

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

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

ON TUESDAY 22 FEBRUARY 2022 AT 6.00PM

1.0 DECLARATION OF OPENING; ACKNOWLEDGEMENT OF COUNTRY; ACKNOWLEDGEMENT 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 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

- Briefing Sessions and Ordinary Council Meetings will go online in March due to the COVID-19 pandemic.
- The RSL will be holding a memorial ceremony on 27 February in recognition of the Gulf War.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Present

Councillors

Cr Kathryn Hamilton, Mayor
Cr Renee McLennan, Deputy Mayor
Cr Hilary MacWilliam
Cr Emily Wilding
Cr Jennie Carter
Cr Tallan Ames

Apologies

Cr Paul Poliwka

Officers

Ms Peta Mabbs, Chief Executive Officer
Mr Luke Gibson, Director Community Planning
Mr Paul White, Director Corporate Services
Mr Phil Adams, Exec Manager Infrastructure
Ms Nicole Davey, Exec Manager Sustainability & Environment
Ms Elizabeth Kania, Manager Governance & Strategy
Mrs Amy Holmes, Minute Secretary

Public

Two members of the public were in attendance.

4.0 DECLARATIONS OF INTEREST

Nil

5.0 PRESENTATIONS OR DEPUTATIONS

Nil

6.0 STATEMENTS BY MEMBERS OF THE PUBLIC ON AGENDA ITEM

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

7.0 QUESTIONS FROM MEMBERS OF THE PUBLIC

Nil

8.0 PETITIONS

Nil

9.0 CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held on 21 December 2021

Council Resolution/Officer Recommendation – Item 9.1(a) **OCM – 1/02/22**

MOVED Cr Wilding, Seconded Cr Ames, that the minutes of the Ordinary Council Meeting held on 21 December 2021, be received.
CARRIED UNANIMOUSLY 6/0

Council Resolution/Officer Recommendation – Item 9.1(b) **OCM – 2/02/22**

MOVED Cr MacWilliam, Seconded Cr Ames, that the minutes of the Ordinary Council Meeting held on 21 December 2021, be confirmed as a true record.

CARRIED UNANIMOUSLY 6/0

10.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

Nil

11.0 EXTERNAL COMMITTEE REPORTS/UPDATES

Item No. 11.1	Receipt of External Committee and Organisation Minutes
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
File Ref/ROC	INFM/INTPROP/1
Previous Council Reports (if applicable)	Not applicable
Directorate	Chief Executive
Authority/Discretion <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.

	Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment	Nil.

Purpose

The purpose of this report was for Council to note that no minutes from external Committees and organisations have been received.

Council Resolution/Officer Recommendation – Item 11.1 **OCM – 3/02/22**

MOVED Cr Wilding, Seconded Cr Carter, that Council notes that no documents from external Committees have been received within the reporting period.

CARRIED UNANIMOUSLY 6/0

12.0 **REPORTS**

12.1 **Adoption of Recommendations En Bloc**

It was agreed that items 12.2, 12.3, 12.4, 12.6 & 12.8 be removed from the en-bloc table and considered separately.

Council Resolution/Officer Recommendation – Item 12.1 **OCM – 4/02/22**

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

Item	Report
12.7	Sandy Beach Reserve Foreshore Restoration Plan
12.9	Adoption of Quarterly Report period ending 31 December 2021
12.11	General Meeting of Electors held on 9 February 2022
12.12	Monthly Financial Activity Statement - December 2021 and January 2022
12.13	Accounts Paid – December 2021 and January 2022
12.14	Use of Common Seal
12.15	Calendar for March 2022

CARRIED UNANIMOUSLY 6/0

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

Item	Report
12.2	Use Not Listed (Holiday House)
12.3	Review of Council Policy 4.2 – Art Acquisition & Management
12.4	Local Planning Policy No. 15 – Percent for Art Policy
12.5	Review of various Council Policies
12.6	Parking Designation – Bassendean Oval
12.8	Adoption of the Town of Bassendean Communications Policy and amendment of Council Protocols Policy and Repeal of Associated Policy
12.10	Mid-Year Budget Review - Annual Budget 2021/22

Item No. 12.2	Use Not Listed (Holiday House)
Property Address	13A (Lot 1) Gallagher Street, Eden Hill
Landowner/Applicant	Alyssia Strauss
Ref	DABC/BDVAPP/2021-147
Directorate	Community Planning
Authority/Discretion	<input type="checkbox"/> <input checked="" type="checkbox"/>
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input checked="" type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building permits, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment No. 2	A. Development Plans B. Management Plan C. Schedule of Submissions

Purpose

The purpose of this report was for Council to consider an application for development approval for a Use Not Listed (Holiday House) at 13A (Lot 1) Gallagher Street, Bassendean. The matter is being referred to Council for determination as it is outside the authority delegated to staff due to the nature of the application being a use that is not listed within the Zoning Table under Local Planning Scheme No. 10 (LPS 10).

Cr McLennan moved the officer recommendation with the addition of a Point 2 as shown in bold.

Council Resolution/Officer Recommendation – Item 12.2
OCM – 5/02/22

MOVED Cr McLennan, Seconded Cr Wilding, that Council:

1. Refuses the application for development approval of a Use Not Listed (Holiday House) at 13A (Lot 1) Gallagher Street, Eden Hill for the following reasons:
 - a) The proposed use is likely to result in an accumulation of adverse impacts at a scale that may detrimentally affect the amenity of the local area in a manner that would not reasonably be expected in an existing low-density, residential context; and
 - b) The applicant has failed to demonstrate how the use would be managed so as to ensure that there would not be an accumulation of adverse impacts at a scale that may detrimentally affect the amenity of the local area.

2. **Requests the CEO prepare a draft short-term accommodation local planning policy for Council to consider as part of the current review of the Local Planning Framework.**

CARRIED UNANIMOUSLY 6/0

Reason: The Town does not currently have a policy relating to short term accommodation. The development of such a policy will provide clarity to both decision makers and to property owners exploring the possibility of using their premises for this purpose.

Item No. 12.3	Review of Council Policy 4.2 – Art Acquisition & Management
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref	COMDEV/POLCY/1
Directorate	Community Planning
Authority/Discretion	<input type="checkbox"/> <input checked="" type="checkbox"/>
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.

<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building permits, applications for other permits/licences (eg under <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 3	A. Existing Council Policy 4.2 - Art Acquisition & Management B. Draft Council Policy – Art Acquisition, Management and Decommissioning

Purpose

The purpose of this report was for Council to consider amending Council Policy 4.2 – Art Acquisition & Management (CP 4.2).

Cr Hamilton moved the officer recommendation with amendments as shown in bold.

Council Resolution/Officer Recommendation – Item 12.3 **OCM – 6/02/22**

MOVED Cr Hamilton, Seconded Cr MacWilliam, that Council:

1. Amends existing Council Policy 4.2 - Art Acquisition & Management, as contained in Attachment 2B to this report, **subject to alterations/inclusions as attached being made;**
2. **Requests the CEO provide information within four months, via the Bulletin, outlining art proposed to be retained on an Art Collection Register, artworks proposed to be decommissioned, and potential options for any additional artworks to be housed with other organisations to allow them to be viewed by the public;**
3. **Reviews this policy biennially.**

CARRIED UNANIMOUSLY 6/0

Additional alterations/inclusions to Policy 4.2 as follows:

- 2.2 Regardless of the method of acquisition, **that any of** the following criteria will be used to determine the suitability of any art being considered for acquisition by the Town.
- 3.2 The collection is to be housed **such that priority is given to** venues owned or managed by the Town, giving priority to public areas over private offices. **Should the quantity of artwork be greater than is able to be appropriately displayed in venues owned or managed by the Town, arrangements may be made to allow the artworks to be housed in other venues, so long as it would allow them to be viewed by the public.**

4.2 Any removal is to be undertaken based on the following priority basis:

- **The Town may, at its absolute and sole discretion, remove any art from the collection for the purposes of selling, gifting, donating, storing, or otherwise disposing of the art, provided that the Town provides the relevant artist prior notice of its intentions.**
- **In providing the relevant artist prior notice of its intentions, the Town shall also provide the artist the opportunity to purchase the art at a price that could be realised if it was to be sold privately, or such other agreement reached with the artist that is acceptable to the Town.**

1. Definitions – Art: means a product, that involves creative or imaginative talent expressive of technical proficiency, beauty, emotional power, or conceptual ideas. For the purposes of this policy, it excludes **sporting memorabilia** as well as “public art”, which is typically comprised of artistic works created for, and located within, the public domain.

Item No. 12.4	Local Planning Policy No. 15 – Percent for Art Policy
Property Address	N/A
Landowner/Applicant	N/A
Ref	LUAP/POLCY/19
Directorate	Community Planning
Authority/Discretion	<input type="checkbox"/> <input checked="" type="checkbox"/>
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building permits, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment No. 4	A. Local Planning Policy No. 15 – Percent for Public Art B. Draft Local Planning Policy No. 15 – Public Art

Purpose

The purpose of this report was for Council to consider an amended Local Planning Policy No. 15 – Percent for Art Policy (LPP 15) and its future application.

Officer Recommendation – Item 12.4

That Council:

1. Pursuant to Schedule 2, Part 2, Clause 4(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, approves THE draft amended Local Planning Policy No. 15 – Public Art, as contained in the attachment to this report.
2. Suspends application of Local Planning Policy No. 15 – Public Art, until close of business, Friday 20 February 2026, with the policy to be applied from Monday 23 February 2026.

Cr Hamilton moved an alternative motion.

Council Resolution – Item 12.4 **OCM – 7/02/22**

MOVED Cr Hamilton, Seconded Cr McLennan, that Council:

1. Pursuant to Schedule 2, Part 2, Clause 4(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, approves THE draft amended Local Planning Policy No. 15 – Public Art;
2. **Requests an annual review of funds derived from the 1% Public Art Contributions with a view to incorporate potential projects into budget cycles;**
3. **Reviews this policy biennially.**
4. **Requests the CEO prepare a report to consider mechanisms/levers to incentivise development in the town centre.**

CARRIED UNANIMOUSLY 6/0

Reasons: In respect to deletion of dot-point 2 of the Officer Recommendation, it is worth noting that advertising of the Policy did not include a reference to potentially suspending application of Local Planning Policy No. 15 - Public Art for a period of 4 years. In the spirit of Community Consultation it may have been beneficial to advertise this in addition to the draft policy to gather informed feedback from our community. For over thirty years the State Government have applied a Percent for Art Scheme as part of a broad government strategy to stimulate greater use of art in the built environment. Many Local Governments, recognise and refer to the State Percent for Art Scheme as the “best practice” model. The Percent for Art Scheme has demonstrated benefits that contribute to the social, economic and cultural fabric of the State for the past 25 years. It contributes to making Western Australia a vibrant, engaging and culturally rich place to live and work.

The employment of Western Australian artists, has a flow on impact in other areas contributing to businesses such as materials suppliers, industry fabricators and other Specialists.

The overall benefits are too numerous to list here, however aesthetic enhancement of public buildings and places with public art enriches our local environment and our daily lives. It speaks to everything this council has articulated via strategic plans, and we should support the creation of public art in practical, positive ways. More importantly demonstrated enhancement of our public spaces beckons the development industry to an area on the cusp of transformation. We must collaborate and do more in our public spaces, not less, if we are to attract potential development.

Item No. 12.5	Review of various Council Policies
Property Address	N/A
Landowner/Applicant	N/A
File Ref/ROC	LUAP/POLCY/19
Previous Council Reports (if applicable)	N/A
Directorate	Community Planning
Authority/Discretion <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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Attachment No. 5	A. Council Policy 5.1 – Town of Bassendean Volunteer Policy B. Council Policy 5.18 - Food Safe / Catering C. Council Policy 5.19 - Alcohol and Other Drugs D. Council Policy 5.20 - Sun Protection Policy E. Council Policy 5.21 – Mental Health

Purpose

The purpose of this report was for Council to consider the revocation of the following Council Policies:

- Council Policy 5.1 - Town of Bassendean Volunteer Policy (CP 5.1)
- Council Policy 5.18 - Food Safe / Catering (CP 5.18)
- Council Policy 5.19 - Alcohol and Other Drugs (CP 5.19)
- Council Policy 5.20 - Sun Protection Policy (CP 5.20)
- Council Policy 5.21 - Mental Health (CP 5.21)

Council Resolution/Officer Recommendation – Item 12.5

OCM – 8/02/22

MOVED Cr McLennan, Seconded Cr Wilding, that Council, pursuant to the *Local Government Act 1995*, revokes the following Council Policies:

- Council Policy 5.1 – Town of Bassendean Volunteer Policy;
- Council Policy 5.18 - Food Safe / Catering;
- Council Policy 5.19 - Alcohol and Other Drugs;
- Council Policy 5.20 - Sun Protection Policy; and
- Council Policy 5.21 – Mental Health.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item No. 12.6	Parking Designation – Bassendean Oval
Property Address	West Road, Bassendean
Landowner/Applicant	Crown (Management order to Town of Bassendean)
Ref	LAWE/REPRTNG/3
Directorate	Community Planning
Authority/Discretion	<input type="checkbox"/> <input checked="" type="checkbox"/>
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building permits, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment	Nil.

Purpose

The purpose of this report was for Council to consider designating a car parking bay(s) at Bassendean Oval for specific classes of persons.

Officer Recommendation – Item 12.6

That Council does not proceed to designate at least one car parking bay within the Bassendean Oval parking area (in the north-eastern corner of the Reserve) as a bay for the specific use of parents with prams and/or pregnant people.

Cr Wilding moved the officer recommendation with the addition of a Point 2 as shown in bold.

Council Resolution/Officer Recommendation – Item 12.6 **OCM – 9/02/22**

MOVED Cr Wilding, Seconded Cr McLennan, that Council:

1. Does not proceed to designate at least one car parking bay within the Bassendean Oval parking area (in the north-eastern corner of the Reserve) as a bay for the specific use of parents with prams and/or pregnant people; and
2. **Acknowledges that, as part of the preparation of a Precinct Structure Plan for the Bassendean Town Centre, there may be opportunities to provide bespoke car parking controls so as to ensure that the precinct is highly accessible and inclusive.**

CARRIED UNANIMOUSLY 6/0

Reason: While it is understood that the location proposed in the report is not necessarily suitable in this instance, this design principle may be useful in developing future precinct plans and should be considered where appropriate.

Item No. 12.7	Sandy Beach Reserve Foreshore Restoration Plan
Property Address (if applicable)	201 West Road & 3093 Loc West Road, Bassendean (Assess No. A5441 & A45989)
Landowner/Applicant (if applicable)	N/A
Ref	ENVM/TENDNG/9
Directorate	Environment and Sustainability
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.

	Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment	Nil

Purpose

The purpose of this report was for Council to consider allocation of \$39,720 (GST exclusive) funding in the 2022/23 draft annual budget, to enable engagement of a consultant to develop a Foreshore Restoration Plan for Sandy Beach Reserve.

Council Resolution/Officer Recommendation – Item 12.7 **OCM – 10/02/22**

MOVED Cr McLennan, Seconded Cr Wilding, that Council considers allocating \$39,720 municipal funding as part of the 2022/23 draft budget process for development of the Sandy Beach Reserve Foreshore Restoration Plan, in addition to the \$30,640 grant funding allocated in the 2021/22 annual budget.

Year	Cost (Ex GST)	Comments
2021/22	30,640	Riverbank Grant
2022/23	39,720	Council Contribution
Total	70,360	

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/02/22 6/0

Item No. 12.8	Adoption of the Town of Bassendean Communications Policy and Amendment of Council Protocols Policy and Repeal of Associated Policy
Property Address (if applicable)	NA
Landowner/Applicant (if applicable)	NA
Ref	GOVN/CCLMEET/1
Directorate	Chief Executive
Authority/Discretion	<input type="checkbox"/> <input checked="" type="checkbox"/>
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes & policies.
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	Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment No. 6	A. Draft Communications Policy B. Communication between Elected Members and Administration Policy C. Council Protocols Policy

Purpose

The purpose of this report was for Council to consider –

1. The draft Communications Policy;
2. Proposed amendments to the Town of Bassendean’s Council Protocols Policy; and
3. Repeal of the Communication between the Elected Members and Administration Policy.

Council Resolution/Officer Recommendation – Item 12.8 **OCM – 11/02/22**

MOVED Cr Hamilton, Seconded Cr McLennan, that Council:

1. Adopts the draft Town of Bassendean Communications Policy, with the following amendment:

Clause 2.1 be amended to read as follows –

”The Mayor is the official spokesperson on the Town’s affairs. If the Mayor is unavailable, the Mayor may authorise the CEO or the Deputy Mayor to act on his or her behalf”;

2. Revokes the Communication between the Elected Members and Administration Policy; and
3. Amends the Council Protocols Policy by deleting the following paragraph –

“Media Releases and Comments on behalf of Council

The Local Government Act 1995 places responsibility for speaking on behalf of Council with the Mayor, or the Chief Executive Officer if the Mayor agrees.

The Mayor, or the Chief Executive Officer if the Mayor agrees, may respond to questions from journalists but media releases should only be issued with the prior approval of the Mayor or the Chief Executive Officer. If the Chief Executive Officer is authorised to speak on behalf of the Town by the Mayor, the Chief Executive Officer may on-delegate this power to other staff members as required by the situation.

The Presiding Member and members of Council committees are to refrain from speaking publicly on behalf of the committee or Council, or to issue any form of written material purporting to speak on behalf of the committee or Council without the prior approval of the Mayor.”

CARRIED UNANIMOUSLY 6/0

Item No. 12.9	Adoption of Quarterly Report period ending 31 December 2021
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref/ROC	
Previous Council Reports (if applicable)	
Directorate	Chief Executive
Authority/Discretion <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
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Attachment No. 7	Quarterly Report – period ending 31 December 2021, including Outstanding Council Resolutions for Deletion

Purpose

The purpose of this report was for Council to receive the Quarterly Report for the period ending 31 December 2021.

Council Resolution/Officer Recommendation – Item 12.9 **OCM – 12/02/22**

MOVED Cr McLennan, Seconded Cr Wilding, that Council –

1. Receives the Quarterly Report for the quarter ending 31 December 2021; and
2. Deletes the Outstanding Council Resolutions attached to the Quarterly Report for the period ending 31 December 2021, that are marked for deletion.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/02/22 6/0

Item No. 12.10	Mid-Year Budget Review - Annual Budget 2021/22
Property Address (if applicable)	
Landowner/Applicant (if applicable)	
File Ref/ROC	
Previous Council Reports (if applicable)	
Directorate	Corporate Services
Authority/Discretion <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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Attachment No. 8	Mid-Year Budget Review, consisting of: <ul style="list-style-type: none"> ▪ Rate Setting Statement ▪ Capital Projects – Proposed Budget Amendments ▪ Operating Projects – Proposed Budget Amendments

Purpose

The purpose of this report was to present the Mid-Year review to the Annual Budget 2021/22 for adoption (the Statutory Budget Review).

Council Resolution/Officer Recommendation – Item 12.10 **OCM – 13/02/22**

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

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item No. 12.11	General Meeting of Electors held on 9 February 2022
Property Address (if applicable)	NA
Landowner/Applicant (if applicable)	NA
Ref	GOVN/CCLMEET/1
Directorate	Chief Executive
Authority/Discretion	<input type="checkbox"/> <input checked="" type="checkbox"/>
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment No. 9	Minutes of the General Meeting of Electors - 9 February 2022

Purpose

The purpose of this report was for Council to consider the motions that were passed at the General Meeting of Electors (GME) held on 9 February 2022.

Motion 1

MOVED Don Yates, Seconded Mike Reindl, that the Town of Bassendean facilitates either a community census or accepts by May 2022, that the Town of Bassendean adopts the reorganisation of the administration to be led by a popular elected mayor by a majority of the voting Town of Bassendean community, and such a selection election is aligned with the normal local government councillor elections and procedures, usually held every two years.

Officer Recommendation That the Council notes motion 1 carried at the General Meeting of Electors held on 9 February 2022 and resolves not to change the method of voting of the Mayor from election by Council to election by electors at this time.

Motion 2

MOVED Don Yates, Seconded Michael Grogan, that the Town of Bassendean facilitates a competition to seek out practical and rewarding ways that the north and south communities of the Town, in general historically divided by the heritage Midland rail line, are brought together socially and economically, and such a competition is conducted regularly as part of the Town's annual budget finalisations.

Council Resolution/Officer Recommendation – Item 12.11
OCM – 14/02/22

MOVED Cr McLennan, Seconded Cr Wilding, that Council:

1. Receives the minutes of the General Meeting of Electors held on 9 February 2022;
2. Notes Motions 1 and 2 of the General Meeting of Electors held on 9 February 2022;
3. Resolves not to change the method of voting of the Mayor from election by Council to election by electors at this time; and
4. Resolves not to support motion 2 of the GME at this time.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/02/22 6/0

Item No. 12.12	Monthly Financial Activity Statement - December 2021 and January 2022
File Ref/ROC	FINM/AUD/1
Directorate	Corporate Services
Authority/Discretion <input checked="" type="checkbox"/> <input type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that otherwise be appealable to the State Administrative Tribunal.

Attachment No. 10	A. Monthly Financial Activity Statement - December 2021 B. Monthly Financial Activity Statement - January 2022
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Purpose

The purpose of this report was for Council to receive the monthly financial activity statement (FAS) report for December 2021 and January 2022.

Council Resolution/Officer Recommendation – Item 12.12 **OCM – 15/02/22**

MOVED Cr McLennan, Seconded Cr Wilding, that Council notes the comments on the variances and receives the monthly financial report for December 2021 and January 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/02/22 6/0

Item No. 12.13	Accounts Paid – December 2021 and January 2022
File Ref/ROC	FINM/CREDTS/4
Directorate	Corporate Services
Authority/Discretion <input checked="" type="checkbox"/> <input type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 11	A. List of Payments – December 2021 B. List of Payments - January 2022

Purpose

The purpose of this report was for Council to receive the list of payments for December 2021 and January 2022.

Council Resolution/Officer Recommendation – Item 12.13
OCM – 16/02/22

MOVED Cr McLennan, Seconded Cr Wilding, that Council receive the list of payments for December 2021 and January 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/02/22 6/0

Item No. 12.14	Use of Common Seal
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
File Ref/ROC	INFM/INTPROP/1
Previous Council Reports (if applicable)	Not applicable
Directorate	Chief Executive
Authority/Discretion <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
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Attachment	Nil

Purpose

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

Council Resolution/Officer Recommendation – Item 12.14
OCM – 17/02/22

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

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/02/22 6/0

Item No. 12.15	Calendar for March 2022
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
File Ref/ROC	INFM/INTPROP/1
Previous Council Reports (if applicable)	
Directorate	Chief Executive
Authority/Discretion <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
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Attachment	Nil

Purpose

The purpose of this report was for Council to consider the calendar for March 2022.

Council Resolution/Officer Recommendation – Item 12.15 **OCM – 18/02/22**

MOVED Cr McLennan, Seconded Cr Wilding, that Council adopt the calendar for March 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-4/02/22 6/0

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil

15.0 URGENT BUSINESS

Nil

16.0 CONFIDENTIAL BUSINESS

Nil

17.0 CLOSURE

The next Briefing Session will be held on Tuesday 15 March 2022, commencing at 6pm, by electronic means. The next Ordinary Council Meeting will be held on Tuesday 22 March 2022, commencing at 6pm, by electronic means.

There being no further business, the Presiding Member declared the meeting closed, the time being 6.40pm.