

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

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

ON TUESDAY 22 AUGUST 2017 AT 7.00PM

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open, welcomed all those in attendance and acknowledged the past and present traditional owners and custodians of the land on which the meeting was held.

2.0 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 following a meeting with Mr Veale on site at Point Reserve, it was agreed the sign remains functional and will be renovated.

2.2 Public Question Time

Ms Kathryn Hamilton, 53 Broadway Street, Bassendean

Ms Hamilton referred to Item 10.3 and asked how Council can adequately monitor production levels.

The Manager Development Services responded that the overall production levels and daily production levels are capped and there is a requirement for the company to provide a report every quarter.

Ms Hamilton asked about the register for Councillors to record contact with developers, as she has been unable to locate it on the website.

The CEO advised that a hard copy of the register is able to be viewed and it will be available electronically on the Town's website by the end of the week.

Ms Hamilton asked who has had contact with potential developers in the last three months.

The CEO responded that that information is available in the register.

Ms Hamilton referred to the Bassendean Oval Project Control Group meeting and asked whether the meetings will be open to the public, will there be any community representation on this group and will the minutes to be made available to the public.

The Director Community Development advised that there will be some confidentiality requirements due to Cabinet consideration of funding. The group is intended to meet only a limited number of times, a second meeting is yet to be scheduled. There is no community representation on the group. The minutes will be made available through an officer's report to Council.

Ms Jane Bremmer, 47 Seventh Avenue, Bassendean

Ms Bremmer asked if the Town was aware of the application of an unauthorised pesticide by Turfmaster that resulted in the death of 8,000 trees and contaminated ground water, when the Town awarded a contract to the same contractor for the spraying of weeds in the Town of Bassendean.

The Director Operational Services responded advising that the Town would have to review the records, however, the Town wrote to Turfmaster to advise of the Council resolution not to apply glyphosate onto hard surfaces.

Ms Bremmer asked on what basis do you defend the use of pesticides in the Town of Bassendean.

The Mayor responded that the Council resolution has been fulfilled and steam weeding is being carried out in the Town.

Ms Bremmer asked if the Town acknowledges the success of steam weeding at Success Hill Reserve.

The Director Operational Services commented that there has been a trial undertaken at the reserve and the results of the treatment have been varied. An independent report indicates that the quality of the bush where it has been steam treated is not as good as other areas.

Ms Bremmer asked if the Town has consulted with the Traditional Owners of Success Hill Reserve over weed management.

The Director Operational Services advised that the Town has consulted and received a Section 18 Approval of the Aboriginal Heritage Act 1972 for Success Hill Reserve works.

Ms Nonie Jekabsons, 6 Barton Parade, Bassendean

Ms Jekabsons referred to Item 10.3 and asked if the Town is aware of the potential use of ground granulated blast furnace slag at the concrete batching plant and expressed concern that the Town may be allowing the use of the product.

The Manager Development Services stated that information provided by the applicant is that it is used in the manufacture of low heat cement, blended cements and crème cement and the use of the product is included in the Department of Water and Environment Regulations.

Mr Graeme King, 15 North Road, Bassendean

Mr King referred to the development of Bassendean Oval and asked for clarification on the status of the Development Agreement between the Town, the Swan Districts Football Club and LandCorp.

The CEO responded that the document that Council signed is null and void as the conditions were not met. There is a Council resolution to look at Wilson Street and Bassendean Oval, however, that project is on hold as the Town does not have the resources to pursue it now.

Mr King referred to Governance Policies that are currently out for review, particularly the policy that deals with communication between Councillors and developers, and commented that Councillors should not be dealing with LandCorp on development matters.

The Mayor responded that the policy is a guide. Councillors need to liaise with State Government agencies, such as LandCorp, to encourage growth and investment in the Town.

2.3 Address by Members of the Public

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

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Present

Councillors

Cr John Gangell, Mayor
Cr Mike Lewis, Deputy Mayor
Cr Gerry Pule
Cr Paul Bridges
Cr Bob Brown
Cr Renee McLennan

Officers

Mr Bob Jarvis, Chief Executive Officer
Mr Michael Costarella, Director Corporate Services
Mr Graeme Haggart, Director Community Development
Mr Simon Stewert-Dawkins, Director Operational Services
Mr Anthony Dowling, Director Strategic Planning
Mr Brian Reed, Manager Development Services
Mrs Amy Holmes, Minute Secretary

Public

Approximately 30 members of the public were in attendance.

Press

One member of the press was in attendance.

4.0 DEPUTATIONS

- 4.1 Mr Peter Bower of LSPB Property Pty Ltd addressed Council on Item 10.2.
- 4.2 Ms Corina Johnson of Johnson Property Corporation addressed Council and spoke in support of the application at Item 10.4.
- 4.3 Ms Sarah Quinton of 23 Deakin Street, Bassendean addressed Council on Item 10.12.
- 4.4 Mr Brian Bethume of 184 West Road, Bassendean, addressed Council and spoke in support of Item 11.2.
- 4.4 Mr Ian Veale of 33 Bassendean Parade, Bassendean, addressed Council and spoke in support of Item 11.2.

5.0 CONFIRMATION OF MINUTES

5.1 Ordinary Council Meeting held on 25 July 2017

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 5.1(a)

OCM – 1/08/17 MOVED Cr Pule, Seconded Cr Lewis, that the minutes of the Ordinary Council Meeting held on 25 July 2017 be received, with the following amendment:

Item 10.5, Point 3 - OCM-9/07/17 should read:

3. *Lists funds in the 2018-19 Long Term Financial Plan to prepare an Open space Master Plan for Palmerston Square Reserve that further considers the possibility of a fenced dog exercise area.*

CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 5.1(b)

OCM – 2/08/17 MOVED Cr Bridges, Seconded Cr Pule, that the minutes of the Ordinary Council Meeting held on 25 July 2017, as amended to include the amendment to Item 10.5, Point 2, be confirmed as a true record.

CARRIED UNANIMOUSLY 6/0

6.0 ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT DISCUSSION

The Mayor announced that a meeting of the Bassendean Oval Project Control Group was held on Thursday 17 August 2017 to discuss the upgrade of facilities at Swan Districts Football Club.

7.0 PETITIONS

Nil

8.0 DECLARATIONS OF INTEREST

- 8.1** Cr Gerry Pule declared a Proximity Interest for Item 10.6.
- 8.2** Mr Bob Jarvis, Chief Executive Officer, declared an Impartiality Interest for Item 10.3.

9.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

Nil

10.0 REPORTS

10.1 Adoption of Recommendations En Bloc

It was agreed that items 10.2, 10.3, 10.4, 10.5, 10.6, 10.9, 10.10 & 10.12 be removed from the en-bloc table and considered separately.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.1

OCM – 3/08/17 MOVED Cr Bridges, Seconded Cr Brown, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Meeting Agenda of 22 August 2017:

Item	Report
10.7	Adoption of the Town of Bassendean Municipal Heritage Inventory
10.8	Community Sporting and Recreation Facilities Fund (CSRFF) Application
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

CARRIED UNANIMOUSLY 6/0

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

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
10.9	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
10.11	Audit & Risk Management Committee Meeting held on 9 August 2017
10.12	Liveable Town Advisory Committee (LTAC) 8 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 was for Council to consider an application for an outbuilding at Lot 81, No. 45 Maley Street, Bassendean, that involves a setback variation.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.2

OCM – 4/08/17 MOVED Cr Pule, Seconded Cr Brown, 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.

CARRIED 5/1

Crs Pule, Brown, Gangell, Lewis & McLennan voted in favour of the motion. Cr Bridges voted against the motion.

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)

The CEO declared an Impartiality Interest and left the Chamber, the time being 8.55pm.

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.

Cr Pule moved the officer recommendation with the addition of two points as shown in bold.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.3

OCM – 5/08/17 MOVED Cr Pule, Seconded Cr Bridges, 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;

2. **Prior to the finalisation of the approval the applicant shall either confirm in writing that there will be no increase in traffic to the site as a result of the amended proposal, or provide a revised traffic management plan for the approval of the Town, prior to this consent being implemented;**
3. **Prior to the finalisation of this approval the nature and safety of ground granulated blast furnace slag and end of line combustion processes, be referred to the Department of Water and Environment Regulations to ensure that the product complies with the licences issued by the Department of Water and Environment Regulations; and**
4. All other conditions and requirements detailed on the previous approval dated 20 January 2017 shall remain unless altered by this approval.

CARRIED UNANIMOUSLY 6/0

The CEO returned to the Chamber, the time being 9.15pm.

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 was 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.

Cr Pule moved that the item be deferred subject to the Place of Worship submitting a safe traffic assessment strategy including considering a new driveway and separation with the current common driveway by a dividing fence in the carpark area and to the satisfaction of the Town.

The motion lapsed for want of Secunder.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.4

OCM – 6/08/17 MOVED Cr Bridges, Seconded Cr McLennan, 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 Place of Worship 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.

Due to an equality of votes, Cr Gangell exercised his right to use his second vote in favour of the motion, resulting in the motion being CARRIED 4/3.

*Crs Bridges, McLennan & Brown voted in favour of the motion.
Crs Gangell, Lewis & Pule voted against the motion.*

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.

Cr Pule moved that Condition 6. be amended from 2.30pm-4.00pm to 2.30pm-5.00pm.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.5

OCM – 7/08/17 MOVED Cr Pule, Seconded Cr Lewis, 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, **but recommends that Condition 6. be amended as follows:**

6. *No vehicle used for the delivery of fuel is permitted on site between 7.30am to 9.00am and 2.30pm to **5.00pm** on weekdays.*

CARRIED UNANIMOUSLY 6/0

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)

Cr Pule declared a Proximity Interest and left the Chamber, the time being 9.26pm.

APPLICATION

The purpose of this report was 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.

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.

The Officer recommendation lapsed for want of a mover.

Cr Bridges foreshadowed the following alternative motion:

“That the Mayor and CEO seek a deputation to the Planning Minister comprised of planners and Cr Bridges, to explain that perpetuation of the current plot ratio scenario:

1. *Creates community hostility by permitting construction of eight 2x2's per existing lot size;*
2. *Limits the future ability to amalgamate and develop decent land parcels;*
3. *Jeopardises the chances of achieving well designed higher multi residential developments;*
4. *Frustrates the provision of higher density housing in the future as advocated by the adopted Local Planning Strategy;*

And to request reconsideration of the 25-metre frontage requirement proposal.”

COUNCIL RESOLUTION – ITEM 10.6

OCM – 8/08/17 The substantive motion which was by MOVED Cr Bridges and Seconded by Cr Brown, which reads:

“That the Mayor and CEO seek a deputation to the Planning Minister comprised of planners and Cr Bridges, to explain that perpetuation of the current plot ratio scenario:

1. Creates community hostility by permitting construction of eight 2x2's per existing lot size;
2. Limits the future ability to amalgamate and develop decent land parcels;
3. Jeopardises the chances of achieving well designed higher multi residential developments;
4. Frustrates the provision of higher density housing in the future as advocated by the adopted Local Planning Strategy;

And to request reconsideration of the 25-metre frontage requirement proposal,

was put to the vote and CARRIED UNANIMOUSLY 6/0

Cr Pule returned to the Chamber, the time being 9.35pm.

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 was 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.

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.7**

OCM – 9/08/17 MOVED Cr Bridges, Seconded Cr Brown, 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.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/08/17 6/0**

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 was 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.

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.8**

OCM – 10/08/17 MOVED Cr Bridges, Seconded Cr Brown, 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.

**CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/08/17 6/0**

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 was for Council to determine the method of sale of 48 Chapman Street Bassendean and Lot 7557 Lord Street Eden Hill.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.9

OCM – 11/08/17 MOVED Cr McLennan, Seconded Cr Lewis, 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.

CARRIED UNANIMOUSLY 6/0

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

Cr Pule moved the Committee recommendation with the deletion of Point 2.

COUNCIL RESOLUTION/COMMITTEE RECOMMENDATION – ITEM 10.10

OCM – 12/08/17 MOVED Cr Pule, Seconded Cr Bridges, that Council:

1. Receives the Bassendean River Parks Management Committee minutes of the 2 August 2017;
2. 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;

3. Expresses its appreciation to the Department of Planning, Lands and Heritage for allocating resources to prepare an Establishment Plan for Ashfield Flats Reserve; and
4. 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.

CARRIED UNANIMOUSLY 6/0

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 was 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.

Cr Lewis moved an amendment to Point 2. of the committee recommendation, that the AASB124 Related Party Disclosures Policy be amended from quarterly to annually, as shown in bold.

COUNCIL RESOLUTION – ITEM 10.11(a)

OCM – 13/08/17 MOVED Cr Lewis, Seconded Cr Pule, that:

2. Council adopts the AASB124 Related Party Disclosures Policy, as attached to the Audit and Risk Management Committee Agenda of 9 August 2017 **and amends the frequency from quarterly to annually.**

CARRIED 4/2

Crs Lewis, Pule, Gangell & McLennan voted in favour of the motion. Crs Bridges & Brown voted against the motion.

Cr Pule moved the committee recommendation with an amendment to Point 6. that the words 'recover the unpaid rates and' be removed.

COUNCIL RESOLUTION/COMMITTEE RECOMMENDATION – ITEM 10.11

OCM – 14/08/17 MOVED Cr Pule, Seconded Cr Lewis, 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 **and amends the frequency from quarterly to annually;**
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 offset implementation of Town Planning Scheme No 4A.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

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

Cr Pule moved the officer recommendation with additional points as shown in bold.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.12

OCM – 15/08/17 MOVED Cr Pule, Seconded Cr Brown, that:

1. Council 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.
2. **Membership of the Integrated Children and Family Services Centre Working Group include Jeanette Maddison, Kylie Turner, Cr John Gangell and that expressions of interest be called from the community;**
3. **In relation to dogs and playgrounds, the following guiding principles apply:**
 - **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**
 - **The need for public education through the Town's Rangers and the installation of appropriate signage.**
4. Council receives the report of the meeting of the Liveable Town Advisory Committee held on Tuesday 8 August 2017.

CARRIED UNANIMOUSLY 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.13

OCM – 16/08/17 MOVED Cr Bridges, Seconded Cr Brown, that Council notes the decisions made under delegated authority by the Principal Building Surveyor.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-3/08/17 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.14

OCM – 17/08/17 MOVED Cr Bridges, Seconded Cr Brown, that Council notes the decisions made under delegated authority by the Manager Development Services.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/08/17 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.15

OCM – 18/08/17 MOVED Cr Bridges, Seconded Cr Brown, that Council notes the affixing of the Common Seal to the document listed in the Ordinary Council Meeting Agenda of 22 August 2017.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/08/17 6/0

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION -
ITEM 10.16

OCM – 19/08/17 MOVED Cr Bridges, Seconded Cr Brown, that the Calendar for September 2017 be adopted.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/08/17 6/0

10.17 Implementation of Council Resolutions (Ref: GOVN/CCLMEET/1 - Sue Perkins, Executive Assistant)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.17

OCM – 20/08/17 MOVED Cr Bridges, Seconded Cr Brown, 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.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-3/08/17 6/0

10.18 Accounts for Payment – July 2017 (Ref: FINM/CREDTS/4 – Ken Lapham, Manager Corporate Services)

APPLICATION

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

COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.18

OCM – 21/08/17 MOVED Cr Bridges, Seconded Cr Brown, that Council receives the List of Accounts Paid for July 2017, as attached to the Ordinary Council Agenda of 22 August 2017.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-3/08/17 6/0

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.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.19

OCM – 22/08/17 MOVED Cr Bridges, Seconded Cr Brown, that the Financial Reports for the period ended 30 June 2017, as attached to the Ordinary Council Agenda of 22 August 2017, be received.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-3/08/17 6/0

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

COUNCIL RESOLUTION – ITEM 11.1

OCM – 23/08/17 MOVED Cr Brown, Seconded Cr Bridges, that the Town of Bassendean commence a process of consultation and negotiation with **affected landowners**, the **City of Bayswater then the** State Government and the Local Government Advisory Board in order to **seek** 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.

*Crs Brown, Bridges & McLennan voted in favour of the motion.
Crs Gangell, Lewis & Pule voted against the motion.*

Due to an equality of votes, Cr Gangell exercised his right to use his second vote in favour of the motion, resulting in the motion being LOST 3/4.

11.2 Notice of Motion – Cr Brown: Floodway Contingent Development

COUNCIL RESOLUTION – ITEM 11.2

OCM – 24/08/17 MOVED Cr Brown, Seconded Cr Pule, that the Town of Bassendean **supports** subdivision in accordance with current zoning of those properties within the 100 year floodway situated on West Road and Whitfield Street, Bassendean.

CARRIED 4/2

*Crs Brown, Pule, Gangell & Lewis voted in favour of the motion.
Crs Bridges & McLennan voted against the motion.*

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

COUNCIL RESOLUTION – ITEM 11.3

OCM – 25/08/17 MOVED Cr Pule, Seconded Cr Bridges, that **should the Eastern Metropolitan Regional Council take on the role of managing the City of Bayswater Transfer Station in 2018**, the Town 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.

CARRIED UNANIMOUSLY 6/0

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

MOVED Cr Pule, 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.

LAPSED FOR WANT OF A SECONDER

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

COUNCIL RESOLUTION – ITEM 11.5

OCM – 26/08/17 MOVED Cr Pule, Seconded Cr Gangell, 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.

LOST 2/4

Crs Pule & Gangell voted in favour of the motion. Crs Lewis, Bridges, Brown & McLennan voted against the motion.

11.6 Notice of Motion – Cr Pule: Addressing Family Violence

The following motion was withdrawn:

“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.”

11.7 Notice of Motion – Cr Pule: Welcome Cities Program

COUNCIL RESOLUTION – ITEM 11.7

OCM – 27/08/17 MOVED Cr Pule, Seconded Cr McLennan, 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.

CARRIED 4/2

Crs Pule, McLennan, Brown & Gangell voted in favour of the motion. Crs Lewis & Bridges voted against the motion.

11.8 Notice of Motion – Cr Pule: Sister Council Initiatives

MOVED Cr Pule, 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.”

LAPSED FOR WANT OF A SECONDER.

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

MOVED Cr Pule, 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.

LAPSED FOR WANT OF A SECONDER

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

MOVED Cr Pule, 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.

LAPSED FOR WANT OF A SECONDER

12.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil

13.0 CONFIDENTIAL BUSINESS

COUNCIL RESOLUTION – ITEM 13.0(a)

OCM – 28/08/17 MOVED Cr Bridges, Seconded Cr Pule, that the meeting go behind closed doors in accordance with Section 5.23 of the Local Government Act 1995, the time being 10.45pm.

CARRIED UNANIMOUSLY 6/0

All members of the public vacated the Chamber, the time being 10.45pm.

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 was 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.

Mr Mike Smith and Ms Ivanka Radalj of the former Bassendean Volunteer Fire and Emergency Service addressed the Council on this Item.

Mr Mike Smith and Ms Ivanka Radalj left the Chamber, the time being 11.00pm.

Cr Lewis moved that the officer recommendation be put. The motion lapsed for want of a Secunder.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 13.1

OCM – 29/08/17 MOVED Cr Gangell, Seconded Cr Lewis, that:

1. Council extends its appreciation to the Department of Fire and Emergency Service for the offer to purchase the Old Fire Station at 10-14 Parker Street, Bassendean;
2. Council advises the Department of Fire and Emergency Services that following consideration of the Business Case, the restrictive covenants and the limited financial viability of the project for the property, the Town declines the offer to purchase the property; and
3. In the event the Department of Emergency Services offers the property for sale and the offer is unsuccessful, the Town would appreciate the DFES' consideration of a lease agreement with the Town for community purposes, on a peppercorn rental.

CARRIED 4/2

Crs Gangell, Lewis, Pule & McLennan voted in favour of the motion. Crs Bridges & Brown voted against the motion.

COUNCIL RESOLUTION – ITEM 13.0(b)

OCM – 30/08/17 MOVED Cr Brown, Seconded Cr Pule, that the meeting proceed with open doors, the time being 11.20pm.
CARRIED UNANIMOUSLY 6/0

As no members of the public returned to the Chamber, the reading aloud of the motions passed behind closed doors was dispensed with.

14.0 **CLOSURE**

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

There being no further business, the Presiding Member declared the meeting closed, the time being 11.20pm.