



TOWN OF
Bassendean

MINUTES

Ordinary Meeting of Council

Tuesday 27 September 2022, 6:00 pm

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 Mayor advised that the Power to the People is underway in Old Perth Road. Activities are available for anyone to attend. Information is available on the Town website and Facebook page. The event coincides with the reopening of the Bassendean Hotel.

The Mayor advised that this is CEO, Ms Peta Mabbs' last official Council meeting, with her last day being 5 October 2022. The Mayor thanked Ms Mabbs for her contribution to the Town and presented her with a gift from the Councillors.

3 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 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
Mrs Amy Holmes, Minute Secretary

Public

Approximately nine members of the public were in attendance.

Leave of Absence

Council Resolution – Item 3.1

OCM 1/9/22

MOVED Cr McLennan, Seconded Cr Wilding, that Cr Ames be granted a leave of absence for 31 October to 5 November 2022.

CARRIED UNANIMOUSLY 7/0

4 Declarations of Interest

Nil

5 Presentations or Deputations

Mr Michael Olds of 63 Second Avenue, Bassendean addressed the Council regarding Item 12.3 – Draft Local Planning Policy (Rights of Way).

6 Statements by Members of the Public on Agenda Item

Ms Nonie Jekabsons, 6 Barton Parade, Bassendean (Submitted in writing)

It would come as no surprise that I believe the Town has a responsibility to retain all existing Open Green Space within the Town, and concentrate development intensity within existing activity centres in order to provide a sustainable population and rates base. Selling off parkland for development has consistently been against the wishes of the majority of public feedback respondents (via forums such as “Bassendream”), without fail expressing that these shared green spaces are of the highest importance to residents. In particular, quiet open green spaces within walking & cycling distance of high density residential areas should be prioritised for amenity into the future.

Below are some quotes directly from the Local Planning Strategy:

- Create an urban forest throughout reserves, gardens and streets;
- Protect existing trees and green spaces;
- Conserve, enhance and repair natural and urban areas;
- Preliminary investigations undertaken by the Town indicate that the Eden Hill and Ashfield localities have sufficient public open space while the Bassendean locality is deficient.
- 3.2.6 Planning Issue/Opportunity No.6 – Hazards
- The Town contains flood prone areas and declared bushfire prone areas. Areas susceptible to flooding are located within and around the Ashfield Flats, the Swan River Foreshore and Bindaring Natural Wetland. Areas declared bushfire prone are located:
 - east of Lord Street along the Swan River and Bennett Brook foreshore;

- within and around Bindaring Natural Wetland located 400 metres southeast of Bassendean Town Centre;
- within and around the Ashfield Flats; and
- west of the Eden Hill Local Centre.

To mitigate the impacts of bushfire and flooding on the community, the local planning strategy seeks to avoid land use intensification within declared bushfire prone areas and areas susceptible to flooding.

The Town is highly urbanised with the few remaining natural areas within the Town considered to be of high biodiversity value. The natural areas of environmental significance within the Town include the Swan River, the Ashfield Flats, Bindaring Park/Pickering Park and Bennett Brook. These areas provide essential habitat for flora and fauna within the urban environment. Activities which occur in proximity to them can impact upon the health and function of their ecological communities. Therefore, managing the environmental impact of land uses within the Town is essential to conserving and protecting the Town's water resources.

A key objective of the Town's Strategic Community Plan is to conserve, enhance and repair natural areas. Accordingly, the Town will continue to protect and conserve wetland areas such as Bindaring Park via reservation and acquisition of land within the Town Planning Scheme 4A Area.

This officer's comment appears to be a contradiction to the above:

“reviewing the zonings and reservations that currently apply to 17 Harcourt Street, 18 Anstey Road, 29 Hyland Street, and 17, 19, 21 and 23 Anstey Road. The above review should consider environmental outcomes, quantity of open space, impact on private landowners, the desire for the swift cessation of TPS 4A, the desire to provide additional open space in the subject location, the financial impost of providing such space, the need to provide open space across the whole of the district and the financially-sustainable management of Town-owned assets. “

I trust that Councillors have had sufficient time to read and consider the public submissions in full and take them into account when making decisions that effect our Town into the future.

Mr Colin Davies (Submitted in writing)

Some comments have been withheld as they contain defamatory content against Councillors and Staff.

I wish to submit this statement to be read out in in the Council meeting to be held on Tuesday 27 September 2022. I acknowledge that this is a rather long email, so if summarised in the meeting, I hope that you all take the time to read it prior to the meeting.

This statement is specifically in relation to agenda item 12.2 (Draft Local Planning Strategy). I and fellow local community members are absolutely astounded at the inclusion of the recommendation to 'review the zonings and reservations that currently apply to 17 Harcourt Street, 18 Anstey Road, 29 Hyland Street, and 17, 19, 21 and 23 Anstey Road.' As you are all aware, there was a resolution (as per majority vote) at the July Council meeting that 17 and 19 Anstey Road would be rezoned to POS and that 21 and 23 Anstey Road would remain as POS based on their environmental value including (inter alia) the key ecological linkage to Bindaring Park. It was understood that this would take effect via an amendment to Local Planning Scheme No. 11. To now see that there has been a decision to proceed otherwise as stated in the Strategy ('review' rather than change the zoning) is utterly disappointing. The Strategy could and should be reworded to reflect the resolution from the July meeting. To date there has been no objection from DPLH nor the members of the public so if the purpose of such wording in the draft Strategy (as stated by Luke Gibson) is "to test this amongst the wider public", it can be tested reflecting the resolution to change 17 and 19 Anstey Road to POS and for 21 and 23 Anstey Road to remain as POS.

The Town of Bassendean is acutely aware of the efforts the community and the Friends of Bindaring Park have gone to over multiple years to have these areas preserved. The resolution in July was the best outcome possible to maintain the environmental values however it appears that this was superficial and the Town's economic agenda prevails, much to the detriment of the environment and in misalignment with the Town's sustainability goals. The Council and its Councillors and Directors are supposed to represent their ward; the people who live it in (and their opinions) and the Town's best interests. Unfortunately, this does not appear to be evident for some representatives of the Town of Bassendean. I am not going to repeat the previously supplied information relating to specifics of the environmental values which have been omitted from the draft local planning Strategy in relation to the Anstey Road Lots as this was presented and part of the consideration which saw the resolution come to fruition. I will however add that the way information in the draft Strategy and the Council meeting minutes has been presented is not transparent and has been presented in such a way to mislead and down play the environmental values of the Anstey Road Lots. The "Environmentally Sensitive Area" is an example of such. Whilst the Lots may not be declared an ESA, this does not mean the sites do not have environmental values. There is no discussion of this and to those that are not so well informed, it is exceedingly misleading and lacks transparency.

As per the recommendation to consider 'environmental outcomes, quantity of open space, impact on private landowners, the desire for the swift cessation of TPS 4A, the desire to provide additional open space in the subject location, the financial impost of providing such space, the need to provide open space across the whole of the district and the financially-sustainable management of Town-owned assets I note that 19 - 23 Anstey Road are already Town owned and therefore the financial cost to maintain such lots as POS (to maintain the environmental values) would not be significant nor unbudgeted.

This is not a case where the Town would need to acquire such lots for the environmental benefits of the land to continue to be realised. The suggestion to 'review' the zonings is nonsensical, contrary to the resolution and would come at a cost to the Town of Bassendean. To appropriately review the environmental outcomes, scientific studies including flora and vegetation, fauna, hydrology, contaminated sites etc. would likely need to occur which is budget better spent elsewhere.

It also appears highly likely that 17, 19, 21 and 23 Anstey Road were purchased by the Town as part of the TPS 4A using rate payer money. The Lots should therefore be held in trust. Coupled with the environmental values and the Town's sustainability targets and goals, the Lots should not need to undergo further review. Nor should 18 Anstey Road, 17 Harcourt Street or 29 Hyland Street.

I would also like to add that upon calling the Town of Bassendean directly to ask questions with regards to the draft Strategy, again there was a lack of transparency with unwillingness to provide adequate responses to queries which adds to the disappointment. This was also reflected in the responses to submissions on the draft Strategy. The most common response to submissions was the suggestion that matters were discussed in the report, yet there was no discussion included. The summary of submissions rather full disclosure appears to have been purposely done to favour the Town and subjectively choose what was included.

One can only hope that the Town reconsiders their approach and restores faith amongst the community that they are acting in a sustainable manner rather than an unbalanced economic driven agenda. Allow Bassendean to thrive by demonstrating strong sustainable development that is recognised by all.

Ms Jane Bremmer, 47 Seventh Avenue Bassendean

Ms Bremmer commented that her deputation information at last month's OCM was not included in the minutes and expressed disappointment that no contact was made to advise her that Item 12.5 - Alternative Weed Control Strategies, would be considered at tonight's meeting.

7 Questions from Members of the Public

Mr Craig Lucanis, 186 West Road, Bassendean

There are issues with dangerous traffic and insufficient parking at Sandy Beach playground. Will the Council consider approaching the Department of Planning, Lands & Heritage (DPLH) for use of the grassed area as overflow parking on the weekends to alleviate parking issues, or acquire the land for parking.

Cr Hamilton commented that the playground has attracted many visitors due to its promotion on social media and websites promoting playgrounds. The Town administration is waiting to see if this surge of people abates.

The grassed area on the western side is a bush forever site and owned by another government entity. Parking issues can be considered as part of stage 2.

Town staff advised that the DPLH was contacted about utilisation of its land for overflow parking and they advised that they could not approve parking in the bush forever site.

What noise mitigation can be applied to return the amenity of the area. Was consideration given to the level of noise entering resident's houses.

Cr Hamilton commented that there is an expectation that visitor volumes and noise will abate in the coming weeks. Staff will monitor feedback from residents.

What other features are going to be added, such as coffee, food etc.

Town staff advised that a maximum of three mobile food vendors are allowed at any time. No applications have been received.

Mr Aaron Mackay, 33 North Rd, Bassendean

Is Council still looking at obtaining more land at Point Reserve with more maintenance and ongoing costs to the community.

Cr Hamilton advised that the Point Reserve Concept Plan will be going out for public consultation and comment in the coming days. Council will consider feedback and make determinations.

Lighting in the carpark doesn't work, only one out of six lights are working. When will the lighting be repaired.

Town staff will follow up on the lighting situation.

Do Rangers have the power to move on parked vehicles.

Town staff advised that there are provisions in the local law which constitute what is considered an offence. If the vehicle is not causing an obstruction it is not considered an offence in the Town of Bassendean.

What about people sleeping in tents in reserves.

Town staff advised that this is an offence under the local law. The Rangers will follow up.

Shenol Arslanovski, 88 Anzac Terrace, Bassendean

How long will it take to develop the right of way 2 between First Ave and Second Ave.

Cr Hamilton commented that one is in an area that is undergoing investigations about the density so could take some time to investigate and provide reports.

Town staff commented that Council may determine that the right of way is to be retained, and make a decision about upgrading.

Are there any procedures in place to protect assets either side of the laneway - sewer drain, fences and properties close to fence line.

Town staff advised that if it's determined to be retained and upgraded, assets will be considered as part of the detailed design.

Council Resolution – Item 7.1
OCM 2/9/22

MOVED Cr Wilding, Seconded Cr Carter, that public question time be extended for 10 minutes.

CARRIED UNANIMOUSLY 7/0

Ms Jane Bremmer, 47 Seventh Avenue Bassendean

With regard to Item 12.5, the officer's report suggests that using non chemical weed management will increase cost ten fold and I strongly query figures in the report.

Town staff advised that this is a general indication and not a quote.

Has the Town obtained quotes from existing contractors in the Town.

Town staff advised that at this stage we have no detailed breakdown of costs, just an indication.

Mr Don Yates, 10 Thompson Road, Bassendean (submitted in writing)

In the weekend press was an article about the Housing Crisis in Perth and even with the planned land releases to create 160,000 new blocks of land, it will impose serious burdens on an estimated 385,000 people with the families. Does the Deputy Mayor McLennan and CEO Mabbs have any regret for their actions in Oct 2018 to defer the adoption of Tony Dowling's planning efforts, at some cost to the ratepayers, that would now have Bassendean with its Ashfield and Bassendean Activity Centres, being able to support those seeking a home and also adding to the financial viability of the Town of Bassendean.

Town staff will provide a written response to Mr Yates noting he did not attend.

8 Petitions

Nil

9 Confirmation of Minutes

9.1 Confirmation of Minutes - 23 August 2022	
Attachments	1. Ordinary Council Minutes 23 August 2022 [9.1.1 - 15 pages]

Council Resolution/Officer Recommendation – Item 9.1(a)

OCM 3/9/22

MOVED Cr MacWilliam, Seconded Cr Wilding, that the minutes of the Ordinary Council Meeting held 23 August 2022, be received.

CARRIED UNANIMOUSLY 7/0

Council Resolution/Officer Recommendation – Item 9.1(b)

OCM 4/9/22

MOVED Cr McLennan, Seconded Cr Ames, that the minutes of the Ordinary Council Meeting held 23 August 2022, be confirmed as a true record.

CARRIED UNANIMOUSLY 7/0

9.2 Confirmation of Minutes - 20 September 2022	
Attachments	1. Special Council Minutes 20 September 2022 [9.2.1 - 4 pages]

Council Resolution/Officer Recommendation – Item 9.2(a)

OCM 5/9/22

MOVED Cr Ames, Seconded Cr Carter, that the minutes of the Special Council Meeting held 20 September 2022, be received.

CARRIED UNANIMOUSLY 7/0

Council Resolution/Officer Recommendation – Item 9.2(b)

OCM 6/9/22

MOVED Cr Ames, Seconded Cr Carter, that the minutes of the Special Council Meeting held 20 September 2022, be confirmed as a true record.

CARRIED UNANIMOUSLY 7/0

10 Business Deferred from Previous Meeting

Nil

11 External Committee Reports and Updates

11.1 Receipt of External Committee Reports and Updates	
Property Address	NA
Landowner/Applicant	NA
File Reference	GOVN/CCLMEET/1
Author	Natasha Dowson
Department	CEO'S Office
Previous Reports	N/A
Authority/Discretion	Information For the Council/Committee to note.
Attachments	Nil

Purpose

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

Council Resolution/Officer Recommendation – Item 11.1 **OCM 7/9/22**

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

CARRIED UNANIMOUSLY 7/0

12 Officer Reports

It was agreed that items 12.5 and 12.9 be removed from the en-bloc table and considered separately.

Council Resolution/Officer Recommendation – Item 12.1
OCM 8/9/22

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

Item	Report
12.3	Draft Local Planning Policy – Rights of Way
12.4	Relinquishment of Management Order – Reserve 37441
12.12	Accounts Paid 31 August 2022
12.13	Use of Common Seal
12.14	Calendar October 2022

CARRIED UNANIMOUSLY 7/0

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

Item	Report
12.2	Draft Local Planning Strategy
12.5	Alternative Weed Control Strategies – Children’s Playgrounds
12.6	RFQ 05/2022 Streetscape Weed Control Services within the Town of Bassendean
12.7	Parking Restrictions – Harcourt Street and Lovelock Place
12.8	Review of the Town of Bassendean Corporate Business Plan
12.9	Adoption of Draft Council Briefing Session Policy
12.10	Audit and Governance Committee Meeting, 7 September 2022
12.11	Proposed Terms of Reference – Arts, Culture & Events Committee

12.2 Draft Local Planning Strategy	
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	<ol style="list-style-type: none"> 1. Draft Local Planning Strategy - as advertised [12.2.1 - 84 pages] 2. Schedule of Submissions (with Town responses) [12.2.2 - 16 pages] 3. Schedule of Submissions (verbatim) [12.2.3 - 25 pages]

Purpose

The purpose of this report was for Council to consider the revised draft Local Planning Strategy, for final adoption.

Cr Poliwka moved the Officer Recommendation with amendments to No. 18, as follows:

- *reviewing the zonings and reservations that currently apply to 17 Harcourt Street, 18 Anstey Road, and 29 Hyland Street. The above review should consider environmental outcomes, quantity of open space, impact on private landowners, the desire for the swift cessation of TPS 4A, the desire to provide additional open space in the subject location, the financial impost of providing such space, and the need to provide open space across the whole of the TPS 4A area.*

Council Resolution/Officer Recommendation – Item 12.2 **OCM 9/9/22**

MOVED Cr Poliwka, Seconded Cr Wilding, that Council:

1. Pursuant to Regulation 14(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, notes the submissions received in response to the advertising of the draft Local Planning Strategy.

2. Pursuant to Regulation 14(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, supports the local planning strategy, subject to the following modifications being made:

No.	Amendment
1	Throughout document (including Strategy Map) to replace reference to the “Ashfield Industrial Area” to the “Bassendean Industrial Area”.
2	Page 5 – Part 1, Section 2: replacing the fourth dot point with “ <i>Ensure heritage locations and buildings of historical value within the Town are recognised, cared for and appropriately utilised</i> ”
3	Page 5 – Part 1, Section 2: removing the reference to “ <i>the establishment of three heritage areas</i> ”
4	Page 7 - Part 1, Section 3.2.3: replacing “288” with “289”, as it relates to the Local Heritage Survey.
5	Page 7 - Part 1, Section 3.2.3: replacing “eight” with “nine”, as it relates to registered Aboriginal Heritage Places.
6	Page 7 - Part 1, Section 3.2.3: removing the last paragraph.
7	Page 10 – Part 1, Section 3.2: replacing Action 4.1 with “ <i>Support the inclusion of local planning scheme provisions to protect trees.</i> ”
8	Page 12 – Part 1, Section 3.3.2: replacing the second paragraph with “ <i>Given its strategic importance and the underlying zoning under the Metropolitan Region Scheme, the local planning strategy does not contemplate any significant changes to the industrial area, although, it is acknowledged that the preparation of the Ashfield Precinct Plan will be able to consider the precinct boundaries and may provide for the inclusion of select industrial sites, based on their proximity to the railway station and the associated desired built form and land use outcomes.</i> ”
9	Page 14 - Part 1, Section 3.4.1: adding reference to Success Hill and Jubilee Reserves as natural areas of environmental significance.
10	Page 14 - Part 1, Section 3.4.1: replacing the second sentence in the second paragraph with “ <i>To conserve its natural areas, the Town has a number of environmental policies, plans and procedures in place, including weed management, revegetation programs and water monitoring.</i> ”
11	Page 15 - Part 1, Section 3.4.2: replacing the second sentence in the second paragraph with “ <i>This is supported by a Local Planning Policy that focuses on sustainable design and building practices.</i> ”
12	Page 16 - Part 1, Section 3.5.3: replacing the fourth sentence in the second paragraph with “The Town is also currently exploring options for the undergrounding of power across the district”.
13	Page 17 - Part 1, Section 3.5: replacing Action 21.1 with “Explore options for the undergrounding of power infrastructure across the district”.
14	Page 43 - Part 2, Section 3.5: updating Table 13 (Local Planning Policies) to replace reference to former LPPs 2 and 3 with “ <i>LPP 2 – Sustainable Development</i> ” and to insert reference to “ <i>LPP 4 – Heritage and Character</i> ”

15	Page 58 - Part 2, Section 4.2.3: removing the last sentence.
16	Page 61 – Part 2, Section 4.2.4: removing the term “under-utilised”.
17	Page 62 – Part 2, Section 4.2.5: replacing “Prospectus Loop” with “Prospector Loop”
18	<p>Page 72 – Part 2, Section 4.4.1: amending the section to read as follows:</p> <p><i>“The natural areas of environmental significance within the Town include the Swan River Foreshore, Ashfield Flats, Bindaring Park/Pickering Park, Success Hill, Jubilee Reserve and Bennett Brook. Given the relatively developed nature of the district, the vast majority of environmentally-important land is in public care and control; reserved as Parks and Recreation under the MRS and LPS 10, and managed by the Town and/or the DPLH.</i></p> <p><i>One issue that requires action from a Natural Areas perspective is the finalisation of Town Planning Scheme No. 4A (TPS 4A) – a guided development scheme that seeks that acquire land in and around Bindaring Park. As part of the review of the Scheme, it was identified that it is appropriate to rationalise the proposed open space within Bindaring Park, specifically:</i></p> <ul style="list-style-type: none"> <i>• reserving the 27 Hyland Street as Local Open Space on the basis that it does not have typical access to the public road network (access is via abutting open space) and has already been acquired by the Town. This will result an additional 1,369m² of open space; and</i> <i>• reviewing the zonings and reservations that currently apply to 17 Harcourt Street, 18 Anstey Road, and 29 Hyland Street. The above review should consider environmental outcomes, quantity of open space, impact on private landowners, the desire for the swift cessation of TPS 4A, the desire to provide additional open space in the subject location, the financial impost of providing such space, and the need to provide open space across the whole of the TPS 4A area.</i>
19	Page 74 – Part 2, Section 4.5.3: replacing “WA Natural Gas” with “ATCO Gas Australia”

CARRIED UNANIMOUSLY 7/0

Reason:

- 1. Consistency with the previous resolution of Council, which was clear on these lots;*
- 2. Consideration of the different permutations presented at the relevant workshop; and*
- 3. Retention of funds raised through the 4A Scheme to the 4A area from whence they came.*

12.3 Draft Local Planning Policy - Rights of Way	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	LUAP/POLCU/27
Author	Director Community Planning
Department	Community Planning, Development and Place
Previous Reports	28 June 2022 22 March 2022
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	<ol style="list-style-type: none"> 1. Schedule of Submissions [12.3.1 - 10 pages] 2. Draft Local Planning Policy - Rights of Way (including modifications - tracked changes) [12.3.2 - 3 pages] 3. Draft Local Planning Policy - Rights of Way (including modifications - clean) [12.3.3 - 3 pages]

Purpose

The purpose of this report was for Council to consider adopting draft Local Planning Policy – Rights of Way.

Council Resolution/Officer Recommendation – Item 12.3 **OCM 10/9/22**

MOVED Cr Wilding, Seconded Cr McLennan, that Council, pursuant to Schedule 2, Part 2, Clause 4(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, adopts draft Local Planning Policy – Rights of Way (as amended following advertising), as contained in the attachment.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION OCM 7/9/22 7/0

12.4 Relinquishment of Management Order - Reserve 37441	
Property Address	Lot 9644 Park Lane, Bassendean
Landowner/Applicant	Crown land
File Reference	N/A
Author	Director Community Planning
Department	Community Planning
Previous Reports	23 November 2021 21 December 2021 28 June 2022 26 July 2022
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 requesting that the Minister for Lands revoke the management order that applies to Reserve 37441 (being Lot 9644 Park Lane, Bassendean) and to cancel the reserve.

Council Resolution/Officer Recommendation – Item 12.4 **OCM 11/9/22**

MOVED Cr Wilding, Seconded Cr McLennan, that Council authorises a request being made to the Minister for Lands to revoke the management order that applies to Reserve 37441 and cancel the reserve.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION OCM 7/9/22 7/0

12.5 Alternative Weed Control Strategies - Children's Playgrounds	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	ENVM/MAINT/1
Author	Executive Manager Infrastructure and Executive Manager Sustainability and Environment
Department	Infrastructure Sustainability and Environment
Previous Reports	21/12/2022 – <i>Item 13.1.</i>
Authority/Discretion	Information For the Council/Committee to note.
Attachments	1. Location of play equipment [12.5.1 - 1 page] 2. Playground Maintenance and Treatments [12.5.2 - 1 page]

Purpose

The purpose of this report was for Council to consider a report outlining alternative weed control strategies so as to reduce or where possible eliminate the use of glyphosate or other herbicides in or near children's playgrounds.

Officer Recommendation – Item 12.5

That Council:

1. Reaffirms the Town's commitment to limiting the use of glyphosate and other herbicides in or near children's playgrounds to the minimum, including the ongoing practice of not applying it within the immediate area of playground softfall surfaces or play equipment as part of routine maintenance;
2. Notes the Town's ongoing commitment to continuously review its approach to weed management to evaluate latest developments and best practices;
3. Notes the practices implemented to mitigate risks where herbicide application cannot be avoided, including scheduling application for times when playgrounds are not in use (i.e. early mornings), scheduling turf weed management around sporting activities and school events, publication of notifications prior to treatment on the Town's website and ensuring Regulation-compliant signage is displayed during and after treatments; and
4. Requests the CEO to provide an annual update on advances in the Town's weed management to Councillors via the CEO Bulletin.

Council Resolution – Item 12.5
OCM 12/9/22

MOVED Cr Wilding, Seconded Cr Carter, that this item be deferred, as residents may have been caught off guard with the rapid timeframe with which this report has come to Council.

CARRIED 6/1

Crs Wilding, Carter, Hamilton, MacWilliam, Poliwka & Ames voted in favour of the motion. Cr McLennan voted against the motion.

12.6 RFQ 05/2022 Streetscape Weed Control Services within the Town of Bassendean	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	ENVM/TENDNG/14
Author	Coordinator Procurement, Contracts and Leases Executive Manager Sustainability and Environment Director Corporate Services
Department	Corporate Services, Sustainability & Environment
Previous Reports	22 March 2022 Ordinary Council Meeting – Item 12.5 Review of Streetscape Weed Management
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	<ol style="list-style-type: none"> 1. CONFIDENTIAL - Evaluation Report [12.6.1 - 14 pages] 2. CONFIDENTIAL - Streetscape weed control - cost per kilometre [12.6.2 - 3 pages] 3. CONFIDENTIAL - Streetscape weed control contracts budget [12.6.3 - 2 pages]

Purpose

The purpose of this report was to present to Council a summary of submissions received for Request for Quote (RFQ) 05/2022 Provision of Streetscape Weed Control Services for the Town of Bassendean and recommend appointment of contractors considered to provide the best value for money to the Town.

Council Resolution/Officer Recommendation – Item 12.6
OCM 13/9/22

MOVED Cr MacWilliam, Seconded Cr Ames, that Council:

1. Extends the treatment of all Tier 3 (local) roads with steam until 30 September 2023 to align with the first year of the Contract, noting the premium per kilometre cost outlined under Financial Considerations, and additional budget of \$8,000 required in 2022/23 to be requested at the mid-year review;
2. Appoints Greensteam Australia for the Streetscape Weed Control Services – Separable Portion 1: Steam Weed Control in accordance with the Terms and Conditions as specified in RFQ 05/2022 for a period of One (1) year with a further option to extend the Term of the Contract by One (1) Year, to commence upon Council Approval and Letter of Award;
3. Appoints Environmental Industries for the Streetscape Weed Control Services – Separable Portion 2: Chemical Weed Control in accordance with the Terms and Conditions as specified in RFQ 05/2022 for a period of One (1) year with a further option to extend the Term of the Contract by One (1) Year, to commence upon Council Approval and Letter of Award; and
4. Notes that the CEO will present a report to Council as part of the annual budget process for 2023/24 to seek the additional budget required for year two of the contract for Separable Portion 1: Steam Weed Control, prior to exercising the option to extend the term of that contract.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

12.7 Parking Restrictions – Harcourt Street and Lovelock Place	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	LAWE/REPRTNG/3
Author	Director Community Planning
Department	Community Planning
Previous Reports	N/A
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	N/A

Purpose

The purpose of this report was for Council to consider the imposition of parking restrictions in Harcourt Street and Lovelock Place.

Council Resolution/Officer Recommendation – Item 12.7 **OCM 14/9/22**

MOVED Cr McLennan, Seconded Cr Ames, that Council:

1. Pursuant to Clause 1.9 of the *Parking Local Law 2019*, makes the following modifications to parking on Harcourt Street:
 - Installing “No Stopping” Yellow Edge Lines (i) on the southern side of Harcourt Street from 47 Harcourt Street to 33 Harcourt Street, and (ii) encircling the cul-de-sac end of Harcourt Street from 33 Harcourt Street to the crossover serving 34 Harcourt Street; and
 - Formally designating the yellow edge line markings on at the corners of Harcourt Street and West Road, as “No Stopping” Yellow Edge Line restrictions for the purposes of Clause 4.1(4) of the Parking Local Law.
2. Notes that the Town will request Main Roads WA to install an additional “No Through Road” sign at the northern corner of the intersection of Harcourt Street and West Road.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

12.8 Review of the Town of Bassendean Corporate Business Plan	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	GOVN/CCLMEET/1
Author	Peta Mabbs
Department	CEO
Previous Reports	N/A
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	<ol style="list-style-type: none"> 1. CBP Review Draft as at 19 Aug 2022 [12.8.1 - 35 pages] 2. Current Corporate Business Plan 2021-2025 [12.8.2 - 30 pages]

Purpose

The purpose of this report was for Council to consider the outcome of the review of the Town's Corporate Business Plan.

Council Resolution/Officer Recommendation – Item 12.8 **OCM 15/9/22**

MOVED Cr Poliwka, Seconded Cr McLennan, that Council adopts the Town of Bassendean Corporate Business Plan 2022-2026 as attached to this report.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

12.9 Adoption of Draft Council Briefing Session Policy	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	GOVN/CCLMEET/1
Author	Peta Mabbs
Department	CEO
Previous Reports	N/A
Authority/Discretion	Legislative Includes adopting local laws, town planning schemes & policies.
Attachments	1. Briefing Session Guidelines [12.9.1 - 5 pages] 2. Town of Bassendean Council Briefing Session policy [12.9.2 - 5 pages]

Purpose

The purpose of this report was for Council to consider whether to:

1. Adopt the draft Council Briefing Session Policy; and
2. Repeal the Council Briefing Session Guidelines adopted December 2017 and amended May 2018.

Officer Recommendation – Item 12.9

That Council:

1. Adopt the draft Council Briefing Session Policy as contained in Attachment 1; and
2. Repeal the Council Briefings Session Guidelines as contained in Attachment 2.

Council Resolution/Officer Recommendation – Item 12.9
OCM 16/9/22

MOVED Cr Hamilton, Seconded Cr Ames, that this item be deferred to allow for further discussion.

CARRIED 6/1

Crs Hamilton, Ames, MacWilliam, Wilding, Carter & Poliwka voted in favour of the motion. Cr McLennan voted against the motion.

12.10 Audit and Governance Committee Meeting, 7 September 2022	
Property Address	NA
Landowner/Applicant	NA
File Reference	GOVN/CCLMEET/18
Author	Director Corporate Services
Department	Corporate Services, Corporate Services
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. Audit and Governance Committee Minutes 7 September 2022 [12.10.1 - 11 pages] 2. OAG Report 5 Financial Audit Results - Local Government 2020/2021 [12.10.2 - 68 pages] 3. Disclosure of Related Party Transactions Procedure [12.10.3 - 5 pages] 4. Related Party Transactions - Disclosure Form [12.10.4 - 6 pages] 5. CONFIDENTIAL - Audit Risk Register [12.10.5 - 7 pages]

Purpose

The purpose of this report was for Council to receive the report on the meeting of the Audit and Governance Committee held on 7 September 2022.

Council Resolution/Officer Recommendation – Item 12.10
OCM 17/9/22

MOVED Cr MacWilliam, Seconded Cr Poliwka, that Council:

1. Receives the Auditor General’s report on Local Government Financial Audits for 2020/21;
2. Notes that the Town will seek a correction to that report to show that the Town’s accounts were provided to the appointed auditor by the due date specified in section 6.4 of the *Local Government Act 1995*;
3. Requests the CEO write to the Auditor General to seek a review to its processes to include an opportunity for the Local Government to make representations in relation to any adverse mention, prior to finalisation of the report;
4. Revoke the Related Party Transactions and Disclosure Policy;
5. Notes that the CEO has developed the proposed Disclosure of Related Party Transactions Procedure and supporting disclosure form, attached to this report; and
6. Receives the Audit Risk Register and notes the action taken or proposed to address the identified risks.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

12.11 Proposed Terms of Reference - Arts, Culture and Events Committee	
Property Address	N/A
Landowner/Applicant	N/A
File Reference	TBA
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. Draft Terms of Reference [12.11.1 - 3 pages]

Purpose

The purpose of this report was for Council to consider adopting Terms of Reference for the Arts, Culture and Events Committee.

Council Resolution/Officer Recommendation – Item 12.11(a) **OCM 18/9/22**

MOVED Cr Carter, Seconded Cr Poliwka, in the event that Council wishes to establish an Arts, Culture and Events Committee, that it adopts the draft Terms of Reference (as attached to the officer report) for the Arts, Culture and Events Committee.

CARRIED 4/3

Crs Carter, Poliwka, Hamilton & MacWilliam voted in favour of the motion. Crs McLennan, Wilding & Ames voted against the motion.

Council Resolution/Officer Recommendation – Item 12.11(b) **OCM 19/9/22**

MOVED Cr MacWilliam, Seconded Cr Poliwka, in the event that Council wishes to establish an Arts, Culture and Events Committee, that it appoints **Councillors Hamilton, Carter and Ames** to the Arts, Culture and Events Committee until the next Local Government Ordinary Election.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

12.12 Accounts Paid 31 August 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. Consolidated Payment Listing August 2022 [12.12.1 - 20 pages]

Purpose

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

Council Resolution/Officer Recommendation – Item 12.12 **OCM 20/9/22**

MOVED Cr Wilding, Seconded Cr McLennan, that Council receive the list of payments for August 2022.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION OCM 8/9/22 7/0

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 document affixed with the Common Seal during the reporting period.

Council Resolution/Officer Recommendation – Item 12.13 **OCM 21/9/22**

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

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION OCM 8/9/22 7/0

12.14 Calendar October 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 October 2022.

Council Resolution/Officer Recommendation – Item 12.14 **OCM 22/9/22**

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

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION OCM 8/9/22 7/0

13 Motions of which Previous Notice has been given

Nil

14 Announcements of Notices of Motion for the next meeting

Nil

15 Urgent Business

Nil

16 Confidential Business

Nil

17 Closure

The next Briefing Session will be held on Tuesday 18 October 2022, commencing at 6pm. The next Ordinary Council Meeting will be held on Tuesday 25 October 2022, commencing at 6pm.

There being no further business, the Presiding Member declared the meeting closed, the time being 7.45pm.