

Ordinary Council Meeting Tuesday, 30 April 2024 Attachments

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- - - CONCEPT BOUNDARY
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 - EXISTING TURF
 - NEW TURF
 - PROPOSED TOILET BLOCK
 - PROPOSED STORAGE SHED
 - PROPOSED SOUND STAGE
 - PROPOSED STREET FURNITURE AND FITNESS EQUIPMENT
 - EXISTING LIGHT POLE
 - PROPOSED LIGHT TOWER
 - ELECTRICAL CONNECTION POINT
 - ⊗ WATER CONNECTION POINT
 - BOLLARDS





DELEGATIONS REGISTER

~~Current Draft for Council consideration as at November 2023~~April 2024

Register of Delegations
Town of Bassendean



VERSION CONTROL			
Number	Date	Item	Reason
1	27/10/2020	OCM	Section 5.46(2), <i>Local Government Act 1995</i> , annual review; major reform required.
2	20/11/2020	Delegations 1.2.1, 4.1.4, and 5.1.3 revoked	Act amendment (effective 07/11/2020) harmonised the process to appoint authorised persons. The CEO is the prescribed decision-maker to make appointments. Council decision not required to revoke as the amendment means Council no longer has the authority.
3	01/2021	Delegation 1.2.12	Sub-delegation provided to officers to reflect new Purchasing Policy. Council decision not required as the amendment deals with a sub-delegation from the CEO.
4	01/2021	Delegation 1.2.27	Delegation adopted by Council July 2020 and included in the Register.
5	17/06/2021	Delegation 1.2.14 Delegation 1.2.15	Sub-delegation to Senior Accountant for the period 1 July 2021 – 31 December 2021 as Manager Finance position vacant. The delegation has been superseded by the sub-delegation dated 17 December 2021.
6	22/06/2021	Delegation 1.2.28	Delegation adopted by Council June 2021 and included in the Register.
7	22/07/2021	Delegation 10.1.3	Amend the condition of sub-delegation from CEO to Planning Officer to include approval for carports, non-habitable additions, and grouped dwellings.
8	24/08/2021	OCM Review	Section 5.46(2), <i>Local Government Act 1995</i> , annual review; major reform required.
9	24/08/2021	Delegation 1.2.23 Delegation 1.2.11 Delegation 1.2.12	1.2.23 - Amend to include the issue of a permit for a circus, only where the circus does not include the use of exotic animals. 1.2.11 – Include a condition on the delegation. 1.2.12 – Limitation on sole supplier delegation.
10	17/12/2021	Delegation 1.2.14	Sub-delegation to senior accountant and management accountant updated.
11	19/01/2022	Delegation 1.2.2 Delegation 10.1.3	Sub-delegation to planner amended to senior planner.
12	09/06/2022	Delegation 1.2.27	Sub-delegation amended to reflect new position title of Manager Recycling and Waste. Sub-delegation advised by CEO to officer.
13	28/06/2022	Delegation 1.2.15 Delegation 1.2.28	Delegation amended to include the provision of the write-off of small rates balance up to \$10.00 per property per annum. Delegation amended to include approval of application to cut/prune a tree where there is no dispute and the application is signed by all owners.
14	13/12/2022	Delegation 5.1.10	Insert new delegation Grant an Exemption to Keep more than Two Dogs. Delegation 1.2.15 – Amended conditions to include the words per fee after the amount not exceeding \$250. Amended power to authorise a write – off of a debt, to insert the words per debt after a maximum value of \$250.
15	13/12/2022	Delegation 1.2.23	Delegation 1.2.23 – Amended to delete reference to Responsible Cat Ownership Local Law 2006 and insert reference to Cats Local Law 2021.
16	13/12/2022	Delegation 4.1.1 – 4.1.7	Delegations 4.1.1 - 4.1.7 – Amended to delete reference to the repealed Responsible Cat Ownership Local Law 2006 and insert reference to the Cats Local Law 2021.
17	13/12/2022	Delegation 3.1.3	Delegation 3.1.3 – Amended by deleting the condition on the delegation and inserting the word nil.
18	13/12/2022	Delegation 5.1.4	Delegation 5.1.4 – Amended by deleting reference to s. 29(1) of the <i>Dog Act 1976</i> in the delegation.
19	13/12/2022	Delegation 1.3.6	Delegation 1.3.6 – Amended to remove reference to regulation 29(2) and (3) Local Government (Administration) Regulations 1996, and deletion of clauses 1 and 5 and renumber the subsequent clauses.

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Register of Delegations
Town of Bassendean



			<ul style="list-style-type: none">• <u>Manager Engineering and Assets</u>• <u>Manager Financial Services</u>• <u>Financial Accountant; and</u>• <u>Minor formatting</u>
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COMPLIANCE LINKS – IMPORTANT INFORMATION

Delegations exercised under this Register of Delegations must be recorded in accordance with Administration Regulation 19.

19. Delegates to keep certain records (Act s. 5.46(3))

Where a power or duty has been delegated under the Act to the CEO or to any other local government employee, the person to whom the power or duty has been delegated is to keep a written record of —

(a) how the person exercised the power or discharged the duty; and

(b) when the person exercised the power or discharged the duty; and

(c) the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

Compliance links, including Legislation, Council Policy, Local Laws or external standards and guidelines, referred to each instrument of delegation contained in this register were correct at time of Council adoption.

Delegates **must** always review the primary legislation and compliance links before exercising a delegated authority to ensure decision making complies with legislative and other compliance obligations.

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TOWN OF BASSENDEAN REGISTER OF DELEGATIONS

The following is the register of delegations for the purposes of sections 5.18 and 5.46 of the *Local Government Act 1995* which includes all delegations made by the Council of the Town of Bassendean under section 5.42 of the *Local Government Act 1995*, section 127 of the *Building Act 2011*, section 48 of the *Bush Fires Act 1954*, section 44 of the *Cat Act 2011*, section 10AA of the *Dog Act 1976*, section 118 of the *Food Act 2008*, section 16 of the *Graffiti Vandalism Act 2016*, section 21 of the *Public Health Act 2016* and Schedule 2 clause 82(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The delegations made within this register were made by the Council of the Town of Bassendean by a resolution passed by an absolute majority of the Council on ~~27 October 2020~~ 30 April 2024. Signed, for the Council –

~~Renee McLennan~~
~~Cr~~
Kathryn Hamilton
Mayor

Date ~~29th October 2020~~ 30 April 2024

TOWN OF BASSENDEAN REGISTER OF SUB-DELEGATIONS

The following is the register of sub-delegations for the purposes of section 5.46 of the *Local Government Act 1995* which includes all delegations made by the Chief Executive Officer of the Town of Bassendean under section 5.44 of the *Local Government Act 1995*, section 127 of the *Building Act 2011*, section 45 of the *Cat Act 2011*, section 10AA of the *Dog Act 1976*, section 17 of the *Graffiti Vandalism Act 2016* and Schedule 2 clause 83 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The delegations made within this register were made by the Chief Executive Officer of the Town of Bassendean.
Signed by the Chief Executive Officer –

~~Peta~~
~~Mabbs~~
Cameron
Woods

CEO

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Register of Delegations
Town of Bassendean



Date ~~29th October 2020~~ 30 April 2024

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Register of Delegations
Town of Bassendean



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Register of Delegations

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Register of Delegations

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Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1 Local Government Act 1995 Delegations

1.1 Council to Committees of Council

1.1.1 Audit and Governance Committee

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.16 Delegation of some powers and duties to certain committees. ▪ s 7.1B Delegation of some powers and duties to audit committees.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 7.12A(2), (3) & (4) Duties of Local Government with respect to audits
Delegate:	Audit and Governance Committee
Function:	<ol style="list-style-type: none"> 1. Authority to meet with the City's Auditor at least once every year on behalf of the Council [s 7.12A(2)]. 2. Authority to: <ol style="list-style-type: none"> a. examine the report of the Auditor and determine matters that require action to be taken by the Town of Bassendean; and b. ensure that appropriate action is taken in respect of those matters [s 7.12A(3)]. 3. Authority to review and endorse the Town of Bassendean's report on any actions taken in response to an Auditor's report, prior to it being forwarded to the Minister [s 7.12A(4)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ This delegation is not to be used where a Management Letter or Audit Report raises significant issues. ▪ In that instance the Local Government's meeting with the Auditor must be directed to the Council.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil. Sub-delegation is prohibited by s 7.1B.
Compliance Links:	<ul style="list-style-type: none"> ▪ Department of Local Government, Sport and Cultural Industries Operational Guideline - The appointment, function and responsibilities of Audit Committees. ▪ Audit and Governance Committee Instrument and Terms of Reference ▪ Town of Bassendean Investment Policy ▪ Town of Bassendean Financial Sustainability Policy
Record Keeping:	<ul style="list-style-type: none"> ▪ Audit <u>and Governance</u> Committee Minutes shall record and identify each decision made under this delegation in accordance with the requirements of <i>Local Government (Administration) 1996</i> Regulation 19. ▪ Town of Bassendean Record Keeping Policy.



1. Local Government Act 1995 Delegations

1.1.2 Complaints Committee

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees
Express Power or Duty Delegated:	<i>Local Government (Model Code of Conduct) Regulations 2021:</i> Clause-12 Dealing with a complaint Clause- Clause , 13 Dismissal of complaint
Delegate:	Complaints Committee
Function:	<ol style="list-style-type: none"> 1. Authority to make a finding as to whether an alleged breach the subject of a complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [MCC.cl. 12(1) and (3)]. In making any finding the Committee must also determine reasons for the finding [MCC.cl. 12(7)]. 2. Where a finding is made that a breach has occurred, authority to: <ol style="list-style-type: none"> a. take no further action [MCC.cl. 12(4(a)); or b. prepare and implement a plan to address the behaviour of the person to whom the complaint relates [MCC.cl. 12(4)(b), (5) and (6)]. 3. Authority to dismiss a complaint and if dismissed, the Committee must also determine reasons for the dismissal [MCC.cl. 13(1) and (2)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ The Committee will make decisions in accordance with the principles and specified requirements established in Code of Conduct Complaints Management Policy. ▪ That part of a Committee meeting which deals with a Complaint will be held behind closed doors in accordance with s.5.23(2)(b) of the Act. ▪ The Committee is prohibited from exercising this Delegation where a Committee Member in attendance at a Committee meeting is either the Complainant or Respondent to the Complaint subject of a Committee agenda item. <ul style="list-style-type: none"> ▪ In the event of (c) above, the Committee member is to recuse themselves from attendance at the meeting. Should this result in loss of a quorum at the meeting, the Committee may resolve to defer consideration to a future meeting at which the <u>conflicted Committee Member is absent and a quorum of members is present.</u>

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1. Local Government Act 1995 Delegations

	<p>conflicted Committee Member is absent and a quorum of members is present.</p> <p>NOTE TO CONDITIONS (C) AND (D): The purpose of this Condition is to require that a Committee Member who is identified as either the Complainant or Respondent is required to recuse themselves by notifying the Presiding Member of their intention to be an apology for the meeting at which the Complaint is an agenda item.</p>
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil.
Compliance Links:	<ul style="list-style-type: none"> ▪ Council Policy Complaints Committee Terms of Reference ▪ Council Policy Code of Conduct Complaints Management ▪ Council Policy Code of Conduct for Council Members, Committee Members and Candidates
Record Keeping:	<ul style="list-style-type: none"> ▪ Committee Minutes shall record the details of each decision made under this delegation in accordance with the requirements of Administration Regulation 19.

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Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2 Council to CEO

1.2.1 Appoint Authorised Persons (Revoked due to Act Amendment 7/11/2020)

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.2 Powers of Entry

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 3.28 When this Subdivision applies ▪ s 3.31(2) General Procedure of Entering Land ▪ s 3.32 Notice of entry ▪ s 3.33 Entry under warrant ▪ s 3.34 Entry in an emergency ▪ s 3.36 Opening fences
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to exercise powers of entry to enter onto land to perform any of the local Government functions under the <i>Local Government Act 1995</i>, other than entry under a Local Law [s 3.28]. 2. Authority to give notice of entry [s 3.32]. 3. Authority to seek and execute an entry under warrant [s 3.33]. 4. Authority to execute entry in an emergency, using such force as is reasonable [s 3.34(1) and (3)]. 5. Authority to give notice and effect entry by opening a fence [s 3.36].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Delegated authority under s 3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property or in an emergency.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Director Corporate Services ▪ Executive Manager Director Infrastructure and Sustainability ▪ Executive Manager Sustainability and Environment ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger ▪ Ranger ▪ Senior Environmental Health Officer ▪ Environmental Health Officer ▪ Senior Planner ▪ Principal Building Surveyor ▪ Building Surveyor



1. Local Government Act 1995 Delegations

CEO Conditions on this Sub-Delegation:	<ul style="list-style-type: none"> ▪ The CEO and relevant Director must be advised before delegated authority under s 3.33 is exercised. ▪ Delegated authority under s 3.34(1) and s 3.34(3) may only be exercised, where there is imminent or substantial risk to public safety or property or in an emergency. ▪ Conditions on the CEO delegation also apply to the sub-delegation. ▪ Each person appointed under this delegation must be issued with an identification badge and carry this badge whenever exercising this delegation. ▪ Each person to whom a power or duty is delegated must keep records in accordance with Regulations in relation to the exercise of the power or the discharge of the duty.
Compliance Links:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 9.10 Appointment of authorised persons – refer also s 3.32(2)] Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry. ▪ s 3.34(2) Entry in an emergency.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.3 Declare Vehicle is Abandoned Vehicle Wreck

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 3.40A(4) Abandoned vehicle wreck may be taken
Delegate:	Chief Executive Officer
Function:	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s 3.40A(4)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.2.4 Disposing of Confiscated or Uncollected Goods or alternatively, referred to Council for decision.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Director Corporate Services ▪ Executive Manager Director Infrastructure and Sustainability ▪ Executive Manager Sustainability and Environment ▪ Manager Development and Place Manager Planning and Regulation
CEO Conditions on this Sub-Delegation:	Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty. Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<i>Local Government Act 1995</i> Part 3 Division 3 Subdivision 4 Impounding abandoned vehicle wrecks and goods.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.4 Confiscated or Uncollected Goods

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 3.46 Goods May be withheld until costs paid ▪ s 3.47 Confiscated or uncollected goods, disposal of ▪ s 3.48 Impounding expenses, recovery of
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority <u>Authority to</u> refuse to allow goods impounded under s 3.39 or s 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s 3.46]. 2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s 3.43 [s 3.47]. 3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s 3.48].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with <i>Local Government (Functions and General) Regulations 1996</i> Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Director Corporate Services ▪ Executive Manager Director Infrastructure <u>and Sustainability</u> ▪ Executive Manager Sustainability and Environment ▪ Manager Development and Place <u>Manager Planning and Regulation</u>
CEO Conditions on this Sub-Delegation:	Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty. Conditions on <u>Conditions on</u> the CEO delegation also apply to the sub-delegation.
Compliance Links:	<i>Local Government Act 1995:</i> Part 3, Division 3, Subdivision 3 <ul style="list-style-type: none"> ▪ s 3.58 Disposing of Property - applies to the sale of goods under s 3.47 as if they were property referred to in that section.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.5 Close Thoroughfare to Vehicles

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 3.50 Closing certain thoroughfares to vehicles. ▪ s 3.50A Partial closure of thoroughfare for repairs or maintenance. ▪ s 3.51 Affected owners to be notified of certain proposals.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4 weeks [s 3.50(1)]. 2. Authority to determine to close a thoroughfare for a period exceeding 4 weeks and before doing so, to: <ul style="list-style-type: none"> ▪ give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and ▪ consider submissions relevant to the road closure/s proposed [s 3.50(1a), (2) and (4)]. 3. Authority to revoke an order to close a thoroughfare [s 3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s 3.50A] 5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s 3.51].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ If, under s 3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s 3.50(8)]. ▪ Maintain access to adjoining land [s 3.52(3)].
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Executive Manager Director Infrastructure and Sustainability ▪ Executive Manager Sustainability and Environment ▪ Engineering Technical Coordinator Manager Engineering and Assets

Commented [JB1]: Role no longer exists

Commented [JB2R1]: Replace with Manager Engineering and Assets 1.2.5 - 1.2.10 inclusive. 1.2.23 and related delegations in 1.3.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none">▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	<p>Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.</p> <p>Conditions on the CEO delegation also apply to the sub-delegation.</p>
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.6 Obstruction of Footpaths and Thoroughfares

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government (Uniform Local Provisions) Regulations 1996 (ULP):</i></p> <ul style="list-style-type: none"> ▪ reg 5(2) Interfering with, or taking from, local government land. ▪ reg 6 Obstruction of public thoroughfare by things placed and left - Sch 9.1, cl 3(1)(a). ▪ reg 7A Obstruction of public thoroughfare by fallen things – Sch 9.1, cl 3(1)(b). ▪ reg 7 Encroaching on public thoroughfare – Sch 9.1, cl 3(2).
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> a. prevent damage to the footpath; or b. prevent inconvenience to the public or danger from falling materials [ULP reg 5(2)]. 2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP reg 6(2) and reg (4)]. 3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP reg 6(6)]. 4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP reg 7A]. 5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP reg 7].

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Actions under this Delegation must comply with procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>. ▪ Permission may only be granted where, the person has: <ol style="list-style-type: none"> i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Director Corporate Services ▪ Executive Manager Director Infrastructure and Sustainability ▪ Executive Manager Sustainability and Environment ▪ Manager Development and Place Manager Planning and Regulation ▪ Engineering Technical Coordinator Manager Engineering and Assets ▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	<p>Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.</p> <p>Conditions on the CEO delegation also apply to the sub-delegation.</p>
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. ▪ Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.
Record Keeping	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.7 Public Thoroughfare – Dangerous Excavations

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government (Uniform Local Provisions) Regulations 1996,</i> regs 11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch 9.1, cl 6.</p>
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner or occupier in writing to fill in or securely fence the excavation [ULP reg 11(1)]. 2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP reg 11(4)]. 3. Authority to impose conditions on granting permission [ULP reg 11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP reg 11(8)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Actions under this Delegation must comply with procedural requirements detailed in <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. ▪ Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Director Corporate Services ▪ Executive Manager Director Infrastructure and Sustainability.



1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none"> ▪ Executive Manager Sustainability and Environment ▪ Manager Development and Place Manager Planning and Regulation ▪ Principal Building Surveyor ▪ Building Surveyor ▪ Engineering Technical Coordinator Manager Engineering and Assets
CEO Conditions on this Sub-Delegation:	<p>Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.</p> <p>Conditions on the CEO delegation also apply to the sub-delegation.</p>
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government (Uniform Local Provisions) Regulations 1996</i> – prescribe applicable statutory procedures. ▪ Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>. ▪ <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2010</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.8 Crossing – Construction, Repair and Removal

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<p><i>Local Government (Uniform Local Provisions) Regulations 1996:</i></p> <ul style="list-style-type: none"> ▪ reg 12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch 9.1, cl 7(2) ▪ reg 13(1) Requirement to construct or repair crossing – Sch 9.1 cl 7(3)
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP reg 12(1)]. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP reg 12(1)(a)]. 3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP reg 13(1)]. 4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP reg 13(2)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Executive Manager Director Infrastructure and Sustainability ▪ Engineering Technical Coordinator Manager Engineering and Assets
CEO Conditions on this Sub-Delegation:	<p>Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.</p> <p>Conditions on the CEO delegation also apply to the sub-delegation.</p>
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. ▪ Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.



1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none">▪ <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2010.</i>
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.9 Private Works on, over or under Public Places

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ Reg 17 Private works on, over, or under public places – Sch 9.1, cl 8
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP reg 17(3)]. 2. Authority to impose conditions on permission including those prescribed in reg 17(5) and (6) [ULP reg 17(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Actions under this Delegation must comply with procedural requirements under <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. ▪ Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Executive Manager Director Infrastructure and Sustainability ▪ Executive Manager Sustainability and Environment ▪ Engineering Technical Coordinator Manager Engineering and Assets
CEO Conditions on this Sub-Delegation:	<p>Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.</p> <p>Conditions on the CEO delegation also apply to the sub-delegation.</p>



1. Local Government Act 1995 Delegations

Compliance Links:	<ul style="list-style-type: none">▪ <i>Local Government (Uniform Local Provisions) Regulations 1996.</i>▪ Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.10 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<p><i>Local Government (Uniform Local Provisions) 1996:</i></p> <ul style="list-style-type: none"> ▪ reg 21(1) Wind erosion and sand drifts – Sch 9.1, cl 12.
Delegate:	Chief Executive Officer
Function:	1. Authority to give notice to an owner or occupier of land if it is considered that clearing the owner or occupier's land may cause local government land, having a common boundary, to be adversely affected by wind erosion or sand drift [ULP reg 21(1)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Executive Manager Director Infrastructure and Sustainability ▪ Executive Manager Sustainability and Environment ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Environmental Health Officer ▪ Environmental Health Officer ▪ Principal Building Surveyor ▪ Building Surveyor
CEO Conditions on this Sub-Delegation:	<p>Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.</p> <p>Conditions on the CEO delegation also apply to the sub-delegation.</p>
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government (Uniform Local Provisions) Regulations 1996.</i> ▪ Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.11 Expressions of Interest for Goods and Services

Revoked.

Delegation Register

Town of Bassendean



2. Local Government Act 1995 Delegations

1.2.12 Tenders for Goods and Services

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 3.57 Tenders for providing goods or services <p><i>Local Government (Functions and General) Regulations 1996:</i></p> <ul style="list-style-type: none"> ○ reg 11 When tenders have to be publicly invited; ○ reg 13 Requirements when local government invites tenders though not required to do so; ○ reg 14 Publicly inviting tenders, requirements for; ○ reg 18 Rejecting and accepting Tenders; ○ reg 20 Variation of requirements before entry into contract; ○ reg 21A Varying a contract for the supply of goods or services.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. The CEO is delegated authority to invite tenders for the supply of contracts over the value of \$250,000 [F&G reg 11(1)]. 2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&G reg 11(f)] up to a maximum of \$60,000, with sole supplier proposals in excess of \$60,000 to come before Council for determination. 3. Authority to invite tenders although not required to do so [F&G reg 13]. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is \$250,000 or less and the expense is included in the adopted Annual Budget. 4. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G reg 14(2a)]. 5. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G reg 14(4)(a)]. 6. Authority to vary tender information after public notice of invitation to tender and before the close of tenders. [F&G reg 14(5)]. 7. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&G reg 18(4)]. 8. Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender, subject to a maximum 5 percent variation of the contract price, and to then negotiate minor variations with the successful tenderer before entering into a contract [F&G reg 20(1) and (3)].



1. Local Government Act 1995 Delegations

	<p>9. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G reg 18(4a)].</p> <p>10. Authority to implement minor variations to a contract that has been entered into with a successful tenderer, provided the total variation value does not exceed 5 percent of the original contract; noting that a minor variation is a variation that does not alter the nature of the goods/services agreed to in the original contract</p> <p>11. Authority to exercise an extension option subject to:</p> <ul style="list-style-type: none"> a. the extension being within the original terms and conditions approved by Council; and b. in accordance with reg 11(2)(j) [F&G reg 21A].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Delegates exercising this delegation must comply with: <ul style="list-style-type: none"> ○ The Town of Bassendean Purchasing Policy. ○ Town of Bassendean Procurement Guidelines. ▪ Prior to going to market, notification to Councillors through the CEO Bulletin of the nature of the goods and the estimated cost sought. ▪ Variation proposals to existing contracts or contract extensions that are not of a minor nature are to be brought to Council for determination.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Corporate Services <ul style="list-style-type: none"> ○ Functions 2, 4, 8 and 10. ▪ Director Community Planning and Place <ul style="list-style-type: none"> ○ Functions 2 and 4. Function 10 provided the total variation value does not exceed above 5% of the original contract value. ▪ Executive ManagerDirector Infrastructure and Sustainability, Executive Manager Sustainability and Environment <ul style="list-style-type: none"> ○ Functions 4 and 10 provided the total variation value does not exceed above 5% of the original contract value. ▪ Coordinator Procurement, Contracts and Leases <ul style="list-style-type: none"> ○ Functions 5, 6, 7 and 9.
CEO Conditions on this Sub-Delegation:	<p>Conditions on the CEO delegation also apply to the sub-delegation.</p> <p>Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.</p>
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government (Functions and General) Regulations 1996</i> – prescribe applicable statutory procedures ▪ WALGA Subscription Service – Procurement Toolkit ▪ Purchasing Policy. ▪ Town of Bassendean Procurement Guidelines.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town’s document management system.

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Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.13 Disposing of Property

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 3.58(2) & (3) Disposing of Property.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to dispose of property to: <ol style="list-style-type: none"> a. the highest bidder at public auction [s 3.58(2)(a); b. the person who at public tender called by the local government makes what is, considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s 3.58(2)(b)]. 2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s. 3.58(3)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Disposal of real property is excluded from this delegation. ▪ When determining the method of disposal: <ol style="list-style-type: none"> (a) Where a public auction is determined as the method of disposal: <ul style="list-style-type: none"> ○ Reserve price has been set by independent valuation. ○ Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. (b) Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. (c) Where a private treaty is determined [s 3.58(3)] as the method of disposal, authority to: <ul style="list-style-type: none"> ○ Negotiate the sale of the property up to a -10% variance on the valuation; and ○ Consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a decision are recorded. ▪ Where the market value of the property is determined as being less than \$20,000 (F&G reg 30(3) excluded disposal) may be undertaken: <ul style="list-style-type: none"> ○ Without reference to Council for resolution; and ○ In any case, be undertaken to ensure that the best value return is achieved however, where the property is



1. Local Government Act 1995 Delegations

	determined as having a nil market value, then the disposal must ensure environmentally responsible disposal.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community <u>and Placeplanning</u> ▪ Director Corporate Services ▪ Executive Manager Director Infrastructure <u>and Sustainability</u> ▪ Executive Manager Sustainability and Environment ▪ Manager Finance <u>Manager Financial Services</u>
CEO Conditions on this Sub-Delegation:	<ul style="list-style-type: none"> ▪ Conditions on the CEO delegation also apply to the sub-delegation. ▪ Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government Act 1995</i> – s 3.58 Disposal of Property. ▪ <i>Local Government (Functions and General) Regulations 1995</i> – reg 30 Dispositions of property excluded from s 3.58 of the Act. ▪ Asset Management Policy.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.14 Payments from the Municipal or Trust Funds

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government (Financial Management) Regulations 1996:</i></p> <ul style="list-style-type: none"> ▪ reg 12(1)(a) Payments from municipal fund or trust fund, restrictions on making.
Delegate:	Chief Executive Officer
Function:	1. Authority to make payments from the municipal or trust funds [reg 12(1)(a)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Authority to make payments is subject to annual budget limitations.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Corporate Services ▪ Director Community Planning and Place ▪ Manager Finance <u>Manager Financial Services</u> ▪ Senior Financial Accountant ▪ Management Accountant <u>Management Accountant</u>
CEO Conditions on this Sub-Delegation:	<p>Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.</p> <p>Conditions on the CEO delegation also apply to the sub-delegation.</p> <p>The sub-delegation to the Senior Accountant is up to \$50,000. The sub-delegation to the Management Accountant is up to \$50,000.</p>
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government Act 1995.</i> ▪ <i>Local Government (Financial Management) Regulations 1996</i> - refer specifically reg 13: Payments from municipal fund or trust fund by CEO, CEO's duties with respect to. ▪ <i>Local Government (Audit) Regulations 1996.</i> ▪ Department of Local Government, Sport and Cultural Industries Operational Guideline No 11 – Use of Corporate Credit Cards. ▪ Department of Local Government, Sport and Cultural Industries: Accounting Manual. ▪ Town of Bassendean Purchasing Policy. ▪ Town of Bassendean Procurement Guidelines. ▪ Town of Bassendean Use of Corporate Credit Card Procedures.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.15 Defer payment, Grant Discounts, Waive Fees or Write Off Debts

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 6.12 Power to defer payment, grant discounts, waive fees or write off debts.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Waive a debt, fee or charge which is owed to the Town of Bassendean [s. 6.12(1)(b)]. 2. To waive or grant concessions in relation to any amount of money which is owed to the Town in relation to a development application. [s. 6.12(1)(b)]. 3. Grant a concession in relation to money which is owed to the Town of Bassendean [s 6.12(1)(b)]. 4. Write off an amount of money which is owed to the Town of Bassendean [s 6.12(1)(c)]. 5. Write off small rates balances up to a maximum of \$10.00 per property per annum.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Delegation for (1) above does not apply to debts, which are prescribed as debts that are taken to be a rate or service charge [s 6.12(2)]. ▪ A debt may only be written off where all necessary measures have been taken to locate/contact the debtor and where costs associated to continue the action to recover the debt will outweigh the net value of the debt if recovered by the Town. ▪ This Delegation must be exercised in accordance with Council Policies - Recovery of Sundry Debts, and Town of Bassendean Financial Hardship Policy. ▪ The power to waive fees or write off money is subject to the amount not exceeding \$250 per fee. ▪ Authorise a write off of any debts (not including rates or other charges) to a maximum value of \$250 per debt. ▪ Write off small rates balances to a maximum of \$10.00 per property per annum. ▪ Council shall be informed of the details whenever this delegation is exercised.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Corporate Services ▪ Director Community Planning <u>Director Community and Place</u> – Function 5 is not sub- delegated to this position. ▪ Manager Finance <u>Manager Financial Services</u> ▪ Senior Financial Accountant – Function 5 is not sub- delegated to this position.



1. Local Government Act 1995 Delegations

<p>CEO Conditions on this Sub-Delegation:</p>	<p>Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.</p> <p>Conditions on the CEO delegation also apply to the sub-delegation.</p> <p>Function 5 – is not sub-delegated to the Director Community Planning Director Community and Place or the Senior Financial Accountant.</p>
<p>Compliance Links:</p>	<ul style="list-style-type: none"> ▪ Council Policies - Recovery of Sundry Debts Policy, and Town of Bassendean Financial Hardship Policy. ▪ <i>Planning and Development Regulations 2009</i>
<p>Record Keeping:</p>	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.16 Power to Invest and Manage Investments

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 6.14 Power to invest. <p><i>Local Government (Financial Management) Regulations 1996:</i></p> <ul style="list-style-type: none"> ▪ reg 19 Investments, control procedures for
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s 6.14(1)]. 2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM reg 19].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ All investment activity must comply with the <i>Local Government (Financial Management) Regulations 1996:</i> <ul style="list-style-type: none"> ○ reg 19 Investments, control <u>Investments, control</u> procedures for ○ reg 19C Investment of money, restrictions on. ▪ Investment Policy. ▪ A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Statements.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Corporate Services ▪ Manager Finance <u>Manager Financial Services</u>
CEO Conditions on this Sub-Delegation:	<ul style="list-style-type: none"> ▪ Conditions on the CEO delegation also apply to the sub-delegation. ▪ A decision to invest must be jointly confirmed by two Delegates.
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government (Financial Management) Regulations 1996.</i> ▪ Investment Policy.
Record Keeping	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.17 Rate Record Amendment

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">▪ s 5.42 Delegation of some powers or duties to the CEO.▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">▪ s 6.39(2)(b) Amend the rate record
Delegate:	Chief Executive Officer
Function:	1. Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s 6.39(2)(b)].
Council Conditions on this Delegation:	<ul style="list-style-type: none">▪ Delegates must comply with the requirements of s 6.40 of the Act.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Nil.
CEO Conditions on this Sub-Delegation:	Nil.
Compliance Links:	<ul style="list-style-type: none">▪ <i>Local Government Act 1995</i> – s 6.40 prescribes consequential actions that may be required following a decision to amend the rate record.▪ Note – Decisions under this delegation may be referred for review to the State Administrative Tribunal.
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.18 Agreement as to Payment of Rates and Service Charges

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 6.49 Agreement as to payment of rates and service charges
Delegate:	Chief Executive Officer
Function:	1. Authority to make an agreement with a person for the payment of rates or service charges [s 6.49]
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ This Delegation must be exercised in accordance with Council Policies: <ul style="list-style-type: none"> ○ Recovery of Rates and Service Charges ○ Financial Hardship
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Corporate Services ▪ Manager Finance Manager Financial Services
CEO Conditions on this Sub-Delegation:	<p>Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.</p> <p>Conditions on the CEO delegation also apply to the sub-delegation.</p>
Compliance Links:	<ul style="list-style-type: none"> ▪ Council Policies: <ul style="list-style-type: none"> ○ Recovery of Rates and Service Charges ○ Financial Hardship
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.19 Determine Due Date for Rates or Service Charges

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">▪ s 5.42 Delegation of some powers or duties to the CEO.▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">▪ s 6.50 Rates or service charges due and payable.
Delegate:	Chief Executive Officer
Function:	1. Authority to determine the date on which rates or service charges become due and payable to the Town of Bassendean [s 6.50].
Council Conditions on this Delegation:	<ul style="list-style-type: none">▪ Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none">▪ Director Corporate Services
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.20 Recovery of Rates or Service Charges

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 6.56 Rates or service charges recoverable in court. ▪ s 6.64(3) Actions to be taken.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s 6.56(1)]. 2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s 6.64(3)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ This Delegation must be exercised in consideration of Council Policies: <ul style="list-style-type: none"> ○ Recovery of Rates and Service Charges ○ Rates Exemption ○ Financial Hardship.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Corporate Services
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ Council Policies: <ul style="list-style-type: none"> ○ Recovery of Rates and Service Charges ○ Rates Exemption ○ Financial Hardship.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.21 Recovery of Rates Debts – Require Lessee to Pay Rent

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 6.60 Local Government may require lessee to pay rent.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Town of Bassendean [s 6.60(2)]. 2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s 6.60(4)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ This Delegation must be exercised in consideration of Council Policies: <ul style="list-style-type: none"> ○ Recovery of Rates and Service Charges ○ Financial Hardship.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Corporate Services
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government Act 1995</i> – refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s 6.60. ▪ Council Policies: <ul style="list-style-type: none"> ○ Recovery of Rates and Service Charges ○ Financial Hardship.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.22 Rate Record – Objections

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 6.76 Grounds of objection.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to extend the time for a person to make an objection to a rate record [s 6.76(4)]. 2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s 6.76(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must not be party to any determination under this Delegation.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Corporate Services
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ Note – Decisions under this delegation may be referred for review by the State Administrative Tribunal
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.23 Administration of Local Laws

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s. 3.18(1) <i>Local Government Act 1995.</i>
Delegate:	Chief Executive Officer
Function:	<p>Powers to determine applications, issue and apply conditions to approvals, consents, permits, licences and registrations, undertake enforcement functions and exercise discretion under the following local laws –</p> <ol style="list-style-type: none"> 1. Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2010 2. Animals, Environment, Nuisance and Pests Local Law 2019 3. Bee Keeping Local Law 2018 4. Dogs Local Law 2019 5. Dust and Building Waste Local Law 2018 6. Fencing Local Law 2013 7. Health Local Law 2001 8. Parking Local Law 2019 9. Property Local Law 2001 10. Cats Local Law 2021 11. Waste Local Law 2019
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Infringements may only be issued by persons authorised for the purposes of section 9.16 of the <i>Local Government Act 1995.</i> ▪ The CEO may only issue a permit under the Property Local Law for the operation of a circus on Town Property, where that circus does not involve the use of exotic animals.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Corporate Services ▪ Director Community Planning and Place ▪ Executive Manager Director Infrastructure <u>and Sustainability</u> ▪ Executive Manager Sustainability and Environment ▪ Manager Development and Place <u>Manager Planning and Regulation</u> ▪ Senior Ranger ▪ Ranger ▪ Senior Environmental Health Officer ▪ Environmental Health Officer ▪ Principal Building Surveyor ▪ Building Surveyor

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<ul style="list-style-type: none">▪ <i>Local Government Act 1995</i>▪ Part 9 Division 1 Objections and Review▪ Part 9 Division 2 Enforcement and Legal Proceedings
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.24 Disposal of Sick or Injured Animals

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
Delegate:	Chief Executive Officer
Function:	1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)]. 2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Council Conditions on this Delegation:	a. Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Corporate Services ▪ Director Community Planning and Place ▪ Executive Manager Director Infrastructure and Sustainability ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	
Record Keeping	Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.25 Compensation for Damage Incurred when Performing Executive Functions

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.22(1) Compensation s.3.23 Arbitration
Delegate:	Chief Executive Officer
Function:	1. In accordance with the s.3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation [s.3.22(1)]. 2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.
Council Conditions on this Delegation:	a. Delegation is limited to settlements which do not exceed a material value of \$5,000. b. Council shall be informed of the details whenever this delegation is exercised.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Corporate Services ▪ Director Community Planning and Place
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	
Record Keeping	Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.26 Management of Vested Land and Unvested Facilities

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government
Delegate:	Chief Executive Officer
Function:	1. Authority to agree the method for control and management of an unvested facility which is partially within 2 or more local government districts. [s.3.53(3)]. 2. Authority to do anything for the purpose of controlling and managing land under the control and management of the Town that the Town of Bassendean could do under s.5 of the Parks and Reserves Act 1895. [s.3.54(1)].
Council Conditions on this Delegation:	a. Limited to matters where the financial implications do not exceed a relevant and current budget allocation and which do not create a financial liability in future budgets.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Corporate Services ▪ Director Community Planning and Place ▪ Executive Manager Director Infrastructure <u>and Sustainability</u> ▪ Executive Manager Sustainability and Environment
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	
Record Keeping	Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.2.27 Authority to waive or grant concessions pursuant to Town of Bassendean Compassionate Waste Services Guidelines

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">▪ s 5.42 Delegation of some powers or duties to the CEO▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">▪ s. 6.12(1)(b) and (c) Power to defer payment, grant discounts, waive fees or write off debts.▪ Authority to waive a fee or grant a concession pursuant to the Town of Bassendean Compassionate Waste Services Guidelines.
Delegate:	Chief Executive Officer
Function:	1. Authority to waive a fee or charge, or grant a concession in accordance with the Town of Bassendean Compassionate Waste Services Guidelines.
Council Conditions on this Delegation:	<ul style="list-style-type: none">▪ Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none">▪ Executive Manager Sustainability and Environment▪ Manager Recycling and Waste
CEO Conditions on this Sub-Delegation:	Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.
Compliance Links:	<ul style="list-style-type: none">• Town of Bassendean Compassionate Waste Services Guidelines (adopted by Council 28 July 2020).
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.



1. Local Government Act 1995 Delegations

1.2.28 Authority to ~~establish and maintain a Significant Tree Register~~ ~~make Tree Preservation Orders in prescribed circumstances~~ in accordance with ~~Schedule 1, 6B of Local Planning Scheme No. 11~~ ~~clause 4.7.7.3(ii) of Local Planning Scheme No. 10~~

Delegator:	Local Government
Express Power to Delegate:	Local Government Act 1995: <ul style="list-style-type: none"> s 5.42 Delegation of some powers or duties to the CEO s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	Local Planning Scheme No. 10 Local Planning Scheme No. 11 Clause 4.7.7.3(ii) of Local Planning Scheme No. 10 Tree Preservation Orders Clause 4.7.7.5
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> Authority to make a significant tree register in accordance with Schedule 1, Clause 6B of Local Planning Scheme No. 11 Authority to make Tree Preservation Orders in accordance with clause 4.7.7.3(ii) of Local Planning Scheme No. 10 Authority to include a tree on the significant tree register Where consent is received from the owner(s) and occupier(s) of the land on which the tree is located, which, for the purpose of this delegation, includes lots where a tree may overhang: <ol style="list-style-type: none"> Without notice to the owner(s) and/or occupier(s) of the land on which the tree is located, where there is a risk of imminent damage to the tree requiring an order to be made as a matter of urgency. Where consent is not received from the owner(s) and occupier(s) of the land on which the tree is located and the CEO does not consider it appropriate to make an order, the matter will be referred to Council for determination. Authority to approve applications to cut/prune trees subject to Tree Preservations Orders, in accordance with 4.7.7.5 of Local Planning Scheme No 10 where there is no dispute, and the application is signed by all owners on the land in which the tree is located.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> Nil.
Express Power to Sub-Delegate:	Local Government Act 1995: <ul style="list-style-type: none"> s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	<ul style="list-style-type: none"> Director Community and Place Nil, Manager Planning and Regulation
CEO Conditions on this Sub-Delegation:	Each person to whom a power or duty is delegated must keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.
Compliance Links:	<ul style="list-style-type: none"> Town of Bassendean Local Planning Scheme No. 10, Town of Bassendean Local Planning Scheme No. 11,
Record Keeping:	<ul style="list-style-type: none"> Delegations exercised are to be recorded in the Town's document management system.

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Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.3 CEO to Employees

1.3.1 Determine if an Emergency for Emergency Powers of Entry

Delegator:	Chief Executive Officer
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 3.34(2) Entry in emergency
Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Director Corporate Services ▪ Executive Manager Director Infrastructure and Sustainability ▪ Executive Manager Sustainability and Environment ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger
Function:	1. Authority to determine on behalf of the CEO that an emergency exists for the purposes of performing local government functions [s 3.34(2)].
CEO Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Two delegates, one of which must be a Director or Executive Manager or the Manager Development and Place Manager Planning and Regulation, must agree and approve any actions under this delegation. ▪ The CEO must be notified prior to the exercise of this delegation.
Express Power to Sub-Delegate:	Nil.
Compliance Links:	▪
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.3.2 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare

Delegator:	Chief Executive Officer
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> s 5.44 CEO may delegate some powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> <ul style="list-style-type: none"> reg 6(4)(d) Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a)
Delegate/s:	<ul style="list-style-type: none"> Director Community Planning and Place Director Corporate Services Executive Manager Director Infrastructure and Sustainability Executive Manager Sustainability and Environment
Function:	<p>When determining to grant permission to obstruct a public footpath or thoroughfare under Delegated Authority – Obstruction of Footpaths and Thoroughfares:</p> <ol style="list-style-type: none"> Authority to determine the sum sufficient to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [ULP reg 6(4)(d)]. Authority to determine the requirements for protective structures, during such time as it is considered necessary for public safety and convenience [ULP reg 6(5)(b). Authority to determine and require in writing, that the person granted permission to obstruct a public thoroughfare repair damage caused by things placed on the thoroughfare and authority to determine if such repairs are to the satisfaction of the local government [ULP reg 6(5)(d)].
CEO Conditions on this Delegation:	<ul style="list-style-type: none"> Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority Obstruction of Footpaths and Thoroughfares. Actions under this Delegation must comply with the procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>.
Express Power to Sub-Delegate:	Nil.
Compliance Links:	<ul style="list-style-type: none"> This delegated authority is effective only in alignment with Delegated Authority Obstructions of Footpaths and Thoroughfares. <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.



1. Local Government Act 1995 Delegations

Record Keeping:	▪ Delegations exercised are to be recorded in the Town's document management system.
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Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.3.3 Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares

Delegator:	Chief Executive Officer
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Express Power or Duty Delegated:	Local Government (Uniform Local Provisions) Regulations 1996: <ul style="list-style-type: none"> ▪ reg 11(6)(c) and (7)(c) Dangerous excavation in or near public thoroughfare – Sch 9.1, cl 6.
Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Director Corporate Services ▪ Executive Manager Director Infrastructure and Sustainability ▪ Executive Manager Sustainability and Environment
Function:	<p>When determining to grant permission to for a dangerous excavation under Delegated Authority – Public Thoroughfare – Dangerous Excavations:</p> <ol style="list-style-type: none"> 1. Authority to determine, as a condition of granting permission, the sum sufficient to deposit to cover the cost of repairing damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [reg 11(6)(c)]. 2. Authority to determine, as a condition of granting permission, requirements for protective structures and for the protective structures to be maintained and kept in satisfactory condition necessary for public safety and convenience [reg 11(7)(c)]. 3. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily.
CEO Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority Public Thoroughfares – Dangerous Excavations. ▪ Actions under this Delegation must comply with the procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>.
Express Power to Sub-Delegate:	Nil.
Compliance Links:	<ul style="list-style-type: none"> ▪ This delegated authority is effective only in alignment with Delegated Authority - Public Thoroughfares – Dangerous Excavations. ▪ <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. ▪ Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.



1. Local Government Act 1995 Delegations

Record Keeping:	▪ Delegations exercised are to be recorded in the Town's document management system.
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Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places

Delegator:	Chief Executive Officer
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Express Power or Duty Delegated:	<p><i>Local Government (Uniform Local Provisions) Regulations 1996:</i></p> <ul style="list-style-type: none"> ▪ reg 17(5)(b) and reg 17(6)(c) Private works on, over, or under public places, Sch 9.1 cl. 8.
Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Director Corporate Services ▪ Executive Manager Director Infrastructure and Sustainability ▪ Executive Manager Sustainability and Environment
Function:	<p>1. Authority to determine, as a condition of granting permission for Private Works in Public Places, the sum sufficient to deposit with the Local Government to cover the cost of repairing damage to the public thoroughfare or public place resulting from the crossing construction, on the basis that the Local Government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [reg 17(5)(b)].</p> <p>2. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily. [reg 17(6)(c)].</p>
CEO Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Delegates exercising this delegation must comply with the prescribed manner and form for permissions set out under reg 17(4).
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil.
Compliance Links:	<ul style="list-style-type: none"> ▪ This delegated authority is effective only in alignment with Delegated Authority Private Works on, over or under Public Places
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.3.5 Appoint Persons (other than employees) to Open Tenders

Delegator:	Chief Executive Officer
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">▪ s 5.44 CEO may delegate some powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government (Functions and General) Regulations 1996:</i> <ul style="list-style-type: none">▪ reg 16(3) Receiving and opening tenders, procedure for.
Delegate/s:	<ul style="list-style-type: none">▪ Director Community Planning and Place▪ Director Corporate Services▪ Executive Manager Director Infrastructure and Sustainability▪ Executive Manager Sustainability and Environment▪ Coordinator Procurement Contracts and Leases
Function:	1. Authority to appoint one person (other than employees) to be present with an employee of the Local Government to open tenders, when two employees are unable to attend then tender opening [F&G reg 16(3)].
CEO Conditions on this Delegation:	<ul style="list-style-type: none">▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none">▪ Nil
Compliance Links:	<ul style="list-style-type: none">▪
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

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Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.3.6 Information to be Available to the Public

Delegator:	Chief Executive Officer
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Express Power or Duty Delegated:	<p><i>Local Government (Administration) Regulations 1996 (Admin Regs):</i></p> <ul style="list-style-type: none"> ▪ reg 29B Copies of certain information not to be provided (Act s 5.96). <p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.95(1)(b) & (3)(b) Limits on right to inspect local government information.
Delegate/s:	<ul style="list-style-type: none"> ▪ Director Corporate Services
Function:	<ol style="list-style-type: none"> 1. Authority to determine the public right to inspect information in an agenda or minutes, by determining if the information requested would be part of the meeting which is likely to be closed to members of the public [Admin Regs reg 29(3)]. 2. Authority to determine the manner and form by which a person may request copies of rates record information [s 5.94(m)] or owners and occupiers register and electoral rolls [s 5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin Regs reg 29B]. 3. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s 5.95(1)(b)].
CEO Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil
Compliance Links:	<ul style="list-style-type: none"> ▪ Record Keeping Policy. ▪ Electronic Recording and Livestreaming of Council Meetings. ▪ <i>Freedom of Information Act 1982</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Record Keeping Policy. ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.3.7 Financial Management Systems and Procedures

Delegator:	Chief Executive Officer
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Express Power or Duty Delegated:	<i>Local Government (Financial Management) Regulations 1996 (FM Regs):</i> <ul style="list-style-type: none"> ▪ reg 5 CEO's Duties as to financial management.
Delegate/s:	<ul style="list-style-type: none"> ▪ Director Corporate Services ▪ Director Community Planning and Place ▪ Executive Manager Director Infrastructure and Sustainability ▪ Executive Manager Sustainability and Environment ▪ Manager Finance Manager Financial Services ▪ Coordinator Procurement, Contracts and Leases
Function:	<p>1. Authority to establish systems and procedures which give effect to internal controls and risk mitigation for the:</p> <ul style="list-style-type: none"> (a) Collection of money owed to the Town of Bassendean. (b) Safe custody and security of money collected or held by the Town of Bassendean. (c) Maintenance and security of all financial records, including payroll, stock control and costing records. (d) Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities. (e) Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards. (f) Making of payments in accordance with Delegated Authority (g) Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements. [FM Regs, reg 5].
CEO Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Procedures are to be systematically documented and retained and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. ▪ Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Governance Committee at least once within each three (3) financial years. [Audit reg 17].
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government Act 1995.</i> ▪ <i>Local Government (Financial Management) Regulations 1996</i> ▪ <i>Local Government (Audit) Regulations 1996</i> ▪ Purchasing Policy. ▪ Procurement Guidelines. ▪ Use of Corporate Credit Card Procedures.



1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none">▪ Record Keeping Policy.
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

1.3.8 Audit – CEO Review of Systems and Procedures

Delegator:	Chief Executive Officer
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">▪ s 5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Audit) Regulations 1996:</i> <ul style="list-style-type: none">▪ reg 17 CEO to review certain systems and procedures.
Delegate/s:	<ul style="list-style-type: none">▪ Director Corporate Services
Function:	1. Authority to conduct the review of the appropriateness and effectiveness of the Town of Bassendean systems and procedures in relation to: <ul style="list-style-type: none">(a) risk management; and(b) internal controls; and(c) legislative compliance [reg 17(1)].
CEO Conditions on this Delegation:	<ul style="list-style-type: none">▪ Each matter is to be reviewed at least once within every three (3) financial year, with a report on each matter to be provided to the Audit and Risk Committee that details the findings, including any identified deficiencies, and actions required.
Express Power to Sub-Delegate:	Nil.
Compliance Links:	<ul style="list-style-type: none">▪ <i>Local Government (Audit) Regulations 1996</i>
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

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Town of Bassendean



1. Local Government Act 1995 Delegations

1.3.9 Infringement Notices

Delegator:	Chief Executive Officer
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 9.13(6)(b) onus of proof in vehicle offences may be shifted. ▪ s 9.19 Extension of Time. ▪ s 9.20 Withdrawal of Notice. <p><i>Building Regulations 2012:</i></p> <ul style="list-style-type: none"> ▪ reg 70(1A), 70(1), 70(2) Approved officers and authorised officers.
Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger – function 1 only ▪ Ranger – function 1 only
Function:	<ol style="list-style-type: none"> 1. Authority to consider an owner of a vehicle's submission that the vehicle that is subject of an infringement notice, had been stolen or unlawfully taken at the time of the alleged offence [s 9.13(6)(b)]. 2. Authority to extend the 28-day period within which payment of a modified penalty may be paid, whether or not the period of 28-days has elapsed [s 9.19]. 3. Authority to withdraw an infringement notice within one year after the notice was given, whether or not the modified penalty has been paid by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s 9.20].
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> (a) The Senior Ranger delegate can only exercise the power under s 9.13(6)(b) onus of proof in vehicle offences may be shifted. (b) A delegate who participated in a decision to issue an infringement notice, must NOT determine any matter related to that infringement notice under this Delegation. (c) A Delegate who has been delegated authority to withdraw an infringement must NOT be appointed as an authorised person for the purposes of issuing an infringement notice. (d) Delegation as an 'Approved Officer' in accordance with <i>Building Act 2011 and Building Regulation 70(1)</i> for the purposes of <i>Building Act 2011</i> Infringement Notices is limited to the following listed position only: <ul style="list-style-type: none"> ○ Principal Building Surveyor. (e) Delegation for <i>Dog Act, Cat Act, Parking Local Law</i>, Infringement Notices is limited to the following listed positions ONLY: <ul style="list-style-type: none"> ○ Senior Ranger ○ Ranger
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil

Delegation Register

Town of Bassendean



1. Local Government Act 1995 Delegations

Compliance Links:	<ul style="list-style-type: none">▪ Ranger Procedure Manual
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



2. Building Act 2011 Delegations

2 Building Act 2011 Delegations

2.1 Council to CEO / Employees

2.1.1 Grant a Building Permit

Delegator:	Local Government
Express Power to Delegate:	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> ▪ s. 127(1); s. 127(3) Delegations: special permit authorities and local government.
Express Power or Duty Delegated:	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> ▪ s. 18 Further information. ▪ s. 20 Grant of building permit. ▪ s. 22 Further grounds for not granting an application. ▪ s. 27 Conditions imposed by permit authority <p><i>Building Regulations 2012:</i></p> <ul style="list-style-type: none"> ▪ Reg. 23 Application to extend time during which permit has effect (s. 32). ▪ Reg. 24 Extension of time during which permit has effect (s. 32(3)). ▪ Reg. 26 Approval of new responsible person (s. 35(c)).
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s. 18(1)]. 2. Authority to refuse to consider an application if s. 18(1) not complied with [s. 18(2)]. 3. Authority to grant or refuse to grant a building permit [s. 20(1); s. 20(2); s. 22]. 4. Authority to impose, vary or revoke conditions on a building permit [s. 27(1); s. 27(3)]. 5. Authority to determine an application to extend time during which a building permit has effect [reg. 23]. <ol style="list-style-type: none"> (a) Subject to being satisfied that work for which the building permit was granted has not been completed or the extension is necessary to allow rectification of defects of works for which the permit was granted [reg. 24(1)]. (b) Authority to impose any condition on the building permit extension that could have been imposed under s. 27 [reg. 24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [reg. 26].
Council Conditions on this Delegation:	<p>A delegation of a special permit authority's powers or duties may be only to:</p> <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s. 127(2)); or



2. Building Act 2011 Delegations

	<ul style="list-style-type: none"> ▪ a person employed by the Local Government under s. 5.36 <i>Local Government Act 1995</i>; and ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg. 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011</i> : <ul style="list-style-type: none"> ▪ s. 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place Manager Planning and Regulation ▪ Principal Building Surveyor ▪ Building Surveyor
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<p><i>Building Act 2011</i></p> <ul style="list-style-type: none"> ▪ s. 119 Building and demolition permits – application for review by State Administrative Tribunal (SAT). ▪ s. 23 Time for deciding application for building or demolition permit. ▪ s. 17 Uncertified application to be considered by building surveyor. <p><i>Building Regulations 2012</i></p> <ul style="list-style-type: none"> ▪ reg. 25: Review of decision to refuse to extend time during which permit has effect (s. 32(3)) – reviewable by SAT. ▪ <i>Building Services (Registration Act) 2011</i> – Section 7. ▪ <i>Home Building Contracts Act 1991</i> – Part 3A, Division 2 – Part 7, Division 2 ▪ <i>Building and Construction Industry Training Levy Act 1990</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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2. Building Act 2011 Delegations

2.1.2 Demolition Permits

Delegator:	Local Government (Permit Authority)
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s. 127(1) & (3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 18 Further information. ▪ s 21 Grant of demolition permit. ▪ s 22 Further grounds for not granting an application. ▪ s 27(1) and (3) Impose conditions on permit. <i>Building Regulations 2012</i> <ul style="list-style-type: none"> ▪ reg 23 Application to extend time during which permit has effect (s 32). ▪ reg 24 Extension of time during which permit has effect (s 32(3)). ▪ reg 26 Approval of new responsible person (s 35(c)).
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s 18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s 21(1) requirements have been satisfied [ss 20(1); 20(2); 22]. 3. Authority to impose, vary or revoke conditions on a demolition permit [ss 27(1); 27(3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [reg 23]. <ul style="list-style-type: none"> (a) Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [reg 24(1)]. (b) Authority to impose any condition on the demolition permit extension that could have been imposed under s 27 [reg 24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [reg 26].
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 Local Government Act 1995; and

2. Building Act 2011 Delegations

	<ul style="list-style-type: none"> ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place Manager Development and Place Manager Planning and Regulation ▪ Principal Building Surveyor ▪ Building Surveyor
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<i>Building Act 2011</i> <ul style="list-style-type: none"> ▪ s 119 Building and demolition permits – application for review by SAT ▪ s 23 Time for deciding application for building or demolition permit ▪ <i>Building Services (Complaint Resolution and Administration) Act 2011</i> -- Part 7, Division 2. ▪ <i>Building and Construction Industry Training Levy Act 1990</i>. ▪ <i>Heritage Act 2018</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



2. Building Act 2011 Delegations

2.1.3 Occupancy Permits or Building Approval Certificates

Delegator:	Local Government (Permit Authority)
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(1) & (3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 55 Further information. ▪ s 58 Grant of occupancy permit, building approval certificate. ▪ ss 62(1); 62(3) Conditions imposed by permit authority. ▪ s 65(4) Extension of period of duration <i>Building Regulations 2012</i> <ul style="list-style-type: none"> ▪ reg 40 Extension of period of duration of time limited occupancy permit or building approval certificate (s 65).
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s 55]. 2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s 58]. 3. Authority to impose, add, vary or revoke conditions on an occupancy permit [ss 62(1); 62(3)]. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s 65(4); reg 40].
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 <i>Local Government Act 1995</i>; and ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Principal Building Surveyor ▪ Building Surveyor
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<i>Building Act 2011</i> <ul style="list-style-type: none"> ▪ s 59 time for granting occupancy permit or building approval certificate.



2. Building Act 2011 Delegations

	<ul style="list-style-type: none">▪ s 60 Notice of decision not to grant occupancy permit or grant building approval certificate.▪ s 121 Occupancy permits and building approval certificates – application for review by SAT.▪ <i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2.</i>▪ <i>Building and Construction Industry Training Levy Act 1990.</i>▪ <i>Heritage Act 2018.</i>
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

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2. Building Act 2011 Delegations

2.1.4 Designate Employees as Authorised Persons

Delegator:	Local Government (Permit Authority)
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(1) & (3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 96(3) authorised persons. ▪ s 99(3) Limitation on powers of authorised person.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to designate an employee as an authorised person [s 96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s 99(3)].
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 <i>Local Government Act 1995</i>; and ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 97 requires each person designated as an authorised person must have an identity card. ▪ reg 5A Authorised persons (s 3) – definition.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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2. Building Act 2011 Delegations

2.1.5 Building Orders

Delegator:	Local Government (Permit Authority)
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ ss 127(1); 127(3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<ul style="list-style-type: none"> ▪ <i>Building Act 2011:</i> <ul style="list-style-type: none"> ○ s 110(1) A permit authority may make a building order. ○ s 111(1) Notice of proposed building order other than building order (emergency). ○ ss 117(1); 117(2) A permit authority may revoke a building order or notify that it remains in effect. ○ ss 118(2); 118(3) Permit authority may give effect to building order if non-compliance. ○ s 133(1) A permit authority may commence a prosecution for an offence against this Act.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to make Building Orders in relation to: <ul style="list-style-type: none"> (a) Building work. (b) Demolition work. (c) An existing building or incidental structure [s 110(1)]. 2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s 111(1)(c)]. 3. Authority to revoke a building order [s 117]. 4. If there is non-compliance with a building order, authority to cause an authorised person to: <ul style="list-style-type: none"> (a) take any action specified in the order; or (b) commence or complete any work specified in the order; or (c) if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s 118(2)]. 5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s 118(3)]. 6. Authority to specify a way in which an outward facing side of a particular close/boundary wall must be finished off. 7. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the <i>Building Act 2011</i>.
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 <i>Local Government Act 1995</i>; and



2. Building Act 2011 Delegations

	<ul style="list-style-type: none"> Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	<ul style="list-style-type: none"> Director Community Planning and Place Manager Development and Place Manager Planning and Regulation Principal Building Surveyor Building Surveyor
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> Section 111 Notice of proposed building order other than building order (emergency). Section 112 Content of building order. Section 113 Limitation on effect of building order. Section 114 Service of building order. Part 9 Review - s 122 Building orders – application for review by SAT.
Record Keeping:	<ul style="list-style-type: none"> Delegations exercised are to be recorded in the Town's document management system.

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2. Building Act 2011 Delegations

2.1.6 Inspection and Copies of Building Records

Delegator:	Local Government (Permit Authority)
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(1) & (3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 131(2) Inspection, copies of building records.
Delegate:	Chief Executive Officer
Function:	1. Authority to determine an application from an interested person to inspect and copy a building record [s 131(2)].
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 <i>Local Government Act 1995</i>; and ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place Manager Development and Place Manager Planning and Regulation ▪ Principal Building Surveyor ▪ Building Surveyor
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Building Act 2011</i> – s 146 Confidentiality.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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2. Building Act 2011 Delegations

2.1.7 Referrals and Issuing Certificates

Delegator:	Local Government (Permit Authority)
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(1) & (3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 145A Local Government functions.
Delegate:	Chief Executive Officer
Function:	<ul style="list-style-type: none"> ▪ Authority to refer uncertified applications under s 17(1) to a building surveyor who is not employed by the local government [s 145A(1)]. ▪ Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Town of Bassendean's, Local Government District [s 145A(2)].
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 <i>Local Government Act 1995</i>; and ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ S 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Principal Building Surveyor ▪ Building Surveyor
CEO Conditions on this Sub-Delegation	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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2. Building Act 2011 Delegations

2.1.8 Private Pool Barrier – Alternative and Performance Solutions

Delegator:	Local Government (Permit Authority)
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(1) & (3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<i>Building Regulations 2012:</i> <ul style="list-style-type: none"> ▪ Reg 51 Approvals by permit authority. ▪ Reg 50(4) Use of alternative requirements.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1 [reg 51(2)]. 2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner or occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [reg 51(3)]. 3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [reg 51(5)]. 4. Authority to use alternative requirements for a barrier to a pre-May 2016 private swimming pool [reg 50(4)]. 5. Authority to arrange for an authorised person to inspect.
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 <i>Local Government Act 1995</i>; and ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place Manager Development and Place Manager Planning and Regulation ▪ Principal Building Surveyor ▪ Building Surveyor
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	

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2. Building Act 2011 Delegations

Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.
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2. Building Act 2011 Delegations

2.1.9 Smoke Alarms – Alternative Solutions

Delegator:	Local Government
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(1) & (3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<i>Building Regulations 2012:</i> <ul style="list-style-type: none"> ▪ reg 55 Terms Used (alternative building solution approval). ▪ reg 61 Local Government approval of battery powered smoke alarms.
Delegate:	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Principal Building Surveyor
Function:	<ol style="list-style-type: none"> 1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [reg 55]. 2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [reg 61].
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 <i>Local Government Act 1995</i>; and ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	Nil.
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ Reg 60: Requirements for smoke alarms.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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3. Bush Fires Act 1954 Delegations

3 Bush Fires Act 1954 Delegations

3.1 Council to CEO, Mayor and Bush Fire Control Officer

3.1.1 Make Request to FES Commissioner – Control of Fire

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">▪ s 48 Delegation by local government.
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">▪ s 13(4) Duties and powers of bush fire liaison officers.
Delegate:	Chief Executive Officer
Function:	1. Authority to request on behalf of the Town of Bassendean that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s 13(4)].
Council Conditions on this Delegation:	<ul style="list-style-type: none">▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none">▪ Sub-delegation is prohibited pursuant to s 48(3).
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

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3. Bush Fires Act 1954 Delegations

3.1.2 Prohibited Burning Times - Vary

Delegator:	Local Government
Express Power to Delegate:	<p><i>Bush Fires Act 1954:</i></p> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government. ▪ s 17(10) local government may by resolution delegate to its mayor, or president, and its Chief Bush Fire Control Officer, jointly its powers and duties under subsections (7) and (8).
Express Power or Duty Delegated:	<p><i>Bush Fires Act 1954:</i></p> <ul style="list-style-type: none"> ▪ s 17(7) Prohibited burning times may be declared by Minister <p><i>Bush Fire Regulations 1954:</i></p> <ul style="list-style-type: none"> ▪ reg 15 Permit to burn (<i>s 18 Bush Fires Act 1954</i>), form of and apply for after refusal etc.
Delegate:	Mayor and Chief Bush Fire Control Officer (jointly)
Function:	1. Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised <i>CALM Act</i> officer [s 17(7)] – [<i>Conservation and Land Management Act 1984</i>]
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Decisions under s 17(7) must be undertaken jointly by both the Mayor and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s. 17(7B) and (8).
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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3. Bush Fires Act 1954 Delegations

3.1.3 Prohibited Burning Times – Control Activities

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government.
Express Power or Duty Delegated:	<ul style="list-style-type: none"> ▪ <i>Bush Fires Act 1954:</i> ▪ s 17(7) Prohibited burning times may be declared by Minister. ▪ s 27(2) and (3) Prohibition on use of tractors or engines except under certain conditions. ▪ s 28(4) and (5) Occupier of land to extinguish bush fire occurring on own land. <i>Bush Fire Regulations 1954:</i> <ul style="list-style-type: none"> ▪ reg 15 Permit to burn (Act s 18), form of and apply for after refusal etc.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [reg 15]. 2. Authority to recover the cost of measures taken by the Town of Bassendean or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s 28(1) to take all possible measures to extinguish a fire on the land they occupy [s 28(4)], including authority to recover expenses in any court of competent jurisdiction [s 28(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3)
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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3. Bush Fires Act 1954 Delegations

3.1.4 Restricted Burning Times – Vary and Control Activities

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 18(5), (11) Restricted burning times may be declared by FES Commissioner. ▪ s 22(6) and (7) Burning on exempt land and land adjoining exempt land. ▪ s 27(2) and (3) Prohibition on use of tractors or engines except under certain conditions. ▪ s 28(4) and (5) Occupier of land to extinguish bush fire occurring on own land. <i>Bush Fire Regulations 1954:</i> <ul style="list-style-type: none"> ▪ reg 15 Permit to burn (Act s 18), form of and apply for after refusal etc. ▪ reg 15C Local Government may prohibit burning on certain days.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority, where seasonal conditions warrant it and after consultation with an authorised <i>CALM Act</i> officer, to determine to vary the restricted burning times in respect of that year [s 18(5)]. 2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s 18(11)]. 3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [reg 15]. 4. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [reg 15C]. 5. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s 22(6) and (7)]. 6. Authority to recover the cost of measures taken by the Town of Bassendean or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s 28(1) to take all possible measures to extinguish a fire on the land they occupy [s 28(4)], including authority to



3. Bush Fires Act 1954 Delegations

	recover expenses in any court of competent jurisdiction [s 28(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none">▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none">▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

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3. Bush Fires Act 1954 Delegations

3.1.5 Control of Operations Likely to Create Bush Fire Danger

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 27D Requirements for carriage and deposit of incendiary material. <i>Bush Fires Regulations 1954:</i> <ul style="list-style-type: none"> ▪ reg 39C Welding and cutting apparatus, use of in open air. ▪ reg 39CA Bee smoker devices, use of in restricted or prohibited burning times etc. ▪ reg 39D Explosives, use of. ▪ reg 39E Fireworks, use of.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: <ul style="list-style-type: none"> (a) a person operating a bee smoker device during a prescribed period [reg 39CA(5)]. (b) a person operating welding apparatus, a power operated abrasive cutting disc [reg 39C(3)]. (c) a person using explosives [reg 39D(2)]. (d) a person using fireworks [reg 39E(3)]. 2. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s 27D]. <p><i>Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.</i></p>
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3)
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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3. Bush Fires Act 1954 Delegations

3.1.6 Burning Garden Refuse / Open Air Fires

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 24F Burning garden refuse during limited burning times. ▪ s 24G Minister or local government may further restrict burning of garden refuse. ▪ s 25 No fire to be lit in open air unless certain precautions taken. ▪ s 25A Power of Minister to exempt from provisions of section 25. <i>Bush Fires Regulations 1954:</i> <ul style="list-style-type: none"> ▪ reg 27(3) Permit, issue of.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2 metres of a building or fence, only where satisfied it is not likely to create a fire hazard [s 24F(2)(b)(ii) and (4)]. 2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s 24F [s 24G(2)]. 3. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [reg 27(3) and reg 33(5)]. 4. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plant growing upon any land within the District [reg 34]. 5. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: <ol style="list-style-type: none"> a. camping or cooking [s 25(1)(a)]. b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised <i>CALM Act</i> officer [s 25(1)(b)]. 6. Authority to prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s 25(1a) and s 25(1b)]. 7. Authority to serve written notice on a person to whom an exemption has been given under s 25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s 25A(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).



3. Bush Fires Act 1954 Delegations

Compliance Links:	
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

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3. Bush Fires Act 1954 Delegations

3.1.7 Firebreaks

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government.
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 33 Local government may require occupier of land to plough or clear fire-breaks.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Town of Bassendean: <ol style="list-style-type: none"> a. clearing of firebreaks as determined necessary and specified in the notice; and b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and c. as a separate or coordinated action with any other person carry out similar actions [s 33(1)]. 2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s 33(4)]. 3. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s 33(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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3. Bush Fires Act 1954 Delegations

3.1.8 Appoint Bush Fire Control Officer/s

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 38 Local Government may appoint bush fire control officer.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the <i>Bush Fires Act 1954</i>; and: <ol style="list-style-type: none"> a. Of those Officers, appoint one as the Chief Bush Fire Control Officer and one Deputy Chief Bush Fire Control Officer; and b. Determine the respective seniority of the other Bush Fire Officers so appointed [s 38(1)]. 2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Town of Bassendean [s 38(5A)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil – Sub-delegation is prohibited by s 48(3).
Compliance Links:	<ul style="list-style-type: none"> ▪ Firebreak and Fuel Load Notices.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.



3. Bush Fires Act 1954 Delegations

3.1.9 Control and Extinguishment of Bush Fires

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government.
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 46 Bush fire control officer or forest officer may postpone lighting fire.
Delegate:	Chief Executive Officer
Function:	1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s 46(1A)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	*
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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Town of Bassendean



3. Bush Fires Act 1954 Delegations

3.1.10 Recovery of Expenses Incurred through Contraventions of this Act

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">▪ s 48 Delegation by local government.
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">▪ s 58 General penalty and recovery of expenses incurred.
Delegate:	Chief Executive Officer
Function:	1. Authority to recover expenses incurred as a result of an offence against the Bush Fires Act, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the Town of Bassendean or those on behalf of the Town of Bassendean to do [s 58].
Council Conditions on this Delegation:	<ul style="list-style-type: none">▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none">▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



3. Bush Fires Act 1954 Delegations

3.1.11 Prosecution of Offences

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 59 Prosecution of offences.
Delegate:	Chief Executive Officer Manager Development and Place Director Community Planning and Place Manager Planning and Regulation
Function:	1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s 59].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 65 Proof of certain matters. ▪ s 66 Proof of ownership or occupancy.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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3. Bush Fires Act 1954 Delegations

3.1.12 Alternative Procedure – Infringement Notices

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">▪ s 48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">▪ s 59A(2) Alternative procedure – infringement notices.
Delegate:	Senior Ranger Ranger
Function:	1. Authority to serve an infringement notice for an offence against this Act [s 59A(2)].
Council Conditions on this Delegation:	<ul style="list-style-type: none">▪ Nil.
Express Power to Sub-Delegate:	<ul style="list-style-type: none">▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">▪ s 65 Proof of certain matters.▪ s 66 Proof of ownership or occupancy.
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



3. Bush Fires Act 1954 Delegations

3.1.13 Withdrawal of Infringement Notices

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 59A(5) Alternative procedure – infringement notices.
Delegate:	Chief Executive Officer Manager Development and Place Director Community Planning Director Community and Place Manager Planning and Regulation
Function:	1. Authority to withdraw an infringement notice for an offence against this Act [s 59A(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 65 Proof of certain matters. ▪ s 66 Proof of ownership or occupancy.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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4. Cat Act 2011 Delegations

4 Cat Act 2011 Delegations

4.1 Council to CEO

4.1.1 Cat Registrations

Delegator:	Local Government
Express Power to Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 44 Delegation by local government.
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 9 Registration. ▪ s 10 Cancellation of registration. ▪ s 11 Registration numbers, certificates and tags. ▪ s 12 Register of Cats. ▪ s 13 Notice of certain decisions made under this subdivision. <i>Cat Regulations 2012</i> <ul style="list-style-type: none"> ▪ Schedule 3, cl 1(4) Fees Payable.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s 9(1)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s 9(6)]. 3. Authority to cancel a cat registration [s 10]. 4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s 11(2)]. 5. Authority to keep a Register of Cats [s 12]. 6. Authority to give notice of certain decisions to a cat owner [s 13]. 7. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Town of Bassendean [Regulations Schedule 3 cl 1(4)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>.
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 45 Delegation by CEO of local government.
Sub-Delegate/s	<ul style="list-style-type: none"> ▪ Director Community Planning and Place Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger ▪ Ranger
CEO Conditions on this Sub-Delegation:	<ul style="list-style-type: none"> ▪ Ranger not to exercise powers under s 13. ▪ Conditions on the CEO delegation also apply to the sub-delegation.

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4. Cat Act 2011 Delegations

Compliance Links:	<p><i>Cat Regulations 2012</i></p> <ul style="list-style-type: none"> ▪ reg 11 Application for registration (s 8(2)), prescribes the Form of applications for registration. ▪ reg 12 Period of registration (s 9(7)). ▪ reg 11 Changes in registration. ▪ reg 14 Registration certificate (s 11(1)(b)). ▪ reg 15 Registration tags (s 76(2)). ▪ Decisions are subject to Objection and Review by the State Administrative Tribunal rights – refer Part 4, Division 5 of the <i>Cat Act 2011</i>. ▪ <i>Cats Local Law 2021</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



4. Cat Act 2011 Delegations

4.1.2 Cat Control Notices

Delegator:	Local Government
Express Power to Delegate	<i>Cat Act 2011:</i> <ul style="list-style-type: none">▪ s 44 Delegation by local government.
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> <ul style="list-style-type: none">▪ s 26 Cat control notice may be given to cat owner.
Delegate:	Chief Executive Officer
Function:	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Town of Bassendean [s 26].
Council Conditions on this Delegation:	<ul style="list-style-type: none">▪ Nil
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none">▪ s 45 Delegation by CEO of local government
Sub-Delegate/s:	<ul style="list-style-type: none">▪ Senior Ranger▪ Ranger
CEO Conditions on this Sub-Delegation:	Nil.
Compliance Links:	<ul style="list-style-type: none">▪ <i>Cat Regulations 2012</i> – reg 20 Cat control notice [s 23(3)], prescribes the Form of the notice.▪ <i>Cats Local Law 2021</i>.
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

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4. Cat Act 2011 Delegations

4.1.3 Approval to Breed Cats

Delegator:	Local Government
Express Power to Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 44 Delegation by local government.
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 37 Approval to Breed Cats. ▪ s 38 Cancellation of approval to breed cats. ▪ s 39 Certificate to be given to approved cat breeder. ▪ s 40 Notice to be given of certain decisions made under this subsection.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s 37(1) and (2)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s 37(4)]. 3. Authority to cancel an approval to breed cats [s 38]. 4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s 39(2)]. 5. Authority to give notice of certain decisions made under this subdivision to a cat owner.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>.
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 45 Delegation by CEO of local government
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<i>Cat Regulations 2012:</i> <ul style="list-style-type: none"> ▪ reg 21 Application for approval to breed cats (s 36(2)). ▪ reg 22 Other circumstances leading to refusal of approval to breed cats (s 37(2)(f)). ▪ reg 23 Person who may not be refused approval to breed cats (s.37(5)). ▪ reg 24 Duration of approval to breed cats (s 37(6)). ▪ reg 25 Certificate given to approved cat breeder (s 39(1)). ▪ <i>Cats Local Law 2021</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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4. Cat Act 2011 Delegations

4.1.4 Appoint Authorised Persons (Revoked due to Act Amendment 7/11/2020)



4. Cat Act 2011 Delegations

4.1.5 Recovery of Costs – Destruction of Cats

Delegator:	Local Government
Express Power to Delegate:	<i>Cat Act 2011:</i> ▪ s 44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> ▪ s 49(3) Authorised person may cause cat to be destroyed.
Delegate:	Chief Executive Officer
Function:	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s 49(3)].
Council Conditions on this Delegation:	▪ Nil
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> ▪ s 45 Delegation by CEO of local government
Sub-Delegate/s:	▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	▪ <i>Cats Local Law 2021.</i>
Record Keeping:	▪ Delegations exercised are to be recorded in the Town's document management system.

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4. Cat Act 2011 Delegations

4.1.6 Applications to Keep Additional Cats

Delegator:	Local Government
Express Power to Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 44 Delegation by local government.
Express Power or Duty Delegated:	<i>Cat (Uniform Local Provisions) Regulations 2013:</i> <ul style="list-style-type: none"> ▪ reg 8 Application to keep additional number of cats ▪ reg 9 Grant of approval to keep additional number of cats
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to require any document or additional information required to determine an application [reg 8(3)]. 2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [reg 8(4)]. 3. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [reg 9].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 45 Delegation by CEO of local government.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Cats Local Law 2021.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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4. Cat Act 2011 Delegations

4.1.7 Reduce or Waiver Registration Fee

Delegator:	Local Government
Express Power to Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 44 Delegation by local government.
Express Power or Duty Delegated:	<i>Cat Regulations 2012:</i> <ul style="list-style-type: none"> ▪ Schedule 3 Fees clause 1(4).
Delegate:	Chief Executive Officer
Function:	1. Authority to reduce or waive a fee payable under Schedule 3 clauses (2) or (3) of the <i>Cat Regulations 2012</i> in respect to any individual cat or class of cat.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ This delegation does not provide authority to determine to reduce or waive the fees payable in regard to any class of cat within the District. This matter requires a Council decision in accordance with s. 6.16, s. 6.17 and s. 6.18 of the <i>Local Government Act 1995</i>.
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 45 Delegation by CEO of local government
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation
CEO Conditions on this Sub-Delegation:	Delegates exercising this delegation require the authorisation of two delegates, one of whom must be the Manager Development and Place Manager Planning and Regulation .
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Cats Local Law 2021</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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4. Cat Act 2011 Delegations

4.2 Cat Act Delegations - CEO to Employees

4.2.1 Infringement Notices – Extensions and Withdrawals

Delegator:	Chief Executive Officer
Express Power to Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 45 Delegation by CEO of local government.
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 64 Extension of time. ▪ s 65 Withdrawal of notice.
Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place <u>Manager Planning and Regulation</u>
Function:	<ol style="list-style-type: none"> 1. Authority to extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed [s 64]. 2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s 65].
CEO Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Delegates exercising this delegation require the authorisation of two delegates, one of whom must be the Manager Development and Place <u>Manager Planning and Regulation</u> or Senior Ranger. ▪ The delegate authorised to issue the infringement cannot be the same delegate authorised to withdraw the infringement.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil
Compliance Links:	<i>Cat Regulations 2012:</i> <ul style="list-style-type: none"> ▪ reg 28 Withdrawal of infringement notice (s 65(1)). ▪ <i>Cats Local Law 2021.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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5. Dog Act 1976 Delegations

5 Dog Act 1976 Delegations

5.1 Dog Act Delegations Council to CEO

5.1.1 Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10A Payments to veterinary surgeons towards costs of sterilisation.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to determine where a resident who is the owner of a registered dog, would suffer hardship in paying the whole of the cost of sterilisation and determine to pay part of such costs to a maximum value of \$200.00 [s 10A(1)(a) and (3)]. 2. Authority to give written directions to a veterinary surgeon to be complied with as a condition of part payment of the cost of sterilisation [s 10A(1)(b) and (2)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	Delegates exercising this designation must confer with the Manager Finance Manager Financial Services to obtain relevant information about the subject resident.
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Dog Local Law 2019</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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5. Dog Act 1976 Delegations

5.1.2 Refuse or Cancel Registration

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 15(2) and s 15(4A) Registration periods and fees. ▪ s 16(3) Registration procedure. ▪ s 17A(2) If no application for registration made. ▪ s 17(4) and (6) Refusal or cancellation of registration. ▪ s 19 Refund of fee on cancellation.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to determine to refuse a dog registration and refund the fee, if any [s 16(2)]. 2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> (a) the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3 years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i>; or (b) the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease; or (c) the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept; or (d) the dog is required to be microchipped but is not microchipped; or (e) the dog is a dangerous dog [s 16(3) and s 17A(2)]. 3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Town [s 15(4A)]. 4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant or owner has not applied to the State Administrative Tribunal for the decision to be reviewed [s 17(4)]. 5. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had been found in contravention of section 31, 32 or 33A and had not been claimed [s 17(6)]. 6. Authority to refund such amount as prescribed of the registration fee on cancellation of registration and return by an owner of the registration tag to the Town [s 19].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ The CEO may sub-delegate to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.



5. Dog Act 1976 Delegations

Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<i>Dog Act 1976</i> <ul style="list-style-type: none"> ▪ s 17A If no application for registration made – procedure for giving notice of decision under s 16(3). ▪ Note: Decisions under this delegation may be referred for review by the State Administrative Tribunal – s 16A; s17(4); s 17(6). ▪ <i>Dog Local Law 2019</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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5. Dog Act 1976 Delegations

5.1.3 Appoint Authorised Persons (Registration Officers) (Revoked due to Act Amendment 7/11/2020)



5. Dog Act 1976 Delegations

5.1.4 Recovery of Moneys Due Under this Act

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<ul style="list-style-type: none"> ▪ <i>Dog Act 1976:</i>s 29(5) Power to seize dogs.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. 2. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s 29(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in s 29(5) of this Delegation. ▪
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	Includes recovery of expenses relevant to: <ul style="list-style-type: none"> ▪ s 30A(3) Operator of dog management facility may have dog microchipped at owner's expense. ▪ s 33M Local government expenses to be recoverable. ▪ s 47 Veterinary service expenses recoverable from local government. ▪ reg 31 Local government expenses as to dangerous dogs (declared). ▪ <i>Dogs Local Law 2019.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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5. Dog Act 1976 Delegations

5.1.5 Dispose of or Sell Dogs Liable to be Destroyed

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 29(11) Power to seize dogs.
Delegate:	Chief Executive Officer
Function:	1. Authority to dispose of or sell a dog which is liable to be destroyed [s 29(11)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. ▪ Proceeds from the sale of dogs are to be directed into the Municipal Fund.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Planning and Regulation Manager Development and Place ▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	<p>Conditions on the CEO delegation also apply to the sub-delegation.</p> <p>The exercise of this delegation requires the approval of two delegates, one of which must be either the Manager Development and Place Manager Planning and Regulation, or the Senior Ranger.</p>
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Dog Local Law 2019.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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5. Dog Act 1976 Delegations

5.1.6 Declare Dangerous Dog

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 33E(1) Individual dog may be declared to be dangerous dog (declared).
Delegate:	Chief Executive Officer
Function:	1. Authority to declare an individual dog to be a dangerous dog [s 33E(1)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ S 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	<p>Conditions on the CEO delegation also apply to the sub-delegation.</p> <p>The exercise of this delegation requires the approval of two delegates, one of which must be either the Manager Development and Place Manager Planning and Regulation, or the Senior Ranger.</p>
Compliance Links:	<ul style="list-style-type: none"> ▪ Note – Decisions under this delegation may be referred for review by the State Administrative Tribunal. ▪ <i>Dog Local Law 2019.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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5. Dog Act 1976 Delegations

5.1.7 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 33F(6) Owners to be notified of making of declaration ▪ s 33G(4) Seizure and destruction. ▪ s 33H(1), (2) and (5) Local government may revoke declaration or proposal to destroy.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s 33F(6)]. 2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s 33G(4)]. 3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s 33H(1)]. 4. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s 33H(2)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. ▪ Delegation of the s 33F power to deal with an objection to a dangerous dog declaration should not be delegated to the same person or position who is authorised to exercise s 33E powers enabling the declaration of a dangerous dog.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ Decisions under this delegation may be referred for review by the State Administrative Tribunal. ▪ <i>Dog Local Law 2019.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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5. Dog Act 1976 Delegations

5.1.8 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 33H(5) Local government may revoke declaration or proposal to destroy.
Delegate:	Chief Executive Officer
Function:	1. Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s 33H(5)]: <ul style="list-style-type: none"> (a) a notice declaring a dog to be dangerous; or (b) a notice proposing to cause a dog to be destroyed.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. ▪ Delegation of the s 33H(5) power to deal with an objection should not be delegated to the same person or position authorised to exercise s 33H(1) or s 33H(2).
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place <u>Manager Planning and Regulation</u> ▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ Note – Decisions under this delegation may be referred for review by the State Administrative Tribunal. ▪ <i>Dog Local Law 2019.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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5. Dog Act 1976 Delegations

5.1.9 Determine Recoverable Expenses for Dangerous Dog Declaration

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 33M(1)(a) Local Government expenses to be recoverable.
Delegate:	Chief Executive Officer
Function:	1. Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s 15, up to any maximum amount prescribed, having regard to the expenses incurred by the Town of Bassendean in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s 33H(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ The Chief Executive Officer may sub-delegate to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. ▪ Delegation does not include s 33M(1)(b) as the setting of a fixed fee should occur by Council resolution in accordance with s 6.16 Imposition of fees and charges, <i>Local Government Act 1995</i>.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ Decisions under this delegation may be referred for review by the State Administrative Tribunal. ▪ <i>Dog Local Law 2019</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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5. Dog Act 1976 Delegations

5.1.10 Grant an Exemption to Keep More than Two Dogs

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation by local government.
Express Power or Duty Delegated:	<i>Dog Act 1976 s. 26(3)</i> <ul style="list-style-type: none"> ▪ Grant of exemption to keep more than two dogs over the age of three months at a premise.
Delegate:	Chief Executive Officer
Function:	1. The authority to grant an exemption for the keeping of dogs at a premise where a kennel licence is not required and the number of dogs exceeds two as specified in the <i>Dogs Local Law 2019</i> and apply conditions to the exemption.
Council Conditions on this Delegation:	(1) An exemption may only be granted where the premises comply in all respects with the provisions of the Act and Local Law. (2) Prior to determining the application for an exemption, all adjoining neighbours are required to be consulted and provided opportunity to make written submission on the application. Documentation of the consultation to be recorded in the Town's document management system. (3) This delegation is not to be exercised where: <ul style="list-style-type: none"> • an applicant requests in writing that Council determine the application. • one or more objections are received which, in the opinion of the delegated officer, raise genuine amenity concerns with the proposed exemption. • the applications involves the keeping of more than 3 dogs that have reached 3 months of age; and/or • the applications involves the keeping of a dog under the age of three months unless it is a pup of a dog whose keeping is authorised by the exemption. (4) The granting of an exemption is to include the following conditions: <ul style="list-style-type: none"> • Any approval issued by the delegator to the applicant is not transferable or assignable either to any other occupier of the premises or to any other premises within the District. • The exemption may be revoked or varied at any time.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation by CEO of local government.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation

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5. Dog Act 1976 Delegations

	<ul style="list-style-type: none"> ▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	<p><i>Dogs Local Law 2019</i> <i>Dog Act 1976</i></p> <p>Decisions under this delegation may be referred for review by the State Administrative Tribunal</p>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



6. Food Act 2008 Delegations

6 Food Act 2008 Delegations

6.1 Council to CEO

6.1.1 Determine Compensation

Delegator:	Local Government (s 8 defined as 'enforcement agency')
Express Power to Delegate:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 118 Functions of enforcement agencies and delegation. ▪ s 118 (2)(b) Enforcement agency may delegate a function conferred on it. ▪ s 118(3) Delegation subject to conditions [s 119] and guidelines adopted [s 120]. ▪ s 118(4) Sub-delegation permissible only if expressly provided in regulations.
Express Power or Duty Delegated:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 56(2) Compensation to be paid in certain circumstances. ▪ s 70(2) and (3) Compensation.
Delegate:	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Director Community Planning and Place Manager Development and Place Manager Planning and Regulation ▪ Senior Environmental Health Officer
Function:	<ol style="list-style-type: none"> 1. Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s 56(2)]. 2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s 70(2); 70(3)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ In accordance with s 118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ Note – Decisions under this delegation may be referred for review by the State Administrative Tribunal.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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6. Food Act 2008 Delegations

6.1.2 Prohibition Orders

Delegator:	Local Government
Express Power to Delegate:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 118 Functions of enforcement agencies and delegation. ▪ s 118 (2)(b) Enforcement agency may delegate a function conferred on it. ▪ s 118(3) Delegation subject to conditions [s 119] and guidelines adopted [s 120]. ▪ s 118(4) Sub-delegation permissible only if expressly provided in regulations.
Express Power or Duty Delegated:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 65(1) Prohibition orders. ▪ s 66 Certificate of clearance to be given in certain circumstances. ▪ s 67(4) Request for re-inspection.
Delegate:	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Environmental Health Officer ▪ Environmental Health Officer
Function:	<ol style="list-style-type: none"> 1. Authority to serve a prohibition order on the proprietor of a food business food business in accordance with s 65 of the <i>Food Act 2008</i> [s 65(1)]. 2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s 66]. 3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s 67(4)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ In accordance with s 118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ Note – Decisions under this delegation may be referred for review by the State Administrative Tribunal.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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6. Food Act 2008 Delegations

6.1.3 Food Business Registrations

Delegator:	Local Government
Express Power to Delegate:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 118 Functions of enforcement agencies and delegation. ▪ s 118 (2)(b) Enforcement agency (local government s 8) may delegate a function conferred on it. ▪ s 118(3) Delegation subject to conditions [s 119] and guidelines adopted [s 120]. ▪ s 118(4) Sub-delegation permissible only if expressly provided in regulations.
Express Power or Duty Delegated:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 110(1) and s 110(5) Registration of food business. ▪ s 112 Variation of conditions or cancellation of registration of food businesses.
Delegate:	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Environmental Health Officer ▪ Environmental Health Officer
Function:	<ol style="list-style-type: none"> 1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s 110(1) and s 110(5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s 112].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil – <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ Note – Decisions under this delegation may be referred for review by the State Administrative Tribunal. ▪ The Australia and New Zealand Food Authority: Priority Classification System for Food Businesses. ▪ Department of Health, WA Food Regulation: Food Business Risk Profiling – Guidance to the classification of food businesses,
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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6. Food Act 2008 Delegations

6.1.4 Appoint Authorised Officers and Designated Officers

Delegator:	Local Government
Express Power to Delegate:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 118 Functions of enforcement agencies and delegation. ▪ s 118 (2)(b) Enforcement agency may delegate a function conferred on it. ▪ s 118(3) Delegation subject to conditions [s 119] and guidelines adopted [s 120]. ▪ s 118(4) Sub-delegation permissible only if expressly provided in regulations.
Express Power or Duty Delegated:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 122(1) Appointment of authorised officers ▪ s 126(6), (7) and (13) Infringement Officers
Delegate:	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation
Function:	<ol style="list-style-type: none"> 1. Authority to appoint a person to be an authorised officer for the purposes of the <i>Food Act 2008</i> [s 122(2)]. 2. Authority to appoint an Authorised Officer appointed under s 122(2) of this Act or s 24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s 126(13)]. 3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s 126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s 126(6)] and determining withdrawal of an infringement notice [s 126(7)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil – <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ s 122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers. ▪ s 123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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6. Food Act 2008 Delegations

6.1.5 Debt Recovery and Prosecutions

Delegator:	Local Government
Express Power to Delegate:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 118 Functions of enforcement agencies and delegation. ▪ s 118 (2)(b) Enforcement agency may delegate a function conferred on it. ▪ s 118(3) Delegation subject to conditions [s 119] and guidelines adopted [s 120]. ▪ s 118(4) Sub-delegation permissible only if expressly provided in regulations.
Express Power or Duty Delegated:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 54 Cost of destruction or disposal of forfeited item. ▪ s 125 Institution of proceedings.
Delegate:	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Environmental Health Officer
Function:	<ol style="list-style-type: none"> 1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s 54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s 54(3)]. 2. Authority to institute proceedings for an offence under the <i>Food Act 2008</i> [s 125].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Exercise of the power under s 54 is confined to the Chief Executive Officer and the Manager Development and Place Manager Planning and Regulation. ▪ In accordance with s 118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ s 143(1) publication of names of offenders (by the Department of Health CEO).
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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6. Food Act 2008 Delegations

6.1.6 Food Businesses List – Public Access

Delegator:	Local Government (s 8 defined as 'enforcement agency')
Express Power to Delegate:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 118 Functions of enforcement agencies and delegation. ▪ s 118 (2)(b) Enforcement agency may delegate a function conferred on it. ▪ s 118 Delegation subject to conditions [s 119] and guidelines adopted [s 120]. ▪ s 118(4) Sub-delegation permissible only if expressly provided in regulations.
Express Power or Duty Delegated:	<p><i>Food Regulations 2009:</i></p> <ul style="list-style-type: none"> ▪ reg 51 Enforcement agency may make list of food businesses publicly available.
Delegate:	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Environmental Health Officer ▪ Environmental Health Officer
Function:	1. Authority to decide to make a list of food businesses maintained under s 115(a) or s 115(b) publicly available [reg 51].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ In accordance with s 118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ NIL – <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ Department of Health Chief Executive Officer Guidelines as amended from time to time.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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7. Graffiti Vandalism Act 2016 Delegations

7 Graffiti Vandalism Act 2016 Delegations

7.1 Council to CEO

7.1.1 Give Notice Requiring Obliteration of Graffiti

Delegator:	Local Government
Express Power to Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 16 Delegation by local government.
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 18(2) Notice requiring removal of graffiti. ▪ s 19(3) and s 19(4) Additional powers when notice is given.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s 18(2)]. 2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s 19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s 19(4)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 17 Delegation by CEO of local government.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger ▪ Ranger
CEO Conditions on this Sub-Delegation:	<ul style="list-style-type: none"> ▪ Nil.
Compliance Links:	<ul style="list-style-type: none"> ▪ Decisions under this delegation may be referred for review by the State Administrative Tribunal
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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7. Graffiti Vandalism Act 2016 Delegations

7.1.2 Notices – Deal with Objections and Give Effect to Notices

Delegator:	Local Government
Express Power to Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 16 Delegation by local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 22(3) Objection may be lodged. ▪ s 24(1)(b) & (3) Suspension of effect of notice.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to deal with an objection to a notice [s 22(3)]. 2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> (a) determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s 24(1)(b)]; and (b) to give notice to the affected person, before taking the necessary actions [s 24(3)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 17 Delegation by CEO of local government.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	<ul style="list-style-type: none"> ▪ Nil.
Compliance Links:	<ul style="list-style-type: none"> ▪ Decisions under this delegation may be referred for review by the State Administrative Tribunal.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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Delegation Register

Town of Bassendean



7. Graffiti Vandalism Act 2016 Delegations

7.1.3 Obliterate Graffiti on Private Property

Delegator:	Local Government
Express Power to Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 16 Delegation by local government.
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 25(1) Local government graffiti powers on land not local government property.
Delegate:	Chief Executive Officer
Function:	1. Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s 25(1)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Subject to exercising Powers of Entry under <i>Graffiti Vandalism Act 2016</i>.
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 17 Delegation by CEO of local government.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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Town of Bassendean



7. Graffiti Vandalism Act 2016 Delegations

7.1.4 Powers of Entry

Delegator:	Local Government
Express Power to Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 16 Delegation by local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 28 Notice of entry. ▪ s 29 Entry under warrant.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s 28]. 2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s 29].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 17 Delegation by CEO of local government.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Ranger
CEO Conditions on this Sub-Delegation:	<ul style="list-style-type: none"> ▪ Nil.
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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Delegation Register

Town of Bassendean



8. Public Health Act 2016 Delegations

8 Public Health Act 2016 Delegations

8.1.1 Designate Authorised Officers

Delegator:	Enforcement Agency (means at s 4(1) a Local Government)
Express Power to Delegate:	<i>Public Health Act 2016:</i> <ul style="list-style-type: none"> ▪ s 21 Enforcement agency may delegate.
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> <ul style="list-style-type: none"> ▪ s 24(1) and (3) Designation of authorised officers.
Delegate:	Chief Executive Officer
Function:	Authority to designate a person or class of persons as authorised officers for the purposes of: <ol style="list-style-type: none"> 1. The <i>Public Health Act 2016</i> or other specified Act. 2. Specified provisions of the <i>Public Health Act 2016</i> or another specified Act; 3. Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act. <p>Including:</p> <ol style="list-style-type: none"> 4. an environmental health officer or environmental health officers as a class; or 5. a person who is not an environmental health officer or a class of persons who are not environmental health officers; or 6. a combination of the two [s 24(1) and s 24(3)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ This delegation is subject to each person so appointed being: <ul style="list-style-type: none"> ○ Appropriately qualified and experienced [s 25(1)(a)]; and ○ Issued with a certificate, badge or identity card identifying the authorised officer [s 30 and s 31]. ▪ A Register (list) of authorised officers is to be maintained in accordance with s 27.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i>, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s 21(4)].
Compliance Links:	<i>Public Health Act 2016</i> <ul style="list-style-type: none"> ▪ s 20 Conditions on performance of functions by enforcement agencies. ▪ s 25 Certain authorised officers required to have qualifications and experience. ▪ s 26 Further provisions relating to designations. ▪ s 27 Lists of authorised officers to be maintained. ▪ s 28 When designation as authorised officer ceases. ▪ s 29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers. ▪ s 30 Certificates of authority. ▪ s 31 Issuing and production of certificate of authority for purposes of other written laws. ▪ s 32 Certificate of authority to be returned. ▪ s 136 Authorised officer to produce evidence of authority.



8. Public Health Act 2016 Delegations

	<ul style="list-style-type: none">▪ <i>Criminal Investigation Act 2006</i>, Parts 6 and 13 – refer s 245 of the <i>Public Health Act 2016</i>.▪ <i>The Criminal Code</i>, Chapter XXVI – refer s 252 of the <i>Public Health Act 2016</i>.
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



8. Public Health Act 2016 Delegations

8.1.2 Enforcement Agency Reports to the Chief Health Officer

Delegator:	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate:	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s.22 Reports by and about enforcement agencies
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Town of Bassendean [s.22(1)] 2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	Nil.
Compliance Links:	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.
Record Keeping:	Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



8. Public Health Act 2016 Delegations

8.1.3 Determine Compensation for Seized Items

Delegator:	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate:	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s.264 Compensation
Delegate:	Chief Executive Officer
Function:	1. Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].
Council Conditions on this Delegation:	a. Compensation is limited to a maximum value of \$5,000, with any proposal for compensation above this value to be referred for Council's determination.
Express Power to Sub-Delegate:	Nil.
Compliance Links:	
Record Keeping:	Delegations exercised are to be recorded in the Town's document management system.

Delegation Register

Town of Bassendean



9. Health (Asbestos) Regulations 1992

9 HEALTH (ASBESTOS REGULATIONS) 1992

9.1.1 Appoint Authorised Officer or Approved Officer

Delegator:	Local Government
Express Power to Delegate:	<i>Health (Asbestos) Regulations 1992:</i> <ul style="list-style-type: none"> ▪ Reg 15D(7) Infringement Notices
Express Power or Duty Delegated:	<i>Health (Asbestos) Regulations 1992:</i> <ul style="list-style-type: none"> ▪ Reg 15D(5) Infringement Notices
Delegate:	Chief Executive Officer Senior Environmental Health Officer
Function:	1. Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2 [reg 15D(5)].
Council Conditions on this Delegation:	Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [reg 15D(6)].
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.
Compliance Links	<ul style="list-style-type: none"> ▪ <i>Criminal Procedure Act 2004 – Part 2</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system. ▪ Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file. ▪ A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.

Delegation Register

Town of Bassendean



10. Planning and Development Act 2005 Delegations

10 Planning and Development Act 2005

10.1.1 Illegal Development

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42(b) Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Planning and Development Act 2005:</i> <ul style="list-style-type: none"> ▪ Section 214 Illegal development, responsible authority's powers as to ss 214(2), 214(3) and 214(5).
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements; 2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> (a) remove, pull down, take up, or alter the development; and (b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. 3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation
CEO Conditions on this Sub-Delegation:	<ul style="list-style-type: none"> ▪ Nil.
Compliance Links:	<ul style="list-style-type: none"> ▪ Part 13, <i>Planning and Development Act 2005</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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Delegation Register

Town of Bassendean



10. Planning and Development Act 2005 Delegations

10.1.2 Issue Written Notice – proposed road or waterways, drawings etc required

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42(b) Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Planning and Development Act 2005:</i> <ul style="list-style-type: none"> ▪ s 170(3) issue written notice to require a person subdividing land to do certain things. ▪ s 170(4)(b) issue written notice require a person subdividing land to amend certain things.
Delegate:	Chief Executive Officer
Function:	<ul style="list-style-type: none"> ▪ s 170(3)(a) issue written notice requiring person to amend the drawings or specifications or both; and ▪ comply with such further conditions. ▪ s 170(4) issue written notice requiring person to amend the drawings or specifications or both to satisfy s 169 minimum standards.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation
CEO Conditions on this Sub-Delegation:	<ul style="list-style-type: none"> ▪ Nil.
Compliance Links:	<ul style="list-style-type: none"> ▪ Part 13, <i>Planning and Development Act 2005</i>. ▪ s 169 Roads and waterways, minimum standards of construction for.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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Delegation Register

Town of Bassendean



10. Planning and Development Act 2005 Delegations

10.1.3 Deemed Provisions for Local Planning Scheme

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42(b) Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO. <p><i>Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, Part 9, Division 2:</i></p> <ul style="list-style-type: none"> ▪ cl 82 – Delegations by Local Government.
Express Power or Duty Delegated:	<p><i>Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, Part 9, Division 2:</i></p> <ul style="list-style-type: none"> ▪ cl 68 – Determination of applications ▪ cl 70 – Form and date of determination ▪ cl 77 – Amending or cancelling applications. <p><i>Planning and Development (Development Assessment Panels) Regulations 2011:</i></p> <ul style="list-style-type: none"> ▪ Regulation 17A – Amendment or cancellation of development approval by responsible authority.
Delegate:	Chief Executive Officer
Function:	To determine an application for development approval or an application to amend or cancel a development approval by - <ul style="list-style-type: none"> o Granting approval, with or without conditions; or o refusing to grant approval.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ This delegation is not to be exercised where: <ul style="list-style-type: none"> o an applicant requests in writing that Council determine the application. o the originating application on a proposal was considered and determined by Council, all subsequent applications on the same proposal are to be presented to Council for determination unless in the opinion of a delegated officer, it is of a minor or insignificant nature. ▪ Determinations are limited to the following matters only: <ul style="list-style-type: none"> o uses that are noted with a "P" in Table 1 of the Local Planning Scheme that are permitted as of right subject to compliance with the requirements of the Local Planning Scheme. o Uses that are shown as "D" or "A" in the zoning table of the Local Planning Scheme with the exception of the following Use Classes: <ul style="list-style-type: none"> ▪ Cinema or Theatre. ▪ Fast Food Outlet, unless the outlet is located inside a shopping centre. ▪ Hotel. ▪ Industry – Mining. ▪ Night Club. ▪ Restricted Premises. ▪ Tavern.



10. Planning and Development Act 2005 Delegations

	<ul style="list-style-type: none"> o Development of land where the requirements of the Local Planning Scheme, State Planning Policies and/or Local Planning Policies have been complied with. o Development of land where the requirements of the Local Planning Scheme, State Planning Policies and/or Local Planning Policies have not been complied with but where, in the opinion of the delegated officer: <ul style="list-style-type: none"> ▪ the proposal is consistent with the objectives of the Local Planning Scheme and relevant Policy; ▪ the proposal would not have a detrimental impact on the streetscape or any other property; or ▪ the variation is minor in nature; or ▪ the variation can be overcome by imposing a condition(s) on any development approval granted, or modifying the design of the development. o Where advertising of the application is required: <ul style="list-style-type: none"> ▪ consent, no objection or no response is received from those consulted; or ▪ in the opinion of the delegated officer, the proposal is consistent with the objectives and intent of the Local Planning Scheme and any Policy, as well as the principles of orderly and proper planning; or ▪ in the opinion of the delegated officer, the proposal is consistent with the objectives and intent of the Local Planning Scheme and any Policy; or ▪ any objection received can be overcome by imposing a condition(s) on any a development approval granted, or modifying the design of the development; or ▪ the objection does not relate to valid planning and development considerations associated with the proposal. o Additions to a Non-Conforming Use where no objection is received from adjoining landowners during consultation. o Telecommunications Infrastructure within commercial and industrial zones to a maximum height of thirty (30) metres.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees. <p><i>Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, Part 9, Division 2:</i></p> <ul style="list-style-type: none"> ▪ cl 83 – Local Government CEO may delegate powers.
Sub-Delegate/s:	<ul style="list-style-type: none"> ▪ Director Community Planning and Place ▪ Manager Development and Place Manager Planning and Regulation ▪ Senior Planner
CEO Conditions on this Sub-Delegation:	<p>Senior Planner</p>

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Commented [AS3]: I do not necessarily believe there is a need for there to be conditions on the delegation extended to Senior Planning Officer position for the following reasons:

1. The senior planning officer should, as a minimum have 3-4 years experience as a planning officer.
2. The current senior planning officer has exceptional experience and is competent to sign off on applications.
3. The more complex applications should be assessed by the Senior Planning Officer and from a good governance perspective, should not be signing off on their own work and it should be reviewed by the Manager.



10. Planning and Development Act 2005 Delegations

	<p>This delegation does not apply to applications within Special Control Areas, on the Heritage List, in designated bushfire prone areas or in the floodway or flood fringe, and is applicable for approvals only.</p> <p>Determination for approval of the application types listed below, including where there are additions to existing approved developments:</p> <ul style="list-style-type: none"> — Outbuildings — Patios — Habitable additions — Ancillary Dwelling — Fences and retaining walls — Swimming pools and spas — Solar panels — Single Dwelling — Home Occupation — Carports — Non-habitable additions — Two grouped dwellings — Extension of development approvals for up to 2 years from the original expiry date. <p>Conditions on the CEO delegation also apply to the sub-delegation.</p>
Compliance Links:	<ul style="list-style-type: none"> ▪ Town of Bassendean Local Planning Policies.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

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Town of Bassendean



10. Planning and Development Act 2005 Delegations

10.1.4 Other Matters

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42(b) Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p>See relevant provisions and clauses set out in functions below for:</p> <ul style="list-style-type: none"> ▪ <i>Planning and Development Act 2005</i> ▪ <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> ▪ <i>Local Town Planning Scheme 4A</i> ▪ Local Town Planning Scheme 10 Local Planning Scheme No. 11
Delegate:	Chief Executive Officer
Function:	<p>1. Structure Plans</p> <p>(a) The determination under Clause 17(1) of the Deemed Provisions as to whether a structure plan complies with the requirements of Clause 16(1), or if further information is required before the structure plan can be accepted for assessment and advertising.</p> <p>(b) The advertising The advertising of a structure plan under Clause 18(2) of the Deemed Provisions.</p> <p>(c) The provision of advice and assistance to the Commission under Clause 23 of the Deemed Provisions.</p> <p>(d) The determination that advertising of an amendment to a structure plan is not required, where it is minor in nature, under Clause 29(3) of the Deemed Provisions.</p> <p>(e) The preparation of a report and recommendation on an amendment to amendment t o a structure plan, under Clause 20 of the Deemed Provisions, where it is determined that the amendment is minor in nature and advertising is not required.</p> <p>2. Activity Centre Plans</p> <p>(a) The determination under Clause 33(1) of the Deemed Provisions as to whether an activity centre structure plan complies with the requirements of Regulation 32(1), or if further information is required before the structure plan can be accepted for assessment and advertising.</p> <p>(b) The advertising of an activity centre structure plan under Clause 34(2) of the Deemed Provisions.</p> <p>(c) The provision of advice and assistance to the Commission under Clause 39 of the Deemed Provisions.</p> <p>(d) The determination that advertising of an amendment to a structure plan is not required, where it is minor in nature, under Clause 45(3) of the Deemed Provisions.</p>

10. Planning and Development Act 2005 Delegations

	<p>(e) The preparation of a report and recommendation on an amendment to an activity centre structure plan, under Clause 36, where it is determined that the amendment is minor in nature and advertising is not required.</p> <p>3. Local Development Plans</p> <p>(a) The determination not to advertise a Local Development Plan under Clause 50(3) of the Deemed Provisions.</p> <p>(b) The approval of a Local Development Plan with or without conditions under Clause 52(1)(a) of the Deemed Provisions.</p> <p>(c) The determination to require modifications to a Local Development Plan under a Clause 52(1)(b) of the Deemed Provisions.</p> <p>(d) The determination to amend an approved Local Development Plan under Clause 59(1) of the Deemed Provisions.</p> <p>(e) The refusal of a Local Development Plan under Clause 52(1)(c) of the Deemed Provisions.</p> <p>4. Heritage</p> <p>(a) The power under Clause 10 of the Deemed Provisions to enter into a Heritage Agreement with the owner or occupier of land or building to bind the land or affect the use of land or building.</p> <p>(b) The determination under Clause 11 of the Deemed Provisions to require a Heritage Assessment to be carried out prior to the approval of any development proposed in heritage area or a place on a heritage list.</p> <p>(c) The determination under Clause 12 (1-3) of the Deemed Provisions to vary site or development requirements, subject to undertaking public consultation to preserve the heritage values of a heritage area or a place on a heritage list or on the Register of Heritage Places.</p> <p>(d) The determination under Clause 13 (1-6) of the Deemed Provisions to consider a place on a heritage list is not being properly maintained and to give a person who is the owner or occupier of the heritage place a written notice requiring specified repairs to the heritage place, or extend or revoke a notice.</p> <p>(e) 5. Town Planning Scheme No. 4A The review of estimated costs, acceptance of a cost contribution, the lodgement and withdrawal of caveats and acquisition and disposal of land in accordance with clause 5.5.12.2.</p>
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i>

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10. Planning and Development Act 2005 Delegations

	<ul style="list-style-type: none"> s 5.44 CEO may delegate some powers and duties to other employees.
Sub-Delegate/s:	<ul style="list-style-type: none"> Director Community Planning and Place Manager Development and Place Manager Planning and Regulation
CEO Conditions on this Sub-Delegation:	Conditions on the CEO delegation also apply to the sub-delegation.
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> Delegations exercised are to be recorded in the Town's document management system.

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10. Planning and Development Act 2005 Delegations

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10.1.5 Strata Titles Act

Delegator:	Local Government
Express Power to Delegate:	<p>Local Government Act 1995:</p> <ul style="list-style-type: none"> s 5.42(b) Delegation of some powers or duties to the CEO. s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p>See relevant provisions and clauses set out in functions below for:</p> <ul style="list-style-type: none"> — <i>Planning and Development Act 2005</i>
Delegate:	Chief Executive Officer
Function:	WA Planning Commission – Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01)

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Delegation Register
Town of Bassendean



	822	GOVERNMENT GAZETTE, WA	27 March 2020
	PL402	<p align="center">PLANNING AND DEVELOPMENT ACT 2005 INSTRUMENT OF DELEGATION Del 2020/01 Powers of Local Governments</p> <p>Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the issuing of certificates of approval under section 15 of the <i>Strata Titles Act 1985</i>.</p> <p>Preamble Under section 16 of the <i>Planning and Development Act 2005</i> (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the <i>Government Gazette</i>, delegate any function under the Act or any other written law to a local government, a committee established under the <i>Local Government Act 1995</i> or an employee of a local government.</p> <p>In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or imposed on the WAPC by the Act or any other written law as the case requires.</p> <p>Resolution under section 16 of the Act (delegation) On 19 March 2020, pursuant to section 16 of the Act, the WAPC RESOLVED—</p> <p>A. To delegate to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the <i>Strata Titles Act 1985</i> as set out in clause 1 of Schedule, within their respective districts, subject to the conditions set out in clause 2 of Schedule 1;</p> <p>B. To declare that this instrument recording its resolution is to take effect upon the proclamation of the <i>Strata Titles Amendment Act 2018</i>.</p> <p align="right">SAM FAGAN, Secretary, Western Australian Planning Commission.</p> <p align="center">—————</p> <p align="center">Schedule 1</p> <p>1. Applications made under section 15 of the <i>Strata Titles Act 1985</i> Power to determine applications for the issuing of a certificate of approval under section 15 of the <i>Strata Titles Act 1985</i>, except those applications that—</p> <p>(a) propose the creation of a vacant lot;</p> <p>(b) propose vacant air stratas in multi-tiered strata scheme developments;</p> <p>(c) propose the creation or postponement of a leasehold scheme;</p> <p>(d) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—</p> <p>i. a type of development; and/or</p> <p>ii. land within an area,</p> <p>which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application.</p> <p>2. Reporting requirements A local government that exercises the power referred to in clause 1 is to provide WAPC with data on all applications determined under this Instrument of Delegation at the conclusion of each financial year in the format prescribed by the WAPC.</p>	
Express Power to Sub-Delegate:	Local Government Act 1995: S 5.44 CEO may delegate some powers and duties to other employees		
Sub-Delegate/s:	Director Community Planning and Place Manager Planning and Regulation		
Record Keeping:	Delegations exercised are to be recorded in the Town's document management system.		

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~~10. Planning and Development Act 2005 Delegations~~



~~40. Planning and Development Act 2005 Delegations~~

Delegation Register
Town of Bassendean



Delegation Register

Town of Bassendean



11. Statutory Delegations and Authorisations to Local Government from State Government

Environmental Protection Act 1986

Noise Control – Environmental Protection Notices [Reg.65(1)]

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No. 47. 19-Mar-2004
Page: 919 [Pdf](#) - 476kb

EV401

ENVIRONMENTAL PROTECTION ACT 1986
Section 20
Delegation No. 52

Pursuant to section 20 of the *Environmental Protection Act 1986*, the Chief Executive Officer hereby delegates as follows—

Powers and duties delegated—

All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.

Persons to whom delegation made—

This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995*.

Pursuant to section 59(1)(e) of the *Interpretations Act 1984*, Delegation No. 32, dated 4 February 2000 is hereby revoked.

Dated this 9th day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.

11. Statutory Delegations and Authorisations to Local Government from State Government

Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events

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No. 232. 20-Dec-2013
Page: 6282 [Pdf](#) - 3Mb

EV402

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 112

I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department of Environment Regulation responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the *Local Government Act 1995*, my powers and duties under the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation, in relation to--

- (a) waste collection and other works--noise management plans relating to specified works under regulation 14A or 14B;
- (b) bellringing or amplified calls to worship--the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi);
- (c) community activities--noise control notices in respect of community noise under regulation 16;
- (d) motor sport venues--noise management plans in relation to motor sport venues under Part 2 Division 3;
- (e) shooting venues--noise management plans in relation to shooting venues under Part 2 Division 4;
- (f) calibration results--requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;
- (g) sporting, cultural and entertainment events--approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation--

(i) Subregulation 18(13)(b) is not delegated.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 68, gazetted 22 June 2007 is hereby revoked.

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by--

JOHN DAY, Acting Minister for Environment; Heritage.

11. Statutory Delegations and Authorisations to Local Government from State Government

Noise Management Plans – Construction Sites

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Environment

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No. 71. 16-May-2014
Page: 1548 [Pdf](#) - [2Mb](#)

EV405

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 119

I, Jason Banks, in my capacity as the Acting Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to the holder for the time being of the offices of--

- (a) Chief Executive Officer under the *Local Government Act 1995*; and
- (b) to any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act,

all my powers and duties in relation to noise management plans under regulation 13 of the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 111, gazetted 20 December 2013, is hereby revoked.

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.

Delegation Register

Town of Bassendean



11. Statutory Delegations and Authorisations to Local Government from State Government

Planning and Development Act 2005

Instrument of Authorisation – Local Government CEOs - Sign Development Applications for Crown Land as Owner

DoL FILE 1738/2002v8; 858/2001v9

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF AUTHORISATION

I, **Donald Terrence Redman MLA**, Minister for Lands, a body corporate continued by section 7(1) of the *Land Administration Act 1997*, under section 267A of the *Planning and Development Act 2005*, HEREBY authorise, in respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.

Dated the ^{2nd} day of *June* 2016

HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

11. Statutory Delegations and Authorisations to Local Government from State Government

SCHEDULE

This is the Schedule referred to in an Instrument of Authorisation relating to Development Applications under the *Planning and Development Act 2005*

Column 1	Column 2	Column 3
<p>The power to sign as owner in respect of Crown land that is:</p> <ul style="list-style-type: none"> a reserve managed by the local government pursuant to section 46 of the <i>Land Administration Act 1997</i> and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or the land is a road of which the local government has the care, control and management under section 55(2) of the <i>Land Administration Act 1997</i> and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the Building Regulations 2012 (Regulation 45A), or is an "awning, verandah or thing" (Regulation 45B), or is a ground anchor, and where the development is consistent with the use of the land as a road. <p>In respect of development applications being made under or referred to in:</p> <ul style="list-style-type: none"> (i) section 99(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act); (ii) section 103(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a local interim development order (as that term is defined in that Act); (iii) section 115 of the <i>Planning and Development Act 2005</i> in respect of development within a planning control area (as that term is defined in that Act); (iv) section 122A of the <i>Planning and Development Act 2005</i> in respect of which approval is required under an improvement scheme (as that term is defined in that Act); (v) section 152 of the <i>Planning and Development Act 2005</i> in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act); 	<p>City of Albany City of Armadale Shire of Ashburton Shire of Augusta-Margaret River Town of Bassendean City of Baywater City of Belmont Shire of Beverley Shire of Bodington Shire of Boyup Brook Shire of Bridgetown-Greenbushes Shire of Brooking Shire of Broome Shire of Broome's-Tambellup Shire of Bruce Rock City of Bunbury Shire of Busselton Town of Cambridge City of Canning Shire of Capel Shire of Carnamah Shire of Carravon Shire of Chapman Valley Shire of Chittering Shire of Christmas Island Town of Claremont City of Cockburn Shire of Coosa (Keeling) Islands Shire of Collie Shire of Coolgardie Shire of Coorow Shire of Corrigin Town of Cottesloe Shire of Cranbrook Shire of Cuballing Shire of Dae Shire of Dunderdin Shire of Dalmatians Shire of Dandaragan Shire of Dardanup Shire of Denmark Shire of Derby/West Kimberley Shire of Donnybrook-Balingup Shire of Dowerin Shire of Dumbleyung Shire of Dundas Town of East Fremantle Shire of East Pilbara Shire of Esperance Shire of Exmouth City of Fremantle City of Greater Geraldton</p>	<p>In accordance with and subject to approved Government Land policies.</p> <p>Any signature subject to the following endorsement: Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the <i>Planning and Development Act 2005</i> (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.</p>

Delegation Register

Town of Bassendean



11. Statutory Delegations and Authorisations to Local Government from State Government

- (vi) section 163 of the *Planning and Development Act 2005* in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the *Heritage of Western Australia Act 1990*, or of which such a place forms part;
- (vii) section 171A of the *Planning and Development Act 2005* in respect of a prescribed development application (as that term is defined in that section of that Act).
- Shire of Gingin
Shire of Goswamangup
Shire of Goomalling
City of Gosnells
Shire of Halls Creek
Shire of Harvey
Shire of Irwin
Shire of Jerramungup
City of Joondalup
Shire of Kalamunda
City of Kalgoorlie-Boulder
Shire of Kalbarning
Shire of Kellerberrin
Shire of Kent
Shire of Kojonup
Shire of Kondinin
Shire of Koorda
Shire of Kulin
City of Kwinana
Shire of Lake Grace
Shire of Laverton
Shire of Leonora
City of Mandurah
Shire of Manjimup
Shire of Malleebarra
City of Melville
Shire of Menzies
Shire of Merredin
Shire of Mingariew
Shire of Moora
Shire of Moirwa
Town of Mosman Park
Shire of Mount Magnet
Shire of Mt Marshall
Shire of Mukinbudin
Shire of Mundaring
Shire of Murchison
Shire of Murray
Shire of Nannup
Shire of Narembean
Shire of Narrogin
Town of Narrogin
City of Nedlands
Shire of Ngaanyatjaraku
Shire of Northern
Shire of Northampton
Shire of Nungarin
Shire of Peppermint Grove
Shire of Perenjori
City of Perth
Shire of Pingelly
Shire of Platigonet
Town of Port Hedland
Shire of Quairading
Shire of Ravenshorpe
City of Rockingham
Shire of Roebourne
Shire of Sandstone
Shire of Serpentine Jarrahdale
Shire of Shark Bay
City of South Perth
City of Stirling
City of Subiaco
City of Swan



11. Statutory Delegations and Authorisations to Local Government from State Government

Shire of Tammin
Shire of Three Springs
Shire of Toodyay
Shire of Trayning
Shire of Upper Gascoyne
Town of Victoria Park
Shire of Victoria Plains
Town of Vincent
Shire of Wagin
Shire of Wandering
City of Wanneroo
Shire of Waroona
Shire of West Arthur
Shire of Westonia
Shire of Wickiepin
Shire of Williams
Shire of Wiluna
Shire of Wongan-Ballidu
Shire of Woodanilling
Shire of Wyalkatchem
Shire of Wyndham-East Kimberley
Shire of Yalgoo
Shire of Yalgern
Shire of York

HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

2nd day of *June* 2016

Delegation Register

Town of Bassendean



11. Statutory Delegations and Authorisations to Local Government from State Government

Development Control Powers – Powers of Local Governments and DOT - Metropolitan Region Scheme (DEL.2017/02)

GOVERNMENT GAZETTE Tuesday, 30 May 2017 No.14

GUIDANCE NOTE:

This delegation must be read in conjunction with amendments Gazetted on Tuesday, 18 December 2018 No. 193 – please see inserted below.

PL403

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2017/02 Powers of Local Governments and Department of Transport

Metropolitan Region Scheme

Delegation of certain powers and functions of the Western Australian Planning Commission relating to the Metropolitan Region Scheme

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function to an officer of a public authority or to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred upon the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 24 May 2017, pursuant to section 16 of the Act, the WAPC resolved—

- A. To delegate to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme, of applications for approval to commence and carry out development specified in clauses 1 and 2 of Section A, within their respective districts, subject to the conditions set out in clauses 1 to 4 of Section B;
- B. To delegate to the Managing Director, Policy, Planning and Investment—Transport, of the Department of Transport, and the person or persons from time to time holding or acting in that office, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme (MRS), of applications for approval to commence and carry out development specified in clause 3, Section A, subject to the conditions set out in clause 5 of Section B.
- C. To revoke its delegation of powers and functions to local governments as detailed in the notice entitled "DEL 2011/02 Powers of local governments (MRS)" published in the *Government Gazette* on 10 June 2014, to give effect to this delegation.

KERRINE BLENKINSOP, Secretary,
Western Australian Planning Commission.



11. Statutory Delegations and Authorisations to Local Government from State Government

PLANNING AND DEVELOPMENT ACT 2005
INSTRUMENT OF DELEGATION

SECTION A—Types of Development

1. Development on zoned land

Applications for development on land zoned under the MRS except—

- (a) where the land is subject to a resolution under Clause 32 of the MRS; or
- (b) where the land is subject to the declaration of a planning control area under Section 112 of the *Planning and Development Act 2005*; or
- (c) where that land is partly within the development control area described in section 10 of the *Swan and Canning Rivers Management Act 2006* or is outside the development control area but abuts waters within the development control area; or
- (d) where the local government is of the opinion that the application should be determined by the WAPC on the grounds that the proposal is of State or regional importance or is in the public interest; or
- (e) in respect of public works undertaken by public authorities.

2. Development on regional road reservations

Applications for developments on or abutting land that is reserved in the MRS for the purpose of a regional road, but excluding any application relating to large format digital signage.

3. Large Format Digital Signage applications

Applications from any public authority for development in relation to large format digital signage, on land reserved under the MRS for the purpose of a Primary Regional Road.

SECTION B—Conditions

1. Referral requirements for development on land within or abutting a regional road reservation

The following applications for development on land that abuts or is fully or partly reserved as regional road reservation (classified as Category 1, 2 and 3) shall be referred to Main Roads WA (MRWA) or the Department of Planning (DoP), as applicable, for transport planning related comments and recommendations before being determined by the local government subject to the process explained in clause 4, Section B.

Type of regional road reservation in the MRS	Classification on plans SP 693 (PRR) and SP 694 (ORR)	Referral Agency
Primary Regional Road (PRR)	Category 1, 2 and 3	Main Roads WA
Other Regional Road (ORR)	Category 1, 2 and 3	Department of Planning

The regional road network (PRR and ORR) changes periodically with amendments to the MRS. This clause relates to all regional road reservations in the MRS as amended from time to time. Regional roads subject to this notice and the relevant agency that is responsible for their planning are shown on accompanying editions of plans SP 693 (PRR, MRWA) and SP 694 (ORR, WAPC).



11. Statutory Delegations and Authorisations to Local Government from State Government

The road categories shown on plans SP 693 (PRR) and SP 694 (ORR) classify the regional roads based on—

- (a) the permissible vehicular access arrangements to the subject land via the regional road frontage
 - Category 1 road means that frontage access is not allowed (control of access);
 - Category 2 road means that frontage access may be allowed subject to approval; and
- (b) the legibility and statutory powers of current road land requirements defined for the purpose of regional road reservation in the MRS
 - Category 3 road means that the subject regional road reservation is not accurately defined or is subject to review by the agency that is responsible for planning of the regional road.

“Category 1 road” applies where regional roads—

- (a) are constructed or planned to a fully controlled and grade separated freeway standard; or
- (b) are constructed or planned to an access controlled arterial standard, (i.e. functioning as Primary Distributor or Integrator Arterial (District Distributor) road with widely spaced signalised intersections or roundabouts, and a few, if any, direct access points to individual sites or local streets.

“Category 2 road” applies where regional roads—

- (a) are constructed or planned to a partially access controlled arterial standard, (i.e. a primary or district distributor road with direct connections to local streets and driveways to larger sites, but with some restriction of direct frontage access to individual properties); or
- (b) have direct frontage access to abutting properties due to the historic development of the road and properties.

“Category 3 road” applies where regional road reservation is not accurately defined or is under review.

For enquiries and assistance regarding—

- (a) PRR Category 1, 2 and 3—call Main Roads WA on 138 138.
- (b) ORR Category 1, 2 and 3—call Department of Planning on (08) 6561 9000.

Tables 1, 2 and 3 below outline the category of the regional road reservation and the criteria for referring development applications to agencies for comment in accordance with this instrument of delegation.

Table 1—Referral process of development applications with respect to Category 1 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. Where a development application has one or more of the following characteristics— <ul style="list-style-type: none"> (a) Development, including earthworks and drainage, which encroaches or impacts upon the road reservation; or (b) Development with potential for a significant increase in traffic using any access, either directly or indirectly, onto the road reservation; or (c) Development, which involves direct vehicle access to and/or from the regional road reservation. 	1. Where the local government first decides to refuse the application under the MRS; or 2. Under circumstances where the application is for an ancillary and incidental addition or modification to an existing authorised development, which does not encroach upon the road reservation and has no intention to alter existing access arrangements.

Table 2—Referral process of development applications with respect to Category 2 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. Where a development application has one or more of the following characteristics— <ul style="list-style-type: none"> (a) Development, including earthworks and drainage, which encroaches or impacts upon the road reservation; or (b) Development with potential for a significant increase in traffic on the regional road using any access, either directly or indirectly, onto the road reservation; or 	1. Where the local government first decides to refuse the application under the MRS; or 2. Under circumstances where the application is for an ancillary and incidental addition or modification to an existing authorised development, which does not encroach upon the road reservation and has no intention to alter existing access arrangements.

Delegation Register

Town of Bassendean



11. Statutory Delegations and Authorisations to Local Government from State Government

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
<p>(c) Development, which involves the retention of more than one existing access; or additional, relocated or new access between the subject land and the road reservation; or</p> <p>(d) Development, which proposes retention of an existing access between the subject land and the road reservation, where alternative access is or could be made available from side or rear streets or from rights of way at rear; or</p> <p>(e) Development on a lot affected by the regional road reservation where—</p> <ul style="list-style-type: none"> • all or part of the proposed development is within the regional road reservation; and • has a construction value greater than \$20 000; or <p>(f) Development on a lot affected by the regional road reservation where—</p> <ul style="list-style-type: none"> • none of the proposed development is within the regional road reservation; and • has a construction value greater than \$150 000 	

Table 3—Referral process of development applications with respect to Category 3 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. All development applications, other than those where local government first decides to refuse it.	1. Where the local government first decides to refuse the application under the MRS

Notes—

- (1) Copies of plans SP 693 (PRR) and SP 694 (ORR) are available from the WAPC's website: "Resolutions and instruments of delegation—WAPC Powers of local governments (MRS)". (<http://www.planning.wa.gov.au/1212.asp>)
- (2) In determining applications under this delegation, local governments shall have due regard to relevant WAPC and MRWA policy and guidelines, including but not limited to the Commission's D C Policy—5.1 *Regional Roads (Vehicular Access)*, the Transport Impact Assessment Guidelines, and MRWA *Driveways Policy*, which set out the principles and requirements to be applied when considering proposals for vehicle access to or from developments abutting certain categories of regional roads. (<http://www.planning.wa.gov.au/publications/S12.asp>; and <https://www.mainroads.wa.gov.au/BuildingRoads/StandardsTechnical/RoadandTrafficEngineering/GuidetoRoadDesign/Pages/Driveways.aspx>)
- (3) Local governments shall ensure that sufficient transport information accompanies the development application to assist the referral agency in assessing the transport implications of the proposal. This information should be provided in accordance with the WAPC's *Transport Impact Assessment Guidelines*. (<http://www.planning.wa.gov.au/publications/1197.asp>)
- (4) With regard to proposals for new noise-sensitive developments, the local government shall have due regard to the provisions of Commission's *State Planning Policy—5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning*. (<http://www.planning.wa.gov.au/publications/1182.asp>)
- (5) With regard to development application for the display of advertisements on land reserved under the MRS local government should have regard to the Commission's DC Policy 5.4 *Advertising on Reserved Land*. (<http://www.planning.wa.gov.au/publications/S25.asp>)

2. Referral requirements for development on land abutting the Swan River Trust Development Control Area

Applications for development on land that is outside the development control area but abutting land that is in the development control area, or which in the opinion of the local government are likely to affect waters in the development control area, shall be referred to the Swan River Trust for comment and recommendation before being determined by the local government.

11. Statutory Delegations and Authorisations to Local Government from State Government

3. Referral requirements for development on land abutting other reservations

Applications for development on land abutting land reserved in the MRS for purposes other than regional roads or Parks and Recreation (where the reservation corresponds with the Swan River Trust development control area and is covered by Clause 2, Section B of this notice) shall be referred to the public authority responsible for that reserved land for comment and recommendation before being determined by the local government.

In the case of land reserved for the purpose of Parks and Recreation, which is not vested or owned by another public authority, the applications shall be referred to the Department of Planning before being determined by the local government.

4. For the purpose of this Instrument of Delegation (excluding applications under clause 3, Section A)—

- (a) Where an application is referred by the local government to a public authority for comment and recommendation, the public authority shall provide comment and a recommendation, if any, within 30 days of receipt of the application. If no comment or recommendation is received within that 30 day period the local government may determine the application on the available information.
- (b) Where the recommendation provided by the public authority specified in the delegation notice is not acceptable to the local government the application, together with the recommendations provided by all public authorities consulted and the reasons why the recommendation is not acceptable to the local government, shall be referred immediately to the WAPC for determination.
- (c) The powers delegated to a member or officer of a local government may only be exercised by a member or officer who has been delegated power from the local government to consider and determine applications for approval to commence and carry out development within the local government district under the local government's local planning scheme.

5. Referral Requirements for applications from a public authority for large format digital signage development on land within a Primary Regional Road reservation

Where applications for large format digital signage development relate to land that is reserved as Primary Regional Roads (PRR) reservation in the MRS, the following shall apply—

- (a) DoT shall refer the application to the relevant local government and Main Roads WA for comment and recommendation;
- (b) the local government and Main Roads WA shall provide their comments and recommendations, if any, to the delegate within 30 days of receipt of the application;
- (c) Once the 30 day period has elapsed, the delegate may determine the application, even in the absence of comments and recommendations; and
- (d) the delegate is not bound to follow any recommendation received.

Interpretation

In this Instrument of Delegation, unless the context otherwise requires—

- A reference to a 'position' or 'classification' contemplates and includes a reference to its successor in title.
- "access" means both entry and exit from either a road or abutting development by a vehicle.
- "Commission" or "WAPC" means the "Western Australian Planning Commission".
- "development" has the same meaning given to it in and for the purposes of the *Planning and Development Act 2005* or "development means the development or use of any land, including—
 - (a) any demolition, erection, construction, alteration or addition to any building or structure on the land;
 - (b) the carrying out on the land of any excavation or other works;
 - (c) in the case of a place to which a Conservation Order made under section 59 of the *Heritage of Western Australia Act 1990* applies, any act or thing that—
 - (i) is likely to change the character of that place or the external appearance of any building; or
 - (ii) would constitute an irreversible alteration of the fabric of any building".
- "DoT" means the Department of Transport
- "Large format digital signage" means an electronic billboard whether freestanding or attached to another structure with a display area of greater than 13m² "local government" means a local government within the area covered by the MRS.
- "local road" means a public road other than a private road or a road subject of reservation under Part II of the MRS.
- "not acceptable" means that the local government wishes to determine the application, as a delegate of the WAPC, in a manner that is inconsistent with the recommendation received from the public agency to which the local government was required to consult under this Notice of Delegation.
- Main Roads WA means Main Roads Western Australia
- "Public authority" means any of the following—
 - (a) a Minister of the Crown in right of the State;

11. Statutory Delegations and Authorisations to Local Government from State Government

- (b) a department of the Public Service, State trading concern, State instrumentality or State public utility;
- (c) any other person or body, whether corporate or not, who or which, under the authority of a written law, administers or carries on for the benefit of the State, a social service or public utility;
- "regional road" means any road designated under the region Scheme as follows—
 - (a) land coloured red in the Scheme Map—Primary Regional Roads; and
 - (b) land coloured dark blue in the Scheme Map—Other Regional Roads.
- "reserved land" means land reserved under Part II of the MRS.
- "road reservation" means land reserved for the purposes of a regional road in the MRS.
- "significant increase in traffic" means generating more than 100 vehicle trips in the peak hour and would therefore require a transport assessment to accompany the development application. Refer to the Commission's *Transport Impact Assessment Guidelines*

CORRECTION TO DELEGATION 2017/02 GOVERNMENT GAZETTE 2 June 2017

PL101

CORRECTION

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2017/02 Powers of Local Governments and Department of Transport
Metropolitan Region Scheme

Certain typographical errors were recorded in the Instrument of Delegation, made under the *Planning and Development Act 2005*, and published on 30 May 2017 from page 2738 to 2743 of the *Government Gazette*.

The errors are corrected as follows—

1. On page 2739, the text of Resolution C is deleted and replaced with the following words—
"TO REVOKE its delegation of powers and functions to local governments and the Department of Transport as detailed in the notice entitled "DEL 2015/02 Powers of local governments and Department of Transport (MRS)" published in the *Government Gazette* on 18 December 2015, to give effect to this delegation."

AMENDMENT TO DELEGATION 2017/02 GOVERNMENT GAZETTE, Tuesday, 18 December 2019, No.193

GUIDANCE NOTE:

The below gazettal amends the above delegation and the two must be read in conjunction.

PL402

PLANNING AND DEVELOPMENT ACT 2005

AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF LOCAL GOVERNMENT AND DOT
Notice of amendment to the Instrument of Delegation, Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme, as gazetted on 30 May 2017

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 12 December 2018, pursuant to section 16 of the Act, the WAPC resolved—

- A. To amend the Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme as gazetted on 30 May 2017, as set out in Schedule 1 below.

SAM FAGAN, Secretary,
Western Australian Planning Commission.

11. Statutory Delegations and Authorisations to Local Government from State Government

Schedule 1

1. Instrument of delegation amended

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme, as gazetted on 30 May 2017 and as amended.

2. Amendment to Section A

1. The word “but excluding any application relating to large format digital signage” are deleted from clause 2.
2. Clause 3 is deleted.

3. Amendments to Section B

1. The words in brackets “(excluding applications under clause 3, Section A)” are deleted from the title to clause 4.
2. Clause 5 is deleted.
3. In the interpretation section the terms “Large format digital signage” and “Public Authority” and their respective definitions, are deleted.

Delegation Register

Town of Bassendean



11. Statutory Delegations and Authorisations to Local Government from State Government

WA Planning Commission – Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01)

822 GOVERNMENT GAZETTE, WA 27 March 2020

PL402

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2020/01 Powers of Local Governments

Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the issuing of certificates of approval under section 15 of the *Strata Titles Act 1985*.

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function under the Act or any other written law to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or imposed on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 19 March 2020, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A. To delegate to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule, within their respective districts, subject to the conditions set out in clause 2 of Schedule 1;
- B. To declare that this instrument recording its resolution is to take effect upon the proclamation of the *Strata Titles Amendment Act 2018*.

SAM FAGAN, Secretary,
Western Australian Planning Commission.

Schedule 1

1. Applications made under section 15 of the *Strata Titles Act 1985*

Power to determine applications for the issuing of a certificate of approval under section 15 of the *Strata Titles Act 1985*, except those applications that—

- (a) propose the creation of a vacant lot;
- (b) propose vacant air stratas in multi-tiered strata scheme developments;
- (c) propose the creation or postponement of a leasehold scheme;
- (d) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—
 - i. a type of development; and/or
 - ii. land within an area,

which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application.

2. Reporting requirements

A local government that exercises the power referred to in clause 1 is to provide WAPC with data on all applications determined under this Instrument of Delegation at the conclusion of each financial year in the format prescribed by the WAPC.

Delegation Register

Town of Bassendean



11. Statutory Delegations and Authorisations to Local Government from State Government

Main Roads Act 1930

Traffic Management - Events on Roads

A list of local governments authorised for Traffic Management for Events can be found on the Main Roads WA website.

WESTERN AUSTRALIA
ROAD TRAFFIC CODE 2000
REGULATION 297(2)
INSTRUMENT OF AUTHORISATION

RELATING TO
TRAFFIC MANAGEMENT FOR EVENTS

Pursuant to Regulation 297(2) of the *Road Traffic Code 2000* the Commissioner of Main Roads ("the Commissioner") hereby authorises (insert name of Local Government) (Authorised Body) by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such road signs of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any:

- i) "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*;
- ii) race meeting or speed test for which the Minister referred to in section 83 of the *Road Traffic Act 1974* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or
- iii) public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984*;

or as may be required for the purpose of controlling traffic on a road adjacent to, or in the vicinity of, any event or organised activity approved by the Authorised Body under its local laws, on a road (other than a main road or highway) within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

The powers in this Instrument of Authorisation do not change or replace:

- 1) any prior Instrument of Authorisation from the Commissioner of Main Roads for the purposes of undertaking traffic management for works on roads; and
- 2) any powers and responsibilities of a local government provided in regulation 9 of the *Road Traffic (Events on Roads) Regulations 1991*.



11. Statutory Delegations and Authorisations to Local Government from State Government

Traffic Management – Road Works

A list of Local Governments authorised for the purposes of Road Traffic Code 2000 r.297(2) are available on Main Roads WA website [here](#)

**WESTERN AUSTRALIA
ROAD TRAFFIC CODE 2000
REGULATION 297(2)
INSTRUMENT OF AUTHORISATION**

Pursuant to Regulation 297(2) of the Road Traffic Code 2000 the Commissioner of Main Roads ("the Commissioner") hereby authorises ("Authorised Body") by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Works on Roads Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

This Instrument of Authorisation replaces any prior Instrument of Authorisation under Regulation 297(2) of the Road Traffic Code 2000 between the Commissioner and the Authorised Body. The Commissioner's delegation dated 17 July 1975 to a number of Local Governments outside the Perth metropolitan area, is not affected by this Instrument of Authorisation except that this Instrument of Authorisation prevails wherever roadworks are concerned. That 1975 delegation was made under Regulation 301 of the Road Traffic Code 1975 and related to non-regulatory signage.



**11. Statutory Delegations and Authorisations to Local Government
from State Government**

Dated:

THE COMMON SEAL OF THE)
COMMISSIONER OF MAIN ROADS)
WAS AFFIXED BY)
)
)
COMMISSIONER OF MAIN ROADS)
FOR THE TIME BEING IN THE PRESENCE OF:)

Signature of Witness

Name of Witness

ACKNOWLEDGMENT BY AUTHORISED BODY

..... agrees to observe, perform and be
bound by the above conditions.

THE COMMON SEAL OF THE)
.....)
WAS AFFIXED PURSUANT TO A RESOLUTION)
OF THE COUNCIL IN THE PRESENCE OF)

Chief Executive Officer

Witness

Delegation Register

Town of Bassendean



11. Statutory Delegations and Authorisations to Local Government from State Government

Road Traffic (Vehicles) Act 2012

Approval for Certain Local Government Vehicles as Special Use Vehicles



Government of Western Australia
Department of Transport
Driver and Vehicle Services

ROAD TRAFFIC (VEHICLES) ACT 2012

Road Traffic (Vehicles) Regulations 2014

RTVR-2017-202046

APPROVAL UNDER REGULATION 327(4)(f) FOR CERTAIN LOCAL GOVERNMENT VEHICLES AS SPECIAL USE VEHICLES

Pursuant to the *Road Traffic (Vehicles) Regulations 2014* (the *Regulations*), I, Christopher Davers, Assistant Director Strategy and Policy, Driver and Vehicle Services, Department of Transport, and delegate of the Chief Executive Officer of the Department of Transport by way of a delegation instrument dated 7 August 2017, hereby approve vehicles owned by a local government and ordinarily used by persons authorised or appointed by that local government to perform functions on its behalf under:

- (a) the *Local Government Act 1995*;
- (b) regulations made under the *Local Government Act 1995*;
- (c) a local law;
- (d) any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1976*); or
- (e) any combination of the above paragraphs (a) to (d);

as special use vehicles for the purposes of paragraph "f" of the definition of "special use vehicle" in regulation 327(4) of the *Regulations*, with the effect that those vehicles may be fitted with one or more yellow flashing lights under regulation 327(3)(b) of the *Regulations*, subject to the following conditions:

CONDITIONS

1. Those lights must emit rotating, flashing yellow coloured light(s) and must not be a strobe light.
2. At least one flashing light shall be mounted on top of the vehicle and when lit, shall be visible in normal daylight up to a distance of not less than 200 metres to vehicles approaching from any direction.
3. No part of the lens of the flashing lights is visible either directly or indirectly to the driver when seated in the normal driving position.
4. If more than one flashing light is fitted, they must be placed symmetrically about the centre line of the vehicle or combination of vehicles.
5. An on/off switch for the flashing lights must be installed so as to be easily operated from the driver's seat.
6. Any additional equipment fitted to the vehicle must not interfere with the overall safe operation of the vehicle.
7. Any vehicle fitted with flashing lights for the purposes of this approval must:






Council Plan Quarterly Report – Quarter 3 Status Update – 1 January 2024 to 31 March 2024

Following is an update of projects / actions set out in the Town of Bassendean Council Plan 2023-33 for the period 1 January 2024 to 31 March 2024. Projects 'not started' refer to projects that are to commence in later financial years in accordance with the timeframes stated in the Council Plan.

At a glance – 2023 / 2024 Financial Year Projects / Actions.








People (Performance Area 1) (Outcomes 1 & 2)

	On track	(4)
	Off track	(1)
	Not started	(0)
	Monitor / Review	(3)
	Complete	(2)
	TOTAL	10








Planet (Performance Area 2) (Outcomes 3 & 4)

	On track	(10)
	Off track	(1)
	Not started	(4)
	Monitor / Review	(0)
	Complete	(1)
	TOTAL	16








Place (Performance Area 3) (Outcomes 5,6 & 7)

	On track	(5)
	Off track	(0)
	Not started	(3)
	Monitor / Review	(0)
	Complete	(0)
	TOTAL	8








Prosperity
 (Performance Area 4)
 (Outcome 8)

	On track	(0)
	Off track	(0)
	Not started	(1)
	Monitor / Review	(0)
	Complete	(0)
	TOTAL	1



Performance
 (Performance Area 5)
 (Outcomes 9 & 10)

	On track	(2)
	Off track	(0)
	Not started	(0)
	Monitor / Review	(1)
	Complete	(0)
	TOTAL	3



Council Plan Reporting

Outcome 1. A connected community with a strong sense of identity and belonging.

Timing- X (Funded); O (Unfunded)

Objectives	Actions	Lead	Resp. Officer	23/24	24/25	25/26	26/27	Q3	Q4	Future	Status	Comments
1.1 Grow recognition and respect for Noongar Boodjar (land), history, culture and people.	1.1.1 Finalise and implement the Reconciliation Action Plan 2024-2026.	EMSE		X	X							Review required due to resourcing requirements involved with facilitating external input into Reconciliation Action Plan development. Implementation of some individual actions from template actions in progress.
	1.1.2 Provide a design for the proposed historical and cultural space that will connect Bassendean Oval to the river, with interpretive signage, artwork, seating, shelters, and Indigenous landscaping.	DCP				X						
	1.1.3 Investigate options to partner with an Aboriginal Business or not-for-profit organisation, operated by Traditional Owners to help revegetate, maintain and promote Success Hill Reserve.	EMSE	Conservation Officer	X								Acceptance of quotation approved in March 2024, onground works to comments April 2024
	1.1.4 Display Whadjuk place and feature names of significance with advice from local Aboriginal representatives	DCP				X						
1.2 Promote and celebrate local history, heritage and cultural diversity.	1.2.1 Provide a heritage walk on Old Perth Road with points of interest on cultural and historical elements, extending from the RSL through to the new public open space and Swan River.	MCD								O		An historical walk staged in March
	1.2.2 Investigate the potential for a Heritage Area to be designated over the Nurstead Avenue area.	DCP		X	X							Planning staff met with residents from Nurstead Avenue on the 19 March 2024 for the purpose of an information session on heritage. The Town is currently seeking feedback from landowners/occupiers within the precinct on what they are specifically after. The Town has requested responses are provided by close of business on the 19 April 2024. Following which, the Town will compile the responses and workshop the matter with Council to determine the next steps.
	1.2.3 Erect interpretive signage at BIC Reserve to raise awareness of the site's history and heritage.	DCP								O		
	1.2.4 Ensure the condition of sale for the Pensioner Guard Cottage and Residence at 1 Surrey Street Bassendean are met by the Purchaser.	CEO										
1.3 Increase engagement in arts, culture, and community events.	1.3.1 Advocate for an artist hub with a gallery, café, studios and event space to bring local artists together to learn, collaborate and showcase talents across diverse artforms.	CEO			X							
	1.3.2 Facilitate an art exhibition or awards program to showcase and celebrate local artists.	MCD			X							Under review
	1.3.3 Facilitate the ongoing staging of markets and community cinemas within Bassendean Town Centre.	MCD		X								Deed of Agreement for the Markets has been executed A new licence agreement for the staging of community cinemas is being developed.

1.3.4 Investigate options for multi-functional spaces for events and markets.	DCP			X									
1.3.5 Restore the "Tree of Life" public artwork at Sandy Beach Reserve.	DCP			X									Consideration is being given to delivering this project in 23/24
1.3.6 Use developer contributions to install public art in Council approved locations - Palmerston Square Reserve, Park Estate Reserve, Anzac Terrace Reserve, Success Hill Reserve, and Collier Road.	DCP			X									

Outcome 2. A safe, inclusive and healthy community.

Timing- X (Funded); O (Unfunded)

Objectives	Actions	Lead	Resp. Officer	23/24	24/25	25/26	26/27	Q3	Q4	Future	Status	Comments
2.1. Create a safe town for everyone.	2.1.1 Develop an education campaign for local businesses and residents to raise awareness of local safety initiatives to combat crime, such as Cam-Map WA, family and domestic violence support services, and Neighbourhood Watch.	DCP			X							
	2.1.2 Upskill staff in public facing roles to recognise and respond appropriately to homelessness and family and domestic violence, as well as provide informative resources to people experiencing homelessness in the Town of Bassendean with information on available support services	MPR		X								The Town provides a pamphlet of available services and informative services to those dealing with homelessness. The Town is also broadening its alliance in this space, and has joined the Midland Alliance to End Homelessness working group, which is led by the City of Swan.
2.2. Advance opportunities, community participation and quality of life for people of all ages and abilities.	2.2.1 Establish an Access and Inclusion Steering Group to assist in the creation of the new Access and Inclusion Plan.	EHO			X							
	2.2.2 Conduct an audit of Town assets and prioritise a schedule of works to improve universal access to Council facilities and public open space.	EMI			X	X						Budget Workshop of 9 April 2024 request to defer this action to 25/26
	2.2.3 Develop the Access and Inclusion Plan 2025-29.	DCP	MCD		X							Project for an updated Plan is included in Budget considerations for 24/25 Draft document prepared
	2.2.4 Investigate alternative models of service provision for youth at risk.	MCD			X							
	2.2.5 Collaborate with key stakeholders, such as HeadSpace, Helping Minds and YMCA, to promote and deliver mental health information and initiatives.	MCD			X							
	2.2.6 Trial a Volunteer Transport Service for seniors to assist with social connection and access to shopping, with a 12-month review.	MCD		X	X							A new Volunteer Transport Service commenced in 2023 with a six month interim review due by the end of May.
	2.2.7 Develop and implement initiatives to build the capacity of community organisations to deliver local programs and services.	MCD					O					Ongoing
	2.2.8 Review format and continue to deliver an annual Thank a Volunteer Day event to show appreciation for local volunteers.	MCD		X	O	O	O					Planning underway for delivery in December 2024

2.3 Grow participation in sports and recreation.	2.3.1 Investigate options for new sporting and community facilities as part of a future Bassendean Oval redevelopment.	DCP			X								
	2.3.2 Review the Bassendean Oval licensing agreement and the Town's various turf management arrangements with clubs to ensure equitable and sustainable arrangements are in place.	CEO				X							
	2.3.3 Upgrade Ashfield Reserve lighting.	EMI		X									Project completed and commissioned
	2.3.4 Review the Jubilee Reserve Concept Master Plan and determine implementation stages.	DCP			X								
	2.3.5 Develop a masterplan for Ashfield Reserve.	DCP											
2.4. Encourage the responsible and safe ownership of pets.	2.4.1 Review areas designated as dogs prohibited, on-leash and off-leash dog exercise areas.	MPR			X								
	2.4.2 Review the provision of dog bag stands and bins throughout the district.	MPR		X	X								Review including the number of dog bag stands has occurred and been mapped. There are a total of 25 dog bag stands. Decision of Council to be made to increase, decrease or remain is to be made in the next financial year.
	2.4.3 Advocate for the State Government to introduce new cat containment laws, in collaboration with WALGA.	Council			X								
	2.4.4 Develop an educational resource around responsible pet ownership in the Town of Bassendean and provide awareness through the Town's various communication channels	MPR		O									Information Sheets on responsible dog and cat ownership are available on the Town's website. Facebook post on responsible cat ownership and cat prohibited areas, following sighting of a pet cat at Bindaring Park.

Outcome 3. Healthy ecosystems.

Timing- X (Funded); O (Unfunded)

Objectives	Actions	Lead	Resp. Officer	23/24	24/25	25/26	26/27	Q3	Q4	Future	Status	Comments
3.1 Conserve, protect and enhance the Swan River foreshore and nature reserves.	3.1.1 Review implementation of the Point Reserve Foreshore Plan.	EMSE			X							
	3.1.2 Develop a Sandy Beach Reserve Foreshore Restoration Plan.	EMSE	Conservation Officer	X								Draft FRP due in April 2024
	3.1.3 Develop the Success Hill foreshore stabilisation program.	EMSE		X	X	X						On hold as requires prior confirmation of option for action 3.3.2
	3.1.4 Support the Department of Biodiversity, Conservation and Attractions to finalise the Ashfield Flats Master Plan.	EMSE	EMSE	X								Steering Group meeting held 15 February to discuss outcomes of community consultation and updates required to Master Plan. Grant application submitted through the Urban Rivers and Catchments Program, seeking \$2 million for implementation over 3 years. Final Master Plan considered by Swan River Trust in March with DBCA to seek co-endorsement by Steering Group partner agencies.
	3.1.5 Implement and annually review the 10 Year Management Plans for Natural Areas	EMSE	Conservation Officer	X	X	X	X					Ongoing process, 2024 Review of 10YMP has commenced

3.2 Increase the tree canopy cover to 30% by 2040.	3.2.1 Review the local planning scheme to investigate preservation of mature and significant trees on private property.	DCP				X							
	3.2.2 Develop and implement a Tree Management Plan to regularly assess the health of trees, as per the LGIS Tree Risk Mitigation Guide.	EMSE				X							
	3.2.3 Investigate partnerships with ECU to progress local tree canopy/centroids mapping to measure environmental conditions in locations lacking tree canopy together with land surface temperatures to analyse Urban Heat Island effect	EMSE		O									Proposal received and meeting arranged with ECU and WALGA Urban Forest Coordinator
	3.2.4 Develop a Tree Planting Guideline.	EMSE			X								
	3.2.5 Participate in the WA Tree Festival.	EMSE		X	X	X	X						Program of activities scheduled with local community groups invited to be involved, promotion commenced with launch event on 27 March
	3.2.6 Update the Street Tree Inventory with the current height, canopy width, trunk diameter, condition, and estimated life range of trees, noting the presence of power lines.	EMSE						X					
	3.2.7 Identify potential tree planting locations on leased premises owned by the Town.	EMSE			X								
	3.2.8 Provide advice and incentives for tree planting within industrial properties.	EMSE			X								
	3.2.9 Implement the Lord Street Tree Planting Plan.	EMSE	Urban Forest Officer	X									Tree order placed and correspondence provided to adjacent residents/ property owners
	3.2.10 Ensure Biosecurity threats (such as polyphagous shot-hole borers) are considered and communicated.	EMSE		X	X	X	X						Information on detecting PSHP included in news article on the Town's website and social media post in February 2024. Information updated on Pests page of the Town's website.
3.3 Value, conserve and protect our water resources and waterways.	3.3.1 Implement the sports turf injection and eco-zoning projects, funded through the Gngarara Waterwise Councils Grant Program.	EMI		X	X	X							Bassendean Oval injection system listed in 2023/24 Capital Works program
	3.3.2 Complete Success Hill stormwater drainage design, community engagement and construction.	EMI		X	O	O	O						Review of options underway
	3.3.3 Identify priority locations to install gross pollutant traps.	EMSE					X						
	3.3.4 Review results of the Bassendean Drainage Network Sampling and Analysis Program and future methodology, to guide water quality improvement actions.	EMSE		X									Review in progress
	3.3.5 Investigate alternative water saving initiatives including storm water harvesting and aquifer recharge systems	EMSE	Sustainability Officer	O									Investigation commenced

Outcome 4. Environmental sustainability.

Timing- X (Funded); O (Unfunded)

Objectives	Actions	Lead	Resp. Officer	23/24	24/25	25/26	26/27	Q3	Q4	Future	Status	Comments
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4.1 Promote sustainable waste management practices, aiming for a 10% reduction in waste generated per capita and 70% material recovery by 2030.	4.1.1 Review Waste Authority Better Practice Guidelines relating to verge side and drop-off services and develop a costed action plan.	EMSE		X									Not started
	4.1.2 Review service delivery options for FOGO, general waste and recycling kerbside waste collection services.	EMSE	EMSE	X	X								EMRC Regional Waste Collection Service considered at 26 March 2024 Council meeting, with resolution "That Council does not support participation in the EMRC kerbside bin collection service at this time"
	4.1.3 Review service options for bulk hard waste and green waste verge collection services.	EMSE	EMSE	X	X								EMRC Regional Waste Collection Service considered at 26 March 2024 Council meeting, with resolution "That Council provides in-principle support for commencement of a pre-booked bulk verge and on-demand collection service with EMRC from 1 July 2025, subject to prior community engagement and finalisation of a Participation Agreement, to be approved by Council"
	4.1.4 Develop an Illegal Dumping and Litter Prevention Strategy.	EMSE	Recycling & Waste Officer	X	X								Template form developed and trialled. 28 recorded incidents in Q3, two involving hazardous waste and the remainder bulk/ dumped items.
4.2 Strive to be carbon neutral by 2030.	4.2.1 Review the Town's participation in WALGA's Sustainable Energy Project including purchase of 100% Renewable Electricity.	EMSE			X								
	4.2.2 Review the Town of Bassendean's Corporate Emissions Reduction Strategy to determine how Council can reduce emissions from its operations.	EMSE				X							
	4.2.3 Offset remaining Scope 1 and 2 emissions and those associated with Western Power streetlighting.	EMSE	Sustainability Officer	X	O	O	O						Investigations underway of available offset providers and costs

Outcome 5. Sustainable population growth with responsible urban planning.

Timing- X (Funded); O (Unfunded)

Objectives	Actions	Lead	Resp. Officer	23/24	24/25	25/26	26/27	Q3	Q4	Future	Status	Comments
5.1 Responsible planning and development, with population growth concentrated around the town centre, train stations and transport corridors.	5.1.1 Prepare a Precinct Structure Plan to coordinate the redevelopment of Bassendean Town Centre.	DCP		X	X	X						Tenders have closed, evaluation meeting scheduled for May for presentation to June OCM. Once appointed, further progress updates will be provided.
	5.1.2 Undertake master planning and preparation of a business case for the redevelopment of Bassendean Oval Precinct.	CEO		X	X	X						Tenders have closed, evaluation completed for presentation to April OCM. Project is included in Budget considerations for 24/25
	5.1.3 Undertake the Guildford Road Urban Corridor Study to review land uses and traffic management needs.	MPR				O	O					

5.1.4 Undertake the Ivanhoe Street Urban Corridor Study to review land uses and traffic management needs.	MPR					O	O						
5.1.5 Undertake the Lord Street Urban Corridor Study to review land uses and traffic management needs.	MPR					O	O						
5.1.6 Sell Town assets at 14 Iveson Place, 87 Whitfield Street and Lot 271 Hamilton Street in Bassendean.	DCP		X	X									Offer accepted progressing to settlement

Outcome 6. Attractive and welcoming places.

Timing- X (Funded); O (Unfunded)

Objectives	Actions	Lead	Resp. Officer	23/24	24/25	25/26	26/27	Q3	Q4	Future	Status	Comments
6.1 Provide underground power for improved street appearance, public safety and reliability.	6.1.1 Collaborate with Western Power to rollout underground power in Bassendean North.	EMI			X	X						Western Power progressing design. Commencement anticipated October 2024
	6.1.2 Support and enter into co-funding agreements with Western Power for the continued rollout of underground power throughout the district.	CEO/Mayor								O		
6.2 Enhance public open space and community facilities.	6.2.1 Develop a Public Open Space Strategy.	DCP		X								Draft POS strategy adopted by Council for the purposes of advertising at the February Council meeting. Advertising expected commence end of April/start of May.
	6.2.2 Develop and implement the BIC Reserve Master Plan.	DCP		X	X	O	O					Report going to April OCM

Outcome 7. A town that is easy to get around safely and sustainably.

Timing- X (Funded); O (Unfunded)

Objectives	Actions	Lead	Resp. Officer	23/24	24/25	25/26	26/27	Q3	Q4	Future	Status	Comments
7.1 Deliver an efficient, safe and sustainable transport network.	7.1.1 Collaborate with Main Roads to implement their Low-Cost Urban Road Safety Program at sites across the Town of Bassendean deemed to be high risk by Main Roads.	EMI		X	X	X						Was not included in 23/24 budget. Officers preparing a budget submission to commence in 24/25
	7.1.2 Implement the Rights of Way Strategy.	EMI		O	O	O	O					Unfunded
	7.1.3 Review the Path Network Planning Policy and Guidelines.	EMI			X							Review programmed
	7.1.4 Implement planned improvements to footpaths and cycleways as listed in the Capital Works Program.	EMI		X	O	O	O					Works on track

Outcome 8. A thriving economy with access to local jobs and life-long learning.

Timing- X (Funded); O (Unfunded)

Objectives	Actions	Lead	Resp. Officer	23/24	24/25	25/26	26/27	Q3	Q4	Future	Status	Comments
8.1 Revitalise Bassendean town centre to support economic growth.	8.1.1 Investigate options to redevelop all or part of the site at 46-50 Old Perth Road, where the Town of Bassendean Council Offices are currently located, for the purposes of civic facilities, public open space and mixed-use development.	CEO		X	X							Project is included in Budget considerations for 24/25
	8.1.2 Investigate options to redevelop 35 Old Perth Road, the site where the Town of Bassendean's Customer Service Centre is currently located.	CEO			X					O		Project is included in Budget considerations for 24/25

	8.1.3 Promote the Bassendean Town Centre Precinct Structure Plan, once completed (See action 5.1.1).	DCP						X					
8.2 Grow participation in life-long learning	8.2.1 As part of the Communications Plan (see action 10.1.2), determine how to reach and engage more people in Bassendean Library's life-long learning programs and activities.	CEO					X						

Outcome 9. Effective governance and financial sustainability.

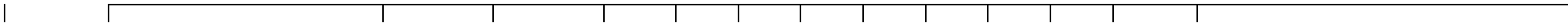
Timing- X (Funded); O (Unfunded)

Objectives	Actions	Lead	Resp. Officer	23/24	24/25	25/26	26/27	Q3	Q4	Future	Status	Comments
9.1 Continuously improve operational performance and service delivery.	9.1.1 Develop a Service Review Program with a prioritised list of services to review, clear objectives for each review, and regular updates to inform the community on progress.	CEO	CEO / MGS / MHR	X	X							Council has been provided with a draft Service Level Plan for all services provided by the organisation and has requested the administration provide further information to inform future Service Level Reviews.
	9.1.2 Review the Town of Bassendean boundaries and resource sharing opportunities to improve sustainability.	CEO	CEO / MGS	O	O	O	O					Motion carried at General Electors Meeting on 13 February 2024 became a Resolution of Council at 11 March 2024 SCM. Contact has been made with LGAB seeking guidance on process and the CEO has informed the City of Swan (12/03/2024) that the Town of Bassendean is a willing partner in boundary adjustment discussions.
	9.1.3 Review the Town's information technology systems and operating environments and provide a current state assessment.	DCS		X	X							The Town is recruiting for a Business Analyst to analyse and report on business processes, and expects to make an appointment next quarter.
	9.1.4 Determine future business requirements to inform specifications for a new Enterprise Resource Planning (ERP) system.	DCS	MIT		X	X						
	9.1.5 Acquire and implement a new ERP system to improve operational efficiencies and service delivery.	DCS						O				

Outcome 10. A well-informed and engaged community.

Timing- X (Funded); O (Unfunded)

Objectives	Actions	Lead	Resp. Officer	23/24	24/25	25/26	26/27	Q3	Q4	Future	Status	Comments
10.1 Effectively inform and engage the community about local services and events, and Council matters.	10.1.1 Develop a Community Engagement Charter to set out how ratepayers and the community will be engaged about proposed policies, initiatives, and projects.	CEO			X							
	10.1.2 Develop a Communication Plan to raise awareness of the Town's projects, facilities, services, events and other issues of importance, describing how the Town will use a combination of digital and non-digital communication channels to address different community needs.	CEO			X							
	10.1.3 Review the Town's website to update content and improve design and functionality.	DCS			O	O	O					



Attachment 1. Ashfield Flats Master Plan

Stakeholder engagement findings and recommendations.

The engagement program provided several channels to gather feedback on the Ashfield Flats Master Plan. This included a community BBQ, draft review by Whadjuk Elders, online survey and written submissions. Analysis of the totality of quantitative feedback indicated consistency in sentiments across all formats.

SUBMISSION OVERVIEW

- 1,751 online interactions (171 social media interactions, 1,751 unique web IP address visits to project webpage, 222 document downloads)
- 238 direct engagements (includes online submissions and attendees to Community BBQ events)
- Community groups engaged:
 - Ashfield CAN
 - Bassendean Preservation Group

KEY ISSUES

The majority of respondents supported the initiatives of the draft Master Plan. Concerns that were raised during the consultation period are presented in Table 1, below.

Table 1

Key issue	Comments
Proposal to fence the Threatened Ecological Community (TEC)	The community strongly agreed with the recommendation to fence the TEC. Ensuring that the fencing was visually permeable so that the TEC can still be viewed, is important to the community. There were some concerns relating to the cost of the fencing. This is acknowledged in the Master Plan implementation table which has noted a 'high' indicated budget required.
Monitoring and regulating boat speeds	The community strongly agreed with the recommendation to enforce better compliance with vessel speed limits. There were several suggestions to include the use of speed cameras to police boat speeds, as speed limits already apply but are being disregarded. There were also several suggestions to limit the type

of boat as some boats create larger wakes/wash that cause foreshore erosion, even at low speeds. Jet skis were also raised as an issue.

Focusing river access to Sandy Beach

The community strongly agreed with the recommendation to focus beach access to the Sandy Beach area. There were several comments that raised the importance of maintaining views to the river from the pedestrian path and that this connection to the river is highly valued. There is a concern that this would be lost if the area was revegetated with tall species and fenced. There are also concerns that temporary fencing used while revegetation takes place, will become permanent. There were some concerns raised that Sandy Beach is already busy and congested and limiting beach access to this area may further exacerbate the issue.

There is further concern about loss of river access in the western portion of Ashfield Flats, specifically close the Chapman Street drain outlet which is valued by several community members. A small beach area is used by the community for kayak and stand-up paddle-board launching as well as dog access to the river.

If this access were to be removed, a significant number of community members (48%) (drop-in BBQ session and online survey combined), noted there would be no impact. However, a large portion noted they would be severely impacted (31%) and somewhat impacted (21%).

Designating an off-lead dog area

A large number of community members from the BBQ, survey combined and written submission, strongly agreed (44.2%) and agreed (19.5%) with the recommendation of designating an off-lead dog area, however this recommendation did have divergent views with 19.5% strongly disagreeing. Some people noted that the area was too restrictive and questioned the need to limit off-lead dog areas as the environmental assets requiring protection (TEC and foreshore vegetation) will be fenced.

In addition, Sandy Beach Reserve, managed by the Town of Bassendean, is designated as on-lead. Other comments suggested that Ashfield Flats should be fully restricted.

It was suggested during consultation that signage should be provided that clearly defines where the off-lead dog area applies.

Western path access

42% of the community respondents (BBQ, survey and written submission combined) stated they would be severely impacted and 39% somewhat impacted, if the western access path was no longer available.

Many of the comments suggested that the community were fine with the path being wet a few times a year and that this was part of nature. During these periods, people will either find an alternative route or wear gumboots.

Some suggestions were made to consider a raised boardwalk or path through this area.

Other

There were concerns raised with the foreshore path being moved away from the river, as the visual connection to the water was highly valued. There were also some suggestions made to separate cycling and pedestrian routes.

There were suggestions made to expand the proposed Chapman Street drain living stream eastwards into the park land.

RECOMMENDATIONS AND CONSIDERATIONS

In addressing the summary concerns as per Table 1, Table 2 below presents the wording and graphics amendments included in the final Master Plan. These changes have been agreed upon by the Steering Group.

Note: Highlighted and struck out text indicates additions and edits to the draft Ashfield Flats Master Plan, based on submissions from the November – December public advertising period. These changes appear in the final Ashfield Flats Master Plan.

Table 2 Amendments resulting from public submissions

Issue raised by the community	Report section	Amendments	Notes
N/A	Section 1.4: Masterplan inputs	Section 1.4.3: <i>Community engagement</i> to be amended to include a summary of the public advertising comments	Refer to the specific actions that address the key matters raised by the community.
Visually permeable fencing. Revegetation retains views.	Strategy 1.2: Address erosion risks along the foreshore.	Action 1.2.2 amended as follows: Undertake staged works to stabilise the foreshore through bioengineering, and pockets of fenced revegetation at least 30m wide, as indicated on the Master Plan. Fencing to be visually permeable and able	The action already refers to views, as does Action 2.3.2.

Issue raised by the community	Report section	Amendments	Notes
Regularly review need for temporary fencing surrounding revegetation.		to be removed when vegetation is sufficiently established. Vegetation selection to favour ground covers, sedges and tall trees to facilitate views to the river from the foreshore paths.	
Investigate Chapman Street drain living stream to the east	Strategy 1.3: Improve water quality associated with stormwater drainage.	Action 1.3.1 amended as follows: Investigate feasibility and develop a concept to modify the western bank of the Chapman St drain north of the TEC (in Hamilton St parkland, Chapman North), minimising the impact on existing trees, to reduce the steepness of the bank and revegetate with appropriate locally native species to provide an additional area for water quality treatment and reduce flow velocities.	
Clear timing and rationale of new foreshore path	Strategy 2.1: Provide appropriate access for recreational needs.	Action 2.1.8 amended as follows: Plan to remove the existing path material prior to failure, so it does not contribute to erosion or become a safety hazard. Information on path condition to be provided to the community through the Town's annual report. Revegetate the area.	Action 2.1.1 partially addresses this concern.
Maintain western path access (from the western extent of the boardwalk to Roy Hookway platform). and investigate need for alternative in the future	Strategy 2.1: Provide appropriate access for recreational needs.	Action 2.1.5 amended as follows: Explore solutions for low intervention access between the current western extent of the boardwalk to the Roy Hookway Platform when seasonal access is no longer viable. Consider access to the Roy Hookway Platform and develop a long-term strategy together with the community.	

Issue raised by the community	Report section	Amendments	Notes
Consider retention of river access near Chapman Street drain outlet.	Strategy 2.3: Provide opportunities to connect with nature.	Action 2.3.1 amended as follows: Retain access to the water in defined areas where a sandy foreshore already exists (see Master Plan).	Figure 4 to include a symbol description that indicates "Unmodified foreshore".
Speed camera investigation	Strategy 4.1 Apply an integrated management approach that considers the needs of the natural environment, cultural heritage and local community in a balanced way.	Action 4.1.4 amended as follows: Work with the Department of Transport to seek a solution that better manages speeding boats in this section of the river.	The current wording encompasses speed cameras. No change required.
Signage to define off-lead dog areas	Strategy 4.2: Reduce damage to sensitive environments caused by uncontrolled dog access.	4.2.1: Dogs are to be on-lead in all areas, apart from the TEC (dogs prohibited) and the designated off-lead area. Dogs are to be on-lead in all areas, apart from the TEC (dogs prohibited) and the designated off-lead area. Dogs are to be on-lead in Sandy Beach Reserve and within 10m of TEC. This may include prohibition within the TEC fencing. Action 4.2.2 amended as follows: Designate and sign post the dog off-lead areas.	Town of Bassendean advised the intent of original wording would be operationally problematic.

Issue raised by the community	Report section	Amendments	Notes
		Designate a dog off-lead area along the foreshore but not within 10m of the TEC fence.	
Issue raised by Steering Group	Figure 4 - Master Plan	<p>“Unmodified foreshore” symbol included to Legend and placed above Chapman St Drain beach.</p> <p>“Boardwalk extension” symbol included to legend and placed as per Action 2.1.2 & 2.1.5</p>	Figure 4 to be updated.
Issue raised by Steering Group	Part 1, 3.2 - Monitoring and document review	<p>Section 3.4 <i>Document Review</i> to be amended to include the following text:</p> <p>Delivery of the actions in the Master Plan will be monitored by stakeholder agencies and a brief “traffic light” annual progress report, prepared by the Town of Bassendean, is to be shared with the community.</p>	Town of Bassendean agreed to provide updates on the progress of Master Plan actions in its annual report.
Issue raised by Steering Group	Strategy 2.3: Provide opportunities to connect with nature.	<p>Action 2.3.4 created:</p> <p>Expand urban forest coverage within Hamilton Reserve with a focus to improve local biodiversity and complement the parkland setting, while minimising bushfire risk.</p>	Draft Master Plan includes this initiative in Figure 4 but specific action was missing.

Ashfield Flats Master Plan

Part 1

Prepared for the Department of Biodiversity, Conservation and Attractions
by Urbaqua, MP Rogers & Associates, PGV Environmental,
Shape Urban and South West Kinships.

February 2024

Acknowledgements

The project team would like to acknowledge the significant input and guidance provided by the Project Steering Group:

- Andy Williams – DBCA Project Manager
- Greg Comiskey - DBCA
- Brett Kuhlmann - DBCA
- Hayley Williams - DBCA
- Tim Ryan - DPLH
- Damien Agnew - DPLH
- Alice Benz - DPLH
- Agni Bhandari - DWER
- Amanda Best - Water Corporation
- Phil Adams - Town of Bassendean
- Nicole Davey - Town of Bassendean
- Alex Snadden - Town of Bassendean
- Caitlyn White - Town of Bassendean

Thank you to the Whadjuk and Nyungah people who shared their knowledge of the area and contributed to the development of the Plan. Please note that the spelling of Aboriginal words in this document is reflective of the preferences of the Aboriginal participants.

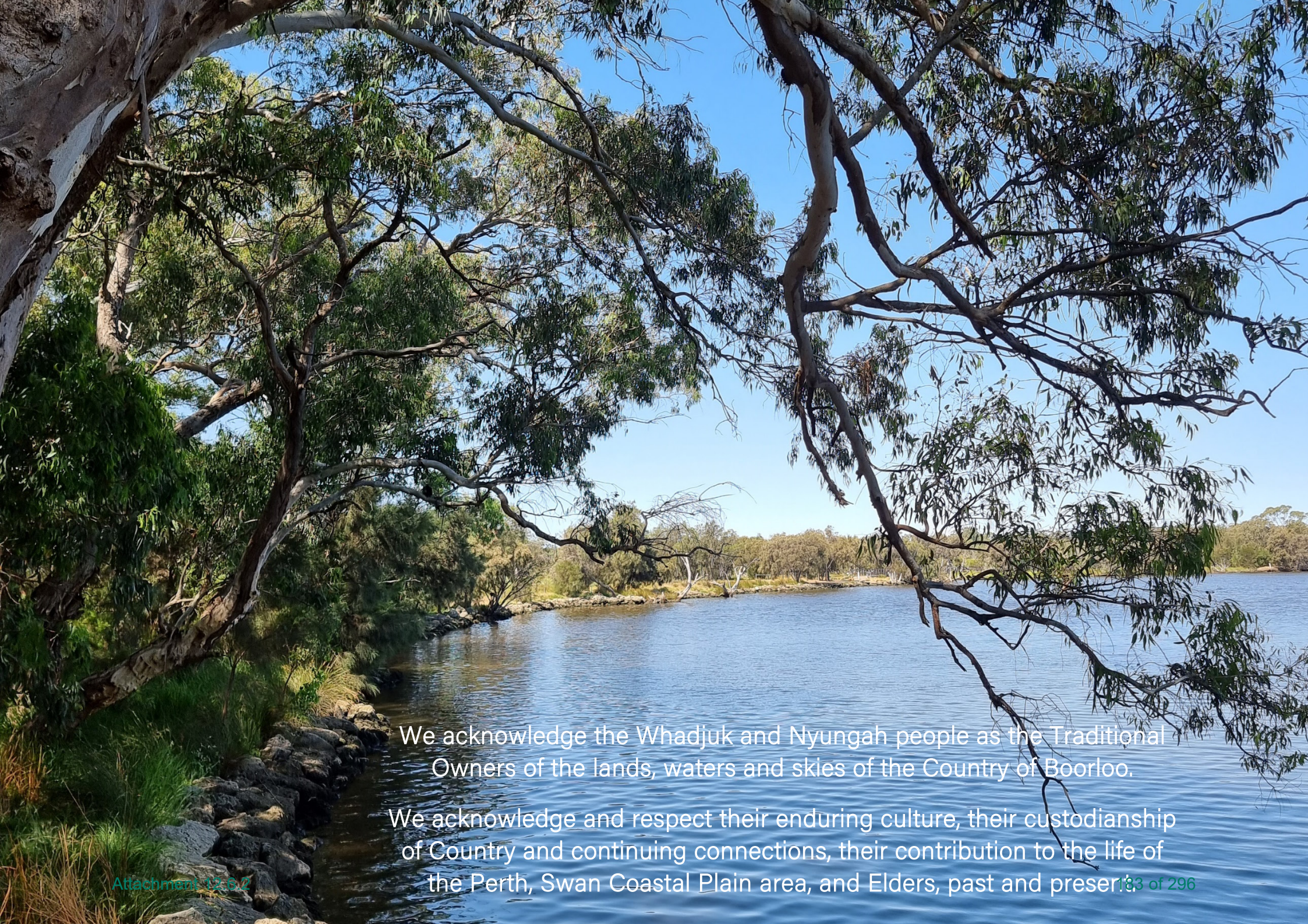
Thanks also to all the community members who participated in focus groups and online, as well as the Bassendean Preservation Group, Ashfield Community Action Network, SUPtonic and the Swan Rotary Club. Your input was invaluable.

This document has been prepared by Urbaqua together with PGV Environmental, MP Rogers & Associates, South West Kinships and Shape Urban.



Department of **Biodiversity, Conservation and Attractions**
Department of **Planning, Lands and Heritage**
Department of **Water and Environmental Regulation**





We acknowledge the Whadjuk and Nyungah people as the Traditional Owners of the lands, waters and skies of the Country of Boorloo.

We acknowledge and respect their enduring culture, their custodianship of Country and continuing connections, their contribution to the life of the Perth, Swan Coastal Plain area, and Elders, past and present.

PART 1: MASTER PLAN



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1 INTRODUCTION

The Ashfield Flats Master Plan has been prepared for the Department of Biodiversity, Conservation and Attractions (DBCA), together with the Department of Planning, Lands and Heritage (DPLH), the Department of Water and Environmental Regulation (DWER), Water Corporation and the Town of Bassendean to provide guidance for the management of Ashfield Flats in Bassendean (Figure 1).

The Master Plan aims to achieve the objectives and principles of the *Swan and Canning Rivers Management Act 2006*, relevant Swan Canning Planning and Development Policies, Plans and Procedures, the draft Lower Swan Locality Plan, draft State Planning Policy 2.9: Planning for Water, and the Swan Canning River Protection Strategy.

Part 1 of the Master Plan outlines strategies and processes to be implemented over the next 20 or so years, to provide a foundation for the longer term management of ecological systems, community, recreational and cultural uses, infrastructural requirements, and other issues, constraints and opportunities including in response to climate change.

Part 2 provides a summary of the key considerations that informed development of the Master Plan which include policy context, ownership and management, environmental conditions and social context, as well as considerations for future approvals and implementation.

1.1 Vision

Ashfield Flats is the largest remaining river flat in the Perth metropolitan area, and is the home to significant and threatened flora, fauna and natural processes.

These qualities are protected and valued, creating a space where the community connects to nature and each other.

1.2 Objectives

The objectives of the Master Plan are to:

- Allow for the protection and adaptation of unique environmental qualities.
- Connect people with nature and support community wellbeing.
- Provide opportunities for knowledge sharing.
- Deliver sustainable and coordinated management.

1.3 Master Plan area

Ashfield Flats (the study area) is the largest remaining river flat in the Perth Metropolitan area in the suburbs of Ashfield and Bassendean, covering approximately 64 hectares. It lies on the banks of the Swan River (Derbarl Yerrigan), 33km upriver from the coast as shown in Figure 1.

The Ashfield Flats Master Plan area is roughly bound by West Road, Reid Street, Hardy Road and the Swan River (Derbarl Yerrigan). On the north-west boundary is a steep rise to housing and parkland.



Figure 1: Ashfield Flats Master Plan area

The area is predominantly open wetland with some mature trees and shrubs. The land is divided by a drainage channel which crosses the land in a direction approximately north-east to south-west. During winter the land is inundated with water creating a rare wetland in the metropolitan area. The reserve is accessible to the public for passive recreation (Heritage Council of WA, 2019).

The Ashfield Flats Master Plan area contains extensive areas of public open space including the Sandy Beach Reserve and areas of remnant vegetation. It contains a range of built and natural features, including a jetty, boardwalk, lookout, large playground, dog beach, a Bush Forever site and the largest remaining occurrence of a Subtropical and Temperate Coastal Saltmarsh community in the Swan and Canning River Estuary.

The site falls under the management of three bodies — the majority is vested with the Western Australian Planning Commission (WAPC) (and managed by DPLH); the two main drains found within the site are managed by the Water Corporation; and the remainder is vested with the Town of Bassendean.

1.4 Master Plan inputs

A collaborative process was employed to prepare the Master Plan, founded on a strong partnership approach between DBCA, DPLH, DWER, Water Corporation and the Town of Bassendean. It also included active engagement with the community, including Whadjuk and Nyungah representatives, to consider and discuss current and future cultural, social and recreational values and uses, and obtain comment on the draft Master Plan during public advertising.

The engagement process was underpinned by a thorough analysis of policy and technical inputs together with the environmental, social, economic and cultural context, described in Part 2 of this Master Plan. This included the analysis and consideration of key technical reports, site visits and expert opinion. Notable references include:

- Ashfield Flats Hydrological Study (DBCA, 2021)
- Ashfield Flats Flora and Vegetation Report (DBCA, 2019).
- Ashfield Flats Master Plan: Context Analysis Report (Urbaqua, 2022)
- Ashfield Flats Master Plan: Engagement Outcomes Report (Shape Urban, 2023)

1.4.1 Agency collaboration

Development of the Master Plan was guided by input from a Project Steering Group comprising representatives of DBCA, DPLH, DWER, Water Corporation and the Town of Bassendean. This included providing feedback on the opportunities and constraints in the Context Analysis, input into the community engagement program and attendance at the community BBQ events, and attendance at a Cultural Immersion workshop led by Sharon Wood-Kenney.



The recommendations of this Master Plan were generated from a Key Stakeholder Collaborative workshop in August 2023, and revised in response to agency and community input and comments on the draft Master Plan.

The agencies are committed to maintaining a collaborative arrangement to ensure implementation of the Master Plan.

1.4.2 *Aboriginal engagement*

A key intention of the Master Plan was that it was informed by meaningful consultation with Traditional Custodians to understand the importance and context of the site within Whadjuk and Nyungah country with an aim to recognise this in a culturally sensitive manner. To achieve this outcome, two Aboriginal Cultural values workshops were held in December 2022 and July 2023 to seek to better understand the local values. Additional conversations were held with individual Whadjuk and Nyungah Aboriginal people to further this understanding.

The engagement did not identify any known Aboriginal artifacts or mythological stories directly associated with Ashfield Flats, although its location on the edge of the Derbarl Yerrigan suggests that the story of the River Serpent, the Warkle is likely to be important. It is also likely that the area has been used for fishing and gathering reeds for weaving and accordingly the lack of identification of artifacts does not mean that none exist. It is also possible that the area contained bush medicine, but it is not clear whether any remains within the landscape.

The Whadjuk and Nyungah representatives recognised the potential conflicts between uncontrolled access and particularly dogs off-lead running through the flats and generally supported the idea of fencing the important areas of vegetation and areas that flood, with appropriate signage to tell people why. There was also a desire for the sharing of Whadjuk and Nyungah knowledge more broadly with a focus on the Swan River (Derbarl Yerrigan), through a range of opportunities including signage.

There was support to investigate the opportunity for joint management of the area, particularly to allow Aboriginal land management practices to be passed onto younger generations. This could include cultural burning provided this was supported by the Whadjuk and Nyungah people and the Department of Fire and Emergency Services.

The draft Master Plan was reviewed by the Whadjuk and Nyungah representatives who provided their support for the recommendations.



1.4.3 Community engagement

In order for the Master Plan to deliver on the strategic objectives of the project, it was essential that meaningful input was provided by the community and key stakeholders through an active program of engagement. This ensured the consideration of community aspirations together with the critical site context and knowledge to inform preparation of concepts and strategies for the long term management of Ashfield Flats.

Comment was also sought on the draft Master Plan, which was advertised for public comment from 10 November to 8 December 2023.

The Bassendean and wider community were provided with a number of opportunities to share thoughts about their use, values and future of Ashfield Flats. These included:

- Two (2) community breakfast BBQs on 11 February and 11 November 2023 at Ashfield Flats, attended by over 60 community members.
- Two (2) online surveys: from 30 January – 28 February with 131 responses and from 10 November to 8 December 2023 with 53 responses.

- Online interactive map open from 30 January – 28 February with 73 comments.
- Individual stakeholder meetings with the Bassendean Preservation Group, SUPtonic and the Ashfield Community Action Network.
- Two Aboriginal Cultural values workshops in December 2022 and July 2023 and individual discussions with Whadjuk and Nyungah representatives.
- Eight (8) drop-in sessions at the Bassendean Library and ten (10) at Ashfield Flats attended by 17 and 51 people respectively.
- Review of the draft Master Plan by Whadjuk and Nyungah representatives, as well as the broader community through public advertising.

The engagement process and outcomes are contained in the Engagement Outcomes Report (Shape Urban, 2023). Key outcomes include:

- Recognition across the community that this area is unique and highly valued for the role it plays both environmentally and as a community space (Figure 2).

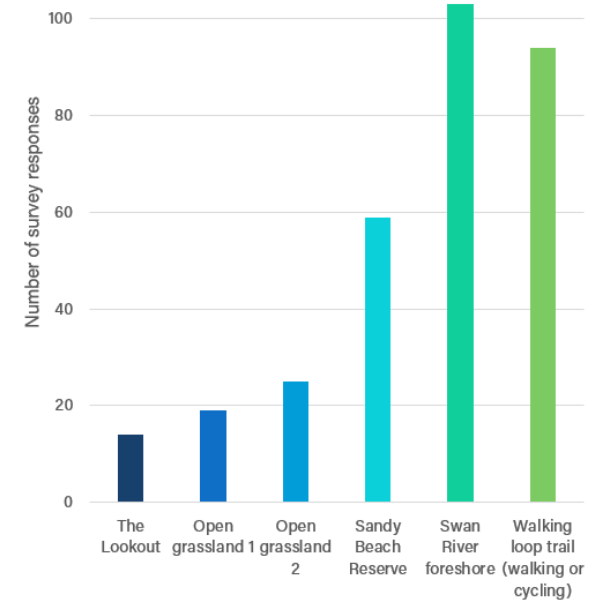


Figure 2: Most valued places as voted in the first community survey.

- The community desires access to Ashfield Flats and the adjacent river but also supports protection of the important environmental asset and the wildlife it supports, including fencing the wetland.

- The community enjoys walking along and around the Ashfield Flats – expressed as a desire to maintain footpaths close to the river as well as a circuit around the Flats. The community supported maintaining access to the west and construction of boardwalks in areas most affected by flooding.
- Opportunities to view the river and the wetland environment are important, so the natural values of Ashfield Flats can be appreciated.
- Fencing to stabilise the foreshore was supported if undertaken in pockets, was visually permeable and able to be removed when the vegetation was sufficiently established.
- The current level of amenities is sufficient for the types of activities preferred at Ashfield Flats but additional educational signage and shady spots to pause were supported.
- There were mixed views amongst the community regarding dog access to the Ashfield Flats, particularly in relation to on/off-lead areas, but there was general support for the creation of fenced areas.
- The community agreed with the recommendation to focus beach access close to the Sandy Beach area.



1.4.4 Environmental values

The Ashfield Flats Master Plan area contains recognised significant environmental values. Native vegetation occurs on about 22.5ha of the 60ha site. The other 37.5ha consists of informal parkland with scattered trees and grassland.

The river edge section forms part of the Perth Regional Ecological linkages (Perth Biodiversity Project 2003) and most of the site is classified as an Environmentally Sensitive Area (ESA) under the *Environmental Protection (Environmentally Sensitive Areas) Notice 55 (2005)*, largely due to the presence of the Swan River (Derbarl Yerrigan) and a Threatened Ecological Community (TEC).

The majority of the native vegetation on the site contains the vegetation types considered by DBCA to be the Subtropical and Temperate Coastal Saltmarsh Community. This Community is listed as Priority Ecological Community (P3) under the *Biodiversity Conservation Act 2016* and a Threatened Ecological Community (TEC) (Vulnerable) under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*.

The vegetation communities provide habitat for a wide variety of native fauna, including large numbers of water birds. The site is also listed as a potential Carnaby's Black Cockatoo feeding area and a possible breeding area (DPAW, 2013).

Additional information on the environmental conditions is provided in Part 2 of this Master Plan, with key environmental values shown in Figure 3.



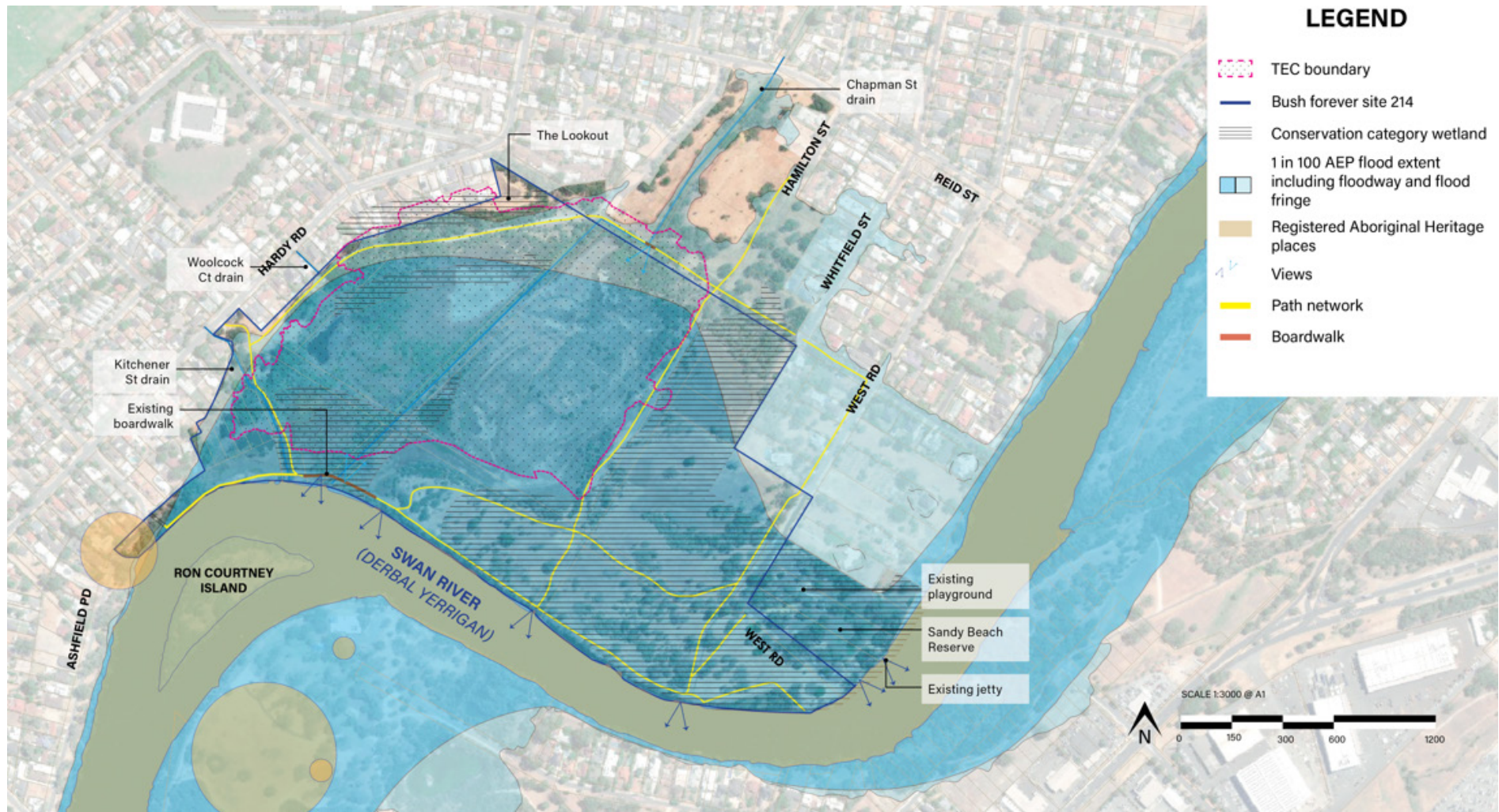


Figure 3: Environmental values

2 MASTER PLAN

The following recommendations seek to address the key environmental and social challenges facing the site to achieve the Vision for Ashfield Flats. They seek to achieve the Master Plan's objectives which are to:

- Allow for the protection and adaptation of unique environmental qualities.
- Connect people with nature and support community wellbeing.
- Provide opportunities for knowledge sharing.
- Deliver sustainable & coordinated management.

Some of the recommended management actions are shown on the Master Plan in Figure 4.





Figure 4: Master Plan

Objective 1: Allow for the protection and adaptation of unique environmental qualities.

Current conditions

The unique environmental values of Ashfield Flats are under threat from the impacts of climate change, altering hydrology from the drainage system and sea level rise, access by off-lead dogs and weed invasion. The freshening of the salt marsh is resulting in a change in species composition within the TEC. However, an opportunity exists to allow the vegetation community to migrate eastward onto higher ground, where the species are being observed to establish. This will also provide continued habitat for native wildlife.

Historical aerial photography indicates that erosion of much of the riverbank at Ashfield Flats has occurred since 2003. Accordingly, the foreshore is likely to be subject to ongoing erosive pressures from waves and river currents which will be exacerbated from the effects of climate change and continued or increased boat traffic on the Swan River (Derbarl Yerrigan). The small, fenced vegetated pocket of vegetation recently established along the eastern foreshore has assisted with mitigating some of the erosive pressures and so will be replicated in sections where necessary. Additional works are also likely to occur within the Sandy Beach area, as this is recognised as providing many recreational functions including access to the water.

The stormwater drainage system is known to contribute contaminants and fresh water into the salt marsh wetland (DBCA, 2021). The creation of living streams or larger areas of vegetation through which the stormwater can pass upstream of the TEC may result in improved water quality and reduced velocities for smaller rainfall events, minimising damage to the existing drains. Any works will need to consider the potential to mobilise acid sulfate soils and/or monosulphidic black oozes, which should be avoided.



Recommendations

Strategy 1.1: Protect significant vegetation and wildlife habitat.

- 1.1.1 Protect the TEC from uncontrolled access through fencing including areas to the east of the TEC.
- 1.1.2 Monitor and record the eastward movement of the Coastal Saltmarsh vegetation complexes.
- 1.1.3 Monitor changes in hydrology affecting the TEC and undertake remedial works if possible to reduce this change.
- 1.1.4 Undertake appropriate weed management including removal of East Coast casuarina species. *

Strategy 1.2: Address erosion risks along the foreshore.

- 1.2.1 Implement the Town of Bassendean Sandy Beach Reserve foreshore works.
- 1.2.2 Undertake staged works to stabilise the foreshore through bioengineering, and pockets of fenced revegetation at least 30m wide, as indicated on the Master Plan. Fencing to be visually permeable and able to be removed when vegetation is sufficiently established. Vegetation selection to favour ground covers, sedges and tall trees to facilitate views to the river from the foreshore paths.
- 1.2.3 Acknowledge the failing condition of the revetment west of Kitchener drain through signage that indicates the area will increasingly be subject to flooding and encourage access to Hardy Rd along the Kitchener St drain.
- 1.2.4 Monitor sea level rise and implement responsive management actions based on these experiences where required to protect agreed social or environmental values.

* Action already commenced

Strategy 1.3: Improve water quality associated with stormwater drainage.

- 1.3.1 Investigate feasibility and develop a concept to modify the western bank of the Chapman St drain north of the TEC (in Hamilton St parkland, Chapman North), minimising the impact on existing trees, to reduce the steepness of the bank and revegetate with appropriate local native species to provide additional area for water quality treatment and reduce flow velocities.
- 1.3.2 Explore the opportunity to construct an additional "low flow" pathway through the parkland into the existing wetland area just south of the Kitchener St drain to provide an opportunity for water quality treatment of the frequent events while the larger (and cleaner) events can bypass and continue to discharge into the Swan River (Derbarl Yerrigan).
- 1.3.3 Ensure any drainage upgrade works are undertaken in collaboration with DBCA and consistent with the intent of this Master Plan.



Objective 2: Connect people with nature and support community wellbeing.

Current conditions

Sea level rise will ultimately lead to increased water levels in the Swan River (Derbarl Yerrigan), increased erosive pressures on the Ashfield Flats foreshore and increased flooding of Ashfield Flats. The current path along the foreshore is not accessible at all times of the year, with large parts of the path along the western foreshore between the boardwalk and the Roy Hookway platform inaccessible for most of winter. The current low points in the path are near the Roy Hookway fishing platform, just west of the boardwalk, just east of the boardwalk and west of the bend in the path where it heads north/south (in the central part of the Master Plan area).

There is a desire by the community for a path network that is trafficable at most times of the year. While this can be established in many parts of the Master Plan area, there is some difficulty associated with providing an improved route from the Kitchener Drain outlet to the Roy Hookway Platform. This, combined with consideration of the steepness and ability to upgrade the stairs from Ashfield Parade will require further discussion. Amenity for pedestrians will be provided along the path through planting of shade trees and seating where appropriate.

The importance of the Master Plan area for recreation is noted, however, there is some benefit in prioritising potentially competing uses. Due to the significant and sensitive environmental values associated with the salt marsh wetland and TEC, environmental conservation is to be prioritised for the western portion of the Master Plan area, while the more community-based recreational needs will be provided for in the eastern portion. Accordingly, beach access between the Kitchener St and Chapman St drain outlets will not be maintained into the

future, as this area is likely to be first affected by sea level rise and is important for the hydrological processes affecting the TEC. These areas will remain as unmodified foreshore. Beach access will be maintained in a number of locations along the eastern foreshore (see Figure 3).

The ability for the Master Plan area to connect people with nature is recognised and will be reflected in the establishment of places for people to pause and view the wetland and river. This includes from The Lookout, from the boardwalk sections and at places along the foreshore path.



Recommendations

Strategy 2.1: Provide appropriate access for recreational needs.

- 2.1.1 Identify and establish a future pedestrian path located along the foreshore at approximately 0.8m AHD to provide access in most weather conditions.
- 2.1.2 Extend the boardwalk to allow for tidal movements into and out of the wetland while providing an accessible path in most weather conditions.
- 2.1.3 Provide a new path connection from the Sandy Beach jetty to the car park and create an informal track through the southern fenced area at Sandy Beach to encourage better connection between the jetty and carpark.
- 2.1.4 Consider additional signage or improved access at an appropriate grade along the Kitchener Drain to Hardy Road to facilitate a better connection for cyclists to the surrounding road network.
- 2.1.5 Explore solutions for low intervention access to the Roy Hookway Platform from the current westernmost boardwalk extent when seasonal access is no longer viable.
- 2.1.6 Consider need for access by Aboriginal people for bush tucker or traditional medicines.
- 2.1.7 Consider the need for universal access as part of any upgrade.
- 2.1.8 Plan to remove the existing path material prior to failure, so it does not contribute to erosion or become a safety hazard. Information on path condition to be provided to the community through the Town's annual report. Revegetate the area.

* Action already commenced

Strategy 2.2: Improve park amenity.

- 2.2.1 Plant canopy trees on both sides of the new path to provide shade and install appropriate seating. Choose tree species that provide ability for views through the foliage on maturity (but still provide canopy coverage).*
- 2.2.2 Expand urban forest coverage within Hamilton Reserve with a focus to improve local biodiversity and complement the parkland setting, while minimising bushfire risk.
- 2.2.3 Formalise the circuit around Ashfield Flats through improved wayfinding including signage that indicates some of the paths may not be useable in certain weather conditions.
- 2.2.4 Explore the opportunity for a bird hide near Kitchener North.
- 2.2.5 Construct a pedestrian bridge over the Chapman St drain that also provides a place to view the wetland habitats. Consider widening the boardwalk in a few locations and the inclusion of seating.
- 2.2.6 Allow overflow parking at Sandy Beach adjacent to the formal car park (on DPLH-managed lands) in an area unaffected by future inundation.

Strategy 2.3: Provide opportunities to connect with nature.

- 2.3.1 Retain access to the water in defined areas where a sandy foreshore already exists (see Master Plan).*
- 2.3.2 Retain views to the river and wetland in agreed locations through active management of vegetation and/or establishment of viewing platforms/boardwalks.
- 2.3.3 Remove some trees at the base of the Lookout to assist with retaining the views from the public realm across the wetland. Any vegetation removal should not impact the stability of the bank. *

Objective 3: Provide opportunities for knowledge sharing.

Current conditions

There is generally limited awareness within the community of the importance of the area both environmentally and culturally. As the Master Plan area contains a significant length of the Swan River (Derbarl Yerrigan) foreshore, which has enormous cultural significance to Nyungah people, it is likely that the area was previously used by Whadjuk and Nyungah people for fishing and gathering reeds for weaving. It is also possible that the area contains bush medicine, however this has not been confirmed.

While some information on the cultural and environmental values is contained within The Lookout, this could be extended to the remainder of the Master Plan area, combined with improved wayfinding and other activities to create an educational experience for visitors and the community.



Recommendations

Strategy 3.1: Acknowledge and respect Aboriginal cultural connections to Derbarl Yerrigan (Swan River) and of the site.

- 3.1.1 Partner with Whadjuk and Nyungah people to better understand local cultural knowledge and values and develop a framework for sharing this knowledge in a culturally safe manner.
- 3.1.2 Investigate dual naming of Ashfield Flats.
- 3.1.3 Establish ongoing relationships/partnerships with Whadjuk and Nyungah groups, including youth, to assist with ongoing management of the Master Plan area.

Strategy 3.2: Share information with the community on the cultural, historical and environmental considerations and values of Ashfield Flats.

- 3.2.1 Investigate opportunities for interpretation walking trails including artwork, text and illustrative signage that is non-intrusive in scale and character.
- 3.2.2 Provide information to visitors about pressures on and changes in the local environment to promote understanding, support for coordinated action and stewardship.
- 3.2.3 Develop online and physical information signage to improve awareness and education of the Ashfield Flats natural assets and processes including flooding and sea level rise.
- 3.2.4 Facilitate walking tours for locals and visitors to learn and appreciate the heritage and cultural values of the Master Plan area.

Objective 4: Deliver sustainable & coordinated management.

Current conditions

The Master Plan area is currently separately managed by the Town of Bassendean, DPLH and the Water Corporation according to the management vesting of individual lots, with limited coordination of activities. All agencies recognise the benefits that would be achieved through a more collaborative approach, particularly to the protection of environmental values and management of key issues including foreshore erosion, bushfire risk and mosquitoes.

Development of a strategic framework for ongoing management will also assist in optimising the use of scarce resources and applying for grant funding for implementation, as well as working more collaboratively with the community.

Recommendations

Strategy 4.1 Apply an integrated management approach that considers the needs of the natural environment, cultural heritage and local community in a balanced way.

- 4.1.1 Key stakeholder agencies to continue to collaborate and agree on an integrated approach to the long term management of Ashfield Flats.
- 4.1.2 Work together to develop an implementation plan that is supported by the key stakeholder agencies.
- 4.1.3 Monitor the delivery of actions and share progress periodically with the community.

- 4.1.4 Work with the Department of Transport to seek a solution that better manages speeding boats in this section of the river.

Strategy 4.2: Reduce damage to sensitive environments caused by uncontrolled dog access.

- 4.2.1 Dogs are to be on-lead in all areas, apart from the TEC (dogs prohibited) and the designated off-lead area.
- 4.2.2 Designate and sign post the dog off-lead areas.

Strategy 4.3: Appropriately manage risk of wildfires.

- 4.3.1 Ensure fire access tracks are managed to ensure they are continuous, and provide safe access/egress for emergency services personnel and appliances.
- 4.3.2 Explore the opportunity to incorporate Whadjuk and Nyungah Aboriginal Cultural values into the future wildfire management regime.

Strategy 4.4: Employ an integrated approach to minimise the interaction between mosquitoes and the public.

- 4.4.1 Work with SERCUL to develop a revegetation strategy to reduce mosquito numbers while minimising impacts on the TEC.
- 4.4.2 Maintain appropriate access to areas requiring mosquito control to enable agreed management activities to be undertaken.

3 IMPLEMENTATION

The key stakeholder agencies (of DBCA, DPLH, DWER, Water Corporation and the Town of Bassendean) will continue to work together to develop an implementation plan which will include specific recommendations for the delivery of actions and ongoing management requirements. It is suggested that this is implemented via a collaborative approach to optimise use of resources and maximise delivery outcomes.

It is also recognised that implementation of the Master Plan recommendations will be staged and that the staging of the delivery is subject to many different factors and interdependencies. In some instances, sequencing of works may be required to ensure safe and economic delivery of the recommended outcome. This will also enable an adaptive management response to the delivery of actions that is able to monitor and respond to results and conditions and can also respond to budget and resource constraints and opportunities.

Preliminary recommendations for staging and timing of actions is provided in Table 1.

The explanation of timing and funding indications is:

Timing:

- Short: 0-4 years
- Medium: 5-10 years
- Longer: 10-20 years

Funding requirement:

- Low: under \$10,000
- Medium: \$10,000 - \$100,000
- High: over \$100,000

Where the action is anticipated to be delivered through an existing agency budget (as it is similar to current operational activities), this has been indicated. The denoting of "low, medium or high", indicates the action is unfunded (please see below).

It is also noted that a number of approvals are likely to be required to enable realisation of the management recommendations. These are summarised in Part 2.

3.1 Funding

While some activities consistent with the current management actions occurring in the Master Plan area may be able to be continued, additional funding will need to be obtained to deliver the outcomes of this Master Plan.

The stakeholder agencies will continue to work together to access available funding to assist in the delivery of the Master Plan actions. Current opportunities for funding include:

- Riverbank Grants
- Swan Canning Riverpark Urban Forest Funding
- Recreational Boating Facilities Scheme (RBFS) grants
- Lotterywest
- Waterwise Greening Scheme
- Urban Rivers and Catchments Program (Commonwealth)
- Disaster Ready Fund (Commonwealth)
- Sport and Recreation Events Funding
- Connecting to Country program for Aboriginal people and organisations
- Community Rivercare Program Funding (for community groups)

- Perth NRM Community Grants (for environmental volunteer groups)
- Community Stewardship Grants (for community-based projects)
- Swan Alcoa Landcare Program (SALP) grants for local (community) action

3.2 Monitoring and document review

Part 1 of the Master Plan is a rolling document that allows for continuous improvement as new information emerges on outcomes, as well as risks and their management.

Delivery of the actions in the Master Plan will be monitored by stakeholder agencies and a brief “traffic light” annual progress report, prepared by the Town of Bassendean, is to be shared with the community.



Table 1: Preliminary recommendations for timing of implementation

Action	Timing	Comments	Indicative budget required
Objective 1: Allow for the protection and adaptation of unique environmental qualities			
1.1.1 Protect the TEC from uncontrolled access through fencing including areas to the east of the TEC.	Short	Could implement in stages but preference is to complete as single action.	High
1.1.2 Monitor and record the eastward movement of the Coastal Saltmarsh vegetation complexes.	Short, ongoing	Establish protocols then continue to implement (ongoing).	Low, annual cost
1.1.3 Monitor changes in hydrology affecting the TEC and undertake remedial works if possible to reduce this change.	Short, ongoing	Establish protocols then continue to implement (ongoing).	Low, annual cost Does not include cost of remedial measures
1.1.4 Undertake appropriate weed management including removal of East Coast casuarina species.	Short, ongoing	Establish practices then continue to implement (ongoing).	Medium, annual cost
1.2.1 Implement the Town of Bassendean Sandy Beach Reserve foreshore works.	Short	Could be staged.	High
1.2.2 Undertake staged works to stabilise the foreshore through bioengineering, and pockets of fenced revegetation at least 30m wide, as indicated on the Master Plan. Fencing to be visually permeable and able to be removed when vegetation is sufficiently established. Vegetation selection to favour ground covers, sedges and tall trees to facilitate views to the river from the foreshore paths.	Short	Undertake in stages.	High
1.2.3 Acknowledge the failing condition of the revetment west of Kitchener drain through signage that indicates the area will increasingly be subject to flooding and encourage access to Hardy Rd along the Kitchener St drain.	Medium		Low
1.2.4 Monitor sea level rise and implement responsive management actions based on these experiences where required to protect agreed social or environmental values.	Short, ongoing	Establish protocols then continue to implement (ongoing).	Low, annual cost. Does not include cost of remedial measures.
1.3.1 Investigate feasibility and develop a concept to modify the western bank of the Chapman St drain north of the TEC (in Hamilton St parkland, Chapman North), minimising the impact on existing trees, to reduce the steepness of the bank and revegetate with appropriate local native species to provide additional area for water quality treatment and reduce flow velocities.	Short	Cost will depend on level of contamination.	Medium – study only

Action	Timing	Comments	Indicative budget required
1.3.2 Explore the opportunity to construct an additional "low flow" pathway through the parkland into the existing wetland area just south of the Kitchener St drain to provide water quality treatment of the frequent events while the larger (and cleaner) events can bypass and continue to discharge into the Swan River (Derbarl Yerrigan).	Investigations short term Construct – medium term		Medium – study only
1.3.3 Ensure any drainage upgrade works are undertaken in collaboration with DBCA and consistent with the intent of this Master Plan.	As required		Existing agency operational budget
Objective 2: Connect people with nature and support community wellbeing			
2.1.1 Identify and establish a future pedestrian path located along the foreshore at approximately 0.8m AHD to provide access in most weather conditions.	Short	Path to be constructed with crushed limestone or similar.	High
2.1.2 Extend the boardwalk to allow for tidal movements into and out of the wetland while providing an accessible path in most weather conditions.	Medium	Undertake in stages	High
2.1.3 Provide a new path connection from the Sandy Beach jetty to the car park and create an informal track through the southern fenced area at Sandy Beach to encourage better connection between the jetty and carpark.	Short		Medium
2.1.4 Consider additional signage or improved access at an appropriate grade along the Kitchener Drain to Hardy Rd to facilitate a better connection for cyclists to the surrounding road network and Route ID 2954 in the Perth and Peel Long-Term Cycle Network.	Medium		Low
2.1.5 Explore solutions for low intervention access to the Roy Hookway Platform from the current westernmost boardwalk extent when seasonal access is no longer viable.	Medium		Medium
2.1.6 Consider need for access by Aboriginal people for bush tucker or traditional medicines.	Short		Low
2.1.7 Consider the need for universal access as part of any upgrade.	As required	As part of relevant activity	Low – study only
2.1.8 Plan to remove the existing path material prior to failure, so it does not contribute to erosion or become a safety hazard. Information on path condition to be provided to the community through the Town's annual report. Revegetate the area.	Long	As required	High
2.2.1 Plant canopy trees on both sides of the new path to provide shade and install appropriate seating. Choose tree species that provide ability for views through the foliage on maturity (but still provide canopy coverage).	Short	Develop ongoing program to address tree deaths.	Medium
2.2.2 Expand urban forest coverage within Hamilton Reserve with a focus to improve local biodiversity and complement the parkland setting, while minimising bushfire risk.	Medium		Low

Action	Timing	Comments	Indicative budget required
2.2.3 Formalise the circuit around Ashfield Flats through improved wayfinding including signage that indicates some of the paths may not be useable in certain weather conditions.	Short		Medium
2.2.4 Explore the opportunity for a bird hide near Kitchener North.	Medium	Approvals may be required.	Low
2.2.5 Construct a pedestrian bridge over the Chapman St drain in Chapman North that also provides a place to view the wetland habitats. Consider widening the boardwalk in a few locations and the inclusion of seating.	Medium		High
2.2.6 Allow overflow parking at Sandy Beach adjacent to the formal car park (on DPLH-managed land) in an area unaffected by future inundation.	Short, ongoing		N/A
2.3.1 Retain access to the water in defined areas where a sandy foreshore already exists (see Master Plan).	N/A		
2.3.2 Retain views to the river and wetland in agreed locations through active management of vegetation and/or establishment of viewing platforms/boardwalks.	Medium		Medium to High
2.3.3 Remove some trees at the base of the Lookout to assist with retaining the views from the public realm across the wetland. Any vegetation removal should not impact the stability of the bank.	Short	Action already completed. Review outcome and revisit if required	Existing agency budget.
Objective 3: Provide opportunities for knowledge sharing			
3.1.1 Partner with Whadjuk and Nyungah people to better understand local cultural knowledge and values and develop a framework for sharing this knowledge in a culturally safe manner.	Short, ongoing	Establish protocols then continue to implement (ongoing)	Low, annual cost Does not include cost of activities.
3.1.2 Investigate dual naming of Ashfield Flats.	Medium		Medium
3.1.3 Establish ongoing relationships/partnerships with Whadjuk and Nyungah groups, including youth, to assist with ongoing management of the Master Plan area.	Short, ongoing	Establish protocols then continue to implement (ongoing)	Low, annual cost Does not include cost of activities.
3.2.1 Investigate opportunities for interpretation walking trails including artwork, text and illustrative signage that is non-intrusive in scale and character.	Medium		Medium – study only Does not include cost of recommendations.
3.2.2 Provide information to visitors about pressures on and changes in the local environment to promote understanding, support for coordinated action and stewardship.	Medium		Medium

Action	Timing	Comments	Indicative budget required
3.2.3 Develop online and physical information signage to improve awareness and education of the Ashfield Flats natural assets and processes including flooding and sea level rise.	Medium		Medium
3.2.4 Facilitate walking tours for locals and visitors to learn and appreciate the heritage and cultural values of the Master Plan area.	Medium		Low
Objective 4: Deliver sustainable & coordinated management			
4.1.1 Key stakeholder agencies to continue to collaborate and agree on an integrated approach to the long term management of Ashfield Flats.	Short, ongoing	Establish protocols then continue to implement (ongoing)	Existing agency operational budget.
4.1.2 Work together to develop an implementation plan that is supported by the key stakeholder agencies.	Short		Existing agency operational budget.
4.1.3 Monitor the delivery of actions and share progress periodically with the community.	Annually		Low
4.1.4 Work with the Department of Transport to seek a solution that better manages speeding boats in this section of the river.	Short		Existing agency operational budget.
4.2.1 Dogs are to be on-lead in all areas, apart from the TEC (dogs prohibited) and the designated off-lead area.	Short		Existing agency operational budget.
4.2.2 Designate and sign post the dog off-lead areas.	Short		Existing agency operational budget.
4.3.1 Ensure fire access tracks are managed to ensure they are continuous, and provide safe access/egress for emergency services personnel and appliances.	Annually		Existing agency operational budget.
4.3.2 Explore the opportunity to incorporate Aboriginal Cultural values into the future wildfire management regime	Medium		Medium
4.4.1 Work with SERCUL to develop a revegetation strategy to reduce mosquito numbers while minimising impacts on the TEC.	Medium		Medium
4.4.2 Maintain appropriate access to areas requiring mosquito control to enable agreed management activities to be undertaken.	Annually		Existing agency operational budget.

Timing:

- Short: 0-5 years
- Medium: 5-10 years
- Longer: 10-20 years

New funding requirement:

- Low: under \$10,000
- Medium: \$10,000 - \$100,000
- High: over \$100,000

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Ashfield Flats Master Plan

Part 2: Context

Prepared for the Department of Biodiversity, Conservation and Attractions

By Urbaqua, MP Rogers & Associates, PGV Environmental,
Shape Urban and South West Kinships

February 2024

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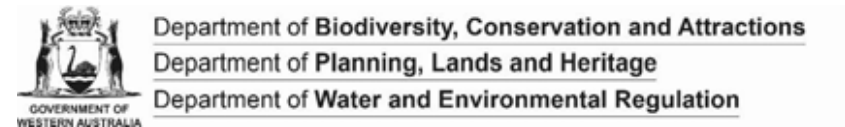
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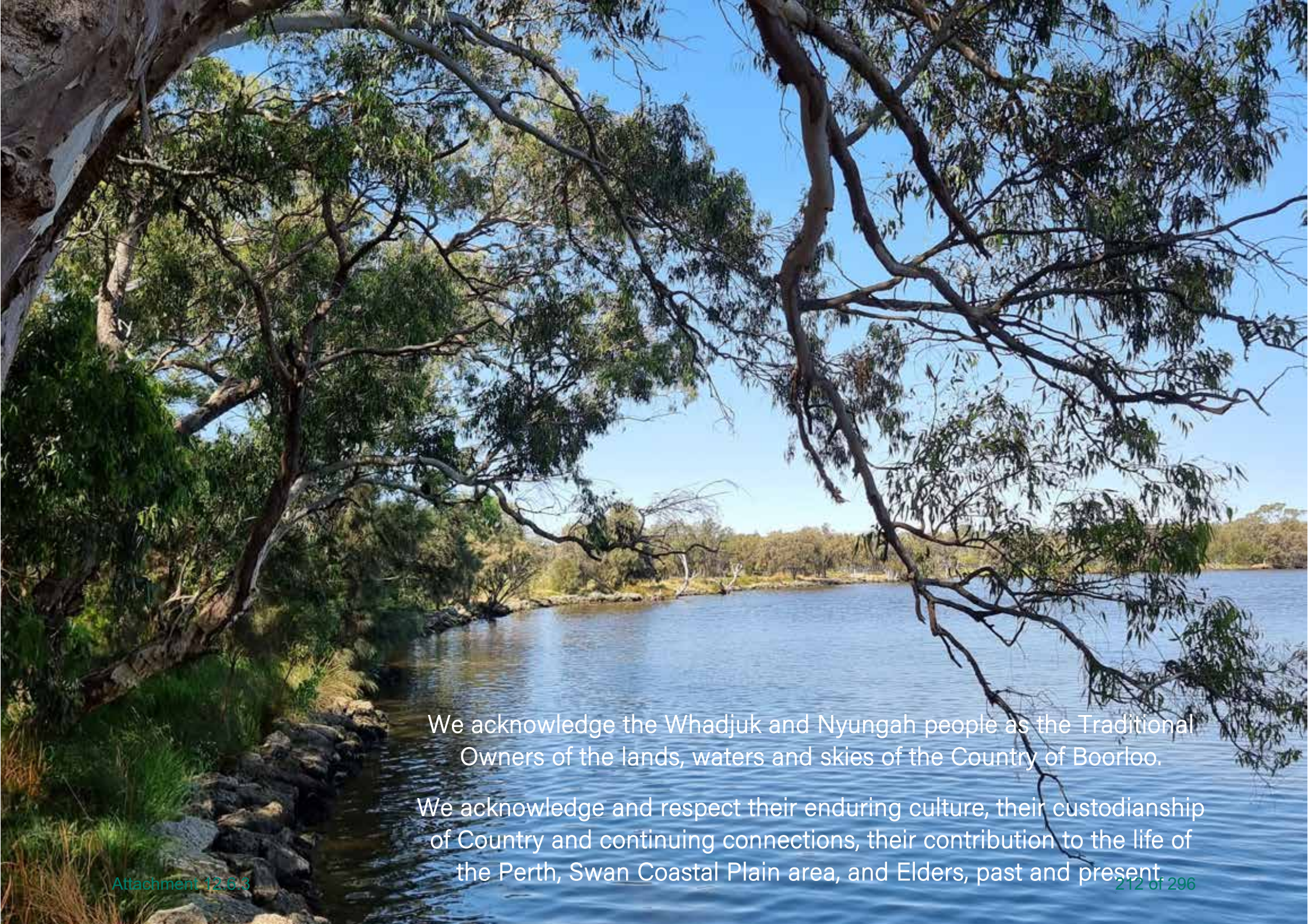
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This document has been prepared by Urbaqua together with PGV Environmental, MP Rogers & Associates, South West Kinships and Shape Urban.





We acknowledge the Whadjuk and Nyungah people as the Traditional Owners of the lands, waters and skies of the Country of Boorloo.

We acknowledge and respect their enduring culture, their custodianship of Country and continuing connections, their contribution to the life of the Perth, Swan Coastal Plain area, and Elders, past and present.

PART 2: CONTEXT



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1 INTRODUCTION

The Ashfield Flats Master Plan has been prepared for the Department of Biodiversity, Conservation and Attractions (DBCA), together with the Department of Planning, Lands and Heritage (DPLH), the Department of Water and Environmental Regulation (DWER), Water Corporation and the Town of Bassendean to provide guidance for the management of Ashfield Flats in Bassendean (Figure 1).

The Master Plan aims to achieve the objectives and principles of the *Swan and Canning Rivers Management Act 2006*, relevant Swan Canning Planning and Development Policies, Plans and Procedures, the draft Lower Swan Locality Plan, draft State Planning Policy 2.9: Planning for Water, and the Swan Canning River Protection Strategy.

Part 1 of the Master Plan outlines the strategies and actions to be implemented over the next 20 or so years, to provide a foundation for the longer term management of ecological systems, community, recreational and cultural uses, infrastructural requirements, and other issues, constraints and opportunities including in response to climate change.

This document, Part 2, provides a summary of the key considerations including policy context, ownership and management, environmental conditions and social context, as well as considerations for future approvals and implementation.

Additional technical information is provided in the *Ashfield Flats Master Plan Context Analysis Report* (Urbaqua, 2023).

1.1 Master Plan area

Ashfield Flats (the study area) is the largest remaining river flat in the Perth Metropolitan area in the suburbs of Ashfield and Bassendean, covering approximately 64 hectares. It lies on the banks of the Swan River (Derbarl Yerrigan), 33km upriver from the coast as shown in Figure 1.

The Ashfield Flats Master Plan area is roughly bound by West Road, Reid Street, Hardy Road and the Swan River (Derbarl Yerrigan). On the north-west boundary is a steep rise to housing and parkland. The area is predominantly open wetland with some mature trees and shrubs.

The land is divided by a drainage channel which crosses the land in a direction approximately north-east to south-west. During winter the land is inundated with water creating a rare wetland in the metropolitan area. The reserve is accessible to the public for passive recreation (Government of WA, 2019).

The Ashfield Flats Master Plan area contains extensive areas of public open space including the Sandy Beach Reserve and areas of remnant vegetation. It contains a range of built and natural features, including a jetty, boardwalk, lookout, large playground, dog beach, a Bush Forever site and the largest remaining occurrence of a Subtropical and Temperate Coastal Saltmarsh community in the Swan and Canning River Estuary.



Figure 1: Ashfield Flats Master Plan area

2 KEY CONSIDERATIONS

The natural, cultural and recreational values of the Master Plan area are significant. The protection and maintenance of these important values is dependent on appropriate consideration of the following important conditions.

2.1 Climate change

The impacts of climate change are considered to pose a significant threat to Ashfield Flats, primarily relating to increased risk of flooding and sea level rise. These are addressed in more detail below.

The predicted warmer and drier conditions are also expected to have an impact on survival and persistence of native flora and fauna resulting in changes in the structure and composition of vegetation and fauna communities (e.g. opportunistic exotic species may replace native species or dominance of certain native species may increase causing a shift in diversity).

The condition of the remnant vegetation is likely to decline, and the protection of vulnerable foreshore areas is likely to be impacted further by the increasing mean sea level, storm surges, changes in streamflow and groundwater levels, and changes in water chemistry (e.g. salinity). Revegetation programs will become an ongoing challenge and restoration programs will need to adapt to ensure plant survival.

2.2 Sea level rise and tidal inundation

Sea level rise will ultimately lead to increased water levels in the Swan River (Derbarl Yerrigan), increased erosive pressures on the Ashfield Flats foreshore and increased flooding of Ashfield Flats.

The current path along the foreshore is not accessible at all times of the year and DBCA has advised that:

- the water level exceeds 0.6 mAHN around 30 times per year, mostly during winter.
- the water level exceeds 0.8 mAHN around 5 times per year.
- the water level exceeds 1 mAHN around 2 times per year.

These locations are shown in Figure 2.



Figure 2: Locations inundated at various times of the year

As the level of the river increases as a result of climate change, this will increase the times at which the current path is inaccessible to pedestrians. According to Biodiversity Conservation and Science (2021) full flooding of the Ashfield Flats wetlands occurs during river water levels above 0.6 mAHd. The lowest points are at around +0.6 mAHd. These are located (refer to Figure 3):

- near to the Roy Hookway fishing platform (~CH 60 m).
- just to west of the boardwalk (~CH 250 m).
- just to east of the boardwalk (~CH 360 m).
- west of the bend heading north/south (~CH 840 m).

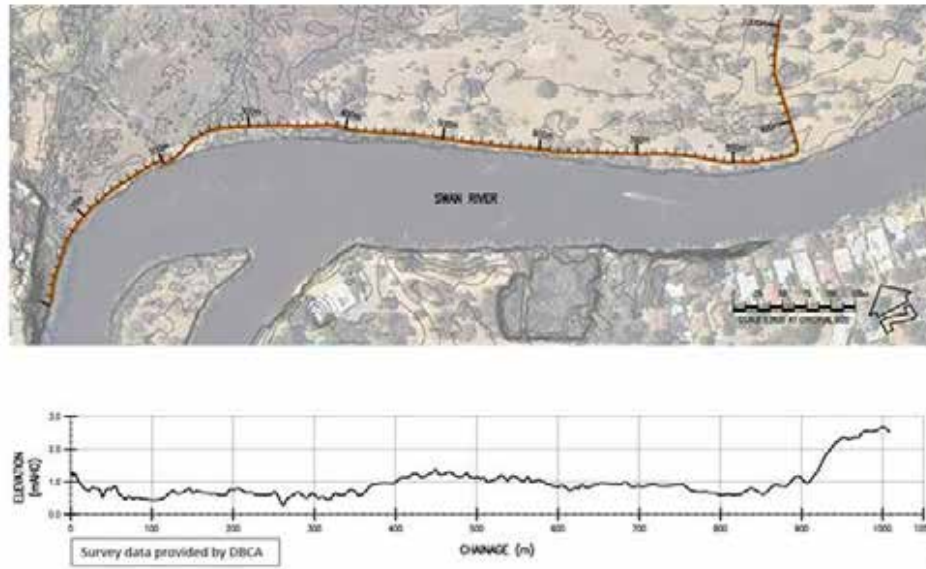


Figure 3: Path elevation (source: DBCA)

As sea levels rise and local water levels at Ashfield Flats increase, this +0.6 mAHd level will be exceeded more often, and hence the hydrology of the area is expected to change. With the rising river water levels, the wetland system is expected to switch from a seasonally wet salt flat to a brackish system in future, permanently flooded and connected with the Swan River (Derbarl Yerrigan) as shown in Figure 4.

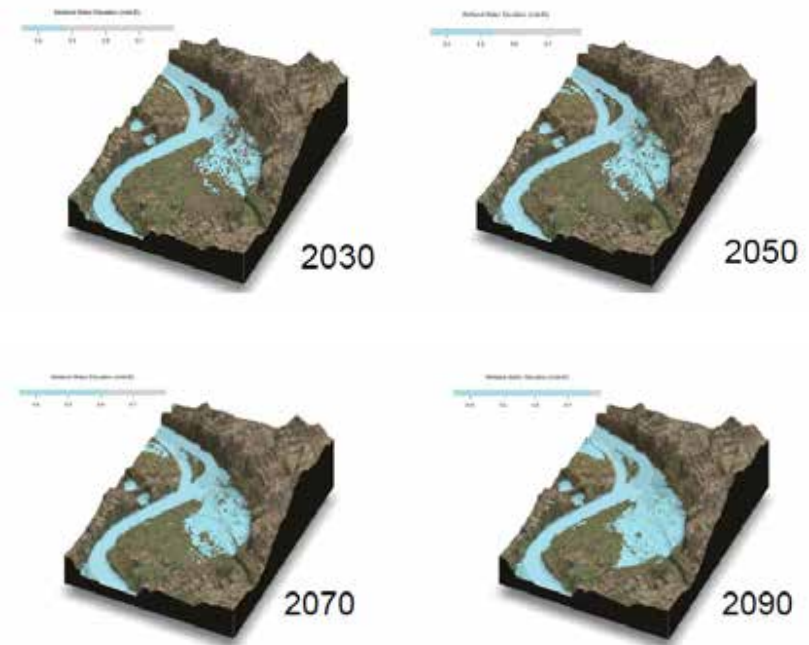


Figure 4: Potential impact of climate change and sea level rise on Ashfield Flats (DBCA, 2021)

2.3 Altered hydrology from drainage discharges

In addition, with projected sea level rises, the drainage system may have a more significant direct impact on the TEC in the coming decades. There will be a gradual change in the duration of water held within the wetland with less drying time between floods for the wetland to dry out in summer. This increasing inundation duration will start to alter the ecology of Ashfield Flats within the next 20 years.

Anecdotal evidence indicated by a change in vegetation species including an increase in sedges and *Melaleuca*, suggests that the salinity within the wetland area is reducing. This is likely to be the result of increased freshwater discharge from the drains that bisect the wetland, as well as from the Woolcock Ct Drain which discharges into the western portion of the wetland.

The Chapman and Kitchener Street drains have been previously observed to have a minimal interaction with the wetland. Information provided by the agencies for this Master Plan indicated that the Chapman Street drain occasionally overtops into the reserve, causing freshwater to inundate

the site for a period of time. Monitoring of the drainage system undertaken in 2019/20 observed overtopping only once during the monitoring period.

In July 2023, a breach occurred in the banks of the Chapman St Drain, enabling freshwater to infiltrate the northern tidal pools within the TEC boundary. This is partly due to the age of the open drain infrastructure and was exacerbated by a proliferation of *typha orientalis* downstream of the "dog leg" section of the drain.

Advice from the DWER has suggested that clearing of the *typha orientalis* is likely to mobilise Monosulphidic black oozes into the river (pers comm, S Appleyard, Principal Hydrogeologist, Contaminated Sites DWER, 2023), as these along with acid sulphate soils have been identified in the hydrological study undertaken by DBCA. As monosulphidic black oozes and acid sulphate soils mobilisation into the river could have devastating consequences on river ecology, modification may be required to drainage system to enable conveyance of stormwater, without removal of the typha.

2.4 Foreshore condition and erosion

Historical aerial photography indicates that erosion of much of the riverbank at Ashfield Flats has occurred since 2003. This confirms that the foreshore is subject to ongoing erosive pressures from waves and river currents. These erosive pressures are expected to continue into the future and will likely be exacerbated due to effects of climate change and continued or increased boat traffic on the Swan River (Derbarl Yerrigan).

Current erosion control mechanisms at the site include a rock toe along the foreshore section of the remnant wetland, as well as brush log walling, palisading, brush mattressing and coir matting.



2.5 Flood events

The Ashfield Flats Hydrological Study (2021) states that “forecasting future water levels, incorporating climate change impacts, including sea-level rise, suggests the wetland could be at risk of becoming permanently flooded before 2090 and changes to the hydroperiod are likely to be seen within the next 30 years.” As stated previously, these changes to submergence and salinity will start to alter the ecology of the site placing pressure on the saltmarsh species.

Whilst the Swan River (Derbarl Yerrigan) has not experienced any major floods in recent decades, the occurrence of a significant flood would be likely to result in significant impacts on Ashfield Flats. This may be particularly relevant to ageing and deteriorating structures which may exhibit a reduced structural capacity. It can also impact the vegetation communities. Significant floods are also often associated with considerable erosion damage to natural foreshores and large-scale sediment movements.

2.6 Urban pollution

Past land use and practices within the upstream drainage and groundwater catchments has resulted in a number of contamination risks. These include the registered contaminated sites in the study area as well as other areas where uncontrolled fill or rubbish dumping may have led to a risk of contamination. Further risks are associated with the potential for contaminated groundwater to affect the quality of water in the drainage system and where groundwater intersects within the study area.

In addition, the drainage system is a known source of contamination which is likely to be impacting on the health of the TEC and Swan River (Derbarl Yerrigan).

2.7 Soils and contamination risks

Ashfield Flats is known to contain acid sulphate soils and potential acid sulphate soils (PASS) (RPS, 2020). Consistent with Government requirements, if more than 100 m³ of material is planned to be excavated during any management works, an acid sulphate soils investigation will be required and, depending on the outcomes, an

Acid Sulphate Soils Management Plan may be needed. This will have significant cost implications for any works which include excavation.

In addition to acid sulfate soils, monosulphidic black oozes have been identified in the hydrological study undertaken by DBCA. The mobilisation of monosulphidic black oozes and acid sulphate soils into the river or wetland could have devastating consequences on the ecological values. Accordingly, the implementation of any recommendations within the Master Plan should seek to minimise soil disturbance where possible. This is critical in areas where soils have already acidified or are subject to periodic inundation by river water.

The Master Plan area contains two contaminated sites that have been remediated for restricted use. It is likely that some contamination may exist within the parkland near Hamilton St through which the Chapman St drain runs. Site investigations for contamination are likely to be required prior to undertaking works in these areas.

2.8 Mosquitoes

Mosquitoes are known to affect the study area. Currently the Town of Bassendean Environmental Health Officers undertake mosquito monitoring and management however this is resource intensive, particularly due to the restriction on mechanical methods of treatment to minimise disturbance on the TEC and the ability to access the main breeding areas due to overgrown vegetation.

2.9 Weed invasion and plant pathogens

Weeds will likely be a persistent issue within the flats, due to the high level of disturbance and high soil moisture. Ongoing weed control will be essential to prevent the condition rating from degrading, and to protect remnant vegetation, however care will need to be taken in areas where soils have already acidified or are subject to periodic inundation by the river due to the potential to mobilise monosulphidic black oozes and acid sulphate soils.

Currently there is no reported evidence of any plant pathogens such as dieback (*Phytophthora sp*) (ToB, 2022).

2.10 Feral and uncontrolled animals

The area is known to contain foxes, due to the evidence of scats and diggings (ToB, 2022). It is believed that the foxes are more transitional, passing through, rather than creating dens and using the site as home. Cameras have been installed in the past, however due to the high frequency of dogs and cats visiting the area, commonly off lead, it has been too difficult to implement trapping. There has not been much evidence of rabbits in the area.

The main issue lies around dogs and cats, whether domesticated or feral, and the unrestricted access to Ashfield Flats, particularly the TEC area, as this impacts on wildlife and the health of the vegetation.

2.11 Fire risk management

Increasing temperatures are likely to result in increased risk of fire weather that has the potential to result in a wildfire in Ashfield Flats. It is important, however, to ensure that fire risk mitigation activities do not significantly impact on the ecological values of the TEC and Bush Forever Site. Accordingly, coordinated management responses should focus on maintaining good access for emergency vehicles and appropriate buffers around the Master Plan area which may incorporate strategies such as underpruning to reduce contiguous fire fuel loads.

Any revegetation activities will consider the likelihood of increasing the risk of wildfires. It is noted, however, that the increased occurrence of inundation resulting from increased sea levels and tides will reduce the risk of wildfires.



2.12 Illegal dumping and access

There has been no evidence of illegal dumping at the site according to discussions with the land owners (ToB, 2022; DPLH, 2022; DBCA; 2022e). However, the area, particularly the foreshore is heavily utilised by the public, and there has been evidence of damage to revegetation along the foreshore, either deliberate or unintentional. Appropriate management of the area will be required to ensure public enjoyment of Ashfield Flats is supported whilst advancing conservation works.

The wetland was closed off from motorbikes and four wheel drives in the late 1970s (Quinton, 2009). The Ashfield Flats area is enclosed and restricted to public vehicular access. Public access is only possible by foot as the perimeter is protected by the river, fences, residential houses, bollards and gates. Locked entry gates exist for emergency services to access all areas of the Ashfield Flats area (Fancote, 2017).

The Town of Bassendean has reported that occasionally there has been a car burnout at some of the neighbouring reserves in Bassendean, and on the day of the site visit during November 2022 there was a motorbike which illegally drove through the wetland.



3 OWNERSHIP AND MANAGEMENT

Ashfield Flats is reserved as Parks and Recreation under the Metropolitan Region Scheme (MRS). The site falls under the ownership and management of three bodies — the majority is vested with the Western Australian Planning Commission (WAPC) (and managed by DPLH); the two main drains found within the site are managed by the Water Corporation; and the remainder is vested with the Town of Bassendean (Figure 5).

The *Ashfield Flats 10 Year Management Plan* (ToB, 2021) states that “sections managed by the Town of Bassendean include Iveson Place (1.8 ha), Hamilton Street Reserves (4.4 ha), Whitfield Street public open space (1.02 ha), Whitfield Forest (1.08 ha), the fire access track behind 25-39 Hardy Road (1.4 ha) and a remnant wetland block in the south west of the flats (1.9 ha).



Figure 5: Ownership and management responsibility of the study area

4 POLICY CONTEXT

The *Swan and Canning Rivers Management Act 2006* created the Swan Canning Riverpark encompassing the waters and foreshores of the Swan Canning river system. Under the Act, the DBCA is vested with the care, control, and management of the River reserve with various responsibilities including developing policies, and preparing and reporting on strategic documents relating to the Riverpark.

Ashfield Flats is located wholly within the Swan Canning Riverpark and its associated Development Control Area (DCA), as seen by the brown hatching in Figure 5. Accordingly, this Master Plan has been prepared in accordance with the *Swan and Canning Rivers Management Act 2006*, *Swan and Canning Rivers Management Regulations 2007* and DBCA policies for planning and development.



5 ENVIRONMENTAL CONDITIONS

5.1 Climate

The climate of the suburb of Ashfield is typical of the south-western region of Western Australia, which has a Mediterranean climate, with hot dry summers and mild wet winters. Maximum temperatures range between 18 degrees Celsius (°C) in July and 32°C in February, while average monthly minimum temperatures range between 8.1°C in July and 17.6°C in February (BoM, 2022). Rainfall generally occurs between May and October, with an annual average of around 760mm.

5.2 Soils and landform

The site consists of three main landforms: 1) the escarpment, 2) the floodplains and 3) the foreshore. The topography of the study area is bowl shaped and ranges from one (1) to twelve (12) metres AHD (Figure 6). This bowl-shaped morphology is consistent with theories of saltmarsh morphodynamics (Friedrichs and Perry, 2001).

The soils at Ashfield Flats are mapped as predominately Pinjarra Zone (DAFWA, 2012) described as alluvial deposits between the Bassendean Dune Zone and Darling Scarp, clayey to sandy alluvial soils with some wet areas (Figure 6). A small area in the west of the reserve is mapped as Bassendean Sand Zone, described as fixed sand dunes made of calcareous sand and podsolised soils with low lying wet areas.

Recent investigations (DWER, 2021) have indicated that sulfidic soil and sediment materials underlie much of the Ashfield Flats (Figure 6). These materials have the potential to release significant amounts of acidity and metals into drainage water if disturbed by excessive drainage or by excavation.

Potential Acid Sulfate Soils, in the form of pyrite with isolated pockets of potential mono sulphidic black ooze, have been identified within sediment along the length of the Chapman St Drain. Disturbance of these materials would have the potential to cause significant anoxia-related fish-kill events in the Swan Estuary near the drain

outlet. Monitoring of the Woolcock Court drain out flow, prior to it entering the reserve, measured pH values as low as 3.2, however pH of surface waters in the reserve were recorded as near neutral (DWER, 2021).

These factors indicate that the disturbance of soils and drain sediments in the reserve would have to be carefully managed to prevent adverse impacts taking place on vegetation and fauna in the area, and on water quality in the Swan Estuary which receives discharges from the area.

The site also contains two locations identified on the DWER Contaminated Sites Database that have are indicated as “remediated for restricted use” (Figure 6). This includes the area known as “The Lookout” and parts of The Town of Bassendean land on Reid St and Hamilton St. Additional contamination is known to exist on land outside the study area but within the surface and groundwater catchments of Ashfield Flats.

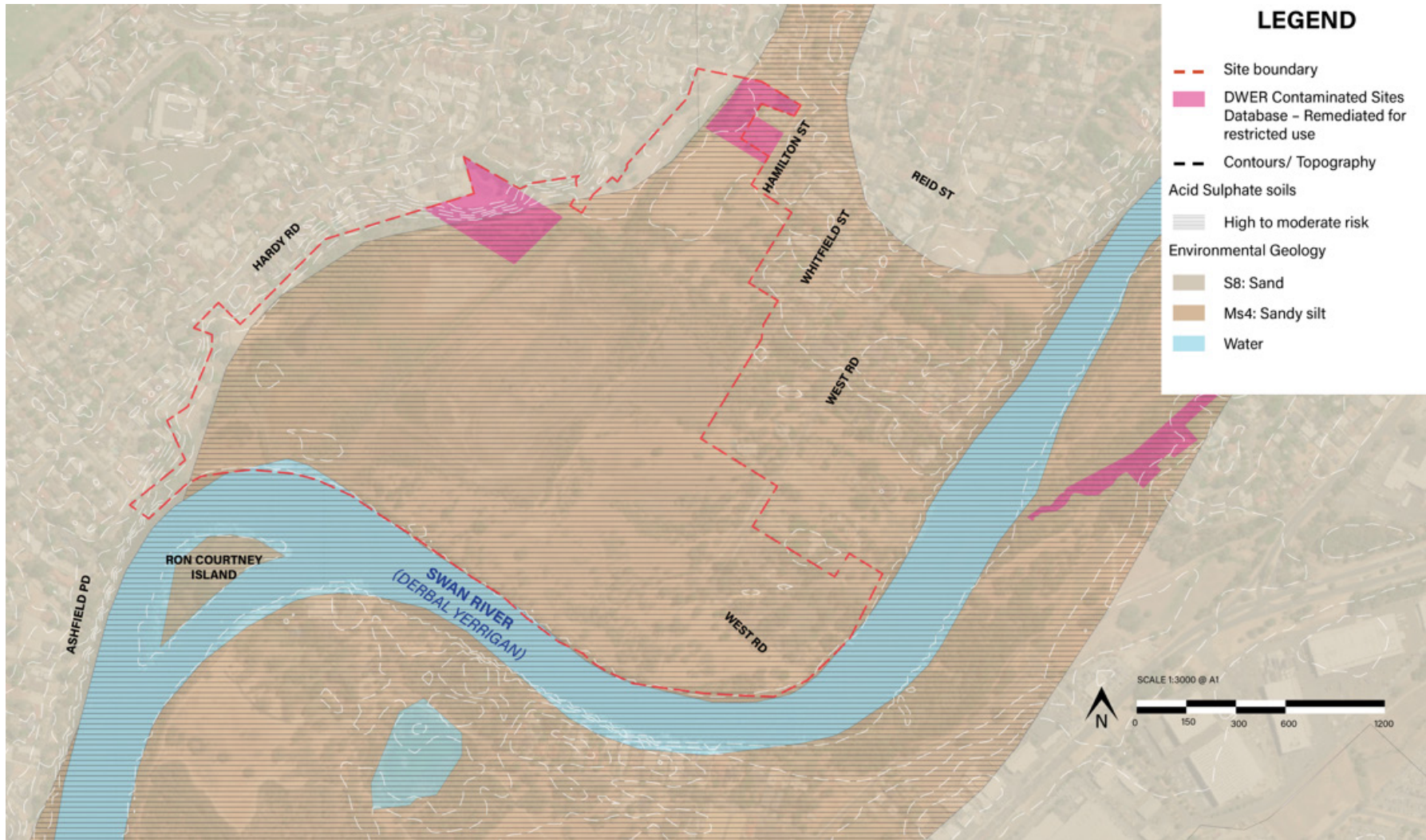


Figure 6: Soils and landform

5.3 Natural resources

5.3.1 Vegetation

Native vegetation occurs on about 22.5ha of the 60ha site. The other 37.5ha consists of informal parkland with scattered trees and grassland. The vegetation is Swan Complex, consisting of *Melaleuca* dominated wetlands, Samphire flats and *Eucalyptus rudis* woodlands (Syrinx, 2005).

The river edge section forms part of the Perth Regional Ecological linkages (Perth Biodiversity Project 2003) and most of the site is classified as an Environmentally Sensitive Area (ESA) under the *Environmental Protection (Environmentally Sensitive Areas) Notice 55 (2005)*, largely due to the presence of the Swan River (Derbarl Yerrigan) and a TEC. Environmentally Sensitive Areas are declared by the Minister for the Environment under section 51B of the *Environmental Protection Act 1986*. Any clearing of vegetation within an Environmentally Sensitive Area requires a permit from the Department of Water and Environmental Regulation.

Most of the site is recognised as regionally significant vegetation as it is Bush Forever site 214: Ashfield Flats (Figure 7). The northern part of the Master Plan area extends outside the Bush Forever site boundary and includes a section of the Chapman Street Main Drain and grassed parklands.

Subtropical and Temperate Coastal Salt Marsh Threatened Ecological Community

The majority of the native vegetation on the site contains the vegetation types considered by DBCA to be the Coastal Saltmarsh Community, listed as a Threatened Ecological Community (TEC) (Vulnerable), which is protected under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) as a Matter of Environmental Significance. Ashfield Flats contains the largest remaining occurrence of a Temperate Coastal Saltmarsh community in the Swan and Canning Rivers Estuary (DBCA, 2021).

The vegetation in the Coastal Saltmarsh community consists mainly of salt-tolerant shrubs, rushes, sedge, herbs and grasses predominantly from the Chenopodiaceae (Samphire) and Poaceae (Grass) families. The species occurring in the community are specially adapted to tolerate the difficult saltmarsh environment. In the south-west of Western Australia there is a high diversity of species in the genera *Tecticornia*, *Triglochin*, *Samolus* and *Puccinellia*. The vegetation composition in the Coastal Saltmarsh community can be influenced by groundwater hydrology as well as the periods of tidal water inundation.

The TEC vegetation community is currently contained on DPLH land, however the Town managed areas form part of the mapped TEC boundary and buffer zone (Figure 7). The *Ashfield Flats Hydrological Study* (DBCA, 2021) suggested that the TEC would alter and may retreat, where space is available towards the east of the reserve; this land is also currently under the management of DPLH.

Remaining vegetation

Modelling for pre-1750 vegetation suggests that the Town managed areas of the site would have historically been Swan Complex according to the Vegetation Complexes of the Swan Coastal Plain data set (DBCA, 2022d). This complex is described as fringing woodland of *Eucalyptus rudis*-*Melaleuca raphiophylla* with localised occurrence of low open forest of *Casuarina obesa* and *M. cuticularis*.

Much of the vegetation has been historically cleared, and several areas are now mowed grass with a few remnant trees. The Town manages some remnant vegetation present off Hardy Road. The Whitfield Forest area to the east was converted from a paddock area to a vegetated area through the efforts of the Bassendean Preservation Group.

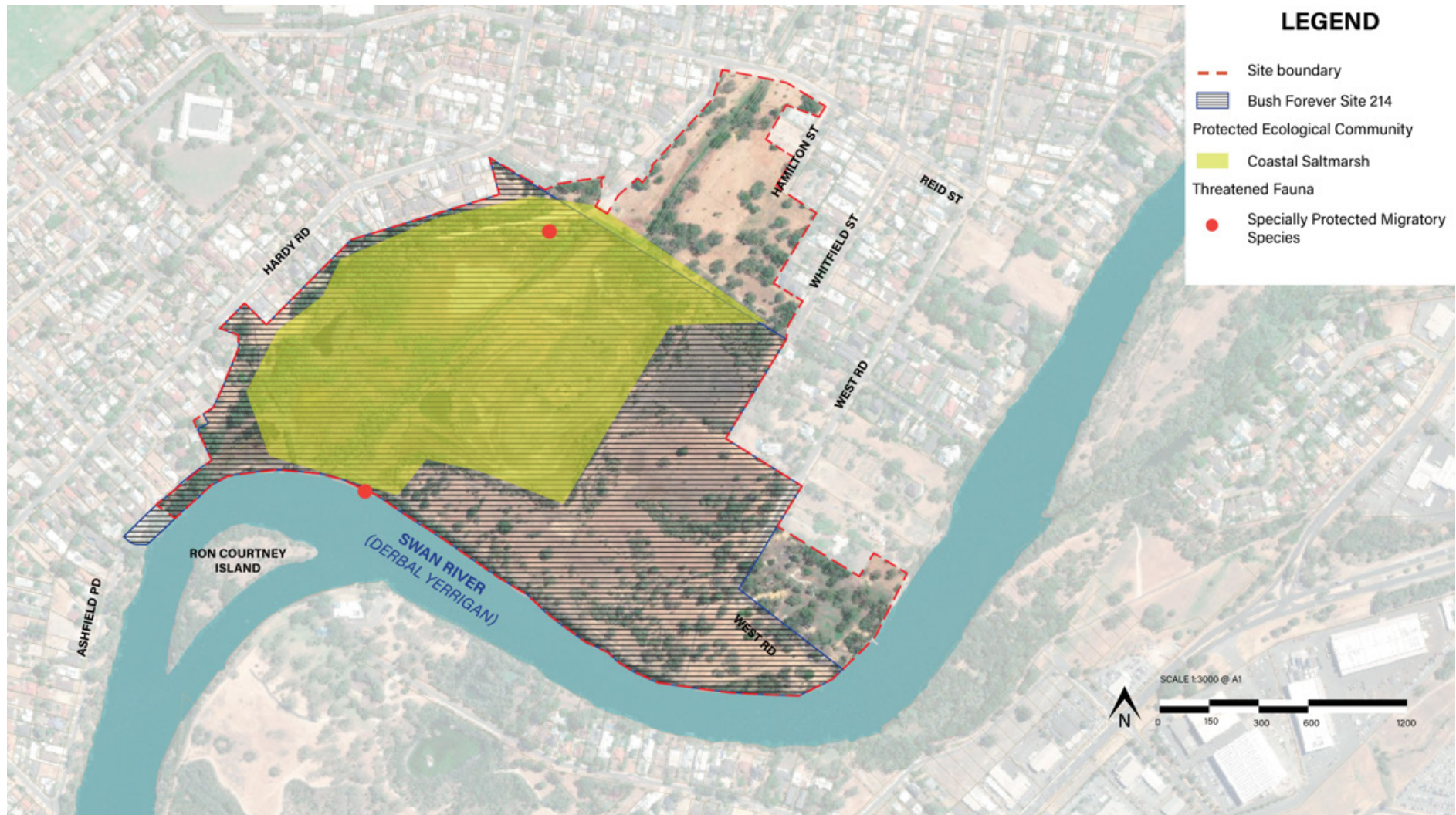


Figure 7: Protected flora, fauna and communities

Surveys

A flora and vegetation survey of the site was undertaken by DBCA botanists from September 2018 to June 2019 (DBCA, 2019). The survey identified all native and introduced plant species on the site as well as mapped the vegetation types and condition.

A total of 112 flora species were recorded from the site, including 47 native and 65 introduced species. No flora of conservation significance were recorded on the site.

Twenty vegetation units were described in the DBCA 2018/19 flora and vegetation survey. The 20 units were compiled into seven mapping units as shown in and described below:

- *Tecticornia*
- Sedges
- *Casuarina*
- *Melaleuca raphiophylla*
- *Melaleuca viminea*
- *Eucalyptus*
- Parkland

Ten introduced plant species were rated as having a high priority for weed control.

The vegetation mapping unit 'Eucalyptus' included areas containing *Eucalyptus rudis* Woodland to Open Forest over *Melaleuca raphiophylla* Low Open Forest.

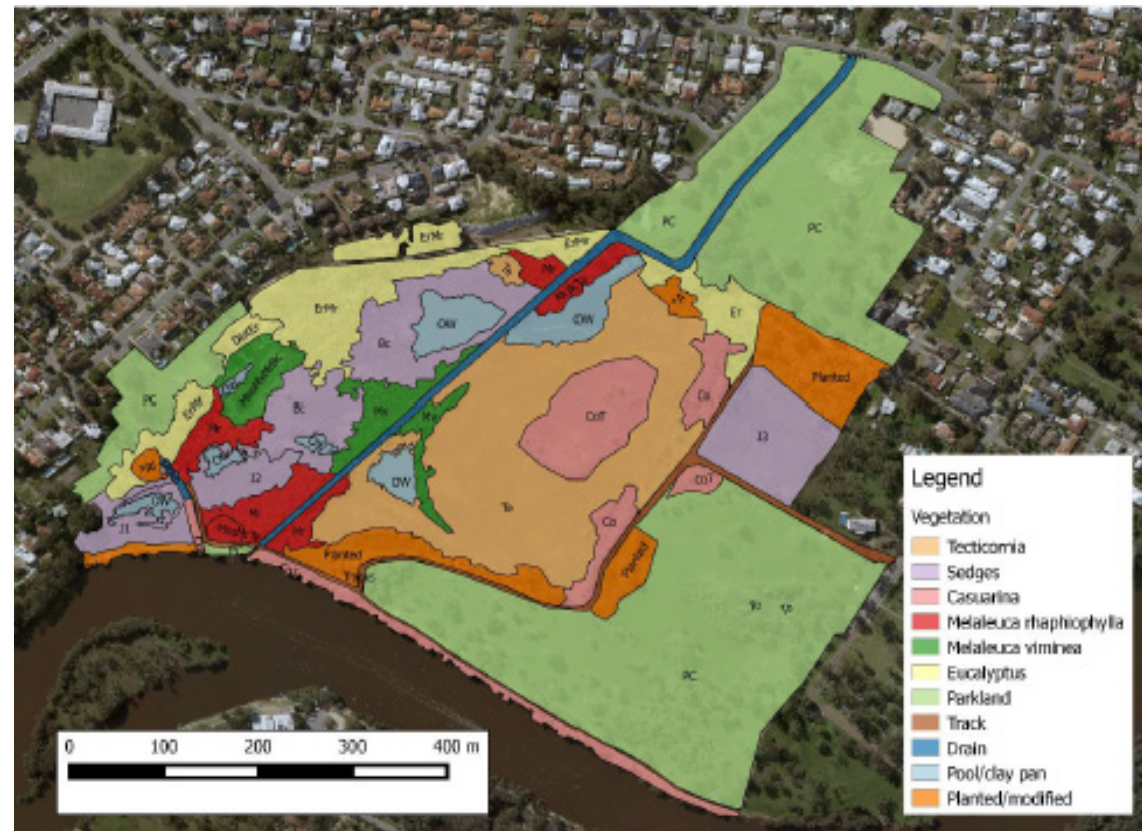


Figure 8: DBCA vegetation mapping (source: DBCA, 2021)

The tree species that occur on the grassy parklands are include naturally occurring species particularly *Eucalyptus rudis* (Flooded Gum), *Corymbia calophylla* (Marri), *Casuarina obesa* (Sheoak) and *Melaleuca raphiophylla* (Paperbark) as well as a large number of non-local species including *Eucalyptus camaldulensis* (River Red Gum), the hybrid *E. rudis* x *E. camaldulensis* and *Casuarina glauca*.

DBCA (2019) considered that all the vegetation units mapped as *Tecticornia*, *Casuarina*, *Melaleuca raphiophylla*, *Eucalyptus* and *Melaleuca viminea* are part of the Threatened Ecological Community 'Subtropical and Temperate Coastal Saltmarsh'. Vegetation Units not included in the Coastal Saltmarsh community by DBCA were all areas containing Sedges and Parkland and specific units of *Casuarina obesa* growing next to the Kitchener Drain and along the river banks. An area of disturbed *Eucalyptus rudis*/*Melaleuca raphiophylla* vegetation near the outlet of the Woolcock Return Drain was also excluded.

5.3.2 Fauna and habitat

The vegetation communities provide habitat for a wide variety of native fauna, predominately tertiary feeders such as water birds (Syrinx, 2005). The site is also listed as a potential Carnaby's Black Cockatoo (CBC) feeding area and a possible breeding area (DPAW 2009). A study by Ron Van Delft in 1986 noted;

"The flooded gums (*Eucalyptus rudis*) are mature and have many holes used by birds for nesting. Sacred Kingfishers, Striated Pardalotes, Tree Martins, Port Lincoln Ringnecks, Laughing Kookaburras and Galahs have all been nesting or looking for suitable holes. The marri trees have been used by Yellow-rumped Thornbills for nesting and some flooded gums were used as nesting sites in 1986 by Black-shouldered Kite and White-faced Herons. Rainbow Bee-eaters build their nests underground at Sandy Beach. Nesting was recorded in 1985 and 1986 and probably took place unobserved for many years before then."

A list of birds surveyed at Ashfield Flats is contained in Appendix 2.

The site also contains potential Quenda (*Isodon obesulus fusciventer*) habitat (Ramalho et al 2013).

In 1985 four frog species all endemic to south-west WA were observed in the area including the Moaning Frog, Western Banjip Frog, Slender Tree Frog and Froglets (Hinkley, 1990).

The wetland system supports a variety of invertebrates and macroinvertebrates, which are an important food source for birds and frogs. Macroinvertebrates are also used a biological indicators of water quality. In 1978 Blair and Batchford recorded that small crustacea were observed in the shallower, more vegetated waters of the flats. The drains and deeper flooded areas lacked visible small organisms such as crustacea.

As part of the *Ashfield Flats Hydrological Study* (2021), a search of the online NatureMap database was undertaken to identify conservation listed flora and fauna species that exist within the site and within vicinity of the site. The search identified a total of 183 species, of which 169 species are listed as non-conservation taxon. Those with conservation status and protected by the *Biodiversity Conservation Act 2016* are listed in Table 1 and shown in Figure 7.

Table 1: Threatened, Extinct and Specially Protected fauna or flora species known to utilise Ashfield Flats

Common name	Scientific name	Conservation code
Fauna		
Common Sandpiper	<i>Actitis hypoleucos</i>	Protected under international agreement
Caspian Tern	<i>Hydroprogne caspia</i>	Protected under international agreement
Osprey, Eastern Osprey	<i>Pandion cristatus</i>	Protected under international agreement
Crested Tern	<i>Thalasseus bergii</i>	Protected under international agreement
Forest Red-tailed Black Cockatoo	<i>Calyptorhynchus banksii subsp. Naso</i>	Threatened
Baudin's Cockatoo, White-tailed Long-billed Black Cockatoo	<i>Calyptorhynchus baudinii</i>	Threatened
Carnaby's Cockatoo, White-tailed Shortbilled Black, Cockatoo	<i>Calyptorhynchus latirostris</i>	Threatened
White-tailed black cockatoo	<i>Calyptorhynchus sp.</i>	Threatened
Chuditch, Western Quoll	<i>Dasyurus geoffroii</i>	Threatened
Water-rat, Rakali	<i>Hydromys chrysogaster</i>	Priority 4
Quenda, southern brown bandicoot	<i>Isodon fusciventer</i>	Priority 4
Blue-billed Duck	<i>Oxyura australis</i>	Priority 4
Peregrine Falcon	<i>Falco peregrinus</i>	Other specially protected fauna.
Flora		
River bulrush	<i>Bolboschoenus fluviatilis</i>	Priority 1

Note:

- Priority 1; Species that are known from one or a few locations (generally five or less) which are potentially at risk.
- Priority 4; Classified as rare, near threatened and other species in need of monitoring.



5.3.3 Bushfire risk

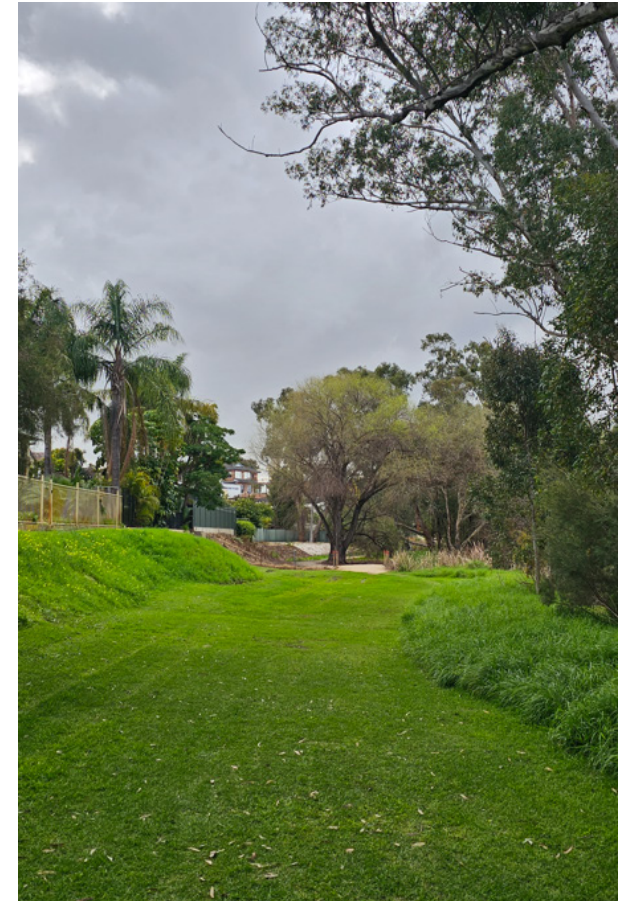
Ashfield Flats is a Bushfire Prone Area (DFES 2019). Fire management will be important to protect residential properties and remnant vegetation. Ensuring sufficient access for fire management vehicles, control of weeds and management of fuel loads will aid in managing fire risks within Ashfield Flats. Inappropriate fire regimes can alter vegetation and increase weed colonisation, in addition to threatening infrastructure and wildlife.

On 5 March 2015 a wildfire swept through Ashfield Flats in the vicinity of Hardy Road and Fisher Street, Bassendean. A firebreak/access limestone track was then installed along the back of the properties bordering the flats to improve access for fire emergency services.

Fire management in the Town of Bassendean managed areas of Ashfield Flats includes:

- Mowing and slashing of grassed sites by the Parks and Gardens team; this typically includes one mowing event every 2-3 weeks between spring and autumn.

- Weed control to reduce presence of annual weeds, particularly along the fire track.
- Ongoing removal of tree seedlings in the Whitfield Forest area that are germinating within 21 metres of the adjacent property line to keep the Bushfire Attack Level (BAL) rating as low as practicable.
- Ongoing removal of dead vegetation posing a fire risk. Not all dead vegetation shall be removed, as logs/fallen branches provides habitat for native species. Fire risk versus habitat benefits shall be assessed prior to any deadwood removal.
- To protect properties adjacent to the Fire Track, Iveson Blocks and Villiers Street Gully, revegetation works shall follow the standards for Asset Protection Zones outlined in the Guidelines for Planning in Bushfire Prone Areas (WAPC 2017). Only groundcover planting shall occur in the Fire Track (Property side), Iveson Blocks and Villiers Street Gully; species used in these areas shall be of relatively low flammability (Hollick 2010) and be under 10 cm.



5.4 Water resources

5.4.1 Wetlands

The Swan River (Derbarl Yerrigan) is a Nationally Important Wetland (Directory of Important Wetlands in Australia, 2005), an Environmentally Sensitive Area (*Environmental Protection Act, 1986*) and a Conservation Category wetland in the Geomorphic Wetlands (Swan Coastal Plain) database (DBCA, 2023) (Figure 9). Conservation category wetlands are wetlands that support a high level of environmental attributes and function (Environmental Protection Authority, 2008) (i.e. highest priority wetlands).

DBCA's current Geomorphic Wetland dataset categorises the wetlands as Conservation Category and Multiple Use (Figure 9). Investigations of the site indicate that the identified wetland values and functions of Ashfield Flats are more commensurate with a larger portion functioning as Conservation Category wetland, and the disturbed areas functioning as Resource Enhancement and Multiple Use wetlands (DBCA, 2019).

TEC Hydrology

Land managers identified that gaining an understanding of the site's hydrology was a

crucial first step to informing its future management. Accordingly, *The Ashfield Flats Hydrological Study (2021)* aimed to identify the dominant hydrological processes at the reserve by undertaking a two-year monitoring program of water flows, surface and groundwater levels, water and sediment quality, and develop hydrological models (DBCA, 2021).

The results of the hydrological study showed the wetland has shallow groundwater and a strong tidal interaction with the Swan River (Derbarl Yerrigan) (DBCA, 2021) as well as other inter-related contributions from surrounding urban drainage systems. Key findings from this study included:

- River and tidal levels are the main driver in the hydrology of the wetland.
- Chapman St MD and Kitchener St MD do not frequently interact with the surrounding wetland except when high tide events cause the area to be generally flooded, although this has changed recently due to breaching of the Chapman St Drain bund near the "dog leg" as a result of increased pressure on the drain from the growth of *typha orientalis* in the drain.
- Woolcock drain discharges directly into the western portion of the wetland and has contributed to the freshening of wetland pools since its construction.
- The western portion of the wetland is likely to become permanently inundated within 90 years, if sedimentation rates do not keep pace with rising river levels.
- Chapman St MD, Kitchener St MD and Woolcock Drain all flow continuously indicating a significant component of drained groundwater within the flow.
- Groundwater does not contribute significantly to surface water levels in the wetland but is an important underlying hydrological component.
- Salinity in the wetland is controlled by two principal mechanisms:
 - groundwater flowing upwards and evaporating during summer causing high salinity levels in the sediments and shallow groundwater
 - winter inundation from the brackish Swan River (Derbarl Yerrigan) and saline high tide events and floodwaters mixing with the in-situ concentrated brine developed over summer.



Figure 9: Water Resources

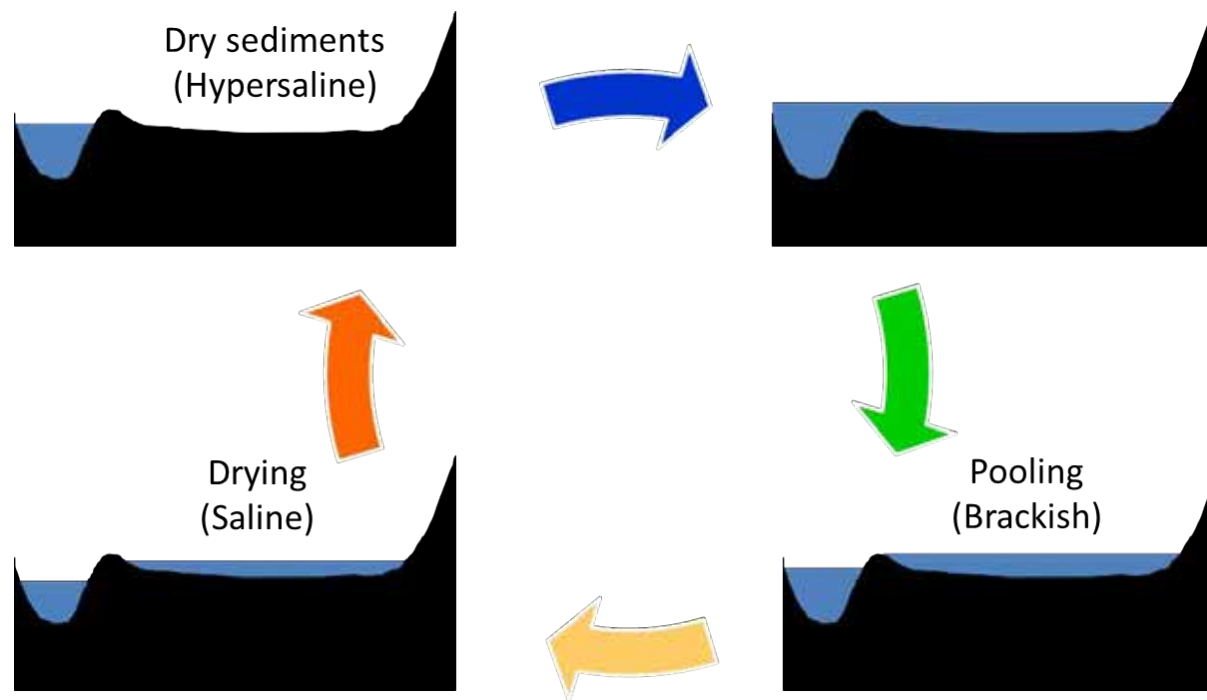


Figure 10: Conceptual seasonal surface water cycle demonstrating how the key processes contribute to salinity in the wetland.

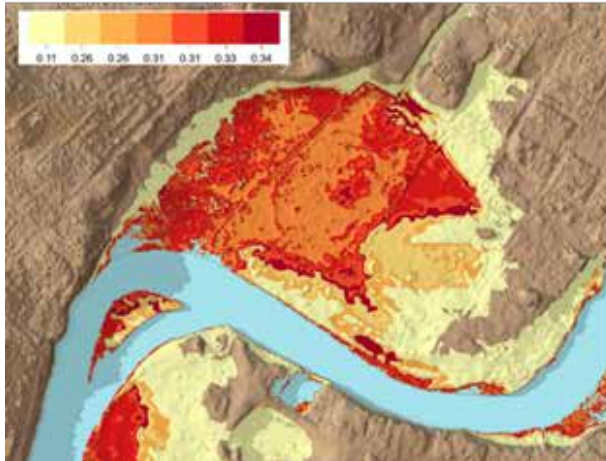
The river water level is the main driver affecting the wetland's hydrology. The wetland is very flat and low in elevation. Therefore, it floods frequently each year and stores much of the flood water for many months, drying completely over most of the reserve by mid-summer. This cycle of wetting and drying, predominantly from a mix of brackish river flows and more saline tidal waters is critical to the site both in terms of providing water to sustain the wetland habitat and to maintain the right salinity ranges necessary to support the TEC.

Any future changes to the balance between fresh, brackish, and saline inflows to the site are likely to influence the types and distribution of samphires and other TEC species.

The study area lies within a floodplain and along two bends of the Swan River (Derbarl Yerrigan). Flooding can be caused by extreme flood events in the Swan River (fluvial flooding) and most of the area will flood in a 10% Annual Exceedance Probability (AEP) event (DWER, 2020). Whilst on average elevated river levels due to river runoff occur infrequently, they are important for generating the largest floods and flooding the site completely (DBCA, 2021). The Iveson Place and Hamilton Street road reserves are not expected to flood in a 10% AEP event.

Flooding from a combination of high tides in the Swan River estuary and normal winter river flows is much more common, occurring multiple times per year, and is the dominant flooding mechanism at the site (Figure 11). Low pressure systems producing storm surges are also important contributions although these again occur less frequently. River flooding, from catchment runoff, is more significant only during major rainfall events when river levels exceed 1.1m AHD.

Tidal Flooding



River Flooding

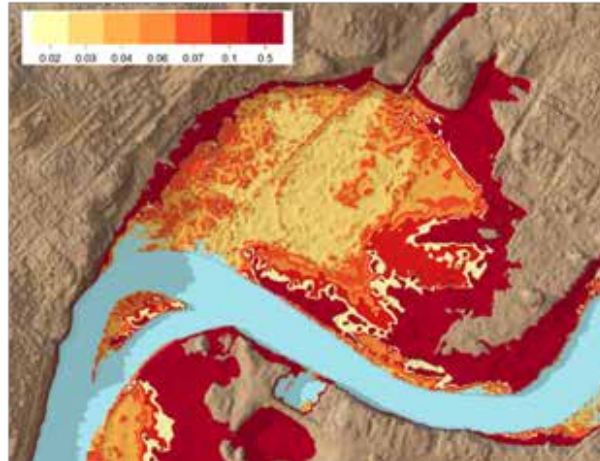


Figure 11: Mean contributions to flood levels in the wetland from tidal and river flooding

Water level monitoring undertaken as part of the *Ashfield Flats Hydrological Study* (DBCA, 2021) showed the strong interaction with the Swan River (Derbarl Yerrigan) and established a river level at the Meadow St gauge, Guildford, of ~0.5 mAHD, at which Ashfield Flats begins to flood. When the river level rises to 0.6 mAHD, it floods to its northern extent.

On average river levels exceed the flooding threshold 208 hours each year, however the wetland retains this flood water in its ephemeral pools for many weeks to several months (26 weeks a year on average) (DBCA, 2021). During

this time the surface waters evaporate and concentrate the originally brackish river water, drain inflow and groundwater to a brine. Some pools on the western side of the site remain wet throughout the year, while those on the east tend to dry by mid spring and are completely dry by the end of summer (DBCA, 2021).

The study states that “forecasting future water levels, incorporating climate change impacts and sea-level rise, suggests the wetland could be at risk of becoming permanently flooded before 2090 and changes to the hydroperiod are likely to be seen within the next 30 years” (DBCA, 2021).

5.4.2 Groundwater

According to the Perth Groundwater Map, groundwater ranges from 0.0 - 5.5 m below ground level, corresponding to approximately 1.0 – 7.0 mAHD. Groundwater generally flows from the west and north across the site to the southeast, towards the Swan River (Derbarl Yerrigan) with the groundwater at its deepest point along Hardy Rd (DBCA, 2021).

The Superficial Aquifer is recharged at a rate of 5% of annual rainfall and groundwater flows to the southeast towards the Swan River (DBCA, 2021). It is also thought that the Mirrabooka Aquifer flows upwards to the Superficial Aquifer. The *Ashfield Flats Hydrological Study* (2021) states that “A hydrogeological characterisation suggests the aquifers beneath the wetland comprises a thin surficial layer of organic rich wetland sediments overlaying a semiconfined aquifer consisting of Bassendean sand, Guildford Clay and alluvial deposits. The wetland sediments likely act as a weak aquitard with groundwater flowing upwards and evaporating during summer and then switching to flow downwards during winter.” This causes high salinity levels in the sediments and groundwater over summer, and during winter the aquifers are recharged by Swan River tides and floodwaters and the concentrated brine developed over summer.

Groundwater does not appear to contribute significantly to maintaining surface water levels, although according to the report “groundwater is a significant contributor to flow in the Woolcock Ct and Chapman St drains, at ~65% of annual discharge. As a result of the groundwater contribution, these drains flow perennially. Even during rainfall events groundwater is a significant contributor to discharge.”

A groundwater spring exists along the escarpment. Significant amounts of water have been observed to pond there seasonally, which suggests the groundwater spring is contributing to the TEC communities (DBCA, 2021).

The Town of Bassendean holds a current groundwater license (GWL: 166452) for 179,150 kL/year from the Leederville Aquifer which is used for irrigation of the parkland at Sandy Beach.

5.4.3 Stormwater and drainage

The *Ashfield Flats Hydrological Study (2021)* identified nine stormwater catchments that discharge to or through Ashfield Flats Reserve and a total of 11 stormwater catchments ‘of relevance’ to Ashfield Flats. These catchments can be further grouped as subcatchments of the two main drainage (MD) catchments; Chapman St MD and Kitchener St MD managed by the Water

Corporation, and two local drainage catchments: Woolcock Ct drain, and the Lookout drain. There is also one additional local drainage catchment, West Rd drain, that discharges into a basin in the eastern portion of the reserve. The extent to which Woolcock Ct drain functions as a stand-alone drainage catchment is not clear since there are at least two locations where some interaction with the Kitchener MD system is possible.

Two main drains bisect Ashfield Flats and are managed by the Water Corporation; Chapman St drain and Kitchener St drain.

The Chapman Street MD has a total catchment area of approximately 200 hectares which extends beyond the railway to the west, taking in mixed residential, commercial and industrial areas. The drain discharges into the Swan River (Derbarl Yerrigan) through a channel crossing the Ashfield Flats reserve, entering from the north via culverts beneath Reid Street and flowing to the southwest between Iveson Place and Hamilton Reserve.

Kitchener St MD has a much smaller catchment area which is approximately 10 hectares of mixed residential. The drain discharges into the Swan River (Derbarl Yerrigan) via a channel crossing the Ashfield Flats reserve, entering from the west and flowing south eastwards.

The Chapman St MD near the bend at the top of the wetland has recently broken its embankments and contributes to flooding of the wetland (DBCA, 2021). This has been exacerbated recently by the growth of *typha orientalis* within the drain. Advice from the DWER has suggested that clearing of the typha is likely to mobilise monosulphidic black oozes into the river (pers comm, S Appleyard, Principal Hydrogeologist, DWER, 2023), as these along with acid sulphate soils have been identified in the hydrological study undertaken by DBCA. As monosulphidic black oozes and acid sulphate soils mobilisation into the river could have devastating consequences on river ecology, modification may be required to drainage system to enable conveyance of stormwater, without removal of the typha.

Woolcock Ct Drain is the largest of three drainage catchments discharging directly into the study area. The catchment is approximately 20 hectares of predominantly residential land uses. The drain discharges through an outlet situated at the western end of the limestone fire track and has been observed to flow perennially. The Ashfield Flats Hydrological Study (2021) states that “it is evident that the construction of the Woolcock Ct drain has led to a freshening of the wetland water pools on the western side of the TEC as well as contributed to a more perennially inundated state. This drain has likely already impacted fringing salt-marsh species and favoured the proliferation

of sedges and Melaleuca in this western half of the Reserve.”

All three drains appear to have an interaction with ground water and are constantly flowing. The recent Ashfield Flats Hydrological Study (2021) found that there was limited interaction between stormwater passing through the Chapman and Kitchener Street drains and the surrounding salt marsh unless there was a high tide event and the areas were flooded, whilst Woolcock Drain had a direct interaction with the area.

5.4.4 Water quality

A study by Syrix Environmental in 2005 stated that “water quality is poor with high levels of nutrients and heavy metals present.” Water quality data (fortnightly public health monitoring) is also available from the jetty at Sandy Beach, Success Hill and Point Reserve. Anecdotal evidence suggests that the water quality at Sandy Beach is variable, poor at Point Reserve and good at Success Hill. In addition, there are occasional sewer overflows, including two in Bassendean this year that have flowed into drains. Investigation of the incidents by the Water Corporation showed no visual signs of contamination entering the open channel drains or flats, and sampling showed that the impacts to the river were low (pers comm, Amanda Best, Water Corporation).

As part of the Ashfield Flats Hydrological Study (DBCA, 2021), a surface water monitoring program was conducted between August 2018 to November 2020, with the aim of developing a better conceptual understanding of the wetland’s interaction with the Swan River (Derbarl Yerrigan) and its likely sources of water. The study confirmed that Kitchener St MD and Chapman St MD are significant sources of metals and nutrients loads to the Swan River (Derbarl Yerrigan). The water chemistry of stormwater and nearby groundwater is consistent with a pollutant source related to fertiliser use, fertiliser production and sulphuric acid production.

A former fertiliser and sulphuric acid manufacturing facility and an iron works were located to the north of Guildford Road are known to have significantly contaminated soils and groundwater which flow toward Ashfield Flats Reserve (DWER, 2019; 2020). Pyritic cinders and demolition wastes were encapsulated within a purpose-built containment cell at one site. Contaminated groundwater reportedly discharged to the adjacent open Chapman Street Drain at the Tonkin Industrial Estate (EPA, Ashfield Flats Reserve Hydrological Study Department of Biodiversity, Conservation and Attractions, 1999). An acidic groundwater plume is thought to have migrated to the Reserve, liberating metals in the aquifer, and may possibly be intercepted by the drains discharging to the site (Kellenberger, 1998).

The Woolcock Crt drain is a significant source of pollutants to the wetland, including zinc and cobalt which are discharged by this drain and accumulate in the wetland sediments. This drain also has a constant base flow of water with elevated nutrient levels discharging into the western side of the flats. The wetland is therefore performing a significant ecosystem service by trapping and storing these pollutants before they enter the Swan River (Derbarl Yerrigan), whilst providing some level of nutrient treatment.

Based on the Perth Groundwater Map, salinity concentrations in groundwater range from 500 - 1,000 mg/L (DBCA, 2021). This corresponds to a salinity classification of “marginal” (DoE, 2005). Given the nature of the site, i.e. “salt flat” with salt tolerate species, salinity concentrations were expected to sit within this range or higher.

From the river water quality perspective, the Chapman St MD is delivering nutrients and contaminants directly to the river so it would be the highest priority. The Kitchener St MD is also delivering nutrients and metals directly to the river, at lower volumes. The Woolcock Street drain discharges directly into the wetland, therefore as mentioned above, the wetland is storing and somewhat treating these pollutants before they enter the Swan River (Derbarl Yerrigan).

5.4.5 Mosquitos

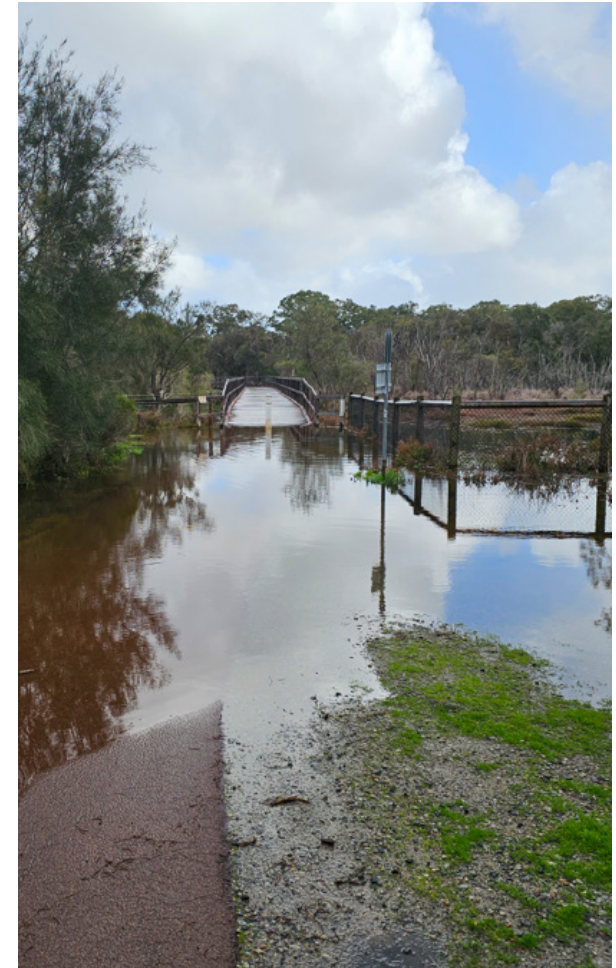
The largest site is Bassendean is Ashfield Flats which is a tidal driven saltmarsh mosquito-breeding habitat located on the northern bank of the Swan River (Derbarl Yerrigan). Mosquito and midge breeding is a natural occurrence in these environments, however the last couple of years has seen an increase in complaints and numbers.

On average, the past numbers of mosquito complaints received by the Town per financial year between 2014-2020 ranged anywhere from 3-18. These were during El Niño climate conditions. During 2020/21 and 2021/22, 40 and 31 complaints were received by the Town respectively, and it should be noted that this was during La Niña. There were 4 notified cases of Ross River Virus in the Town of Bassendean during 2021/22. The following species have been recorded over 2020/21 and 2021/22:

- *Aedes camptorhynchus*
- *Aedes notoscriptus*
- *Aedes vigilax*
- *Anopheles annulipes* species A
- *Culex annulirostris*
- *Culex australicus*
- *Culex globocoxitus*
- *Culex quinquefasciatus*

The flight range of these species can vary from 1 km to 10 km and a number are vectors of Ross River virus and potential vectors of Barmah Forest virus. In particular: *Ae camptorhynchus*, *Ae notoscriptus*, *Ae vigilax* and *Cx annulirostris*.

Due to the nature of the wetland being a TEC, no mechanical treatment is permitted in order to protect the vegetation and access to the main breeding sites is restricted due to dense vegetation. The Town is looking into the use of drones as part of the treatment process, however, this is a costly exercise.



5.5 Riverine processes

5.5.1 Foreshore conditions

The foreshore can generally be characterised by separating the approximately 1.2 km length into four sections, based on the existing infrastructure, level of erosion and conditions (shown in Figure 12. Further details of the four sections are described below.

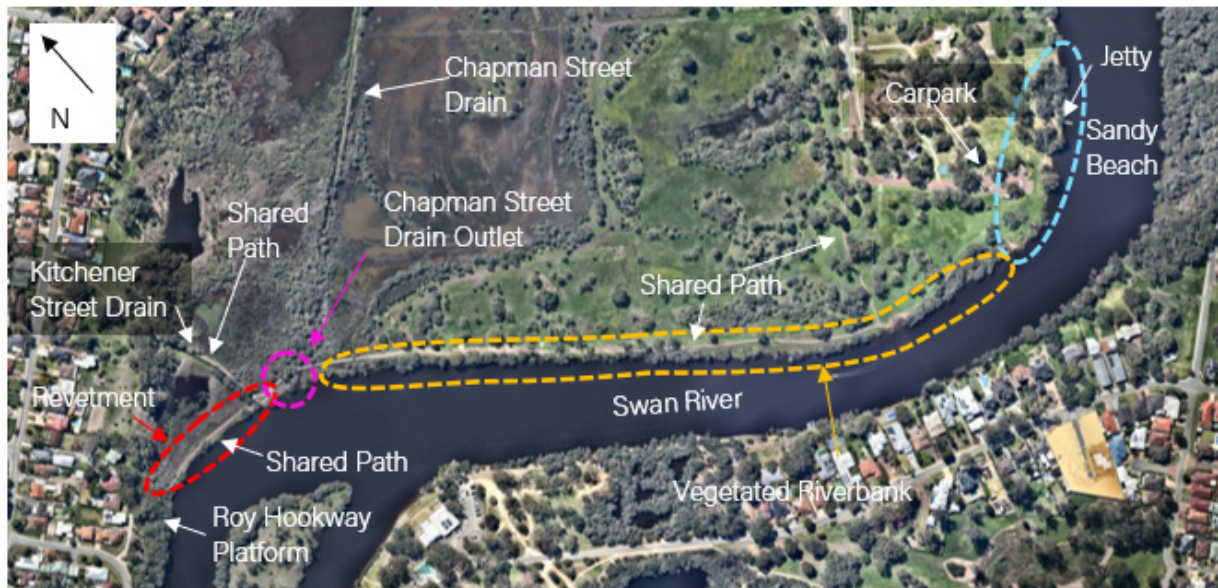


Figure 12: Layout and foreshore sections

Sandy Beach

Sandy Beach is a popular area for recreating, including for kayak and canoe launching and dog walking, with a grassed foreshore area fronting a large public carpark. A plan showing the area and the various stretches of shoreline is provided in Figure 13.



Figure 13: Sandy Beach

A number of built assets are located within the vicinity of the carpark. As outlined in MRA (2022), these built assets are currently mostly in poor to average condition.

The Sandy Beach Jetty has recently been replaced by DBCA. The new jetty appears to have been implemented with a relatively short design life, estimated to be in order of 10-20 years.

The Town has separately engaged consultants to complete a concept design for upgrades to the Sandy Beach foreshore and/or replacement of relevant structures. The Town has advised that the design is expected to include managed retreat for the beach and tree lined shorelines located at the northern and southern ends of the site, and, stabilisation measures to protect the carpark and adjacent areas.

Vegetated Riverbank

The approximately 750 m long stretch of riverbank extending north west of Sandy Beach is predominately vegetated with trees and sedges, and one small section of beach. DBCA (2019) has described the vegetation through this areas as "...fringing *Casuarina obesa* and *Eucalyptus* sp. trees over scattered *Juncus kraussii* subsp. *australiensis* and *Schoenoplectus tabernaemontani*

sedges (including plantings) on river banks..." This stretch of foreshore is understood to be highly valued by the local community. Public uses of the area include walking, dog-walking, cycling and bird watching.

The extent of this stretch of foreshore and associated assets are shown in Figure 14. As outlined in MRA (2022), the shoreline fronting Ashfield Flats is in poor condition, as erosion of the shoreline, scarping of the bank and undercutting of trees is evident throughout the riverbank.

A shared path runs parallel to the riverbank. This path is located relatively close to the river. The buffer between the path and the riverbank decreases to 1-2 m in some areas and the path is considered to be at risk of erosion.



Figure 14: Ashfield Flats vegetated riverbank

The foreshore in this area is low lying and known to be subject to inundation from time to time. Photographs from inundation of the area during 2021 are provided in Plate 1 and Plate 2.



Plate 1: Foreshore inundation during 2021



Plate 2: Inundation at Ashfield Flats in 2022

Chapman Street Open Drain Outlet

The location of the Chapman Street Open Drain Outlet is shown in Figure 15. This section of foreshore includes the man-made (ie cut) open drain and the low lying area of beach to the east. This stretch of foreshore is considered to be in poor condition as the shoreline is visibly eroded, trees are undercut and the open drain appears to be clogged with sediment and debris.

The drain outlet and adjacent beach are areas of the Ashfield Flats foreshore with the lowest elevation. This area floods frequently each year.

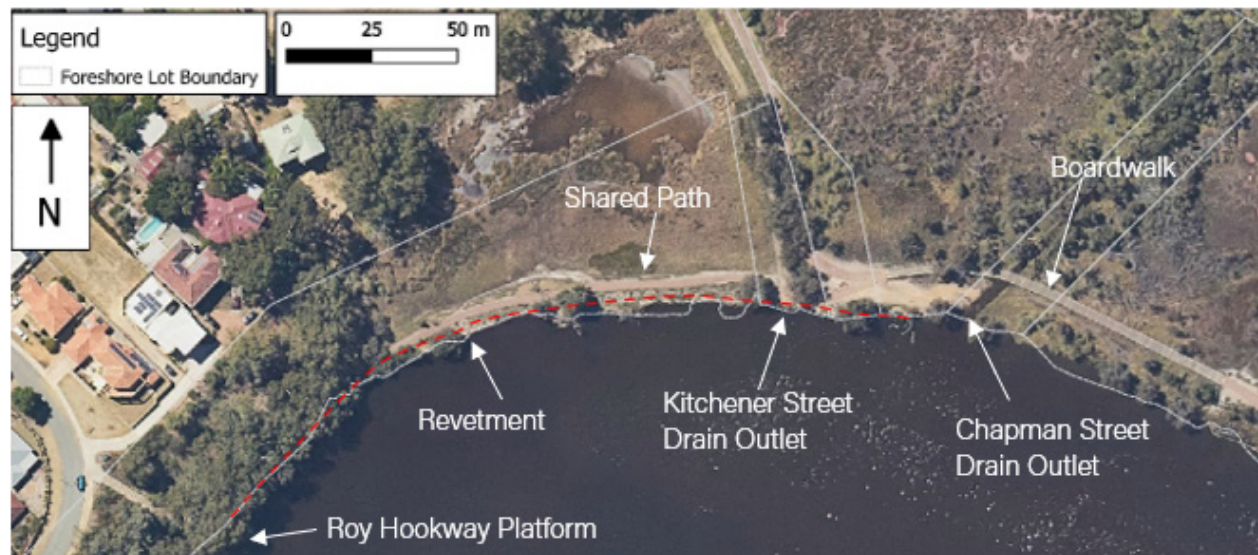


Figure 15: Kitchener Street drain outlet and Ashfield Flats western revetment

Ashfield Flats Western Revetment

The western end of the site is fronted by an approximately 180 m long revetment which spans from the Kitchener Street drain to the Ron Hookway Platform (Figure 15). As outlined in MRA (2022), the revetment is in average condition and several hardwood stakes are located in front of revetment and appear to be remnant from previous stabilisation measures (ie brush mattress wall). These stakes are recommended to be removed as they pose a safety hazard and their removal is not anticipated to significantly increase the degree of erosion which will continue to occur due to rising river levels (see section 5.5.3).

The level of the shared path and crest level of the revetment through this area are relatively low. Levels range from around +0.5 to 0.7 mAHD. Inundation of the shared path is known to occur from time to time.

There appears to be voids in the revetment surrounding the Kitchener Street Drain Outlet. The adjacent section of footpath is damaged with considerable cracking evident. This damage may be due to loss of material, or movement of the drain pipe.

The condition of the foreshore overall is shown in Figure 16.

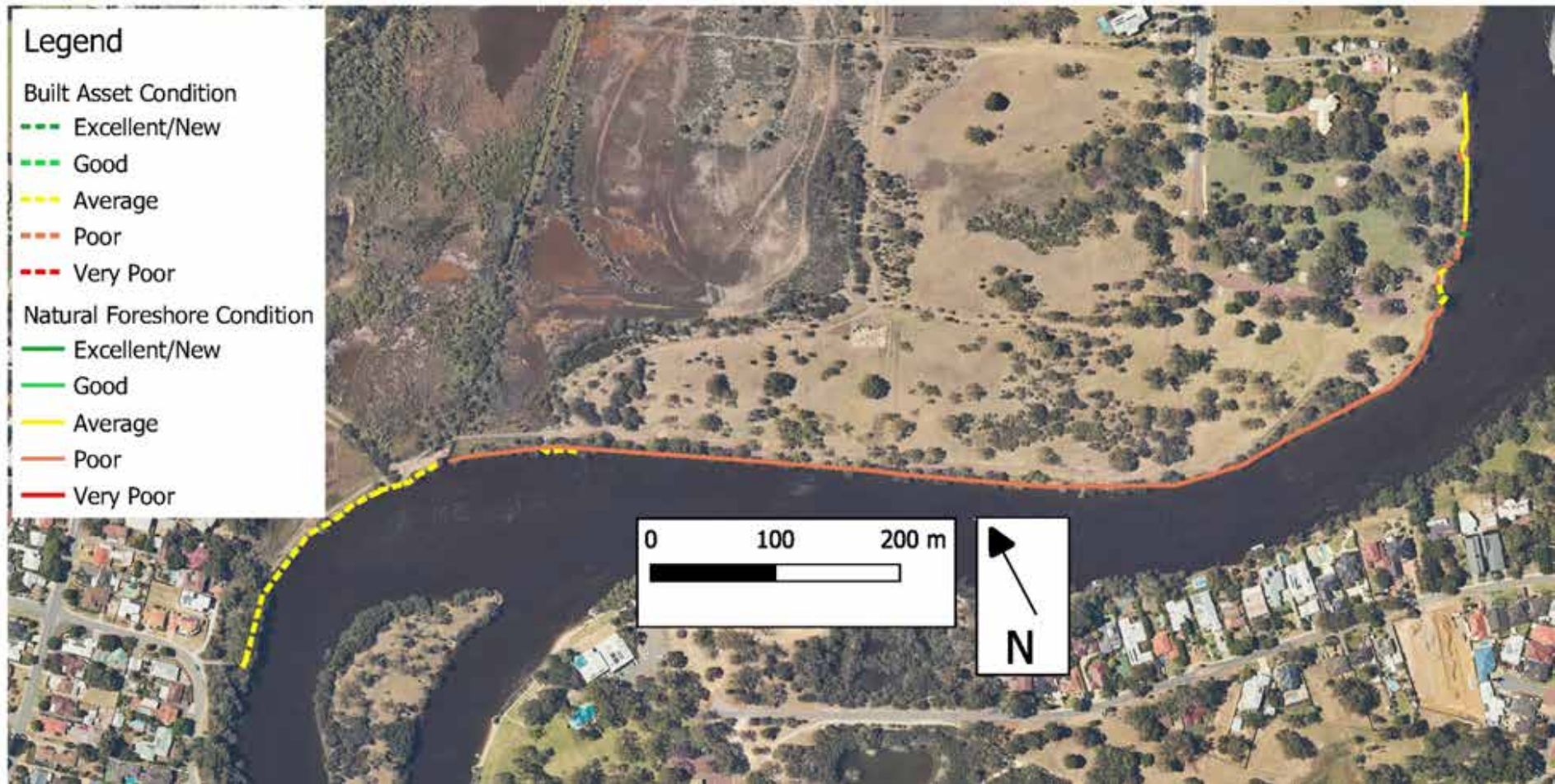


Figure 16: MRA (2022 & 2022a) Ashfield Flats Foreshore Condition Rating Plan

5.5.2 Waves

Wind generated waves

The site is partly protected from wind generated waves from the south and south-west winds due to the presence of Ron Courtney Island to the south west. Wind waves are therefore not considered a dominant factor at the site.

Boat wake

The predominant waves impacting the site are those generated by boats. Ashfield Flats is located on a 'power bend' in the river, therefore the impact of boat wash and natural tidal influence is a large contributor to the foreshore erosion that is occurring. Anecdotal evidence suggests that most boats also tend to stick to the Town of Bassendean side of the river, as it is deeper. This exacerbates the erosion issues caused by the frequency of vessel generated waves.

The Department of Transport (DoT) Swan Canning Riverpark Boating Guide (DoT, 2021) dictates a 5 knot vessel speed limit in the vicinity of Ashfield Flats. It is understood that River Cruises are exempt from this speed limit, however, they usually stay within the limit for passenger comfort and experience.

The resultant wave field from a vessel is largely dependent on the vessel shape, speed, and the water depth in the area (AMC 2009). The DBCA (formerly as the Swan River Trust) investigated vessel wake generation and propagation in the river for a number of vessels at different speeds (AMC 2009 & CMST 2010). Given the 5 knot vessel speed limit, the expected design boat wash wave conditions along the shoreline of the site consist of a wave height of approximately 0.4 m and a wave period of 3 s.

The Sandy Beach Reserve foreshore has a jetty/mooring which is likely to experience vessel generated waves with the frequency of users. The Department of Transport has installed a fixed

speed camera at Sandy Beach Reserve and Garvey Park to assist with the control of boat speed, with the aim to reduce the impact of boat wash as a contribution to riverbank erosion at Ashfield Flats.

5.5.3 Water levels

Ashfield Flats is located 33 km upriver from the river mouth towards the upper extent of the Swan River Estuary (Derbarl Yerrigan). Water levels in the river are influenced by both river and ocean (tidal) influences.

Tides

A tide gauge is located at Barrack Square, which is approximately 9 km to the south-west of the site. A tide gauge is also located at Meadow Street Bridge in Guildford, which is approximately 3.5 km to the north-east of the site. Key tidal levels for each of gauges are provided in Table 2.

Table 2: Tidal characteristics

Key Tidal Level	Barrack Square Tide Gauge Level (mAHD)	Meadow Street Bridge Tide Gauge Level (mAHD) ¹
Highest Astronomical Tide (HAT)	0.54	~0.5
Mean Higher High Water	0.28	0.36
Mean Sea Level (MSL)	-0.01	0.08
Mean Lower Low Water	-0.29	-0.2
Lowest Astronomical Tide (LAT)	-0.45	-0.49

Notes: 1. Tidal characteristics are based on the Meadow Street Bridge Tide Gauge Submergence Curve prepared by Seashore (2018).

The riverine water levels at Ashfield are expected to be closer to those recorded at Meadow Street than Barrack Street due to their vicinity and the geometry of the river (Biodiversity Conservation and Science 2021).

5.5.4 Riverine influences & flooding

River flows in the Swan River (Derbarl Yerrigan) are generally restricted to the winter months following heavy rainfall (Brearley 2005). These freshwater flows diminish as stream flows in the catchment area stop in the drier months.

The Swan River estuary is subject to flooding when flows in the Swan and/or Canning Rivers are greatly increased. Flood levels have been recorded along the Swan River from the mid 1800's. The Waters & Rivers Commission (2000) collated the major flood events on record along the Swan River Estuary (Derbarl Yerrigan).

BMT WBM (2017) also considered reviewed the 1983 and 2017 flood events as part of their Swan and Canning Rivers flood study. It is noted that there has not been a significant flood event on the Swan River (Derbarl Yerrigan) since 1983 until an approximately 10 year ARI event in early 2017.

Joint estuarine influences

The BMT WBM (2017) Swan and Canning Rivers flood study considered the joint probability of both marine and riverine influences on flooding throughout the estuary. The data which is pertinent to the Ashfield Flats foreshore (site S38) is presented in Table 3 below.

Table 3: Extreme water levels at Ashfield Flats foreshore (BMT WBM, 2017)

ARI (years)	Water level (mAHD)
10	1.94
20	2.28
50	2.69
100	3.43
500	4.98

Sea Level Rise

Ambient and extreme water levels are expected to increase over the years with sea level rise as a result of climate change. Recommendations on the appropriate allowances for sea level rise to be used in coastal planning and development around Western Australia have been provided by the DoT and are presented in Figure 17 (DoT, 2010).

The DWER have previously advised that these figures are appropriate for use in planning on the Swan River (Derbarl Yerrigan). This figure shows a projected sea level rise of 0.9 m in the coming 100 years.

The recommended allowances for future sea level rise over each of the planning timeframes have been determined and are presented in Table 4. The increases in sea level are referenced to 2022.

Table 4: Sea level rise (SLR) allowances

Planning Timeframe	SLR Allowance (m)
2032 (10-year)	0.05
2047 (25-year)	0.15
2072 (50-year)	0.39
2112 (90-year)	0.87
2122 (100-year)	0.97

Flood currents

As part of its detailed flood study of the Swan River BMT WBM (2017) determined flood current velocities throughout the Swan River (Derbarl Yerrigan) for various ARI events. BMT WBM’s peak current speeds associated the 20 year ARI flood event are presented in Figure 18. The flow patterns provide an indication of the areas where the erosive pressures of the typical currents as well as flood currents are expected to be highest. As shown in Figure 18, higher current speeds occur along Sandy Beach and the western end of Ashfield Flats. This coincides with areas of increased historical erosion.

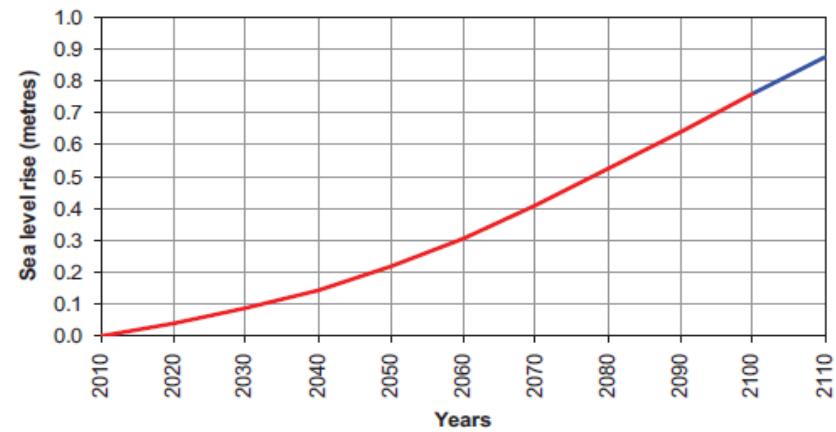


Figure 17: Recommended sea level rise allowances (DoT, 2010)

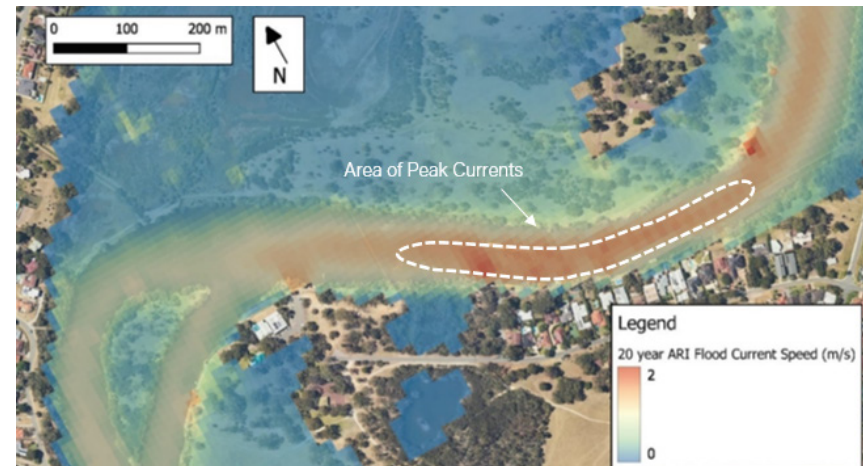


Figure 18: 20-year ARI flood current speeds (BMT WBM 2018)

5.5.5 Historical shoreline movement

In absence of sufficient historical survey information covering the foreshore and riverbanks, the historical stability of the foreshore has been reviewed by assessing historical aerial photographs and mapping the shoreline to compare the location and assess change. It is noted that mapping the shoreline via the vegetation line is a crude indicator of erosion as it can be influenced by factors such as extent of vegetation growth, canopy. And clearing, among other factors.

The location of the vegetation line along the Ashfield Flats foreshore was compared over 18 years of historical aerial photography from 2003, 2008 and 2021. The approximate overall shoreline movement for various areas of the foreshore, from 2003 to 2021 is shown in Figure 19.

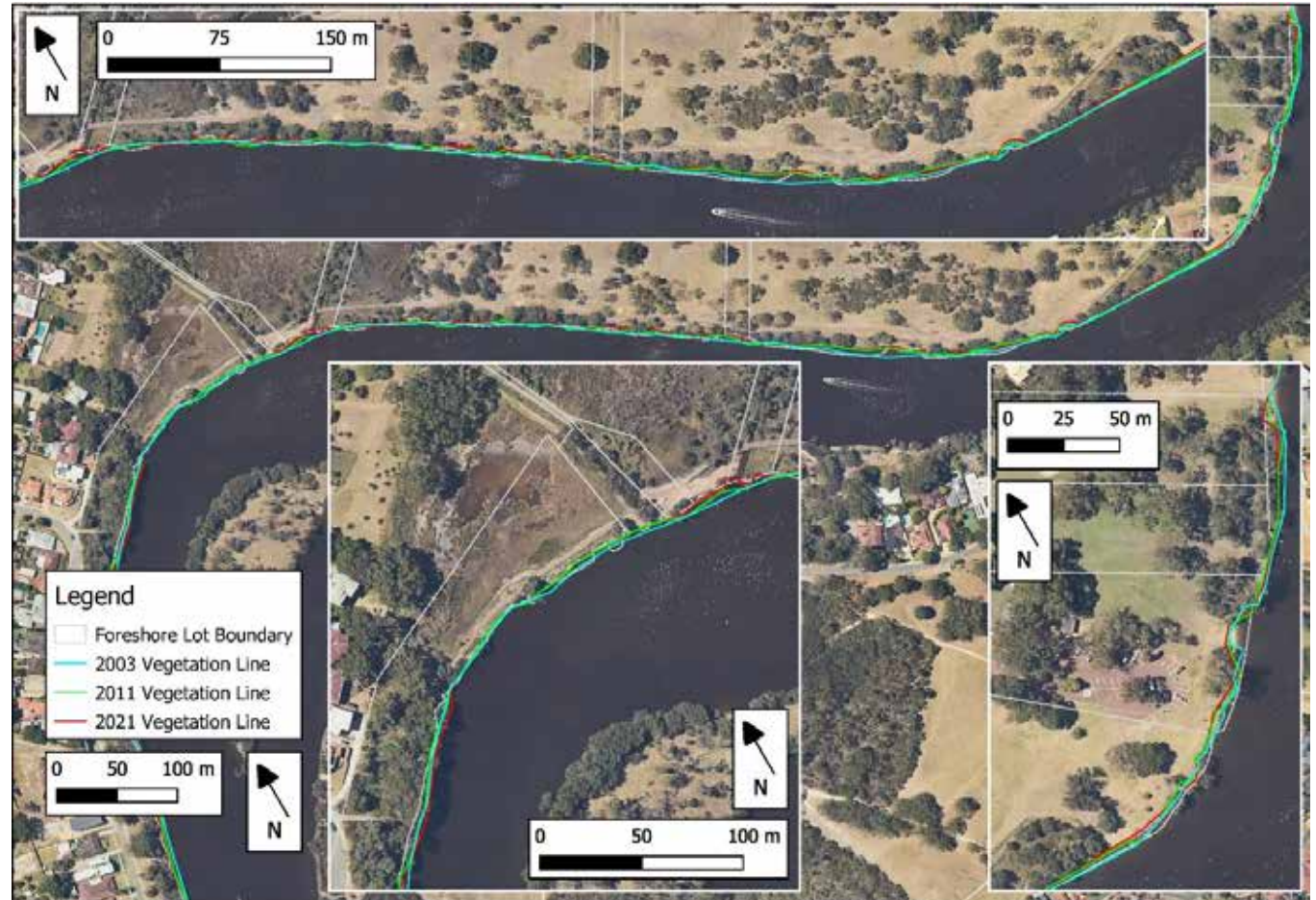


Figure 19: Ashfield Flats vegetation line movement 2003 to 2021

The following observations are noted.

- 5 to 7 m of erosion has occurred between 2003 and 2021 in a handful of locations at Sandy Beach.
- 3 to 5 m of erosion has occurred between 2003 and 2021 in various locations towards the eastern end of the Ashfield Flats Vegetated shoreline. Eroded areas tend to coincide with locations where trees and riverbank vegetation has been lost.
- Erosion is less pronounced towards the western end of Ashfield Flats, where the riverbank vegetation is the most dense. Up to 2-3 m of has occurred between 2003 and 2021 in various locations.
- Up to 5 m of erosion has occurred between 2003 and 2021 at the Chapman Street Open Drain outlet.
- The Ashfield Flats Revetment appears to have stabilised the riverbank however the aerial photos indicate some vegetation behind the revetment has been lost over time.

Historical surveys

Comparison between the DBCA 2017 survey and DoT 1997 survey soundings indicates patterns accretion and shallowing throughout much of the Swan River (Derbarl Yerrigan) at Ashfield Flats. This includes:

- In the order of 0.3 to 0.5 m of accretion through much of the area of peak currents (refer Figure 2.15). This coincides with the deeper areas. Up to 0.8 m of shallowing has occurred in an isolated pocket at the deepest (approx. -3.5 mAHD) area of river.
- In the order of 0.5 to 0.8 m of accretion in deeper parts of the river to west of Ron Courtney Island, adjacent to Ron Hookway platform.

These deeper areas of river may have been scoured out to depth during previous significant flood events. Shallowing may have occurred in these deeper areas due to gradual accumulation of sediment, particularly in deeper areas, during the relatively calm period of river flows since the last significant flood event in 1983.

Accretion in the shallower areas of the river towards the riverbanks may be attributable to settlement of sediment eroded from the riverbanks, onto the riverbed.

5.5.6 Previous Stabilisation Works

A selection of previous stabilisation works implemented at Ashfield Flats are discussed below. The various structures at Sandy Beach are not discussed as these are expected to be modified as part of the Sandy Beach foreshore concept design.

2015 Restoration Works

The 2015 restoration works were located over an approximately 30 m long stretch of foreshore located at the western end of the vegetated stretch of riverbank, adjacent to the boardwalk. Based on the design drawings, the works appear to have involved regrading the eroded and scarped riverbank, placement of coir matting, vegetation planting (trees, shrubs, sedges and herbs), placement of brush log wall in front of the planting to provide temporary protection and fencing.

The works appear to have performed reasonably well and the planted vegetation is now well established. The brush mattress wall is in poor condition and the remnants are recommended to be removed.

Ashfield Flats Western Revetment

Minimal information regarding the Ashfield Flats Western Revetment is available. The structure appears to have been originally constructed during the 1980s and extended further east during the late 1990s. Extension of the revetment appears to have involved modifications to the Kitchener Street Drain outlet including installation of a culvert through reclaimed land and the revetment extension.

As outlined in MRA (2020), upgrades to this revetment are recommended within the next 7 to 9 years.

5.5.7 Proposed stabilisation works

The Town of Bassendean has been working with DBCA through the Riverbank Grants Scheme to address existing erosion of the Sandy Beach Reserve foreshore. The project will consider potential repairs or replacement of the timber river retaining wall either side of the jetty, as well as revegetation along the foreshore.

The Sandy Beach foreshore project is being delivered separately to, but concurrently with the development of the Ashfield Flats Master Plan. It is expected that land use initiatives from the Ashfield Flats Master Plan will be complemented by the Sandy Beach foreshore works.

5.5.8 Erosion and deposition

The site is subject to natural erosion process, which have been exacerbated by the lack of remnant vegetation and anthropogenic use of the flats and the Swan River (Derbarl Yerrigan). The western region of the Ashfield Flats foreshore is more vulnerable to the natural erosion forces of the river because it is situated on the outside of a meander. Conversely, the eastern section is situated on the inside of a meander and thus represents a depositional zone (Blair and Blatchford, 1978). Bank erosion is also caused throughout the area by wash from boats.

The Sandy Beach 10 Year Management Plan states the following:

“The timber walling at Sandy Beach Reserve is degraded; around the southern unfenced bushland pocket, the wall has failed completely and there are signs of degradation of the northern section of wall surrounding the middle bushland pocket, including erosion behind the structure. Reactive maintenance works were undertaken in January 2021; installing additional geotextile and fill material behind the failed sections of timber walling in the northern section. An assessment of the foreshore undertaken by MP Rogers and Associates PL in 2021 assessed the ‘natural’ areas of the foreshore as in ‘Average’ condition, and the timber walling as ‘Poor’ to ‘Very Poor’ condition. However, the consequences of potential erosion in the area were minor, giving a generally lower combination rating score. Recommended actions from the report include engaging a consultant to undertake a detailed design for erosion protection mechanisms and implementation of the design, with the likely outcome of the design process to include a combination of rock headlands, sand renourishment and revegetation.

In 2021, the Town successfully applied for funding from the DBCA’s Riverbank funding program to design a foreshore restoration plan for the area.

6 SOCIAL CONTEXT

The site is heavily utilised by the public, and is now a popular destination for passive recreational activities, bike riders, walkers, bird watching, dog owners and fishing. The newly developed Sandy Beach play space is attracting lots of visitors to the area, along with the existing barbeques, and jetty.

Current access to the study area is by car, bus, walking, cycling or by water (boat, kayak). The closest bus route is along Reid St (Transperth Route No 55). The key access routes through the study area is via the existing foreshore path network which includes a boardwalk across the drainage outlets, as well as the informal access network of fire access tracks. Most of the path network is inundated at certain times of the year, with the exception of the boardwalk.

The site also contains physical infrastructure such as the playground, toilets, jetty, bridges, walkways (paths), drains, roads, fences, bollards, bins, drink fountains and lights. The key areas of use are shown in Figure 20 and include:

- Ashfield Flats Reserve – the parkland setting is well used by pedestrians and dog walkers. While most people stay on the path network, many dogs are allowed to roam freely over the remaining area including through the wetland and into the river.
- Roy Hookway Platform – Used principally by the local community as it provides river access for swimming and fishing. Public access to this area is via a staircase at the corner of French Street and Ashfield Parade, and from the foreshore walking trail that extends from the remaining study area.
- The Lookout - A valued community vista and contemplation space atop the escarpment in the northern part of the study area. The banks of the escarpment were affected by a bushfire in 2015. The bank was revegetated by DPLH in 2019 and the vegetation has established very well. There is a

fire access track at the base of the escarpment. The site was a former contaminated site but has been remediated for restricted use.

- Sandy Beach Reserve – The site contains recreational facilities (BBQs, picnic tables, toilets), the Sandy Beach Reserve Nature Play Space, and a shoreline with multiple points of beach access that have the capacity to launch light watercraft (i.e., kayaks, stand up paddleboards, canoes). It is predominantly a parkland environment with remnant and regrowth eucalypt with some planting of native species. Foreshore revegetation projects have been conducted selected areas. The site also contains significant vegetation, which is not locally native, such as Jacaranda which may have cultural or inherent community value. The site has been filled to some degree since colonialisation. There are plans to undertake foreshore restoration activities adjacent to the recently refurbished jetty, with the end-of-service timber log wall to be replaced.
- Kitchener North – Predominantly parkland setting bordered to the west by the Kitchener Street open drain, which is a source of polluted stormwater discharge. The site contains a carpark and formal entrance that connects to the main walking trail of the study area. This location is often used by Kayakers and provides a linkage for cyclists between the Ashfield Flats path network and the surrounding road network. Woolcock Court Drain is situated in the eastern portion of Kitchener North.
- Chapman North – The area is predominantly parkland setting bordered to the west by the Chapman Street open drain. It can be accessed from Whitfield and Hamilton streets via well-utilised informal paths and contains Iverson Place Reserve, Hamilton Street Reserve, and Whitfield Street public open space. The site is filled with potentially contaminated material although the northern portion (Lot 8111) is remediated for restricted use.

The facilities and activities undertaken in Ashfield Flats are summarised in Table 5.



Figure 20: Main areas of use

Table 5: Facilities and activities in Ashfield Flats

Facilities / Infrastructure	Location	Activity
River and sandy beach area	Swan and Canning River	Water birds, kayaking, dog walking, walking, sitting and reflecting, fishing, boating
Trails	Ashfield Flats Loop (2.3km): paths from Sandy Beach along the foreshore to the jetty and further	Walking, running, cycling, bird watching
Formal walking path	From Sandy Beach to Ashfield Parade	Walking, running, cycling
Dog beaches	Sandy Beach	Dog walking
Playgrounds	Sandy Beach Reserve	Playing, climbing, swinging,
Boardwalks	Over Chapman St Drain	
Jetties	Sandy Beach Reserve	Fishing, boating
Stairs and fishing platform	Ashfield Parade	Fishing
Limestone track firebreak access	Behind properties 25-39 Hardy Road	Firebreak access
Barbecues, drink fountains, benches, picnic areas	Sandy Beach Reserve	Picnicking
Bike racks	Sandy Beach Reserve	Cycling
Public toilets	Sandy Beach Reserve	
Parking Areas	End of West Rd	
Bus transport	Reid St, West Rd	
Roads	West Rd	Scenic driving / viewing
Interpretive Signage	Along the boardwalk	
Lookout	Hardy Road/Kenny Street	Viewing platform, indigenous interpretive signage/ benches
Gauging Station	Chapman Street drain	DWER monitoring
Pumping Station	End of Chapman Street drain	Water Corporation
Monitoring bores	Throughout Ashfield Flats	Groundwater monitoring

6.1 Aboriginal heritage

Archaeological evidence indicates that Ashfield Flats and the greater Bassendean area was used historically by the Whadjuk people 30,000 years before pre European colonisation when James Stirling and his exploratory expedition arrived in Western Australia in 1827. The Whadjuk people would have likely used the marshy river flats and camped on higher ground.

6.1.1 Registered heritage sites

The DPLH is responsible for assessing the impact of development on Aboriginal Heritage sites. A search of Registered Aboriginal sites using the DPLH Registered Aboriginal Heritage Places Database revealed two sites within the study area, neither with gender restrictions, as shown by the hatched area in Figure 21.

- Registered Aboriginal Site 3536: the Swan River (Derbarl Yerrigan) is a mythological site
- Registered Aboriginal Heritage Site 3671: Ashfield Parade artefacts / scatter

The Swan River (Derbarl Yerrigan) is an integral part of the Aboriginal culture as a site of significance to the Whadjuk and Nyungah people

and all impacts to the river are to be carefully considered.

Registered Aboriginal Site 3671 was “a small artefact scatter recorded by Ms. Sylvia Hallam near Ashfield Parade in 1973” (R. & E.O’Connor Pty Ltd, 2005). Discussions during the onsite meeting on the 2nd of November 2022 with Vaughn (Josh) McGuire a local Whadjuk man born in Balladong Country, confirmed the presence of these artefacts from S:3671 as including “spearheads, stone axes and boomerangs”.

The extent of the registered site means that approval is expected to be required from the DPLH to undertake any works which have an impact on the river.

6.1.2 Previous surveys

An archaeological survey was undertaken to investigate Aboriginal sites for the Ashfield Flats in 2005 (Quartermaine Consultants, 2005). The field investigation showed that there were no newly discovered archaeological sites located within the project area. However, the survey also states that “there is some possibility that subsurface archaeological material may be present within the

alluvial terrace of the Swan River (Derbarl Yerrigan) at this point.

Any ground disturbance of excavation should take this into consideration and monitoring of earthworks is recommended” (Quartermaine Consultants, 2005).

An ethnographic survey was also undertaken across the site by R & E O’Connor Pty Ltd in March 2005. This included a consultative process with the Wilkes Family sub-group and the Bropho family, Swan Valley Fringedwellers and Garlett family sub-groups of the Combined Metropolitan Working Group of native title claimants as well as the Ballaruk native title claimant group. The outcome of the consultation was that three of the groups approved the proposed works, but requested a further meeting to discuss proposals for a cafe, open auditorium and proposed extensions to the jetty facilities at Sandy Beach Reserve. They also requested that Aboriginal people should be involved in the revegetation work.



Figure 21: Registered Aboriginal Heritage Sites (DPLH-001)

7 FUTURE APPROVALS

There are a number of key stakeholders or approval agencies that have some responsibility for decisions within Ashfield Flats. Guidance should be sought from these agencies prior to undertaking any works within the study area, and appropriate approvals sought where required.

7.1 DBCA approval

Proposals that may affect the waters of the Swan Canning Development Control Area (DCA) include, but are not limited to, developments that might mobilise sediment, nutrients and non-nutrient contaminants to the DCA via streams, stormwater or groundwater management infrastructure, or groundwater flows; or may alter the hydrology of the DCA (WAPC, 2021b). Approval from DBCA under the *Swan and Canning Rivers Management Act 2006* typically involves the submission of either a Form 7 Permit Application or a Form 1 Development Application, depending on the scope and magnitude of the works.

7.2 Environmental approval

Any potential impact on the TEC will need to be assessed by the DBCA and referred to the Federal Department of Climate Change, Energy, the Environment and Water under the *Environment Protection Biodiversity Conservation Act 1999*.

In addition, the majority of the site boundary is within an Environmentally Sensitive Area (ESA). In accordance with the *Environmental Protection Act 1986*, a clearing permit is required to authorise any clearing of native vegetation within ESAs unless an exemption in Schedule 6 of the *Environmental Protection Act 1986* is applicable.

7.3 Aboriginal Cultural Heritage approval

In August 2023, the State Government announced it will change the legislative framework that is currently in place for Aboriginal heritage. The *Aboriginal Cultural Heritage Act 2021* will be repealed and an amended version of the *Aboriginal Heritage Act 1972* will be presented to Parliament.

The *Aboriginal Heritage Act 1972* establishes a Register of Aboriginal Sites, which contains information about Aboriginal sites of cultural heritage significance that meet certain requirements. The Swan River (Derbarl Yerrigan) is a Registered Aboriginal Heritage Site. Under the *Aboriginal Heritage Act 1972*, anyone wishing to carry out activities that may impact Aboriginal heritage sites or objects must obtain the necessary permits and approvals. This includes activities such as excavation, construction, and land development.

7.4 Planning approval

Under Clause 13 of the Metropolitan Region Scheme, approval of the WAPC is required for any development on land reserved for Parks and Recreation. However, there are a number of exemptions for development approval which include proposals for the use of reserved land that is owned by or vested in a public authority and that public authority is proposing to use the land for:

- the purpose for which it is reserved under the Scheme

Ashfield Flats Master Plan

- any purpose for which it was lawfully used before the coming into force of the Scheme
- any purpose for which the land may be lawfully used by the public authority.

Approval is also not required for development undertaken by a public authority on reserved land owned by or vested in a public authority, where the development is:

- permitted and does not involve the clearing of regionally significant bushland in a Bush Forever area
- expressly authorised under an Act to be commenced or carried out without the approval of the WAPC.

The Town of Bassendean is the local authority and would provide development approval for any proposed modifications or works onshore (outside the DCA) and to the carparks. Where development is proposed within a floodplain, contamination exists or an ASS management plan is required, approvals from DWER are also usually required.



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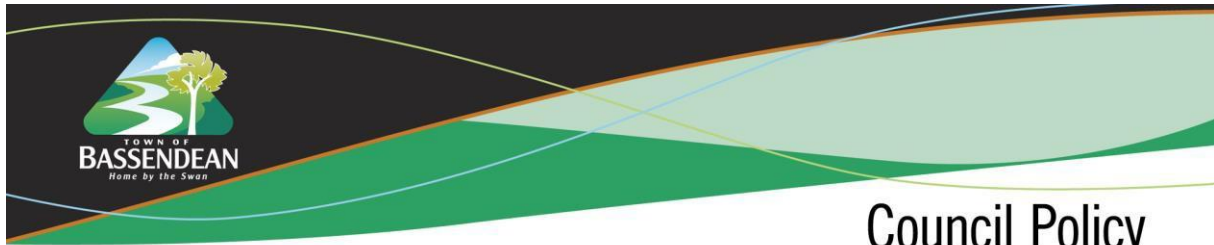
Client: Department of Biodiversity, Conservation and Attractions

Report	Version	Prepared by	Reviewed by	Submitted to Client	
				Copies	Date
Draft	V1	SSh	JSh	Electronic	14 Sept2023
Draft for advertising	V2	SSh	REp	Electronic	13 October 2023
Final draft for advertising	V3	SSh	JSh	Electronic	10 November 2023
Final	V4	SSh	HBr	Electronic	26 February 2024

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Celebration Trees Policy

Policy Objective

This policy aims to provide consistent and effective administration in relation to requests for planting of celebration trees.

Policy StatementScope

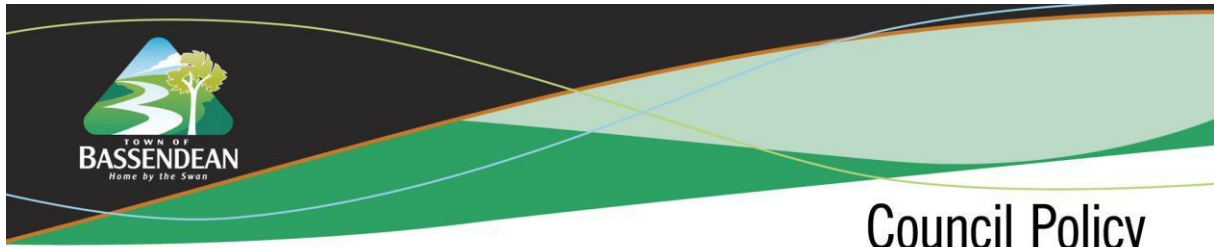
This Policy provides guidance on managing requests for memorial/ commemorative tree planting. The Town of Bassendean acknowledges the importance of trees for the liveability of the Town and the importance of planting a tree(s) can have on important life events. Tree plantings generally have a 50%-80% survival probability over 35 years.

Policy Statement

Memorial Tree Planting

The Town of Bassendean will facilitate the placement of celebration trees, subject to payment of fees as per the Annual Fees and Charges. The facilitation and implementation of the tree memorial is subject to the following:

1. A Celebration Tree Application form will need to be completed to request the planting of a tree.
2. Tree planting locations will be provided for the planting season. The resident applicant can request to plant a tree in a specific park, however, the preferred location may not always be possible.
3. The planting of the tree is to be undertaken by the Town on a date/ time agreed with by the applicant, with optional assistance from the resident applicant.
4. Planting of trees will be carried out during the winter planting season.
5. The tree will be managed with the same care and protection of general street and reserve trees located in the Town.
- ~~6. On the day of the planting, a Parks and Garden team member will prepare the location, have the tree delivered and make the area safe for where the tree will be placed.~~
- ~~7. The resident will need to bring their own tools to plant the tree.~~
- ~~6.~~
- ~~8.~~ Memorial plaques or other materials will not be left on or near the tree.



Council Policy

Application

~~Responsibility for the implementation of this policy rests with the Chief Executive Officer. The Policy is to be reviewed every three years.~~

Document Control box			
Document Responsibilities:			
Owner:	Chief Executive Officer <u>Executive Manager</u> <u>Sustainability and Environment</u>	Owner Business Unit:	Executive Manager Sustainability and Environment
Inception Date:	May 2021 <u>Amended April 2024</u> <u>OCM 30/04/24</u> <u>(Meeting Date)</u>	Decision Maker:	Council- (OCM-7/5/21)
Review Date:	<u>30/04/2027</u> <u>May 2023</u>	Repeal and Replace:	Chief Executive Officer <u>N/A</u>
Compliance Requirements:			
Legislation:	<i>Local Government Act 1995 Part 5.</i>		
Link to Strategic Community Plan:	Create a community closely connected to its history and heritage. Creating an environment where people feel welcome and safe.		

WASTE SERVICES POLICY

Policy Objective

This Policy aims to provide consistent and effective provision of services relating to waste collection.

One Planet Living Principles, reducing waste to landfill, increased recycling and earthcycling, reducing per capita generation of waste, providing a cost effective service and supporting the circular economy are key considerations and will be incorporated into these services.

Policy Scope

This Policy provides guidance on how the Town will deliver waste services within the district, with further details provided in the Town's Waste Services Management Practice (the Management Practice).

Policy Statement

1. The Town of Bassendean collects, processes, recycles and disposes of waste generated within its boundaries.
2. The service is provided to all residential properties who follow the requirements of the service as detailed in the Management Practice.
3. Commercial or other properties may elect to use the Town's kerbside collection service.
4. The service must be provided in accordance with:
 - a) *Local Government Act 1995*;
 - b) *Waste Avoidance and Resource Recovery Act 2007*;
 - c) *Waste Avoidance and Resource Recovery Regulations 2008*;
 - d) *Waste Local Law 2019*;
 - e) *Waste Avoidance and Resource Recovery Strategy 2030*;
 - f) *Waste Avoidance and Resource Action Plan 2030*; and
 - g) *Town of Bassendean's Waste Plan*.

5. The service must consist of the following:
 - a) Kerbside collection of Food Organics and Garden Organics (FOGO), Recycling and General Waste;
 - b) Collection of bulky hard waste and larger greenwaste; and
 - c) Provision of public litter bins at appropriate locations.

6. Additional services may be provided as outlined in the Management Practice.

7. Services are to be provided with the following considerations:
 - a) A standard service includes a reasonable quantity of services which represents average use;
 - b) Services that are requested above the standard services are provided on a user pays principle where applicable;
 - c) Additional or alternative services for compassionate reasons or management of a significant tree above the standard service level can be provided at no cost, subject to guidelines;
 - d) Better Practice guidelines are adopted as soon as practicable following their introduction;
 - e) The Waste Hierarchy and Circular Economy is incorporated into decision making and service delivery; and
 - f) Services are to be provided for the community benefit and protected against repeated non-compliance by individuals.

Document Control box			
Document Responsibilities:			
Owner:	Executive Manager Sustainability and Environment	Owner Business Unit:	Sustainability and Environment
Inception Date:	OCM 9/12/22 Amended December 2022 April 2024 (OCM 30/04/24)	Decision Maker:	Council
Review Date:	Annual 30/04/2027	Repeal and Replace:	N/A
Compliance Requirements:			
Legislation:	Local Government Act 1995 Part 5.		



Client
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Family Trust ACN 646 002 593
Project Address
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Bassendean
Project Shire
Town of Bassendean

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COVER PAGE

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Attachment 12.9.1

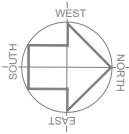
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Your Dream of 296
267 of 296





LOT 524

494m²

SERVICE INFORMATION

AREA ESTABLISHED
 SEWERAGE TBC DEPTH
 WATER TBC PRELAID
 ELECTRICAL TBC
 TELECOM TBC
 GAS TBC
 DRAFTED DF SURVEY OR TS

SERVICE LEGEND

SURVEY

✱ DATUM
 ○ PF PEG FOUND
 ○ PG PEG GONE

SEWERAGE

○ SEW SEWER MANHOLE
 ○ IO INSPECTION OPENING
 ○ IS INSPECTION SHAFT

WATER

○ M WATER METER
 ○ H HYDRANT
 ○ F FLUSH POINT
 ○ V STOP VALVE

ELECTRICAL

○ □ D POWER DOME/PILLAR
 ○ P POWER POLE
 ○ L LAMP POST
 ○ C CONSUMER POLE
 ○ A STAY WIRE ANCHOR

STORMWATER

○ STORMWATER MANHOLE
 □ GRATE
 □ SIDE ENTRY PIT

GAS

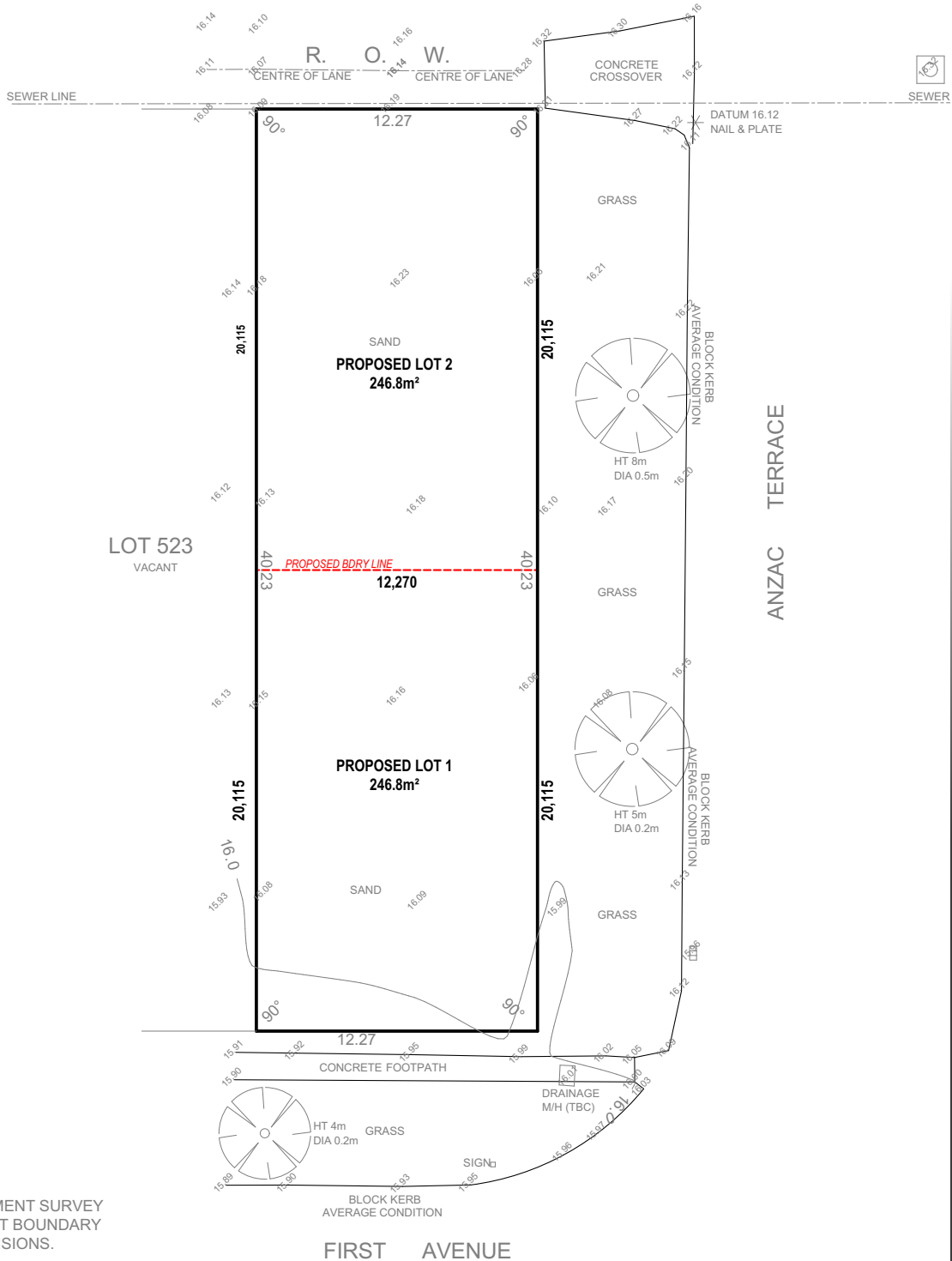
○ G GAS METER
 ○ S SERVICE VALVE

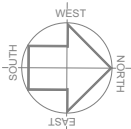
TELECOM

○ COMMUNICATION PIT
 ○ TELSTRA MANHOLE

SEWER CONNECTION POSITION

UNABLE TO CALCULATE SEWER CONNECTION DEPTH AT TIME OF SURVEY





LOT 524

494m²

R-CODES NOTE:

ZONING: R20/40

SITE COVERAGE

SITE: 246.8m²

ALLOWED COVER: 135.74m² (55%)

ACTUAL COVER: 117.98m² (47.8%)

R-CODES VARIATION/PLANNING REQUIRED:

BAL ASSESSMENT REQUIRED: NO

PAVING NOTE:

ALL PAVING BY BUILDER AS SHOWN ON PLAN

AVERAGING
7.11m² BEHIND
1.65m² IN FRONT

GARAGE NOTE:

- FALL GARAGE SLAB 20mm TOWARDS MAIN GARAGE OPENING

PLUMBING NOTE:

- PLUMBING DRAINAGE PLAN DIAGRAMMATIC ONLY. FINAL POSITION TO BE DETERMINED BY PLUMBER ON SITE

- NO HOBS TO SHOWERS UNLESS SHOWN OTHERWISE.

- PLUMBER TO INSTALL REFLUX VALVE, IF REQUIRED.

NOTE:

- PROVIDE CONDUIT & DRAW WIRE IN COMMON TRENCH TO METER BOX

SEWER:

- SEWER POSITION AND INVERT LEVEL TO BE ADVISED

STORMWATER:

- INTERCONNECTED SOAKWELLS BY BUILDER.

ALL STORMWATER & SURFACE WATER DRAINAGE TO BE INSTALLED IN ACCORDANCE WITH NCC VOL 2, A.S. 3600.3:2003 & LOCAL AUTHORITY REQUIREMENTS.

Soak Well Type	No.	Capacity
SW 1200x1500	2	3.4 m ³
Roof Area GF		21.0 m ²
Paved Area		6.0 m ²
Roof Area UF		151.0 m ²
Total Area		188.0 m ²
Capacity Required (Area x 0.0130)		2.3 m ³
Extra Capacity Provided		1.1 m ³

SERVICE INFORMATION

AREA ESTABLISHED

SEWERAGE TBC DEPTH

WATER TBC PRELAI

ELECTRICAL TBC

TELECOM TBC

GAS TBC

DRAFTED DF SURVEYOR/TS

SERVICE LEGEND

SURVEY

* DATUM

o PF PEG FOUND

o PG PEG GONE

SEWERAGE

o SEW SEWER MANHOLE

o IO INSPECTION OPENING

o IS INSPECTION SHAFT

WATER

o M WATER METER

o H HYDRANT

o F FLUSH POINT

o V STOP VALVE

ELECTRICAL

o D POWER DOME/PILLAR

o P POWER POLE

o L LAMP POST

o C CONSUMER POLE

o A STAY WIRE ANCHOR

STORMWATER

o STORMWATER MANHOLE

o GRATE

o SIDE ENTRY PIT

GAS

o G GAS METER

o S SERVICE VALVE

TELECOM

o COMMUNICATION PIT

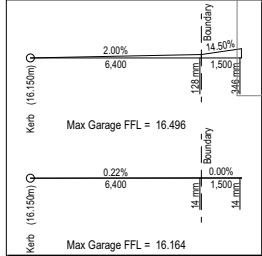
o TELSTRA MANHOLE

SEWER CONNECTION POSITION

UNABLE TO CALCULATE SEWER CONNECTION DEPTH AT TIME OF SURVEY

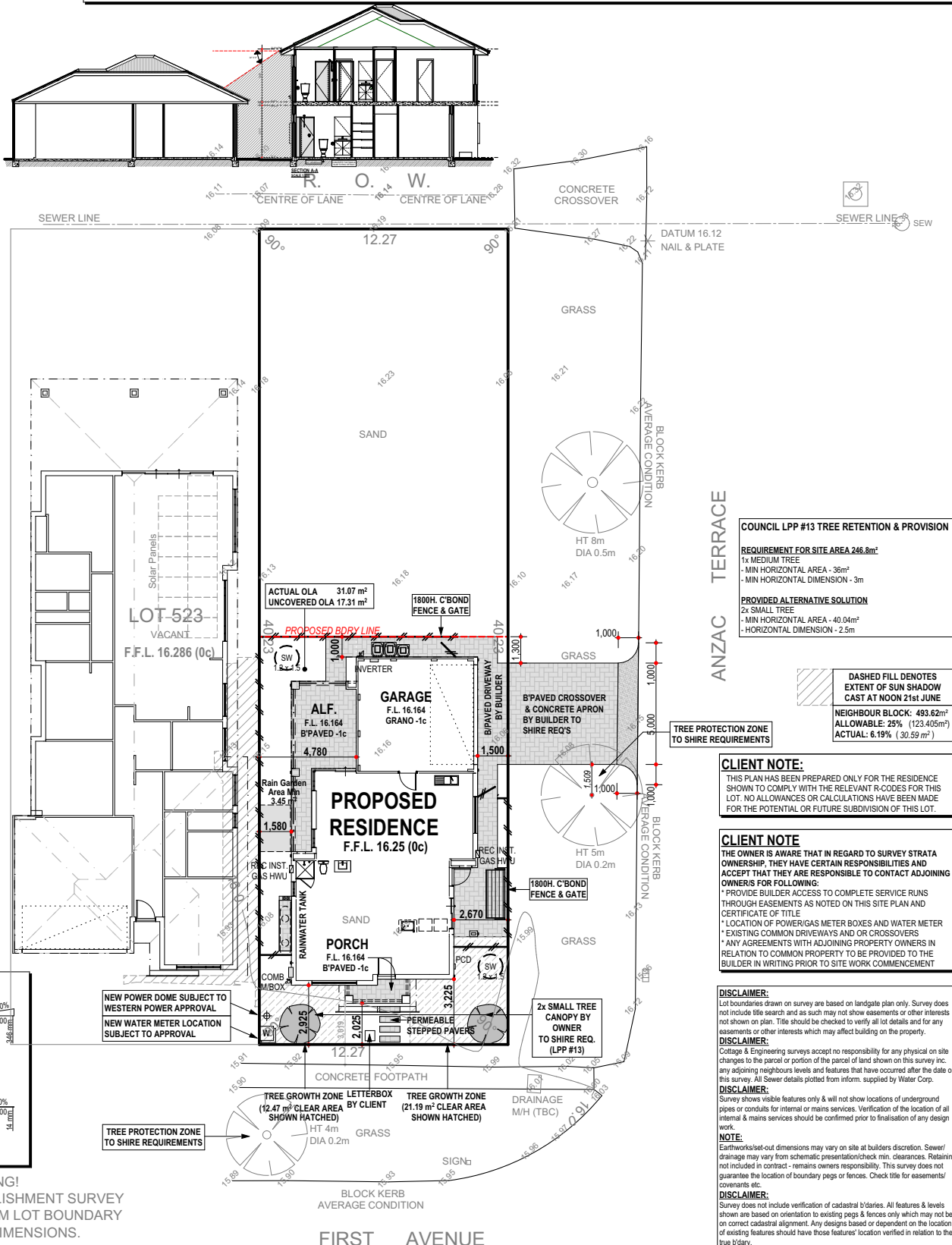
SEWER LOCATION AND INVERT LEVEL TO BE CONFIRMED. FINISHED FLOOR LEVEL SUBJECT TO CHANGE

DRIVEWAY GRADIENT:



WARNING!

BOUNDARY RE-ESTABLISHMENT SURVEY REQUIRED TO CONFIRM LOT BOUNDARY POSITION AND DIMENSIONS.



COUNCIL LPP #13 TREE RETENTION & PROVISION
REQUIREMENT FOR SITE AREA 246.8m²
1x MEDIUM TREE
- MIN HORIZONTAL AREA - 36m²
- MIN HORIZONTAL DIMENSION - 3m
PROVIDED ALTERNATIVE SOLUTION
2x SMALL TREE
- MIN HORIZONTAL AREA - 40.04m²
- HORIZONTAL DIMENSION - 2.5m

DASHED FILL DENOTES EXTENT OF SUN SHADOW CAST AT NOON 21st JUNE
NEIGHBOUR BLOCK: 493.62m²
ALLOWABLE: 25% (123.405m²)
ACTUAL: 6.19% (30.59 m²)

CLIENT NOTE:
THIS PLAN HAS BEEN PREPARED ONLY FOR THE RESIDENCE SHOWN TO COMPLY WITH THE RELEVANT R-CODES FOR THIS LOT. NO ALLOWANCES OR CALCULATIONS HAVE BEEN MADE FOR THE POTENTIAL OR FUTURE SUBDIVISION OF THIS LOT.

CLIENT NOTE
THE OWNER IS AWARE THAT IN REGARD TO SURVEY STRATA OWNERSHIP, THEY HAVE CERTAIN RESPONSIBILITIES AND ACCEPT THAT THEY ARE RESPONSIBLE TO CONTACT ADJOINING OWNER'S FOR FOLLOWING:
* PROVIDE BUILDER ACCESS TO COMPLETE SERVICE RUNS THROUGH EASEMENTS AS NOTED ON THIS SITE PLAN AND CERTIFICATE OF TITLE
* LOCATION OF POWER/GAS METER BOXES AND WATER METER
* EXISTING COMMON DRIVEWAYS AND OR CROSSOVERS
* ANY AGREEMENTS WITH ADJOINING PROPERTY OWNERS IN RELATION TO COMMON PROPERTY TO BE PROVIDED TO THE BUILDER IN WRITING PRIOR TO SITE WORK COMMENCEMENT

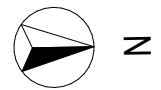
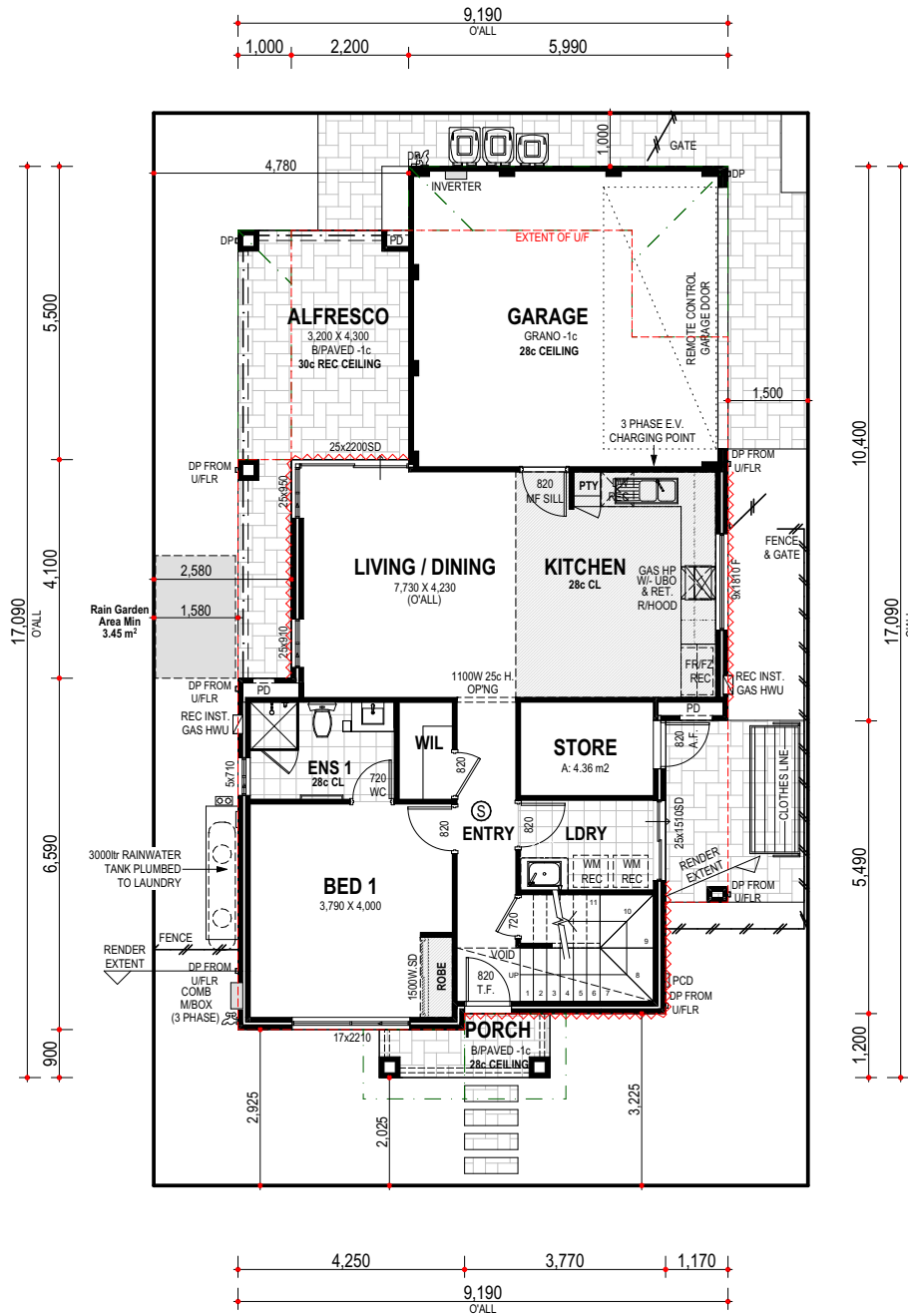
DISCLAIMER:
Lot boundaries drawn on survey are based on landgate plan only. Survey does not include title search and as such may not show easements or other interests not shown on plan. Title should be checked to verify all lot details and for any easements or other interests which may affect building on the property.
DISCLAIMER:
Cottage & Engineering surveys accept no responsibility for any physical on site changes to the parcel or portion of the parcel of land shown on this survey inc. any adjoining neighbours levels and features that have occurred after the date on this survey. All Sewer details plotted from inform. supplied by Water Corp.
DISCLAIMER:
Survey shows visible features only & will not show locations of underground pipes or conduits for internal or mains services. Verification of the location of all internal & mains services should be confirmed prior to finalisation of any design work.

NOTE:
Earthworks/set-out dimensions may vary on site at builders discretion. Sewer/drainage may vary from schematic presentation/check min. clearances. Retaining not included in contract - remains owners responsibility. This survey does not guarantee the location of boundary pegs or fences. Check title for easements/covenants etc.
DISCLAIMER:
Survey does not include verification of cadastral boundaries. All features & levels shown are based on orientation to existing pegs & fences only which may not be on correct cadastral alignment. Any designs based or dependent on the location of existing features should have those features' location verified in relation to the true b'dary.

CLIENT: HMO PROPERTY CO	
ADDRESS: LOT 524 (#59A) FIRST AVENUE, BASSENDEAN	
PLAN: P2813	CIT: 4024/563 AUTHORITY: TOWN OF BASSENDEAN
DATE: 28/04/2023	JOB REFERENCE: TSA3146 - FS
H. Grid : LOCAL	Local level : A.H.D. value SEWER M/H Distance
V. Datum : AHD	A.H.D. level : 16.38 derived from : 8528 from Datum : 12.58m
VERSION	DATE DESCRIPTION APPROVED BY

A| U4/3 Wicks Street, Bayswater WA 6053
 P| PO Box 102, Bassendean WA 6934
 M| 0433 304 648
 E| admin@tsasurveys.com.au
 W| www.tsasurveys.com.au
 ABN| 56 645 650 666

IMPORTANT NOTES:	
1.	The information on this drawing is current at the date of survey.
2.	All services are to be confirmed with relevant authorities.
3.	This includes without limitation; Sewerage / Water / Drainage / Electrical / Gas & Communications
4.	Further Limitations / Interests / Encumbrances / Notifications may be listed on the Certificate of Title.
5.	Original lot dimensions taken from Landgate Survey Plans.
6.	Boundary Re-establishment Survey required to confirm lot boundary position and dimensions.
7.	The sole purpose of this plan is for presentation to WAPC for process of application for subdivision to produce a conditional approval.
8.	Final lot numbers, dimensions and areas may vary due to WAPC requirements, government authority conditions and final field survey.
9.	This plan is for the purpose of application and in no way represents WAPC conditional approval.
10.	TSA Surveys does not accept liability for loss or damage to any person or corporation who may rely on this plan for any purpose.
	Permission is required from TSA Surveys for the reproduction or copying of this plan.
Scale: 1:200 at A3	0 5 7.5 10 15



- SUSTAINABLE DEVELOPMENT INCLUSIONS**
- 3kw SOLAR PANEL SYSTEM
 - 30000l RAINWATER TANK
 - 2x EV CHARGING POINTS (3 PHASE)
 - MIN 3.44m² RAIN GARDEN AT 2% OF ROOF AREA (171.71m²)
 - SOLAR ABSORPTANCE OF 0.5 FOR ROOF (SHALE GREY)

30c CEILINGS TO GROUND FLOOR AND
30c CEILINGS TO UPPER FLOOR U.N.O.

FINAL PLANS SUBJECT TO ADVICE
FROM PLUMBING AND AIR CON
SPECIALISTS

AREA & ROOM SIZES MAY VARY SLIGHTLY
DUE TO BRICK SELECTION.

ZONING: R20/40
BLOCK: 246.8m²
ALLOWED SITE COVER: 135.74m², 55%
ACTUAL SITE COVER: 119.17m², 48.3%

SKETCH PLAN

	Area m ²	Perim
FLOOR PLAN	85.39	39.76
GARAGE	33.78	23.26
ALFRESCO	17.86	23.20
PORCH	3.36	8.80
ROOF	140.39 m²	20.60

Client
NFT Enterprises Pty Ltd ATF Nourbehest
Family Trust ACN 646 002 593

Project Address
59A First Avenue,
Bassendean

Project Shire
Town of Bassendean

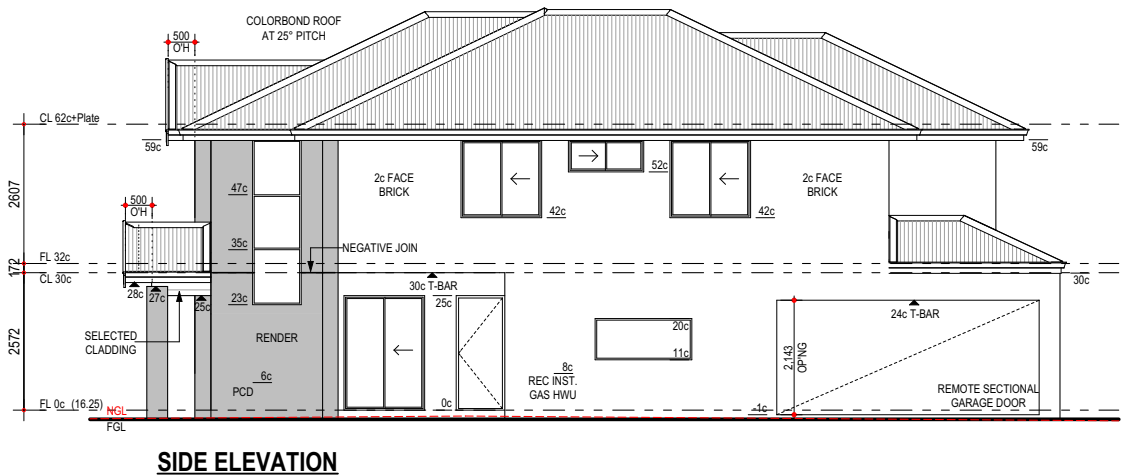
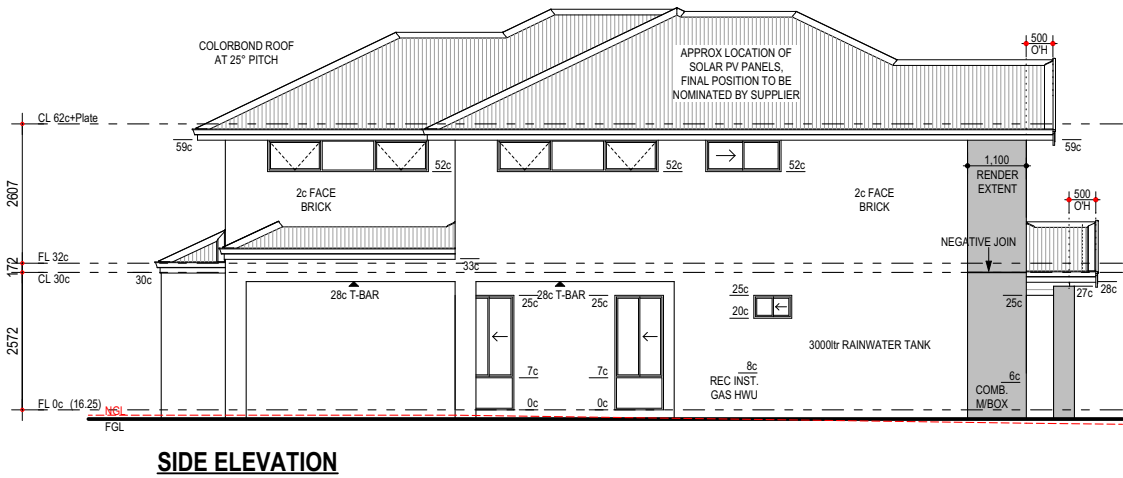
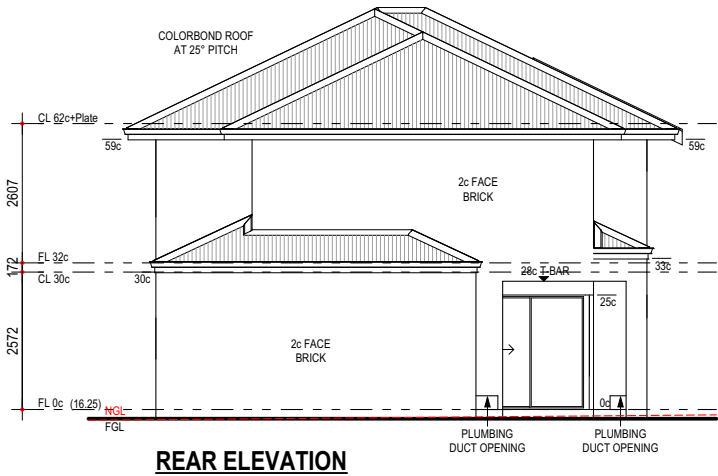
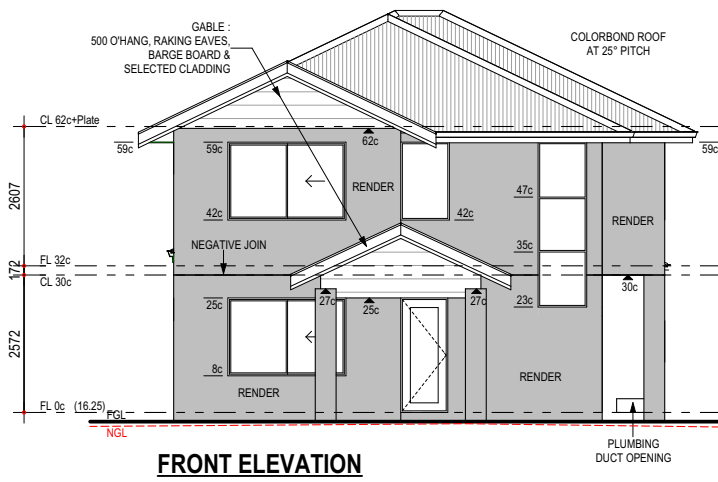
Drawing Title: SKETCH PLAN
Drawing No: 2 of 9

Scale: 1:100
Sheet Size: A3
Project No: 469

Attachment 12.9.1

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No	Property Address	Summary of Submission	Officer Response
1	59 First Avenue, Bassendean	<p>It is considered unacceptable in this case based on the following:</p> <ul style="list-style-type: none"> - The proposed development will cast a shadow of over 41.5% of the site area of No. 59 First Avenue - proportionate to the length of the (future) shared boundary and as measured at midday on 21 June. This exceeds the 25% considered acceptable in accordance with clause 5.4.2 of the Residential Design Codes (R-Codes). - The proposed development does not meet deemed-to-comply provisions and fails to provide justification in terms of the design principles of the R-Codes Volume 1. - The proposed development will completely overshadow both north facing kitchen windows. The kitchen is a major north facing habitable room in our home. - These windows also provide natural light for the kitchen, living and dining areas. - The kitchen and other habitable rooms were specifically designed to have north facing openings to comply with required 7-star energy rating and to provide a main source of light for these major habitable rooms. - The developer could make design changes that would address the overshadowing issue, the current proposal of a six bedroom, six bathroom house on 246.8m² is ambitious and would only be possible in the current design at the detriment of us in the neighbouring house. - With the further subdivision of the block on the north side clearly shown on the developers plans it is reasonable to suspect that this will be developed with a similar dwelling. This could cause further overshadowing of north facing habitable rooms and outdoor areas of our home. With relaxing of the R-Codes and Design Principles for the current design proposal this could set a precedent that would potentially further adversely impact us. - North facing windows assist with passive heating and cooling and have been placed in this location to improve our energy efficiency. Overshadowing of these windows will increase our need to rely on artificial heating and cooling to assist with the thermal control of our home, subsequently affecting our energy efficiency, the environment and impacting us financially with increased power bills. - We increased the wall and window height of many of the living room areas to assist with providing extra north facing sunlight for improved thermal control to assist in our 	<p>The development will overshadow windows to the scullery (non-habitable) and kitchen (habitable). This matter is discussed within the Council report.</p> <p>A development proposal for the western portion of the property will be considered on its merits if/when an application is made.</p> <p>The windows affected by overshadowing are not the main source of external light to the primary internal living area of the home. The impact of the shadow cast on energy efficiency of the adjoining dwelling is not likely to be significant.</p>

		<p>energy efficiency. This came at an extra cost to us and would be impacted by significant overshadowing of the proposed development.</p> <ul style="list-style-type: none"> - The developer's submission that the main windows to our living room face west and will be the main source of light in our home is incorrect. The west facing windows are our rear glass sliding doors and the light provided by west facing windows will mainly provide afternoon sunlight. These windows are also shaded by our rear alfresco. - Overall, we feel that the current proposed development significantly exceeds the level of reasonable overshadowing and will adversely affect our home in numerous ways. We object to the current proposal for the above listed reasons. 	<p>The developer's reference to west-facing openings is not relevant to consideration of the application against the relevant design principles, which specifically reference north facing openings.</p> <p>Overshadowing is discussed further in the report.</p>
2	52 First Avenue, Bassendean	<p>I'd like to express my strong objection to the proposed development, because of insufficient parking lots supporting it. My understanding is that the development will consist of 2 buildings with 6 bedrooms & 6 bathrooms each. That is probably a AirBNB setup which could result in potentially 12 cars requiring 12 parking lots.</p> <p>The proposed development is located already on the corner of Anzac Tce & First Ave and it I impossible to park cars next to the intersection. Therefore, the next alternative will be further down on First Ave, and probably in front of my house (2nd from the intersection).</p> <p>I already have ongoing problems with people parking their cars who commute using railway transport, so I cannot visualize parking for the above development?</p> <p>The potential and existing parking (currently there are cars parked on First Ave near the (intersection) close to the intersection with Anzac Tce has already created an unsafe situation e.g. driving from Walter Rd direction towards Railway Street I have to pass the parked cars on the left and side approaching the intersection. However, if there is a car driving from Anzac Tce towards Guildford and decides to turn to First Ave left, that would result in potential collision!!!</p> <p>The new proposed development will ONLY make the situation worse and therefore more unsafe for local residents and drivers.</p>	<p>A single (six-bedroom) dwelling is proposed. The intent to lease each bedroom on a permanent basis.</p> <p>Car parking bays are provided onsite as required by the R-Codes. Parking is discussed in the report.</p>
3		<p>Firstly the direct neighbour has shading issues and remembering how my own development application went I would hope that would be enough to block this application.</p> <p>Secondly they have split the block and only put in one application to build. While I understand finances and the ability to not be able to build two mcmasions at the same time the cynic in me believes that once they get the first 6 bed 6 bathroom house approved they would then</p>	<p>Overshadowing is discussed in the report.</p> <p>Any proposal for the western side of the lot will be considered on its merits if/ when an application is made.</p>

	<p>work on the second one. The second one wont really have any shading issues as such to block it so it will come down to car spaces and parking.</p> <p>Thirdly if this was a 4 by 2 double story I don't think you would have this type of backlash to the application because it would be a family home with adequate parking. I have personal experience with share homes and a 6 bed 6 bath house is either a share home or Airbnb. It doesn't matter if they promise to rent each room to 1 person only, a significant other will on average show up on a regular basis. While some people may not have cars the majority will and I fully expect to have 6-8 cars at all times on the block.</p> <p>Fourthly we already have parking issues on First Ave on the other side of Anzac Tce due to the 2 bed 2 bath units and they have a lot more parking spaces available that this proposed house will. Unless your going to allow them to park on Anzac Tce then the only viable option is for them to park on First Ave and cause congestion issues for the whole street but it will be focused on the houses close by like my house and Greg's.</p> <p>Fifthly bin day is going to be fun for the truck drovers to dodge and weave all of the cars to pick up the bins. This is going to lead to many times when the truck drivers are going to be called back to redo the job which will increase the rates we have to pay.</p> <p>If this someone gets approved we need some options to limit the carnage that is going to happen.</p> <p>The best one would be to put up no street parking unless you have a permit and only give 1 permit per household. This would help the whole street because of right now I haven't seen one house park more than 1 car on the verge.</p> <p>Another option that would assist me personally if we don't want to do permit parking is that I have 4 street trees on my verge and I only need to have 1 tree has per the council guidelines. If we can have 3 trees removed then I will be able to park at home without my car being damaged by the trees and having to fight for a parking spot.</p> <p>I use to be able to park my cars in the rear access but alas the developer for this project decided it would be fun to dig up my accessway to install a sewer connection and then leave unfilled holes in the ground from the dewatering process for people to break their ankles in.</p> <p>Pictures was taken and reported to the council who did absolutely nothing for weeks leaving the community to defend for itself. Luckily the contractors who were doing earthwork for the partially built house next door was able to fill in the holes in their lunch break. They tried to fix the damaged caused by the developer by smoothing out the laneway a bit but now I can</p>	<p>Car parking bays are provided onsite as required by the R-Codes. Parking restrictions in the locality may be considered by Council on request and in the event on street parking becomes an issue.</p>
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		only park 1 car instead of 2 cars in the carpark. This has now forced me to park a car that was undercover outside and potentially on the street if I have guest coming over.	
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**LIST OF PAYMENTS
FOR PERIOD
ENDED 31 March 2024**

*Any questions relating to the List of Payments, please raise with Paul White,
Director Corporate Services, prior to Briefing Session.*

SUMMARY OF SCHEDULE OF ACCOUNTS

FUND	VOUCHERS	AMOUNT \$
MUNICIPAL		
EFT, Direct Debits and Payroll 01-31 March 2024	51875-52072	2,615,281.15
Cheques Commonwealth 6100-1015-9128	N/A	260.50
Credit Card Payments		11,643.81
		\$2,627,385.46
		\$2,627,385.46

This list of payments, covering vouchers as above has been checked and is fully supported by vouchers and invoices, which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings, and the amounts shown have been paid.

TOWN OF BASSENDEAN
MARCH 2024 PAYMENTS (01/03/2024 - 31/03/2024)

Date	Name	Description	Amount
6/03/2024	A. M BOLTS & NUTS	Bolts and nuts supplies	-\$53.72
20/03/2024	A GILBERTHORPE	Refund - Hall/Venue hire - Key bond	-\$50.00
14/03/2024	A GRADE GLASS AND ALUMINIUM	Remove old door, supply and install new door - Bassendean Bowling Club	-\$3,575.00
20/03/2024	ACCWEST PTY LTD	General Accounting Assistance - Asset Register, BAS workings, Reconciliation of ATO control account and BAS data	-\$9,949.50
20/03/2024	ALL4CYCLING PTY LTD	Bike Station servicing	-\$319.00
6/03/2024	ALLSPORTS LINEMARKING	Line Marking - Bassendean Oval	-\$220.00
14/03/2024	ALLSPORTS LINEMARKING	Line Marking - Bassendean Oval	-\$220.00
20/03/2024	ALLSPORTS LINEMARKING	Line Marking - Bassendean Oval	-\$110.00
14/03/2024	ALSCO LINEN SERVICES PTY LTD	Sanitary unit replacement - Point Reserve	-\$82.12
14/03/2024	A VERSACE	Dudley Robinson Youth Grant	-\$250.00
12/03/2024	AMP FLEXIBLE SUPER - SUPER	Superannuation contributions	-\$286.80
26/03/2024	AMP FLEXIBLE SUPER - SUPER	Superannuation contributions	-\$286.80
12/03/2024	ANZ SMART CHOICE SUPER	Superannuation contributions	-\$602.57
26/03/2024	ANZ SMART CHOICE SUPER	Superannuation contributions	-\$602.57
14/03/2024	ASPHALTECH PTY LTD	Asphalt supplies	-\$563.28
14/03/2024	AUSTRALIA POST	Postal charges	-\$529.62
14/03/2024	AUSTRALIAN AIRCONDITIONING SERVICES PTY LTD	Replacement of level 2 air-conditioning unit - Library conservation room	-\$13,656.50
20/03/2024	AUSTRALIAN AIRCONDITIONING SERVICES PTY LTD	Replacement of air-conditioning unit - WIW Bassendean	-\$14,190.00
12/03/2024	AUSTRALIAN ETHICAL SUPER	Superannuation contributions	-\$620.04
26/03/2024	AUSTRALIAN ETHICAL SUPER	Superannuation contributions	-\$620.04
12/03/2024	AUSTRALIAN RETIREMENT TRUST	Superannuation contributions	-\$550.22
26/03/2024	AUSTRALIAN RETIREMENT TRUST	Superannuation contributions	-\$550.22
13/03/2024	AUSTRALIAN SERVICES UNION	Payroll deductions	-\$185.50
27/03/2024	AUSTRALIAN SERVICES UNION	Payroll deductions	-\$185.50
13/03/2024	AUSTRALIAN TAX OFFICE (PAYG)	Payroll deductions	-\$89,788.00
27/03/2024	AUSTRALIAN TAX OFFICE (PAYG)	Payroll deductions	-\$112,214.00
12/03/2024	AUSTRALIAN/WESTSCHEME SUPER	Payroll deductions	-\$8,203.05
26/03/2024	AUSTRALIAN/WESTSCHEME SUPER	Payroll deductions	-\$8,214.07
12/03/2024	AWARE SUPERANNUATION	Payroll deductions	-\$34,001.45

Date	Name	Description	Amount
26/03/2024	AWARE SUPERANNUATION	Payroll deductions	-\$35,428.52
14/03/2024	B RAMACHANDRAN	Refund - bond payment - key only	-\$50.00
6/03/2024	B VENUS TOY	Rates Refund	-\$170.00
14/03/2024	BASSENDAN NEWSAGENCY	Selected periodical titles - Library	-\$104.90
6/03/2024	BAYSWATER CABINETS PTY LTD	Cable cover box - Council Chambers	-\$5,600.00
6/03/2024	BEAVER TREE SERVICES	EHB Management - Dead wooding and stump grinding	-\$24,337.50
14/03/2024	BEAVER TREE SERVICES	Emergency call out - large branch across road - Jackson Street	-\$4,138.75
20/03/2024	BEAVER TREE SERVICES	After hours cleanup - large branch over playground - Parmelia Reserve	-\$2,145.00
6/03/2024	BING TECHNOLOGIES PTY LTD	Electronic postal charges	-\$505.67
20/03/2024	BING TECHNOLOGIES PTY LTD	Electronic postal charges	-\$1,087.60
6/03/2024	BOC LIMITED	Monthly container service - oxygen, acetylene and Argo shield	-\$48.30
20/03/2024	BOC LIMITED	Dry ice supplies	-\$14.85
6/03/2024	BOWDEN TREE CONSULTANCY	Arboriculture assessment & report - Bindaring Park	-\$924.00
14/03/2024	BRISCOLA PTY LTD	Reimbursement for duplicate payment processed in error	-\$3,000.00
6/03/2024	BUDGET PEST CONTROL	Cockroach spider treatment - CSC 35 Old Perth Road	-\$265.00
6/03/2024	BUNNINGS GROUP LIMITED	Hardware supplies	-\$202.52
14/03/2024	BUNNINGS GROUP LIMITED	Hardware supplies	-\$840.69
20/03/2024	BUNNINGS GROUP LIMITED	Hardware supplies	-\$268.29
20/03/2024	BUNZL LTD	Toiletry supplies	-\$650.14
6/03/2024	C BRIGGS	Refund - sustainable products rebate	-\$100.00
14/03/2024	C FRY	Refund - building permit	-\$2,805.00
6/03/2024	CAI FENCES	Chainwire fencing supplies - Caledonian Soccer Club	-\$5,500.00
14/03/2024	CARA FANNING	Refund - dog sterilisation	-\$150.00
12/03/2024	CARE SUPER	Payroll deductions	-\$856.10
26/03/2024	CARE SUPER	Payroll deductions	-\$856.10
14/03/2024	CASA SECURITY PTY LTD	Quarterly security maintenance - Administration 48 Old Perth Road	-\$1,432.20
20/03/2024	CASA SECURITY PTY LTD	Monthly security guard call-outs	-\$3,195.50
14/03/2024	CASCADA GROUP	Turf supplies	-\$1,815.00
14/03/2024	CHAMPION MUSIC WA	Entertainment - 6 Mar 24	-\$968.00
6/03/2024	CHIVERS ASPHALT PTY LTD	Asphalt reinstatement - Best Street	-\$5,698.00
14/03/2024	CITY OF BAYSWATER	Mosquito control services - Ashfield Flats	-\$9,743.50

Date	Name	Description	Amount
20/03/2024	CITY OF SOUTH PERTH	Impound Fees	-\$792.00
14/03/2024	CLEAR HEALTH PARTNERS PTY LTD	Employee Assistance Provider	-\$640.00
14/03/2024	COCKBURN PARTY HIRE	Event equipment supplies	-\$1,031.20
6/03/2024	COLES SUPERMARKETS AUSTRALIA	Groceries supplies - WIW	-\$940.35
20/03/2024	COLES SUPERMARKETS AUSTRALIA	Groceries supplies - WIW	-\$557.88
12/03/2024	COLONIAL FIRST STATE	Payroll deductions	-\$1,415.51
26/03/2024	COLONIAL FIRST STATE	Payroll deductions	-\$1,415.51
26/03/2024	COMMONWEALTH ESSENTIAL SUPER	Superannuation contributions	-\$17.31
20/03/2024	COMPLETE OFFICE SUPPLIES PTY LTD - COS	Office stationery supplies	-\$211.15
14/03/2024	CONNECT VICTORIA PARK INCORPORATED	Management Fees for HRV	-\$2,560.25
20/03/2024	COPYRIGHT AGENCY LTD	Local Government package	-\$378.79
20/03/2024	CR EMILY WILDING	Elected members quarterly payment - 01 JAN - 31 MAR 2024	-\$5,132.50
20/03/2024	CR JAMAYNE BURKE	Elected members quarterly payment - 01 JAN - 31 MAR 2024	-\$5,132.50
20/03/2024	CR JENNIFER MARGARET CARTER	Elected members quarterly payment - 01 JAN - 31 MAR 2024	-\$5,132.50
20/03/2024	CR KATHRYN HAMILTON	Elected members quarterly payment - 01 JAN - 31 MAR 2024	-\$17,080.00
20/03/2024	CR KENNETH PETER JOHN	Elected members quarterly payment - 01 JAN - 31 MAR 2024	-\$5,132.50
20/03/2024	CR PAUL NICHOLI POLIWKA	Elected members quarterly payment - 01 JAN - 31 MAR 2024	-\$7,535.50
20/03/2024	CR TALLAN JOHN MICHAEL AMES	Elected members quarterly payment - 01 JAN - 31 MAR 2024	-\$5,132.50
14/03/2024	CTI RISK MANAGEMENT	Customer Service banking collections	-\$453.75
14/03/2024	CURTAIN DECOR	Supply and installation roller blinds to office and entry - Ashfield Community Centre	-\$482.00
20/03/2024	D BRANDIS	Rates Refund	-\$19.55
14/03/2024	D J JONES	Refund - storm water bond	-\$1,000.00
6/03/2024	D LANE	Refund - CCTV rebate scheme	-\$200.00
14/03/2024	DATA DOCUMENTS	Printing services - Thrive Feb/Mar 2024	-\$873.40
20/03/2024	DEPARTMENT OF FIRE & EMERGENCY SERVICES	2023/24 ESL quarter 3 payment	-\$797,025.31
20/03/2024	DEPARTMENT OF MINES, INDUSTRY REGULATION & SAFETY	Building services levy - Feb 24	-\$4,045.76
14/03/2024	DONALD VEAL CONSULTANTS PTY LTD	Road safety audit - Lord and Success Streets	-\$5,005.00

Date	Name	Description	Amount
14/03/2024	DOWSING GROUP PTY LTD	Path construction - Broadway arboretum	-\$50,017.73
20/03/2024	DOWSING GROUP PTY LTD	Crossover - Bassendean Parade	-\$990.00
14/03/2024	DRAINFLOW SERVICES PTY LTD	CCTV drain inspection, survey and report	-\$2,310.00
6/03/2024	DS WORKWEAR & SAFETY	Safety clothing	-\$153.07
14/03/2024	DS WORKWEAR & SAFETY	Safety clothing	-\$313.60
14/03/2024	E FIRE & SAFETY (WA)	Fire indicator detection system maintenance - Feb 24	-\$126.50
6/03/2024	EASTERN METROPOLITAN REGIONAL COUNCIL - EMRC	Processing of Mattress Collections	-\$2,570.45
14/03/2024	EASTERN METROPOLITAN REGIONAL COUNCIL - EMRC	Processing of general waste materials	-\$71,568.85
14/03/2024	ELLIOTTS IRRIGATIONS	BIC Reserve iron filter service - Feb 24	-\$282.70
14/03/2024	ENVIRONMENTAL INDUSTRIES PTY LTD	Kerbing installation and maintenance - various sites	-\$6,796.95
6/03/2024	ENVIRONMENTAL SITE SERVICES	Asbestos consultation - drain way - Surrey Street	-\$1,320.00
6/03/2024	ENVIROPATH PTY LTD	Town and Reserve Car Park street sweeping including Thompson and Lamb Streets - included blowing under fig tree - Friday 2 Feb 2024	-\$3,739.12
14/03/2024	ENVIROPATH PTY LTD	Extra sweep - Bassendean Parade and Deakin Street intersection	-\$209.00
20/03/2024	ENVIROPATH PTY LTD	Quarterly full town sweep	-\$4,804.80
20/03/2024	ES2 PTY LTD	IT services - Penetration testing	-\$14,520.00
6/03/2024	EXTERIA (LANDMARK ENGINEERING & DESIGN)	Skillion picnic shelter	-\$5,879.50
6/03/2024	FLEXISTAFF	Contract staff expenses	-\$1,939.19
14/03/2024	FLEXISTAFF	Contract staff expenses	-\$2,395.47
20/03/2024	FLEXISTAFF	Contract staff expenses	-\$484.80
20/03/2024	FREESTYLE NOW	Management and organisation of BMX, skateboard and scooter competition - Bassendean skatepark	-\$2,035.00
6/03/2024	FUJI XEROX AUSTRALIA PTY LTD	Lease photocopier/printer	-\$710.51
14/03/2024	FUJI XEROX AUSTRALIA PTY LTD	Lease photocopier/printer	-\$728.91
7/03/2024	FUJI XEROX AUSTRALIA PTY LTD	Lease photocopier/printer	-\$793.10
13/03/2024	FUJI XEROX AUSTRALIA PTY LTD	Lease photocopier/printer	-\$177.10
6/03/2024	GALVINS PLUMBING PLUS	Concrete stop tap box	-\$186.90
14/03/2024	GFG TEMP ASSIST	Contract staff expenses	-\$6,280.75
6/03/2024	GREENSTEAM AUSTRALIA	High Frequency Treatment - March 2024	-\$10,868.64
6/03/2024	HARBOUR SOFTWARE	DOC assembler annual subscription fee renewal - 1 March 2024 - 28 February 2025	-\$17,076.40
6/03/2024	HAYS SPECIALIST RECRUITMENT (AUST) PTY LTD	Contract staff expenses	-\$2,306.30
14/03/2024	HAYS SPECIALIST RECRUITMENT (AUST) PTY LTD	Contract staff expenses	-\$1,867.01
20/03/2024	HAYS SPECIALIST RECRUITMENT (AUST) PTY LTD	Contract staff expenses	-\$2,306.30

Date	Name	Description	Amount
12/03/2024	HESTA SUPER FUND	Superannuation contributions	-\$1,344.48
26/03/2024	HESTA SUPER FUND	Superannuation contributions	-\$1,821.26
12/03/2024	HOST PLUS	Payroll deductions	-\$5,413.91
26/03/2024	HOST PLUS	Payroll deductions	-\$5,698.28
14/03/2024	INLOGIK PTY LIMITED	Promaster - Monthly Hosting Fee - February 2024	-\$464.92
14/03/2024	INTELIFE GROUP LIMITED	Cleaning of various locations	-\$16,983.50
14/03/2024	J OH	Refund - infrastructure security deposit	-\$3,500.00
14/03/2024	J-CORP PTY LTD	Refund - infrastructure security deposit	-\$2,805.00
14/03/2024	JONES & CO PROPERTY	Rates refund	-\$556.29
14/03/2024	JSM CONSTRUCTION WA	Painting services - Palmerston Reserve	-\$1,094.50
20/03/2024	JSM CONSTRUCTION WA	Painting services - Padbury Reserve	-\$748.00
14/03/2024	KELYN TRAINING SERVICES	BWTM/TC training 3 day course - attendance	-\$710.00
6/03/2024	KING AUTO ELECTRICS	Vehicle equipment check - 8 Tonne Truck	-\$547.00
6/03/2024	KLEENIT PTY LTD	Line Marking - various sites	-\$6,549.90
14/03/2024	KLEENIT PTY LTD	Graffiti removal services	-\$2,561.63
20/03/2024	KLEENIT PTY LTD	Clean and prime wall for mural - Wilson Street, northern carpark wall facing BIC Reserve	-\$577.50
14/03/2024	LANDGATE	Gross rental valuations - interim rates	-\$148.78
14/03/2024	LG BEST PRACTICES	Consultancy - Payroll	-\$82.50
14/03/2024	LG SOLUTIONS PTY LTD	Cloud YE 2024 License and support	-\$6,435.00
14/03/2024	LGC TRAFFIC MANAGEMENT	Traffic management services	-\$712.80
13/03/2024	LGRCEU	Payroll deductions	-\$66.00
27/03/2024	LGRCEU	Payroll deductions	-\$66.00
14/03/2024	LIGHTING SPECIALISTS AUSTRALIA	Detail design for Bassendean Oval sports light upgrade - electrical redesign variation	-\$13,156.00
14/03/2024	M TIDY	Refund - CCTV rebate scheme	-\$99.50
6/03/2024	M LOZYK	Rates refund	-\$1,019.33
6/03/2024	MACKIE PLUMBING AND GAS PTY LTD	Plumbing services - Community Hall	-\$574.10
14/03/2024	MACKIE PLUMBING AND GAS PTY LTD	Plumbing call outs - various locations	-\$201.14
20/03/2024	MACKIE PLUMBING AND GAS PTY LTD	Plumbing services - Surrey Street - Bassendean Oval	-\$528.78
12/03/2024	MACQUARIE SUPER ACCUMULATOR	Superannuation contributions	-\$535.93
26/03/2024	MACQUARIE SUPER ACCUMULATOR	Superannuation contributions	-\$535.93
15/03/2024	MAGICORP	On hold message charges	-\$138.80
20/03/2024	MAIN EVENT HIRE	Event equipment	-\$1,170.00
14/03/2024	MANDALA HOLISTIC THERAPIES	Extension activity - Mindfulness and meditation	-\$220.00
12/03/2024	MANIC SUPERANNUATION SUPER FUND	Superannuation contributions	-\$428.06

Date	Name	Description	Amount
26/03/2024	MANIC SUPERANNUATION SUPER FUND	Superannuation contributions	-\$428.06
14/03/2024	MARIA DANIELS	Extension activity - Samba and African drumming - Term 1 2024	-\$2,400.00
12/03/2024	MARITIME SUPER	Payroll deductions	-\$55.24
14/03/2024	MARKETFORCE PTY LTD	Monthly West Australian newspaper adverts for tenders & EFOs	-\$413.17
6/03/2024	MCDOWALL AFFLECK PTY LTD	Standard drawings and cross-sections for various row widths	-\$3,850.00
12/03/2024	MLC MASTERKEY SUPER FUNDAMENTALS	Superannuation contributions	-\$286.80
26/03/2024	MLC MASTERKEY SUPER FUNDAMENTALS	Superannuation contributions	-\$286.80
12/03/2024	MLC SUPER FUND	Superannuation contributions	-\$113.73
26/03/2024	MLC SUPER FUND	Superannuation contributions	-\$113.73
14/03/2024	N & N J HAEUSLER	Newspaper supplies - Library	-\$104.20
20/03/2024	N & R MACTAVISH	Refund - sustainable products rebate	-\$86.21
14/03/2024	NATURAL AREA HOLDINGS PTY LTD	Caltrop weed control program	-\$1,034.00
12/03/2024	NGS SUPER	Superannuation contributions	-\$418.60
26/03/2024	NGS SUPER	Superannuation contributions	-\$411.39
14/03/2024	NUTRIEN WATER	Reticulation supplies	-\$1,196.13
14/03/2024	OEM GROUP PTY LTD	Cold water pressure cleaner - Depot	-\$2,709.51
14/03/2024	OFFICEWORKS SUPERSTORES PTY LTD	Stationery supplies	-\$356.81
6/03/2024	PARAMOUNT ELECTRICAL SERVICES	Electrical services - Jubilee Reserve	-\$2,613.09
14/03/2024	PARAMOUNT ELECTRICAL SERVICES	Electrical services - Old Perth Road street pole	-\$33,698.23
20/03/2024	PARAMOUNT ELECTRICAL SERVICES	Electrical services - Jubilee Reserve	-\$19,337.73
14/03/2024	PATRICIA FLETCHER	Extension activity - Zumba meta fit circuit - Term 1 2024	-\$3,200.00
13/03/2024	PAY@BILITY PTY LTD	Payroll deductions	-\$1,657.23
27/03/2024	PAY@BILITY PTY LTD	Payroll deductions	-\$1,657.23
14/03/2024	PEP TRANSPORT	Courier services	-\$204.73
20/03/2024	PEP TRANSPORT	Courier services	-\$114.42
14/03/2024	PERTH TRAFFIC TRAINING	Traffic guidance schemes training - attendance	-\$440.00
14/03/2024	PIPELINE RETICULATION	Reticulation supplies	-\$5,293.20
20/03/2024	PIPELINE RETICULATION	Reticulation supplies	-\$1,005.31
6/03/2024	PITNEY BOWES AUSTRALIA PTY LTD	Rental of DM185SL smart link meter from 1 January 2024	-\$429.00
6/03/2024	PRODUCT RECOVERY INDUSTRIES PTY LTD	Disposal combination waste - bricks, sand, concrete rubble	-\$300.30
14/03/2024	PRODUCT RECOVERY INDUSTRIES PTY LTD	Disposal combination waste - bricks, sand, concrete rubble	-\$123.20

Date	Name	Description	Amount
20/03/2024	RANDSTAD PTY LTD	Contract staff expenses	-\$14,906.98
14/03/2024	REDFISH TECHNOLOGIES PTY LTD	Metro service call out - service engineer	-\$660.00
14/03/2024	REITSEMA PACKAGING PTY LTD	8L compostable kitchen tidy bags	-\$4,942.08
12/03/2024	REST SUPERANNUATION	Superannuation contributions	-\$1,770.35
26/03/2024	REST SUPERANNUATION	Superannuation contributions	-\$1,805.07
14/03/2024	REVIVE RESOURCES PTY LTD	Disposal and processing of drainage pit educting and cleaning waste - Depot	-\$2,772.00
18/03/2024	RICOH FINANCE AUSTRALIA PTY LTD	Lease photocopier/printer	-\$206.80
20/03/2024	S BOYD	Refund - claim for Council contribution toward residential crossover	-\$620.00
14/03/2024	SAFEMASTER SAFETY PRODUCTS	Safety product supplies	-\$375.40
28/03/2024	SG FLEET AUSTRALIA PTY LTD	SG Fleet - lease rental - Feb 24	-\$8,865.37
6/03/2024	SIFTING SANDS	Cleaning sandpit - WIW	-\$965.35
20/03/2024	SJR CIVIL CONSULTING PTY LTD	Provision of new drainage design drawing - Ireland Way	-\$715.00
14/03/2024	SLAB AND GARDEN CITY	Sand supplies	-\$604.80
12/03/2024	SLATE SUPER	Superannuation contributions	-\$361.92
26/03/2024	SLATE SUPER	Superannuation contributions	-\$343.86
12/03/2024	SPACESHIP	Superannuation contributions	-\$277.80
26/03/2024	SPACESHIP	Superannuation contributions	-\$277.80
14/03/2024	ST JOHN AMBULANCE AUSTRALIA	First aid supplies - restock - WIW Bassendean	-\$98.04
20/03/2024	STATEWIDE CLEANING SUPPLIES PTY LTD	Cleaning supplies	-\$253.55
6/03/2024	STIHL SHOP MALAGA	Equipment supplies and repairs	-\$46.00
14/03/2024	STIHL SHOP MALAGA	Equipment supplies and repairs	-\$257.40
20/03/2024	STIHL SHOP MALAGA	Equipment supplies and repairs	-\$226.80
14/03/2024	STOTT AND HOARE	IT services - XG310 Xstream protection - 12 months	-\$3,778.50
6/03/2024	STUART YOUNG REAL ESTATE	Marketing services - Iveson Place	-\$1,871.50
6/03/2024	STYLUS DESIGN	Photographs of Bassendean	-\$2,790.00
6/03/2024	SUPERLOOP (OPERATIONS) PTY LTD	Internet services	-\$1,067.00
14/03/2024	SUPERLOOP (OPERATIONS) PTY LTD	Internet services	-\$1,067.00
14/03/2024	SYNERGY	Power charges for various sites	-\$9,029.51
20/03/2024	SYNERGY	Street lighting charges for various sites	-\$148,944.79
14/03/2024	T BUNTER	Refund - sustainable products rebate	-\$100.00
14/03/2024	T JAYASEKERA & T MOSDELL	Refund - CCTV rebate scheme	-\$194.50
14/03/2024	T.J O'DONOVAN	Entertainment services - 9 March 2024	-\$250.00
6/03/2024	TECHWORKS ELECTRICAL PTY LTD	Upgrade lighting - Ashfield Reserve - Claim number 4	-\$89,846.65
6/03/2024	TELSTRA	Telephone charges	-\$6,238.07

Date	Name	Description	Amount
14/03/2024	TENDERLINK	RFT & RFQ uploads to Tender link electronic tender portal	-\$121.00
14/03/2024	THE SCIENCE MUM	Extension activity - Hands on stem with science mum - 5 sessions	-\$325.00
12/03/2024	THE TRUSTEE FOR THE HARTS O'BRIEN SUPER FUND	Superannuation contributions	-\$386.97
26/03/2024	THE TRUSTEE FOR THE HARTS O'BRIEN SUPER FUND	Superannuation contributions	-\$386.97
13/03/2024	TOWN OF BASSENDEAN PAYROLL DEDUCTIONS	Payroll deductions	-\$275.00
27/03/2024	TOWN OF BASSENDEAN PAYROLL DEDUCTIONS	Payroll deductions	-\$275.00
6/03/2024	TPG NETWORK PTY LTD	Telephone charges	-\$1,850.54
14/03/2024	TPG NETWORK PTY LTD	Telephone charges	-\$1,853.83
14/03/2024	ULVERSCROFT LARGE PRINT BOOKS (AUST) PTY LTD	Assorted large print titles - Library	-\$281.55
14/03/2024	UMESH THAPA	Cleaning services	-\$840.00
12/03/2024	UNISUPER	Superannuation contributions	-\$172.33
26/03/2024	UNISUPER	Superannuation contributions	-\$227.89
6/03/2024	VEOLIA ENVIRONMENTAL SERVICES (AUST) PTY LTD	Waste collections - Green waste skip bin Depot	-\$671.81
14/03/2024	VEOLIA ENVIRONMENTAL SERVICES (AUST) PTY LTD	Waste collections skip bin Stan Moses Pavilion	-\$275.57
14/03/2024	VIEWFINDER PHOTOGRAPHY	Photography of new Councillors	-\$600.00
20/03/2024	W Wright	Dudley Robinson Youth Grant C and J Wright	-\$500.00
14/03/2024	WATER CORPORATION	Water charges - various locations	-\$201.90
6/03/2024	WESKERB PTY LTD	Kerbing repairs - Various sites	-\$3,484.80
14/03/2024	WEST TIP WASTE CONTROL PTY LTD	Depot - Empty and replace general waste skin bin	-\$2,999.50
6/03/2024	WESTBOOKS	Book supplies - Library	-\$138.54
14/03/2024	WESTBOOKS	Book supplies - Library	-\$251.20
20/03/2024	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION- WALGA	WALGA conference registration	-\$1,518.00
14/03/2024	WESTERN AUSTRALIAN TREASURY CORPORATION	WTC Loan Guarantee Fees	-\$1,147.93
20/03/2024	WESTERN POWER	Tree pruning to clear powerlines - McDonald Crescent	-\$3,228.35
20/03/2024	WESTWORKS GROUP PTY LTD	Urgent tree report - Iolanthe Street	-\$715.00
20/03/2024	WOODLANDS DISTRIBUTORS & AGENCIES PTY LTD	Supply of singlet type compostable poo bags	-\$3,044.80
13/03/2024	FORTNIGHTLY PAYROLL - SALARIES AND WAGES	Staff Salaries and Wages	-\$297,253.63
26/03/2024	FORTNIGHTLY PAYROLL - SALARIES AND WAGES	Staff Salaries and Wages	-\$325,209.21

TOTAL MUNICIPAL EFT PAYMENTS

-\$2,615,281.15

February Credit Card Expenditure 2024
Statement Period 03/02/2024 to 04/03/2024

Statement Date:	Merchant Name:	Line Description:	Amount:
5/02/2024	City Of Perth Parking	Parking for Attending State Administrative Tribunal	\$ 9.09
5/02/2024	Officeworks	Stationery Order	\$ 220.82
5/02/2024	Dri*Nuance	Voice Recognition Software	\$ 999.00
5/02/2024	Robotime Au	Extensions Activities for Library	\$ 158.96
5/02/2024	Ashfield Chemist	Ventolin for Wind in the Willows	\$ 12.50
6/02/2024	SMS Broadcast Pty Ltd	SMS Reminder Credit for Ryde Program	\$ 666.60
6/02/2024	Ezi*The Fruit Box Gro	Town Milk Order	\$ 1.10
6/02/2024	Ezi*The Fruit Box Gro	Town Milk Order	\$ 86.17
7/02/2024	Coles 0395	Food Sampling for Health Services	\$ 18.50
7/02/2024	Zlr*Bassendean Gourmet	Food Sampling for Health Services	\$ 17.85
7/02/2024	Jakes Continental Butc	Food Sampling for Health Services	\$ 16.65
7/02/2024	Coles 0395	Beverages Council Meeting 6 Feb 2024	\$ 26.50
7/02/2024	Liquorland 2978	Beverages Council Meeting 6 Feb 2024	\$ 34.00
7/02/2024	Modern Teaching Aids	Extensions Activities for Library	\$ 340.87
8/02/2024	Officeworks 0609	Network Cables for Youth Services	\$ 130.96
8/02/2024	Bitly.Com	Bitly Subscription For Ryde	\$ 148.29
8/02/2024	Intnl Transaction Fee	International Transaction Fee for Bitly Subscription	\$ 3.71
8/02/2024	UDIA WA	Urban Development Institute of Australia Event Registration	\$ 185.02
8/02/2024	UDIA WA	Urban Development Institute of Australia Event Registration	\$ 3.68
9/02/2024	Caltex Kiara	Car Wash for Ryde Cars	\$ 28.00
9/02/2024	Dome Bassendean	Coffee Meeting Sdfc 2 Feb 24	\$ 11.20
9/02/2024	Ap Bassendean Ps	Postage for Frog Wheel to Manufacturer	\$ 57.70
9/02/2024	Trybooking*Wasla Inc	Western Australian School Library Association - Library Training	\$ 130.50
12/02/2024	Officeworks 0609	Cable for Xbox Controller	\$ 27.98
12/02/2024	Fs *Smtp2Go.Com	Synergy Emailing Subscription	\$ 159.14
12/02/2024	Miscellaneous Credit	Refund Of Unauthorised Transaction	-\$ 43.97
12/02/2024	Miscellaneous Credit	Refund Of Unauthorised Transaction	-\$ 43.97
12/02/2024	Miscellaneous Credit	Refund Of Unauthorised Transaction	-\$ 43.97
12/02/2024	Miscellaneous Credit	Refund Of Unauthorised Transaction	-\$ 814.98

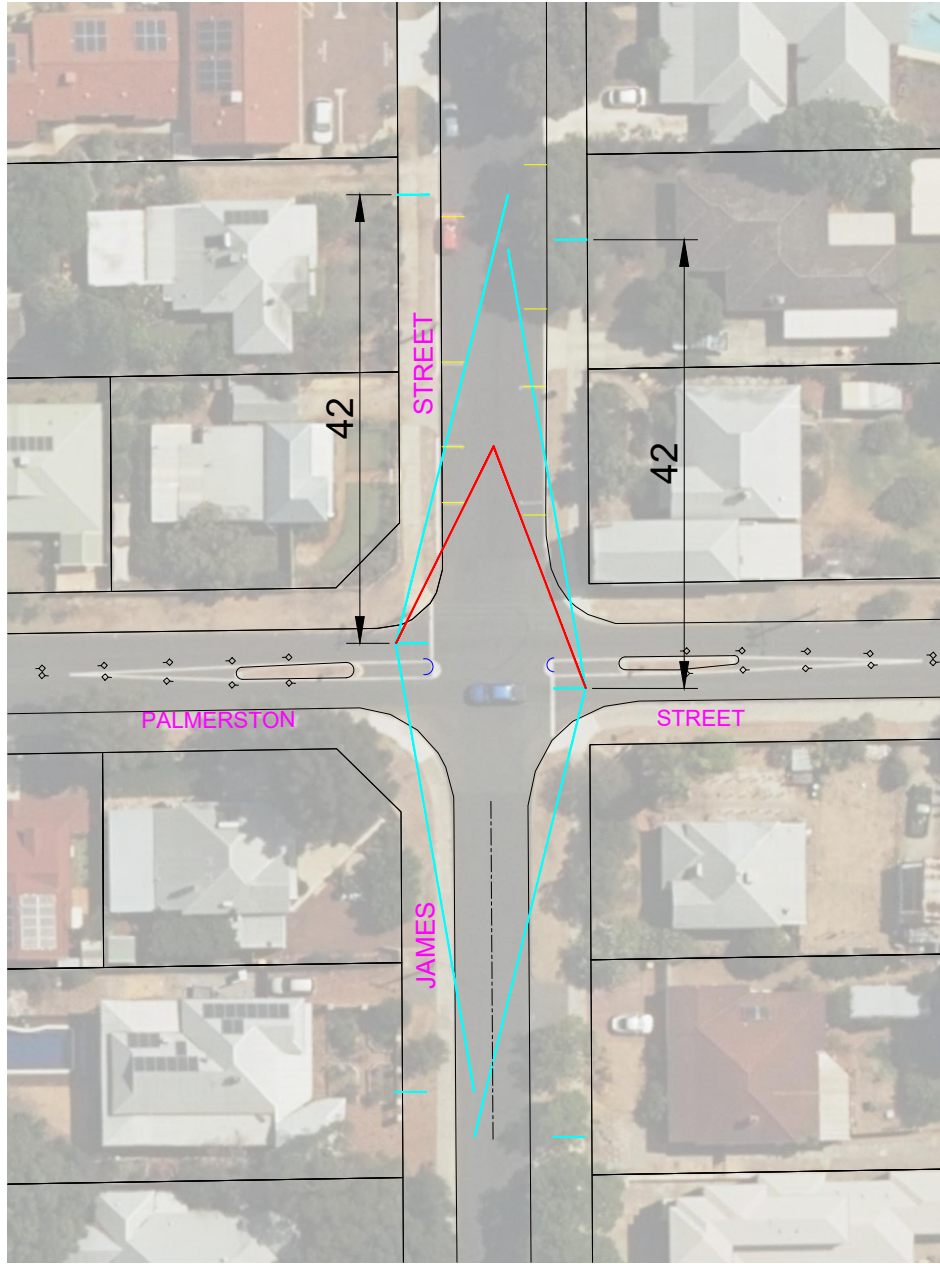
Statement Date:	Merchant Name:	Line Description:	Amount:
12/02/2024	Miscellaneous Credit	Refund Of Unauthorised Transaction	-\$ 1,291.24
12/02/2024	Ashfield Iga	Toilet Roll for Wind in the Willow	\$ 11.30
13/02/2024	Ezi*Cable Chick	Cables for Internet Cafe	\$ 188.50
14/02/2024	Coles 0395	Catering for Council Dinner	\$ 20.00
14/02/2024	Coles 0395	Catering for Council Dinner	\$ 0.22
14/02/2024	Coles 0395	Catering for Council Dinner	\$ 7.55
14/02/2024	Liquor land 2978	Catering for Council Dinner	\$ 15.00
14/02/2024	Quality Picked Produce	Catering for Council Dinner	\$ 19.99
15/02/2024	Spotify	Youth Centre Spotify Subscription	\$ 20.99
15/02/2024	Hatchet* Hatchet 48625	Domain for Ryde.org.au	\$ 25.00
15/02/2024	Vistaprint Australia P	Hr - Business Card Demo	\$ 48.03
15/02/2024	Kiddo UWA	Subscription To Physical Literacy Program - Bassendean	\$ 221.40
15/02/2024	Kiddo UWA	Subscription To Physical Literacy Program - Ashfield	\$ 147.60
15/02/2024	The Reject Shop 6622	Extensions Activities for Library	\$ 64.00
15/02/2024	Kmart 1018	Volunteer PPE	\$ 84.04
15/02/2024	Kmart 1018	Volunteer PPE	\$ 12.46
15/02/2024	Woolworths 4384	Groceries for Wind in the Willows	\$ 34.46
16/02/2024	Ple Computers	Wifi Access Point	\$ 364.00
19/02/2024	Jb Hi Fi Midland Cen	Ps5 External Hard Drive	\$ 299.00
19/02/2024	Aussie Broadband Limit	Internet Provision For Youth Service	\$ 149.00
19/02/2024	Miscellaneous Credit	Refund Of Unauthorised Transaction	-\$ 96.00
19/02/2024	Miscellaneous Credit	Duplicate Refund	-\$ 43.97
19/02/2024	Miscellaneous Credit	Duplicate Refund	-\$ 43.97
19/02/2024	Miscellaneous Credit	Duplicate Refund	-\$ 43.97
19/02/2024	Miscellaneous Credit	Duplicate Refund	-\$ 814.98
19/02/2024	Miscellaneous Credit	Duplicate Refund	-\$ 1,291.24
19/02/2024	Coles 0395	Catering for Health Workshop 16 February 2024	\$ 5.90
19/02/2024	Facebk *94Zhd5Q6L2	Social Media Advert - Music On The Green Ashfield	\$ 20.00
20/02/2024	Coles Online	Catering for Council Meetings - Pantry Items	\$ 137.28
20/02/2024	Coles Online	Catering for Council Meetings - Pantry Items	\$ 27.02
20/02/2024	Istock.Com	Istock Stock Photo Subscription Feb 2024	\$ 31.90
20/02/2024	Kinatico Ltd	National Police Clearance - Refund	-\$ 54.90
21/02/2024	Officeworks 0609	PS5 Cables for Youth Services	\$ 39.96

Statement Date:	Merchant Name:	Line Description:	Amount:
21/02/2024	Bunnings 458000	Mosquito Stall Light	\$ 99.00
21/02/2024	Chemist Warehouse	Sunscreen For Promotional Packs	\$ 151.35
21/02/2024	Sq *Old Lira	Catering For Council Meeting 20 February 2024	\$ 181.00
21/02/2024	Coles 0395	Coles - WHS Committee Meeting Supplies	\$ 5.04
21/02/2024	Ida Street Supermark	Milk for Depot	\$ 9.09
21/02/2024	Facebk *Ay9Cpzf6L2	Social Media Advert - Music On The Green Ashfield	\$ 20.00
22/02/2024	Wex Australia Pty Ltd	Fuel Cards For Ryde Vehicles	\$ 133.11
22/02/2024	Ltd Bakery And Patis	WHS - Committee Meeting Supplies	\$ 19.30
22/02/2024	Isubscribe Pty Ltd	Subscription for Isubscribe - Library	\$ 190.00
23/02/2024	Maxo.Com.Au	BYS Phones	\$ 39.95
23/02/2024	Supreme Court Wa-Doj	Probate Search	\$ 65.85
23/02/2024	linet Batch	Part Refund After Changing Internet Providers	-\$ 16.69
23/02/2024	Biopak Pty Ltd	Compostable Food Containers For Cooking Program	\$ 519.53
23/02/2024	Coles 0395	Milk for Depot	\$ 7.90
23/02/2024	Coles 0395	Descaler for Depot Coffee Machine	\$ 4.00
23/02/2024	Choice	Library Subscription	\$ 196.00
23/02/2024	Street Machine Media	Library Subscription	\$ 99.00
23/02/2024	Remida Perth Inc	Supplies For Community Art Activity	\$ 990.00
23/02/2024	The Reject Shop 6622	Pantry Storage Containers	\$ 14.50
26/02/2024	Kmart 1052	Jumbo Sponges	\$ 9.00
26/02/2024	Adobe Systems Pty Ltd	Adobe Subscriptions	\$ 646.86
26/02/2024	Reggio Australia	Professional Development Reggio Emilia Exchange	\$ 40.00
26/02/2024	Officeworks	Name Tags For Volunteers	\$ 90.70
26/02/2024	Coles 0395	Refreshments For Series Of Health Workshops	\$ 25.70
26/02/2024	Facebk *Qbyel5Q6L2	Social Media Advert - Music On The Green Ashfield	\$ 20.00
26/02/2024	Kmart 1004	Water Cooler Jug - Music On The Green Ashfield	\$ 29.00
27/02/2024	Pthtrafran	Replacement Basic Worksite Traffic Management Card	\$ 44.00
27/02/2024	Business Base -	Sit Stand Unit - Governance	\$ 749.01
27/02/2024	Kinatiko Ltd	Refund for National Police Clearance	-\$ 54.90
27/02/2024	Vistaprint Australia P	Business Cards - Various Business Units	\$ 289.30
27/02/2024	Vistaprint Australia P	Business Cards - Various Business Units	\$ 0.59
27/02/2024	Godfreys Midland	Vacuum Repair for Wind in the Willows	\$ 60.90
27/02/2024	Godfreys Midland	Vacuum Bags for Wind in the Willows	\$ 49.98

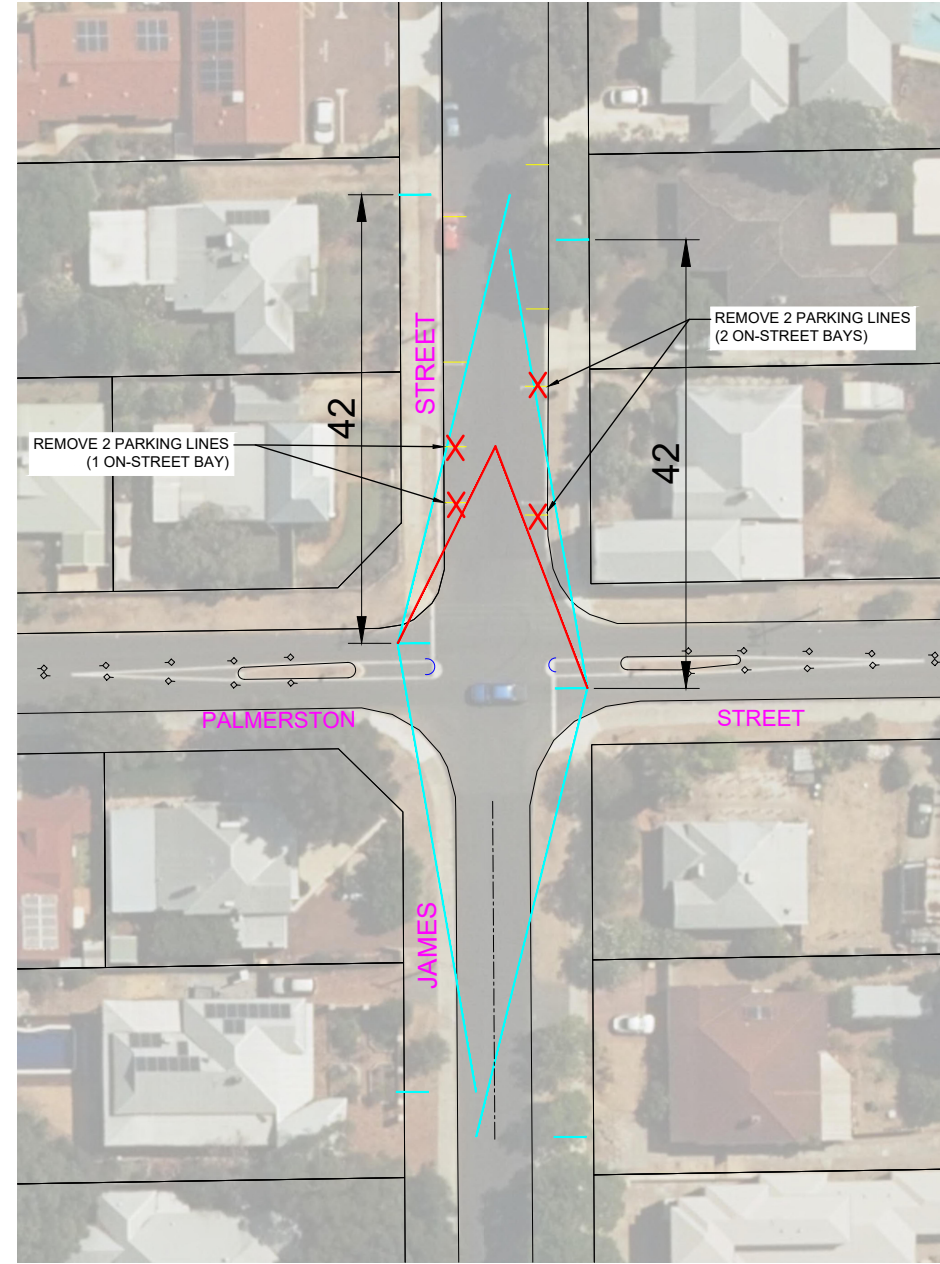
Statement Date:	Merchant Name:	Line Description:	Amount:
27/02/2024	Ida Street Supermark	Milk for Depot	\$ 9.09
27/02/2024	Facebk *2Pwrqyt6L2	Social Media Advert - Music On The Green Ashfield	\$ 20.00
28/02/2024	Coles 0395	Materials For Cooking Program	\$ 137.61
28/02/2024	Khroad Enterprises	Replacement Tyre For Ryde Vehicle	\$ 139.00
28/02/2024	Sq *Star Training & As	Replacement Star Training Card	\$ 55.00
28/02/2024	Aveling	Replacement Aveling Card	\$ 40.00
28/02/2024	Kmart	Volunteer T-shirts and High Vis Vests	\$ 166.00
28/02/2024	Facebk *Vyt98Zb6L2	Social Media Advert - Music On The Green Ashfield	\$ 6.45
28/02/2024	Subway Bassendean	Catering For Blemc Meeting	\$ 174.80
28/02/2024	8 Napkins Pty Ltd	Catering for Council Meeting	\$ 387.00
28/02/2024	Coles 0395	Catering for Council Meeting	\$ 6.33
28/02/2024	Coles 0395	Catering for Council Meeting	\$ 31.20
29/02/2024	The Reject Shop 6622	Gifts for St Michaels School Visit 28/2/24	\$ 41.50
29/02/2024	Kmart 1057	Enviro Sustainability Products for Waste Services	\$ 219.00
29/02/2024	Vistaprint Australia P	Business Cards - Various Business Units	\$ 115.72
29/02/2024	Vistaprint Australia P	Business Cards - Various Business Units	\$ 0.23
29/02/2024	Strand bags Austra	Backpack for Guided Walks	\$ 29.99
29/02/2024	Workwear hub 20840	Safety Vest	\$ 99.90
29/02/2024	Cancer Council Sh	Spf50 Hats For Guided Walks	\$ 107.40
29/02/2024	Danish Patisserie	Catering for Educator Farewell Morning Tea	\$ 39.50
29/02/2024	Zoho-Manageengine Ser	It Helpdesk Subscription	\$ 621.72
29/02/2024	Ida Street Supermark	Milk for Depot	\$ 9.09
29/02/2024	Nextmedia Pty Ltd	Library Subscription	\$ 79.00
29/02/2024	Nextmedia Pty Ltd	Library Subscription	\$ 62.00
29/02/2024	Kmart 1052	Extensions Activities for Library	\$ 7.00
29/02/2024	Coles 0278	Tea, Coffee, Milk & Cleaning Supplies for Library	\$ 11.44
29/02/2024	Coles 0278	Tea, Coffee, Milk & Cleaning Supplies for Library	\$ 34.54
1/03/2024	Bunnings Group Ltd	Work Health And Safety Materials Inc Anti Fatigue	\$ 175.72
1/03/2024	Bunnings Group Ltd	Work Health And Safety Materials	\$ 56.97
1/03/2024	Sec*Silicon Chip	Subscription - Silicon Chip Magazine (12Months)	\$ 127.50
1/03/2024	Coles Online	Office Supplies For 48 Opr	\$ 4.51
1/03/2024	Coles Online	Catering for Council Meeting	\$ 107.80
1/03/2024	Coles Online	Office Supplies for 48 Opr	\$ 149.24

Statement Date:	Merchant Name:	Line Description:	Amount:
1/03/2024	Annual Fee	Annual Credit Card Fee	\$ 33.33
4/03/2024	Facebk *8Jx7S2Y2P2	Online Promotion Of Skate/Scooter/Bmx Competition	\$ 397.19
4/03/2024	The Good Guys	Replacement Freezer For Cooking Program	\$ 797.00
4/03/2024	Educational Art Supp	Art Supplies for Wind in the Willows	\$ 1,094.56
4/03/2024	Westnet	Wind in the Willows NBN	\$ 69.99
4/03/2024	Krusty Kob Dianella	Catering for All Staff Morning Tea 29 February 2024	\$ 21.00
4/03/2024	Westnet	Public Internet For Library	\$ 109.99
4/03/2024	Message net Pty Ltd	Subscription - Messagenet	\$ 121.20
4/03/2024	Facebk *Nasm42Y6L2	Social Media Advert - Music On The Green Ashfield	\$ 20.00
4/03/2024	Subway Bassendean	Catering for Council Workshop	\$ 117.00
	TOTAL:		\$ 11,643.81

SIGHT LINES FROM THE STOP LINE AT PALMERSTON STREET



SIGHT LINE REQUIREMENT

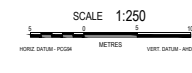


L:\Design Services\Nicole\2020\design\james palmerston sight lines.dwg 05/9/2023 10:27am nbaxler



ASSET SERVICES
Attachment 12.1
 13th Floor, 1000 King Street West
 Perth, WA 6000
 Tel: (08) 9477 9000
 Fax: (08) 9477 9555
 Email: mail@bassedean.wa.gov.au
 www.bassedean.wa.gov.au

AMENDMENTS	NORTH POINT
G.	
F.	
E.	
D.	
C.	
B.	
A.	
SIGHT LINE DISTANCE REVISED TO MIN AUSTRADRS SAFE STOPPING DISTANCE. 42M	



SURVEY	FIELD BOOK
DESIGN	CAD DRAWING
DRAWN	DATE
CHECKED	DATE
APPROVED	DATE
HORIZONTAL SCALE	VERTICAL SCALE

DRAWING NAME: **TOWN OF BASSEDEAN**
 JAMES STREET AT PALMERSTON STREET
 SIGHTLINE REQUIREMENTS
293 of 296
 DRAWING NUMBER: 293
 TOB 2020

8 February 2024

#Name
#Address
BASSENDEAN WA 6054

Your Reference:
Our Reference: OLET-11185524
Enquiries: Nicole Baxter
9377 9025

Dear #Name,

**INTERSECTION IMPROVEMENT AT JAMES STREET / PALMERSTON STREET ,
BASSENDEAN**

As a means of improving the sightlines for James Street / Palmerston Street intersection the Town has proposed to remove the on-street parking bays in front of house number 13 and 14 James Street, Bassendean.

Removing the on-street parking bays will increase the sightline distance of approaching traffic, with the intention to reduce the near miss/accidents at this intersection.

I would like to advise the residents directly in front of the parking bay removal and receive your feedback.

If you have any comments / feedback regarding this proposal please email mail@bassendean.wa.gov.au attention Nicole Baxter prior to COB Friday 23rd February 2024.

Yours sincerely,



Nicole Baxter
Engineering Design Officer

TOWN *of* BASSENDEAN

COUNCIL MEETING PROCEDURES LOCAL LAW 2020

Clause 5.3 - NOTICE OF MOTION FOR CONSIDERATION

Clause 5.3 of the Council Meeting Procedures Local Law 2020 states:

“5.3 Motions of which previous notice has been given

- (1) *Unless the Act, Regulations or this Local Law otherwise provide, a member may raise at a meeting –*
 - (a) *such business as he or she considers appropriate;*
 - (b) *in the form of a motion;*
 - (c) *of which notice has been given in writing to the CEO and which has been included on the agenda.*
- (2) *A notice of motion under subclause (1) is to be given at least ten (10) clear working days before the meeting at which the motion is moved.*
- (3) *A notice of motion is to relate to the good governance of the Local Government.*
- (4) *The CEO –*
 - (a) *may, with the concurrence of the mayor, exclude from the notice paper any notice of motion deemed to be, or likely to involve, a breach of this Local Law or any other written law;*
 - (b) *will inform members on each occasion that a notice has been excluded and the reasons for that exclusion;*
 - (c) *may, after consultation with the member where this is practicable, make such amendments to the form, but not the substance, as will bring the notice of motion into due form; and*
 - (d) *provide an officer report to accompany the notice of motion that has relevant and material facts and circumstances pertaining to the notice of motion on such matters as strategic direction within the Council’s adopted Strategic Plan, policy, budget and law.*
- (5) *A motion of which notice has been given is to lapse unless –*
 - (a) *the member who gave notice of it, or some other member authorised by the originating member in writing, moves the motion when called on; or*
 - (b) *the Council on a motion determines to defer consideration of the motion to a later stage or date.*
- (6) *If a notice of motion is given and lost under subclause (5), a notice of a motion in substantially the same terms or of substantially the same effect is not to be given again for at least three months from the date of such lapse.*

NOTICE OF MOTION

I, Cr Kath Hamilton hereby give notice in writing to the CEO to have the following Notice of Motion listed on the agenda of Ordinary Council Meeting to be held on 30th of April 2024, at which it is proposed to be moved:

Motion

That Council requests the Chief Executive Officer,

- 1. To prepare documentation for consideration at the next Council Meeting outlining potential Advocacy Priorities for 2024/25 financial year in line with the Strategic aspirations of Council;*
- 2. Thereafter schedule a recurring annual workshop with Elected Members to review/ update the Advocacy Priorities, and provide a report to Council no later than March each year (in advance of State and Federal Budget considerations) should there be recommendations to amend or expand the Town's Advocacy Priorities; and*
- 3. Cause to have published the adopted Advocacy Priorities in formats as deemed suitable by the CEO.*

Signed:  Dated: 16th of April, 2024

Cr Kath Hamilton

Reasons:

The publication of Council adopted Advocacy Priorities that formally identify and guide the Town's advocacy efforts for each year is one tool that can be utilised to target potential State and Federal funding.

This motion is designed to ensure that the Council takes a co-ordinated approach to the preparation of its Advocacy Priorities for 2024/25 and beyond, so that advocacy to Federal and State governments and relevant external stakeholders is able to commence prior to the budget considerations of other levels of government. In particular, the setting of future Advocacy Priorities in advance of April and May each year will assist the Town in making any budget submissions for external funding in advance of the delivery of the Federal and State Government budgets.