for Change of use to a Place of Worship on 20 July 2017. Upon receiving the application, the application was subsequently advertised for public comment to the surrounding landowners by mail and by a sign on the subject site. Advertising concluded on 14 August with a single landowner of an industrial lot that shares the common property of the subject site submitting two objections against the application.

The subject site is a strata lot that shares common property with a tenancy to the rear. The site is zoned 'Light Industry' under the Local Planning Scheme No. 10. The site immediately to the east is reserved for Parks and Recreation (Broadway Arboretum), with residential lots directly to the north on the other side of Broadway.

The report as attached details the proposal and can be summarised as follows:

- Activities on site will primarily occur on the weekends, including:
 - o 10.00am Sunday Morning Service (estimated 80 to 100 people).
 - o 2:30pm Sunday Afternoon Service (estimated 50 people).
 - o 6:00pm to 9:00pm Friday Youth Fellowship Meetings (estimated 20 to 30 people).

- Other minor activities including Sunday School classes, youth choir practice (Saturday), music practice (Saturday), weddings (2 per year), funerals (3 per year), committee meetings and other incidental services.
- The application seeks to use the existing 22 car parking bays on site.
- There are minor modifications proposed to the exterior of the existing building, primarily window and door additions, in addition to an internal fit out.

STRATEGIC IMPLICATIONS

Objectives:

Ensure all community members have the opportunity to be active, socialise and be connected.

Strategies:

Support out volunteers and community groups to remain empowered, dynamic and inclusive

COMMENT

Land Use

Local Planning Scheme No. 10 (LPS 10) dictates permissible land uses. Under Table 1 of the LPS 10, a Place of Worship Use is a 'D' or 'discretionary' use and therefore means that 'the use is not permitted unless the local government has exercised its discretion by granting planning approval.'

Clause 4.2.5 of the Scheme details the objectives of the Light Industry zone, which provides guidance on the types of uses that should be considered appropriate for this zone. The objectives and justification as to how each objective has been adhered to is as follows:

"4.2.5 Light Industry Zone

The objectives of the Light Industry zone are:

- (a) To accommodate a range of manufacturing and associated service activities which will not, by nature of their operations, detrimentally affect the amenity of the adjoining or nearby land".*

Despite the Place of Worship not involving manufacturing or associated service activities, it is a discretionary use in the light industrial zone.

Besides the operating hours, (primarily on Friday and the weekend) which will be substantially different to the majority of the other surrounding industrial land uses, the Place of Worship use would not operate in a manner that would be substantially different to that of other business in the surrounding area. The use would not generate noise outside of acceptable hours that would impact residential land uses to the north and would not generate omissions or otherwise that industrial land uses may produce.

(b) To ensure that where any development adjoins zoned or developed residential properties, such development is suitably set back, screened or otherwise treated as not to detract from the residential amenity.

The development proposes minimal changes to the exterior of the existing approved building on site. There will be no changes to setbacks.

(c) To achieve safety and efficiency in traffic circulation, and also recognise the function of Collier Road as a regional road.

Whilst the proposal does incorporate services that could include up to 100 people, the existing 22 car bays, access ways, turning bays and crossover located on site are considered sufficient to adequately deal with the traffic volume that may occur as a result.

(d) To provide car parking and landscaping appropriate to the scale of development.

Parking provided on site is sufficient as per Table 2 (discussed later in this report).

(e) To preclude the storage of unsightly goods from public view.

No goods will be stored in the verge or otherwise due to the nature of the use.

(f) To ensure that development conforms with the Local Planning Strategy and the principles of any Local Planning Policy adopted by the Council.

The Local Planning Strategy does not seek to change the boundaries of the existing industrial areas.

Car Parking

LPS 10 dictates permissible required car bays for differing land uses. Clause 5.7.2 of the LPS 10 states the following:

“A person shall not develop or use land or erect, use or adapt any building for use for the purpose indicated in Table 1 of the Scheme, unless car parking spaces of the numbers specified in Table 2 are provided and such spaces are constructed, marked and maintained in accordance with the provisions of the Scheme.”

Table 2 states that for a Place of Public Worship land use, 1 car bay is required per 5 seats. Assuming that a maximum of 100 people are attending the site. The application therefore complies with a maximum service of 100 people requiring a total of 20 car bays and with 22 car bays existing on site within the strata lot boundaries (not the common property).

It should be noted that the location of an exit door on the eastern side of the building falls within an existing car bay. It is also noted that a tree located adjoining the parking area has resulted in a damaged kerb, bays and fence. Two conditions have been recommended to the approval addressing these issues.

COMMUNITY CONSULTATION

Two objections were received by a single landowner during the advertising period. The objections, applicants response and the Council Officers response are summarised under a Schedule of Submissions as an attachment to the report.

The primary point raised as part of the objections was the suitability of the site for the proposed land use in a light industrial area and also the potential for conflict between pedestrians using the site for the Place of Worship and the vehicles providing deliveries to the rear of the subject site by the shared access leg. The Town supports the application for the following reasons (that are further elaborated in the Schedule of Submissions):

- The operating hours for the Rovacraft business to the rear of the site only overlaps with the primary operating hours of the Place of Worship on Saturday from 9:00am to 12:00pm. The congregation of 100 people on site will occur on Sundays, where the rear tenancy is closed.

- The objector makes reference to semi-trailers accessing the site in addition to delivery vehicles and couriers. The site was not designed to permit satisfactory access for semi-trailers, with the only method of semi-trailers accessing the site is by reversing down the driveway to gain access to the rear lot. Regardless, the recommended condition of approval is considered sufficient in preventing pedestrian access from the eastern side of the building and is considered to be adequate in preventing conflict between pedestrians and vehicles.
- A condition is recommended to the approval preventing access from the east side of the building after the congregation has finished except in the event of an emergency. This will limit the potential for conflict between pedestrians with vehicles on the site.
- Whilst the Town does recognise the potential for pedestrian and vehicle conflict, it is not considered to be an issue that would be occur regularly and Council Officers would not recommend refusing the application on this basis.

STATUTORY REQUIREMENTS

As discussed above, LPS 10 determines the acceptability of land uses under Table 1 and the associated parking requirements under Table 2. Council officers recommend approving the Place of Worship land use for the reasons stated under the Comment section of the report.

Review of Decision

Should Council refuse the application for Development Approval, or impose conditions that are unacceptable to the applicant or land owner, then the determination becomes a reviewable determination in accordance with the Planning and Development Act 2005 Part 14 and a review of the determination may be sought through the State Administrative Tribunal.

FINANCIAL CONSIDERATIONS

The granting of approval for a Place of Worship from the current zoning will exempt the property from rates in accordance with Section 6.26(2)(d) of the Local Government Act 1995.

The rates levied for the 2017/2018 year for this property is \$6,984.37.

OFFICER RECOMMENDATION – ITEM 10.4

That Council grants development approval for the proposed Change of Use at Lot 143 (105A) Broadway, Bassendean, subject to the following conditions:

1. Revised drawings shall be submitted in conjunction with an application for a building permit and such drawings shall demonstrate a revised location for the proposed personnel doors on the eastern side of the building so as to be clear of the location of existing approved car parking bays;
2. Operation of the use described in condition 2, above, is to be in accordance with details provided in correspondence from the applicant date stamped received 20 July 2017 and which form part of this approval. Any changes to the operations may require lodgement of a new application for planning approval for consideration by the Town;
3. The proposed Place of Worship is limited to a maximum capacity of 110 people at any given time. Any future proposed increase in total capacity will require lodgement of a new application for development approval and consideration by the Town;
4. Other than in emergency situations, the new personnel doors on the eastern side of the building shall not be used for pedestrian access and egress;
5. Rectification works are to be made to the front fence, kerbing and parking areas to the Town's Satisfaction;
6. This approval does not include the approval of any signage. Any signage for the development which is not an "exempted advertisement" pursuant to Schedule 5 of the Town of Bassendean Local Planning Scheme No. 10 is to be the subject of a separate application for development approval (see footnote below);
7. Prior to the issue of a Building Permit the applicant shall submit a waste management plan to the Town for approval which demonstrates suitable arrangements to be implemented for the storage and disposal of waste including detail of the amount of waste likely to be generated by the use; receptacles to be provided for waste storage; bin storage area which is designed and constructed to the Town's specifications; and rubbish collection arrangements;

8. The Place of Worship hereby approved shall not commence operations until all of the conditions of development approval have been complied with to the satisfaction of the Manager Development Services; and
9. The issue of a Building Permit prior to the commencement of any works on site. (see footnote).

Footnotes:

1. Regarding Condition 5, the applicant is to correspond with the Town regarding the necessary modifications required.
2. The Applicant is required to submit to the Town's Health Services, an Application for Approval to Establish or Alter a Food Business, together with the required plans and prescribed fee. The plans must include details such as:
 - Finishes of all walls, floors and ceilings;
 - Position and type of fixtures and fittings;
 - Exhaust system, grease trap, and bin storage; and
 - A menu or list of food to be provided on site.
3. The fit out of the food business is required to be in accordance with the Food Safety Standards. For further advice in relation to this Health related matter, please liaise with the Town's Senior Environmental Health Officer by email mail@bassendean.wa.gov.au or telephone 9377 8000.
4. Noise emissions from the site shall comply with the Assigned Noise Levels stipulated in the Environmental Protection (Noise) Regulations 1997 at all times. This includes noise from the church services, ceremonies/festivities, congregation arriving/leaving the site, vehicles exiting site etc.
5. Applicant shall comply with the requirements of the Health (Public Buildings) Regulations 1992.
6. The applicant's electrical contractor shall submit a Form 5 Electrical Compliance Certificate to the Town's Health Services on completion of electrical works.
7. The applicant shall submit a Form 2 Application for Certificate of Approval. A maximum occupancy certificate from the Town's Health Services is required prior to the operation of the premises.

8. A Mechanical Services Engineer is required to provide certification to the Town's Health Services prior to the completion of the works indicating that any mechanical ventilation proposed for this development has been installed in accordance with Regulation 17 of the Health (Public Buildings) Regulations 1992 and the Australian Standards 1668.2, AS3666 and the Health (Air Handling and Water Systems) Regulations 1994.
9. As part of the building permit application process, it will also be necessary to make the required application for a change of classification.
10. The applicant is to consult and liaise with the landowner to the rear of the site to coordinate weddings and funerals around delivery times.

Voting requirements: Simple Majority

10.5 Joint Metropolitan Central Development Assessment Panel Application – Form 2 – Application for Amendment of a Development Assessment Panel Application for a Convenience Store – Lot 25 (No. 300) Collier Road, Bassendean, Owner: HICON (WA) PTY LTD, Applicant: Planning Solutions (Ref: DABC/BDVAPPS/2017-106, Dylan Stokes, Planning Officer)

APPLICATION

At its Ordinary Council meeting held in May 2011, Council resolved to require that all Joint Development Assessment Panel (JDAP) applications be the subject of a report to Council in order that Council can make an alternative recommendation to the Metropolitan Central JDAP, should it see fit.

ATTACHMENTS

Attachment No: 5:

- A. Applicant's (Planning Solutions) submission and Transcore Traffic Report dated 11 July 2017.
- B. Correspondence on behalf of the Department of Planning, Lands and Heritage dated 4 August 2017.
- C. Correspondence on behalf of the Department of Planning, Lands and Heritage associated with the original application on the site dated 10 April 2017.

BACKGROUND

The proposed development incorporates a Convenience Store and was originally approved by the Metro Central Joint Development Assessment Panel at its meeting held 2 March 2017. The Form 2 applicant is seeking to remove Condition 6 of the original application which the Panel previously chose to endorse at the recommendation of the Town.

The remainder of this report includes the Planning Officer's report and recommendation to the JDAP. The report is presented in the format required by the Development Assessment Panel Regulations (Form 2 – Responsible Authority Report).

Council's options in terms of its earlier resolution are to either endorse the recommendation contained in the report below, or to make an alternative recommendation.

Council's nominated members for the JDAP are Crs Pule and McLennan. Alternate members, should the need arise, are Crs Gangell and Lewis.

The Development Assessment Panel Training notes make the following comments in terms of Local Government representatives as DAP members:

“The role of a local government representative is made difficult by their dual roles of local government Councillor and DAP member.

The Code of Conduct acknowledges this difficulty in clause 2.1.2. A local government may make a decision in relation to a DAP application as a basis for providing a DAP with a recommendation, as it is required to do in accordance with regulation 12.

Clause 2.1.2 provides that a local government DAP member is not precluded from voting in relation to a DAP application where it has also been involved with the decision or recommendation made by the local government.

Clause 2.1.2 requires only that local government DAP member exercise independent judgment, and consider the application on its planning merits.”

OFFICER RECOMMENDATION – ITEM 10.5

That Council endorses the Planning Officer’s Form 2 Responsible Authority Report for the proposed Convenience Store on Lot 25 (No. 300) Collier Road, Bassendean.

Voting requirements: Simple Majority

Form 2 - Responsible Authority Report (Regulation 17)

Property Location:	Lot 25 (No. 300) Collier Road, Bassendean
Development Description:	Convenience Store
Proposed Amendments:	Modifications to Condition 6 of existing Approval
DAP Name:	Metropolitan Central JDAP
Applicant:	Planning Solutions
Owner:	HICON (WA) PTY LTD
Value of Amendment:	\$2.1 million
LG Reference:	DABC/BDVAPPS/2017-106
Responsible Authority:	Town of Bassendean
Authorising Officer:	Dylan Stokes, Planning Officer
DAP File No:	DAP/17/01187
Report Date:	30 August 2017
Application Received Date:	11 July 2017
Application Process Days:	50 days
Attachment(s):	<p>1. Applicant's (Planning Solutions) submission and Transcore Traffic Report dated 11 July 2017.</p> <p>2. Correspondence on behalf of the Department of Planning dated 4 August 2017.</p> <p>3. Correspondence on behalf of the Department of Planning associated with the original application on the site dated 10 April 2017.</p>

Officer Recommendation:

That the Metropolitan Central JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/17/01187 as detailed on the DAP Form 2 dated 11 July 2017 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DAP/17/01187 as detailed on the DAP Form 2 date 11 July 2017 and accompanying plans:

Dwg No.	Drawing Name	Rev No.	Dwg Date
1616-TP1	Locality Plan and Survey Plan	C	13.02.17
1616-TP2	Layout Plans	D	13.02.17
1616-TP3	Elevations	B	19.12.16

1616-TP4	Landscape Plan and Signage Details	D	13.02.17
1616-TP5	Truck Path	C	13.02.17
N/A	Overall Site Plan	N/A	21.02.17
1616-TP5 (with recommendations in red)	Figure 17 – Recommended changes to kerbs for fuel tanker access	C	13.02.17

in accordance with the provisions of the Town of Bassendean Local Planning Scheme No. 10, for the proposed minor amendment to the approved Convenience Store at Lot 25 (No. 300) Collier Road, subject to the following conditions

Amended Conditions

1. Modification of Condition 6 so as to now read:

No vehicle used for the delivery of fuel is permitted on site between 7:30am to 9:00am and 2:30pm to 4:00pm on weekdays.

Advice Notes

All other conditions and requirements detailed on the previous approval dated 6 June 2017 shall remain unless altered by this application.

Details: outline of development application

Insert Zoning MRS:	Industrial
TPS:	General Industrial
Insert Use Class:	Convenience Store
Insert Strategy Policy:	Not applicable
Insert Development Scheme:	Town of Bassendean Local Planning Scheme No. 10 (District Zoning Scheme)
Insert Lot Size:	1828m ² (proposed as part of subdivision)
Insert Existing Land Use:	Factory and Office

The applicant seeks approval to modify the development approval for a Convenience Store which was originally issued by JDAP at its meeting held 29 May 2017 by removing a condition relating to the access of fuel vehicles to the site.

Background:

Development approval for a Convenience Store was granted by Metro Central JDAP at its meeting held 29 May 2017. The original application incorporated proposed access via a new crossover to Collier Road and the widening of a crossover to Alice Street.

Legislation & policy:

The legislation relevant specifically to the Form 2 application is listed below.

Legislation

- a) Planning & Development Act 2005
- b) Planning and Development (Local Planning Scheme) Regulations 2015
- c) Metropolitan Region Scheme

State Government Policies

- a) Development Control Policy 5.1 – Regional Roads (Vehicular Access)

Local Policies

N/A

Consultation:

Public Consultation

Under the Zoning Table (Table 1) of the Town's Local Planning Scheme, a convenience store is a 'D' or discretionary use in the General Industry Zone, which did not generate a need for public advertising of the application.

Consultation with other Agencies or Consultants

The application was referred to the following agency for comment:

- Department of Planning – Other Regional Road Reservation (Policy No. DC 5.1)

The original application incorporated a crossover to Collier Road. Under Clause 3.3.1 and 3.3.2 of the policy, the Commission seeks to minimise the creation of new access arrangements to regional roads and instead aims to seek access from side streets. The original application was therefore referred to the Commission for comment where the Commission recommended approving the application but requested limiting hours that fuel vehicles can enter the site. The Commission did not state the specific hours that fuel vehicles should not be permitted to access the site.

As limited hours were recommended as part of the original referral from the Commission, Council Officers referred the Form 2 application to the Commission with the updated Traffic Report. A response was provided by the Commission that detailed the following:

- The Department recommends removing Condition 6 but replacing it with a similar condition that changes the timeframes to a more 'pin-pointed timeframe'.
- The Department notes that whilst Collier Road is considered a 'RAV 7' (Restricted Access Vehicle) road, a high portion of the traffic is considered regular traffic, which can result in a higher probability of vehicle conflict.
- As noted by the Commission, fuel tankers do not exit the site in an efficient or lane correct manner, thereby resulting in an obstruction to vehicles travelling west along Collier Road.
- During peak PM period, it was noted that 815 vehicles were travelling west, which translates to 13 vehicles per minute. Any obstruction caused by the fuel tanker at this point in time will likely contribute in a build up and reduce the overall capacity of Collier Road.

Planning Assessment:

The original application for a Convenience Store incorporated the following:

- A proposed crossover to Collier Road.
- An extension of the existing crossover to Alice Street.
- A proposed median strip extension to Collier Road, preventing right hand turns into and out of the site from the Collier Road crossover.
- A tight turning circle for fuel vehicles that involves the vehicles entering the site from Alice Street via a right hand turn and exiting the site onto Collier Road via a left hand turn and crossing two lanes of traffic.

Council Officers recognised that the access and turning arrangements on site had potential safety implications during peak hours for the following reasons:

- The 19m fuel vehicles must wait for an adequate period of time to exit the site, which will involve crossing two lanes of traffic.
- During the peak PM period, cars are travelling westbound along Collier Road at a rate of 13 vehicle per minute or nearly at a rate of one vehicle every 4 seconds.
- There are vehicles that are estimated to enter the site from Collier Road at a rate of 13 vehicles per hour from Collier Road during peak AM hours and 19 vehicles per hour entering during peak PM hours. These vehicles won't be able to enter whilst the fuel vehicle is waiting to exit.
- The 7-Eleven Customer Patronage as shown in the previous Transcore report showed a peak between 6:00am and 9:00am and also between 3:00pm and 7:00pm.
- Movement inside the site will be extremely congested during peak periods and will be further limited if the fuel vehicle is occupying a large portion of the manoeuvring area.
- The previous traffic report prepared by Transcore clearly stated that fuel tankers are expected to access the site outside of peak site activity periods.

Furthermore, the Commission requested that the vehicle hours be limited as per the referral. As such, Council Officers recommended a condition restricting fuel hours between the period of 7:00am to 9:00am and 3:00pm to 7:00pm. The Council Officers considered that a timeframe beyond the nominated 'peak hours' (8:00am-9:00am and 3:00pm-4:00pm) as referenced throughout the previous Transcore report was necessary due to the identified issues listed above.

The transport report submitted as part of the Form 2 application argues that the times should be removed for the sake of providing flexibility to the landowner to ensure that planning conditions do not restrict the ability to conduct business on site. The applicant has provided the following primary reasons to support the removal of Condition 6:

- There are no impacts to the operation of the Collier Road crossover or the intersection of Collier Road and Alice Street.
- Fuel deliveries during peak periods will not undermine traffic operation or safety of the surrounding road network.
- Both Collier Road and Alice Street fall within a 'RAV (Restricted Access Vehicle) Network 7' classification which can cater for vehicles up to 36.5m in length.
- The original application shows a sufficient turn path analysis for a fuel tanker to enter the site from Alice street, manoeuvre through the site and exit from Collier Road.
- Heavy vehicle movements that are not 'lane' correct and are considered a common occurrence in the industrial area.

- An updated analysis of the Collier Road intersection using Sidra Intersection software.
- Further justification that analyses statements made in the previous Transcore report from the original application.

Officer Comments

The applicant is seeking complete removal of Condition 6, primarily on the grounds of flexibility, supply/demand and operational processes. Council Officers acted on the Commissions advice in placing a condition that restricts hours that fuel vehicles can enter the site primarily for reasons related to safety. It is the Council Officers perspective that a condition related to safety should take precedence over any economic or business related needs, especially given the confined nature of the site and the site specific safety circumstances related to fuel vehicles. Regarding the consultant report and Transcore report provided with the Form 2 application, many of the above listed issues recognised by the Council Officers as part of the original submission still remain despite the additional information.

The Form 2 Transcore report includes a Sidra analysis. Council Officers consider the Sidra analysis to be unwarranted, as it discusses the capability of the Collier Road Crossover generally during peak hours. It makes the assumption that substituting three cars in place of the fuel tanker will adequately cater for the potential 'operational impact' that would result from the fuel truck. However Council Officers concerns aren't with the general ability for cars to exit onto Collier Road during peak hours which would be covered through the Sidra Analysis, but instead the specific circumstance that a 19m vehicle will be waiting to exit and the additional knock-on safety impacts that could occur along Collier Road and inside the site during peak hours.

Under the turn path analysis section of the Form 2 Transcore report, there is discussion that the fuel vehicle requires the full width of both lanes to complete the turning manoeuvre and how this is a regular occurrence for semi-trailers at service stations that would otherwise result in overly large and undesirable crossovers to cater for the wide turning movement. This movement is stated to be legal in accordance with the Traffic Code under Austroads and Liveable Neighbourhoods guidelines. There is also reference to Collier Road and Alice Street being classified as a 'RAV network 7' which caters for heavy vehicles up to 36.5m and are commonly associated with heavy vehicle movements. Regarding these statements, the Council Officers do not oppose the notion that the site, the proposed crossover widths and the roads can accommodate the 19m vehicle. However it is the repercussions of the fuel tanker not exiting the site in a lane correct manner during periods where there will be a high traffic volume into and out of the site that resulted in the condition being placed on the original application.

Finally, the Form 2 Transcore report briefly details commentary provided in the previous Transcore report, specifically the statement that "*fuel tankers and service vehicles are expected to access the site no more than 3-4 times a week and generally outside peak road network and peak site activity periods.*" It was stated in the report that this statement is considered general in nature and that consideration should be given to "*particular site needs to be serviced by these types of vehicles during peak periods.*" As previously stated, Council Officers recommends that safety concerns take precedence over retail needs of the site.

In accordance with the recommendation made by the Commission, Council Officers recommend amending the previously specified hours. Condition 6 previously stated the following:

“6. No vehicle used for the delivery of fuel is permitted on site between 7:00am to 9:00am and 3:00pm to 7:00pm on weekdays.”

These hours were considered adequate at the time of the initial application taking into account the traffic volumes along Collier Road in addition to the amount of vehicles entering the subject site. However upon reconsideration by Council Officers in addition to the correspondence provided by the Commission it was deemed that the hours should be modified to more directly address the peaks shown on Figure 2 and 3 of the Form 2 Transport report and the traffic along Collier Road generally as opposed to the amounts of vehicles entering the site. Council Officers therefore considers the following condition to adequately address the peaks of Collier Road in addition to the comments made by the Commission:

“6. No vehicle used for the delivery of fuel is permitted on site between 7:30am to 9:00am and 2:30pm to 4:00pm on weekdays”

Options/Alternatives:

JDAP has the ability to remove the condition in lieu of modifying it to the specified hours, but this would go against the recommendations of both the Commission and the Council Officers. Alternately the timeframes can be modified different hours that the JDAP deems appropriate.

Council Recommendation:

This matter will be presented to Council in order that it can formulate its own recommendation in relation to the proposal.

At the time of writing this report, the matter had yet to be considered by Council. Details of Council’s recommendation will be conveyed to the JDAP at the meeting at which this proposal is considered.

Conclusion:

For the reasons identified within this report it is recommended that Condition 6 be modified as shown in the officer recommendation for the reasons identified within the body of this report.

10.6 Proposed Amendment to the Local Planning Scheme No. 10 dealing with Multiple Dwellings on Land with a Density Code of R40 and Below (Ref: DABC/BDVAPPS/LPS10.8 Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report is for Council to consider the advice of the Minister for Planning that modifications are required to the above amendment before it is submitted for final approval.

ATTACHMENTS

Attachment No. 6:

- Copy of letter received from the Western Australian Planning Commission dated 10 August 2017.
- Purpose and Background of Scheme Amendment No. 8.
- Plan showing areas where the development potential for multiple dwellings may be calculated on plot ratio verses minimum lot area per dwelling.
- Plan showing the location of the additional 18 properties to be included in the area where the development potential of Multiple Dwellings may be calculated on plot ratio.

BACKGROUND

This matter was last considered by Council at its meeting held on 26 November 2016, when it was resolved by OCM-5/11/16 that Council:

1. Notes submission Number 1 made in respect to advertising the proposed amendment; and
2. Supports Amendment No. 8 to the Local Planning Scheme No. 10 without modification.

By way of further background, the amendment, which was initiated in April 2016, attempted to ensure:

- Multiple dwelling developments on land coded with a density code of R40 and less are subject to advertising period and are not permitted unless the Council has exercised its discretion and approved it;
- That the development potential of areas coded R40 beyond 800m of the Bassendean Train Station is calculated in the same way as grouped dwellings; and

- To introduce a minimum frontage of not less than 25m to a public street or streets for multiple dwellings in areas coded R40 or less.

The implications of the required modifications are discussed in the comment section below.

COMMUNICATION & ENGAGEMENT

The amendment was advertised in accordance with in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 which resulted in one written objection being received.

STRATEGIC IMPLICATIONS

The Corporate Business Plan contains a measure of success of the adoption of amendments to the Local Planning Scheme that prevents the incidence of Multiple Dwellings in areas intended for family accommodation.

COMMENT

The impacts of the modifications are:

- Multiple Dwellings continue to be a permitted use rather than a use that requires general consultation;
- The intended requirement that Multiple Dwellings would only be approved on sites with a frontage of 25 m or more has been deleted; and
- The Town is required to add a further 18 properties located in Mann Way into the area where the development potential of multiple dwellings will be calculated on plot ratio limits.

The situation where Multiple Dwellings will only be approved on plot ratio limits within 800m of the Bassendean Train Station, has survived: the development potential of Multiple Dwellings outside of this area will be calculated in the same way as Grouped Dwellings, that is, minimum site is per dwelling.

The inclusion of the additional lots of land as required by the third bullet point has been supported by the Town's staff, as these properties fall within the 800m ped-shed (walking distance) of the Bassendean Train Station.

In terms of Multiple Dwellings becoming an A use on land zoned Residential with a density code of R40 or less, officers of the Department of Planning have expressed concern with the proposed land use permissibility where multiple dwellings as follows:

- R40 or less outside 800m of the railway station will now be subject to grouped dwelling site area requirements in accordance with clause 5.3.2.1, thereby essentially eliminating the community concern with multiple dwelling developments (and noting that grouped dwellings are also P use in the Residential zone). It is considered that the A use designation is not necessary with the inclusion of the new clause.
- R40 within 800m of the railway station is where multiple dwelling development is expected, consistent with State policy, and should remain P use.

In response, the Manager Development Services responded as follows:

“In terms of the permissibility of the land use of multiple dwellings, it is the Town’s position that the land use should become an “A” use.

As mentioned in the Scheme Report, There have been numerous concerns expressed by many people in our community about the impacts of multiple dwelling developments on land coded R40 and below.

The majority of these concerns have been expressed in land to the north of the railway line and Town Centre where the community’s expectation has been for the areas to be redeveloped primarily with grouped dwellings and single houses, as laid out in the Local Planning Strategy that was adopted and formed part of the Local Planning Scheme No. 10 when it was originally adopted in 2008.

However, there has been an increasing tendency for applications to be submitted for multiple dwelling proposals in these areas where the community’s expectation is for a less intense form of development at this time. When the current scheme was adopted, which involved extensive community consultation, the expectation was that areas coded R40 and below, would be typically developed with a maximum of 4 dwellings on standard 1,012m² block. Proposals are now being submitted for 8-10 multiple dwellings on properties of this size, which represents an effective density code of R80.

The change in the intensity of development can be directly attributable to changes made to the Residential Design Codes (R-Codes) in 2010, removing the site area per dwelling requirement for multiple dwellings in above in favour of plot ratio control.

As this change was made at a State level, there was limited opportunity for the residents of Bassendean to influence this change and the resulting intensity of development that has occurred/ approved.”

In terms of the proposed minimum frontage requirements for multiple dwellings, the matter was deferred at the Statutory Planning Committee of the Western Australian Planning Commission at its meeting in May 2017, to allow further analysis of the proposal and its alignment with State Government policies. Following this, the Town was asked to provide further justification explaining the impact the proposal will have on intensification of residential dwellings in the Bassendean TOD precinct? In particular, providing rationale for the proposed frontage requirement of 25m for multiple dwellings.

The Manager Development Services provided the following response:

“It is proposed to introduce the 25m frontage requirement due to concerns expressed by members of the Bassendean Community about the impacts of Multiple Dwellings on land coded R40 and below. The proposed amendment does not attempt to restrict this form of development, principally in the avenues to the north of the Town Centre but attempts to allow corner lots to be developed with multiple dwellings, and also intermediate lots to be developed providing the lots are amalgamated to provide a suitable frontage, with the intent of reducing the impact on adjoining blocks that are typically developed with single houses or two grouped dwellings.

The notion of attempting to achieve lots with a sufficient street frontage in areas targeted for medium density redevelopment in the Town of Bassendean is not new: any development proposed under the higher code in a split coded area is required to have a road frontage sufficient to allow two homes to face the street. In the context of Multiple Dwellings it is considered that better built form outcomes are achieved on wider lots.

It should be noted that when the current Scheme was gazetted in 2008, following extensive community consultation, the maximum development potential of a standard 1012m² lot would have been 4 grouped dwellings, and this would have represented the general community’s expectation of the way the land would be developed. This situation changed in November 2010 when the state governments made changes to the R-Codes that increased development potential for properties in the Avenues from 4 dwellings max. to (generally) 8 apartments where multiple dwellings were proposed, without any direct consultation with affected property owners.

It should be noted that the current proposed amendment should be viewed as an interim measure, to be applied over the next year or so pending the adoption of a revised Local Planning Strategy and amendments to the current Scheme, which will deliver much higher densities in the area, particularly in the Bassendean TOD precincts. To this end the Council has appointed Mr Anthony Dowling as the Director of Strategic Planning who is charged with delivering the necessary planning framework to deliver the type of densities advocated in the adopted Local Planning Strategy which suggest densities in the TOD's of R100 within 400m of the Success Hill Train Station and Bassendean Train Station, and to R60 within 800m of those Stations.

The choice for the Western Australian Planning Commission is whether it wishes to see the continuation of the development, typically of 8 multiple dwellings on a 1,012m² block, which are not generally supported by adjoining landowners, or a more coordinated approach to higher density housing, offering higher standards of amenity both to the occupants of the dwellings and to surrounding land owners."

In terms of the success of the proposed amendment with the required modifications, it has been successful in reducing the incidence of where multiple dwellings are likely to be built, but will not prevent multiple dwellings being built within 800m of the Bassendean Train Station.

STATUTORY REQUIREMENTS

The letter from the Commission makes the point that Council cannot change its decision to support the amendment without modification: it is not open for Council to now say that it does not support the amendment.

Under Section 87(2) (b) of the Planning and Development Act 2005 the Minister may and has required the local government concerned to modify that local planning scheme or amendment in such manner as the Minister specifies before the local planning scheme or amendment is resubmitted for the Minister's approval under this subsection.

FINANCIAL CONSIDERATIONS

The costs of the preparation and administration of the amendment have been met through the Town Planning operational accounts.

OFFICER RECOMMENDATION — ITEM 10.6

That Council notes the modifications required to the amendment documents for Amendment No. 8 to the Local Planning Scheme, as laid out in the letter from the Western Australian Planning Commission dated 10 August 2017, and attached to this agenda.

Voting requirements: Simple Majority

10.7 Adoption of the Town of Bassendean Municipal Heritage Inventory (Ref: LUAP/REGSTN/2 - Timothy Roberts, Planning Officer)

APPLICATION

The purpose of this report is for Council to consider the amended Municipal Heritage Inventory (MHI) with a recommendation for adoption of the final document and for Council to note the future steps forward after adopting the MHI and in preparation of compiling the Heritage List under Local Planning Scheme No. 10.

ATTACHMENTS

Please note, these documents will be available for public viewing in the Council Chamber, on the Town's website and at the Bassendean Memorial Library. Paper copies can be made available on request.

1. Town of Bassendean Municipal Heritage Inventory.
2. Thematic History and Thematic Matrix.

BACKGROUND

Local Government Inventories (commonly referred to as a Municipal Heritage Inventory or MHI) can best be described as 'local heritage surveys'. As such, they are common practice in Western Australia as sound local heritage planning. They identify heritage assets in a systematic fashion, and provide the base information needed for local heritage planning to achieve consistency, strategic direction and community support.

Periodic review of each MHI is a requirement of Section 45 of the Heritage of Western Australia Act 1990. Under this Act, the MHI is required to be updated annually and reviewed every four years. The Town of Bassendean MHI was last adopted in 2005 and has 273 entries.

In 2012, the State Heritage Office published a minimum standard for the level of information required within an MHI as well as consistent management categories. The current adopted MHI is therefore outdated and lacks important information. At the 2014 May Ordinary Council meeting, Council endorsed the review of the Town of Bassendean Municipal Heritage following a Notice of Motion identifying a need to ensure that the Town's MHI meets the minimum standards set out by the State Heritage Office.

Many places on the current MHI have been subject to changes since adoption that may affect their heritage values, such as demolition of place, change to their condition, misinformation and updated inclusion criteria.

Through this review, Hocking Heritage Studio were engaged and in conjunction with the Municipal Heritage Inventory Review Committee, undertook works to review the MHI, remove any inappropriate listings, consider new nominations and update information where appropriate. At its 2016 August Ordinary Council meeting, Council endorsed the draft inventory for community consultation purposes. This process involved extensive public advertising of the draft MHI to allow the community and particularly affected property owners to comment on the document.

COMMUNICATION & ENGAGEMENT

Each affected property owner was written to and notified of the proposed listing of their property including the assigned management category. The Town invited these owners to make a submission. Owners were also requested to provide additional historic information on their property, if available. Each letter contained the place record form for the associated property, the criteria used to determine the assigned management category and a fact sheet on what inclusion within the MHI will mean. General advertising occurred between 20 February and 03 April 2017, with individual owners being given until 15 April 2017 to respond.

Notification of public advertising was included within the 'Bassendean Briefings', the Town's website and was mentioned weekly on the Town's Facebook page. A copy of the document was made available for public viewing at the Customer Service Centre at 35 Old Perth Road as well as the Library. Print outs of the map, fact sheet and a summary of all proposed inclusions was also made available for collection. A Planning Officer was available to field any calls and front counter enquiries for the duration of the review.

Following a Notice of Motion at the 2017 March Council meeting with regards to strong community opposition to a precinct within Kenny Street, Council resolved that the matter be referred to the MHI review committee for consideration. The MHI review committee considered all submissions made during the public advertising period where each submission was considered against the significance of the place to the Bassendean community.

At the June Ordinary Council Meeting, Council adopted the MHI Review Committee recommendations from this meeting with these recommended changes forming the document currently before Council for consideration.

STRATEGIC IMPLICATIONS

Objective:

- Build a sense of place and belonging.
- Enhance the Town's appearance.

Strategies:

- Ensure our unique culture and history are shared and celebrated.
- Strengthen and promote Bassendean's unique character and heritage.

COMMENT

A MHI is a list of places that, in the opinion of the Local Government, are of, or may become of, cultural heritage significance. The Town of Bassendean MHI includes a brief history of the development of Bassendean through the thematic history. The individual place record forms locate and describe each place, outline its significance and provide a recommendation for the management of its cultural heritage values. Adopting the 2017 MHI will bring the document in line with today's standards and will establish a clear vision and direction for preparing and advertising a 'Heritage List' within Local Planning Scheme No. 10.

A map of the Town identifying all places included in the MHI, consistent with the MHI is currently being prepared.

Additional places for inclusion were nominated by planning staff, the local studies historian and both members of the public and review committee for assessment against the standard assessment criteria. The community consultation process provided the opportunity for the assessment and information about each place to be updated, increased or amended. Extensive consultation was undertaken with both the community and owners of places within the MHI, with the goal being to achieve a consensus on the final list of places in the 2017 updated version.

The ultimate decision to enter a place into the final version of the MHI is made by Council. All decisions should be based on the significance of the place and should take into account the opinions of the landowner against the value of that place to the Bassendean community.

It should be noted that these submissions have already been assessed by the MHI review committee and endorsed by Council at the June Ordinary Council meeting. This report is merely formalising this process with adoption of the amended document in accordance with Councils June resolution. The current document and relevant listings are a reflection of both the opinions of the owners as well as the value of that place to the Bassendean community.

The 2017 MHI meets the fundamental requirements specified within the Heritage Act of Western Australia and reflects community views. It is therefore recommended that Council adopt the 2017 MHI.

Through this review process, it was resolved that the next steps are to establish the Heritage List under Local Planning Scheme No. 10. Hocking Heritage Studio have recommended that all category one and category two listed places within the MHI should form this Heritage List as these places are considered to hold either exceptional or considerable significance to the wider Bassendean community. The MHI review committee have recommended that all category three property owners be invited to 'opt in' to the Heritage List to encourage retention and access a range of heritage incentives.

Prior to compiling the Heritage List under Local Planning Scheme No. 10, these incentives should first be quantified. At the 2016 August Ordinary Council meeting, Council committed to a budget allocation for the preparation of such incentives. Funding has also been allocated within the 2017/2018 budget to engage consultants to establish a special planning control area (heritage area) over the original town lots bounded by Eileen Street to the west, Wilson Street to the east, Old Perth Road to the north and Shackleton/Bridson Streets to the south. It is envisaged that Design Guidelines for any new development within this heritage area will be implemented through an adopted Local Planning Policy. Through this process, the consultants would also be encouraged to identify any further areas within the Town worthy of protection under a 'heritage area'. These projects will be subject to further extensive community consultation. Adopting the MHI is the first step in delivering these outstanding Council resolutions.

STATUTORY REQUIREMENTS

HERITAGE ACT OF WESTERN AUSTRALIA

Under Section 45 of the Heritage Act of Western Australia, there is a requirement for Local Governments to compile and maintain an inventory of buildings within its district, which in its opinion are, or may become, of cultural heritage significance. The inventory required under the Act shall be updated annually and reviewed every four years after compilation.

The Local Government is obliged to provide the State Heritage Office with a copy of the inventory and ensure that the inventory is compiled with proper public consultation being:

- Giving each affected owner the opportunity to comment on the heritage significance of any place proposed for inclusion; and
- Public advertising of the inventory to give the opportunity for public comment.

STATE PLANNING POLICY 3.5: HISTORIC HERITAGE CONSERVATION

Local Governments should identify places of local significance through the compilation and review of Municipal Heritage Inventories, in accordance with the assessment criteria and other relevant guidelines published by the Heritage Council. The Municipal Heritage Inventory is a survey that may be used to identify places for inclusion in Heritage Areas or a Heritage List under the Local Planning Scheme. The Inventory does not have statutory force and effect in terms of planning controls.

A Heritage List established pursuant to a Local Planning Scheme should be compiled having regard to the places identified in the Inventory. A Local Government may elect to include all of those places in its Heritage List, or may include a smaller sub-set of places. The inclusion or exclusion of places from a Heritage List should be based on their degree of historic heritage significance, supported by the findings in the inventory, irrespective of whether they are privately or publicly owned.

Hocking Heritage Studio have recommended that all management category one and category two places form the Heritage List under the Local Planning Scheme. The Municipal Heritage Inventory Review Committee have requested that all category three owners be invited to 'opt in' to the Heritage List in order to access a number of heritage incentives and to encourage retention.

Compilation of the Heritage List under Local Planning Scheme No. 10 will be subject to a separate review which will include public consultation and further reports to Council.

LOCAL PLANNING SCHEME NO. 10

In preparation of the Heritage List under Local Planning Scheme No.10, the Local Government is to have regard to the Municipal Heritage Inventory prepared by the Local Government under Section 45 of the Heritage of Western Australia Act 1990.

FINANCIAL CONSIDERATIONS

Nil

OFFICER RECOMMENDATION — ITEM 10.7

That Council:

1. Adopts the 2017 Town of Bassendean Municipal Heritage Inventory prepared by Hocking Heritage Studio;
2. Forwards a copy of the adopted document to the State Heritage Office; and
3. Notes the future steps required prior to compilation of the Heritage List under Local Planning Scheme No. 10, as contained within this report.

Voting requirements: Simple Majority

10.8 Community Sporting and Recreation Facilities Fund (CSRFF) Application – Bassendean Bowling Club (Ref: GRSU/APPS-D/15 – Tim Dayman, Recreation Development Officer)

APPLICATION

The purpose of this report is to request approval from Council for the Bassendean Bowling Club to apply for a Small Grant under the Community Sporting and Recreation Facilities Fund (CSRFF) and to rank the project in accordance with the CSRFF guidelines for Local Government Authorities.

ATTACHMENTS

Attachment No. 7:

Small Grant CSRFF Application.

BACKGROUND

In 2017, Officers have held several meetings with the Bassendean Bowling Club regarding the condition of the facility. It is clear that the building and external facilities need upgrading, which is backed up by an infrastructure strategy report completed in June 2016 by CSS Strategic, who were contracted by LandCorp as part of the previously proposed Bassendean Activity Centre revitalisation project.

These projects include an upgrade to the floodlighting towers on “C” green, refurbishing the aprons on two of the greens and installing two new drinking fountains. Each of these projects are immediately required for the Club to conduct its upcoming summer bowls competitions in a safe manner.

These projects will improve the standards of the facilities to attract more social bowls participants, new and current members, along with improving the security and safety of the facility.

As detailed in the CSRFF Small Grant first round application, the total project cost is estimated at \$24,493 and funded through the following sources:

Applicant Cash	\$ 14,379
Volunteer Labour	\$ 750
Donated Materials	\$ 1,200
CSRFF Grant	\$ 8,164

The purpose of the CSRFF program is to provide financial assistance to community groups and Local Government authorities to develop basic infrastructure for sport and recreation. The program aims to maintain or increase participation in sport and recreation, with an emphasis on physical activity, through rational development of good quality, well designed and well-utilised facilities.

Through CSRFF, the Western Australian Government will invest \$12 million in the 2017-2018 financial year towards the development of quality physical environments in which people can enjoy sport and recreation. The maximum grant offered for standard grant applications is one third of the total estimated project cost (excluding GST) up to a maximum grant of \$2 million.

CSRFF Small Grants will be awarded to projects involving a basic level of planning. The total project cost for Small Grants must not exceed \$200,000. Grants given in this category must be claimed by 15 June in the relevant financial year.

Under the CSRFF Small Grants program, applicants can receive an upfront payment of their grant. Upon completion of a project, the applicant will be required to acquit the grant by providing CSRFF claim forms and sufficient evidence of expenditure.

COMMUNICATION & ENGAGEMENT

Officers have met regularly with the Club to provide assistance with its CSRFF grant application and other ongoing maintenance issues, as identified in the previously mentioned CSS Strategic infrastructure strategy report.

COMMENT

The Bassendean Bowling Club regularly features in the top metropolitan greens, however, only two of the greens are available for evening competition and social use. There currently is lighting in place on "C" green, although the lux level is well below competition and training standards. The Club is looking to upgrade the light fittings on the current towers, so that the green is at least available for use. The new light fittings will also be redirected to limit spill into neighbouring areas.

The aprons that skirt two of the three greens are currently a trip hazard when participants step down to the green from the viewing areas.

The Club has reported the torn and loose carpet as an occupational health and safety issue. New synthetic grass was installed around the "A" green recently at a cost of the Club. In regards to the proposed installation of drinking fountains, although an eligible item, it would be considered to be a low priority to be funded under the CSRFF program.

The CSRFF Small Grant application meets all the requirements of the CSRFF Program with the Bassendean Bowling Club demonstrating that it has sufficient financial and human resources to undertake the required works. No financial request is being made by the Club to Council for the proposed works.

Officers are recommending that Council support the CSRFF Small Grant application lodged by the Bassendean Bowling Club.

In accordance with the assessment guidelines of the CSRFF program, Officers rate the project as well planned and needed by the applicant.

Additional planning will be required in relation to future works, including a kitchen refurbishment. Officers will continue to work with the Club and Asset Services as part of the asset management planning process to source future funding.

The existing lease has lapsed and Council has agreed to extend the lease to the 31 December 2017 to allow further planning and to learn of the outcomes and recommendations from the Community Facilities, Ovals/Reserves Audit and Needs Assessment.

Subject to the decision of Council, Officers will continue to work with the Bassendean Bowling Club to ensure that all required paperwork is lodged with the CSRFF small grant application to the Department of Local Government, Sport and Cultural Industries.

STATUTORY REQUIREMENTS

Local Government Act 1995

STRATEGIC IMPLICATIONS

The redevelopment works at the Bassendean Bowling Club align with the following key themes and strategic objectives of the Corporate Business Plan 2017-2021:

Strategic Priority:
Social

Objectives:

Build a sense of place and belonging.

Ensure all community members have the opportunity to be active, socialise and be connected.

Plan for a healthy and safe community.

Improve lifestyle choices for the aged, family and youth.

FINANCIAL CONSIDERATIONS

No financial contribution is being requested by the Bassendean Bowling Club.

OFFICER RECOMMENDATION – ITEM 10.8

That Council supports the CSRFF small grant application lodged by the Bassendean Bowling Club, in accordance with the CSRFF assessment guidelines, as the project is rated as well planned and needed by the applicant.

Voting requirement: Simple majority

10.9 Proposed Method of Disposal of Land - 48 Chapman Street Bassendean and Lot 7557 Lord Street Eden Hill (Ref:- COUP/ACQ/1 Graeme Haggart, Director Community Development)

APPLICATION

The purpose of the report is for Council to determine the method of sale of 48 Chapman Street Bassendean and Lot 7557 Lord Street Eden Hill.

BACKGROUND

The sale of 48 Chapman Street, Bassendean and Lot 7557 Lord Street, Eden Hill was last considered by Council at its meeting held on 27 October 2015 when it was resolved (OCM-10/10/15) that:

1. Council requests approval from the Minister for Lands for the Town of Bassendean to acquire Reserves 26529 and 31420 as eligible Reserves in accordance with section 20A of the Town Planning Development Act 1928 for 5% their market valuation as determined by the Valuer General's Office;
2. Council requests support from the Department of Planning for the closure of Reserves 26529 and 31420;
3. Subject to the land being acquired and sold by the Town, the proceeds of the sales be used in building a nature based regional playground at or near to Sandy Beach Reserve; and
4. Council establishes a Trust Fund to receive the proceeds of the sale of the land.

Preceding the report resulting in the above resolution was a series of actions and approvals into the outcome of the community and agency consultation on the proposal.

The Town now owns the two properties in fee simple.

Proceeds from the sale of the two properties is listed in the 2017/18 Budget.

STATUTORY REQUIREMENTS

Section 3.58 (Disposing of property) of the Local Government Act 1995 states that:

- (2) Except as stated in this section, a local government can only dispose of property to —
- (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

COMMENT

In the past, Council has resolved to seek quotations from local real estate agents to sell land by tender.

Council may wish to adopt this process again or to consider auctioning the properties.

A new valuation is required given the last valuation was acquired more than 6 months ago.

The combined values of the properties will not exceed the threshold that triggers a major land transaction process, meaning there is no requirement to develop a business plan and advertise the plan.

FINANCIAL CONSIDERATIONS

Along with a Lottery/West grant and Cash in Lieu funds, the net funds yielded from the sale of the two properties will meet the cost to develop the Nature-based Regional Playground at Sandy Beach Reserve. Any dispossession costs will be offset against the amount paid for the properties.

OFFICER RECOMMENDATION – ITEM 10.9

That the Chief Executive Officer call for quotations from local real estate agents for the sale by tender of 48 Chapman Street, Bassendean, and Lot 7557 Lord Street, Eden Hill.

Voting requirement: Simple majority

10.10 Bassendean River Parks Management Committee Meeting held on 2 August 2017 (Ref: GOVN/CCL/MEET/34 – Simon Stewert-Dawkins, Director Operational Services)

APPLICATION

The purpose of the report is for Council to receive the report on a meeting of the Bassendean River Parks Management Committee held on 2 August 2017.

ATTACHMENTS

Attachment No. 8:

- Bassendean River Parks Management Committee Minutes of 2 August 2017

STRATEGIC IMPLICATIONS

The Bassendean Strategic Community Plan 2017-2027 states, in part, under Good Governance, the following:

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
5.2 Proactively partner with community and our stakeholders	5.2.3 Advocate and develop strong partnerships to benefit community	Community / Stakeholder Satisfaction Survey

COMMUNICATION & ENGAGEMENT

The Committee comprises of community representatives and representatives from the Department of Planning Lands & Heritage, Department of Biodiversity, Conservation & Attractions, Department of Water & Environmental Regulations, Department of Fire & Emergency Services, appointed by Council to make recommendations to Council regarding the following:

1. The management of the Bassendean river parks, foreshore and catchment;
2. Preparing a management plan for the Ashfield Flats Reserve; and
3. Consider matters pertaining to Bassendean River Parks which are referred to the Committee at Council's discretion.

The following items were discussed at the meeting:

Bindaring Park – Stage 2 Bindaring Park - Concept Plan Development

CoTerra Environment presented to the committee three draft Bindaring Park Concept Plans, the probable costs for each concept plan and a Development Plan.

The Officers report requested that the Bassendean River Parks Management Committee members provide feedback on the information presented by Friday 6th October 2017, to enable a report to be presented to the next committee meeting

The committee asked that Council maintain the current community membership until the 1st November 2017 meeting.

Ashfield Flats Reserve - Land Management

In May 2017, Council (OCM – 19/05/17) resolved to:

- *Requests the Department of Planning to reconsider contributing funds to an Ashfield Flats Reserve Management Plan, given the likely end manager will be the new Department of Biodiversity, Conservation and Attractions;*
- *The Town of Bassendean considers the offer from the WAPC to transfer ownership of the fenced top area only, being part of Lot 821/52 Villiers Street to the Town, following the investigation and remediation of the contaminated portion of the site by the WAPC, in order to facilitate the development of the proposed contemplative park and wildlife observatory overlooking Ashfield Flats.*

In accordance with the 23 May 2017, Ordinary Council meeting resolution, the Town wrote to the Department of Planning and the Western Australian Planning Commission providing the 4 July 2017 response attached to the minutes of the Bassendean River Parks Management Committee meeting. WAPC correspondence made a comment in regards to an “Ashfield Flats Reserve Management Fund”. The Town has sort feedback and been advised the letter should read “Ashfield Flats Reserve Management Plan”.

As such, it was recommended to the committee that the Town write back to the WAPC to confirm that Council was asked for funding to be allocated in order for a consultant to prepare an Ashfield Flats Reserve Management Plan/Master Plan, which takes into consideration previous investigations.

The Department of Planning Lands & Heritage representative tabled a report at the meeting and outlined the following issues in regards to land management:

- Works to the reserve behind the houses in Hardy Road;
- Weed Mapping report;
- Bushfire Risk Management Plan;
- Fox eradication program;
- 2017/2018 works program; and
- Foreshore restoration.

Ashfield Flats Reserve - Long Term Management

The Department of Planning Lands & Heritage representative tabled a report at the meeting and advised that the Department had allocated resources to prepare an Establishment Plan for Ashfield Flats and an environmental scientist made a presentation at the meeting.

COMMITTEE/OFFICER RECOMMENDATION – ITEM 10.10

That Council:

1. Receives the Bassendean River Parks Management Committee minutes of the 2 August 2017;
2. Extends the current membership of the Bassendean River Parks Management Committee for the 1 November 2017 Committee meeting;
3. Writes to the Western Australian Planning Commission (WAPC) in response to its 4 July 2017 letter, to clarify that the Town of Bassendean is requesting that the WAPC/Department Planning, Lands & Heritage allocates funding to engage a suitable consultant to prepare an Ashfield Flats Reserve Strategic Management Plan/ Master Plan, which takes into consideration previous reports and investigations;
4. Expresses its appreciation to the Department of Planning, Lands and Heritage for allocating resources to prepare an Establishment Plan for Ashfield Flats Reserve; and
5. Recommends that the Department of Planning, Lands and Heritage undertake investigations of the site contamination within Lot 821/52 Villiers Street, Bassendean as a priority and that investigation only extend to the current top fenced area proposed for the purpose of Public Open Space.

Voting requirement: Simple majority

10.11 Audit & Risk Management Committee Meeting held on 9 August 2017 (Ref: GOVNCCL/MEET/3 - Michael Costarella, Director Corporate Services)

APPLICATION

The purpose of this report is for Council to receive the report on a meeting of the Audit & Risk Management Committee held on 9 August 2017 and adopt the recommendations from the Committee.

ATTACHMENTS

Attachment No. 9:

- Minutes of the Audit & Risk Management Committee held on 9 August 2017.
- A copy of the new Related Party Disclosures Policy

Confidential Attachment No. 1:

Report on Assessment A4982 Lot 68 Villiers St Bassendean

COMMUNICATION & ENGAGEMENT

The Committee comprises of community members appointed by Council to undertake the audit of financial and risk management matters.

COMMENT

The following items were discussed:

Australian Accounting Standard 124 (AAS124) Related Party Disclosures

The purpose of the report is to inform Council of the Related Party Disclosure as required under Australian Accounting Standard AASB124. Disclosures are required quarterly. The disclosure requirement includes Councillors and Key Management Personnel (Executives).

Assessment A4982 Lot 68 Villiers St Bassendean

This matter is to be considered with members of the public excluded from the Chamber under Clause 5.23 (2) (e)(iii) of the Local Government Act as the officer report discusses a matter that if disclosed, would reveal information about a business, professional, commercial or financial affairs of a person.

COMMITTEE/OFFICER RECOMMENDATION – ITEM 10.11

That:

1. Council receives the minutes of the Audit and Risk Management Committee meeting held on 9 August 2017
2. Council adopts the AASB124 Related Party Disclosures Policy, as attached to the Audit and Risk Management Committee Agenda of 9 August 2017.
3. Council writes off rates of \$52,955.88 as listed in the Confidential Report to the Audit & Risk Management Committee Agenda of 9 August 2017;
4. In accordance with Section 6.64 of the Local Government Act, Lot 68 Villiers Street, Bassendean, be transferred to the Town of Bassendean;
5. Following the land being transferred to the Town of Bassendean, exempt the property in accordance with Section 6.26 of the Local Government Act; and
6. Following transfer the Town offers to sell Lot 68 Villiers Street, Bassendean, to the WAPC at the best realistic valuation to recover the unpaid rates and offset implementation of Town Planning Scheme No 4A.

Voting requirement:

Points 1, 2 & 6 : Simple Majority

Point 3, 4 & 5: Absolute majority

10.12 Liveable Town Advisory Committee 8 August 2017 (Ref: GOVN/CCL/MEET/34 – Graeme Haggart, Director Community Development)

APPLICATION

The purpose of the report is for Council to receive the report on a meeting of the Liveable Town Advisory Committee held on Tuesday 8 August 2017.

ATTACHMENTS

Attachment No. 10:

Liveable Town Advisory Committee Minutes of 8 August 2017.

BACKGROUND

The Committee has the following role:

1. To advise Council on current trends and issues relating to services for children, young people, seniors, and families, and to recommend strategies and policies to address the changing environment for current and future residents in the Town;
2. To consult with and define residents' aspirations and needs, and to articulate their emerging priorities for provision of services, infrastructure and environmental protection;
3. To advise Council on actions the Town can take that strengthen residents' sense of place, connectivity with their community and achieve enhanced civic participation and reconciliation matters with First Nation People of the region;
4. To monitor and report to Council on implementation progress on matters referred to the Committee by Council;
5. To develop strategies to achieve the Town's Positioning Statement "That the Town of Bassendean will become a hub of recreation, arts and culture in Perth's Eastern Region";
6. To recommend to Council issues to be considered for inclusion within the Town's strategic plans;

7. To provide advice on issues impacting upon the business community and recommend strategies to foster economic development in the Town and Region;
8. To provide advice on issues impacting upon the natural environment and recommend strategies to enhance protection of the natural and built environment in the Town; and
9. To provide advice on heritage and matters impacting upon the preservation of pre-European and the Colonial/post-colonial historic record and recommend strategies and actions to enhance their protection.

The Officer reports provide an update on those activities and is provided to assist the Committee in defining the nature of future agenda items to be referred by Officers.

STRATEGIC IMPLICATIONS

The LTAC meets all five themes of the Corporate Business Plan 2017 - 2021:

- Social
- Built Environment
- Natural Environment
- Economic
- Good Governance

COMMENT

The following items were considered at the meeting:

Dogs and Playgrounds

The Committee considered a report that described there being two new playgrounds being planned in the Town in areas known for being dog off leash areas and resolved:

That in relation to dogs and playgrounds, the Committee notes the report and makes the following observations:

- That recognition be given to the value of socialising and exercising dogs in public open space;
- That open space design give consideration to the separation of playgrounds and dog exercise areas through physical and visual barriers; and
- There is need for public education through the Town's Rangers and the installation of appropriate signage.

Integrated Children and Family Services Centre

This item was referred by Council to Committee for consideration.

Following discussion it was resolved that:

1. An Integrated Children and Family Services Centre Working Group be established;
2. Membership include Jeanette Maddison, Kylie Turner, Cr John Gangell and that expressions of interest be called from the community;
3. The Working Group Terms of Reference be:
 - a) Define the need, scope of services and stakeholders to ideally be accommodated by such a facility; and
 - b) Investigate a model that would be both acceptable to the community and feasible to the Town including reviewing previous models considered by the Town

The Committee also received a survey conducted by Sarah Quinton into the community's view on the suitability of the current Child Health Clinic facilities. Committee discussed the recent decision of Council to not pursue leasing of commercial facilities to accommodate the Clinic as a temporary measure while addressing a new permanent solution for the service and resolved:

1. That the Town seek a suitable alternative location for the Child Health Clinic parents' group sessions as a temporary measure; and
2. That the Town write to the Department of Health detailing results from the survey conducted by Sarah Quinton into the suitability of the Bassendean Child Health Clinic, and requesting it investigate current birth rates in Bassendean and assess the community's need for another nurse.

Committee Work Program

It was noted that only the Urban Forest Working Group has met in the past two months.

Keryn Marley was appointed to the Urban Forest Working Group to fill the casual vacancy due to the resignation from the Working Group by Alison Healey.

It was commented that some of the Working Groups have not produced the results initially expected of them. A lack of staff resources was accepted as a limiting factor.

Ongoing Activity Progress Reports

Officers reported on activities relevant to Committee under their Lines of Business:

- a.) *Recreation;*
- b.) *Culture;*
- c.) *Economic Development; and*
- d.) *Children Services.*

Notable mentions include:

- Consultant's AECOM Australia Pty Ltd have completed an interim report of findings from the community consultation conducted for the Community Facilities and Ovals/Reserves Audit and Needs Assessment;
- NAIDOC Family Day was very successful;
- Planning for the Visual Arts Awards well under way;
- Experienced Arts professional Ricky Arnold has been engaged as the Consultant to review the Cultural Planning;
- A business breakfast seminar was conducted to present the Business Survey draft results and gain buy in to the Town's digital marketing strategy development;
- Old Perth Road Markets on line booking system is now operational.

STATUTORY REQUIREMENTS

Local Government Act 1995

FINANCIAL CONSIDERATIONS

Nil

OFFICER RECOMMENDATION – ITEM 10.12

That Council:

1. Notes the establishment of an Integrated Children and Family Services Centre Working Group with Terms of Reference to:
 - a) Define the need, scope of services and stakeholders to ideally be accommodated by such a facility; and

- b) Investigate a model that would be both acceptable to the community and feasible to the Town including reviewing previous models considered by the Town.

and

- 2. Receives the report of the meeting of the Liveable Town Advisory Committee held on Tuesday 8 August 2017.

Voting requirement: Simple Majority

**10.13 Determinations Made by the Principal Building Surveyor
Ref: LUAP/PROCED/1 – Kallan Short, Principal Building
Surveyor)**

The Principal Building Surveyor made the following building decisions under Delegated Authority:

Building Applications Determined in the Month of July 2017		
Application No	Property Address	Description
201700175	36 IVANHOE STREET, BASSENDEAN	PATIO
201700192	10 MCGLEW STREET, EDEN HILL	FENCE APPLICATION
201700190	38 EILEEN STREET, BASSENDEAN	SINGLE STOREY RESIDENTIAL
201700198	71 GUILDFORD ROAD, BASSENDEAN	SINGLE STOREY DWELLING
201700194	10 PROWSE STREET, BASSENDEAN	FENCE APPLICATION
201700197	21 IVANHOE STREET, BASSENDEAN	RE - ROOFING DWELLING
201700199	79 IVANHOE STREET, BASSENDEAN	SINGLE DWELLING
201700180	35 SEVENTH AVENUE, BASSENDEAN	SINGLE STOREY DWELLING
201700184	147 WEST ROAD, BASSENDEAN	RENOVATIONS & ALTERARTIONS TO RESIDENCE
201700182	29 NORTH ROAD, BASSENDEAN	RETAINING WALL & FENCE
201700186	60 MARGARET STREET, ASHFIELD	FIBREGLASS POOL
201700185	66 SCADDAN STREET, BASSENDEAN	RETAINING WALL
201700189	5 BRADSHAW STREET, EDEN HILL	PATIO
201700187	60 MARGARET STREET, ASHFIELD	POOL SAFETY FENCE
201700145	20 SECOND AVENUE, BASSENDEAN	SPA SAFETY FENCE AND DECK
201700203	15 WATSON STREET, BASSENDEAN	SHED
201700202	33 SEVENTH AVENUE, BASSENDEAN	LOUVERED PERGOLA

OFFICER RECOMMENDATION – ITEM 10.13

That Council notes the decisions made under delegated authority by the Principal Building Surveyor.

Voting requirement: Simple majority

10.14 Determinations Made by Development Services (Ref: LUAP/PROCED/1 – Christian Buttle, Acting Manager Development Services)

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

Planning and Subdivision Applications Determined to 11 August 2017			
Applic No.	Property Address	Type of Development	Determination
2016-023	18 IDA STREET BASSENDEAN 6054	7 MULTIPLE DWELLINGS	DELEGATE APPROVED
2017-030	46A GERALDINE STREET BASSENDEAN 6054	GROUPED DWELLING	DELEGATE APPROVED
2017-039	5A SEVENTH AVENUE BASSENDEAN 6054	SINGLE HOUSE	DELEGATE APPROVED
2017-062	11B FIFTH AVENUE BASSENDEAN 6054	SINGLE HOUSE	DELEGATE APPROVED
2017-080	24 MARY CRESCENT EDEN HILL 6054	AMENDED APPLICATION FOR TWO GROUPED DWELLINGS	DELEGATE APPROVED
2017-089	21 FREELAND WAY EDEN HILL 6054	HOME OCCUPATION (BEAUTY SALON)	DELEGATE APPROVED
2017-090	57 CHESTERTON ROAD BASSENDEAN 6054	RETAINING WALL	DELEGATE APPROVED
2017-096	5 MANN WAY BASSENDEAN 6054	OUTBUILDING	DELEGATE APPROVED
2017-100	33 WATSON STREET BASSENDEAN WA 6054	SINGLE HOUSE	DELEGATE APPROVED
2017-111	59 EILEEN STREET BASSENDEAN 6054	ADDITIONS AND ALTERATIONS TO SINGLE HOUSE	DELEGATE APPROVED
2017-112	4/85 OLD PERTH ROAD BASSENDEAN 6054	SIGN (ILLUMINATED) (8 NAPKINS)	DELEGATE APPROVED
2017-113	85 WEST ROAD BASSENDEAN 6054	ADDITIONS AND ALTERATIONS TO SINGLE HOUSE	DELEGATE APPROVED
	Subdivision Applications		
694-17	43 LORD STREET BASSENDEAN 6054	FOUR LOT PLUS COMMON PROPERTY SURVEY STRATA	STATUTORY ADVICE

OFFICER RECOMMENDATION – ITEM 10.14

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

Voting requirement: Simple majority

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

The Chief Executive Officer and the Mayor have been delegated the responsibility for affixing the Common Seal to documents requiring signing and sealing, and for reporting the exercise of that delegation to the next available Ordinary Meeting of the Council.

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

- 21/07/17 A Deed of Confidentiality and Restraint between Xtronix Pty Ltd and the Town of Bassendean in relation to video message boards.
- 09/08/17 Agreement Restricting Use of Lot 123; 323 Collier Road, Bassendean to a Brewery, between Vanity Holdings Pty Ltd and the Town of Bassendean.
- 10/08/17 Withdrawal of Caveat Lot 68 Villiers Street, Bassendean, in relation to the transfer of the land to the Town of Bassendean.

OFFICER RECOMMENDATION – ITEM 10.15

That Council notes the affixing of the Common Seal to the document listed in the Ordinary Council Meeting Agenda of 22 August 2017.

Voting Requirements: Simple majority

10.16 Calendar for September 2017 (Ref: Sue Perkins, Executive Assistant)

Wed	6 Sep	3.30pm	Local Emergency Management Committee Meeting – Council Chamber (Crs Pule & Brown)
Thu	7 Sep	5.00pm	Perth Airports Municipalities Group Meeting – City of Swan (Cr Brown)
Wed	13 Sep	10.00am	Access & Inclusion Committee Meeting Council Chamber (Cr Pule)
Thu	21 Sep	6.00pm	Official Opening of the Visual Art Awards Exhibition – Bassendean Community Hall
Thu	21 Sep	6.00pm	EMRC Council Meeting – EMRC (Crs Lewis & Bridges)
Mon	25 Sep		Queen’s Birthday Public Holiday – Offices closed
Tue	26 Sep	5.00pm	Briefings Session – Council Chamber
Tue	26 Sep	7.00pm	Ordinary Council Meeting – Council Chamber
Fri	29 Sep	5.00pm	Youth Advisory Council Meeting – Youth Services

OFFICER RECOMMENDATION - ITEM 10.16

That the Calendar for September 2017 be adopted.

Voting Requirements: Simple majority

10.17 Implementation of Council Resolutions (Ref: GOVN/CCLMEET/1 - 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
ROC17/54538	BOB JARVIS	OCM-17/06/17 - CONDUCTING THE 2017 COUNCIL ELECTIONS BY POSTAL VOTE	ELECTORAL COMMISSION ENGAGED AND FUNDS ALLOCATED IN ADOPTED BUDGET. RECOMMEND DELETION
ROC17/54536	GRAEME HAGGART	OCM-15/6/17 - BASSENDEAN CHILD HEALTH CLINIC	CONSIDERED AT THE AUGUST LTAC. COMPLETED. RECOMMEND DELETION
ROC17/54994	CHRISTIAN BUTTLE	OCM-7/7/17 - SECTION 31 – RECONSIDERATION INVITATION FROM THE STATE ADMINISTRATIVE TRIBUNAL - CONDITION OF DEVELOPMENT APPROVAL RELATING TO RIGHT-OF-WAY CONSTRUCTION FOR 3 GROUPED DWELLINGS ON LOT 746 (NO. 9) BROADWAY BASSENDEAN	AFTER RECEIVING COUNCIL'S DECISION IN RELATION TO THIS MATTER THE PROPERTY OWNER WITHDREW THEIR APPLICATION FOR REVIEW (APPEAL) WITH THE STATE ADMINISTRATIVE TRIBUNAL BRINGING THIS MATTER TO A CLOSE. RECOMMEND DELETION
ROC17/54995	DYLAN STOKES	OCM-8/7/17 - JOINT METROPOLITAN CENTRAL DEVELOPMENT ASSESSMENT PANEL APPLICATION FOR CONVENIENCE STORE (PETROL STATION) – STRATA LOT 3 LOT 125 (NO. 335) COLLIER ROAD BASSENDEAN	TO BE CONSIDERED BY THE DAP ON MONDAY 21 AUGUST 2017. RECOMMEND DELETION.

OFFICER RECOMMENDATION – ITEM 10.17

That the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 22 August 2017 be deleted from the Implementation of Council Resolutions list.

Voting Requirements: Simple majority

10.18 Accounts for Payment – July 2017 (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. 11: List of Accounts

BACKGROUND

The monthly payments made for the period July 2017 are presented to Council, with details of payments made by the Town in relation to goods & services received.

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 10.18

That Council receives the List of Accounts paid for July 2017, as attached to the Ordinary Council Agenda of 22 August 2017.

Voting Requirements: Simple majority

10.19 Financial Statements – June 2017 (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 that clearly shows a comparison of the budget estimates with the actual revenue and expenditure figures for the year to date.

ATTACHMENTS:

Attachment No. 12: Interim Financial Reports for June 2017

BACKGROUND

Regulations require a local government to prepare a monthly statement of financial activity, reporting on the revenue and expenditure as set out in the Annual Budget.

A statement of financial activity and accompanying documents are required to be presented to Council within 2 months after the end of the month to which the statement relates.

In addition to this and in accordance with Regulation 34 (5) of the Local Government (Financial Management) Regulations 1996 each year Council is required to adopt a percentage or value to be used in the reporting of material variances. For the 2016/17 financial year the amount is \$5,000 or 10% whichever is the greater.

STRATEGIC IMPLICATIONS

Leadership and Governance

Improve capability and capacity

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

COMMENT

The Monthly Financial Statements for June 2017 are attached to the agenda. The attached statements, as presented, do not represent the final closing position for the period ended 30 June 2017.

Closing entries & adjustments to the Financial Statements are yet to be concluded. Once all financial transactions are completed, a closing position will be determined, this may indicate additional savings on completed capital works and operational expenditure.

Once the audit is completed, the final statements will be presented to the Audit & Risk Management Committee in September for consideration.

The Statements provide a comparison between actual and budget income and expenditure on year to date basis. The Notes accompanying the statements provide a detailed breakdown of the amounts.

STATUTORY REQUIREMENTS

Local Government (Financial Management) Regulations 1996.

FINANCIAL CONSIDERATIONS

The Interim Financial Statements provide an overview of the income and expenditure for the period ended the 30 June 2017. As previously mentioned, the statements are subject to further adjustments, and confirmation by Council Auditors. The notes accompanying the statements provide a detailed breakdown to the Financial Statements.

OFFICER RECOMMENDATION – ITEM 10.19

That the Financial Reports for the period ended 30 June 2017, as attached to the Ordinary Council Agenda of 22 August 2017, be received.

Voting Requirements: Simple majority

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Notice of Motion – Cr Brown: Realignment of boundary between the Town of Bassendean and the City of Bayswater

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

“That the Town of Bassendean commence a process of consultation and negotiation with the State Government and the Local Government Advisory Board in order gain approval to realign the boundary between the Town of Bassendean (Ashfield) and the City of Bayswater, such realignment to include those properties, currently within the City of Bayswater, bounded by the Swan River, Tonkin Highway and Guildford Road.”

Background – Cr Brown

Because of its small size and limited rate portfolio, the Town of Bassendean is barely viable, not having the capacity to undertake improvements many other metropolitan Councils take for granted.

This Town, its unique identity, the existing and potential employment and prosperity it creates must be protected therefore our viability needs to be improved. To do nothing exposes this Council to future moves to amalgamate with adjoining Councils.

In order to improve our viability an opportunity exists to realign the Town’s boundary in accordance with Schedule 2.1, Clause 2(1), (c) of the *Local Government Act 1995*.

The area north of Tonkin highway and south of Guildford Road, bounded by Moojebing, Jaqueline and Pearson Streets and the Swan River covers an area of approximately 1 square kilometre. In this area there are about 400 residential properties and an industrial estate covering about 0.3 square kilometres (see attached graphic). Although more geographically, economically and socially aligned to Ashfield, these properties are situated within the City of Bayswater.

Since completion in 1980, the Tonkin Highway has had the effect of forming a boundary or barrier between the City of Bayswater and the Town of Bassendean (Ashfield) effectively excising this area from the City of Bayswater.

As a consequence, many residents within this area now feel more aligned to Ashfield and Bassendean than Bayswater. Families enjoy the Town's facilities, retail outlets, cafes, restaurants, parks, our paths and road network, and our unique riverside environment. Many children from this area are educated in our schools. This natural association will only increase with the development of Ashfield as a Transit Oriented Development (TOD) area.

There is no doubt the Town would benefit from such a proposal as, while the City of Bayswater increases its rate base and prosperity from the newly developed industrial park west of Railway Parade, which incidentally benefits from the use of the Town's road network, the Town of Bassendean will continue to languish, suffering from a restricted rate base.

Because of this natural association with Bassendean and the intended future development of Ashfield as a TOD, from a strategic planning and economic perspective, the time is opportune to canvas the State and others with an interest, with a view to realigning the boundary.

Change is often problematic to achieve and whilst this proposal is logical, the City of Bayswater's objections may be difficult to overcome. Objections aside, as part of this process the City of Bayswater and owners of the affected properties should be engaged with a view to ceding this remnant portion of Bayswater to the Town of Bassendean.



OFFICER COMMENT

Attachment No. 13:

Schedule 2.1 Provisions about creating, changing the boundaries of, and abolishing districts

The Town recently adopted a Strategic Community Plan for 2017-2027 and the Corporate Business Plan for 2017-2021. There is no mention of this proposal or any boundary adjustment in those plans. Additionally, to undertake a study or to prepare a proposal to the Local Government Advisory Board, Council will need to allocate funding in the 2017/18 Budget as there is no funding being allocated by Council for this proposal. At this stage, there is no information on the amount of consultant fees required. This can only be established when the scope of the works is known.

In regards to the strategic planning matters, the Director Strategic Planning advises that he does not believe it will be an issue from a strategic planning perspective, especially given the proposal for transit-oriented development (TOD) around the Ashfield train station.

Residents and workers who live and/or are employed within the subject land probably already utilise, to some degree, existing services and facilities located within Ashfield and adjacent areas within the Town. This will be more so with the advent of the Ashfield TOD.

As a corollary to that, the viability of any future Ashfield TOD will also be partially dependent upon the extent of its catchment, which based on a minimum 800 metre radius measured from the Ashfield train station, includes part of the subject land.

Local Government Act Schedule 2.1 deals with Boundary Adjustments and details the information required.

In considering the boundary adjustment, the Advisor Board will consider the following factors:

- (a) community of interests;
- (b) physical and topographic features;
- (c) demographic trends;
- (d) economic factors;
- (e) the history of the area;
- (f) transport and communication;
- (g) matters affecting the viability of local governments; and
- (h) the effective delivery of local government services.

It is also important to consider the Assets and liabilities of the proposed area to ensure that there is no detrimental financial impact to the Town of Bassendean. We need to assess the infrastructure and their conditions against the rates and charges income applicable to the proposed area. The Town is financially viable in its current form and to ensure that there is no financial loss, it is imperative that a report be presented to Council on the advantages and disadvantages of the proposal prior to any decision being made by Council.

11.2 Notice of Motion – Cr Brown: Floodway Contingent Development

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

“That the Town of Bassendean allow subdivision, in accordance with current zoning, and thereafter favourable consideration of appropriate floodway contingent development, of those properties within the 100 year flood way situated on West Road and Whitfield Street, Bassendean.”

Background – Cr Brown

Many of the areas within the Town of Bassendean adjacent to the Swan River at Bassendean lie within the historic flood zone. Indeed, if the flood of July 1830 is to be considered, the many homes below six metres above sea-level would be inundated.

Flooding was considered such a serious issue that, in 1968, Ron Courtney Island adjacent to Ashfield was created by the dredging of a flood mitigation channel, lessening the likelihood of a future catastrophic flood event.

Currently, numerous homes are situated within these flood zones and appropriate design protocols have been introduced to take the dangers of flooding into account when new homes are planned and built.

There are several homes built on large 8,000 square metres blocks situated upstream of Ashfield on West Road and Whitfield Streets. Their Residential Building Code classification is R5 permitting, in most cases, a single subdivision. The expectation of these floodway affected property owners has been that should they so decide, subdivision would be sought and approved by Council. This was on the understanding stringent flood zone compliant home design would apply should building permits be sought.

At the December 2016 Ordinary Council Meeting a proposal by the Town to reduce the classification to R2, therefore denying subdivision, was unanimously rejected by Council.

The intention of this rejection was to allow subdivision and permit favourable consideration of development that met all building standards as they apply to home construction within a flood zone.

Subsequently, however, the Statutory Planning Committee rejected development of the affected land, notwithstanding a favourable response by the WA Planning Commission, based on information provided by the Town, seemingly ignoring the intent of the Council resolution.

Of particular concern is recommendation (V) which says, 'Non-compliance with the Town's Local Planning Policy No4 – 'Floodplain Management and Development which states: "*Further subdivision of land wholly within the flood plain will not be supported.*" Clearly this recommendation is not reflected in the unanimous Council decision of December 2016.

Also of concern is recommendation (V1) which says, 'Non-compliance with the Town's Local Planning Strategy which states: "*Consider an alternative Residential Density Coding for the Sub-Precinct within the floodway to reflect the existing lot size pattern, and further, develop specific requirements for properties in the flood fringe, and exclude further development in the floodway or that would restrict flows within the floodway.*" Council, at the December 2016 Ordinary Council Meeting, unanimously rejected an application to rezone the affected properties to R2, which would have given effect to this recommendation.

It should be noted the Town approved a development within the food zone at Sandy Beach Reserve that ignores many of the Town's assertions when rejecting the subdivision of the affected properties which flood modelling which demonstrate their limited effect on floodwaters. There is little doubt the Sandy Beach development has the potential to restrict flood waters.

OFFICER COMMENT

Subdivision of land is administered by the Western Australian Planning Commission rather than the Town. The Commission will however seek the advice of the relevant local government prior to making its determination on a subdivision application.

The Manager Development Services sought Council's agreement to introduce an amendment to the Scheme to reduce the density of code of properties located entirely within the floodway of the Swan River from R5 to R2, as a result of the Commission approving a two lot subdivision of a property located entirely within the floodway.

Prior to this subdivision approval, the Town and the Western Australian Planning Commission have been able to resist further development of the land beyond a single house within this area on the strength of the Town's floodplain policy, which still has a general presumption against development in the floodway.

It is appreciated that Council rescinded its decision to include the down-coding of the properties in Amendment No. 9 to the Local Planning Scheme No. 10, however, in support of the revocation motion, the Manager Development Services advised Council that it may be appropriate to remove the proposal from the forthcoming omnibus amendment to the Scheme, in which case the issue of the density code of properties located in the floodway of the Swan River will be addressed as part of the review of the Local Planning Strategy/Scheme.

In this regard, the currently adopted Local Planning Strategy contains the following strategy for the Riverfront Precinct:

*“Consider an alternative Residential Density Coding for the Sub- Precinct within the floodway to reflect the existing lot size pattern, and further, develop specific requirements for properties in the flood fringe, **and exclude further development in the floodway** or that would restrict flows within the floodway.”*

While the Council has resolved not to alter the density code of the affected properties, it still has its Local Planning Policy No. 4 Floodplain Management and Development Policy, which states that further subdivision of land wholly within the floodway will not be supported. The Policy is a properly adopted policy under the Local Planning Scheme No. 10, and Council and officers are required to give due regard to the policy whilst making decisions. The policy was developed based on advice provided by the former Department of Water and the Swan River Trust.

If Council wishes to amend or delete the current policy, the Town will be obliged to advertise its intention to do so, and seek public comment.

As part of this process, consultation is likely to occur with the now Department of Water and Environmental Regulation, which still appears to have a fundamental objection to development in the flood way.

Any review of the Local Planning Policy or the Local Planning Strategy or Scheme, should have regard to the outcomes of the Understanding and Managing Flood Risks in Perth project, currently being carried out by the Eastern Metropolitan Regional Council.

11.3 Notice of Motion – Cr Pule: Reference: Better use of Rubbish Tip Passes

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

“That the Town of Bassendean contact the City of Bayswater and the Eastern Metropolitan Regional Council to negotiate and make accessible the Bayswater Transfer Station on Collier Road, to the residents of the Town of Bassendean, to utilise their rubbish tip passes there as well as at Red Hill.”

Comment – Cr Pule

1. Currently, the Town of Bassendean includes four Tip Vouchers with each Rates Notice. These can be used at Red Hill, which is a long way away from Bassendean and the long trip makes it unattractive to many residents that have rubbish to deposit.
2. The City of Bayswater has a Transfer Station on Collier Road and very near the Town of Bassendean. However, there are currently no arrangements for residents of Bassendean to be able to use their vouchers at the Bayswater Transfer Station. Bassendean residents must pay to access the Transfer Station.
3. A much better service can be provided to the residents of Bassendean by the Town making arrangements to have access to the Bayswater Transfer Station, using their Tip Vouchers.
4. The Town now needs to negotiate and make arrangements so that this becomes possible and therefore provides a better service to the residents.

3. This is part of the long term Strategic Plan to improve the quality of life in Bassendean and an improvement in waste management.

OFFICER COMMENT

As Council is aware, the EMRC website advises that Town of Bassendean residents can deposit electronic waste at the City of Bayswater's Collier Road Transfer station – see link below.

<http://www.rgang.org.au/electronic-waste-e-waste-general.html>

In regards to the Notice of Motion, the following preliminary comment has been received from staff at the City of Bayswater:

- The long term future use of the facility, post 30 June 2018 is uncertain at this point in time. Cleanaway's lease of the facility expires at this time and the City will be investigating options for the site.
- Use by TOB residents up to 30 June 2018 would be subject to agreement from Cleanaway. They would need to determine if there are any potential licensing issues.
- There is the potential that the City of Bayswater could receive complaints relating to an increase in traffic flow through the facility and this would need to be considered.

11.4 Notice of Motion – Cr Pule: Improved Anzac Day Service

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

“That the following procedures be initiated as part of the Town’s ANZAC Day Service:

- a) *That Council purchases commemorative poppies from the RSL to be made available to attendees at the service who would like to lay a poppy as an individual commemoration at the conclusion of the Service; and*
- b) *That provision be made in the annual budget for the Anzac Day Service for a donation to be made to the Australian Army Cadet Corps, 57 ACU (Morley) as acknowledgement of their special contribution to the Service.”*

11.5 **Notice of Motion – Cr Pule: Future Value of Town Assets**

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

“That a report be brought to Council that identifies the future value of the Town’s Street lights, poles and Street infrastructure, in relation to the evolution of Smart Cities, evolution of Smart Technology and gives a general appraisal of the vision for the future and to formulate the needed policies.”

Comment – Cr Pule

1. In the very near future the Street assets of the Town are going to be immensely important and valuable to the Town. This is already happening and as Smart Technology is rolled out, it will be framed on the Street Light Poles and infrastructure. These Smart Technologies will form an integrated network that not only gathers essential data, but also generates income and greatly contributes to the safety of the community.
2. As sustainable renewable energy becomes more and more efficient and viable, Street Poles will be main platforms for generating income from these sources. A vision is now needed to frame these fast growing valuable assets into the near future.
3. This is part of the Long Term Strategic Plan to improve the quality of life in Bassendean and part of the Bassendean Sustainable Viable renewal process.
4. Reference: Australia’s most liveable Cities, Citizen Source Urban Cities, Smart Hubs, Future Plan 2050, Sharing Economy.

OFFICER COMMENT

The following advice was received from Local Government Professionals WA (formerly LGMA):

“The purpose of my message is to inform you of the Smart Cities Master Class to be hosted by Local Government Professionals WA on Friday 22 September at the City of Perth.

LG Professionals recognise that the digital economy is transforming the way we work and live and that we need to be cognisant of the fact that with digital transformation set to play a key role in government services and operational delivery in the future, local governments need to reassess their business models and shift towards a more mobile and agile way of business.

We have engaged the expert services of Adam Beck from the Smart Cities Council, to conduct this Master Class, which is aimed at all local governments no matter their size, gaining a full understanding of what makes up a smart city and how you can develop a framework that creates a vision for your local government and community.

A program will be forwarded to you in the near future.

In the meantime LG Professionals is seeking expressions of interest from local governments on two matters:

- Part of the program will involve local governments providing a five minute snapshot of a success they have had with regard Internet of Things/Intelligent Communities/Support for entrepreneurial start-ups in smart city approaches.*
- Part of the program may involve local governments interested in participating in a discussion with other local governments to examine opportunities to collaborate and partner on a smart cities approach.*

*Should you be interested in either or both the above EOI please submit your registration to the LGP Office by **Friday 18 August** for consideration.”*

It is the CEO's intention to have a number of staff enrolled in the Master Class and to express interest in exploring opportunities to develop projects with neighbouring local governments. It is assumed that much of what Cr Pule is proposing will be discussed at the Master Class. A report on the Master Class, and opportunities arising from it for the Town, will be provided to the Council.

11.6 Notice of Motion – Cr Pule: Addressing Family Violence

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

“That a report be brought to Council on the best ways to address Family Violence, formulate suitable policy and include Family Violence entitlement leave in the Employee Bargaining Agreement.”

Comment – Cr Pule

1. Prevention and support are the best ways to address Family Violence. The Town can address these by good policy and entitlements to help our employees.
2. Very often family violence brings on a shame and silent suffering outcome by the victims. The Town can greatly help to alleviate and support those who are victims by formalising a good policy and having mechanisms for support.
3. This is part of the long term Strategic Plan to improve the quality of life in Bassendean.

OFFICER COMMENT

The family violence matter is currently being addressed in new Enterprise Bargaining Agreements (EBA) for inside and outside staff. This is a 3 year agreement from the 2017-2020 year. The parties have agreed that the definition of personal leave be amended to include family violence.

The Inside Staff Draft EBA agreement is completed and will be distributed to staff for their consideration.

The Local Government Act provides that the CEO is responsible for the employment, management, supervision, direction and dismissal of employees - Section 5.41 refers.

11.7 Notice of Motion – Cr Pule: Welcome Cities Program

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

“That a report be brought to Council on the merits of the Town joining the Welcoming Cities Network of Councils that embrace, beneficial social cohesion, economic capability and resilience and work to gain accreditation under the standards for Welcoming Cities.”

Comment – Cr Pule

1. Joining the growing list of Councils that form the Welcoming Cities Network is a vitally important step for the Town to better prepare for the present and the future. There are many benefits in addressing Social cohesion within a broad strategy that has standards that can apply regionally.
2. This is part of the long term Strategic Plan to improve the quality of life in Bassendean and part of the Bassendean building Resilience Plans.

11.8 Notice of Motion – Cr Pule: Sister Council Initiatives

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

“That a Report be brought to Council on the merits of the Town engaging in Sister Council arrangements with Christmas Island, Cocos Island and City of Bendigo.”

Comment – Cr Pule

- 1 Christmas island and Cocos Island are on a direct air route from Perth, closer than many of our North West Towns. Yet, they are largely, very isolated but offer many opportunities for communication networks and economic potential. Although, adverse, the Detention Centre at Christmas Island has brought a lot of attention on the Island. Much could be done better, but the isolation and lack of connection does not help the Islands.

The Town could open new boundaries by exploring Sister Council arrangements and developing beyond the limited boundaries of the Town.

There are potentially many mutually beneficial objectives that could be explored such as tourism, the produce of a fishing industry, home business opportunities, and the social and departmental establishments already there.

2. Bendigo City is one of the most interesting historical places in Victoria. The old gold mining history, the regal, grand buildings and yet the modern facilities, such as the newly added to Regional Hospital, the Racecourse and the Railway connection through the City makes Bendigo a great place to visit and do business, with a population of 160,000.

The Bendigo City Council is interested to explore Sister City initiatives and as above this would offer the Town opportunities to stretch the bounds of the Town via many media and for many mutually beneficial purposes.

3. This is part of the long term Strategic Plan to improve the quality of life in Bassendean and part of the Bassendean Economic and Social development Plan.

11.9 Notice of Motion – Cr Pule: Letter of Thanks to the Premier Mark McGowan

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

“That the Town of Bassendean write to the Premier of WA Mark McGowan and congratulate him and his Government for signing the Partnership Agreement between the State and Local Government in WA, at the Local Government Convention this August 2017.”

Comment – Cr Pule

There has not been a Partnership Agreement in place for 10 years here in WA. This has caused numerous difficulties for Local Government, such as cost shifting, lack of consultation, misinformation and relations that lack inclusiveness.

This New Partnership Agreement with Local Government fulfils the election promise and sets out a commitment to consult with Local Government and work collaboratively.

It will greatly facilitate relations between the two tiers of Government and provide better outcomes for the community.

11.10 Notice of Motion – Cr Pule: Letter of Thanks to Prime Minister Malcolm Turnbull

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

“That the Town of Bassendean write to the Prime Minister Malcolm Turnbull and extend the Town’s appreciation and thanks to the Australian Government for the Roads to Recovery Program (R2R) now becoming permanent to 2020/21 and restoration of the Financial Assistance Grant (FAGs). Also appreciation is extended for the continuation of the Bridges Renewal Program which is funded to 2020/21.

However, the Town expresses disappointment that the Prime Minister did not make arrangements to attend the Local Government Convention when he was in WA this August and the Town of Bassendean would encourage the Prime Minister to arrive at a much fairer and equitable arrangement with the Western Australian State Government to provide a just share of the GST distribution to Western Australia, the current distribution of 34c being the most unfair historically and requiring urgent and immediate improvement.”

Comment – Cr Pule

1. The R2R program is now confirmed to 2020/21 and \$400m in funds have been allocated. WA will get 102.4m in 2017/18.
2. The FAGs will also be restored from 1 July 2017 for 2017/18. Funding has been allocated for \$2.37 billion for Local Government Services. WA will receive \$145.3m. in FAGs for 2017/18, with 89.7m. allocated for general purposes assistance and the remaining \$55.6m. for untied road funding. These funds will make a huge difference to Local Governments to provide better services.
3. This is part of the long term Strategic Plan to improve the quality of life in Bassendean and to Advocate for Local Government.

12.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

13.0 **CONFIDENTIAL BUSINESS**

13.1 **Business Case Report for the Potential Purchase by the Town of 10-14 Parker Street, Bassendean - Bassendean Fire Station (Ref: A4103 – Graeme Haggart, Director Community Development and Mike Costarella Director Corporate Services)**

This matter is to be considered with members of the public excluded from the Chamber under Clause 5.23 (2) (c) and (d) of the Local Government Act 1995, as the Officer report discusses details of a proposed contract to be entered into.

14.0 **CLOSURE**

The next Ordinary Council meeting will be held on Tuesday 26 September 2017.