

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

HELD BY ELECTRONIC MEANS IN ACCORDANCE WITH REGULATION 12(2) AND 14(D)
OF THE LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996

ON TUESDAY 26 APRIL 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.

Council Resolution – Item 1.0 OCM – 1/04/22

MOVED Cr Ames, Seconded Cr Wilding, that Council suspend the operation of clauses 6.9, 6.12, 6.17, 7.1 and 7.2 and modify the operation of clauses 6.1, 6.6, 6.7, 6.10 and 6.11 of the Town of Bassendean Meeting Procedures Local Law 2020 for the duration of this electronic meeting and that these matters be determined at the discretion of the Presiding Member.

CARRIED UNANIMOUSLY 6/0

2.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

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 Paul Poliwka
Cr Tallan Ames

Officers

Ms Peta Mabbs, Chief Executive Officer
Mr Luke Gibson, Director Community Planning
Mr Phil Adams, Exec Manager Infrastructure
Ms Nicole Davey, Exec Manager Sustainability & Environment
Ms Elizabeth Kania, Manager Governance & Strategy
Ms Kathleen Stewart, Manager Organisational Development & Human Resources
Mrs Amy Holmes, Minute Secretary

Public

Two members of the public were in attendance.

Apologies

Cr Jennie Carter, Leave of Absence
Mr Paul White, Director Corporate Services

Leave of Absence

Council Resolution – Item 3.0(a) **OCM – 2/04/22**

MOVED Cr Wilding, Seconded Cr MacWilliam, that Cr Carter be granted a leave of absence for tonight's meeting.

CARRIED UNANIMOUSLY 6/0

Council Resolution – Item 3.0(b)
OCM – 3/04/22

MOVED Cr Wilding, Seconded Cr Hamilton, that Cr Ames be granted a leave of absence for 2-5 May 2022.

CARRIED UNANIMOUSLY 6/0

4.0 DECLARATIONS OF INTEREST

The CEO declared an Impartiality Interest for Item 16.1 - CEO Annual Performance Review Facilitation, as the appointment of the facilitator is for the purposes of facilitating an assessment of the CEO's annual performance in accordance with the LG Act and Regulations.

5.0 PRESENTATIONS OR DEPUTATIONS

Mr Greg Da Rui addressed Council on Item 12.5 - Draft Public Open Space Strategy.

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

Ms Val Humphrey, 127a Whitfield St, Bassendean

Please can you provide an update on the impact of the required access to residential blocks with egress onto the north boundary of Bindaring Park (Harcourt St east). What will be the impact of the road widening on existing trees; the powerline – can the Town request bundling or underground power; the adjacent living stream landscape.

The Director Community Planning responded that No. 15 and No. 17 Devon Road abutting this portion of Harcourt Street are the remaining lots to be subdivided along this portion of Harcourt Street. Subdivision approval has been granted by the Western Australian Planning Commission for both lots, and the applicants are in the process of either fulfilling the conditions of approval or obtaining subdivision clearance. In respect to No. 17 Devon Road, extension of this portion of Harcourt Street is required to ensure road frontage is provided to the lot. The Town is currently undertaking the assessment of the engineering drawings for the road submitted by the applicant. Whilst the design is yet to be endorsed, the proposed pavement ties in with existing pavement levels as to avoid the requirement to remove trees. Given the road effectively extends where the existing hardstand is located, the living stream will not be required to be modified.

The powerlines are part of Western Power's network and it would be responsible for the works and funding. The powerlines will eventually be undergrounded as part of Western Power's underground power projects, but there are no plans for this to occur in this location at this time.

Please can we have an explanation for the status of the remaining urban lot at the rear of No.12 Watson St and the current status of 27L, 29 and Lot 211 Hyland St.

The Director Community Planning responded and advised as follows:

27L: No.27 Hyland Street is owned by the Town, and the Town will be seeking to demolish the existing dwelling and have the land reserved as Public Open Space.

29 Hyland Street: The Town is seeking to acquire the reserved portion of the site as part of Town Planning Scheme 4A and has recently received valuations for the potential acquisition of this land.

Lot 211 Hyland Street: The Town is seeking to acquire the whole site as part of Town Planning Scheme 4A and has recently received valuations for the potential acquisition of this land.

Please can you explain why the reserve status of portions of roads through the park – sections of Hyland St and Anstey and Carnegie Rds - are not shown on Strategy Map B, nor on any online maps.

The portions of Hyland Street, Anstey and Harcourt Streets that are reserved as Parks and Recreation under Local Planning No. 10 are shown as such on the Town's Intramaps system.

Strategy Map B reflects those portions of road reserve that are currently being used for road purposes, consistent with the draft Local Planning Scheme No. 11 that was considered by Council in November 2020.

Ms Monica Jane, U5, 21 Lord St, Bassendean

I've been very disappointed to find that some Council staff are not prepared to support the vision for Lord Street, as adopted by the Council, are dismissive of residents' concerns, and seem to think the MRWA plans will be carried out as a foregone conclusion. Please let me know why these staff members feel at liberty to defy Council adopted vision/plans.

The Executive Manager Infrastructure advised that the Town has advocated strongly Council's position to the Department of Planning, Lands & Heritage and Main Roads WA. Main Roads WA does not support maintaining Lord Street as a single lane each way due to the forecast traffic volumes in these locations. These roads are categorised as important distributor roads and are therefore required to be dual carriageways.

Mr Samuel James, 12 Mary Crescent, Eden Hill

Under a high emissions scenario, Perth is expected to become 2.9 - 4.0 °C warmer by 2090(1. pg10). Why then will the Council not consider adding a footpath to this area, with protective street trees to encourage alternate forms of transport into the town centre. This area will become unwalkable in the peak of summer under a high emissions scenario.

The Executive Manager Infrastructure responded that the Town is happy to install paths and trees at this location.

Studies show that that adding more lanes increases traffic, a concept called induced demand (1. p1). Why are Councillors supporting Main Road's plan to widen Lord Street, which will be detrimental to the residents of the Town of Bassendean (pollution, traffic, unwalkable town) - isn't there a Council adopted Transport Plan that prioritises the community and its residents over cars.

The Executive Manager Infrastructure advised that there is a Town of Bassendean Transport Plan endorsed by Council that advocates for many priorities. Since that plan was prepared, the DPLH and MRWA have both reinforced a lack of support for Council's plan to maintain a single lane carriageway.

8.0 PETITIONS

Nil

9.0 CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held on 22 March 2022

Council Resolution/Officer Recommendation – Item 9.1(a) **OCM – 4/04/22**

MOVED Cr McLennan, Seconded Cr Ames, that the minutes of the Ordinary Council Meeting held on 22 March 2022, be received.

CARRIED UNANIMOUSLY 6/0

Council Resolution/Officer Recommendation – Item 9.1(b) **OCM – 5/04/22**

MOVED Cr McLennan, Seconded Cr Ames, that the minutes of the Ordinary Council Meeting held on 22 March 2022, 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 No. 2	EMRC Ordinary Meeting Unconfirmed Minutes 24 March 2022

Purpose

The purpose of this report was for Council to consider minutes from external Committees and organisations.

Council Resolution/Officer Recommendation – Item 11.1 **OCM – 6/04/22**

MOVED Cr MacWilliam, Seconded Cr Wilding, that Council notes the attached document from the external Committee meeting held within the reporting period.

CARRIED UNANIMOUSLY 6/0

12.0 REPORTS

12.1 Adoption of Recommendations En Bloc

It was agreed that items 12.3, 12.4 and 12.5 be removed from the en-bloc table and considered separately.

Council Resolution/Officer Recommendation – Item 12.1 **OCM – 7/04/22**

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

Item	Report
12.2	Proposed Storage Building - 77 (Lot 2) West Road, Bassendean
12.8	Bassendean Local Emergency Management Committee Meetings held on 11 August 2021, 3 November 2021 and 2 March 2022
12.9	Accounts Paid – March 2022
12.10	Monthly Financial Report – March 2022
12.11	Use of Common Seal
12.12	Calendar for May 2022

CARRIED UNANIMOUSLY 6/0

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

Item	Report
12.3	Proposed Outbuilding – 3A (Lot 204, Strata Lot 1) Lukin Way, Bassendean
12.4	Road Closure – Portions of Extension Road and West Road, Bassendean
12.5	Draft Public Open Space Strategy
12.6	Review of Council Policies
12.7	RFT 01/2022 Provision of Street Sweeping Services
13.1	Notice of Motion – Cr McLennan: Trees
13.2	Notice of Motion – Cr Wilding: Youth Engagement Projects
16.1	CEO Annual Performance Review Facilitation

Item No. 12.2	Proposed Storage Building
Property Address	77 (Lot 2) West Road, Bassendean
Landowner/Applicant	Carmelo Di Leo, Francesco Antonio Di Leo and Rosaria Foti Cuzzola
Ref	2022-022
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.
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<input type="checkbox"/> Information	For the Council/Committee to note.
Attachment No. 3	Development Plans

Purpose

The purpose of this report was for Council to consider an application for development approval for a Storage Building at 77 (Lot 2) West Road, Bassendean. The matter is referred to Council for determination as the site is subject to an Additional Use (Shop) under Schedule 2 of Local Planning Scheme No.10 (LPS 10), and the condition of the Additional Use is “as determined by Council”.

Council Resolution/Officer Recommendation – Item 12.2 **OCM – 8/04/22**

MOVED Cr Wilding, Seconded Cr Ames, that Council approve the application for development approval for the proposed Storage Building at 77 (Lot 2) West Road, Bassendean subject to the following conditions:

1. All building works to be carried out under this development approval, including footings, are required to be contained within the boundaries of the subject lot; and
2. Prior to application for a Building Permit, stormwater disposal plans, details and calculations must be submitted, approved, and thereafter implemented, constructed, and maintained to the satisfaction of the Town of Bassendean.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/04/22 6/0

Item No. 12.3	Proposed Outbuilding – 3A (Lot 204, Strata Lot 1) Lukin Way, Bassendean
Property Address	3A (Lot 204) Lukin Way, Bassendean
Landowner/Applicant	Landowner: Dean Anstey Applicant: Shed Rite
Ref	DABC/BDVAPP/2022-019
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. 4	Development Plans Objection to Proposal
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Purpose

The purpose of this report was for Council to consider an application for development approval for a proposed Outbuilding at 3A (Lot 204, Strata Lot 1) Lukin Way, Bassendean. The matter is referred to Council for determination as it is outside the authority delegated to staff due to an objection on being received during the consultation period.

Council Resolution/Officer Recommendation – Item 12.3

OCM – 9/04/22

MOVED Cr McLennan, Seconded Cr Ames, that Council approves the application for development approval for an Outbuilding at 3A (Lot 204, Strata Lot 1) Lukin Way, Bassendean subject to the following conditions:

1. All building works to be carried out under this development approval, including footings, are required to be contained within the boundaries of the subject lot;
2. All stormwater being contained on site. Details of the method of stormwater disposal being submitted for approval in conjunction with the application for a Building Permit; and
3. The Outbuilding shall only be used for domestic purposes associated with the property and not be used for commercial purposes or human habitation.

CARRIED UNANIMOUSLY 6/0

Item No. 12.4	Road Closure – Portions of Extension Road and West Road, Bassendean
Property Address (if applicable)	Extension Road and a portion of West Road adjacent Bassendean Shopping Centre
Landowner/Applicant (if applicable)	State of Western Australia
File Ref	ROAD/RDCLRS/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 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, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 5	A. Road Closure Sketch Plan B. Submission

Purpose

The purpose of this report was for Council to consider the closure of portions of Extension Road and West Road, Bassendean.

Officer Recommendation – Item 12.4

That Council authorises a request being made to the Minister for Lands pursuant to Section 58 of the *Land Administration Act 1997* for the permanent closure of portions of Extension Road and West Road road reserves as identified by hatching on the Location Plan attached to this report, to enable the land to be amalgamated into Lot 2 West Road, Bassendean (Bassendean Shopping Centre).

Cr Hamilton moved an Alternative Motion.

Council Resolution/Officer Recommendation – Item 12.4 **OCM – 10/04/22**

MOVED Cr Hamilton, Seconded Cr Poliwka, that Council:

- 1 Does not authorise the Administration to make a request to the Minister for Lands pursuant to Section 58 of the Land Administration Act 1997 for permanent closure of portions of Extension Road and West Road road reserves as identified by hatching on the Location Plan attached to this report;
2. Advises that it is prepared to consider a license arrangement with the property owner of Lot 2 West Road for the ongoing use and maintenance of Extension Road and West Road road reserves as identified by hatching on the Location Plan attached to this report, where such arrangement is subject to review every five years;
3. Requests the CEO appraise councillors of the outcome of any negotiations via the Bulletin within the next twelve months.

CARRIED UNANIMOUSLY 6/0

Reasons: To look at alternative ways where the ongoing parking usage of Extension Road and West Road road reserves as identified by hatching on the Location Plan attached to this report may be dealt with. If an exclusive Licence Agreement is not formed between the landowner of Lot 2 West Road and the Town, it is likely that parking will continue to be made available to the public under the ongoing management of that area by the Town. This compliments the Town Centre Masterplan where that particular area, inclusive of the western side of the Bassendean Oval, has been identified for development intensification all of which necessitates the ongoing provision of public parking.

Item No. 12.5	Draft Public Open Space Strategy
Property Address	N/A
Landowner/Applicant	N/A
File Ref	PARE/POLICY/1 – POLICY – PUBLIC OPEN SPACES
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 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. 6	Draft Public Open Space Strategy

Purpose

The purpose of this report was for Council to consider a draft Public Open Space (POS) Strategy, for the purposes of advertising.

Officer Recommendation – Item 12.5

That Council adopts the draft Public Open Space Strategy, as attached to this report, for the purposes of advertising.

Cr Hamilton moved an Alternative Motion.

Council Resolution/Officer Recommendation – Item 12.5

OCM – 11/04/22

MOVED Cr Hamilton, Seconded Cr MacWilliam, that this item be deferred for consideration at a Councillor workshop.

CARRIED UNANIMOUSLY 6/0

Item No. 12.6	Review of Council Policies
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.
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Attachment No. 7	A. Current Council Policy– Banner Poles B. Draft amended Council Policy – Alfresco Dining and Public Trading (including proposed modifications as tracked)

Purpose

The purpose of this report was for Council to consider amending Council Policy – Alfresco Dining and Public Trading and revoking Council Policy 4.5 – Banner Poles (CP 4.5).

Cr McLennan moved the officer recommendation with a minor amendment as shown in bold.

Council Resolution/Officer Recommendation – Item 12.6 **OCM – 12/04/22**

MOVED Cr McLennan, Seconded Cr Hamilton, that Council:

1. Amends existing Council Policy – Alfresco Dining and Public Trading, as contained as an attachment **and that the policy is reviewed every two years;**
2. Revokes Council Policy – Banner Poles.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item No. 12.7	RFT 01/2022 Provision of Street Sweeping Services
File Ref/ROC	(ROAD/TENDNG/50)
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 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.
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Confidential Attachment No. 1	Tender Evaluation Report

Purpose

The purpose of this report was to present to Council a summary of tenders received for RFT 01/2022 Provision of Street Sweeping Services for the Town of Bassendean and recommend appointment of the contractor considered to provide the best value for money to the Town.

Council Resolution/Officer Recommendation – Item 12.7 **OCM – 13/04/22**

MOVED Cr MacWilliam, Seconded Cr Ames, that Council appoints Enviropath Pty Ltd to provide Street Sweeping Services for the Town of Bassendean, as specified in Tender 01/2022, for a period of three (3) years with a further option to extend the Term of the Contract by one (1) year, plus a further option of one (1) year, to commence upon Council Approval and Letter of Award.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item No. 12.8	Bassendean Local Emergency Management Committee Meetings held on 11 August 2021, 3 November 2021 and 2 March 2022
Property Address (if applicable)	NA
Landowner/Applicant (if applicable)	NA
File Ref/ROC	GOVN/CCLMEET/12
Previous Council Reports (if applicable)	Nil.
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.
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Attachment No. 8	Bassendean Local Emergency Management Committee Minutes - 11 August 2021, 3 November 2021 and 2 March 2022

Purpose

The purpose of this report was for Council to receive the minutes of the Bassendean Local Emergency Management Committee meetings held on 11 August 2021, 3 November 2021 and 2 March 2022.

Council Resolution/Officer Recommendation – Item 12.8 **OCM – 14/04/22**

MOVED Cr Wilding, Seconded Cr Ames, that Council receives the Bassendean Local Emergency Management Committee minutes of 11 August and 3 November 2021 and 2 March 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/04/22 6/0

Item No. 12.9	Accounts Paid – March 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.
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Attachment No. 9	List of Payments for March 2022

Purpose

The purpose of this report was for Council to receive the list of payments for March 2022.

Council Resolution/Officer Recommendation – Item 12.9 **OCM – 15/04/22**

MOVED Cr Wilding, Seconded Cr Ames, that Council receive the list of payments for March 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/04/22 6/0

Item No. 12.10	Monthly Financial Report – March 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.
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<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 licenses, applications for other permits/licenses (eg under <i>Health Act, Dog Act</i> or Local Laws) and other decisions that October be appealable to the State Administrative Tribunal.
Attachment No. 10	Monthly Financial Report for March 2022

Purpose

The purpose of this report was for Council to receive the Monthly Financial Report for March 2022 which incorporates the Statement of Financial Activity as legislatively required.

Council Resolution/Officer Recommendation – Item 12.10 **OCM – 16/04/22**

MOVED Cr Wilding, Seconded Cr Ames, that Council:

1. Notes the Explanation of Material Variances in the Statement of Financial Activity; and
2. Receives the Monthly Financial Report for the period ending 31 March 2022, which incorporates the Statement of Financial Activity for the period to March 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/04/22 6/0

Item No. 12.11	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.

<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, 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 the documents affixed with the Common Seal during the reporting period.

Council Resolution/Officer Recommendation – Item 12.11 **OCM – 17/04/22**

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

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/04/22 6/0

Item No. 12.12	Calendar for May 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.
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Attachment	Nil

Purpose

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

Council Resolution/Officer Recommendation – Item 12.12 **OCM – 18/04/22**

MOVED Cr Wilding, Seconded Cr Ames, that Council adopt the calendar for May 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/04/22 6/0

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13.1 Notice of Motion – Cr McLennan: Trees

Council Resolution/Officer Recommendation – Item 13.1 **OCM – 19/04/22**

MOVED Cr McLennan, Seconded Cr Poliwka, that Council requests the CEO:

1. Develop a plan for approval by Council to implement Option 1 (*replace poor performing Triadica Sebiferas*) & Option 2 (*increase planting in available spaces*) identified in the Arbor Carbon Old Perth Road Street Tree Audit (J19384 – 29 May 2019) utilising suitable fast growing, large crown species identified in Section 5.1 of the report and including the installation of structural cells and permeable paving to provide sufficient soil volume where necessary as part of the 2023 tree planting program;
2. Await the results of the upcoming community engagement associated with the “Power to the People” pilot and the development of any subsequent concept plan prior to any further planting occurring on Old Perth Road between Guildford Road and Wilson Street;
3. Develop basic plans for approval by Council and associated budget estimates for consideration in the 2022/23 budget for the provision of a realigned footpath aligned where practicable along the property boundaries on the west side of Lord Street between Railway Parade and Walter Road East, and the planting of an avenue of shade trees (utilising suitable fast growing, large crown, preferably non deciduous species identified in Section 5.1 of the Arbor Carbon report) preferably between the path and the road for implementation as part of the 2023 tree planting program;

4. Prioritise the planting of shade trees where space allows along the eastern side of Lord Street and the western section north of Walter Road East upon completion of the undergrounding of existing power lines in this section of road; and
5. Review the tree plantings installed as part of the Whitfield Safe Active Street and identify any ornamental tree species that could be transplanted elsewhere and replaced with larger shade trees that will provide canopy to the street at maturity and include the street for additional verge planting in the 2023 planting season.

CARRIED UNANIMOUSLY 6/0

Reasons: This Notice of Motion is in alignment with the Town's adopted priorities, strategies and plans. The Town's vision, describes who we want to be as "a proactive local government that makes brave decisions and enables positive change." When looking at our Strategic Community Plan one of the priority areas is: "Providing visionary leadership and making great decisions". Some of the strategies identified by our community in the SCP include:

- (i) the creation of a more green and shaded Town; and*
- (ii) Improving walkability and cycle-ability, including through infrastructure improvements.*

At the October 2018 OCM, Council unanimously supported a notice of motion recognising that many of the existing street trees on Old Perth Road do not provide significant shading or amenity to the Town's main street and requesting an audit of the existing trees to identify opportunities for increasing canopy. The result was the May 2019 Arbor Carbon report which was included as Attachment 11 to the agenda. This report provides clear expert guidance for opportunities to green the Town centre. Over three years have passed since this report was commissioned but none of the strategies outlined in the report have yet been implemented. Given the length of time that trees take to reach maturity and provide significant canopy and amenity, prioritising the planting of large shade trees in our Town centre now is important for delivering an attractive Town centre in the years to come.

This motion is in alignment with Council's already adopted position for Lord Street. At the August 2018 OCM Council unanimously endorsed its official position on Lord Street and its intentions to convert Lord Street south of Morley Drive to a tree lined boulevard with median division, remaining single carriage with turning pockets where identified necessary. However, to date no funds have been allocated to progress this outcome.

Council has since adopted our Local Integrated Transport Plan that provides guidance for the future of our transport network. This plan was the result of extensive consultation with the community and includes RN9 which supports an alternative design concept (boulevard with central median) for Lord Street south of Morley Drive. Lord Street is a key connector between the north and south of our Town and ensuring that this is a safe, shaded and pedestrian friendly route is a key outcome for active transport linkages in our Town.

It is acknowledged that there is misalignment of the motion with state government design intentions for Lord Street and that MRWA has planned the road reservation for Lord Street to accommodate a dual lane carriageway road since the 1970s. However this is in conflict with our community's vision for this key connecting street and is therefore where there is a need for Council to make bold decisions. The need for widening the road due to traffic volumes is a backward approach that is out of touch with the modern thinking. Council's role is to advocate for and progress the outcomes our community have identified, not those of a state government department that has an outdated approach and is misaligned to our priorities. Designing streets to funnel more cars through our Town is not what we should be aiming for.

Regarding plantings on Whitfield Street, there has been significant investment in this street to promote active transport, however the current plantings will not deliver the desired outcomes of a cool, shaded street.

There is an apt saying that the best time to plant a tree is 20 years ago... the next best time is now.

13.2 Notice of Motion – Cr Wilding: Youth Engagement Projects

Council Resolution/Officer Recommendation – Item 13.1 **OCM – 20/04/22**

MOVED Cr Wilding, Seconded Cr MacWilliam, that Council:

1. Requests the CEO develop a project proposal for the provision of youth engagement projects in Ashfield, for implementation in the latter half of the 2022-2023 financial year;
2. Receives this proposal by December 2022; and
3. Allocates \$10,000 for the development and implementation of this proposal in the draft 2022-2023 budget”.

CARRIED UNANIMOUSLY 6/0

Reasons: The Town of Bassendean currently delivers youth services in the suburb of Bassendean, but these services are only offered in one location. Whilst the district is relatively small in comparison to its surrounds, overcoming the distance between its outer suburbs and existing services can still be a challenge, particularly for young people with limited transport options.

In many other local governments, centre-based youth services have been supplemented with outreach programs intended to reach young people who would not typically take the first step in engaging with supports. These projects often utilise existing community organisations or sporting clubs, creating opportunities for connection between young people and their broader community. While Ashfield is not remarkable with regards to crime, the higher than average level of social housing likely indicates that may be needs that are not currently being met. An engagement project does not need to be extensive, and could be as limited as a few hours once a week. Such an activity would provide an indication of what the current needs are in the Ashfield area, and allow for more comprehensive planning decisions in the future. We should seek to understand the communities we serve, and this proposal is one small part of that.

This proposal is not intended to solve crime in the area. Young people are a cohort who deserve resources and support by virtue of being a part of our community, and building more connections between young people, support services, and the broader community can only benefit the Town as a whole.

14.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Cr Hamilton - Signage

That Council:

1. Requests that a signage board be installed in the first half of the 2022/23 financial year, in a high foot traffic area at each of the following sites: Sandy Beach Reserve; Jubilee Reserve; Mary Crescent Reserve; and Ashfield Reserve; and
2. Requests that the CEO causes to have made two reusable portable signage boards that can be utilised in different locations as required.

Cr Hamilton – Project Updates

That:

1. Council requests the CEO provide Project updates in each financial year in simple spreadsheet format, inclusive of columns identifying completed projects and identifying potential carry forward dollar amounts; and
2. These updates for all budget approved Operational and Capital projects be provided annually per the following schedule: Project updates up to and including January to be provided in the first week of February prior to the mid-year budget review; Project updates up to and including May to be provided in the first week of June prior to consideration of the annual budget.

15.0 URGENT BUSINESS

Nil

16.0 CONFIDENTIAL BUSINESS

Council Resolution – Item 16.0(a) **OCM – 21/04/22**

MOVED Cr Wilding, Seconded Cr Ames, that the meeting go behind closed doors in accordance with Section 5.23 of the Local Government Act 1995, the time being 7.44pm.

CARRIED UNANIMOUSLY 6/0

All staff except the CEO, Manager Organisational Development & Human Resources, Manager Governance & Strategy and the Minute Secretary left the meeting at 7.44pm.

Item No. 16.1	CEO Annual Performance Review Facilitation (Consultant Recommendation)
Directorate	Office of the CEO
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref	
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.
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Confidential Attachments No. 2	Proposal CEO Performance Review: - Integral - Portland Broome - Strategic Leadership Standards for CEO Recruitment, Performance and Termination Policy

Purpose

As per the requirements of the Standards for CEO Recruitment, Performance and Termination Council Policy, the purpose of this report was to provide Council with the shortlisted candidates, agreed by the CEO and Mayor, to carry out the 2022 CEO performance review. The independent facilitator selected to carry out the annual CEO performance review is to be appointed by resolution of an absolute majority.

This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (c) of the Local Government Act as the officer report discusses a contract which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

Council Resolution/Officer Recommendation – Item 16.1

OCM – 22/04/22

MOVED Cr McLennan, Seconded Cr Hamilton, that Council appoints Portland Broome as the preferred supplier for the 2022 CEO Performance Review.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Council Resolution – Item 16.0(b)

OCM – 23/04/22

MOVED Cr Wilding, Seconded Cr McLennan, that the meeting come from behind closed doors, the time being 7.57pm.

CARRIED UNANIMOUSLY 6/0

17.0 CLOSURE

The next Briefing Session will be held on Tuesday 17 May 2022, commencing at 6pm in the Council Chamber, 48 Old Perth Road, Bassendean. The next Ordinary Council Meeting will be held on Tuesday 24 May 2022, commencing at 6pm in the Council Chamber, 48 Old Perth Road, Bassendean.

There being no further business, the Presiding Member declared the meeting closed, the time being 7.57pm.