



TOWN OF

Bassendean

MINUTES

Ordinary Meeting of Council

Tuesday 26 July 2022, 5:30pm

in the Council Chamber, Administration Building
48 Old Perth Road, Bassendean WA 6054

1 Declaration Of Opening; Acknowledgment of Country; Acknowledgment of Visitors; Disclaimer

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 Announcements by The Presiding Person Without Discussion

The Presiding Member announced that the new draft Local Planning Strategy will be advertised for one month until 22 August. Residents are encouraged to review the amended strategy and provide feedback. Documents are available from the Town administration, library, Wind in the Willows and online.

3 Attendances, Apologies and Applications for Leave of Absence

Present

Councillors

Cr Kathryn Hamilton, Mayor
Cr Hilary MacWilliam
Cr Emily Wilding
Cr Jennie Carter
Cr Paul Poliwka
Cr Tallan Ames

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
Ms Kathleen Stewart, Manager Organisational Development & Human Resources
(until 6.19pm)
Mrs Amy Holmes, Minute Secretary

Visitor

Mr Paul Syme, Portland Broome (until 6.05pm)

Public

Approximately seven members of the public were in attendance.

Apologies

Cr Renee McLennan

Leave of Absence

Council Resolution – Item 3.1 OCM 1/7/22

MOVED Cr Wilding, Seconded Cr Poliwka, that the following Leaves of Absence be granted:

- Cr McLennan 8 - 12 August 2022;
- Cr MacWilliam 24 - 31 August 2022; and
- Cr Wilding 28 September - 7 October 2022.

CARRIED UNANIMOUSLY 6/0

Council Resolution – Item 3.2 OCM 2/7/22

MOVED Cr Ames, Seconded Cr Carter, that the meeting go behind closed doors, in accordance with Section 5.23 of the Local Government Act 1995, the time being 5.39pm.

CARRIED UNANIMOUSLY 6/0

All members of the public and all staff left the meeting at 5.40pm. Councillors and Consultant Paul Syme remained in the meeting.

Kathleen Stewart & Amy Holmes returned to the meeting at 6.03pm.

16 Confidential Reports

16.1 CEO Performance Review Report	
Property Address	NA
Landowner/Applicant	NA
File Reference	GOVN/POLCY/2
Author	CEO's Office and Human Resources
Department	Manager Human Resources and Organisational Development
Previous Reports	NA
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.

Attachments	<ol style="list-style-type: none"> 1. Standards for CEO Recruitment Performance and Termination policy [16.1.1 - 12 pages] 2. Town of Bassendean CEO Performance Review Report 2021 2022 [16.1.2 - 16 pages] 3. CEO Performance Review 2022 Draft KPIs [16.1.3 - 2 pages] 4. CEO Performance Review Survey 2021 2022 [16.1.4 - 6 pages]
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This matter was considered with members of the public excluded from the Chamber under Clause 5.23(a) of the Local Government Act as the officer report discusses a matter affecting an employee or employees.

Purpose

Council was requested to resolve the outcome and recommendations from the Annual CEO Performance Review Report (Report) provided by Paul Syme, Portland Broome. This is in line with Council's adopted 'Standards for CEO Recruitment, Performance and Termination' Policy and the *Local Government Act 1995*.

Council Resolution – Item 16.1 **OCM 3/7/22**

MOVED Cr Hamilton, Seconded Cr Wilding, that the Council Resolution shown in the Confidential Minutes of 26 July 2022, be endorsed.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Paul Syme left the meeting at 6.05pm.

Peta Mabbs & Libby Kania returned to the meeting at 6.06pm.

16.2 Transition Arrangements for Chief Executive Officer Role	
Property Address	NA
Landowner/Applicant	NA
File Reference	GOVN/POLCY/2
Author	Manager Human Resources and Organisational Development
Department	CEO's Office and Human Resources
Previous Reports	NA
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.

Attachments	<ol style="list-style-type: none"> 1. CEO Standards and Guidelines [16.2.1 - 21 pages] 2. Standards for CEO Recruitment, Performance and Termination policy [16.2.2 - 12 pages]
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This matter was considered with members of the public excluded from the Chamber under Clause 5.23(a) of the Local Government Act as the officer report discusses a matter affecting an employee or employees.

Purpose

The purpose of this report was for Council to consider the transition arrangements for the Chief Executive Officer (CEO) position, specifically:

- Arrangements for an Interim CEO; and
- Funding for the selection and recruitment process associated with the appointment of a new CEO.

Cr Hamilton moved the officer recommendation with the addition of a Point 3 as shown in bold.

Council Resolution/Officer Recommendation – Item 16.2 **OCM 4/7/22**

MOVED Cr Hamilton, Seconded Cr Ames, that Council:

1. Appoints Mr Luke Gibson as Interim CEO from 6 October 2022 until the commencement of a new CEO whilst enabling Mr Paul White to backfill for Mr Gibson in the role during any periods of leave;
2. Approves \$50,000 from the Town’s operating budget, accounted for at the mid-year review, for the purposes of the recruitment and selection process for a new CEO, including costs associated with developing the CEO Employment Contract; and
3. **Requests the Administration in consultation with the Mayor to scope the requirements for the appointment of an independent consultant, and facilitate the provision of a further report to Council no later than September.**

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Kathleen Stewart left the meeting at 6.19pm.

Council Resolution – Item 16.0(b) **OCM – 5/7/22**

MOVED Cr Wilding, Seconded Cr Poliwka, that the meeting come from behind closed doors, the time being 6.19pm.

CARRIED UNANIMOUSLY 6/0

All staff and members of the public returned to the meeting at 6.20pm.

4 Declarations of Interest

Nil

5 Presentations or Deputations

Mr William Bosworth of 136A West Road, Bassendean, addressed Council on Item 13.3.

6 Statements by Members of the Public on Agenda Item

Natalie Fisher, 24 Hyland Street, Bassendean

I, Natalie Fisher and my partner Thomas Fleming of 24 Hyland St Bassendean, are writing in regards to item 12.4. In relation to Bindaring Park, Thomas and I support the move that Lots 17, 19, 21 and 23 Anstey Road are reserved a Local Open Space and not zoned residential. As homeowners, we recognise the value that Bindaring Park adds to the local area, and we oppose any move by Council that will affect the natural environment. We believe that by reducing natural land and developing more residential properties will therefore affect the quality of life for which Bassendean is so well known. We specifically bought on Hyland St to be close to the wetlands and surrounding natural areas, to live in a quiet and beautiful area with plenty of space to walk our dog and take a break from the city. We hope that this is taken into consideration by the Council when important decisions such as this are made.

Carol Seidel, 55 Broadway, Bassendean

Over the years since the TPS 4A was gazetted, the Council has allowed the original area of Public Open Space to be reduced by allowing roads to be built where they should not have been built, and by zoning very low-lying land to be housing. It is time for that to stop and for the intended linear and connected low lying wetland park to be implemented for the good of the people of the whole Town of Bassendean and for the good of the local environment, wildlife and natural vegetation.

As a local photographer I have been documenting the Bindaring Park Wetlands for easily 22 years, helped with many community projects to promote the park as it's just a great place we have to value here in Bassendean. It's just a great place we are lucky to have. As a volunteer I have worked in the Park with Friends of Bindaring Wetland weeding for the last 5 years, removing weeds from the middle section of the park and also been a part of the plantings program with in the park. This has been rewarding experience for me and other members of our community and has helped improve the park for all.

Bindaring Park wetlands lake was featured in the movie "Bassendream" at the Revelations International Film Festival. To be in the movie says a lot.

Putting more housing on these wetlands open space and not removing roads that should not be there, where flooded gums seedlings naturally have been growing successfully would be destructive to the park.

Nonie Jekabsons, 6 Barton Pde, Bassendean

At the Briefing Session there was much discussion around Bindaring Park. While details seem complex, and it may be difficult for councillors and staff to grasp the long and convoluted history of the 4A scheme, some things remain clear. The intent of the scheme is to maximise the potential of Bindaring Park for its amenity, environmental and flood mitigation values. The people of Bassendean, generally expect their POS to be retained and to that end, we support councillors to return 17 and 19 Anstey Rd to Public Open Space (not residential) and retain sections of Hyland St, Anstey Rd and Carnegie Rd as POS also into the future.

Cr Carter has a Notice of Motion to reduce the use of Glyphosate Based Herbicides in the Town. I fully support this and other measures to prevent exposure to poisons.

Colin Davies, 15 Anstey Road, Bassendean

I Colin Davies of 15 Anstey Road, Bassendean would like to submit this statement to be read out by the presiding member at the upcoming Ordinary Council Meeting on 26 July 2022. This statement is a continuation of the statement I submitted and read out in the meeting last Tuesday (19 July). This statement is in regard to Bindaring Park and returning Lots 17 and 19 Anstey Road to residential and retaining Lots 21 and 23 as Public Open Space (POS). Specifically, the statement focuses on the importance of wetlands and wooded areas such as Bindaring Park and their importance in carbon sequestration. Statement is as follows.

It is widely known that wetlands are a significant carbon sink (with up to 35% of global terrestrial carbon stored in wetlands); the loss of existing wetlands (and wooded areas) would result in the loss of that particular carbon sink, however there is an even greater concern as the loss of a wetland sink leads to the release of the stored carbon back into the atmosphere (i.e. degradation or loss of the sink causes it to become a carbon source) creating even greater environmental concerns. This is a particular threat should there be development / construction on Bindaring Park and the Lots in question as per Draft Local Planning Scheme No 11.

As I understand, the Town of Bassendean has a sustainable development agenda and strategic goals as per the Strategic Community Plan and even purchases carbon neutral electricity. In line with this plan, the Town of Bassendean should encourage wetland protection and restoration of degraded wetlands; a focus which would promote carbon sinks and prevent the production of carbon sources. This is in addition to maintaining other important ecological services such as provision of habitats and breeding sites for a variety of species as previously mentioned in my statement last week.

For your information, there have been several international and national studies related to the restoration and promotion of wetlands for carbon offsets and to highlight their importance as such.

As aforementioned, this statement concisely highlights the importance of wetlands (and wooded areas) as a carbon sink and how the disruption of such would create a carbon source that would emit greenhouse gases that would have accumulated over many of years back into the atmosphere. The sequestration potential and rates of wetlands are significant; hence consideration of disruption / destruction is not commonly proposed. Greater consideration needs to be given to their protection as they are a key natural mitigation against climatic deterioration.

7 Questions from Members of the Public

Nil.

8 Petitions

Nil.

9 Confirmation of Minutes

Council Resolution/Officer Recommendation – Item 9.1(a) **OCM – 6/7/22**

MOVED Cr Wilding, Seconded Cr Poliwka, that the minutes of the Ordinary Council Meeting held 28 June 2022, be received.

CARRIED UNANIMOUSLY 6/0

Council Resolution/Officer Recommendation – Item 9.1(b) **OCM – 7/7/22**

MOVED Cr MacWilliam, Seconded Cr Ames, that the minutes of the Ordinary Council Meeting held 28 June 2022, be confirmed as a true record.

CARRIED UNANIMOUSLY 6/0

Council Resolution/Officer Recommendation – Item 9.2(a) **OCM – 8/7/22**

MOVED Cr Ames, Seconded Cr Wilding, that the minutes of the Special Council Meeting held on 5 July 2022, be received.

CARRIED UNANIMOUSLY 6/0

Council Resolution/Officer Recommendation – Item 9.2(b) **OCM – 9/7/22**

MOVED Cr Ames, Seconded Cr Carter, that the minutes of the Special Council Meeting held on 5 July 2022, be confirmed as a true record.

CARRIED UNANIMOUSLY 6/0

10 Business Deferred from Previous Meeting

Nil.

11 External Committee Reports and Updates

11.1 External Committee Reports and Updates

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 – 11.1 **OCM – 10/7/22**

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

CARRIED UNANIMOUSLY 6/0

12 Officer Reports

It was agreed that items 12.2, 12.4, 12.7, 12.8 & 12.14 be removed from the en-bloc table and considered separately.

Council Resolution/Officer Recommendation – Item 12.1 **OCM – 11/7/22**

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

Item	Report
12.3	Proposed Road Closures - Hamilton Street Reserve (and surrounds)
12.5	Addition to Local Heritage List
12.6	Amendment to Local Heritage Survey
12.10	Bassendean Local Emergency Management Committee
12.11	Accounts Paid 30 June 2022
12.12	Monthly Financial Report – June 2022
12.13	Use of Common Seal

CARRIED UNANIMOUSLY 6/0

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

12.2	Proposed Road Closures - Bindaring Park
12.4	Draft Local Planning Scheme No. 11
12.7	Draft Local Planning Policy - Short Stay Accommodation
12.8	Tree Vandalism Policy 1.13
12.9	2023 Meeting Dates - Ordinary Council Meetings, Briefing Sessions, Committees and Citizenship Ceremonies
12.14	Calendar August 2022
13.1	Notice of Motion - Cr Hamilton - Briefing Session
13.2	Notice of Motion - Cr Hamilton - Arts, Culture and Events Committee
13.3	Notice of Motion - Cr McLennan: Joint Standing Committee Cats Local Law
13.4	Notice of Motion - Cr Carter: Use of Glyphosate
16.1	CEO Performance Review Report (Confidential)
16.2	Transition Arrangements for Chief Executive Officer Role (Confidential)

12.2 Proposed Road Closures - Bindaring Park	
Property Address	Harcourt Street, Carnegie Road and Forfar Road
Landowner/Applicant	State of Western Australia
File Reference	ROAD/RDCLRS/2
Author	Director Community Planning
Department	Community Planning
Previous Reports	N/A
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	<ol style="list-style-type: none"> 1. Closure Plan [12.2.1 - 1 page] 2. Submission 1 - Stewart [12.2.2 - 1 page] 3. Submission 2 - Da Rui [12.2.3 - 2 pages] 4. Submission 3 - Peterson [12.2.4 - 3 pages] 5. Submission 4 - Humphrey [12.2.5 - 2 pages] 6. Submission 5 - Bridges [12.2.6 - 3 pages] 7. Submission 6 - Seidel [12.2.7 - 1 page] 8. Submission 7 - Jekabsons & Johnson [12.2.8 - 2 pages] 9. Submission 8 - Allenby [12.2.9 - 3 pages] 10. Submission 9 - Johnston [12.2.10 - 1 page]

Purpose

The purpose of this report was for Council to consider the closure of portions of Harcourt Street, Carnegie Road and Forfar Road, Bassendean.

Council Resolution/Officer Recommendation – Item 12.2

OCM – 12/7/22

MOVED Cr Hamilton, Seconded Cr Carter, that Council authorises a request be made to the Minister for Lands pursuant to Section 58 of the *Land Administration Act 1997* for the permanent closure of portions of the Harcourt Street, Carnegie Road and Forfar Road road reserves as identified by the plan attached to this report, to enable the land to be amalgamated into the abutting Crown Reserve.

CARRIED UNANIMOUSLY 6/0

12.3 Proposed Road Closures - Hamilton Street Reserve (and surrounds)	
Property Address	Villiers Street, Iveson Place and Hamilton Street
Landowner/Applicant	State of Western Australia
File Reference	ROAD/RDCLRS/2
Author	Director Community Planning
Department	Community Planning
Previous Reports	N/A
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	1. Closure Plan - as advertised [12.3.1 - 1 page] 2. Closure Plan - amended following advertising [12.3.2 - 1 page]

Purpose

The purpose of this report was for Council to consider the closure of portions of Villiers Street, Iveson Place and Hamilton Street, Bassendean.

Council Resolution/Officer Recommendation – Item 12.3

OCM – 13/7/22

MOVED Cr MacWilliam, Seconded Cr Wilding, 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 the Villiers Street, Iveson Place and Hamilton Street road reserves as identified by the plan attached to this report, to enable the land to be amalgamated into the abutting Crown Reserve.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION OCM 11/7/22 6/0

12.4 Draft Local Planning Scheme No. 11	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	LUAP/PLANNG/24
Author	Director Community Planning
Department	Community Planning
Previous Reports	4 November 2020 28 June 2022
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	1. Draft Local Planning Scheme No. 11 (Text) [12.4.1 - 37 pages] 2. Draft Local Planning Scheme No. 11 (Map) [12.4.2 - 1 page]

Purpose

The purpose of this report was for Council to consider a draft Local Planning Scheme No. 11 (LPS 11).

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

Council Resolution/Officer Recommendation – Item 12.4 **OCM – 14/7/22**

MOVED Cr Hamilton, Seconded Cr Poliwka, that Council:

1. Pursuant to Section 72(1) of the *Planning and Development Act 2005*, adopts draft Local Planning Scheme No. 11, as contained as Attachments 1 (text) and 2 (map); **subject to the following amendments being made:**
 - **That Town owned lots 17 and 19 Anstey Road, currently zoned Residential, be reserved as Local Public Open Space;**
 - **That the constructed portions of road reserves of Anstey Road and Hyland Street abutting POS on both sides of the constructed road in Bindaring Park remain designated as Local Open Space;**
 - **That the words “free of cost” be deleted from “Ceding of rights-of-way and laneway widening”, point 7(1) of Table 5, of Clause 32(1) in reference to the potential for the Town to cede land from property owners for potential widening of ROW’s;**

- That the text “350m2” be amended down to “250m2” in “Trees and Development” point 2 of Table 5; and
2. Notes that the draft Local Planning Scheme No. 11 will be referred to the Western Australian Planning Commission, Environmental Protection Authority and Heritage Council of Western Australia for review for the purposes of consent to advertise.

CARRIED UNANIMOUSLY 6/0

REASONS:

Retention of green corridors provide environmental advantages to wildlife enabling enhanced outcomes for fauna and flora ultimately providing benefits to all residents of the district. During the BassenDream Community Engagement the number one articulated aspiration was the retention of green spaces. If an area has visually remained an established green zone for decades undoubtedly there is a community expectation that it will remain so into the future.

This Council should, where possible, enable future Councils to have some flexibility to provide continuous green corridors via the potential removal of some portions of road if and when they see fit.

It is incongruous to compel some residents to cede to the Town land free of charge for the potential widening of a ROW, whilst on the other hand compelling payment from adjoining landowners to acquire land where a ROW is to be closed. Retention of tree canopy and/or improving tree canopy is a necessity in this time of climate change.

12.5 Addition to Local Heritage List	
Property Address	150 (Lot 61) West Road, Bassendean
Landowner/Applicant	Town of Bassendean
File Reference	LUAP/REGSTN/3
Author	Director Community Planning
Department	Development and Place, Community Planning
Previous Reports	22 May 2018 24 May 2022
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	1. Draft amended Heritage List [12.5.1 - 58 pages]

Purpose

The purpose of this report was for the Council to consider entering a place, being 150 (Lot 61) West Road, Bassendean, in the Town's Heritage List, pursuant to Schedule 2, Part 3, Clause 8 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Council Resolution/Officer Recommendation – Item 12.5 **OCM – 15/7/22**

MOVED Cr MacWilliam, Seconded Cr Wilding, that Council, pursuant to Schedule 2, Part 3, Clause 8(3d) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to enter 150 (Lot 61) West Road, Bassendean into the Town's Heritage List as place No. 49, as contained in the attachment to this report.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION OCM 11/7/22 6/0

12.6 Amendment to Local Heritage Survey	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	LUAP/REGSTN/3
Author	Director Community Planning
Department	Development and Place, Community Planning
Previous Reports	24 May 2022
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	1. New Place Records Sandy Beach and Ashfield Flats [12.6.1 - 5 pages]

Purpose

The purpose of this report was for the Council to consider amending the Local Heritage Survey (LHS) to include Sandy Beach Reserve and the Ashfield Flats as listed places.

Council Resolution/Officer Recommendation – Item 12.6 **OCM – 16/7/22**

MOVED Cr MacWilliam, Seconded Cr Wilding, that Council amends the Local Heritage Survey by adding Place No. 288 - Sandy Beach Reserve and Place No. 289 - Ashfield Flats, both as Management Category 3 places, in accordance with the attachment to this report.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION OCM 11/7/22 6/0

12.7 Draft Local Planning Policy - Short Stay Accommodation	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	LUAP/POLCY/26
Author	A/Manager Development and Place
Department	Development and Place, Community Planning
Previous Reports	22 February 2022
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	1. Draft Local Planning Policy - Short Stay Accommodation (amended following Briefing Session) [12.7.1 - 5 pages]

Purpose

The purpose of this report was for Council to consider a draft Local Planning Policy – Short Stay Accommodation for public consultation.

Cr Wilding moved the officer recommendation with an amendment as shown in bold.

Council Resolution/Officer Recommendation – Item 12.7 **OCM – 17/7/22**

MOVED Cr Wilding, Seconded Cr MacWilliam, that Council, pursuant to Clause 5(1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, adopts draft Local Planning Policy – Short Stay Accommodation, as contained in the attachment to this report, for the purposes of advertising, **subject to Clause 6.3(a) of the draft Policy (and the associated map) being amended to provide for a distance of 400m from a centre or railway station.**

CARRIED UNANIMOUSLY 6/0

REASONS:

While short stay accommodation has the potential to benefit our local economy, the current shortage of rental accommodation in Perth suggests that this is not the most suitable use of viable housing stock in Bassendean. This amendment seeks to allow short stay accommodation near and around our town centre for the purpose of enhancing our local economy, while reducing its presence in more suburban areas.

12.8 Tree Vandalism Policy	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	COUP/POLCY/1
Author	Executive Manager Infrastructure, Executive Manager Sustainability & Environment
Department	Infrastructure, Sustainability & Environment
Previous Reports	OCM-9/07/20 Proposed Council Policy – Street Trees and Revocation of Various Council Policies Relating to Street Trees OCM-28/06/2022 Street and Reserve Trees Policy
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	1. 1.13 Tree Vandalism Policy [12.8.1 - 12 pages] 2. Draft amended Tree Vandalism Policy [12.8.2 - 2 pages]

Purpose

The purpose of this report was for Council to consider an amended Council Policy 1.13 – Tree Vandalism.

Officer Recommendation – Item 12.8

That Council adopts the amended Council Policy 1.13 – Tree Vandalism as attached to this report.

Cr Hamilton moved an alternative motion.

Council Resolution – Item 12.8

OCM – 18/7/22

MOVED Cr Hamilton, Seconded Cr Ames, that this Item be deferred to allow for further consideration at a Councillor workshop

CARRIED UNANIMOUSLY 6/0

12.9 2023 Meeting Dates - Ordinary Council Meetings, Briefing Sessions, Committees and Citizenship Ceremonies	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	GOVN/CCLMEET/1
Author	Senior Governance Officer
Department	CEO'S OFFICE
Previous Reports	N/A
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	Nil

Purpose

The purpose was for Council to consider and endorse its Ordinary Council Meetings, Briefing Sessions, Audit and Governance Committee and Bassendean Local Emergency Management Committee meeting dates, as well as Citizenship Ceremonies for 2023.

Council Resolution/Officer Recommendation – Item 12.9 **OCM – 19/7/22**

MOVED Cr Wilding, Seconded Cr Ames, that:

1. Council adopts that the following meetings for 2023, to be held in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 6.00pm:

Briefing Sessions

21 February, 21 March, 18 April, 16 May, 20 June, 18 July, 15 August, 19 September, 10 October, 21 November and 5 December;

Ordinary Council Meetings

28 February, 28 March, 26 April (Wed), 23 May, 27 June, 25 July, 22 August, 26 September, 17 October, 28 November and 12 December;

Special Council Meeting

Tuesday 24 October 2023 to swear in new Councillors;

2. Council adopts the following Audit and Governance Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean on a Wednesday, commencing at 5.30pm on 8 March, 7 June, 6 September and 6 December 2023;
3. Council adopts the following Bassendean Local Emergency Management Committee meetings to be held in the Council Chamber, 48 Old Perth Road, Bassendean on a Wednesday, commencing at 3.30pm on 1 March, 14 June, 30 August and 1 November 2023; and
4. Council notes the Citizenship Ceremonies to be held on 26 January (Australia Day), May and September 2023 (dates to be confirmed).

CARRIED BY AN ABSOLUTE MAJORITY 6/0

12.10 Bassendean Local Emergency Management Committee	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	GOVN/CCLMEET/12
Author	Director Community Planning
Department	Community Planning
Previous Reports	N/A
Authority/Discretion	Information For the Council/Committee to note.
Attachments	1. BLEMC Minutes - 8 June 2022 [12.10.1 - 5 pages] 2. DFES Report - 8 June 2022 [12.10.2 - 3 pages]

Purpose

The purpose of this report was for Council to receive the minutes of the Bassendean Local Emergency Management Committee meetings held on 8 June 2022.

Council Resolution/Officer Recommendation – Item 12.10

OCM – 20/7/22

MOVED Cr MacWilliam, Seconded Cr Wilding, that Council receives the report on the Bassendean Local Emergency Management Committee meeting held on 8 June 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION OCM 11/7/22 6/0

12.11 Accounts Paid 30 June 2022	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	FINM/CREDTS/4
Author	Paul White
Department	Corporate Services
Previous Reports	N/A
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	1. List of Payments 30 June 2022 [12.11.1 - 22 pages]

Purpose

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

Council Resolution/Officer Recommendation – Item 12.11 **OCM – 21/7/22**

MOVED Cr MacWilliam, Seconded Cr Wilding, that Council receive the list of payments for June 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION OCM 11/7/22 6/0

12.12 Monthly Financial Report – June 2022	
Property Address	NA
Landowner/Applicant	NA
File Reference	FINM/AUD/1
Author	Paul White
Department	Director Corporate Services
Previous Reports	N/A
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	1. Monthly Financial Report as at 30 June 2022 [12.12.1 - 12 pages]

Purpose

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

Council Resolution/Officer Recommendation – Item 12.12 **OCM – 22/7/22**

MOVED Cr MacWilliam, Seconded Cr Wilding, 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 30 June 2022, which incorporates the Statement of Financial Activity for the period to June 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION OCM 11/7/22 6/0

12.13 Use of Common Seal	
Property Address	Not applicable
Landowner/Applicant	Not applicable
File Reference	INFM/INTPROP/1
Author	Natasha Dowson
Department	Chief Executive
Previous Reports	Not applicable
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	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 12.13 **OCM – 23/7/22**

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

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION OCM 11/7/22 6/0

12.14 Calendar August 2022	
Property Address	Not applicable
Landowner/Applicant	Not applicable
File Reference	INFM/INTPROP/1
Author	Natasha Dowson
Department	Chief Executive
Previous Reports	N/A
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	Nil

Purpose

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

Council Resolution/Officer Recommendation – Item 12.14 **OCM – 24/7/22**

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

CARRIED UNANIMOUSLY 6/0

13 Motions of which Previous Notice has been given

13.1 Notice of Motion - Cr Hamilton - Briefing Session	
Councillor	Cr Hamilton
Attachments	Nil

Council Resolution- Item 13.1 **OCM – 25/7/22**

MOVED Cr Hamilton, Seconded Cr Wilding, that Council:

Requests the CEO provide a Briefing Documents Policy for consideration by Council prior to **September** that includes the following:

1. Briefing Agenda documents to be provided to Councillors one day earlier i.e. on a Wednesday, rather than the current schedule of a Thursday; and

- Briefing Agendas are to include all items proposed to be considered by Council at the subsequent OCM, with exceptions **of the Monthly Financial Statements** and items of an Urgent Nature that may be included in the OCM agenda under clause 5.5 of Meeting Procedures Local Law 2020.

CARRIED UNANIMOUSLY 6/0

REASONS:

Provision of the Briefing Documents one day earlier on a Wednesday facilitates an improved process for Councillors whereby irrespective of public holidays, a minimum of one full business day is available for Councillors to contact the administration regarding any issues with the agenda and/or attachments.

Inclusion of all items on the Briefing agenda facilitates an improved process to assist Councillors in their research, questions, community engagement and evaluation of items leading up to decision making on those items at the subsequent OCM.

13.2 Notice of Motion - Cr Hamilton - Arts, Culture and Events Committee	
Councillor	Cr Hamilton – Arts, Culture and Events Committee
Attachments	Nil

Council Resolution- Item 13.2
OCM – 26/7/22

MOVED Cr Hamilton, Seconded Cr Poliwka, that Council:

- Requests the CEO facilitate the establishment of a formal committee of Council titled “Arts, Culture and Events Committee” the membership of which comprises nominated elected members and relevant staff; and
- Coordinate the first meeting of the Arts, Culture and Events Committee to occur within 60 days from a resolution of council endorsing this motion.”

CARRIED UNANIMOUSLY 6/0

REASONS:

The purpose of the Arts Culture and Events Committee is to provide information/advice about current and emerging arts and events related matters to the Town of Bassendean Council to assist in forward planning and decision making about potential cultural activities for the 2023/24 financial year and beyond.

Events and Art contribute to overall community cohesion and well-being, improved livability and economic activity in our Town. Incorporating forward planning for arts and events provides an opportunity to deliver a cohesive vision that not only celebrates the Town’s diversity and history but also promotes contemporary Arts in varied formats with the aim to enhance and augment cultural activities in the district. It is envisaged that the ACEC will not have delegated authority, but will provide advice on engagement with the Arts community, event and grant opportunities, and may also advise Council on matters regarding planning, integration and implementation of cultural elements into Town initiatives.

The Arts, Culture and Events Committee will help identify much of the work required in the development of recommendations to Council to enable informed decision-making.

13.3 Notice of Motion - Cr McLennan: Joint Standing Committee Cats Local Law	
Councillor	Cr McLennan
Attachments	Nil

Council Resolution- Item 13.3
OCM – 27/7/22

MOVED Cr MacWilliam, Seconded Cr Wilding, that Council:

1. Advocates to responsible Ministers (namely, Environment, Local Government and Local Member) to apply the provisions of the Cat Act 2011 such that it allows the making of Local Laws that:
 - restrict cats from all public areas;
 - place conditions on when a cat may be permitted in a public area; and/or
 - restricts all cats in the district to their owner's premises **or other private premises with the consent of the owner of that other private premise;** and
2. Through the East Metro Zone, seeks WALGA's support to advocate to responsible Ministers as above;
3. **Requests the CEO seek legal advice either independently, in collaboration with other local governments or through the State Solicitors Office.**

CARRIED UNANIMOUSLY 6/0

REASONS:

The Town recently undertook a review of our Cat Local Law and sought to introduce a number of new provisions seeking to minimize the impact of cats on wildlife and address nuisance issues.

These provisions reflected community feedback and recommendations made to government through a recent parliamentary inquiry, the findings of which were presented in December 2020. While supportive of some of the Town's proposed provisions, the Joint Standing Committee on Delegated Legislation (JSCDL) was not supportive of the following clause that sought to restrict cats in places that are not public.

13.4 Notice of Motion - Cr Carter: Use of Glyphosate	
Councillor	Cr Carter
Attachments	Nil

This notice could not be procedurally moved at the meeting as it did not comply with the Meeting Procedures Local Law and was therefore withdrawn.

The notice of motion will be presented at the August OCM.

14 Announcements of Notices of Motion for the next meeting

Cr Carter - Use of Glyphosate

15 Urgent Business

Nil

17 Closure

The next Briefing Session will be held on Tuesday 16 August 2022 commencing at 6pm. The next Ordinary Council Meeting will be held on 23 August 2022 commencing at 6pm.

There being no further business, the Presiding Member declared the meeting closed, the time being 7.52pm.