



TOWN OF

Bassendean

AGENDA

Special Council Meeting

Monday 11 March 2024

Notice is hereby given of the Special Council Meeting
to be held in the Council Chamber

Administration Building, 48 Old Perth Road Bassendean

And via MS Teams Online

commencing at 5:30 pm

Meeting Information

About the Special Council Meeting

The Mayor will preside over the Special Council Meeting. In the absence of the Mayor, the session will be presided over by the Deputy Mayor.

The meeting is open to all members of the public, except during the consideration of matters deemed confidential in line with the Local Government Act 1995.

Recording and Live-streaming

All participation in the meeting, except for confidential business, will be audio recorded and live-streamed on the Town's website. The live stream will be archived and made available on the Town's website after the meeting.

Conduct at meetings

The Town is committed to ensuring our Council Meetings are a safe work environment, free of risks to the health and wellbeing of Elected Members, Officers and our community. Any person attending is required to be respectful, courteous and have due regard for individual rights and differences. Individuals may be asked to leave should their conduct adversely affect the health and safety of others.

By attending this meeting, you agree to abide by these conditions.

For any questions regarding the Briefing Session or any item presented in the agenda, please contact the Town of Bassendean at mail@bassendean.wa.gov.au.

Tune in to live streaming from the comfort of your own home by going to:
Town of Bassendean Council - YouTube

or if you miss it live, go to:
<https://www.youtube.com/channel/UC46mMs3D7vmHuO0ePibihhg>

Council Role

Each Report presented will identify what Council's Role is in the item

Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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.
Legislative	Includes adopting local laws, town planning schemes and policies.
Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Information	For the Council/Committee to note.

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

Acknowledgement of Traditional Owners

The Town of Bassendean acknowledges the past and present traditional owners of the land on which we gather to conduct this meeting, and pays its respects to their Elders, both past and present.

2 Announcements by the Presiding Person Without Discussion

3 Attendances and Apologies

4 Declarations of Interest

5 Presentations or Deputations

Deputation requests can be submitted prior to the Briefing Session via the online form:
[Online Form - Request for Deputation » Town of Bassendean](#)

Further information can be found here:
[About Council Meetings » Town of Bassendean](#)

6 Statements by Members of the Public on Agenda Items

7 Questions by Members of the Public

8 Reports

8.1 Notice of Motion - Potential Boundary Adjustment - City of Swan	
Property Address	
Landowner/Applicant	
File Reference	TBA
Directorate	Office of the CEO
Previous Reports	Nil
Authority/Discretion	Executive The substantial direction setting and oversight role of the Council.
Attachments	Nil

Purpose

The City of Swan is conducting an Ordinary Council Meeting on Wednesday March 13th, at which they will consider an annual electors notice of motion requesting the City of Swan engage formally with the Town of Bassendean to discuss boundary adjustments. The purpose of this report is for Council to consider motion three (3) carried at the Town of Bassendean annual electors meeting on the 13th of February, requesting the Town notify the City of Swan that the Town of Bassendean is willing and open to engaging in boundary adjustment discussions, with the City of Swan.

Background

The following Motion and Rationale was submitted in advance of the General Electors Meeting, and was carried at that meeting held on the 13 February 2024:

MOVED Hilary MacWilliam, SECONDED Peter Markham

That the Town of Bassendean Council writes to the City of Swan to express willingness to engage in a collaborative process to review a potential boundary realignment exploring whether there are synergies for some or all of those adjoining urban communities to be represented by the Town of Bassendean, and
2. Notes that the Local Government Advisory Board can assess the merits or otherwise of any boundary realignment proposal either formally or informally and should the City of Swan and Town of Bassendean councils wish to proceed with a proposal, the Local Government Advisory Board will undertake targeted consultation

with affected communities and stakeholders for due consideration prior to making any recommendation to the Minister.

CARRIED 13/4

The NOM presented at the Town of Bassendean General Meeting of Electors was in response to a NOM presented at the City of Swan Annual Electors Meeting held on February 5th. The following outlines that Motion and the Recommendation provided by the City of Swan administration.

Motion 17:

Marilena Stimpfl, South Guildford

Noting that the Local Government Advisory Board established by the Local Government Act 1995 evaluates proposals for changes to local government boundaries; and can accept proposals for change from the Minister for Local Government, local governments themselves, or from electors; the eligible electors at this Annual Meeting of Electors of the City of Swan hereby request this Council to progress the following;

- 1. That the City of Swan Council, in the interests of good governance, reviews the south-western boundaries and suburbs of the district to consider whether there are synergies for some or all those urban communities to be represented by adjoining Local Authority, the Town of Bassendean; and*
- 2. That the City of Swan engage with the Town of Bassendean Council to ascertain receptiveness for collaboration with the City to develop a joint proposal in relation to potential boundary changes for consideration by the Local Government Advisory Board; and*
- 3. Notes that the Local Government Advisory Board can assess the merits or otherwise of any boundary realignment proposal either formally or informally; and should the City of Swan and Town of Bassendean councils wish to proceed, the Local Government Advisory Board will undertake targeted consultation with affected communities and stakeholders for due consideration prior to making any recommendations to the Minister.*

The City of Swan will now consider this NOM at the Ordinary Council Meeting to be held on March 13th with the following comment/recommendation:

A proposal may be made to the Advisory Board by:

- a) The Minister; or*
- b) An affected local government; or*
- c) 2 or more affected local governments, jointly; or*

- d) *Affected electors who –*
- a. *Are at least 250 in number; or*
 - b. *Are at least 10% of the total number of affected electors.*

It is open to community members to initiate the provisions of point (d)a. above, however, in the absence of demonstrated community support for this proposal, no further action is recommended.

The Town's Administration had prepared recommendations in relation to the General Electors meeting Motions for consideration at the March Ordinary Council Meeting:

Communication and Engagement

The General Electors Meeting was attended by twenty-one (21) members of the public and livestreamed via the Towns You Tube Channel. To date, no adverse communication has been received by the town regarding this Motion 3 as presented and carried at the General Meeting of Electors.

Strategic Implications

Priority Area 4: Driving Financial Sustainability

4.1 Ensure there is sufficient, effective and sustainable use of assets

Priority Area 6: Providing Visionary Leadership and Making Great Decisions

6.2 Ensure major decision making is informed by community feedback.

Officer Comment

Given that the City of Swan will meet (March 13th) prior to the Town of Bassendean Ordinary Council Meeting, it is considered appropriate that this Special Council meeting be held to inform the City of Swan of the Town's desire to explore boundary adjustment.

The Town of Bassendean Administration and Council have proactively explored, discussed and actioned many strategies to deliver high levels of services to our community, whilst on a journey towards improved financial sustainability now and into the future. A review of boundaries with our neighbouring LGA's to grow our rate base is worthy of consideration and investigation. The factors outlined by the Local Government Advisory Board provide comprehensive guidance to evaluate proposals for changes to local government boundaries, and include the following:

- community of interest
- physical and topographical features
- demographic trends
- economic factors
- the history of the area

- transport and communication
- matters affecting the viability of the local government
- the effective delivery of government services

Exploring opportunities in collaboration with our neighbours, before commencing a formal process relating to any proposal for boundary realignment and engaging with our community, is appropriate.

Given the electors of the City of Swan have requested such dialogue via formal motion, is an opportunity for the Town to inform the City of Swan that the Town of Bassendean are willing to explore boundary adjustment opportunities.

Statutory Requirements

Nil

Financial Considerations

Nil

Risk Management Implications

No risks identified

Declaration of Conflicts of Interest

Nil

Officer Recommendation – Item 8.1

That Council:

Request the CEO immediately inform the City of Swan that the Town of Bassendean is a willing partner in boundary adjustment discussions.

Voting requirements: Absolute Majority

9 Closure

The next Briefing Session will be held on Tuesday 19 March 2024 commencing at 6pm.

The next Ordinary Council meeting will be held on 26 March 2024 commencing at 6pm.