

ATTACHMENTS

ORDINARY COUNCIL AGENDA

27 AUGUST 2019

Attachment No. 1

Ordinary Council Minutes of 23 July 2019

Attachment No. 2

Special Council Minutes of 20 August 2019

Attachment No. 3

WA Small Business Friendly Local Governments Charter

Attachment No. 4

- Site plan indicating residents within 100m radius of bus stop 15805;
- Letter and Survey to residents (Penzance Street);
- Survey Results;
- Shelter (existing) Walter Road East at Fifth Avenue; and
- Shelter (existing) Old Perth Road near Whitfield Street.

Attachment No. 5

- Community Groups Funding Application: Strut Dance and Eden Hill CAN
- Community Groups Funding Guidelines

Attachment No. 6

- Round 24, Recreational Boating Facilities Scheme Guidelines.
- Proposed Draft Recreational Boating Facilities Scheme Round 24 design application for Pickering Park Boat Ramp Planning.
- Photos of the current facility at Pickering Park.

Attachment No. 7

Department of Biodiversity, Conservation & Attractions 'Visual Condition Inspection Report' (December 2018).

Attachment No. 8

- Schedule of submissions.
- Plan showing the Right of Way and the location of the submitters .

Confidential Attachment No. 1

Legal advice received from McLeods

Attachment No. 9

- Draft Town of Bassendean Parklet Policy;
- Draft Application for Parklet approval form; and
- Copy of June 2019 Council Report.

Attachment No. 10

- (Draft) Operational Electoral Caretaker Period Policy;
- Council Policy 6.25 Election Caretaker Periods.

Attachment No. 11

- Employee Reward and Recognition Policy; and
- Council Policy 6.19 Presentations to Staff.

Attachment No. 12

- Consultation Draft Town of Bassendean, Meeting Procedures Local Law 2019; and
- Section 3.12, *Local Government Act 1995* (extract).

Attachment No. 13

Town Assets Committee Minutes of 10 July 2019

Attachment No. 14

Minutes of Design Bassendean Meeting on the 24 July 2019.

Attachment No. 15

Minutes of the Youth Advisory Council dated 28 June 2019, 31 May 2019, 29 March 2019, 30 November 2018, 26 October 2018 and 31 August 2018.

Attachment No. 16

- Minutes of the Audit & Governance Committee held on 7 August 2019.
- Town of Bassendean Assurance Plan for 2019-2020, Moore Stephens.
- Audit Completion Report for the year ended 30 June 2018, Macri Partners.
- Department of Local Government, Sport and Cultural Industries letter to the Chief Executive Officer of the Town of Bassendean, 28 June 2019.
- Report to the Minister, Town of Bassendean External Audit Findings for 2017-2018.
- Accounting for work bonds, building bonds and hire bonds, Office of the Auditor General, 1 July 2019.

Attachment No. 17

Quarterly Report P/E 30 June 2019.

Attachment No. 18:

- Sponsorship and Grants Policy;
- Major and Significant Events Sponsorship and Grants Guidelines;
- Community Benefit Sponsorship and Grants Guidelines;
- Business Development Sponsorship and Grants Guidelines;
- Policy 6.11, Donations, Sponsorship and Grants;
- Community Groups Fund Guidelines; and
- Old Perth Road Markets Equipment & Minor Capital Projects Fund Guidelines.

Confidential Attachments 1 to 3

ATTACHMENT NO. 1

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

HELD IN THE COUNCIL CHAMBER, 48 OLD PERTH ROAD, BASSENDEAN

ON TUESDAY 23 JULY 2019 AT 7.00PM

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open, welcomed all those in attendance and acknowledged the past and present traditional owners and custodians of the land on which the meeting was held.

2.0 PRESENTATIONS

- 2.1 Michelle Prior (Department of Transport) gave a presentation on Item 10.12 - Success Hill Principal Shared Path.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Present

Councillors

Cr Renee McLennan, Mayor
Cr Bob Brown, Deputy Mayor
Cr John Gangell
Cr Kathryn Hamilton
Cr Melissa Mykytiuk
Cr Sarah Quinton
Cr Jai Wilson

Officers

Ms Peta Mabbs, Chief Executive Officer
Mr Paul White, Director Corporate Services
Mr Ken Cardy, Manager Parks & Environment (until 9.52pm)

Mr Phil Adams, A/Manager Infrastructure
Mr Christian Buttle, A/Manager Development Services (until 9.52pm)
Ms Mona Soliman, A/Manager Community Planning (until 9.52pm)
Ms Sharna Merritt, Senior Ranger (until 8.50pm)
Mrs Amy Holmes, Minute Secretary

Public

Approximately 25 members of the public were in attendance.

Press

Nil

Apologies

Nil

Leave of Absence

The following leaves of absence were requested:

- Cr Mykytiuk 26 July-6 August; and
- Cr Hamilton 1-8 August.

COUNCIL RESOLUTION – ITEM 3.0

OCM – 1/07/19 MOVED Cr Quinton, Seconded Cr Gangell, that the following leaves of absence be granted:

- Cr Mykytiuk 26 July-6 August; and
- Cr Hamilton 1-8 August.

CARRIED UNANIMOUSLY 7/0

4.0 PUBLIC QUESTION TIME & ADDRESS BY MEMBERS OF THE PUBLIC

4.1 Questions Taken on Notice

On 26 June 2019, the Acting Manager Development Services, Mr Christian Buttle, provided the following response to Mr Snelgar:

At the Ordinary Council Meeting held on 25 June 2019, I took on notice a question relating to the date of gazettal of Amendment No. 17 to TPS4A.

I can now advise you that notice of approval of Amendment No. 17 to TPS4A was published in the Government Gazette on 23 February 2018.

I have attached a copy of this Gazette, with the relevant section highlighted for your ease of reference (see below).

PL404

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Town of Bassendean
Local Planning Scheme No. 4a—Amendment No. 17

Ref: TPS/2134

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Town of Bassendean Local Planning Scheme amendment on 30 January 2018 for the purpose of—

1. Amending the Scheme Map as follows—

- (a) Removing the 'new roads and footways' annotation from the unconstructed road reserve adjacent to Lot 821 Villiers Street West (adjacent to 1 Hardy Road).
- (b) Removing the 'new roads and footways' annotation from the unconstructed road reserve known as Lot 13656 Hatton Court.

(c) Deleting a portion of the Bridson Street road reserve intended to become a recreation reserve (Lot 354 on Plan 071636) from area 'A' and include the land within area 'B'.

(d) Deleting a portion of Lot 271 Hamilton Street from area 'C' and include the land within area 'B'.

2. Amending the Scheme Text as follows—

(a) by deleting Clause 30 under the heading of Scheme Timetable of the Scheme and substituting the following—

'30. The Council wishes to actively pursue the completion of the Scheme. To this end it has set a goal of completing the compulsory acquisition of properties in Area B within three years from the date of gazettal of the Scheme Amendment inserting this clause. The remaining properties to be acquired under Area B are as follows—

- (a) Lot 211 Carnegie Street
- (b) Pt Lot 206 Hyland Street
- (c) Pt Lot 130 Anstey Road
- (d) Pt Lot 113 Harcourt Street.

(b) By deleting clause 31 of the Scheme and replacing it with the following—

(a) 'Other commitments of the Council within the time-frame referred to in clause 30 are the acquisition of a portion of part lots 127 Hatton Court and Lot 1003 Kenny Street, and construction of a footway'.

R. McLENNAN, Mayor.
B. JARVIS, Chief Executive Officer.

You will note that Amendment No. 17 had the effect of amending clause 30 of the TPS4A Scheme Text to incorporate replacement wording which in part reads as follows:

“30. The Council wishes to actively pursue the completion of the Scheme. To this end it has set a goal of completing the compulsory acquisition of properties in Area B within three years from the date of gazettal of the Scheme Amendment inserting this clause.”

Noting this, I can confirm that the Council has set a goal of completing required compulsory acquisition actions by 23 February 2021.

I trust that this information is of assistance.”

4.2 Public Question Time

Mr Bruce Robinson, President, Cyclist Action Group

In relation to the Success Hill Principal Shared Path (PSP), does Council think that the option four should be considered by the Department of Transport.

The Mayor responded that we are unable to answer that question right now as it needs to be considered by Council.

Ms Nonie Jekabsons, 6 Barton Parade, Bassendean

In relation to the PSP, has a study been undertaken of the road and pedestrian usage of that section of road. Are cyclists the main users of that section of road.

The Mayor responded that we don't have that specific data. The Acting Manager Infrastructure commented that the number of vehicles using that section of road is low, as is the users of the train station.

Mrs Tate, Railway Parade, Bassendean

In relation to the PSP, option four was discarded on the basis that it didn't cater for all abilities getting on and off the road. Why is this a problem when the street has very low traffic and is it worse than creating the hazard of cyclists versus pedestrians. Why aren't standard safety practices being looked at and why aren't we minimising the risk.

The Mayor thanked Mrs Tate for her questions.

Mr Don Yates, 10 Thompson Road, Bassendean

In relation to the PSP, has the Department of Transport considered separation at the north side of the train station where the PSP goes underneath as this would improve the safety dramatically. Also an increase of lighting in Railway Parade would improve safety.

The CEO advised that recent discussions with Western Power have been to incorporate Success Hill within the parameters of the underground power project. We are waiting on the scope of the project.

Mr Paul Bridges, West Road, Bassendean

With regard to the 48 properties that are to be included in category 1 & 2 of the Municipal Heritage Inventory, has this work been done. Would also like an update on work being done on the heritage incentive.

These questions were taken on notice.

Mr Robert Hodge, Anzac Terrace, Bassendean

Will the Council consider organising a meeting with residents, Councillors and the Department of Transport to review all options including option four.

The Mayor responded that this is something for Council to consider when discussing the item.

Ms Annette Darby, Anzac Terrace, Bassendean

In relation to the PSP, why don't the Department of Transport just leave it as it is, we are all happy.

COUNCIL RESOLUTION – ITEM 4.2

OCM – 2/07/19 MOVED Cr Wilson, Seconded Cr Gangell, that Council extend public question by 15 minutes.

CARRIED UNANIMOUSLY 7/0

Ms Nicola Clarke, 79 Penzance Street, Bassendean

In relation to item 10.14, how can you justify doubling the rates on vacant lots and how does increasing rates on vacant blocks encourage land owners to develop.

The Mayor advised that this is just a proposal at this point. Council is exploring how it can rate different properties throughout the Town. Rather than just putting a small advertisement in the newspaper, the Town is committed to consulting with its community and has contacted all those ratepayers of vacant blocks. There are a number of reasons and some may not apply to all vacant lots. The preferred approach to development is to incentivise people to develop their land. There is pressure from the State government to develop in the Town centre.

Mr Peter Pearson, River Street, Bassendean

The PSP is unnecessary. I walk on the road all the time. This section of road is very quiet. I feel cyclists on the PSP would be more dangerous to pedestrians.

Mrs Jill Taylor, Anzac Terrace, Bassendean

Has the Council received any complaints about the gap in the PSP and is the gap something that needs to be filled.

The Mayor responded that the Town has not received any complaints. The Department of Transport's consideration is not just about the community of Bassendean but all those who use the PSP network.

Mr Jeffrey Gier, 185 Fyfe Street, Helena Valley

Mr Gier provided the following questions:

1. I would like clarification as to what extra services the Town of Bassendean must provide to our vacant block in comparison to our immediate neighbours or other similar properties in the Town of Bassendean.
2. In answer to the topic of illegal dumping, I believe items deposited on one's property were the responsibility of the owner, but am I wrong to assume this, or does the Town of Bassendean clean up for land owners?
3. My understanding is that vacant blocks in the Town of Bassendean must meet various conditions:
 - Grass mowed during the summer months; and
 - Kept in a clean state (no old car bodies, building rubble etc).I believe that all local bodies have local by-laws in managing the above through the courts.
4. I'm at a loss as to how the Town of Bassendean deals with anti-social behaviour aside from reporting the incident to the relevant authorities.
5. As far as sand blowing onto the street with our vacant block, I've never seen sand blow onto the road. The Town of Bassendean would employ a mechanical sweeper to clean all road gutters within the Town, but I would be interested to see if our property has required any extra cleaning.

The Mayor took the questions on notice.

Mr Gier has advised the Director Corporate Services that after discussions, Mr Gier was happy with the outcome and does not require a response to his questions.

Mr Don Yates, 10 Thompson Road, Bassendean

In relation to incentivising development in this Town, a motion was passed last year that looked at narrowing Lord Street. In 2015 the Council supported the idea that there should be plans for neighbourhood community redevelopment implementation but this has not happened. If you want people to do something with their vacant blocks you need to do some of these things.

The Mayor advised that the particular proposal in relation to Lord Street came out of the Transport Study.

4.3 Address by Members of the Public

It should be noted that public statements are not recorded in the minutes.

5.0 CONFIRMATION OF MINUTES

5.1 Ordinary Council Meeting held on 25 June 2019

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 5.1(a)**

OCM – 3/07/19 MOVED Cr Brown, Seconded Cr Mykytiuk, that the minutes of the Ordinary Council Meeting held on 25 June 2019, be received.

CARRIED UNANIMOUSLY 7/0

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 5.1(b)**

OCM – 4/07/19 MOVED Cr Gangell, Seconded Cr Brown, that the minutes of the Ordinary Council Meeting held on 25 June 2019, be confirmed as a true record.

CARRIED UNANIMOUSLY 7/0

6.0 ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT DISCUSSION

Item 10.10 - Eden Hill Underground Power, listed on the agenda has been withdrawn.

The Mayor gave recognition to a group of community members for their work on the Bassendean Festival of Local Business.

The Mayor gave recognition to Mr Ken Cardy for his service to the Town. Mr Cardy will be retiring next week.

7.0 PETITIONS

Nil

8.0 DECLARATIONS OF INTEREST

Nil

9.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

Nil

10.0 REPORTS

10.1 Adoption of Recommendations En Bloc

It was agreed that items 10.4, 10.8, 10.9, 10.11, 10.12 & 10.19 be removed from the en-bloc table and considered separately.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.1

OCM – 5/07/19 MOVED Cr Brown, Seconded Cr Gangell, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Meeting Agenda of 23 July 2019:

| Item | Report |
|------|---|
| 10.2 | Joint Metropolitan Central Development Assessment Panel Application – Form 2 – Application for Amendment of a Development Assessment Panel Application for 22 Multiple Dwellings – Lot 54 (No. 72) Railway Parade, Bassendean |
| 10.3 | Proposed Adoption of Amendment 11 to Local Planning Scheme No. 10 |

| | |
|-------|--|
| 10.5 | Development Application – Proposed Change of Use for – Exhibition Centre, Market, Trade Display and Reception Centre at Lot 600 (No. 174) Railway Parade, Bassendean |
| 10.6 | Town of Bassendean Dust and Building Waste Local Law 2018 |
| 10.10 | Eden Hill Underground Power |
| 10.15 | Town Assets Committee Meeting held on 19 June 2019 |
| 10.16 | Determinations Made by the Principal Building Surveyor |
| 10.17 | Determinations Made by Development Services |
| 10.18 | Implementation of Council Resolutions |
| 10.20 | Financial Statements – June 2019 |
| 10.21 | Use of the Common Seal |
| 10.22 | Calendar for August 2019 |

CARRIED UNANIMOUSLY 7/0

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

| Item | Report |
|-------|---|
| 10.4 | Amended Application for Development Approval for Concrete Batching Plant at Lot 105 (Nos. 2-8) Clune Street, Bassendean, |
| 10.7 | Adoption of Town of Bassendean Parking Local Law 2019 |
| 10.8 | Parking Restrictions – Troy Street, Bassendean |
| 10.9 | European House Borer Infestation |
| 10.11 | Safe Active Street for Whitfield Street, Bassendean |
| 10.12 | Success Hill Principal Shared Path |
| 10.13 | RFT 085W 2018-19 The Supply, Assembly and Distribution of Variable Sized MGB's and Spare Parts (Separable Portion 1) and the Supply of Kitchen Caddy Bins with Compostable Liners and the Printing of Bin Lid Stickers (Separable Portion 2) for the Town of Bassendean |
| 10.14 | Implementation of Differential Rates |
| 10.19 | Accounts for Payment – June 2019 |

- 10.2 Joint Metropolitan Central Development Assessment Panel Application – Form 2 – Application for Amendment of a Development Assessment Panel Application for 22 Multiple Dwellings – Lot 54 (No. 72) Railway Parade, Bassendean, Owner: Mark Francis Hammond and Sandra Lee Hammond. Applicant: Dynamic Planning and Developments (Ref: DABC/BDVAPPS/2019 – 077 – Christian Buttle, Acting Manager, Development Services [Planning])**

APPLICATION

This report relates to a Form 2 - Joint Development Assessment Panel Application for 22 Multiple Dwellings at Lot 54 (No. 72) Railway Parade, Bassendean.

At its Ordinary Council meeting held in May 2011, Council resolved to require that all Joint Development Assessment Panel (JDAP) applications be the subject of a report to Council in order that Council can make an alternative recommendation to the Metropolitan Central JDAP, should it see fit.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.2

OCM – 6/07/19 MOVED Cr Brown, Seconded Cr Gangell, that Council endorse the Form 2 – Responsible Authority Report of the Acting Manager Development Services for the proposed 22 Multiple Dwellings at Lot 54 (No. 72) Railway Parade, Bassendean.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-5/07/19 7/0

10.3 **Proposed Adoption of Amendment 11 to Local Planning Scheme No. 10 (Ref: LPS10.11 – Alex Snadden – Planning Officer)**

APPLICATION

The purpose of this report was for Council to consider final adoption of an amendment to Local Planning Scheme No. 10 (the scheme) to modify Table 1 (Zoning Table) of the Scheme to amend the use of 'Convenience Store' from a 'P' use, and the use of 'Service Station' from an 'A' use, to an 'X' use (a use that is not permitted) within the 'Town Centre' zone and 'Local Shopping' zone.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.3

OCM – 7/07/19 MOVED Cr Brown, Seconded Cr Gangell, that Council resolves to:

1. Support submissions No. 1 and 6, note submission No. 3 and dismiss submissions No. 2, 4 and 5 received during the public advertisement period on proposed Amendment No.11 to Local Planning Scheme No. 10;
2. Adopt Amendment No. 11 to the Town of Bassendean Local Planning Scheme No. 10 as initiated by Council at its meeting of the 26 February 2019 without modification;

3. Forward the amendment documentation and schedule of submissions to the Western Australian Planning Commission with the request that the Hon. Minister for Planning grant approval to the amendment and its gazettal without modification; and
4. Advise those that lodged a submission of Council's decision accordingly.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-5/07/19 7/0

10.4 **Amended Application for Development Approval for Concrete Batching Plant at Lot 105 (Nos. 2-8) Clune Street, Bassendean, Owner: Keppel Holdings Pty Ltd, Applicant: Rowe Group (Ref: DABC/BDVAPPS/2019-018 – Alex Snadden, Planning Officer)**

APPLICATION

The Town has received an amended application for development approval (DA 2019-018) for the existing concrete batching plant at Lot 105 (Nos. 2-8) Clune Street, Bassendean. The amended application seeks the deletion of conditions which restrict the operational capacity of the plant. The application seeks the deletion of:

- Condition 6, which restricts operating hours;
- Conditions 7, 9 and 10, which relate to the annual output of the facility, the average and maximum daily production capacity and reporting requirements to the Town; and
- Condition 8, which restricts access to and from the site on Sundays and Public Holidays by trucks and semi-trailers.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.4

OCM – 8/07/19

MOVED Cr Gangell, Seconded Cr Brown, that Council approves the amended application for development application for the proposed concrete batching plant at lot 105 (Nos 2-8) Clune Street, Bassendean subject to the following conditions:

1. Prior to the issue of a Building Permit, a development bond for the sum of \$10,000 being lodged with the Town of Bassendean to ensure the satisfactory completion of all works associated with landscaping, car parking, access ways, screen walls, and other associated works. In the event the works are not completed to a satisfactory standard, the Town may call on the bond for the purpose of completing the works.
2. All landscaped areas shall be reticulated and maintained for the life of the development in accordance with the approved landscaping plans. Landscaping along Wick Street road reserve post resumption of the unzoned portion of the lot is to be subject of a separate development application.
3. Any fencing to be setback a minimum of two (2) metres from the Clune Street frontage, behind the landscaping strip as detailed on the approved drawings. Fencing along the Wicks street road reserve post resumption of unzoned portion of the lot is to be subject of a separate development application.
4. The proposed development shall at all times operate in accordance with the approved 'Waste and Dust Management Plan' with regards to Waste Management to the satisfaction of the Town.
5. The proposed development shall at all times operate in accordance with the 'Dust Management Plan' prepared by BGC (Reference: DMP-001) with respect to Dust Management and the *Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998* to the satisfaction of the Town.
6. The proposed development shall at all times operate in accordance with the Environmental Noise Assessment, prepared by Lloyd George Acoustics Pty Ltd, on behalf of BGC Australia (Report Reference: 18114736-01B) to the satisfaction of the Town.

7. The development shall at all times operate in accordance with the Transport Impact Statement, prepared by Shawmac Pty Ltd, on behalf of BGC Australia (Report Reference: 19011-TIS-001) to the satisfaction of the Town.
8. Standing water shall not remain on site for a period greater than 120 consecutive hours, so as to minimise the possibility of mosquito breeding.
9. All uncontaminated storm water and drainage runoff produced onsite is to be disposed of onsite via the use of soakwells. The soakwells must deal with the entire land area and be designed to contain a 24hour storm duration and 100-year ARI. Details of storm water disposal being submitted for the approval of the Town in conjunction with or prior to the issue of a Building Permit, in accordance with Local Planning Policy No. 14 – On-site Storm water Policy.
10. Any stored aggregate or sand outside the building is to be either wetted at all times or covered to prevent driven dust erosion.
11. Any material spills outside the material bins or waste storage bins are to be immediately wetted prior to removal of the materials.
12. Trucks must be washed down at the slump stand before leaving the site.
13. No products, good materials or waste shall be stored outside of the material bins or waste storage bins unless in a designated area that has been approved by the Town for this purpose.
14. A bin area is:
 - a. To be provided of not less than 10m²;
 - b. To be screened by a gate and brick walls or other suitable material to a height of not less than 1.8m;
 - c. To be provided with 75mm minimum thickness concrete floors to a 100mm industrial floor waste, with a hose cock to enable both the bins and bin storage area to be washed out; and
 - d. To be provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning.

15. Bins are to be washed only in approved wash down facility within the bin area; drained to a silt trap and disposal of via the water corporation sewer system or if this is not available a leach drain soakwell system which is separate to the storm water disposal system, or approved system, to the satisfaction of the Town of Bassendean.
16. The 19 car parking space and 18 truck parking spaces and associated access ways on the approved drawings being constructed, kerbed, marked and maintained thereafter to the Town's satisfaction.
17. Concrete mixer trucks are to be parked within an approved truck parking bays only.
18. Truck parking bays are to conform to the relevant Australian Standards. Future truck parking is subject to a future application for development upon resumption of the unzoned portion of the lot.
19. The required crossover post resumption of the unzoned portion of the land shall be constructed to Council's specifications (Note: Separate application and approval required).
20. Prior to any increase in production above 375m³ maximum daily output, the applicant/landowner is required to prepare drawings identifying the works involved within the verge in ensuring vehicles remain lane correct when entering the site; have the drawings approved by the Town and undertake the works in accordance with the approved drawings to the satisfaction of the Town.
21. The site, crossovers and immediate road reserve shall be kept clean and swept and free of sediment to the satisfaction of the Town of Bassendean.
22. No retail sales to be carried out from the premises.
23. Signage being subject to a separate application.
24. The street number being prominently displayed at the front of the development.
25. The issue of a building permit prior to the commencement of any works onsite.

CARRIED 6/1

Crs Gangell, Brown, McLennan, Mykytiuk, Quinton & Wilson voted in favour of the motion. Cr Hamilton voted against the motion.

10.5 Development Application – Proposed Change of Use for – Exhibition Centre, Market, Trade Display and Reception Centre at Lot 600 (No. 174) Railway Parade, Bassendean (Ref: DABC/BDVAPPS/2019-062 – Alex Snadden – Planning Officer)

APPLICATION

On 7 March 2019, the Town received an application to seek approval to retain and adaptively reuse the existing building at the corner of Jackson Street and Railway Parade for industry events which are catered for by the following land uses described within the Town's Local Planning Scheme No. 10 (LPS10):

- Exhibition Centre: which *"means premises used for the display, or display and sale of materials of an artistic, cultural, or historical nature, and includes a museum or art gallery"*;
- Market: which *"means premises used for the display and sale of goods from stalls by independent vendors"*;
- Trade Display: which *"means premises used for the display of trade goods and equipment for the purpose of advertisement"*; and
- Reception Centre: which *"means premises used for functions on formal or ceremonial occasions but not for unhosted use for general entertainment purposes."*

It is expected that support of these activities will facilitate the following activities as described by the applicant to occur:

- *"Industry events/networking and trade/product launches (e.g. komatsu/caterpillar);*
- *Display space for trade goods and car/industry auctions where a grandeur scale is required (e.g. promotion or trading of new equipment);*
- *Corporate/private functions (up to 500 persons);*
- *Special market events (e.g. gourmet food products and produce);*
- *Industrial demonstrations/business workshops/ upskilling workshops/ trade seminars;*
- *Short term hires of meeting rooms for nearby industrial businesses; and*

- *Industrial setting for photography, exhibition space for local artists, photographers and cultural groups.”*

The application does not propose to change or alter the existing warehouse that is located on the eastern side of the development site, existing offices or existing lunch bar.

The application is referred to a Council meeting for determination, as it is a proposal which has the potential to have a significant effect on the Town.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.5

OCM – 9/07/19 MOVED Cr Brown, Seconded Cr Gangell, that Council approves the application for development approval for the proposed change of use for Exhibition Centre, Market, Trade Display and Reception Centre at Lot 600 (No. 174) Railway Parade, Bassendean, subject to the following conditions:

1. A Waste Management Plan shall be submitted to and approved by the Town of Bassendean prior to the commencement of the approved development. Waste collection shall be undertaken in accordance with the approved plan thereafter to the satisfaction of the Town.
2. An Event Management Plan shall be submitted to and approved by the Town of Bassendean prior to the commencement of the approved development. Event management shall be undertaken in accordance with the approved plan thereafter to the satisfaction of the Town.
3. A Parking Management Plan be submitted to and approved by the Town of Bassendean prior to the commencement of the approved development. Car parking management shall be undertaken in accordance with the approved plan thereafter to the satisfaction of the Town.
4. Amplified sound shall cease from the site by 10pm on any day, unless a subsequent Acoustic Report is prepared and provided to the Town that demonstrates to the satisfaction of the Town of Bassendean that development onsite will comply with the *Environmental Protection (Noise) Regulations 1997* at all times.
5. The approved car bays and vehicle access areas are to be constructed, sealed and drained in accordance with the specifications set out by the Town within Local Planning Policy No. 8 – Parking Specifications.

6. Prior to the commencement of the approved development, a professionally prepared landscaping plan is required to be submitted to the Town for approval which addresses the following:
 - a. The planting of a minimum of seven (7) trees on site to provide shade for the additional car parking bays that are provided as a part of this development. The species of the tree is to be approved by the Town of Bassendean and the trees shall be minimum 90L pot size and two metres in height at the time of planting;
 - b. Planting of street trees along the entire length of the Railway Parade verge area forward of the development site of a number, species and size to be approved by the Town;
 - c. Details of the proposed watering system to ensure the establishment of species and their survival during the hot dry, summer months.

Landscaping shall be undertaken in accordance with the approved plan prior to the occupancy of the use, and maintained in perpetuity to the satisfaction of the Town of Bassendean.

7. The premises which are the subject of this approval are limited to a maximum capacity of 500 persons at any given time. Any future proposed increase in total capacity will require lodgement of a new application for development application for approval by the Town.
8. The loading and/or unloading of vehicles is to occur on-site and in a manner that does not interfere with the parking of vehicles in the car park. All car parking bays in the car park are to be made available at all times for the parking of vehicles by visitors and employees.
9. Car parking bays and areas designated for landscaping shall not be used for the storage, display or selling of any goods or vehicles whatsoever.
10. Signage for all development which is the subject of this approval shall be subject of a separate application.
11. The premises shall be kept in a neat and tidy condition at all times to the satisfaction of the Town of Bassendean.

12. The approved development shall not commence operations or continue to operate thereafter until all of the conditions of development approval have been met to the satisfaction of the Town of Bassendean.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-5/07/19 7/0

10.6 Town of Bassendean Dust and Building Waste Local Law 2018 (Ref: LAWE/LOCLWS/2 - Brian Reed, Manager Development Services)

APPLICATION

The purpose of this report was for Council to consider correspondence from the Joint Standing Committee on Delegated Legislation that Council is to:

- provide an undertaking to the Committee that in its next review of the Local Law, it will make amendments to the Local Law;
- until the Local Law is amended, it will not enforce the Local Law contrary to those amendments; and
- a copy of the undertaking is made available with the local law.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.6

OCM – 10/07/19 MOVED Cr Brown, Seconded Cr Gangell, that the Council of the Town of Bassendean resolves to undertake to the Joint Standing Committee on Delegated Legislation, that the Town will:

1. When the Local Law is next reviewed or amended, amend the Local Law to:

Delete clause 4.3.

Delete item 14 in Schedule 1.

Amend clause 3.4(2)(c) by deleting the words 'the local government may'.

Amend clause 4.1(3)(c)(i) by:

iii. Inserting the words 'or to the person who has not complied' after the word 'owner'.

iv. Deleting '; or'

Delete clause 4.1(3)(c)(ii).

Make all necessary consequential amendments.

2. Until the Local Law is amended in accordance with undertaking 1:

Not enforce the Local Law in a manner contrary to undertaking 1.

Where the Local Law is made publicly available, whether in hard copy or electronic form (including on the Town's website), ensure that it is accompanied by a copy of these undertakings.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-5/07/19 7/0

10.7 Adoption of Town of Bassendean Parking Local Law 2019 (Ref: LAWE/LOCLWS/2 – Sharna Merritt, Senior Ranger)

APPLICATION

The purpose of this report was for Council to finalise the *Town of Bassendean Parking Local Law 2019*.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION — ITEM 10.7

OCM – 11/07/19 MOVED Cr Quinton, Seconded Cr Brown, that Council:

1. Makes the *Town of Bassendean Parking Local Law 2019* as attached to the Ordinary Council Agenda of 23 July 2019; and
2. Instructs Officers to continue with the process leading to the implementation of the Local Law, as set out in section 3.12 of the *Local Government Act 1995*.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

Cr Gangell left the meeting at 8.49pm.

10.8 Parking Restrictions – Troy Street, Bassendean (Ref: LAWE/REPRNG/3 – Sharna Merritt – Senior Ranger)

APPLICATION

The purpose of this report was to request Council consider an installation of parking restrictions during school drop off and pick up times on Troy Street, Bassendean.

Cr Quinton moved the officer recommendation with the addition of a Point 2 and 3.

COUNCIL RESOLUTION/OFFICER RECOMMENDATIONS –
ITEM 10.8

OCM – 12/07/19 MOVED Cr Quinton, Seconded Cr Hamilton, that Council:

1. Approves the installation of 'No Stopping, Monday to Friday, 8am-9am and 2.30pm-3.30pm' parking restrictions on the eastern side of Troy Street, Bassendean, between Anzac Terrace and Elsfield Way, Bassendean;
2. **Requests that the Town's rangers initially utilise education rather than enforcement to allow parents from the primary school sufficient time to be alerted of the parking changes; and**
3. **Requests the Principal of Anzac Terrace Primary School advises the parents of the parking changes and that penalties could apply.**

CARRIED UNANIMOUSLY 6/0

The Senior Ranger left the meeting at 8.50pm and did not return.

**10.9 European House Borer Infestation (Ref: COUP/MAINT/1 -
Jeremy Walker, Senior Environmental Officer)**

APPLICATION

The purpose of this report was to provide an update to recommend action to Council on the European House Borer Infestation at Success Hill Reserve. (OCM-10/12/17 refers.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION —
ITEM 10.9

OCM – 13/07/19 MOVED Cr Hamilton, Seconded Cr Mykytiuk, that Council:

1. Receives the letter of response from DPIRD;
2. Receives the EMRC meeting notes from its meeting with DPIRD to discuss the spread of EHB on a regional scale;
3. Receive Arboricultural assessment of the Pinus Pinaster trees within Success Hill Reserve;
4. Requests that the EMRC hosts regional information sessions for member Councils to endorse a collaborated approach to manage the spread of EHB; and

5. Endorses the Officer's comments in this report for EHB at Success Hill through annual dead wooding and monitoring reports of the Pine trees within the reserve.

CARRIED UNANIMOUSLY 6/0

10.10 Eden Hill Underground Power (Ref: ESAT/CONCTN/2 – Phillip Adams, Acting Executive Manager Operations)

This item was withdrawn.

Cr Gangell returned to the meeting at 8.51pm.

10.11 Safe Active Street for Whitfield Street, Bassendean (Ref: ROAD/DESCONT/7 – David Dwyer, Engineering Technical Coordinator)

APPLICATION

The purpose of this report was to:

1. Present the design of the Whitfield Safe Active Street to Council;
2. Seek Council approval of the Whitfield Safe Active Street Community Engagement Plan; and
3. Seek Council approval of the design and commencement of the construction phase of the project.

OFFICER RECOMMENDATION — ITEM 10.11

That Council:

1. Receives and approves the design of Whitfield Safe Active Street for construction; and
2. Approves further community engagement on the Whitfield Safe Active Street as outlined in this report.

Cr McLennan moved an alternative motion.

COUNCIL RESOLUTION – ITEM 10.11

OCM – 14/07/19 MOVED Cr McLennan, Seconded Cr Quinton, that Council:

1. **Receives and approves the design of Whitfield Safe Active Street for the purpose of final consultation on the detailed designs with residents of Whitfield street, Bassendean Primary School and P&C, businesses located on Whitfield Street and any community members who provided feedback during the initial consultation;**
2. **Approves further community engagement on the Whitfield Safe Active Street as outlined in this report;**
3. **Requests that, where possible, deep root zones be incorporated into vegetated slow points to allow for the planting of additional shade trees;**
4. **Requests that the Town undertake street tree planting in alignment with the Town's target of 70% canopy cover of road reserves on verges along the west side of Whitfield Street during the 2020 winter planting season to further improve walkability of the safe active street;**
5. **Requests a further report be presented to Council following consultation on the detailed designs outlining any further feedback, any proposed changes and seeking approval of the design for construction;**
6. **Endorses construction take place during the school holiday period to minimise disruption to the school community.**

CARRIED UNANIMOUSLY 7/0

Cr Brown left the meeting at 9.02pm and returned at 9.03pm.

10.12 Success Hill Principal Shared Path (Ref: TRAF/PLANNG/3ROAD/ DESCNT/5 – David Dwyer, Engineering Technical Coordinator)

APPLICATION

The purpose of this report was to provide Council with information regarding the recent consultation undertaken by Department of Transport, following feedback from some members of the community concerning the loss of trees in the construction of a Principal Shared Path (PSP) on Railway Parade, Success Hill. In the latest round of consultation, a preference was expressed for Option 3 which involves reducing the road width for the length of the principal shared path, to minimise use of the verge space and impact on existing vegetation.

OFFICER RECOMMENDATION — ITEM 10.12

That Council:

1. Notes the recent consultation undertaken by Department of Transport in May 2019 since Council's earlier resolution OCM – 10/02/18;
2. Notes that following feedback from the community concerning the loss of trees, two additional alignment options that use more of the road space were prepared and provided to the community for feedback;
3. Approves the community's preference for Option 3 which involves reducing the road width for the length of the principal shared path, to minimise use of the verge space and impact on existing vegetation;
4. Notes the further opportunity for Railway Parade in Success Hill to be designated a *Green Transport Route* which is designed to be visually appealing, combining natural planting and greenery to create a more pleasant walking and riding experience by increasing natural landscaping, shade, shelter and amenity;
5. Notes that the *Green Transport Route* will be designed and maintained with the involvement of the Town and the local community to ensure it complements and adds to the area's biodiversity and character;

6. Seeks the Department of Transport to extend the scope of the Green Transport Route to include Kelly Park to achieve increased natural landscaping, shade, shelter and amenity, including lighting;
7. Approves further engagement be undertaken by the Town via Your Say and a local letterbox drop. This is to outline the purpose of the recent consultation, to advise the community of the outcome of the consultation, to allow any final feedback on the preferred option 3 in addition to providing information regarding the proposed Green Transport Route pilot; and
8. Supports a follow up report to be presented to Council at the August 2019 meeting outlining any further feedback from the community and next steps.

LAPSED FOR WANT OF A MOVER

COUNCIL RESOLUTION – ITEM 10.12(a)

OCM – 15/07/19 MOVED Cr Mykytiuk, Seconded Cr Wilson, that Council suspend Standing Orders.

CARRIED 5/2

Crs Mykytiuk, Wilson, Brown, Hamilton & Quinton voted in favour of the motion. Crs McLennan & Gangell voted against the motion.

COUNCIL RESOLUTION – ITEM 10.12(b)

OCM – 16/07/19 MOVED Cr Wilson, Seconded Cr Quinton, that Council resume Standing Orders.

CARRIED UNANIMOUSLY 7/0

Cr Wilson moved an alternative motion.

COUNCIL RESOLUTION – ITEM 10.12

OCM – 17/07/19 MOVED Cr Wilson, Seconded Cr Quinton, Cr Hamilton, that Council:

1. Notes the recent consultation undertaken by Department of Transport in May 2019 since Council's earlier resolution OCM – 10/02/18;

2. Notes that following feedback from the community concerning the loss of trees, two additional alignment options that use more of the road space were prepared and provided to the community for feedback;
3. **Notes the result of the survey of 76 people which indicated that 48% of those surveyed preferred option 3** which involves reducing the road width for the length of the principal shared path, to minimise use of the verge space and impact on existing vegetation;
4. **Provides in principal support of option 3 and requests the Department of Transport undertake detailed design of option 3;**
5. **Rescinds OCM – 10/02/18 that states (in part) that Council: 3. Approves in principle the revised concept plan 245215-54- SKE- 001 Rev A for the design and construction of the Railway Parade Principal Shared Path subject to: (i) any vegetation requiring removal being replaced 3:1 along the Principal Share Path through the Town of Bassendean as per the previous offer; and (ii) the Department of Transport implementing the “Green Route” pilot project to support activation of the proposed Railway Parade Principal Shared Path;**
6. **Notes the Department of Transport’s commitment to implement a “Green Route” demonstration project to support activation of the Success Hill Principal Shared Path** designed to be visually appealing, combining natural planting and greenery to create a more pleasant walking and riding experience by increasing natural landscaping, shade, shelter and amenity;
7. **Notes recent discussions with the Department of Transport confirming that, as Option 3 minimises the removal of trees along the section of the Principal Shared Path through Success Hill, the scope of the “Green Route” plantings can be extended further along the path towards Bassendean Train Station;**
8. Notes that the Green Transport Route will be designed and maintained with the involvement of the Town and the local community to ensure it complements and adds to the area’s biodiversity and character;

9. Seeks the Department of Transport to extend the scope of the Green Transport Route to include Kelly Park to achieve increased natural landscaping, shade, shelter and amenity, including lighting;
10. Approves further engagement to be undertaken by the Town via Your Say and a local letterbox drop. This is to outline the purpose of the recent consultation, to advise the community of the outcome of the consultation, to allow any feedback on the preferred option 3 in addition to providing information regarding the proposed Green Transport Route pilot; and
11. Supports a follow up report to be presented to Council at the August 2019 outlining any further feedback from the community and next steps.
12. **Writes to the Department of Transport formally seeking its response on the possibility of an option 4.**
CARRIED 6/1

Crs Wilson, Quinton, Hamilton, McLennan, Brown & Mykytiuk voted in favour of the motion. Cr Gangell voted against the motion.

10.13 RFT 085W 2018-19 The Supply, Assembly and Distribution of Variable Sized MGB's and Spare Parts (Separable Portion 1) and the Supply of Kitchen Caddy Bins with Compostable Liners and the Printing of Bin Lid Stickers (Separable Portion 2) for the Town of Bassendean (Ref: WSTMNGT/TENDNG/11) Ken Cardy Manager Asset Services

APPLICATION

At the March 2019 Ordinary Council Meeting (OCM – 14/03/19) the following was resolved:

“Requests Officers invite tenders for the Supply, Assembly and Delivery of Variable Sized Mobile Garbage Bins (MGBs) Spare Parts and Tender documents for the Supply, Assembly and Delivery of Variable Sized Mobile Garbage Bins (MGBs), Spare Parts, including an option for kitchen caddy bins with matching Australian Certified compostable liners.”

The purpose of this report was to appoint a successful contractor from those tender offers received for RFT 085W 2018-19 The Supply, Assembly and Delivery of Variable Sized MGB's and Spare Parts and the Supply of Kitchen Caddy Bins with Compostable Liners for the Town of Bassendean.

Cr Wilson moved the officer recommendation with the addition of a Point 4.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION
- ITEM 10.13

OCM – 18/07/19 MOVED Cr Wilson, Seconded Cr Quinton, Cr Hamilton, that Council:

1. Appoints Mastec Australia Pty Ltd, to undertake works required in RFT 085W 2018-19 for both Separable Portions part 1. (Supply, Store, Assembly and Distribution various bins) & part 2. (Supply & Delivery of Kitchen Caddies & Compostable Liners, Printing & Placing of stickers), in accordance with their offer and the RFT specification and terms and conditions;

2. Rescinds the 23 April 2019, Council resolution: OCM-11/04/19, Part 2, which reads:

“MOVED Cr McLennan, Seconded Cr Hamilton, that Council Advises the Eastern Metropolitan Regional Council that from 1 November 2019 the Town of Bassendean will commence the rollout of the Better Bins program, including the provision of the FOGO (Food Organics & Garden Organics) bins to ratepayers and request that the Red Hill Waste Management facility be in a position to receive and process FOGO waste”; and

3. Notes a further report to Council on the Better Bin implementation program, grant funding opportunities and proposed roll-out date will be forthcoming.

4. **Enters into discussion with the Eastern Metropolitan Regional Council (EMRC) regarding the establishment of a mutual understanding of the conditions precedent to a roll out and also enquires as to the EMRC's ability to assist the Town of Bassendean with the education programme.**

CARRIED BY AN ABSOLUTE MAJORITY 7/0

The Manager Parks & Environment, A/Manager Development Services and A/Manager Community Planning left the meeting at 9.52pm and did not return.

10.14 Implementation of Differential Rates (Ref: RAT &VAL/FEECHAG/3 - Paul White, Director Corporate Services)

APPLICATION

This report has been prepared to allow Council to consider submissions received as part of the advertising of the proposed differential rates.

OFFICER RECOMMENDATION – ITEM 10.14

That Council:

1. Receives the 21 written submissions, 14 community-led feedback forms and 59 completed *Your Say* website surveys outlined in the attachments included in the Ordinary Council Meeting Agenda of 23 July 2019; and
2. Selects the preferred option included in the Officer Report to implement Differential Rating.

Cr Hamilton moved an alternative motion.

COUNCIL RESOLUTION – ITEM 10.14

OCM – 19/07/19 MOVED Cr Hamilton, Seconded Cr Wilson, that Council:

1. Receives the 21 written submissions, 14 community-led feedback forms and 59 completed *Your Say* website surveys outlined in the attachments included in the Ordinary Council Agenda of 23 July 2019;
2. **Implements a Differential Rating for the 2019/20 financial year as follows:**
 - a) **GRV - Vacant Industrial, Vacant Commercial, Vacant Non Residential Land - Rate in the dollar of 0.145 and minimum rates of \$1,800;**
 - b) **GRV - Vacant Residential Land - Rate in the dollar of 0.08 and a minimum rates of \$1,200; and**

- 3. Requests staff provide a Differential Rating Report for consideration by Councillors each year in advance of the annual Budget Workshops.**

CARRIED BY AN ABSOLUTE MAJORITY 4/3

Crs Hamilton, Wilson, Mykytiuk & Quinton voted in favour of the motion. Crs McLennan, Brown & Gangell voted against the motion.

**10.15 Town Assets Committee Meeting held on 19 June 2019
(Ref: GOVNCCL/MEET/37 – Phillip Adams, A/Executive
Manager Infrastructure**

APPLICATION

The purpose of this report was for Council to receive the report on a meeting of the Town's Asset Committee held on 19 June 2019, and adopt the following recommendations from the Committee:

- TAC - 1/06/19 Street Tree Planting Program
- TAC - 2/06/19 Street Lighting Audit – Within 200m Radius of Success Hill Train Station
- TAC - 3/06/19 Implementation of FOGO.

COUNCIL RESOLUTION/COMMITTEE RECOMMENDATION
– ITEM 10.15

OCM – 20/07/19 MOVED Cr Brown, Seconded Cr Gangell, that Council:

1. Receives the report on a meeting of the Town Assets Committee held on 19 June 2019;
2. Notes that Officers are to proceed with the Street Tree Planting with the list of current residents;
3. Notes that Officers will put a second call out to residents for the remainder of the current street trees with appropriate descriptors and pictures;
4. Notes that the Thompson Rd lighting project is on hold and that further clarification is being sought from Western Power on the proposed works and that an LED upgrading program in high pedestrian areas will continue; and
5. Notes that it will continue with the EMRC to implement FOGO and accepts the communications strategy plans.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-5/07/19 7/0

**10.16 Determinations Made by the Principal Building Surveyor
Ref: LUAP/PROCED/1 – Kallan Short, Principal Building
Surveyor)**

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.16

OCM – 21/07/19 MOVED Cr Brown, Seconded Cr Gangell, that Council notes the decisions made under delegated authority by the Principal Building Surveyor.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-5/07/19 7/0

**10.17 Determinations Made by Development Services (Ref:
LUAP/PROCED/1 – Christian Buttle, A/Manager
Development Services)**

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.17

OCM – 22/07/19 MOVED Cr Brown, Seconded Cr Gangell, that Council notes the decisions made under delegated authority by the Manager Development Services.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-5/07/19 7/0

**10.18 Implementation of Council Resolutions (Ref:
GOVN/CCLMEET/1 – Sue Perkins, Executive Assistant to
the CEO)**

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 10.18

OCM – 23/07/19 MOVED Cr Brown, Seconded Cr Gangell, that the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 25 June 2019 be deleted from the Implementation of Council Resolutions list.
CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION –
OCM-5/07/19 7/0

Cr Quinton left the meeting at 10.31pm and returned at 10.32pm.

Cr Mykytiuk left the meeting at 10.33pm and returned at 10.34pm.

Cr Brown left the meeting at 10.35pm and did not return.

10.19 Accounts for Payment – June 2019 (Ref: FINM/CREDTS/4 – Paul White, Director Corporate Services)

APPLICATION

The purpose of this report was for Council to receive the Accounts for Payment in accordance with Regulation 13 (3) of the Local Government (Financial Management) Regulations 1996.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.19

OCM – 24/07/19 MOVED Cr Gangell, Seconded Cr Wilson, that in accordance with Regulation 13(3) Local Government (Financial Management Regulations 1996), the List of Accounts paid for June 2019, be received.

CARRIED UNANIMOUSLY 6/0

10.20 Financial Statements – June 2019 (Ref: FINM/AUD/1 – Paul White, Director Corporate Services)

APPLICATION

The Local Government Financial Management Regulations, Clause 34(1) requires that a monthly financial report be presented to Council. A Local Government is to prepare each month a statement of financial activity that clearly shows a comparison of the budget estimates with the actual revenue and expenditure figures for the year to date.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.20

OCM – 25/07/19 MOVED Cr Brown, Seconded Cr Gangell, that the Financial Reports for the period ending June 2019, be received.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-5/07/19 7/0

10.21 Use of the Common Seal (Ref: INFM/INTPROP/1 – Yvonne Zaffino, Council Support Officer)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION – ITEM 10.21

OCM – 26/07/19 MOVED Cr Brown, Seconded Cr Gangell, that Council notes the affixing of the Common Seal to the documents, as shown in the Ordinary Council Agenda of 23 July 2019, during the reporting period.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-5/07/19 7/0

10.22 Calendar for August 2019 (Ref: Yvonne Zaffino, Council Support Officer)

COUNCIL RESOLUTION/OFFICER RECOMMENDATION - ITEM 10.22

OCM – 27/07/19 MOVED Cr Brown, Seconded Cr Gangell, that the Calendar for August 2019 be adopted.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-5/07/19 7/0

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

Nil

13.0 CONFIDENTIAL BUSINESS

Nil

14.0 **CLOSURE**

The next Briefing Session will be held on Tuesday 20 August 2019 commencing at 7.00pm. The next Ordinary Council meeting will be held on Tuesday 27 August 2019 commencing at 7.00pm.

There being no further business, the Presiding Member declared the meeting closed, the time being 10.36pm.

ATTACHMENT NO. 2

TOWN OF BASSENDEAN

MINUTES

SPECIAL COUNCIL MEETING

HELD IN THE COUNCIL CHAMBER, 48 OLD PERTH ROAD, BASSENDEAN

ON TUESDAY 20 AUGUST 2019 AT 6.00PM

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open, welcomed all those in attendance and acknowledged the past and present traditional owners and custodians of the land on which the meeting was held.

2.0 PUBLIC QUESTION TIME AND ADDRESS BY MEMBERS OF THE PUBLIC

2.1 Public Question Time

Nil

2.2 Address by Members of the Public

Nil

3.0 ATTENDANCES, APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE

Present

Councillors

Cr Renee McLennan, Mayor
Cr John Gangell
Cr Kathryn Hamilton
Cr Melissa Mykytiuk
Cr Sarah Quinton
Cr Jai Wilson

Apologies

Cr Bob Brown, Deputy Mayor

Officers

Ms Peta Mabbs, Chief Executive Officer
Mr Paul White, Director Corporate Services
Mr Phil Adams, A/Manager Infrastructure
Ms Mona Soliman, A/Manager Community Planning
Ms Renee Maher, Manager Human Resources
Mrs Amy Holmes, Minute Secretary

Public

Nil

Press

Nil

Leave of Absence

The following leave of absence was requested:

- Cr Mykytiuk: 2 September – 6 October

COUNCIL RESOLUTION – ITEM 3.0

SCM – 1/08/19 MOVED Cr Wilson, Seconded Cr Quinton, that Cr Mykytiuk be granted Leave of Absence from 2 September – 6 October 2019.
CARRIED UNANIMOUSLY 6/0

4.0 **REPORTS**

4.1 Corporate Business Plan – 2019 Minor Review and Workforce Plan Review 2019 – (Renaë Maher, Manager Human Resources & Organisational Development)

APPLICATION

Integrated Planning and Reporting gives Local Governments a framework to establish priorities and link to operational functions. As part of this process each local government is required to adopt a 10 year Strategic Community Plan and a 4 year Corporate Business Plan.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 4.1

SCM – 2/08/19 MOVED Cr Wilson, Seconded Cr Quinton, that Council endorses the draft:

1. Corporate Business Plan Minor Review 2019; and
2. Workforce Plan Review 2019.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

4.2 **Adoption of the 2019/20 Budget (Ref: FINM/BUGTG/1 – Paul White, Director Corporate Services)**

APPLICATION

The purpose of this report is to facilitate final consideration and approval of the 2019/20 Annual Budget.

The following amendments were proposed:

COUNCIL RESOLUTION – ITEM 4.2(a)

SCM – 3/08/19 MOVED Cr Hamilton, Seconded Cr Quinton, that:

- Fees and Charges, Australia Day Parking Fee, be increased to \$20, excepting people with ACROD and pram stickers who shall be offered discounted parking of \$5.

LOST 3/3

*Crs Hamilton, Quinton and Wilson voted in favour of the motion.
Crs McLennan, Gangell and Mykytiuk voted against the motion.*

COUNCIL RESOLUTION – ITEM 4.2(b)

SCM – 4/08/19 MOVED Cr Wilson, Seconded Cr Hamilton, that:

- Individual line item financial information for projects listed be withheld from public budget documents.

CARRIED 4/2

Crs Wilson, Hamilton, McLennan and Quinton voted in favour of the motion. Crs Gangell & Mykytiuk voted against the motion.

COUNCIL RESOLUTION – ITEM 4.2(c)

SCM – 5/08/19 MOVED Cr Hamilton, Seconded Cr Wilson, that:

- The Waste Removal charge be reduced from \$390 to \$380.
CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION – ITEM 4.2(d)

SCM – 6/08/19 MOVED Cr Wilson, Seconded Cr Hamilton, that:

- Any surplus funds that have been allocated for emergency repairs be placed in reserve at the end of the financial year and that a specific reserve be created for this purpose.
CARRIED UNANIMOUSLY 6/0

COUNCIL RESOLUTION/OFFICER RECOMMENDATION –
ITEM 4.2

SCM – 7/08/19 MOVED Cr McLennan, Seconded Cr Wilson, that Council adopts:

1. The Municipal Fund Budget for 2019-2020

Pursuant to the provisions of Section 6.2 of the *Local Government Act 1995* (as amended), and Part 3 of the *Local Government (Financial Management) Regulations 1996*, adopts the 2019/2020 Annual Budget for the Town of Bassendean, which includes the following:

- a) Statement of Comprehensive Income by Nature and Type, and by Program, showing a net result for the year of (\$1,100,263);
- b) Rate Setting Statement showing an amount required to be raised from rates of \$13,386,000;
- c) Notes to, and forming part of, the budget;
- d) Operational and capital projects;
- e) Transfers to/from Reserve Accounts;
- f) Schedule of Fees & Charges; and
- g) Councillor fees and allowances.

2. Differential rates, minimum payments and instalment payment arrangements:

a) Amends the Statement of Objects and Reasons for differential rating to:

“The higher differential category for vacant land reflects the Town’s obligations to maximise the per capita use of infrastructure by encouraging development of vacant properties that will in turn stimulate growth, vibrancy and development in the community.”

b) Imposes the following differential rates, representing an increase of 1% for the 2019/20 financial year for the purpose of yielding the deficiency disclosed by the 2019/20 Annual Budget pursuant to Sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995*:

i) GRV – Vacant Residential Land
0.08 cents in the dollar of gross rental value applicable to properties that are vacant residential land and subject to a minimum rate of \$1,200 per assessment.

ii) GRV – Vacant Non-Residential Land
0.145 cents in the dollar of gross rental value applicable to properties that are vacant non-residential land and subject to a minimum rate of \$1,800 per assessment.

(iii) GRV – All Other Rateable Property
0.7302 cents in the dollar of gross rental value and subject to a minimum rate of \$1,106 per assessment.

c) Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, nominates the following instalment payments options and due dates:

Two instalments:

- h) Full payment and 1st instalment due date 11 October 2019; and
- ii) Second instalment due date 14 February 2020.

Four instalments:

- i) Full payment and 1st instalment due date 11 October 2019;

- ii) Second quarterly instalment due date 13 December 2019;
 - iii) Third quarterly instalment due date 14 February 2020; and
 - iv) Fourth quarterly instalment due date 17 April 2020.
- d) Pursuant to Section 6.45 of the Local Government Act 1995 and Regulation 67 of the Local Government (Financial Management) Regulations 1996, adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$12 for each instalment after the initial instalment is paid (a total of \$36).
- e) Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, adopts an interest charge of 5.5% per annum where the owner has elected to pay rates and service charges through an instalment option.
- f) Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995* and Regulation 70 of the *Local Government (Financial Management) Regulations 1996*, adopts an interest charge of 10% for rates (and service charges) and costs of proceedings to recover such charges that remain unpaid after becoming due and payable.

3. Fees and Charges

Pursuant to Section 6.16 of the *Local Government Act 1995*, Section 245A (8) of the *Local Government (Miscellaneous Provisions) Act 1960*, Section 67 of the *Waste Avoidance and Resources Recovery Act 2007*, and Regulation 53(2) of the Building Regulations 2012, adopts the Fees and Charges included in the 2019/20 Annual Budget as attached to, and forming part of, this report.

4. Elected Members' fees and allowances

- a) Pursuant to Section 5.98 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Administration) Regulations 1996*, adopts the following annual fees for payment of Elected Members in lieu of individual meeting attendance fees:
- i) Mayor \$25,352; and
 - ii) Councillors \$16,367.

- b) Pursuant to Section 5.99A of the *Local Government Act 1995* and Regulations 34A and 34AA of the *Local Government (Administration) Regulations 1996*, adopts the Information and Communication Technology allowance of \$3,500 for Elected Members.
 - c) Pursuant to Section 5.98(5) of the *Local Government Act 1995* and Regulation 33 of the *Local Government (Administration) Regulations 1996*, adopts the annual local government allowance of \$36,957 to be paid to the Mayor in addition to the annual meeting allowance.
 - d) Pursuant to Section 5.98A of the *Local Government Act 1995* and Regulation 33A of the *Local Government (Administration) Regulations 1996*, adopts the annual local government allowance of \$9,239 to be paid to the Deputy Mayor in addition to the annual meeting allowance.
5. Changes to reserves for 2019/20:

Pursuant to section 6.11 of the *Local Government Act 1995*:

- a) Establish the Information Technology Infrastructure Reserve – To fund the acquisition and enhancement of technology and digital service delivery initiatives.
 - b) Establish the Future Projects Reserve – To assist in funding new and upgrade capital initiatives that are generally significant in nature and provide a means to spread the cost of intergenerational assets over multiple years.
6. Material variance reporting for 2019/20:

Pursuant to Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* and Australian Accountings Standard AASB 1031 Materiality, adopts the level to be used in Statements of Financial Activity in 2019/20 for reporting material variances of any individual business unit / service area shall be an amount of (+) or (-) \$5,000 or 10%, whichever is greater.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

5.0 CLOSURE

There being no further business, the Presiding Member declared the meeting closed, the time being 7.00pm.

ATTACHMENT NO. 3

Charter

Commitment to this Charter is a requirement for participation in the Small Business Friendly Local Governments (SBFLG) initiative and outlines what the local government agrees to do to support small business in their area.

1. Commitment to small business

The local government agrees to:

- a) recognise that the small business community is an important stakeholder;
- b) undertake regular and targeted consultation with this group;
- b) work towards understanding how its local small business community operates, its needs and goals, and the key challenges;
- c) provide networking and other development opportunities for its local small business community; and
- d) actively engage, where appropriate, with the Small Business Development Corporation (SBDC) on matters affecting small business.

2. Commitment to customer service

The local government agrees to:

- a) maintain open lines of communication with small businesses through both formal and informal approaches;
- b) provide clear advice and guidance to small businesses with a focus on assisting them to understand and meet their regulatory obligations, and to work with them to achieve compliance;
- c) publish a set of clear service standards setting out what small businesses can expect from them;
- d) consider the needs of local small business owners for whom English is not a first language; and
- e) publish a link on its website to take small business owners to resources available on the SBDC website, including the Business Licence Finder.

3. Administration and regulation

The local government agrees to:

- a) take reasonable action to limit unnecessary administrative burdens on small business such as:
 - i. only asking for information that is absolutely necessary;
 - ii. not asking for the same information twice;
 - iii. working collaboratively with other local governments;
- b) undertake regular policy reviews to limit their impact on small businesses, and to test new policies and procedures for 'small business friendliness'; and
- c) ensure that its officers have the necessary knowledge and skills to apply plans and regulations in a consistent manner.

4. On-time payment policy

The local government agrees to work towards ensuring all invoices from small business suppliers are paid within 30 days.

5. Small business engagement

The local government agrees to regularly meet and consult with the small business community, including small business operators and members of representative bodies, to assist their understanding of small business needs in their local area.



6. Dispute resolution

The local government agrees to implement a timely, cost-effective and non-judicial process to manage any disputes it may have with small businesses and to publish details of this on its website. The process could include referring the dispute to an independent dispute resolution service (such as that offered by the SBDC).

7. Additional activities to support small business

In addition to items 4, 5, and 6 above, the local government agrees to implement at least three other activities to improve the operating environment for small businesses within its authority. Details of the initiatives are to be included in the local government’s bi-annual reports to the SBDC.

8. Progress reports

The local government agrees to:

- a) provide the SBDC with a biannual progress report that outlines the results achieved in relation to its small business friendly initiatives, including its policy relating to small business being paid on-time, business advisory group, and dispute resolution process; and
- b) forward success stories and case studies to the SBDC in relation to the SBFLG initiative when requested.

9. Promotion and marketing of the program

The local government:

- a) agrees that the Mayor and Chief Executive Officer will make a public statement in relation to its commitment to the SBFLG initiative, and to post this statement on its website;
- b) will be provided with a logo which it agrees to use in accordance with the SBFLG style guide supplied by the SBDC; and
- c) is encouraged to promote the SBFLG initiative by displaying the approved logo on its online and printed marketing and communication materials.

10. Contact details

The local government agrees:

- a) that the primary contact for the SBFLG initiative will be the Chief Executive Officer and that a secondary contact will also be nominated, as a delegate of the Chief Executive Officer; and
- b) to provide the SBDC with direct contact details for the nominated contacts.

| | Name | Position | Phone number | Email address |
|-------------------|------|-------------------------|--------------|---------------|
| Primary contact | | Chief Executive Officer | | |
| Secondary contact | | | | |

11. Acceptance

On behalf of [insert local government name], we agree to the terms outlined in this Charter and agree to implement the SBFLG initiative.

Mayor

Chief Executive Officer

Print name:

Print name:

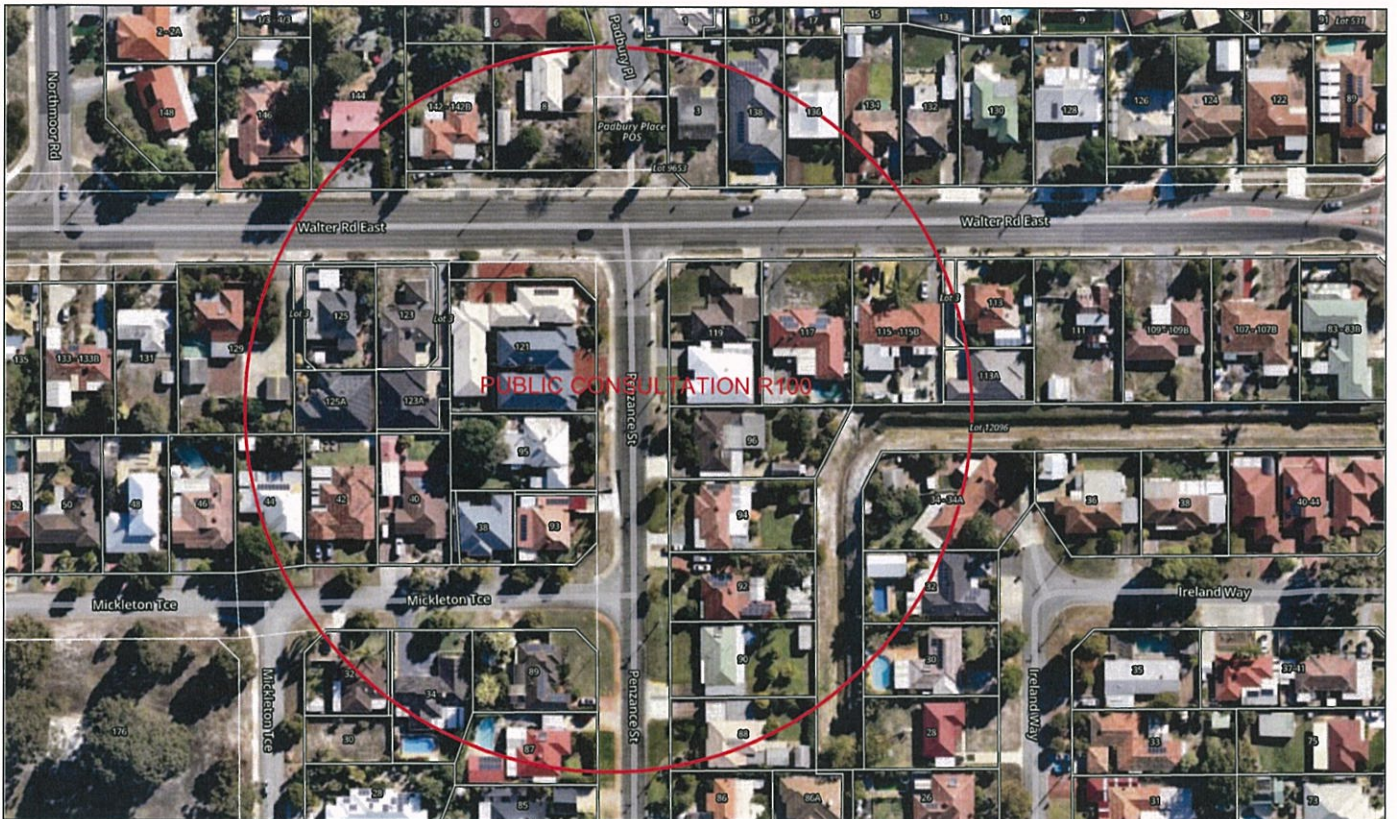
Signature:

Signature:

Date:

Date:

ATTACHMENT NO. 4




 Town of Bassendean
 35 Old Perth Road
 Bassendean WA 6054
 Phone: 9377 8000
 Fax: 9279 4257
 Email: mail@bassendean.wa.gov.au

Disclaimer: The Town Of Bassendean accepts no responsibility for the accuracy of this image or the results of any actions taken when using this image. This map is based on information provided by and with the permission of the Western Australian Land Information Authority.

Penzance Street Bus Stop
 R100
 Public Consultation

2/07/2019
 Scale: 1:1000



Our ref: OLET-8206819

To the Owner/Occupier
«Unit_No» «House_No» «Street_Name» «Street_Type»
«Suburb» WA 6054

Dear Resident

RE: BUS SHELTER PENZANCE STREET, BASSENDEAN.

The Town of Bassendean is considering replacing/installing a bus shelter in Penzance Street prior to Walter Road East, bus stop number 15805.

In 2016 the Public Transport Authority removed a number of shelters in the Town as they did not comply with Disability Standards for Accessible Public Transport. The bus stop boarding area was upgraded to comply with assessable standards.

Since then, the Town has received a number of requests to replace the shelter at this location.

The proposed bus shelter will provide protection from the environmental elements and will be visually permeable to detract antisocial behaviour through passive surveillance.

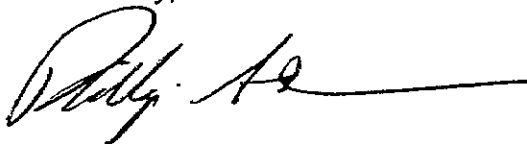
Community consultation is part of the process to determine the level of support, or opposition, from residents and community.

Have Your Say:

Please complete the attached survey and return it to the Town in the enclosed reply-paid envelope by **Friday 26 July 2019**.

For further information, contact the Town's Engineering Design Officer Nicole Baxter on 9377 8000 during office hours.

Yours faithfully,



PHILLIP ADAMS
A/ EXECUTIVE MANAGER INFRASTRUCTURE

9 July 2019



Town of Bassendean

SURVEY
REPLACEMENT OF BUS SHELTER IN
PENZANCE STREET, BASSENDEAN

ATTENTION: ENGINEERING DESIGN OFFICER

- 1. Name:** _____
- 2. Address:** _____
- 3. Email:** _____
- 4. Contact** _____

5. Do you support installing a bus shelter in Penzance Street near bus stop No. 15805?

YES / NO (please circle your response)

6. Do you use Transperth Bus Services?

YES / NO (please circle your response)

7. Comments:

We respect your privacy and will only use your details if we need to contact you about this project. Thank you for your comments.

| | Do you support Shelter at Bus Stop No 15805 | Do you use Transperth Bus Service | Comments |
|----|---|-----------------------------------|---|
| 1 | No | Yes | Previous owners and neighbours have informed that when there was a bus shelter previously it attracted anti-social behaviour. We would like to prevent our young family being exposed to this. |
| 2 | Yes | | Occasionally |
| 3 | Yes | Yes | could do with covered bus shelter there as its very wet and windy during bad weather in that street and when your old its good to be able to sit down and wait for the bus. |
| 4 | Yes | Yes | |
| 5 | Yes | Yes | |
| 6 | Yes | Yes | we have noticed especially people with "walkers" walking sticks and prams standing/waiting unprotected from the rain and hot sun and often commented how much a bus shelter with seating would be much appreciated by them- as well as ourselves. |
| 7 | No | No | being opposite this bus shelter for 35 years we prefer to use the train. A 20min walk away. The area of the bus stop has been used as a public toilet although "visually permeable" we doubt that is a deterrent to antisocial behaviour. |
| 8 | Yes | Yes | |
| 9 | Yes | Yes | |
| 10 | Yes | Yes | |
| 11 | Yes | Yes | |

Yes =9

No= 2

Walter Road



Old Perth Road



ATTACHMENT NO. 5

APPLICATION FORM

Please complete this form to your best ability. Detach from preceding information and email to Manager Recreation and Culture ssiciliano@bassendean.wa.gov.au

PROJECT NAME: In Situ

NAME OF APPLICANT GROUP: STRUT Dance, Auspicing for Geordie Crawley, Serena Chalker and Daisy Sanders

TYPE OF APPLICANT GROUP: Incorporated Charitable (non profit Arts and Culture)
e.g.. Incorporated sporting/leisure/cultural organisation, Incorporated charitable (non profit) organisation, Incorporated community group, Educational institution

ADDRESS First Floor, King Street Arts Centre, 365 Murray St, Perth

POSTAL ADDRESS: PO Box 7011, Cloisters Square WA 6850

Name of contact person (must be over 18 years of age) Serena Chalker (In Situ), Alica Byfield (STRUT)

Position of contact person: Co-Curator

Best daytime contact number: 0407263316

E-mail: serenachalker@gmail.com

HAS THE APPLICANT APPLIED FOR OTHER FUNDING FROM COUNCIL OR ANY OTHER FUNDING BODY FOR THIS PROJECT?

YES NO

If yes, please provide name of funding body, amount and date application made

Department of Local Government, Sport and Cultural Industries: Creative Development under \$15k
Application made July 23, decision advised 2-3 weeks after application. \$14992, covering the total project including development. Note: Application to Town of Bassendean is to cover the event itself, Nov 7-9

IS THE APPLICANT GROUP REGISTERED FOR GST?

YES NO

DOES THE APPLICANT GROUP HAVE AN AUSTRALIAN BUSINESS NUMBER (ABN)?

YES NO

If Yes, please provide ABN:

22 021 834 488

If No, please complete 'Statement by Supplier' form attached

IS THE APPLICANT GROUP INCORPORATED?

YES

NO

Incorporation number on top of incorporation certificate is:

A1010613A

DOES THE APPLICANT GROUP HAVE CURRENT PUBLIC LIABILITY INSURANCE
(Minimum of \$10,000,000)?

YES

NO

If Yes, please attach a copy of your certificate of currency for public liability cover

DOES THE EVENT/ACTIVITY REQUIRE APPROVAL BY THE TOWN OF BASSENDEAN?

YES

NO

DOES THE EVENT/ACTIVITY REQUIRE ONGOING FUNDING FROM THE TOWN?

YES

NO

BRIEF BACKGROUND OF ORGANISATION

(Purpose, how long in operation, etc. 150 words max.):

In Situ is a site-specific performance platform that showcases five new short dance works by a range of emerging & experienced independent WA choreographers. In 2019, the season will be staged in the hidden corners of Cyril Jackson Senior Campus, resulting in a performance season that uniquely activates this site in a deeply engaged way. A blend of sound, dance & architecture, the audience go on a journey of discovery of a formerly inaccessible site in a new way. Following from sold-out seasons at Uncle Joe's King Street (2014), Fremantle Arts Centre (2015), The State Theatre Centre (2016), St. Georges Cathedral (2017), & East Perth Girls School (2018), this year we have a new partnership with Cyril Jackson Artshouse & will continue our relationship with STRUT Dance (our auspicing & presenting partner) & Tura New Music. In Situ is focused on creating enduring support for local independent performance.

PROJECT/EVENT DESCRIPTION – Date/Time/Location

(Description of overall project – 150 words max)

This year, In Situ partners with Cyril Jackson ArtsHouse to present a bold & original season of new works in a vibrant community setting. In SITU invites choreographers & composers to take inspiration from architecture, community & surrounding areas. Artists will activate various under-utilised & unseen areas of the school & its grounds, re-imagining & responding to the history (past & present) of the venue & its Bassendean locality. Although the total project includes development time on-site from mid-September, we are seeking support from the Town of Bassendean for the production and performance phase of this project, from November 1, with the season Nov 7-9, performed twice an evening to an audience of 35 per show. This unique viewing experience will give dance lovers, Cyril Jackson community members & general public the opportunity to experience the evocative art form of dance in an intimate way in an unconventional space.

PURPOSE OF THE ACTIVITY/EVENT AND IDENTIFIED NEED IT MEETS IN THE WIDER COMMUNITY

(Please address the objectives in the Town's Strategic Community Plan – available at [https://www.bassendean.wa.gov.au/Profiles/bassendean/Assets/ClientData/Document-Centre/Concept-Plans/TOB Strategic Community Plan 2017-27 A.pdf](https://www.bassendean.wa.gov.au/Profiles/bassendean/Assets/ClientData/Document-Centre/Concept-Plans/TOB_Strategic_Community_Plan_2017-27_A.pdf)):

1.1.4 Continue to support and facilitate participation in the arts

In Situ provides a unique platform for local choreographers & performers to challenge themselves away from the comforts of a traditional venue. It champions collaboration, ingenuity, community engagement & challenges its audience. This platform represents one of the few diminishing opportunities in WA for dance artists & composers to present work in a supported, professional context. Artists are selected from an open-call process by a panel of producers, presenters and peers, and successful applicants will be advised early September. The 8 artists (4 choreographers, matched with 4 composers) are given a commissioning fee to create a new work on-site, in response to Cyril Jackson community and Bassendean surrounds. As the new curatorial team (2019-2022) we are committed to ensuring the In Situ platform continues to develop both in sustainability & form. In Situ promotes the artistic growth of all participants involved. It offers a unique opportunity for cross arts practice & creative exchange between artists, the curatorial team & community members. This kind of artistic dialogue & skill development can be rare to achieve in WA. The 2019 season in particular supports & facilitates participation in the arts for CJ students & extended community volunteers. This will include conversation with artists, behind-the-scenes insight to professional arts practices, assisting with light & sound aspects of performance & corralling local audience. Presenting this performance in an unconventional, live community setting provides unique visibility for the arts & can inspire a new generation of makers.

1.1.3 Ensure our unique culture and history and shared and celebrated

As a performance outcome, In Situ combines notions of place, time & culture. It expresses & captures a cross section of the present dance/music sector whilst juxtaposing it with Bassendean history, heritage & community. It activates the unique CJ campus in an unexpected way, creating new access to & perspectives of the site & neighbourhood. The artists working on site are able, through the creative process, to draw inspiration from some of the more hidden aspects of the working community. The In Situ works provide an opportunity for the Community Garden, the living history of the school and the Town of Bassendean to be seen through new eyes, bringing a fresh perspective to these stories and history through cultural activation.

1.1.2 Activate neighbourhood spaces to facilitate community gathering

This program brings together a unique cross-section of artistic participants & community. In Situ allows an audience to not only view dance in a different way but see places in which they live, work or visit in a totally new light. The relationship with CJ ArtsHouse will build new audiences (local & visiting) & cultivate appreciation for the arts. The project offers deep community engagement with the CJ & wider Bassendean community, creating an opportunity to witness art being & made & performed in-situ. Artists working on campus will activate CJ as a neighbourhood hub (including the community garden, ArtsHouse facility & school grounds). Their experiences will inform the performance outcome & community will gather to participate in, discuss & celebrate what is created.

HOW HAVE YOU IDENTIFIED THE NEED FOR THIS PROJECT?

As newly selected 2019-2022 curators of In Situ we identified 2 key goals: increased financial recognition for artists involved & to produce this unique site-based performance season in a broader variety of settings with greater community engagement. This project is vital in the arts community as a platform for presenting new artistic work & for the development of new skills.

The program is unique in that it generates a number of new artistic collaborations between choreographers & composers (many have gone on to continue collaborative relationship outside of this platform). This performance adds to the diversity of arts offerings in Perth and Bassendean; it is a chance for both artists & for audiences to experience performance in a new setting, outside of traditional presentation frameworks. This is important to increase audience appetite for risk in the arts & to encourage a healthy & diverse arts ecology.

In line with our desire to expand into more diverse locations for In Situ, we have chosen to partner with Cyril Jackson ArtsHouse. The project will address the need to increase meaningful dialogue between art & the setting in which it is created, & generate reciprocal benefit & exposure between locality, community & visiting artists & audience.

WHAT BENEFITS DO YOU SEE FOR YOUR GROUP, FROM THIS PROJECT, TO THE LOCAL COMMUNITY AND THE TOWN OF BASSENDEAN GENERALLY?

(How many people are estimated to benefit from the project? Is there a target group this project is being developed for?)

This project will bring together three distinct community groups of artists & production staff (20), audiences (210) & the staff and students of the Cyril Jackson community (up to 680).

Artist benefits:

The participating artists & production staff have the opportunity to make work in a unique setting, in a climate of diminishing opportunities for artistic presentation in Perth. This season provides paid employment for choreographers & composers & as a curatorial team we are committed to making the In Situ platform more sustainable over our tenure. We will mentor the artists in site-based performance, building skills from previous STRUT workshops, supporting artists to implement what they have learnt by developing choreographic material with a presentation outcome. We will encourage new approaches to performance engagement, grow the skills of local artists (including those living within the Town of Bassendean) & activate new collaborative connections.

Audience benefits:

The In Situ season brings together a cross-section of ongoing arts-audiences & the general public, with an established pattern of 85-100% attendance across the season. 50-60% of those audiences come from the wider community, which shifts occurring to location. This year for the first time, audiences will be free to roam between works occurring simultaneously/overlapping in an organic way, thus encouraging audience curiosity & exploration of the site.

Community benefits:

Presenting In Situ at Cyril Jackson facilitates a connection between artists & the community. Developing the work on-site creates opportunity for spontaneous exchange between professional artists, CJSC students & communities. In turn, providing insight to/engagement with creative process for students makes professional artistic pathways visible to them, invigorating their future possibilities. By activating arts students as volunteers in this professional arts setting the project provides skill development & confidence building. Exchange with community garden members on site will also generate new education & dialogue. For the wider Bassendean community, In Situ is unique performance season created for & about the community of Bassendean. It will highlight & share the stories & spirit of the school & the town.

WHAT RELATIONSHIP DOES YOUR ORGANISATION HAVE WITH OTHER SERVICES WITHIN THE COMMUNITY?

In Situ is presented in partnership with Cyril Jackson Senior Campus, working at their artist-in-residence complex ArtsHouse. Having presented prior seasons of In Situ at various arts & abandoned venues, the Cyril Jackson school stood out as a unique, energised community organisation to partner with. The relationship will both expand the In Situ dance program with the rich spirit of community & conversely maximise the program's impact on & generosity to its audience. In Situ looks to Cyril Jackson leader & ArtsHouse co-ordinator Marie Molloy as our key access point to the school & extended community in the Bassendean area. Engagement with community garden members & the Artist-in-Residence (for artistic exchange & community discussion) has already been confirmed. Igniting connection to other organisations or services in the community (eg. connecting with volunteer organisations to increase community involvement or contacting support services to generate broader audience access) will be explored together prior to the performance season. The In Situ artists & curators will be present at CJ Spring Festival (18th September), which is a unique moment to connect with the broader local community groups/professionals visiting the site. The Spring Festival is not officially a funded aspect of this project but is an ideal event to activate potential relationships with other services in the community & generate enthusiasm/ignite dialogue around In Situ.

REQUIRED DOCUMENTATION:

- Most recent 12 month Statement of Financial Performance (Income and Expenditure Statement) and/or Statement of Financial Position (Balance Sheet)
- Business plan or club minutes supporting the project
- Auspice form/letter if not an incorporated body

BUDGET DETAILS

GST EXCLUSIVE

| INCOME SOURCES | | |
|--|---|--------|
| Your organisation's contribution | | |
| Cash contribution | | 5000 |
| Ticket sales/merchandise sales | | 3938 |
| In-kind contribution – volunteer | | |
| Type of labour/task | Hours worked x hourly rate of \$25 | Total |
| FOH and Tech student volunteers | 8 volunteers x 8 nights x 4 hours/night @ \$22/hr | 5632 |
| In-kind contribution – professional | | |
| Type of labour/task | Hours worked x hourly rate of \$45 | Total |
| Contract Writing | 6 x \$45 | \$270 |
| Videography | \$500 in-kind contribution off total flat fee | \$500 |
| Graphic Design | Flat fee for professional services, donated by Serena Chalker | \$500 |
| CJSC Artshouse Coordinator and support staff | 77 hours total | \$3500 |
| In-kind contribution – donation of goods and materials | | |
| Details of goods and materials | Number of items and cost per item | Total |
| Lighting | \$400 accumulated from previous seasons (10 total approx) | \$400 |
| In Situ Banner | 3 x \$40 from previous seasons | \$120 |
| Venue Hire | Total fee for use of ArtsHouse and CJ grounds | \$5250 |
| Other in-kind contribution (please list) | | |
| STRUT, TURA and CJSC Marketing in-kind | | 1300 |
| Phone and Internet expenses | | 300 |
| Auspicing Fee and on-costs | | 1050 |
| Other grants/sponsorship | | |
| Organisation | Funding confirmed (Y or N) | Amount |
| Tura New Music | Y | 3700 |
| DLGSCI | N (decision pending mid-Aug) | 14992 |
| AMOUNT REQUESTED FROM TOWN OF BASSENDEAN | | |
| NOTE: This budget is for the total project cost from September-November, but the Town of Bassendean request covers production expenses for the performance week only particularly tech hires and a contribution towards production management. | | 3000 |
| TOTAL INCOME (must equal or exceed total project expenses) | | 49452 |

Acceptance of Conditions

I have read and understand the conditions that apply to the Community Fund. I am authorised to accept them on behalf of the applicant group.

APPLICANT GROUP NAME:

In Situ (Geordie Crawley, Serena Chalker and Daisy Sanders), Auspiced by STRUT Dance Inc

Authorised Person (Print name): Alica Byfield (STRUT Dance General Manager)

SIGNATURE OF APPLICANT:



DATE: 22/7/2019

Community Groups Fund - APPLICATION FORM

NAME OF APPLICANT GROUP: **Eden Hill Community Action Network Inc. (Eden Hill CAN)**
NAME OF EVENT: **Eden Hill CAN group running costs 2019-20 financial year, Eden Hill Christmas Party and Eden Hill Neighbour Day Event**
TYPE OF APPLICANT GROUP: **Incorporated charitable (non-profit) organisation**

CONTACT PERSON: (Must be over 18yrs)

Name: **Christina Carey**

Position /Role: **Chairperson, Eden Hill Community Action Network Inc.**

POSTAL ADDRESS (For Invoices): **12 Kirke Street Eden Hill WA 6054**

PHYSICAL ADDRESS: **As Above**

Suburb

Postal Code

E-mail: **edenhillcan@gmail.com**

Work Phone: **08 9480 3677**

Home Phone: NA

Mobile: **0400 226 963**

HAS THE APPLICANT APPLIED FOR OTHER FUNDING FROM COUNCIL OR ANY OTHER FUNDING BODY FOR THIS PROJECT?

~~YES~~ **NO**

IS THE APPLICANT GROUP REGISTERED FOR GST?

~~YES~~ **NO**

DOES THE APPLICANT GROUP HAVE AN AUSTRALIAN BUSINESS NUMBER (ABN)?

If YES ABN is: 18 628 623 496 **NO**

IS THE APPLICANT GROUP INCORPORATED?

YES ~~NO~~

Incorporation number on top of incorporation certificate is: **A1026340V**

DOES THE APPLICANT GROUP HAVE CURRENT PUBLIC LIABILITY INSURANCE?

YES (See Appendix 1) ~~NO~~

PROJECT DESCRIPTION:

Eden Hill Community Action Network Inc. (Eden Hill CAN) is requesting funding to cover essential running costs for the 2019-20 financial year. Specifically; Volunteer and Public Liability Insurance costs, website running costs along with the printing of two editions of the Eden Hill CAN newsletter. Approximately 2,000 copies will be printed of each edition of the newsletter and distributed to households in Eden Hill. The website and newsletter aim to keep residents informed of local news and events and encourage residents to engage in the Eden Hill and wider Town of Bassendean community.

The group is also requesting funding to hold an Eden Hill Community Christmas Party in December 2019 and an Eden Hill Neighbour Day event to be held in late March 2020 to coincide with national Neighbour Day. The community events will deliver much needed cultural events in Eden Hill and provide important opportunities for residents to interact and connect. The Eden Hill Community Christmas Party will be held in early to mid- December 2019 at Mary Crescent Reserve. The event will feature live entertainment, games and activities for adults and kids alike, a visit from Father Christmas and a barbecue. All attendees will be invited to donate non-perishable goods which will be donated to a local charity. The Eden Hill CAN Neighbour Day event will held on the last weekend in March 2020 to coincide with national Neighbour Day. The event aims to connect people in the

Eden Hill community. The event will likely consist of a free morning tea, with entertainment and a number of stalls from local community groups at Mary Crescent Reserve Eden Hill.

BRIEF BACKGROUND OF ORGANISATION (Purpose, how long in operation, etc):

Following the successful model of the Ashfield CAN, the Eden Hill Community Action Network was launched in April 2018 and became incorporated in September 2018. The group aims to encourage, support and promote a safe, engaged, connected and culturally vibrant Eden Hill Community. Specifically, the group aims to keep community members informed of local issues and news via our Facebook page, a website and regular edition of a newsletter distributed to all Eden Hill households. Through these mediums, the group aims to encourage and facilitate feedback or engagement with local issues where applicable. The group also aims to build connections between community members through local events and activities in order to help create a safe and culturally vibrant community and support the wellbeing of its members.

PROJECT OUTCOMES:

Volunteer and public liability insurance are significant costs to the group but are essential to its operation. Without insurance, events such as the Eden Hill Community Christmas Party, the Neighbour Day event and others that run throughout the year couldn't proceed. An Eden Hill CAN website and newsletter will enable community members to stay up-to-date with local news and events and it is hoped this will encourage community members to actively engage in local issues. This will assist in fostering a sense of connection and community within Eden Hill and the wider Town of Bassendean Community. Promoting local events through the website and newsletter will provide opportunities for individuals to engage with their neighbours and the wider Eden Hill community. It is hoped that the website and newsletter, in conjunction with our existing Facebook page and email list, will better spread the word of local events and result in greater levels of attendance.

The Eden Hill Community Christmas Party will provide an opportunity for residents to meet, connect and celebrate our community. We hope that this family friendly event will help to encourage a sense of belonging to the 'Eden Hill Community' as well as encouraging people to become involved with the Eden Hill CAN and other local groups who will be encouraged to have a presence at the event. It is well recognised that being part of a community group or having a sense of belonging is beneficial for people's mental and physical well-being.

The Eden Hill CAN Neighbour Day event will provide another much needed local event for Eden Hill and will give community members an opportunity to meet and connect with each other. This will help foster a sense of connection and community which is beneficial for wellbeing. Not only will this encourage attendees to engage with these groups but will also be beneficial for the community groups attending by increasing their profile and potentially membership.

This project addresses the following Objectivities in the Town of Bassendean *Strategic Community Plan 2017-2027*:

- 1.1 Build a sense of place and belonging
- 1.2 Ensure all community members have the opportunity to be active, socialise and be connected
- 1.3 Plan for a healthy and safe community
- 3.2 Enhance connectivity between places and people.

WHAT RELATIONSHIP DOES YOUR ORGANISATION HAVE WITH OTHER SERVICES WITHIN THE COMMUNITY?

The Eden Hill CAN has a strong and positive working relationship with the Town of Bassendean. Eden Hill CAN has formed a positive relationship with the Bassendean Caledonians Soccer Club (Soccer Club) which supported the successful 2018 Eden Hill Community Christmas Party. The Soccer Club are continuing to support the group by providing their club rooms in-kind for management committee meetings and other events. In exchange, Eden Hill CAN is supporting the club with free promotion and advertising. We hope to expand this type of mutually-beneficial relationship to other groups within the community. The Eden Hill CAN has also developed relationships with Eden Hill Primary School and Blue Sky Community Group in Lockridge which provides services to people in need in the local area.

WHAT BENEFITS DO YOU SEE FOR YOUR GROUP FROM THIS PROJECT?

This project will contribute directly to the group's aim to encourage, support and promote a safe, engaged, connected and culturally vibrant Eden Hill Community. Specifically, being incorporated provides a solid management structure for the group along with allowing it to apply for and raise funds towards its objectives. Having Volunteer and Public Liability Insurance is essential to the operation of the group. Having a website and regular newsletter enables Eden Hill CAN to keep its community informed, contributing to an engaged and connected community.

The Eden Hill Community Christmas party will contribute directly to the group's aim to encourage, support and promote a safe, engaged, connected and culturally vibrant Eden Hill Community. Specifically it will allow community members to connect with each other, it will hopefully encourage some attendees to become actively engaged in either the Eden Hill CAN and other community groups and the event itself will provide cultural vibrancy to the community.

The Eden Hill CAN Neighbour Day event, consisting of a community morning tea, stall and activities from local community groups will directly contribute to Eden Hill CAN's objective of creating an engaged, connected and culturally vibrant Eden Hill Community. It is hope that this connection and vibrancy will in turn contribute to a safer community.

TARGET GROUP:

This project will target all members of the Eden Hill community. This includes not only those who live and work in Eden Hill, but also those whose children attend the local school, anyone who recreates in Eden Hill or otherwise has a connection to the Eden Hill Community.

The Eden Hill CAN Facebook page already boasts close to 500 followers. It is expected that the website will be able to reach many more community members who are not on social media. Approximately 2000 copies will be printed of each edition the Eden Hill CAN newsletter. These will be distributed to all household within Eden Hill and copies placed at other prominent local sites including the Bassendean Memorial Library, MP Dave Kelly's office, Eden Hill Primary School, the Bassendean Volunteer Centre and Town of Bassendean Council Building.

It is anticipated that the Eden Hill CAN Community Christmas Party and Neighbour Day events combined will attract around 400 attendees from Eden Hill and elsewhere within the Town of Bassendean.

BUDGET

| | |
|--|-------------------|
| INCOME | |
| Funding requested from the Community Groups Fund (GST exclusive) | \$5,000.00 |
| TOTAL INCOME | \$5,000.00 |

| | |
|---|-------------------|
| IN KIND SUPPORT | |
| Management Committee Meetings - 8 committee members, 5 meetings @ 1.5 hours each @ \$35/ hour | \$2,100.00 |
| Website design and maintenance – 12 hours @ \$65/hour | \$780.00 |
| Newsletter Distribution – 15 hours @ \$35/hour | \$525.00 |
| Newsletter Design and Layout - 6 hours per newsletter x 2 newsletters @ \$65/hour | \$780.00 |
| Event coordination – 4 people @ 12 hours each @ \$35/hour | \$1,680.00 |
| Event logistics - 12volunteers @ 5 hours each @ \$35/hour | \$2,100.00 |
| TOTAL IN KIND SUPPORT | \$7,965.00 |

| | |
|---------------------------------------|-------------------|
| Expenditure | |
| Eden Hill CAN Group Costs | |
| Insurance costs | \$800.00 |
| Website costs | \$200.00 |
| Newsletter – 2 editions at \$764 each | \$1,600.00 |
| Other printing costs | \$200.00 |
| Other misc group costs | \$200.00 |
| Eden Hill Christmas Party | |
| Catering | \$300.00 |
| Reserve Hire Fee | \$150.00 |
| Entertainment | \$400.00 |
| Other event costs | \$150.00 |
| Eden Hill CAN Neighbour Day | |
| Catering | \$150.00 |
| Furniture hire | \$250.00 |
| Entertainment | \$400.00 |
| Reserve Hire Fee | \$150.00 |
| Event misc | \$50.00 |
| TOTAL EXPENDITURE | \$5,000.00 |

Acceptance of Conditions

I have read and understand the conditions that apply to the Community Fund. I am authorised to accept them on behalf of the applicant group.

APPLICANT GROUP: Eden Hill Community Action Network Inc.

Authorised Person (Print): Christina Carey

SIGNATURE OF APPLICANT: 

DATE: 5/8/19

ATTACHMENT NO. 6



Department of
Transport

Round 24, 2019/20

Recreational Boating Facilities Scheme

Information for Applicants



Applications close 2pm Tuesday, 3 September 2019

About the RBFS

The Recreational Boating Facilities Scheme (RBFS) is a State Government grants program administered by the Department of Transport (DoT) and is funded directly from recreational boat registration fees. The RBFS provides grants to eligible authorities for the planning and construction of public boating infrastructure benefiting WA's recreational boating community.

Since its commencement, the RBFS has approved funding to 434 projects over 23 grant rounds worth approximately \$42.4 million. In the previous round, nine projects were successful in securing \$1.5 million in grant funding.

The RBFS aims to:

- Provide project funding to improve recreational boating access to navigable waters.
- Enhance the safety of recreational boating infrastructure.
- Ensure that the environmental impact of recreational boating facilities is minimal.
- Provide a catalyst for new and improved recreational boating infrastructure.
- Ensure consultation with recreational boating organisations.

Please read the information contained in this brochure carefully if you wish to apply.

Who can apply?

RBFS grants are available to Local and State Government departments and other statutory authorities directly responsible for the delivery and operation of recreational boating facilities.

Marina owners, developers, managers and operators of private boating facilities or those associated with private clubs are not eligible.

Volunteer marine rescue organisations, community groups and interested persons or bodies seeking funding must liaise with an eligible authority to prepare and submit the application (the facility must be licensed to the eligible authority and available to the recreational boating public).

Eligible authorities are encouraged to consult with their local community to develop ideas for RBFS grant proposals.

The RBFS has approved funding to 434 projects over 23 grant rounds worth approximately \$42.4 million.



This page and front cover: Mandurah Foreshore Jetty Modification

Funding

Funding of \$2.5 million is available with successful Applicants notified in December 2019. Grant funds can be accessed from 1 July 2020 with projects to be completed no later than **30 June 2021**. Failure to do so may result in the termination of the grant agreement.

The minimum grant is \$15,000 (GST exclusive) and the maximum grant limit is \$750,000 (GST exclusive).

Funding is available for up to 75 per cent of the total cost for all projects. The remainder of the project cost is funded by the applicant, but can include:

- Funding from other sources, including government agencies, sponsorships and donations.
- In-kind contributions such as materials, labour and use of machinery.

Note: Internal administration and project management costs (staff salaries) are not considered labour and should not be included as part of the applicants funding contribution.

Round 20 – Ellis Street Boat Ramp Universal Access Jetty Shire of Augusta Margaret River

The Shire of Augusta Margaret River received \$61,875 to construct a universal access floating finger jetty at an existing boat ramp. The project has greatly assisted in the safe launching and retrieval of boats, improving efficiency and increasing user satisfaction.



Round 21 – Bundegi Boat Ramp Jetty Upgrade Shire of Exmouth

The Shire of Exmouth received \$116,985 to upgrade the boat ramp catwalk fenders. This involved replacing the existing vertical fenders with energy absorbing 150mm D Rubber fenders, in addition to installing midspan fenders.



Project eligibility

Applications are evaluated according to the benefits they provide to recreational boat users. Eligible projects include the construction of, or planning for:

- Maritime facilities such as boat launching ramps, finger jetties, moorings, breakwaters, navigation aids and new channels directly related to a public recreational boating facility etc.
- Land-based infrastructure located at a public recreational boating facility, such as parking bays for boat trailers, toilets, fish cleaning tables and relevant signage regarding marine safety, fishing and other boating information etc.

Ineligible projects

Applications for the following types of projects will **not** be assessed:

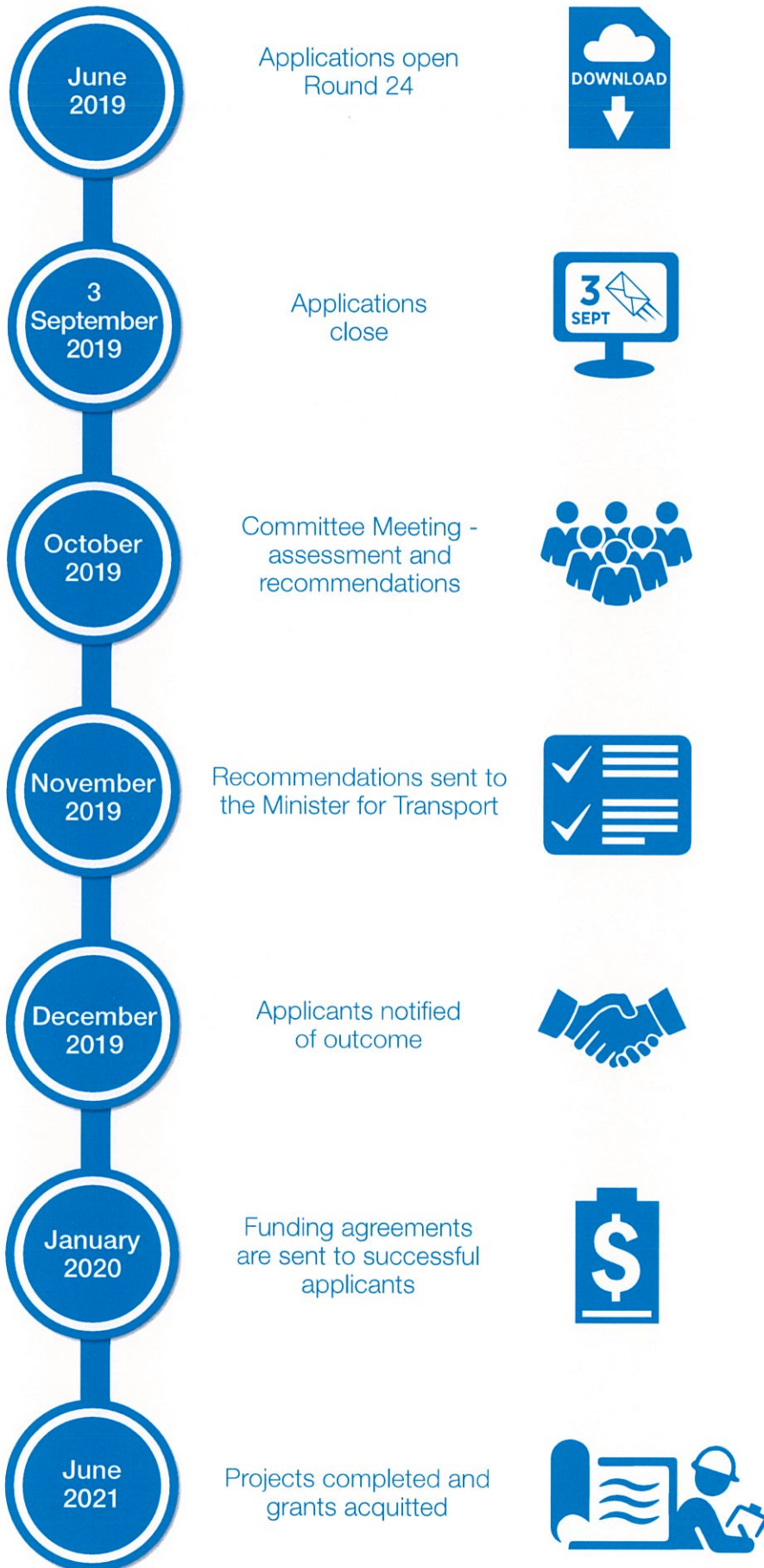
- General maintenance and maintenance dredging.
- Private facilities or those associated with private clubs.
- Facilities which are not used primarily by recreational boat users, such as fishing platforms or toilets serving recreational parks.
- Maritime facilities which are substantially commercial rather than recreational.
- Facilities which are not available for use by the recreational boating public e.g. private boating clubs
- Projects which have already commenced/completed.

Important to note:

- Applicants are encouraged to undertake planning for engineering drawings and cost estimates before applying for a Works grant for a major project.
- A successful Planning application does not guarantee that the construction project itself will be funded in future rounds.
- Land-based facilities will only be funded if the associated maritime infrastructure is maintained at an appropriate standard and has a current Jetty Licence (or an equivalent licence with a Port Authority).
- Applications for combined recreational and commercial facilities may be considered if recreational use is greater than 25 per cent of total use and an eligible authority owns the asset. Any grant approved will be calculated pro rata on percentage use of recreational boat users.
- Demolition of existing boating facilities may be funded if associated with the provision of new or upgraded facilities.

See the RBFS User Guidelines at the end of this brochure for more information.

Grant timeline



Preparing your application

Applications close 2pm Tuesday, 3 September 2019

STEP 1

Visit the RBFS website to find out about the application process.
www.transport.wa.gov.au/imatech/application-process.asp

STEP 2

Contact the RBFS Officer if you have any queries relating to your projects eligibility for funding:
Telephone: **9435 7598**
Email: rbfs@transport.wa.gov.au

STEP 3

Determine which category is relevant for your proposal:

1. Planning Applications - projects which produce a set of engineering design drawings, strategic boating plans, detailed cost estimates, level of demand reports, construction approvals etc. or a combination of the above.

DoT has developed guidelines for the design of boat launching facilities in WA, below the 25th parallel. It is recommended you refer to DoT's drawings and design guidelines to assist you with your design considerations; they are available at www.transport.wa.gov.au/imatech/application-process.asp

Tidal and cyclonic conditions for areas north of this require additional design considerations, and designers of facilities for these areas are encouraged to liaise with DoT to obtain more details.

2. Works Applications - projects for the construction of public recreational boating facilities and infrastructure. It is recommended you have detailed engineering drawings and cost estimates; if you do not already have these, consider applying for a Planning grant.

STEP 4

Download the relevant application form at www.transport.wa.gov.au/imatech/application-process.asp and other necessary documents or request them from the RBFS Officer on **9435 7598** or by emailing rbfs@transport.wa.gov.au

1. Planning - there is only one form to complete. Download and complete it electronically.

2. Works - read the instructions to help complete the application successfully. There are two parts, download both and complete electronically:

- Works projects grant application form
- Works project grant application *Table 6.1*.

It is highly recommended that you start any application as soon as possible as you may need to obtain quotes or approvals etc.

STEP 5

Email your application with the necessary attachments to rbfs@transport.wa.gov.au by the closing time and date – **only applications in electronic format will be accepted**. Note the size limit for emails is 10MB and may need to be sent over a few emails and ensure each email is sequentially marked.

Works applicants are encouraged to submit engineering drawings or concept plans as well as relevant photos:

- The site, including close ups and aerial photos with the location clearly marked.
- Examples of similar infrastructure to your proposal.
- Existing infrastructure with the proposed upgrade clearly marked.

Applications or attachments received after the closing date will not be accepted.

If you need assistance, contact the RBFS Officer on **9435 7598** or by emailing rbfs@transport.wa.gov.au

Round 21 – Furnissdale Boat Launching Facility Design and Construction

Shire of Murray

The Shire of Murray was successful in receiving \$90,000 to design and construct a new launching facility upgrading the existing boat ramp and finger jetty.



Round 22 – The Elbow Boat Ramp Upgrade & Finger Jetty

Shire of Harvey

The Shire of Harvey received \$278,570 to undertake works to upgrade “The Elbow” boating facility by constructing a new concrete ramp and universal access jetty with associated signage and lighting.



Round 22 – Deepwater Point Boat Launching Facility Upgrade

City of Melville

The City of Melville was successful in securing \$700,000 to upgrade the existing boat launching facility.



Before



After



Round 22 – Lower King Urban Recreational Boating Facility Stage 1 Car Park Upgrade

City of Albany

The City of Albany was successful in securing \$107,000 to undertake works to upgrade the existing gravel car park with formalised boat trailer parking bays.



Round 23 – Point Walter Boat Launching Facility Upgrade

City of Melville

The City of Melville was successful in securing \$700,000 to upgrade the existing boat launching facility.



Before



After



RBFS User Guidelines 2019/20

RBFS Grant Conditions

| | |
|----|--|
| 1 | Grants are available to Local Governments, State Government departments (including the Department of Transport, hereafter referred to as "DoT"), and Statutory Authorities where they are directly responsible for the delivery and operation of recreational boating facilities. Grants are also available to volunteer marine rescue organisations, community groups and interested persons or bodies on the proviso an eligible authority prepare and submit the application, the facility is licensed to the eligible authority and is available to the recreational boating public. |
| 2 | Grants will only be available for the planning or construction of new public recreational boating facilities, for the upgrade of existing public recreational boating facilities, and for those projects which meet the criteria outlined in these Guidelines. |
| 3 | The maximum funding available is 75 per cent of the total project cost. The minimum grant is \$15,000 (GST exclusive) and the maximum grant limit is \$750,000 (GST exclusive). |
| 4 | The grant amount paid will be reduced on a pro-rata basis for any component of the project specified in the application not delivered. |
| 5 | Eligible authorities may apply for funding for large projects in stages. However, a successful application for any stage does not guarantee other stages will be funded in future rounds. Applications for staged projects must be supported by an overall concept plan showing proposed future stages. |
| 6 | Grants are typically paid at the completion of the project subject to all components of the grant acquittal checklist being met. Up to 50 per cent of the Grant may be paid prior to commencement of the project, if the Grantee can demonstrate suitable justification. |
| 7 | Funds from other sources, including State Government departments, may be included as part of an applicant's funding contribution. |
| 8 | Applicants are responsible for addressing the necessary statutory approvals, which include jetty licences and planning and environmental approvals. |
| 9 | The applicant will own new assets created through the RBFS and will be responsible for all ongoing maintenance. DoT will own and maintain navigation aids. |
| 10 | The successful applicant must clearly demonstrate that any charges proposed for use of the facility will be utilised specifically and exclusively for maintenance of the facility. |
| 11 | The applicant, as owner of the project, is responsible for insurance, both during and after construction. |
| 12 | Should the applicant sell/remove any asset funded by the RBFS, they will be required to refund 75 per cent of the written down asset value. |
| 13 | Should the applicant change the usage of the boating facility from recreational to commercial (shared usage) they will be required to refund a percentage (up to 100 per cent) of the RBFS grant. |
| 14 | Proposed new facilities or improvements to existing facilities shall comply with the appropriate Australian Standards, including maritime structures (AS 4997), marinas (AS 3962) and universal access design (AS 1428). |
| 15 | For works projects, the applicant must install, in a prominent place on or near the works, signage acknowledging the RBFS. For planning projects, the applicant must acknowledge the RBFS grant in the documents resulting from the project. |
| 16 | Provision of the funding is conditional on the applicant entering into a funding agreement which sets out the terms and conditions of the grant. |
| 17 | The grant will remain valid for 18 months from the date of advice of approval to the applicant. The project should be completed and payment claimed within this time. Failure to gain approval from DoT to extend this period before it has elapsed may result in termination of the funding agreement. |
| 18 | Applicants are encouraged to prepare designs that address universal access criteria. |
| 19 | In-kind contributions, in terms of materials, labour or machinery use, need to be quantified. Applicants must provide details of the value of any in-kind work claimed. The Applicant's internal administration and project management costs (staff salaries) are not eligible as in-kind contributions. |
| 20 | The applicant is to fund any cost overruns. Significant increases in costs due to factors beyond the applicant's control may be considered for funding upon lodgement of a variation request, if financial capacity exists within the Scheme at the time. |
| 21 | Applicants may be offered funding for a reduced scope of works or a percentage of the funding requested. |
| 22 | Details of grants, projects and recipients may be published and/or used for marketing purposes by DoT. |
| 23 | Non-performance on any previous RBFS project may result in the applicant not being considered for future grants. |
| 24 | Applications for a later stage of a large project will not be granted if the previous stage/s has not commenced. |

Project Eligibility Criteria

| | |
|----|--|
| 25 | Funding is available for planning and/or feasibility studies. A successful application for a planning grant does not guarantee that the works project itself will be funded in future rounds. |
| 26 | <p>Eligible projects under Condition 2 include:</p> <ul style="list-style-type: none"> • Maritime facilities such as boat launching ramps, boat holding jetties, moorings, maritime lighting, navigation aids, new channels and breakwaters directly related to a boating facility. • Land-based facilities located at a boating facility, such as trailer parking, lighting, toilets, waste facilities, fish cleaning tables and signage regarding marine safety. • Other worthwhile projects that meet the RBFS guidelines. <p>Land-based facilities will only be funded when the associated maritime infrastructure is maintained at an appropriate standard. Grants for land-based facilities projects may be calculated pro rata on the percentage of use by recreational boaters.</p> |
| 27 | Works ineligible for funding include general maintenance and maintenance dredging. |
| 28 | <p>Applications are evaluated according to the benefits they provide to the recreational boating public, therefore funding is not available for the following types of projects:</p> <ul style="list-style-type: none"> • private facilities or facilities associated with private clubs; • facilities which are not used primarily by recreational boat users, such as fishing platforms; • maritime facilities which are substantially commercial rather than recreational; and • ablution blocks serving non-boating facilities, such as recreational parks |
| 29 | Demolition of existing facilities may be funded if in association with provision of new or upgraded facilities. |
| 30 | <p>Applications for combined recreational and commercial facilities will be considered when:</p> <ul style="list-style-type: none"> • recreational use is greater than 25 per cent of total use; • an eligible recipient lodges the application; • an eligible recipient owns the proposed or existing asset; and • all other grant conditions are met. <p>Grants for combined recreational and commercial facilities may be calculated pro rata on the percentage use by recreational boaters.</p> |
| 31 | Funding cannot be provided retrospectively. To be eligible for a works grant, applicants must not have commenced construction at the time of advice of approval. "Commenced" is not intended to include preliminary design work, cost estimations or community consultation. |

Project Assessment

| | |
|----|---|
| 32 | <p>The RBFS Assessment Panel reviews all applications, with advice from the Regional Assessment Panels. The RBFS Panel should be independent and include representation from at least:</p> <ul style="list-style-type: none"> • Boating WA (one representative). • Department of Biodiversity, Conservation and Attractions (Parks and Estuaries Division) (one representative). • Department of Fire and Emergency Services (one representative). • Department of Transport, Coastal Infrastructure Business Unit (two representatives). • Jet Sport West Boating Association (one representative). • Recfishwest (one representative). • Western Australian Local Government Association (one representative). <p>Each member has an equal vote.</p> |
| 33 | Members of the RBFS Panel, including those from DoT, must declare any vested interests and abstain from voting on such projects. The meetings must have a quorum of six, one of which shall be the Chair. |
| 34 | <p>When funding is constrained, the priority order for grant funding from highest to lowest is:</p> <ul style="list-style-type: none"> • Maritime facilities. • Essential land-based facilities. • Desirable land-based facilities. |
| 35 | Applications are assessed according to the benefits they provide to recreational boat users. Projects are prioritised where available RBFS funding is limited or the funding round is over-subscribed. The amount of funding requested in relation to the total amount of RBFS funds available may be an important consideration in this assessment; hence applicants should consider staging large projects in components. |



Recreational Boating Facilities Scheme

Application for a Round 24 RBFS Planning Project Grant

Organisation: Town of Bassendean

Project Name: Pickering Park and Jetty

(Location & type e.g. Swan Lake boat ramp engineering drawings)

IMPORTANT

- Save this Application form to your computer and complete electronically.
- It is highly recommended that you start your application as soon as possible as you may need to obtain quotes or approvals etc. **Do not leave your submission until the last minute as applications or attachments received after the closing date and time will not be accepted.**
- Your responses to the questions are not space limited; provide as much information as you feel is necessary to fully answer the question. All questions must be answered.
- Email your completed application and attachments to RBFS@transport.wa.gov.au. If this is not possible, save it on CD and contact the RBFS Officer before the closing date. Applications submitted on paper will not be accepted.
- Email your application as it is; do **not** scan your document or send in PDF format.
- Photos should be sent as jpeg attachments; do **not** insert into your document.
- Associated documentation can be scanned or in PDF format and included in your email.
- Note that the size limit for emails sent to Department of Transport (DoT) is **10 MB**. If your application exceeds this size, you will need to send it over a few emails. Ensure that each email is sequentially marked and states the total number to be sent; for example: Email 1 of 3.
- You are encouraged to obtain confirmation that your application has been received in its entirety.

| | Project Manager | Person who prepared application |
|----------------|--|--|
| Name | Phillip Adams | David Dwyer |
| Job Title | A/Exec. Manager Infrastructure | Engineering Technical Coordinator |
| Phone | 9377 9028 | 9377 9011 |
| Mobile | - | 0419 914 926 |
| Email | padams@bassendean.wa.gov.au Town of Bassendean, Po Box 87, | ddwyer@bassendean.wa.gov.au Town of Bassendean, Po Box 87, |
| Postal Address | Bassendean WA6934 | Bassendean WA6934 |

Applications close 2 pm Tuesday 3 September 2019

1. PURPOSE OF PLANNING PROJECT

Provide details of the purpose of the proposed project. Include reference to any relevant studies or plans you may have.

The Town of Bassendean is planning to remove the existing obsolete boat ramp at Pickering Park and replace it with a new boat ramp and jetty, designed and constructed to current Australian Standards, including maritime structures (AS 4997), marinas (AS 3962) and universal access design (AS 1428).

The existing boat ramp was constructed in 1972 by the Town's asset services crew. In 2000 and again in 2019 the Town undertook repair works the boat ramp serviceable.

Recent inspections following complaints from residents that are using the existing boat ramp revealed that the launching / retrieving operations at the existing boat ramp might be hazardous.

Therefore the aim of this project is to provide a facility that is able to fulfil the two prime user needs i.e. boat launching and boat retrieval.

2. SCOPE OF PROJECT

Will the project result in ... (tick all relevant boxes)

- Detailed engineering drawings
- Results of community consultation, e.g. survey results
- Pre-tender brief
- Recommendations for proposed facility
- Detailed cost estimates
- Environmental impact report e.g. on coastal processes
- Level of demand report
- Marine Safety review
- Environmental and other Approvals
- Other (specify) Concept design and site investigations (detailed feature survey, detailed geotechnical investigation, flood levels and flood currents at the site, etc.)

3. PROJECT AREA

Identify the exact location if the site is already known, for example District, nearest Road, Reserve/Lot number, or give an overview of the proposed study area, including any existing recreational boating facilities. Provide a plan or map with the project area/site clearly marked.

The location of the proposed boat ramp and jetty is Pickering Park, Bassendean (please see attached site map).

List applicable Jetty Licence number/s.

-

- Are there existing recreational boating facilities in the project area/at the site?** Yes No
- Is the site located within a Port Authority area?** Yes No
- Has approval from the landowner been sought?** Yes No
- Have you attached a plan or map of the project area or site?** Yes No

4. USAGE

a. What is the current level of usage of existing recreational boating facilities?

The Town of Bassendean does not hold precise information regarding the level of usage at the existing boat ramp however during peak times the boat ramp and the small existing carpark gets very busy and our Ranger Services often receive complaints from residents regarding the parking issues in the Pickering Park area.

b. Provide details of projected usage.

The size and dimensions of the boat ramp and the parking facilities will be determined at the concept design stage however the Town envisages the future boating facilities will be able to satisfy the increasing demand in the area.

c. Are there any difficulties experienced at these facilities?

The existing boat ramp is obsolete (constructed more than four decades ago) and even with the minor repairs undertaken by the Town in 2000 and 2019 recent inspections revealed that launching / retrieving operations at the existing boat ramp might be hazardous. Embarking of the crew and special passengers is difficult as there is no jetty at the existing facilities. There is facility for people to tether their boat and as such people are beaching their boat on the adjacent foreshore creating erosion issues. Also the existing car park was not designed for cars and trailers therefore the parking of trailers is difficult and informal.

As previously mentioned the existing boat ramp at Pickering Park and the small carpark get really busy during peak time. Numerous complaints from residents encouraged the Town of Bassendean to apply for funding to replace the obsolete boat ramp and to redesign and reconstruct the parking facilities to accommodate the increasing number of boaties that are wishing to use the facilities.

5. BENEFITS

Describe the potential benefits of this planning project.

The Town of Bassendean is an ideal location from which to explore the fantastic inland waterway of the Swan River.

The aim of this project is to replace the existing outdated boat ramp, to install a finger jetty and to redo the parking area and the approach road to optimise the use of the facility.

All the above mentioned will improve safety during launching and retrieval operations, will provide more car trailer parks spaces and will reduce vehicle travel time and fuel costs to local boaties that are currently using other similar facilities in the area.

6. PROJECT APPROACH

a. Describe your planned approach.

If successful in obtaining the grant, the Town of Bassendean will engage a private consultant to carry out all the investigations needed for the design, to prepare a concept design, a detailed design, technical specifications and cost estimates. They will also liaise with DoT Marine Safety, Department of Parks and Wildlife (Swan River Trust) and with the Department of Aboriginal Affairs regarding the approval requirements.

The next step will be to apply for further funding for the construction phase of this project.

b. Who will carry out the project?

The Town of Bassendean will engage a private consultant with relevant experience in the design of similar facilities. Officers of the Town will provide the project management for this project.

c. What is the time schedule for the project?

If this application is successful the Town of Bassendean will engage a private consultant for the design/planning phase, which will be completed in the 2020-2021 financial year.

7. FUNDING

a. Estimated total cost of planning project: \$90,000 excluding GST

On what do you base this estimate?

The estimate is based on a quotation received by the Town from a private consultant to complete the design of replacing the existing boat ramp and installing a jetty

Attach a cost estimate breakdown.

Please find attached to this application the cost estimate breakdown.

b. What percentage of the total cost is for public recreational boating? %

**c. Grant amount requested: \$67,500 excluding GST
(Up to 75% of the total cost; minimum of \$15,000 up to a limit of \$750,000)**

8. ADDITIONAL INFORMATION

Have you any additional comments or relevant information you may wish to provide to support your claim for a grant?

The aim of this project is to provide a facility that is able to safely fulfil the two prime users needs i.e. boat launching and boat retrieval.

For the launching process the proposed works will provide facilities for:

- Preparing the boat for launching;
- Manoeuvring the boat onto the launching ramp;
- Launching the boat into an adequate depth of water;
- Holding the boat while the car and trailer are parked;
- Parking and securing the car and trailer;
- Embarking the crew and passengers;
- Leaving the facility in safety.

For the retrieval process the proposed works will provide facilities for:

- Disembarking the crew and passengers;
- Holding / mooring the boat while the car and trailer is brought to the ramp;
- Manoeuvring the car and trailer onto the ramp;
- Loading the boat onto the trailer;
- Leaving the ramp and moving to the secure area;
- Preparing the boat for the road including securing the boat to the trailer, etc.

Environmental component:

- Address the erosion of the riverbank;
- Revegetation with local native species.

Council Support

- Letter of endorsement (to be attached after council resolution)

9. REQUIREMENTS

If successful:

- Prior DoT approval is mandatory for all public announcements relating to the project. You should liaise with the RBFS Officer regarding any project communications including media statements, newspaper articles and advertising.
- RBFS funding for the grant must be acknowledged within the resulting documents. If unsure of your obligations in regards to this requirement you should liaise with the RBFS Officer.
- You must provide to DoT an electronic version of the documents resulting from this planning project.

Confirm that you will undertake these 3 requirements: Yes No

Noncompliance in the above may result in future grants not being considered

Have you discussed this application and its budget implications with your CEO/Senior Officer? Yes No

You are encouraged to read the RBFS Grant Conditions before submitting your application. These can be found on DoT's website at: <http://www.transport.wa.gov.au/imate/about-the-scheme.asp>

If successful, you will be required to sign a Funding Agreement agreeing to RBFS Terms and Conditions.

End of application

Email to RBFS@transport.wa.gov.au before 2pm Tuesday 3 September 2019



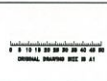
BOAT RAMP PLAN

TOWN of BASSENDEAN
ASSET SERVICES

4th FLOOR, 7000
BASSENDEAN BLVD, WILMINGTON, WA 6154
200 97 407 408

Telephone: 081 971 9888
Facsimile: 081 971 744
Email: info@townofbassendean.wa.gov.au
www.townofbassendean.wa.gov.au

| NO. | DESCRIPTION |
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| DESIGNED BY | FIELD ENGINEER |
|--------------------------|----------------|
| DATE | DATE |
| APPROVED | DATE |
| HORIZONTAL SCALE: 1:1000 | VERTICAL SCALE |

| DRAWING NAME | | DRAWING NUMBER | |
|----------------------------|--|----------------|--|
| TOWN OF BASSENDEAN | | TOB 17-03 | |
| PROPOSED BOAT RAMP | | REV. | |
| PICKERING PARK, BASSENDEAN | | A1 | |

Cost estimate breakdown - planning & design phase - Pickering Park boat ramp and jetty

| Item | Activity | Total for item (exc. GST) |
|----------|--|------------------------------|
| 1 | Preliminaries | |
| 1.1 | Review background information including previous investigations, design drawings, survey information and other relevant data | \$3,000 |
| 1.2 | Confirm the Town's requirements for the replacement facilities and confirming the design criteria for the facility upgrade including design standards review and DoT guidelines. | |
| 2 | Investigations | |
| 2.1 | Site inspection to confirm any site constraints or opportunities which may affect the design. Meeting between consultant and Town officers to discuss the project. | \$18,000 |
| 2.2 | Engage surveyors to undertake a detailed feature survey of the site including pick up of the ramp, riverbank, car park, approach road and within the river along the alignment of the future ramp and jetty. | |
| 2.3 | Engage geotechnical consultant to undertake a detailed geotechnical investigation and acid sulfate soils assessment. | |
| 2.4 | Liaise with Department of Water on flood levels and flood currents at the site | |
| 3 | Concept Design | |
| 3.1 | Undertake concept design of the boat ramp including general layout and geometry. | \$8,000 |
| 3.2 | Undertake concept design of finger jetty including width, length and alignment. | |
| 3.3 | Undertake concept design of layout of parking area and approach road to optimise the use of the facility. | |
| 3.4 | Concept design of scour protection to protect ramp and car park from erosion or scour. | |
| 3.5 | Prepare concept drawing showing general layout of the facility. | |
| 3.6 | Obtain feedback from the Town and revision of the design following the feedback. | |
| 4 | Detailed Design | |
| 4.1 | Detailed design of the ramp panels including detailing of concrete reinforcement, connections, kerbs and surface finish. | \$8,000 |
| 4.2 | Detailed design of floating finger jetty | |
| 4.3 | Detailed design of parking area and approach including kerbs, line marking and levels. | |
| 4.4 | Detailed design of scour protection including geotextile, under layer, armour layer and ties in to existing bank. | |
| 4.5 | Detailed design of navigation aids including liaison with DoT Marine Safety. | |
| 5 | Design Documentation & Cost Estimate | |
| 5.1 | Preparation of detailed design drawings. | \$18,000 |
| 5.2 | Preparation of technical specification for the works. | |
| 5.3 | Preparation of a pre-tender construction cost estimate for the works including pre-tender brief. | |
| 5.4 | Preparation of a Safety in Design Report | |

| | | |
|-----------------------|--|----------|
| 5.5 | Revision to the detailed design documents following Town's review | |
| 6 | Approvals | |
| 6.1 | Liaison with Department of Parks and Wildlife (Swan River Trust) regarding approvals for the works | \$35,000 |
| 6.2 | Liaison with Department of Aboriginal Affairs regarding heritage approval requirements including consultation with indigenous groups | |
| TOTAL (excluding GST) | | \$90,000 |





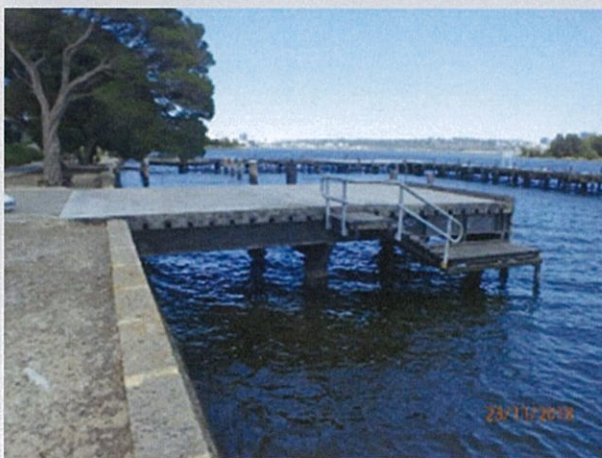


ATTACHMENT NO. 7

ASSET MANAGEMENT SERVICES

SANDY BEACH RESERVE JETTY (BASSENDEAN) AND ELLAM ST HEAVY LIFT JETTY (VICTORIA PARK)

VISUAL CONDITION INSPECTION REPORT



DECEMBER 2018

ASSET MANAGEMENT SERVICES

Sandy Beach Jetty & Ellam St Heavy Lift Jetty

Visual Condition Inspection

TMD-6005-AM-0001



DOCUMENT HISTORY

| Rev | Date | File Name | Description | Created By | Checked By | Approval By |
|-----|------------|------------------------------|----------------------------|------------|------------|-------------|
| A | 14/12/2018 | <u>TSDOT-AMSR-16 (Rev A)</u> | Issued for Internal Review | TS | JS | |
| B | 14/12/2018 | <u>TSDOT-AMSR-16 (Rev 0)</u> | Issued to Client | TS | TS | TS |
| | | | | | | |
| | | | | | | |

ASSET MANAGEMENT SERVICES

Sandy Beach Jetty & Ellam St Heavy Lift Jetty

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EXECUTIVE SUMMARY

In November 2018, Broadspectrum was engaged by the Department of Biodiversity Conservation and Attractions, to undertake a visual condition inspection of the Sandy Beach Reserve jetty (Bassendean) and Ellam Street heavy lift jetty (Victoria Park) to assess the current condition of assets and to provide recommendations of required maintenance/repairs to maximise the usable life for each of the jetties. The basis for assessing assets was an above water visual condition inspection undertaken by Broadspectrum's Asset Engineers on 23 November 2018, and a below water diving inspection completed by Deploy Subsea Diving Service on 29 November 2018.

The Sandy Beach Reserve Jetty was considered to be at the end of its service life, with the existing timber piles, timber cross braces and timber headstocks which support the timber deck superstructure, in unserviceable condition and requiring immediate replacement. It is envisaged that replacement of the existing timber piles, timber cross braces and timber headstocks, will require the complete removal of the existing timber deck superstructure for access. Given the extent of plant/equipment and labour required to replace these components, it is strongly recommended that the existing jetty be replaced in its entirety with a new modern facility.

The Ellam Street Heavy Lift Jetty was considered to be in fair condition in which a small number of immediate maintenance recommendations were provided towards rectifying current operational and safety considerations, and approximately eight future programmed maintenance recommendations were provided towards maximisation of the existing usable life for the facility.

It is envisaged that the extent of future maintenance activities to be performed on each of the jetties, will also be dependent on the outcome from a risk assessment of the facilities to align with the Department's Strategic Asset Management Plan.

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Sandy Beach Reserve Jetty & Ellam St Heavy Lift Jetty

Visual Condition Inspection

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1. INTRODUCTION

In November 2018, Broadspectrum was engaged by the Department of Biodiversity Conservation and Attractions, to undertake a visual condition inspection of the Sandy Beach Reserve jetty (Bassendean) and Ellam Street heavy lift jetty (Victoria Park) to assess the current condition of assets and to provide recommendations of required maintenance/repairs to maximise the usable life for each of the jetties.

Accordingly, Broadspectrum's Asset Engineers undertook an above water visual condition inspection of both jetties in November 2018 to assess the current condition of the jetties. A description of the findings from the visual condition assessment is included in Section 2, and a summary condition rating table for the jetties is included in Section 3. A number of recommended immediate remedial actions and recommended future programmed maintenance for the longer term, have been provided in Section 4 of this report. A location plan for each of the jetties has been included in APPENDIX A, and some photographs taken during the inspection are included in APPENDIX B.

A subsea diving inspection of both jetties was commissioned by Broadspectrum in November 2018 to assess the current below water condition of the jetties. A copy of the report provided by Deploy Subsea Diving Services is included in APPENDIX C.

1.1. PREVIOUS REPORTS

Previous condition assessment inspections/reports for the Sandy Beach Reserve jetty and the Ellam Street Heavy Lift jetty were conducted in 2015. The condition assessment reports were used for assessing structural adequacy of the jetties and to advise on general maintenance requirements:

- a) Airey Taylor Pty Ltd. (May 2015). Our Ref: 15099, Sandy Beach Reserve – Timber Jetty Condition Assessment, pp. 1-12.
- b) Airey Taylor Pty Ltd. (May 2015). Our Ref: 15098, 7 Ellam St – Heavy Lift Jetty Condition Assessment, pp. 1-35.

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Sandy Beach Reserve Jetty & Ellam St Heavy Lift Jetty

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2. CONDITION RATING SUMMARY

The following section provides a summary of the above and below water visual condition inspection results of both jetties undertaken in November 2018.

2.1. SANDY BEACH RESERVE JETTY

The Sandy Beach Reserve Jetty is located on the banks of the Swan River in Bassendean and consists of a timber deck supported on timber stringers, timber headstocks, and timber piles with timber diagonal bracing (refer photo 1 and photo 2). The jetty's connection with the shore is supported by ground material which is retained from the river by a timber retaining wall.

2.1.1. Timber Deck

The timber deck is in good condition, with no visible degradation to the timber kerb or the timber deck planks (refer photo 3 and photo 4).

2.1.2. Timber Stringers

The timber stringers which support timber deck planks are in fair condition. It was noted that some of the timber stringers have longitudinal splits at the ends (refer photo 5) and have been poorly connected to the timber headstocks at some locations (refer photo 6 and photo 7).

2.1.3. Timber Headstocks

The timber headstocks which support timber deck planks are in unserviceable condition, with evidence of significant rot/section loss to the ends of members and previous strengthening works (refer photo 8 and photo 9).

2.1.4. Timber Piles and Diagonal Bracing

The timber piles and diagonal bracing which support the timber deck superstructure are considered to be in unserviceable condition. It was noted during the above water inspection that the timber piles have extensive degradation with large splits / rot / section loss / loss of circular diameter, observed to all members (refer photo 10 to photo 20). The divers report (refer Appendix C) also found the timber piles to have splitting and cracking below the water line, with divers able to easily penetrate the surface of the piles with rulers and hand tools.

2.1.5. Timber Retaining Wall

The timber retaining wall at the shore connection is in poor condition, with extensive weathering observed to the majority of members. The timber soldier posts and longitudinal beams were observed to have large longitudinal splits / rot / and section

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Sandy Beach Reserve Jetty & Ellam St Heavy Lift Jetty

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loss in the tidal zone (refer photo 21 to photo 23). The extent of section loss at the ends of some longitudinal members has exposed the geotextile fabric behind the retaining wall and resulted in a small amount of soil material loss from behind the retaining wall into the river system (refer photo 24).

2.2. ELLAM STREET HEAVY LIFT JETTY

The Ellam Street Heavy Lift Jetty is located on the banks of the Swan River in Victoria Park and consists of a composite concrete/steel deck (concrete topping over steel sheet piles parallel to the shore), supported by steel stringer beams (perpendicular to the shore), steel headstock beams (parallel to the shore), on tubular steel piles with steel cap plates (refer photo 25 and photo 26). The steel stringer beams which support the underside of the deck, are supported by the limestone/concrete seawall along the shore connection. The fendering system on the seaward side of the jetty consists of six vertical timber chafers, connected to a steel waler beam at the bottom (in the tidal zone) and a timber kerb (attached to the concrete deck) on the top (refer photo 27). On the eastern side of the jetty, there is an access stairway leading down from the concrete deck to a low-level platform (refer photo 25). The low-level platform consists of a timber deck supported on timber stringers and steel beams connected to the main steel stringer beams supporting the concrete deck. The access stairway consists of a steel handrail and timber stair treads supported on steel stringer beams connected to the main steel stringer beams supporting the concrete deck.

2.2.1. Composite Concrete/Steel Deck

The composite concrete/steel deck is in fair condition, with cracks noted in the top surface and evidence of previous crack injection repairs (refer photo 28 to photo 33). Minor surface corrosion was also observed to the underside of the steel sheet piles, with evidence of previous patch repairs to the surface protective coatings (refer photo 53 and photo 57). At the shore connection, it was noted that there was advanced corrosion to a thin steel plate located on the underside of the deck between the landward steel sheet pile and the limestone retaining wall (refer photo 58). It is suspected that the steel plate is non-structural to the deck and was part of permanent formwork during the original construction of the concrete deck slab. On the eastern side of the jetty, it was noted that there is a gap between the steel sheet piles on the underside of the composite deck, where soil material behind the limestone retaining wall may leach out into the river (refer photo 34).

2.2.2. Steel Stringer Beams (Main Deck)

The steel stringer beams directly supporting the composite concrete/steel deck are in good condition with a small amount of deterioration to the surface protective coatings resulting in minor surface corrosion on some of the flanges. There was

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evidence of previous patch repairs to the surface protective coatings (refer photo 51 and photo 52).

2.2.3. Steel Headstock Beams (Main Deck)

The steel headstock beams supporting the steel stringer beams are generally in good condition with deterioration to the surface protective coatings resulting in minor surface corrosion to the majority of the members. There was evidence of previous patch repairs to the surface protective coatings (refer photo 47, photo 48 and photo 50).

2.2.4. Steel Piles and Cap Plates

The steel piles and cap plates are generally in fair condition with extensive deterioration to the surface protective coatings resulting in moderate corrosion to the underside of the steel cap plates and tops of the piles (refer photo 49 and photo 50). The divers report (refer Appendix C) also found the steel piles have significant corrosion below the pile wraps with nearly 50% section loss in the steel pile walls and no cathodic protection in place.

2.2.5. Timber Fender Chafers

The timber fender chafers on the seaward side of the jetty are generally in poor condition with large splits / rot / section loss at the bottom (refer photo 41 and photo 42) and dry rot / section loss at the top (refer photo 40).

2.2.6. Timber Kerb

The timber kerb located on the seaward side of the concrete deck is in good condition however it was noted that the bolt recesses have not been sealed and may result in water ponding and early rot (refer photo 39).

2.2.7. Steel Waler Beam

The horizontal steel waler beam on the seaward side of the jetty which provides lateral support to the lower section of the timber fender chafers, is considered to be in unserviceable condition with extensive deterioration to the surface protective coatings resulting in extensive corrosion / section loss (refer photo 41, photo 43, and photo 44).

2.2.8. Steel Ladder

The steel ladder on the seaward side of the jetty was in good condition with a small amount of deterioration to the galvanised surface protective coatings in the low water/tidal zone resulting in early corrosion (refer photo 45 and photo 46).

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2.2.9. Limestone Retaining Wall

The limestone wall at the shore connection was considered to be in fair condition however fretting mortar was observed at several locations on the underside of the concrete deck between the steel stringers (refer photo 57). On the western side of the jetty, there was a small gap observed between the limestone wall and the outer steel stringers on the jetty, where soil material behind the wall may leach out into the river (refer photo 60).

2.2.10. Concrete Seawall

The concrete seawall at the shore connection was considered to be in good condition with only a very small crack observed where a steel stringer supporting the deck, is bearing on the seawall (refer photo 59).

2.2.11. Timber stair treads (Stairway Access)

The timber stair treads on the stairway access to the low-level platform have fine cracks on the top surface and require sealing/oiling to minimise further splitting (refer photo 35). In general, the treads are in fair condition with exception of one member at the bottom of the stairway which is warped/split and requires replacement (refer photo 37).

2.2.12. Steel Stringer Beams (Stairway Access)

The steel stringer beams supporting the timber treads on the stairway access to the low-level platform, are in good condition with a small amount of deterioration to the surface protective coatings resulting in some early spot corrosion areas (refer photo 54).

2.2.13. Timber deck planks (Low-Level Platform)

The timber deck planks on the low-level platform are very dry with fine cracks on the top surface and require sealing/oiling to minimise further splitting (refer photo 36).

2.2.14. Timber Stringer Beams (Low-level Platform)

The timber stringers which support timber deck planks on the low-level platform have significant weathering and splitting (refer photo 38 and photo 56) and are generally considered to be in fair condition.

2.2.15. Steel frames (Low-level Platform)

The steel frames which support the timber stringers to the low-level platform, are in good condition with a small amount of deterioration to the surface protective coatings resulting in some early spot corrosion areas (refer photo 55 and photo 56).

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2.2.16. Timber Board (Low-level Platform)

The vertical timber board at the end of the low-level platform has significant weathering and splitting (refer photo 38 and photo 56) and is considered to be in fair condition.

2.2.17. Timber Waler Beam (Low-level Platform)

The horizontal timber waler on the low-level platform has a small amount of weathering/splitting at the ends (refer photo 38) and is considered to be in fair condition.

2.2.18. Steel Handrail (Stairway Access)

The steel handrail on the stairway access to the low-level platform was in good condition with a small amount of deterioration to the galvanised surface protective coatings in the low water/tidal zone resulting in some minor surface corrosion (refer photo 35 to photo 37).

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3. CONDITION RATING SUMMARY

3.1. RATING

The following is a condition rating summary for the Department Biodiversity, Conservation and Attractions maritime jetties in the Swan River:

| Name of Location plus Asset Category | Common Name of Asset | Condition Rating |
|--------------------------------------|--|-------------------|
| Swan River | | |
| Jetties | Sandy Beach Recreational Jetty (#1169) | 1 - Unserviceable |
| Jetties | Ellam Street Heavy Lift Jetty (#1259) | 3 - Fair |

JETTY RATING CRITERIA

| Condition Rating | Description |
|-------------------------------|---|
| 5 Excellent | Major and minor components require only routine maintenance to return asset to original new condition. Asset expected to achieve full useful life expectancy. |
| 4 Good | Major structural components require no major restoration. Major structural components may require programmed maintenance. Routine and programmed maintenance should enable the asset to remain functional for more than 15 years. |
| 3 Fair | Major structural components showing signs of some significant deterioration with a small number needing replacement or upgrading. It is likely that more major components will need replacement in the next 5 – 10 years. Maintenance and replacement of unserviceable components should enable the structure to remain functional for at least 10 years with no need for structural restoration. |
| 2 Poor | Significant numbers of both major and minor components in need of immediate replacement with ongoing need to replace members. Major upgrade or renewal required to extend the life of the asset beyond 5 years. |
| 1 Unserviceable | No remaining life expectancy. Asset is no longer functional. Major work, total replacement or disposal required. |
| 0 Unable to Condition Rate | State Reason (e.g. buried members, limited headroom, etc.) |

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4. IMMEDIATE AND FUTURE MAINTENANCE RECOMMENDATIONS

4.1. IMMEDIATE ACTIONS TO RECTIFY POTENTIAL SAFETY CONCERNS

To ensure safety is maintained at each of the sites, it is recommended that consideration be given to the following actions/repairs:

4.1.1. Sandy Beach Reserve Jetty

- a) The current temporary fence and signage remains in place, restricting public access to the jetty and warning the general public of the hazard/closure of the jetty until a decision has been made by DBCA to either refurbish / replace or remove the jetty.

4.1.2. Ellam Street Heavy Lift Jetty

- a) Replace the lower cracked/warped stair tread on the eastern access stairway to the low-level platform.
- b) Fill the gaps/holes on the eastern/western side of the jetty's deck, to prevent soil material behind the limestone wall from leaching out into the river.

4.2. IMMEDIATE ACTIONS TO MAINTAIN / RESTORE OPERATIONAL FUNCTION OF THE JETTIES

It is envisaged that the following immediate works/repairs is required to the existing jetties to either restore or maintain operational function:

4.2.1. Sandy Beach Reserve Jetty

- a) Refurbish the existing jetty structure by replacing the existing timber piles, timber headstocks, timber cross bracing and timber retaining wall (Note: It is envisaged that this would require disassembly/removal of the existing timber deck superstructure to enable the replacement of the stated structural components).

4.2.2. Ellam Street Heavy Lift Jetty

- a) Replace lower steel water beam with new section.
- b) Replace existing timber chafers on the seaward side of the jetty.

4.3. CONSIDERATIONS FOR MAXIMISATION OF USEFUL SERVICE LIFE

4.3.1. Sandy Beach Reserve Jetty

It is envisaged that the Sandy Beach Reserve jetty is at the end of its useful life without the immediate replacement of the existing timber piles, timber headstocks, timber

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cross bracing and timber retaining wall. It is envisaged that replacement of the existing timber piles, timber cross braces and timber headstocks, would require the complete removal of the existing timber deck superstructure for access. Given the extent of work required to replace the existing timber piles, timber cross braces and timber headstocks, it is recommended that the existing jetty be replaced in its entirety with a new modern facility.

4.3.2. Ellam Street Heavy Lift Jetty

To maximise the usable life of the existing jetty in the longer term, it is recommended that consideration be given to the following maintenance works/activities (additional to section 4.2.2):

- a) Sealing/oiling of the existing timber kerb, timber stair treads and low-level timber deck boards.
- b) Spot blasting and painting of steelwork areas where the existing surface protective coatings have degraded and corrosion is evident.
- c) Refurbish the existing tubular steel piles on the jetty by removing the existing wrapping system/marine growth, ultrasonically thickness test each pile to assess the extent of corrosion, and restore the surface protective Denso wrapping system in accordance with manufacturers recommendations.
- d) Install cathodic protection system anodes to each of the tubular steel piles to minimise further steel section loss in the steel pile walls in the submerged zone.
- e) Repairs cracks to the top surface of the concrete slab using specialist epoxy pressure injection methods.
- f) Restoring any broken weld lengths between the underside of the existing composite concrete/steel deck and the supporting steel stringers.
- g) Remove loose material from fretting mortar in limestone retaining wall, and re-point with cementitious repair material.
- h) Regalvanising the existing ladder.

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5. CONCLUSION

This report incorporates the results from an above water inspection and assessment undertaken by Broadspectrum on the Department of Biodiversity Conservation and Attractions jetties located in the Swan River at Bassendean and Victoria Park. A below water inspection of the assets was also completed by Broadspectrum's Diving Services Subcontractor (Deploy Subsea Diving Service) and the results have been included in Appendix C of this report.

The Sandy Beach Reserve jetty is considered to be at the end of its useful life without the immediate replacement of the existing timber piles, timber headstocks, timber cross bracing and timber retaining wall. Given the extent of work required to replace these structural components, it is strongly recommended that consideration be given to the entire replacement of the existing jetty with a new modern facility.

Ellam Street Heavy Lift jetty was generally considered to be in fair condition in which four immediate maintenance recommendations were provided towards rectifying current operational and safety considerations, and eight future programmed maintenance recommendations were provided towards maximisation of the existing usable life for the facility.

To monitor the safe and operational conditional of jetties, it is also recommended that the facilities are inspected at regular intervals by operational DBCA staff and at approximately 3 yearly intervals by a structural engineer and subsea diving company.

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Sandy Beach Reserve Jetty & Ellam St Heavy Lift Jetty

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APPENDIX A – LOCATION PLAN FOR JETTIES



Sandy Beach Reserve Jetty – Bassendean

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Ellam Street Heavy Lift Jetty – Victoria Park

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APPENDIX B - PHOTOGRAPHS

B.1 Sandy Beach Reserve Jetty

| | |
|---|---|
|  A wide-angle photograph showing a wooden jetty extending into a body of water. The jetty is bordered by orange safety netting. A yellow marker is visible at the end of the jetty. The background shows a line of trees under a blue sky with scattered clouds. A date stamp "23/11/2018" is in the bottom right corner. |  A photograph taken from the shore looking down a concrete path that leads to the jetty. The path is flanked by grass and trees. At the end of the path, there is a gate made of orange safety netting. The water is visible beyond the gate. A date stamp "23/11/2018" is in the bottom right corner. |
| <p>Photo 1 - General view of jetty from shore.</p> | <p>Photo 2 - General view looking at approach to jetty deck.</p> |
|  A photograph taken from the shore looking along the length of the jetty. The wooden deck is visible, bordered by orange safety netting. The water is on either side. A yellow marker is visible at the far end. A date stamp "23/11/2018" is in the bottom right corner. |  A close-up photograph of the wooden deck of the jetty. The deck is made of parallel wooden planks. To the right, there is a metal kerbing or edge. Orange safety netting is visible along the edge. A date stamp "23/11/2018" is in the bottom right corner. |
| <p>Photo 3 - General view looking along jetty deck from shore.</p> | <p>Photo 4 – Typical view of timber deck and kerbing.</p> |

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Photo 5 – Typical view of timber stringers supporting the timber deck planks.

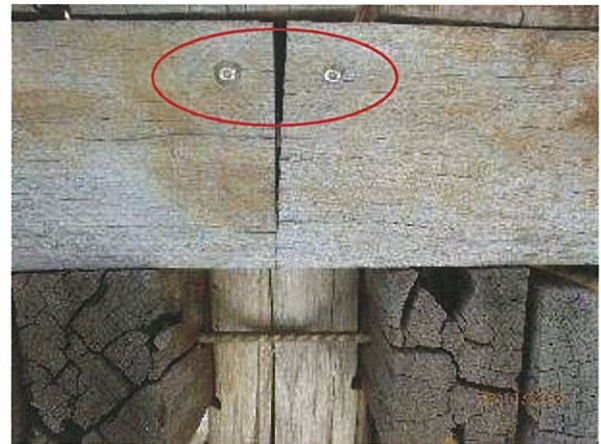


Photo 6 - Single screw connection of timber stringers to timber headstock beams.



Photo 7 – Poor connection of timber stringer to pier, with split in timber at location of metal screws.



Photo 8 - Previous strengthening repairs to existing timber headstocks, by bolting of additional timber beam to side.

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Photo 9 – Significant rot/section loss to original timber headstock beam and previous strengthening repairs to existing timber headstock, with additional timber beam bolted to side.



Photo 10 - View of near shore pier, with significant section loss/weathering on external surface of timber piles resulting in limited effective pile diameter supporting the jetty.



Photo 11 - Significant crack/section loss in timber pile on pier 1 with plastic ruler penetrating split across majority of pile diameter.



Photo 12 - Significant crack/section loss in timber pile on pier 1 with plastic ruler penetrating split across the entire pile diameter.

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Photo 13 – View of central pier, with extensive weathering/section loss and large cracks/splits to external surface of timber piles.



Photo 14 - Significant crack/section loss in timber pile on pier 2 with plastic ruler penetrating split across majority of pile diameter.



Photo 15 – Extensive weathering and section loss evident to external surface of timber pile on pier 2.



Photo 16 - Significant crack/section loss in timber pile on pier 2 with plastic ruler penetrating split across majority of pile diameter.

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Sandy Beach Reserve Jetty & Ellam St Heavy Lift Jetty

Visual Condition Inspection

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Photo 17 – View of end pier, with large crack with extensive weathering/section loss to internal section of pile.



Photo 18 - Significant crack/section loss in timber pile on pier 3 with plastic ruler penetrating split across entire pile diameter.

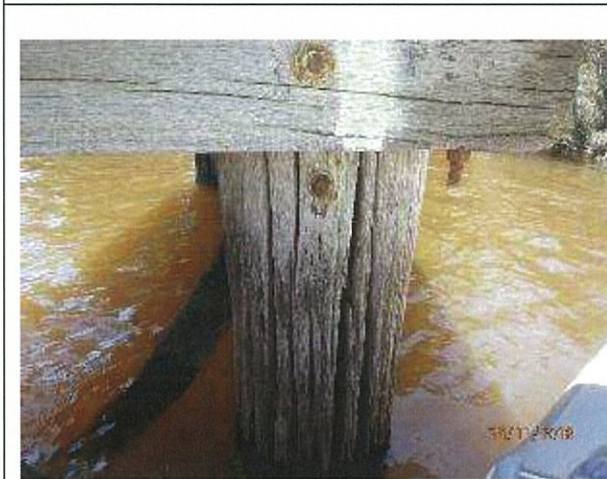


Photo 19 – Extensive weathering/section loss evident to external surface of timber pile on pier 3.



Photo 20 - Significant crack/section loss in timber pile on pier 3 with plastic ruler penetrating split across majority of pile diameter.

ASSET MANAGEMENT SERVICES

Sandy Beach Reserve Jetty & Ellam St Heavy Lift Jetty

Visual Condition Inspection

TMD-6005-AM-0001

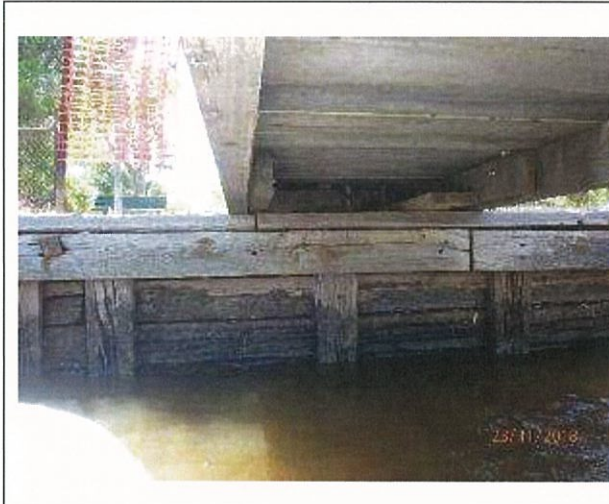


Photo 21 – View of underside of jetty deck at the shore connection, with extensive weathering, section loss and rot evident to shore timber retaining wall.



Photo 22 - Extensive weathering, splitting, section loss and rot evident to shore timber retaining wall on upstream side of jetty.



Photo 23 – Extensive weathering, splitting, section loss and rot evident to shore timber retaining wall on downstream side of jetty.



Photo 24 - Significant gaps were noted between longitudinal timber wall elements, exposing the filter cloth and potential loss of fill material from the shore.

ASSET MANAGEMENT SERVICES

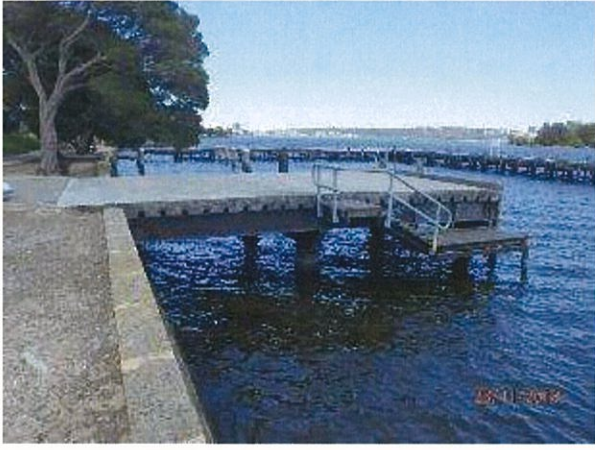



Sandy Beach Reserve Jetty & Ellam St Heavy Lift Jetty

Visual Condition Inspection

TMD-6005-AM-0001



B.2 Ellam Street Heavy Lift Jetty

| | |
|--|--|
|  A wide-angle photograph showing a concrete jetty extending into a body of water. The jetty has a metal railing and a set of stairs leading down to the water. The sky is clear and blue. |  A photograph taken from the water looking towards the jetty. The jetty is a long, dark structure supported by several wooden pilings. The water is slightly rippled. |
| <p>Photo 25 - General view of jetty from the shore (eastern side).</p> | <p>Photo 26 - General view of jetty from the water (western side).</p> |
|  A close-up view of the jetty's structure from the water. It shows several vertical wooden pilings supporting a dark, flat concrete deck. The water is murky and brownish. |  A close-up photograph of the concrete slab where the jetty meets the shore. A prominent crack is visible on the top surface of the concrete, running parallel to the shore. |
| <p>Photo 27 - General front view of the jetty from the water (northern side).</p> | <p>Photo 28 – Shore connection with jetty concrete slab. Note: Crack evident in slab top surface due to differential settlement in supporting structures.</p> |

ASSET MANAGEMENT SERVICES

Sandy Beach Reserve Jetty & Ellam St Heavy Lift Jetty

Visual Condition Inspection

TMD-6005-AM-0001

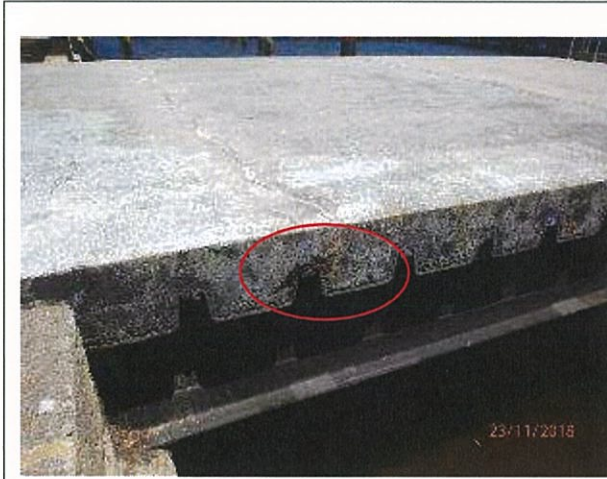


Photo 29 – Crack in concrete slab appears to be full depth to the supporting sheet pile steel sections located on the underside of the concrete deck.



Photo 30 – View of existing construction joint in concrete deck slab.



Photo 31 - Previous "V type" repairs to fine cracks in the concrete deck slab.



Photo 32 - Previous "V type" repairs to fine cracks in the concrete deck slab. Fine cracks in concrete slab appears to be full depth to the supporting sheet pile steel sections.

ASSET MANAGEMENT SERVICES

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Photo 33 – Previous “injection type” repairs to fine cracks in the concrete deck slab.



Photo 34 – Typical view of material loss at sides of jetty concrete slab connection with shore.



Photo 35 - Timber decking and galvanised handrail on stairway to low-level platform.



Photo 36 - Timber deck boards on the low-level platform appear very dry and require oiling/sealing.

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Photo 37 – Crack noted to lower timber stair tread.



Photo 38 – The timber stringers (supporting timber deck boards), vertical timber chafers, and the timber waler beam on the low-level platform, all have evidence of significant weathering/splitting.

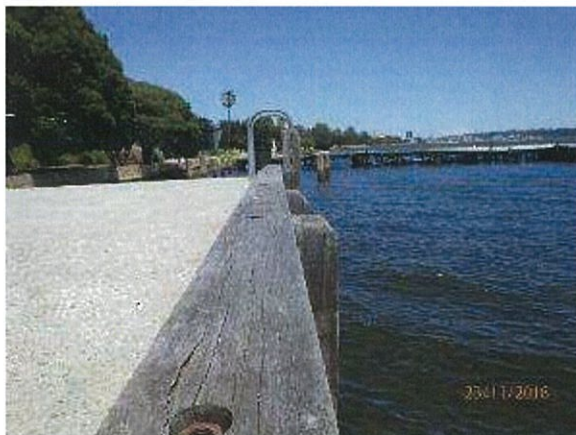


Photo 39 – View of timber kerb along front of concrete deck with a small amount of surface cracking and with bolt recesses open/unplugged.



Photo 40 – Timber chafers unsealed at the ends with advanced rot/section loss in the top.

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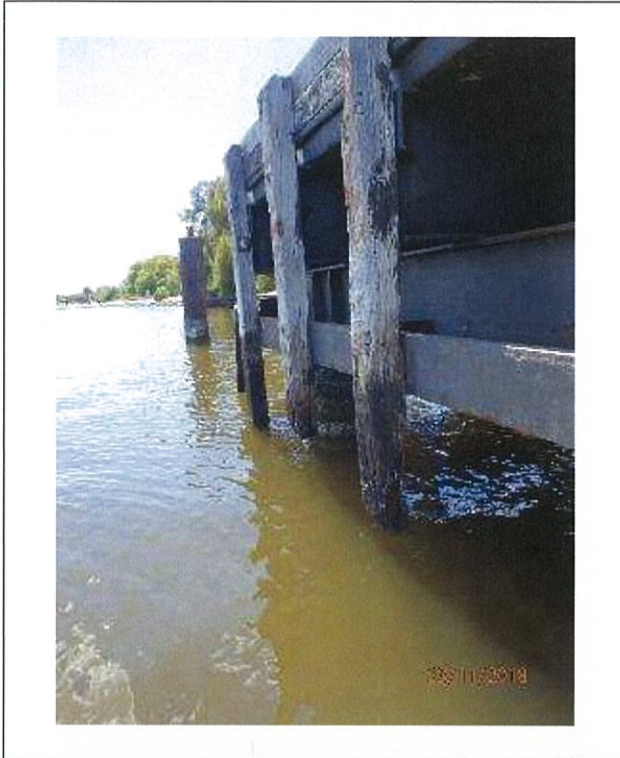


Photo 41 – Timber chafers along front of jetty have extensive weathering/cracks at the bottom.



Photo 42 – View of the extensive weathering/cracks at the bottom of chafers.



Photo 43 – Hole in steel water beam on the front of the jetty supporting the timber chafers.



Photo 44 – View of steel water beam showing failed connection to timber chaffer and significant corrosion/section loss.

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Photo 45 – Front ladder access to jetty.



Photo 46 – Deterioration of galvanised coating and early corrosion on the bottom of ladder (in the tidal zone).



Photo 47 – Surface corrosion evident to top of steel pile cap plates and steel headstock beams.

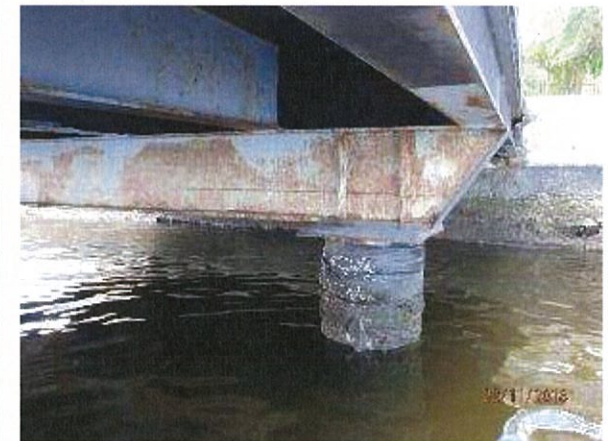


Photo 48 – Surface corrosion evident to steel pile cap plates, steel headstock beams, and steel stringer beams.

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Photo 49 – Moderate corrosion evident to underside of the steel pile cap plates.



Photo 50 – Moderate corrosion evident to top of piles above current pile wraps.



Photo 51 – Early spot corrosion evident to steel stringers on the bottom flange. Note: Previous paint repairs/patches were evident



Photo 52 - Early spot corrosion evident to steel stringers on the top flange on external exposed faces. Note: Previous paint repairs/patches were evident.




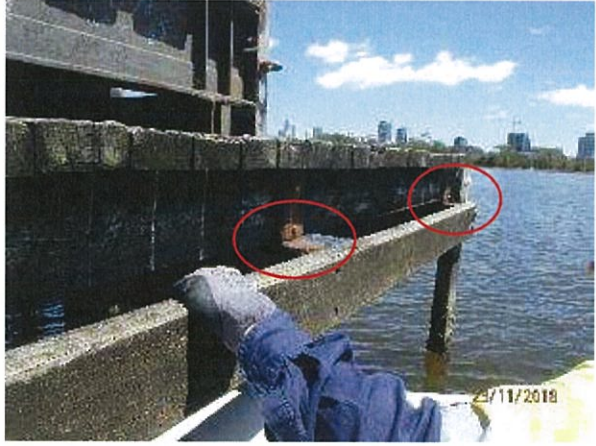
ASSET MANAGEMENT SERVICES

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| <p>Photo 53 – Early spot corrosion was evident to the steel sheet pile members on the underside of the concrete deck. Note: Previous paint repairs/patches were evident.</p> | <p>Photo 54 – Early spot corrosion was evident to the steel members supporting the stairs to the low-level landing.</p> |
|  |  |
| <p>Photo 55 – Early spot corrosion was evident to the steel members supporting the timber decking on the low-level landing.</p> | <p>Photo 56 - Early corrosion evident to the steel cleat connections to the timber stringers on the low-level landing.</p> |

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Photo 57 – Fretting of mortar was evident to the limestone retaining wall at the shore connection of the jetty.



Photo 58 – Advanced corrosion was evident to the thin steel plate attached to the last steel sheet pile supporting the concrete deck (shore side).



Photo 59 – A small crack was observed in the concrete seawall directly under the bearing area for the steel stringers.



Photo 60 – A small hole was observed at the shore connection of the outside steel stringers and the limestone retaining wall.

ASSET MANAGEMENT SERVICES

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APPENDIX C – BELOW WATER DIVING INSPECTION REPORT



BROADSPECTRUM SERVICES AUSTRALIA

Department of Biodiversity, Conservation and Attractions



DBCA Jetty Inspections – November 2018

Inspection Report DPL1658-REP-BRS Rev 0

| | | | |
|---------------------------------|---|---|--|
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| Revision Number | Release Date | Pages (incl. cover) | |
| 0 | 11/12/18 | 25 | |


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| 1 | E | Trevor Spackman | BRS | Asset Management Services Manager (Acting) | 0 | 11/12/18 |
| 1 | E | J Clohissey | DPL | Project Manager | 0 | 11/12/18 |

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1. EXECUTIVE SUMMARY

1.1 Introduction

In November 2018, Broadspectrum Services Australia (BRS) commissioned Deploy Subsea Pty Ltd to conduct underwater/at waterline inspections on two assets on behalf of the Department of Biodiversity, Conservation and Attractions (DBCA). The assets are listed as;

1. Sandy Beach Reserve Jetty – Asset ID No. 1169
2. Ellam Street Heavy Lift Jetty – Asset ID No. 1259

Both assets are in the Swan River in the Perth Metropolitan area. The inspections required General Visual Inspections (GVI) of all components, and Ultrasonic Testing using the PEER System on the timber piles supporting the Sandy Beach Reserve Jetty, and GVI of all components, and ultrasonic thickness testing of the steel piles supporting the Ellam Street Heavy Lift Jetty.

The purpose of the inspection was to provide a detailed report on the current condition of the marine assets to assist with life cycle assessment and future maintenance and repair planning. To achieve this, pressure cleaning was required on the piles as all the subsea/splash zone components of the assets in this location were encrusted with a thick hard layer of barnacle shell.

The GVI inspections included a general underwater/at waterline inspection of the structures describing any noticeable damage or corrosion to the various components making up each asset. Comments were to be noted regarding the condition of the various components including anodes, wrapping and seabed connection of piles. Underwater photos were required as part of the reporting but the underwater visibility at both locations was completely zero, so unfortunately no underwater photographs of any value were obtained.

The inspections were carried out using a small dive support vessel, initially launched at Bassendean Boat Ramp to carry out the Sandy Beach Reserve Jetty inspection, then at Coode Street South Perth to carry out the Ellam Street inspection.

Prior to the inspections, the dive crew attended a potential navigation hazard which was reported located near Port Marker 1090. The diver located this hazard which is a steel pipe and have marked it with a fender float for future location. This object was removed by Deploy Subsea on 5th December 2018.



Figure 1: Port Marker 1090 Swan River with fender float attached to submerged hazard

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Figure 2: View of Sandy Beach Reserve Jetty Asset Number 1169, on approach from vessel



Figure 3: Ellam Street Heavy Lift Jetty Asset Number 1259

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1.2 Scope of Work

Department of Biodiversity, Conservation and Attractions – Parks and Wildlife

SCOPE OF WORKS FOR SUBSEA DIVING

Document No: TMF-6005-OP-0023



Swan River Asset Management Subsea Inspection

Sandy Beach Reserve Jetty and Ellam Street Heavy Lift Jetty

1. Works Location

Swan River, Bassendean and South Perth

| Asset ID | Name | General Description |
|----------|-------------------------------------|--|
| #1 | Sandy Beach Reserve Jetty | Timber piles (miscellaneous diameter), timber cross bracing, timber headstocks, timber stringers, and timber deck planks |
| #2 | Ellam Street Heavy Lift Jetty/Wharf | Steel tubular piles, steel cap plates, steel headstocks, steel stringers, concrete deck over permanent steel formwork |

2. Works Description

Note: Contractor to supply suitable equipment to remove marine growth and/or wrapping prior to conducting the inspection of selected piles specified for each asset. Wrapping to be reinstalled as per manufacturers specification. See item 4 of Special Requirements.

3. Sandy Beach Reserve Jetty – Bassendean

- a) Contractor to supply suitable equipment to remove marine growth prior to conducting inspection. Care shall be taken not to damage existing timber surface.
- b) General underwater/at water line visual inspection of all timber piles (from seabed upwards), general underwater/splash zone inspection of all timber components (including abutment/shore support) describing any noticeable degradation/section loss, worm holes, splits, checks, physical damage, pencilling, undermining/scour/differential settlement, and details of any redundant manmade materials/rubbish in the surface of the seabed (including typical photos and location of any defects).
- c) Ultrasonic (PEER system) assessment on the underwater component of piles (from seabed to water line) with an estimation (%) of the remaining timber cross sectional area from the instrumentation.
- d) For each of the piles where PEER ratings cannot be obtained and/or where piles have a PEER rating of 50% or less, drill 2 no's of 6 mm holes at the worst rotten area to the centre of each pile and report on the findings. Plug drill holes with hardwood dowel

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coated with Denso Seashield Biocide Primer, cutting it flush on the outside face of the pile before reinstating the Denso wrapping.

4. Ellam Street Heavy Liff Jetty – South Perth

- a) Contractor to supply suitable equipment to remove marine growth prior to conducting inspection.
- b) General underwater/at water line visual inspection of piled structure describing any noticeable damage to existing structure, condition of existing surface protective coatings/wrappings, assessment of anodes, external features / corrosion / signs of SRB's/accelerated low water corrosion, section loss in components, and corrosion/wear of access ladder, chains, shackles, turnbuckles, rotting, sectional loss of chafers, undermining/scour/differential settlement (including typical photos and location of any defects) and seabed junk.
- c) Select the worst pile (one pile) from pier 1 and the worst pile (one pile) from pier 2. Remove the wrapping and conduct Ultrasonic thickness measurements on the steel piles (UT to be carried out at quarter points around circumference of pile, one set of readings done at seabed, one set of the readings at the low water mark, and one set of readings in the tidal and splash zone at the worst corrosion/wear zone). Carry out testing and inspection (including typical photos and location of any defects). Inspect welds for visual defects along the pile and provide photographs and comments (e.g. around ladders supports, pilecap welds and other welds etc.) Wrapping to be reinstalled as per Denso manufacturers specifications.
- d) Inspect the condition of the underside of the jetty structure, abutment/shore support, and walkway platform including permanent steel formwork, underside of timber walkway, front steel support beam for fender chafers, steel headstock beams and steel stringer beams. Report general condition of timber components, condition of steel members including condition of coatings, corrosion damage and estimated section loss (if applicable). Take general photos and close up photos of defects identified for the inspection of the underside of the jetty structure (including typical photos and location of any defects).

5. Special Requirements

- a) The Contractor shall notify BROADSPECTRUM in writing a minimum of 5 working days in advance of the intended mobilisation date.
- b) Diving Report: Within the term and condition of this award, the diving company shall initially provide a DRAFT comprehensive report for review prior to issue of FINAL report.

6. Mandatory Conditions.

- a) Proposed start date to be nominated by Service Provider in advance to BRS.
- b) The Service Provider is to submit a detailed complete dive and work / inspection report to be received by BRS no later than the Work Completion Date shown above, together with their invoice.

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- c) The report submission is to be delivered in electronic format (burnt on either a Compact Disc (2 copies) or USB Drive), summarising all the findings.
The report shall include as a minimum:
 - An Executive summary.
 - Introduction.
 - General Observations and findings.
 - Table summary of any test results.
 - Together with a plan showing pile test locations and general plan of each structure if/where specified.
- d) At water line and underwater, colour photos (numbered and cross referenced in the report/plans) for typical and specific for any issues identified.
 - Please highlight any issues and or recommendations in a separate section.
- e) All diving works to be conducted in accordance with AS/NZS 2299. Plus all necessary dive logs/records are the responsibility of the Service Provider to maintain and to only provide if requested to do so by BRS.
- f) Once on site and any scope changes or variances are identified, these are to be immediately reported to Trevor Spackman for direction. Any additional work performed either outside the SoW requirements or not instructed to do so, will not be approved.

7. Attachments / Drawings / Photos

- Sandy Beach Reserve Jetty – Location plan
- Ellam Street Heavy Lift Jetty/Wharf – Location plan



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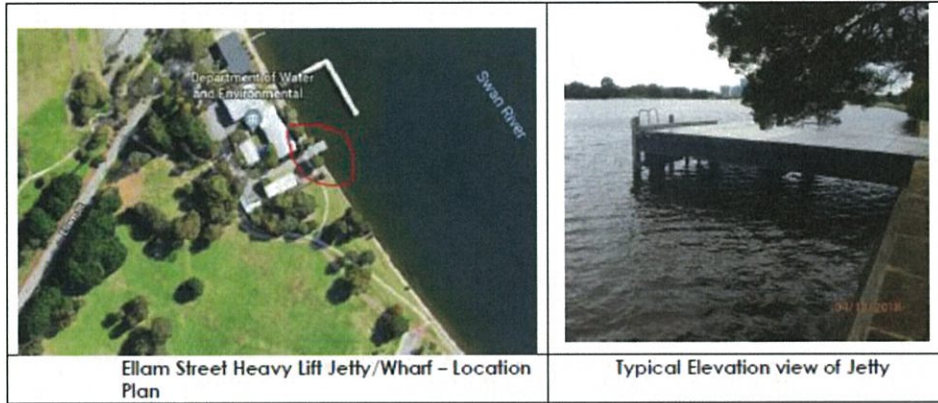


Figure 4: Scope of Work

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2. TERMS AND ABBREVIATIONS

| Abbreviation | Written in Full |
|--------------|--|
| ADAS | Australian Diver Accreditation Scheme |
| AS/NZS | Australian / New Zealand Standards |
| BRS | Broadspectrum Services |
| BSL | Below Mean Sea Level |
| CD | Chart Datum |
| DBCA | Department of Biodiversity, Conservation and Attractions |
| DOT | Department of Transport |
| DPL | DEPLOY Subsea Pty Ltd |
| DPP | Dive Project Plan |
| DSMS | Diving Safety Management System |
| DSV | Dive Support Vessel |
| HAZID | Hazard Identification |
| HSE | Health Safety and Environment |
| ITP | Inspection and Test Plan |
| JSEA | Job Safety and Environmental Analysis |
| m | Meter |
| Man | Manual |
| mm | millimeter |
| Q | Quality |
| QHSE | Quality, Health, Safety and Environment |
| QM | Quality Manual |
| RA | Risk Assessment |
| REP | Report |
| SOW | Scope of Work |
| TRIFR | Total Recordable Injury Frequency Rate |
| UW | Under Water |

Table 1: Terms and Abbreviations

3. Project Process

3.1 Introduction

This section of the report includes the objectives, methodology, conduct of diving and daily operations, HSE and Quality Control.

3.2 Objectives

- Notify Client of impending visit to site.
- Conduct JSEA and Pre-Start Dive Briefing
- Clean select asset components with water blaster as necessary
- Remove wrapping where necessary
- Conduct underwater General Visual Inspection of the various components
- Conduct PEER system inspection of select timber piles
- Take underwater and at waterline photos
- Re wrap piles where necessary
- Demobilise from site.
- Inform Client work has been completed
- Issue Completion Report

| | | |
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3.3 Methodology – Diving and Inspection

The inspection works were completed from the 'Archie' dive support vessel. The vessel was equipped with full commercial diving spread in accordance with the requirements of AS/NZ: 2299.

For the cleaning of the timber piles, the diver used hand tools only to remove all marine growth from the piles prior to the inspection. For the timber pile inspections, the Diver was equipped an Olympus Underwater Stills Camera, hand tools, measuring tools, calipers and the PEER System. The diver used a high-pressure water blaster to remove the barnacle shell and marine growth from the steel piles at Ellam Street.

The inspection diver then began a detailed visual inspection of all components visible from the water, as well as the sub surface inspection. The diver then attempted to conduct the PEER system inspection of the selected piles, however the water is too shallow for any PEER readings to be obtained as the tool is required to be fully submerged. Additionally, there is not enough length of timber anywhere on the piles to conduct any worthwhile PEER readings as the timber needs to be constantly submerged.

3.4 Diving and Daily Operations

Commercial diving operations were carried out in strict accordance with AS/NZS2299.1:2007 Occupational Diving, the DEPLOY DSMS (DPL-S-MAN-001), and Air Diving Operations and Emergency Procedures Manual (DPL-ADM-OPS-MAN-003).

A three (3) person dive crew was utilized, supported by DEPLOY Management Perth. All Divers are certified to ADAS Part 3 or 4. The Dive Project team comprised of the following personnel:

| Name | Company | Position |
|---------------------|---------|---|
| Julian Clohissey | DEPLOY | Diving Supervisor / PEER System Inspector |
| Stewart Cruickshank | DEPLOY | 3.2U Inspection diver |
| Ken Greenbury | DEPLOY | 3.2U Inspection diver |
| Natasha Davies | DEPLOY | Works Coordinator |

Table 2: Dive Project Team

3.5 Health and Safety

All safety equipment relevant to onshore commercial diving was onsite, including the Alpha flag, two-way surface and underwater communications, in-service Oxy-Viva Resuscitation Unit, and first aid kit.

DEPLOY conducts ALL commercial diving operations using Surface Supplied Breathing Apparatus. This ensures that the Diver has potentially three (3) air supplies.

The dive team was equipped with an approved Dive Project Plan (DPP), Risk Assessment, and daily HSE documentation, including Job Safety and Environmental Analysis (JSEA), Hazard ID (HAZID), and Incident Reporting documentation.

The DEPLOY Diving Supervisor maintained regular communications with DEPLOY Project Management for the duration of the works.

Prior to commencing work, a Pre-Start briefing was held for the DEPLOY Dive Project Team to ensure all crew were aware of the tasks at hand for the day, assess new potential risks and discuss safety requirements for the work to follow.

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There were no incidents or injuries during the performance of these works. DEPLOY maintains a TRIFR = 0.

3.6 Quality Control

All work was undertaken in accordance with the relevant AS/NZ Standards and all details recorded on Daily Progress Reports.

| | | |
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4. OBSERVATIONS AND FINDINGS

4.1 Sandy Beach Reserve Jetty ID 1169

It was noted that at the time of this inspection, the underwater visibility at this location was zero so attempts to obtain underwater photographs were not successful. Also, the water was not deep enough for ultrasonic testing using the PEER System. The system requires the section of timber to be tested, to be constantly submerged in order to use water as the medium for the ultrasonic wave.

This jetty is in very poor condition and is most likely beyond structural repair. There are significant cracks and splits in the piles above and below the water line. There are obvious indications of pencilling in the piles also, with average diameters of the 4 larger piles around 290mm and in cases reduced to 240mm, and the 2 shore side piles 190mm diameter down to 135mm.

The timber deck is supported by six timber piles, with the two piles closest to shore being of a much smaller diameter than the other four. The deck is not actually secured to the piles correctly.

The inspection below the waterline was conducted by experienced inspection divers using hand tools, measuring equipment and by feeling for voids, splits, cracks or fractures. Due to the poor visibility, the diver had to feel his way but was able to report that the timber was more solid below the waterline than above, but he was able to feel splitting and cracking in all timber piles below the waterline also.

Whilst the constantly submerged section of timber on these piles are not subjected to the same wet and dry exposure than that of the splash zone/tidal zone areas, it can be assumed that all piles are in a deteriorated state and no longer fit for purpose. The diver was able to easily penetrate the piles above and below the water line with rulers and hand tools showing the extent of the deterioration.



Figure 5: Shows vertical crack in outer western pile

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Figure 6: Diver attempting to obtain PEER readings



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Figure 7: The two shoreside piles are smaller in diameter than the other four piles.

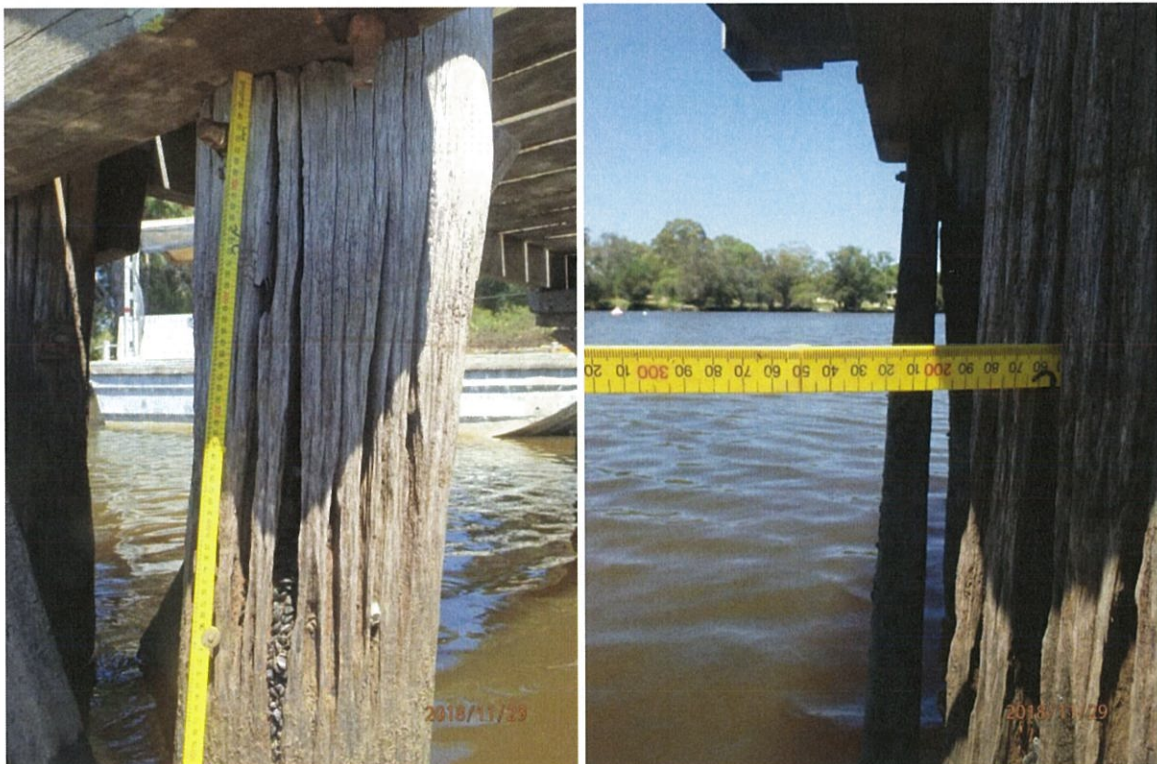


Figure 8: The extent of the cracking and splitting in the piles is obvious

4.2 Ellam Street Heavy Lift Jetty ID Number 1259

This jetty requires maintenance and repair but appears to be in reasonably good condition. It is comprised of a thick concrete deck which is contained in sections of steel sheet piles laying horizontally on larger steel whalers and stringers. These components are supported by 4no. steel piles approximate diameter 610mm. There is a small boat landing to the east which is in good condition.

The repairs required are generally at the front where there are 6no. timber chafers attached to the lower steel whaler. The steel whaler is corroded and needs to be replaced as do some of the chafers.

The concrete deck has several cracks, but it is very well supported by all the underlying steel work which is in reasonably good condition. There are also several areas where welds connecting the bottom of the sheet pile sections to the main steel beams underneath have broken. These may also require maintenance and repair.

In relation to the vertical steel piles, the initial observation made was that the existing pile protective wrapping was only applied to the top 350mm section of the pile. As a result, only this section of pile was being protected from corrosion and it appears that the wrapping has long since deteriorated and was not fit for purpose. Deploy Subsea has removed and replaced the wrapping on two piles as requested. There are photos below showing this.

Hydro blasting was used to clean the piles once the wrapping was removed as the piles were covered in a thick layer of hard marine growth. The hydro blasting exposed corrosion and pitting on the piles and there are significant differences in the pile wall thicknesses. For example, on pile 1E (inner eastern pile) Ultrasonic Thickness readings varied from 8.3mm to 15.5mm

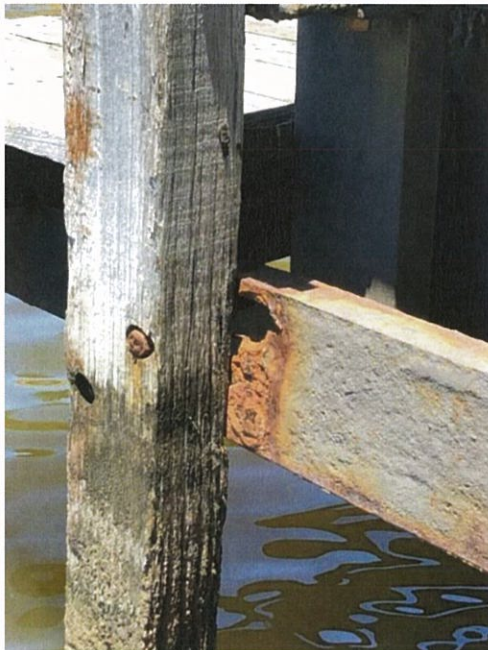


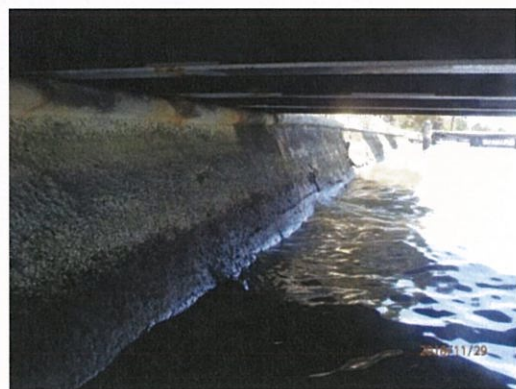
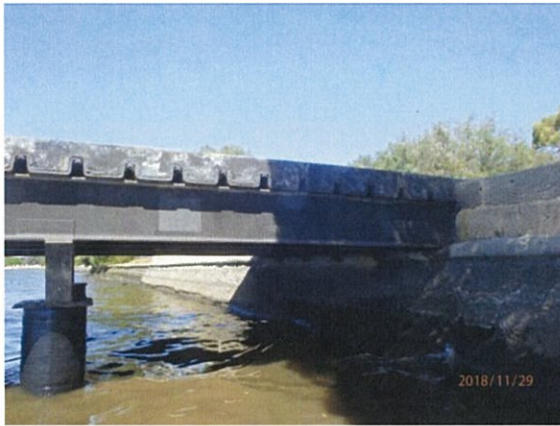
Figure 9: Ellam Street Heavy Lift Jetty

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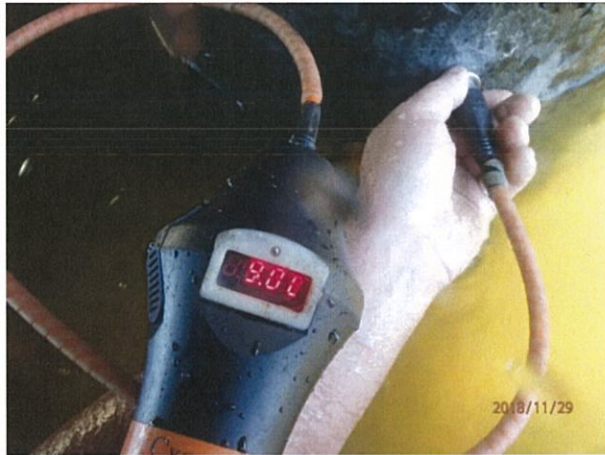
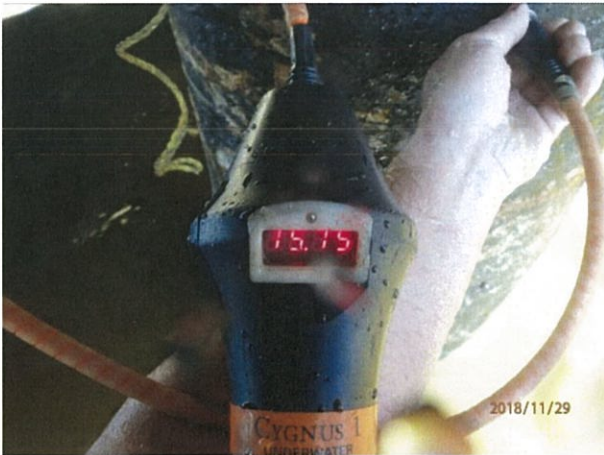


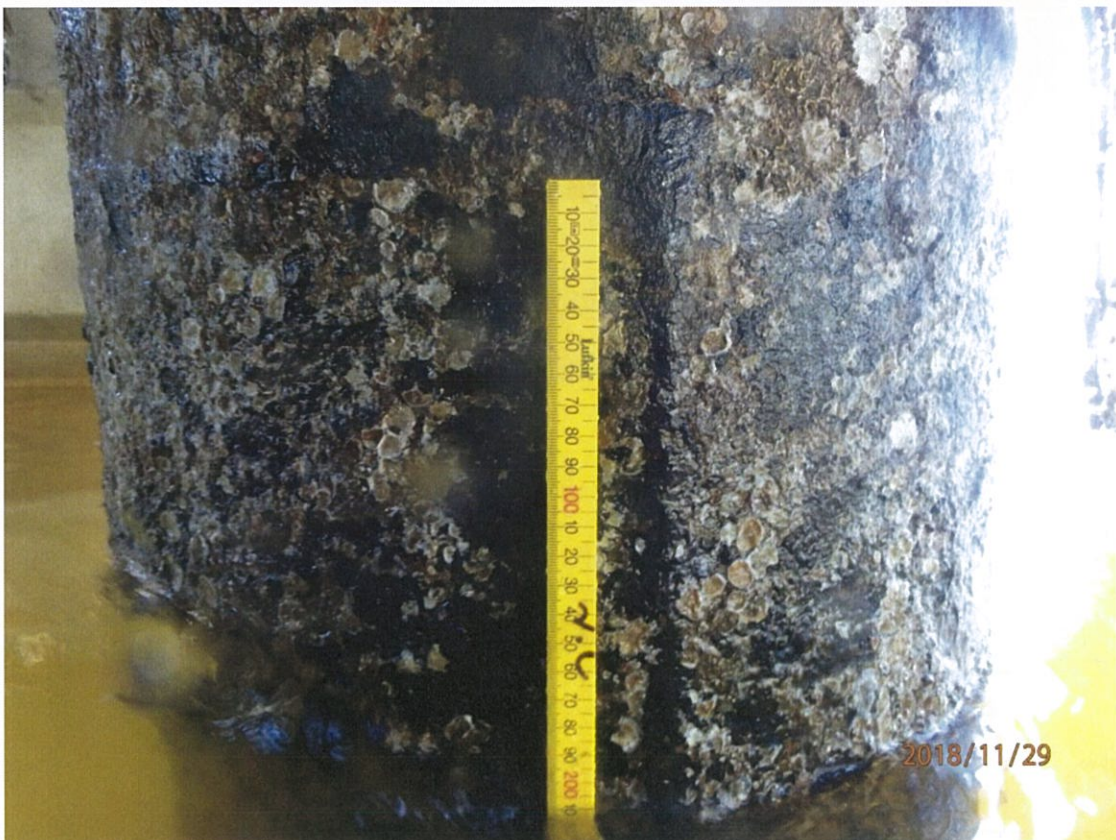




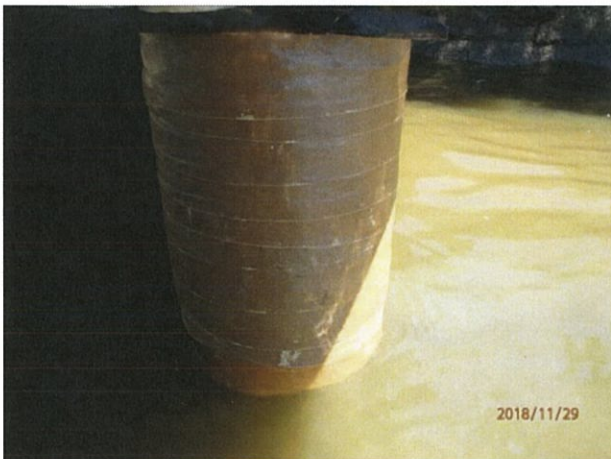


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5. CONCLUSION AND RECOMMENDATIONS

5.1 Conclusion

Sandy Beach Reserve Jetty is likely beyond repair.
Ellam Street Heavy Lift Jetty requires maintenance.

5.2 Recommendations

Ellam Street Jetty - Fully wrap remaining two piles. Install anodes. Blast and paint.

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ATTACHMENT NO. 8

| No | Comment | Summary and discussion of issues |
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| 1 | <p>We received your letter outlining the proposal to acquire the laneway behind Guildford Road, bounded by Kathleen and Kenny Streets.</p> <p>We object to this proposal, and believe the laneway should be a private road for the use of adjoining lot owners from the original subdivision. I note from the original subdivision that a significant portion of the original laneway has already be assumed into 13E Palmerston street.</p> | <p>Objects and considers that the right of way should remain a private right of way</p> |
| 2 | <p>Thank you for the notification and request for response to the above mentioned proposal. You have clarified the situation by phone to me. In principle it is not an issue, however requesting that the Council take into consideration the following at the same time:</p> <ol style="list-style-type: none"> 1. The rezoning of the TOD zones is underway, which is also fine. A) With respect of the laneway please consider the options of subsuming the laneway into land consolidation. B) That in order to enable the higher densities to be developed the road be accepted for access to Lots given 6m width to parking be maintained. 2. I would expect that in the light of the rezoning no remedial work by residents will be required, such as moving fences, trees, garages etc? 3. That the currently difficult parking situation in the surrounds be addressed. I have one garage and one car, should visitors or tradesmen come they cannot park in Palmerston or Kathleen streets as the curb is non mountable and the road is quite narrow, despite the wide non-pedestrian verge. The request is that embayments be provided in both Palmerston and Kathleen streets to ease the burden on the laneway. This will also future-proof for greater densities. There are no trees in the verges. | <p>No objection in principle but raises some issues with the potential increase in density codes linked to the Tod Zone surrounding the Bassendean Railway Station and</p> <p>If the right of way becomes a public street it will provide the only vehicle access to the surrounding land and as such will not be able to subsumed into the adjoining land.</p> <p>If the surrounding land is to be developed at a higher density the width of the right of way would need to be increased from its current width of 4.0m(northern end) and 5.0m balance of right of way to 6.m</p> |

| No | Comment | Summary and discussion of issues |
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| | <p>4. That tree verge planting be considered at the same time so that Bassendean may have greenery, parking shade, as well as give our river/water birds suitable trees to eat, nest etc.</p> <p>5. That miniskip bin areas be provided in the laneway or in the verge. I have also experienced the issue that no rubble can be binned anywhere in the vicinity. I spoke to the Council at that time the officer said that as this was a historic layout and miniskip bins had not been considered or provided for. Given we now have the proposal for a new road to be owned by the Crown and managed by Bassendean requesting that this provision be an integral part of the road¹ management and amenity provision. It may be possible to use one of the parking embayments as borrowed bin spots.</p> <p>Please consider the suggestions/requests as integral to internal road management by the Bassendean Council.</p> | <p>Officers are not examining the feasibility of providing embayed parking in Palmerston and Kenny Streets as part of the current dedication request.</p> |
| 3 | <p>I strongly object to making the ROW surrounding my property a public road. It is not a public road at all.</p> <p>I do not want strangers wondering up here and claiming they have a right to be here, even at night time. It is a private ROW.</p> <p>Why not keep it as a private ROW, and just allow access to the developer on Kenny St and others who currently have access.</p> <p>ps When the council resurfaced the ROW it dropped the level of the ROW (illegally it seems now) especially around the second of Dr Teasdale's properties. I have photos of before and after. I have previously shown these to council.</p> <p>Without a proper retaining wall on the northern side of my property, I am unable to replace my asbestos fencing, which I would like to.</p> | <p>Objection to making the right of way a public street</p> |

| No | Comment | Summary and discussion of issues |
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| | <p>I want council to help me with this, regardless of whether you keep the ROW private or make it public. If Council does not assist me, I reserve the right to build a retaining wall by myself. The bearer of costs to be determined later.</p> <p>This is my formal notification of my intentions while I hold rights over the ROW.</p> <p>You can also leave the last leg of the laneway that goes around the back of my property as a private ROW with signage. if it becomes a road, it will be a no through road, and you will need a turnaround in case someone accidentally goes into it.</p> | |
| 4 | <p>I am totally in favour of the Council acquiring this laneway to be designated as a public access way for all tenants in the area and visitors and work contractors and for same to be under the care and control of Council as a public roadway. I am also agreeing that the Council should have control of parking in the said laneway [public road].</p> <p>I have lived in the area for a number of years and was under the impression when I located here that such was the case then.</p> <p>I would appreciate if the Council gave this matter some priority and had the matter resolved as quickly as possible.</p> | <p>Supports the right of way becoming a public road and supports the Town controlling parking</p> |

| No | Comment | Summary and discussion of issues |
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| 5 | <p>1. Issue I write this letter to urge the elected members of the Town of Bassendean (TOB) Council to consider the information set out below and implement the recommendations that follow.</p> <p>I have been invited by Mr Brian Reed (Manager Development Services , TOB) to make this submission and if the TOB proceeds in the way it has done so far then I ask that you ensure that this submission becomes one of the objections made to the Minister.</p> <p>This objection is of necessity made in great detail as if the TOB does not delay the project while it sorts out its procedural, information and policy issues, the Ministerial objection process seems to create be a one off opportunity, not one that caters for additional (new) reasons.</p> <p>I hope that all the matters I have raised could be discussed to ensure clarity or purpose, but that has not been my experience when dealing with the TOB so far on this issue.</p> <p>2. History of the of Creation and use of the ROW.</p> <p>In 1903 Plan 2572 (Copy of sheet 1 of that plan enclosed) was lodged in the Titles Office, and it created (among other lots) lots 194 to 205 in Kenny Street between Guildford Road and Palmerston Street.</p> <p>Those lots each had a 12.27 metres frontage and no rear access.</p> | <p>Expresses concern with the validity of the petition presented to Council and the officer report that was presented in February 2019 that recommended that a process be undertaken to request the Minister to acquire the land as Crown land, with the ultimate aim of dedicating the right of way as a public road.</p> <p>The petition was prepared independently of the Town, and was presented to Council in December 2018, which led to a further report being presented to Council in February 2019. The February report acknowledged that the petition was only signed by the owners representing 28% of the value of the land adjoining the right- of way.</p> <p>The submitter makes the point that the Town does not need to follow the process it is following to dedicate the land as a public road, as the Town could use its own records to allow properties , without easements, allowing those properties to access the right of way through the rights of Prescription Act 1832 . In simple terms this Act allows for landowners to claim a right of carriageway over another person's land, by demonstrating that they have used the land for a period of 20 years.</p> <p>Legal advice from McLeods indicates that the Prescription Act 1832 should be administered by a Court and not the Town</p> <p>The submitter makes the point that the original officer report did not canvass the Town purchasing the right of way.</p> <p>As far as the current dedication process is concerned the submitter considers that the process should be ceased immediately.</p> |

| No | Comment | Summary and discussion of issues |
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| | <p>About one half of the rear boundary of lot 194 on Plan 2572 (14) Kenny Street, and all of the rear boundaries of lots 195 to 199 on the same Plan (16 to 24) Kenny Street about the western boundary of the ROW</p> <p>It was not surprising that over the years, the owners of lots 194 to 205 Kenney Street commenced using the ROW (created later) for rear access.</p> <p>The ROW was delineated on the subdivision of a part of Swan Location Q1 by Messrs Stephen Henry Parker, lawyer and amateur jockey and later a Chief Justice of the Supreme Court, and Doctor (and land speculator) Daniel Kenny of St Georges Terrace Perth (who arrived in WA from Ireland in 1885, the same year as Richard Alexander McDonald of Bassendean local Government renown).</p> <p>The plan for the subdivision was lodged in the Titles Office, numbered 2787, and the ROW came into being on the transfer of the first lot out of that subdivision (Lot 15, now number 171 on Guildford Road) on 7th November 1907).</p> <p>The house at 24 Kenny Street was built between 1903 and 1910.</p> <p>Three colonial mansions were built lots 19-23 on Plan 2787 and lots 200-205 on Plan 2572 around 1910 to house the senior management of the Cumming Smith and Mount Lyall Fertilizer Factory in Bassendean.</p> <p>The resumption of the lots occupied by the mansions and that part of the ROW running between them to join Palmerston Street removed all the rights created over the resumed portion as from 7 April 1972.</p> | <p>It is further considered that the Town's policy on rights of way should be reviewed and rewritten.</p> |

| No | Comment | Summary and discussion of issues |
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| | <p>The three mansions were then demolished and a C Class Hospital built for the Mental Health Services on the resumed land.</p> <p>The portion of the ROW left after the resumption became a dead end at the southern end of the property at 24 Kenny Street, leaving only one way access from Kathleen Street.</p> <p>The C Class Hospital was demolished around 2000 and replaced by three Survey Strata developments none of which have any rights to use the ROW or indeed physical access to it due to a significant difference in ground levels.</p> <p>The house at 20 Kenny Street was built across two lots, 197 and 198, by Builder Mr A Drysdale (later Road Board Member) for Richard Alexander McDonald and completed in mid to late 1920 after lengthy delays caused by a post war shortage of building materials.</p> <p>Mr McDonald kept a horse (Dolly) and cart at the rear of his house from 1922 to 1928, and used the ROW for access at that time.</p> <p>Listed below are the surviving rights to use the ROW created under Section 167A of the Transfer of Land Act (TLA) (drafted and managed by Landgate and its departmental predecessors) and rights that most probably have arisen under the Prescription Act.</p> <p>A right gained by Prescription is one of the exceptions to indefeasibility under the TLA, and can exist without being noted on the title to the user's land.</p> | |

| No | Comment | Summary and discussion of issues |
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| | <p>The Prescription Act sets out the conditions (generally continuous use for 30 years uninterrupted open and undisputed by the land owner of the ROW) to create an ongoing legal right to use it.</p> <p>Once the right has been acquired it cannot be revoked by the owner of the ROW, and can be cited as a defence by the holder of any such right against a recovery action, or action to remove the right so acquired.</p> <p>Rights acquired by prescription are recognised by the Land Administration Act (LAA) (also drafted and managed by Landgate and its departmental predecessors) and that recognition is demonstrated in the various ROW resumption provisions in the LAA, and the glossary of terms issued by Landgate.</p> <p>The consents required by the LAA include every land owner abutting the ROW, not just those whose rights are derived under the TLA.</p> <p>3. Property owners and the ROW</p> <p>(a) TLA rights and physically accessible</p> <p>Lot 2 (145) Guildford Road Lot 3 (147) Guildford Road Lot 4 (149) Guildford Road Lots 5&6 (151) Guildford Road Lots 7-9 (159) Guildford Road Lots 10-12 (163) Guildford Road Lot 13 (167) Guildford Road Lot 14 (169) Guildford Road Lot 15 (171) Guildford Road Pt Lot 16 (173) Guildford Road Lot 27 (3). Palmerston Street Lot 26 (5) Palmerston Street</p> | |

| No | Comment | Summary and discussion of issues |
|----|---|----------------------------------|
| | <p>Lot 25 (7) Palmerston Street Lot 24 (10) Kathleen Street Lots 17&18 (1) Kathleen Street</p> <p>(b) TLA rights but not physically accessible</p> <p>The owners of 175 Guildford Road (which includes a part of lot 16) and the owners of 12 Kathleen Street do have a legal right to use the ROW but no physical access to it.</p> <p>(c) No TLA rights and not physically accessible</p> <p>The two lots owned and/or occupied by the RSL (179 Guildford Road and 10 Kenny Street) do not have any part of their boundary contiguous to the ROW, cannot be accessed from it, and gained no rights over them under the TLA.</p> <p>No part of the Boundary of Lot 193 (12) Kenny Street has a common boundary with and therefore no physical ability to use the ROW nor any rights to use it under the TLA.</p> <p>(d) No TLA rights but rights by prescription.</p> <p>About one half of the rear boundary of lot 194 on Plan 2572 (14) Kenny Street, and all of the rear boundaries of lots 195 to 199 on Plan 2572 (16, 17, 18, 20 and 24) Kenny Street join the boundary of the ROW, but no rights to use it were created in favour of those owners under the TLA.</p> <p>There is however physical access from the ROW to those lots and the owners of, the houses at numbers 14 to 24 could and most likely did acquire a legal right to use the ROW under the Prescription Act.</p> | |

| No | Comment | Summary and discussion of issues |
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| | <p>Any owner of rights to use the ROW that does not do so for a continuous period of 20 years or more runs the risk of losing those rights whether gained by the TLA or by prescription, by abandonment under the Limitations Act.</p> <p>4. The Petition</p> <p>The petition presented to the TOB Council meeting as a part of attachment 7 to the agenda for the meeting held on 26 February 2019 was factually incorrect in that in that it required the petitioners to acknowledge that many of the owners (without specifying which of them) them) had no right to use the ROW.</p> <p>The extent to which the threat of the loss of use of the ROW influenced some ratepayers to sign it is not known.</p> <p>Seven petitioners who had a right created under Section 167A of the TLA signed the petition.</p> <p>Five of the homeowners of the Kenny Street homes contiguous to the ROW, but with no TLA rights did sign it when presented to them by the Initiator (Callan White).</p> <p>The petition was shown to me by some of the peoples involved, and I discussed its format with Callan and David White, the owners of No 14. I had several discussions with the latter two gentlemen on the ROW, commencing in November 2011.</p> | |

| No | Comment | Summary and discussion of issues |
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| | <p>I wrote to the Mayor on the issue with more details, on 18 December, (asking for a meeting) and sent an email with further details to the TOB on 21 December, again asking for a meeting, and suggesting an additional request be made for legal advice on rights by prescription and the liability of the TOB.</p> <p>On 17 January 2019 I asked to see Mr Hartley (TOB Development Services) and asked him if any further legal advice response to my letter and email mails had been received.</p> <p>I was advised that he was unaware of the source of the text of the Petition, had received legal advice about the effect of section 167A of the TLA, but did not plan to seek advice on the questions that I had raised in my letter and email.</p> <p>I was shown an email from the CEO of the TOB sent out on 6 February advising David that the TOB would not recognise rights by prescription.</p> <p>I had further discussions with David White on 9 April and he advised me that his solicitor had applied to the Court for recognition of the rights of No 14 to an easement by prescription. David told me that his solicitor had sent out notices to interested parties and was waiting for a listing date to proceed further.</p> <p>I endeavoured to ring the TOB CEO on the same day, and left a message requesting her to ring me about the ROW, but my call was not returned by her.</p> | |

| No | Comment | Summary and discussion of issues |
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| | <p>Mr Hartley did call me, and later that day sent me an email apologising for the delay in responding to me correspondence, (due to the unavailability of the Mayor to sign it off) and hoping to be able to respond as soon as practicable.</p> <p>I received a response (signed by The Mayor) to my neighbour's letter to the TOB on 11 April</p> <p>On 12 April I received a response (signed by Brian Reed, TOB) without all the attachments said to be enclosed. I received the missing attachments later the same day.</p> <p>I have prepared the above list of rights attached to the various lots contiguous to the ROW, but there may be more than one owner for each lot.</p> <p>While the numbers quoted in the TOB report on the petition do not match the numbers at 3 above and must be verified the misleading nature of the statements made in the preface is misleading and deceptive, (whether by mistake or design) and any decisions based on its acceptance should be reversed.</p> <p>5. The recommendation to Council 26 April 2019</p> <p>The Petition The problems with the petition are compounded by the advice given to Councillors in the agenda for the meeting of 26 February 2019.</p> <p>That agenda and the advice in it was produced after the failings in the petition were raised with the TOB, but only in the recent letters issued 10 April was a qualified retraction of that advice communicated to the affected ratepayers.</p> | |

| No | Comment | Summary and discussion of issues |
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| | <p>That same advice called for written objections to the process now initiated by the TOB to bring into effect the request made in the defective petition.</p> <p>Despite the statement eliminating the relevance of the petition, made in the name of the TOB in the April letters to me (and no doubt to each and every owner of land along the ROW, as required by law) Administrative law will not allow the TOB off that easily.</p> <p>The agenda clearly referred to the petition, it was included it in the papers for consideration and was analysed (however accurately) for consideration.</p> <p>The Council was not advised that on the analysis of the numbers recited in the agenda the option of dedicating the ROW as a public road on the grounds of ratepayer support, was not available as a majority of Ratepayers did not support that.</p> <p>The decision of the TOB to continue to work on its preferred but as yet fully formed ROW intentions goes against all the public expectations of honest, open and responsive government.</p> <p>The Council should be given clear advice to support each recommendation that it is asked to approve.</p> <p>Any notice given to Ratepayers should be include the same items of information, set out in the following paragraph.</p> | |

| No | Comment | Summary and discussion of issues |
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| | <p>A new petition that;</p> <ul style="list-style-type: none"> - sets out valid problems that the ratepayers and the TOB has with the continued existence of the ROWs in Bassendean (anti-social behaviour, blocked access, maintenance?); and - Lists the options available to the TOB to obviate the problems; and - lists how each option if chosen would obviate the problems; and the TOB preferred option; and, - contains an undertaking by the Council that management practices for the chosen option would be instituted and maintained, - would no doubt reduce the current level of distrust in the Council and result in a more universally supported replacement petition. <p>The Agenda did include an extract of the resumption regs that would require the TOB to give the Minister written advice that it had taken all reasonable steps to identify the persons who are required to be given notice</p> <p>The TOB failure to respond to correspondence about prescriptive rights</p> <p>The agenda contained page after page of legislation regulation and the practices of other Councils without relating the facts and identifying the results of those facts, with one exception.</p> | |

| No | Comment | Summary and discussion of issues |
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| | <p>The Council was advised that there is no requirement to let the ratepayers along the ROW know about action to dedicate a ROW as a public road, and no compensation for those whose rights have been removed.</p> <p>Such reasoning is one that substantiates the current level of distrust held by the ratepayers.</p> <p>At the moment while one TOB paper commits the Council to the maintenance and management of the ROW once in its care, a conflicting TOB document infers that maintenance will be demanded as a condition of development approval.</p> <p>This is another cause for distrust and another reason why the policy should be reviewed to make a clear statement about the ROW problems, solutions to those problems and management changes required to implement those solutions.</p> <p>A reissue of a petition in the form suggested above is a better way to deal with ratepayers, and satisfies a real consultative process.</p> <p>Prescription</p> <p>The issue of prescriptive rights to use the ROW and the availability of the TOB records to provide extremely persuasive evidence that those rights had been acquired by the owners of numbers 14 to 24 Kenny Street was also raised before the meeting,</p> <p>The TOB has both refused to consider that property owners in the houses from 14 to 24 Kenny Street have acquired property rights by prescription, and refused to seek legal advice about those rights.</p> | |

| No | Comment | Summary and discussion of issues |
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| | <p>While that is probably prudent as it seems the staff have no property law expertise, they do have access to expert legal advice from TOB's lawyers.</p> <p>However, the proving the acquisition of public rights over a ROW is an exercise in demonstrating public use over a continuous period of 10 years, which is the same exercise as demonstrating private use of a ROW by a restricted section of the community (e.g. the owners of 14 to 24 Kenney Street) over a continuous period of 30 years.</p> <p>The TOB seems to have an awareness and decision making intention about the prescriptive rights of the public, but not those of the four ratepayers in Kenny Street.</p> <p>It would seem that no investigation of the TOB records to confirm or otherwise deal with the rights of the Kenny street owners has occurred, but the effort to prove the acquisition of public rights is now in progress by the TOB staff and that will probably require the same (but less extensive) research.</p> <p>It may be appropriate for the TOB to ascertain what records it does hold in readable (and readily accessible) as the issue of private rights over the ROWs in Bassendean has still some way to travel.</p> <p>An investigation now based on the current example could prove useful, and reduce stress for ratepayers, TOB staff and Councillors.</p> | |

| No | Comment | Summary and discussion of issues |
|----|--|----------------------------------|
| | <p>Incomplete and hidden Advice</p> <p>Neither the petition issue nor the prescription issue was reported to the Council in the Agenda for the meeting, leaving no time for Councillors to seek advice.</p> <p>It is acknowledged that the Council ROW policy needs revision but the request for immediate approval did not contain the level of detail required to support action despite that acknowledgement.</p> <p>No advice on all the options available to the Council to remedy the (so far not specified and perhaps not yet identified) problems were included in the advice.</p> <p>The costs arising from each remedy were not specified.</p> <p>The level of removal of the ratepayers existing rights was not stated for each option. A simple purchase of the ROW was not considered, but that has occurred more frequently in recent years.</p> <p>The Agenda contained pages of legislative detail but did not specify which particular rule was relevant to the facts. The space taken could have been much more specific as to the problem, the legislation and options.</p> <p>If the Council was advised of the origin of the problem (the Carport to No 14 Kenny Street) it could have solved that problem with immediate effect based on the legal advice.</p> <p>In my opinion, much of the contents of Attachment 7 to the Agenda was superfluous and irrelevant to the primary problem.</p> | |

| No | Comment | Summary and discussion of issues |
|----|--|----------------------------------|
| | <p>The advice in the Agenda is only directed at accomplishing the desires yet to be confirm expressed in the current incomplete ROW policy.</p> <p>That ROW policy should be put out for review and ratepayer input and then ROW endorsed by the Council.</p> <p>The reviewed policy should be simply written, complete and precise.</p> <p>Strategic Implications</p> <p>The strategic implications set out in the agenda do not fit the facts of the case for a variety of reasons.</p> <p>By contract law standards they would be judged as failing for certainty.</p> <p>I have not gone into detail as I believe the process so far is so tainted as to require a complete new start, those implications should be replaced by reasons applicable to the facts.</p> <p>R Code 5.3.5</p> <p>In response to the request by the owners of No 14 Kenny Street (No14) for approval to construct a carport accessed from the ROW the CEO, Peta Mabbs paraphrased R Code 5.3.5 to read:</p> <p style="padding-left: 40px;">"car parking spaces to be provided where available, from a right-of-way available for lawful use to access the relevant lot"</p> <p>The meaning of the word "lawful" has been argued in the courts and has been defined as;</p> <ol style="list-style-type: none"> 1. Permitted, something that can be done without infraction of the law; | |

| No | Comment | Summary and discussion of issues |
|----|---|----------------------------------|
| | <p>2. Something that is supported by the law; 3. A quality of being legally enforceable.</p> <p>The meaning of the word "legal" has been argued in the courts and has been defined as;</p> <ol style="list-style-type: none"> 1. Permitted, something that can be done without infraction of the law; 2. Something that is supported by the law; 3. A quality of being legally enforceable. <p>Prescriptive rights are supported by statute and once acquired are legally enforceable.</p> <p>They can be raised as a defence against trespass without having to be first added as a right attached to a certificate of title, in other words a court order does not create the right, continuous use does that.</p> <p>It is unconscionable conduct for the Council to refuse to conduct a search of its own records to ascertain if a ratepayer has more likely than not, to have acquired a right to use the ROW by prescription, when it has every intention of using the same legal principle for its own ends, in direct conflict with the rights of the ratepayers.</p> <p>It would be prudent to ask ratepayers to provide notice of his or her acquisition of such a claim so that the record search has a specified time period.</p> <p>The primary records would be a search of the set of aerial photos of Bassendean, which is a relatively quick and inexpensive process.</p> <p>The R Code is a set of subsidiary regulations comprised with a set of "rules" and an authority for planners to accept less than precise compliance based on discretionary "Deemed to Comply" provisions.</p> | |

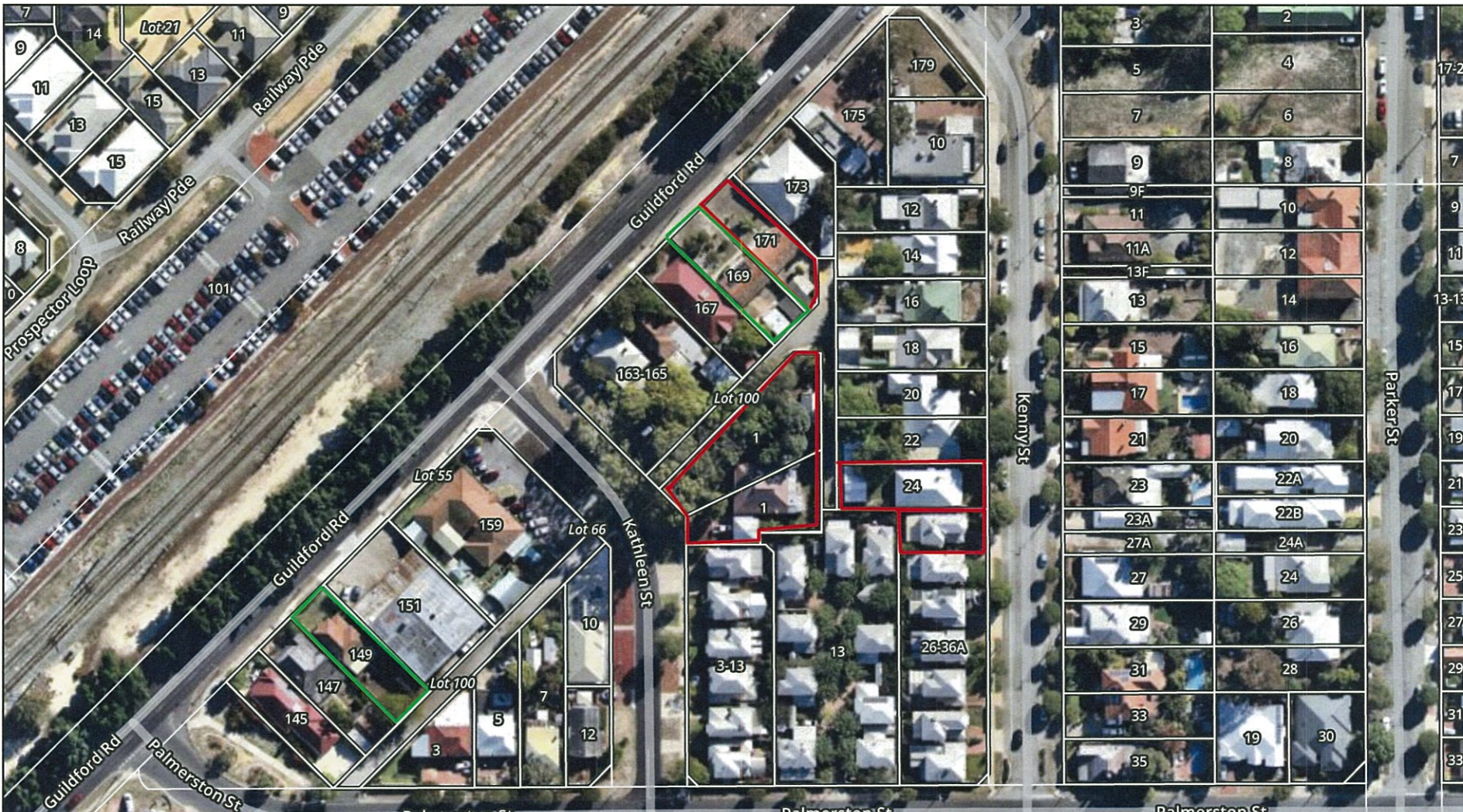
| No | Comment | Summary and discussion of issues |
|----|---|----------------------------------|
| | <p>The R Code merely requires the TOB to be satisfied that the right exists, it does not demand that satisfaction is only demonstrated by the product of a Certificate of Title endorsed with a Supreme Court Order to that effect.</p> <p>The application to build a carport at the rear of No 14 should be approved on the basis of a request by the owners in a letter giving details of how their prescriptive rights have arisen.</p> <p>Recommendation 1</p> <ol style="list-style-type: none"> 1. The owners of 14 Kenny Street should be asked to supply the TOB with a letter setting out how their rights to an easement by prescription to use the ROW has been acquired; and, 2. the TOB should search its records (including aerial photography) to see if there are any positive grounds in those records to support, or negative grounds (as distinct from the absence of any grounds at all) to support the rights listed. 3. The TOB should refer the results of their searches and if they concur, send the Applicants a letter agreeing that they have satisfied the condition requiring legal or lawful access;or. 4. Send the applicants a letter setting out all the shortcomings perceived in the acquisition of the rights to use the ROW, and give the applicants 30 days to supply (if they can) responses to the listed shortcomings. 5. If the shortcomings are not remedied then the application should be refused leaving open the normal appeal rights under the Planning laws | |

| No | Comment | Summary and discussion of issues |
|----|---|----------------------------------|
| | <p>Recommendation 2</p> <p>All action arising from recommendation 10.08 on 26/02/2019 should be ceased with immediate effect.</p> <p>Recommendation 3</p> <p>The Policy document on private right of ways should be reviewed, and rewritten for clarity, brevity and simplicity without loss of relevant detail.</p> <p>Recommendation 4</p> <p>The Customer Service Charter of the TOB has been largely irrelevant to the resolution of the problem emanating from the refusal to grant approval to erect a carport at the rear of No. 14 Kenny Street.</p> <p>With the hindsight of that experience could I assist any committee that is reviewing it at present, as I understand that it is currently under review.</p> <p>I also offer my assistance in the review of the ROW policy, and ask for a meeting with representatives of Council and the TOB staff to discuss how that assistance can be arranged.</p> <p>Further Engagement</p> <p>I remain ready to discuss any of the above with the appropriate Staff in the first instance, or staff and councillors or both, as deemed expedient.</p> | |

| No | Comment | Summary and discussion of issues |
|----|--|---|
| 6 | <p>I am writing to formally object to the Town of Bassendean (ToB) proposed plan to dedicate the Lane at the rear of our property, 24 Kenny Street as a Public Road, due to the following:</p> <ol style="list-style-type: none"> 1. We formally withdrew our support for the Petition making a request to the Minister of Lands to dedicate the lane as a Public Road on 2nd April 2019. It should also be noted that my husband did not sign the Petition due to lack of detail. <ol style="list-style-type: none"> 1.1. In the Petition, it stated that the ToB had advised the lane was not 'legally accessible' by us and many of the homeowners and businesses who use it. As a result, a carport application at 14 Kenny Street was being rejected. Subsequent to this, I approached Brian Reed and Cameron Hartley of the ToB who confirmed that the ToB's position is that we do not have legal access and that our garage should not have been approved. 1.2. We obtained Legal Advice stating that we do have legal rights regarding the lane as it has been a right of way for our property since 1903 and we have two independent witnesses who are willing to sign statutory declarations dating back to 1953. The ToB has no legal right to make us remove the approved Garage, therefore, the Petition should be withdrawn due to inaccuracies. | <p>Objection to dedication of laneway as public road mainly due to process. The owner makes the point that access could be granted through the Prescription Act</p> |

| No | Comment | Summary and discussion of issues |
|----|---|----------------------------------|
| | <p>2. The Ordinary Council Agenda 26/02/2019 item 10.8 states 'the right-of-way has a length of around 218m and is approximately 5.0m wide'. The section of the Lane adjacent to the Houses from 18 to 24 Kenny Street is only 3.5m wide and ends directly adjacent to our property.</p> <p>2.1. This section of the Lane does not go anywhere except to the residents from 18 to 24 Kenny Street properties and has a dead end adjacent to our property at 24 Kenny Street. No members of the Public have any reason to be in that section of the lane.</p> <p>2.2. If cars or other vehicles accidentally enter this private section of the lane, they have no way of turning around as it is only 3.5m wide. As it currently stands, we have four large dents on our Garage roller door and the retaining wall between our property and 20 Kenny St is regularly knocked over from members of the Public who drive up there and can't reverse properly to get out. If a car is parked in the lane, it is completely blocked from both directions.</p> <p>2.3. Widening the lane would be costly for the ToB as land from surrounding properties would need to be acquired, with existing structures needing to be removed from those properties for no benefit as no members of the Public have any reason to access this area. It is not appropriate to make it a Public Road as this will further encourage entry.</p> | |

| No | Comment | Summary and discussion of issues |
|----|---|----------------------------------|
| | <p>We have previously disturbed members of the Public attempting to 'shortcut' to Kenny St by trespassing on our property after hurdling a 1.8m fence, their reasoning being that they didn't realise it was a dead-end private lane and they did not want to go back and walk around.</p> <p>3. We believe that this process needs to be halted immediately. If it is to be recommenced in the future, it should be presented with more appropriate options after proper consultation with affected residents and utilising better legal advice and procedures. The current proposal is completely unacceptable and unnecessary given the circumstances of the private Lane in question.</p> | |



Town of Bassendean
 35 Old Perth Road
 Bassendean WA 6054
 Phone: 9377 8000
 Fax: 9279 4257
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Disclaimer: The Town Of Bassendean accepts no responsibility for the accuracy of this image or the results of any actions taken when using this image. This map is based on information provided by and with the permission of the Western Australian Land Information Authority.

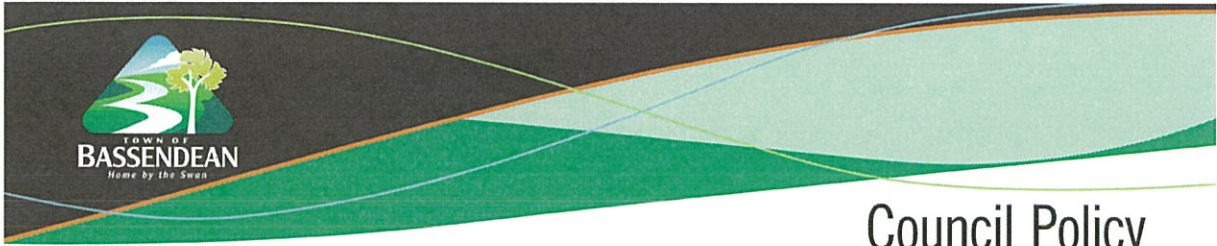
Location of objectors and supporters

9/08/2019

Scale: 1:1500



ATTACHMENT NO. 9



PARKLET POLICY – DRAFT

1.0 INTRODUCTION

A 'Parklet' is a small 'pocket' of public space. They are temporary, moveable structures, which are often located within parking bays, with the aim to provide publicly accessible seating and amenities for the community. Parklets aim to repurpose a part of a street to create places for people to meet, gather and relax. Parklets create welcoming public spaces that improve walkability and promote vibrancy, which directly benefits local businesses and the aesthetic appeal of an area.

The Town of Bassendean recognises the community value and business connection that creating Parklets can bring to the vibrancy of an area. By providing amenities such as additional seating and shade for customers and the community alike, a Parklet can help to promote 'the village feel' and is available for every member of the community to enjoy.

2.0 APPLICATION OF THIS POLICY

This policy shall apply to all Parklets within the Town of Bassendean 'Town Centre', either permanent or 'pop-up' in nature.

3.0 OBJECTIVES

The Town of Bassendean's objective for the Parklets Policy are as follows:

- Enhance walkability;
- Promote vibrancy within the Town Centre;
- Support local business;
- Encourage pedestrian activity; and
- Foster community interaction.

4.0 ATTRIBUTES OF AN ACCEPTABLE PARKLET

Whilst each Parklet will be assessed on its merits, the Town follows the below general principles when considering the application of a Parklet:

- The 'right' location
- Functional and inviting design

- Moveable on short notice
- Designed to be interesting and creative, but complimentary to the surrounding area
- Incorporates seating and landscaping
- Does not require alterations to infrastructure

5.0 DESIGN

The Town will use the following provisions to assess a Parklet application.

5.1 LOCATION CRITERIA

| | |
|-------|--|
| 5.1.1 | The Parklet would be located a minimum of 6m from a street corner (at least one car space). |
| 5.1.3 | Parklets are not to exceed 2 car parking bays in length or width. |
| 5.1.4 | Parklet would not be located within parking spaces/bays, which are designated for a taxi rank, bus stop, public transport, loading zone and/or accessible parking. |
| 5.1.5 | Parklets are located directly adjacent to the host business or community organisation venue/premises. |
| 5.1.6 | Parklet would not be located adjacent to, or on top of street signs, existing street furniture, manholes and/or inspection chambers. |
| 5.1.7 | The location of the Parklet will not interfere with the function, and/or negatively impact vehicle and pedestrian movements, sightlines at road junctions, vehicle crossovers etc. |

5.2 DESIGN GUIDELINES

| | |
|-------|--|
| 5.2.1 | Parklet design is open and welcoming. |
| 5.2.2 | Access into the Parklet is safe, clear and readily accessible by all members of the community. |
| 5.2.3 | Parklet access point(s) are flush and level with the footpath/pavement. |
| 5.2.4 | Where necessary, the Parklet is stepped to follow the slope of the parking space. |
| 5.2.5 | Parklet incorporates plantings into the design. |
| 5.2.6 | The Parklet is complementary to the surrounding character of the area. |

| | |
|--------|--|
| 5.2.7 | The design of the Parklet is interesting, complementary, creative, improves the quality of the public space, compatible with the established streetscape character and encourages use and interaction by the public. |
| 5.2.8 | Design of the Parklet incorporates permanent seating so when temporary seating is removed the Parklet remains usable. |
| 5.2.9 | Design incorporates interesting elements and articulation (avoiding large blank walls or panels). |
| 5.2.10 | Varying heights to create interest whilst maintaining visibility to vehicles and pedestrians (and not obscuring the shopfront adjacent to the Parklet). |
| 5.2.11 | Design shall not impair safe pedestrian or vehicle movements and shall not be constructed of materials that adversely impact sight for moving vehicles. |
| 5.2.12 | Vertical elements and pergolas to remain below 2.4m in height, and not exceed 10m ² in area, if seeking building code exemptions. |
| 5.2.13 | Parklet shall be of a design and construction that can be removed readily in the case of maintenance or emergency. |
| 5.2.14 | Parklet is free standing and does not require fixtures to an adjacent structure or building to remain upright or stable. |
| 5.2.15 | Materials to be locally sourced where possible. |
| 5.2.16 | Materials and finishes are high quality, weather resistant and durable. |
| 5.2.17 | Where recycled or repurposed materials are proposed to be used, materials are in good, stable and functional condition. |
| 5.2.18 | Design incorporates safe electricity connection if needed. No lighting is to be installed on or over the footpath. |
| 5.2.19 | Parklet has a name and identity – becomes a referrable destination for its users. Note: Parklets cannot incorporate business signage or advertising. |

5.3 DESIGN – TECHNICAL GUIDELINES

| | |
|--------|--|
| 5.3.1 | Parklet design does not impede, require the alteration, removal or extension of any public service, landscaping, utilities, kerbing or civic infrastructure. |
| 5.3.2 | Overall structure will not exceed 2.4m in height. |
| 5.3.3 | Overall Parklet platform area does not exceed 10sqm ² , to avoid the need for a building permit. |
| 5.3.4 | Appropriate barriers between any car parking areas and the Parklet are to be provided. This can include things such as wheel stops, large planter boxes or bollards. |
| 5.3.5 | Parklet design will not negatively impede or divert the natural stormwater or overland flow of the site. Design will allow for stormwater to access drains without causing harm or hazard to the property or adjoining properties. |
| 5.3.6 | Parklet is designed to accommodate the natural gradient of the land. |
| 5.3.7 | Parklet can be dismantled or removed within 24hrs, for maintenance or remedial works. |
| 5.3.8 | Parklet design has structural certification from a suitably qualified engineer. |
| 5.3.9 | Traffic management plan to be submitted with the applicant/prior to commencement of works (where required by the Council). The traffic management plan should detail any traffic management required as part of the construction of the Parklet. |
| 5.3.10 | No advertising signage is to be incorporated into the design. |
| 5.3.11 | The design of the Parklet will not interfere with the function and/or negatively impact on vehicle and pedestrian movements, sightlines at road junctions, vehicle crossovers etc. |
| 5.3.12 | A safety audit will be submitted with the application/prior to commencement of works (where required by the Council). |
| 5.3.13 | Parklet flooring has no slip or anti slip finish. |
| 5.3.14 | The Parklet should be visually permeable above 1m to allow for visibility of shop fronts and ensure the safety of vehicle and pedestrian movements. |

6.0 PUBLIC LIABILITY INSURANCE

As Parklets are for the community benefit, acting as open spaces available to any member of the public, an applicant will be required to provide a copy of a certificate of public liability to the value of \$20,000,000.00 (twenty million dollars) to the Town prior to the Parklet Permit being issued.

7.0 COMMUNITY AND NEIGHBOUR SUPPORT

Letters of support from neighbouring businesses, property owners and Town Teams will greatly benefit your application at this stage. These could include but are not limited to:

- Letter(s) of support from the adjacent property owners (the more the better); and
- Letter of support from the local Town Team (i.e. Old Perth Road Collective).

8.0 HOST RESPONSIBILITIES

Hosting a parklet can bring its host a number of benefits; however, hosting a parklet also comes with responsibility. Once approval is received to host a parklet, hosts will be required to keep their parklets clean, keep their plants alive and encourage public use.

All costs associated with the construction (including alterations to civil infrastructure), maintenance (including the greenery) and removal of a hosted parklet must be borne by its proponent.

The parklet host should keep in mind the four criteria below:

Keep it Clean

The parklet host will be required to ensure that the parklet is kept clean of litter, graffiti and grime. Parklet surfaces and platforms should be cleaned by hose down or sweeping on an as needed basis.

Keep it Green

Plantings in the parklet must be kept in good health, including watering, weeding and trimming where necessary.

Keep it safe

Where mobile and movable items are furnished within the parklet, these moveable items are to be either locked down or secured of an evening, when parklet host is closed for business or operation, or during inclement weather.

Keep it Non-Smoking

Hosted parklets are a public space. Smoking and consumption of alcohol within unlicensed parklets, is not permitted and the host has a duty of care to prevent these activities.

9.0 POP UP PARKLETS

This policy considers that temporary Parklets, which are defined as being in place for less than 48 hours, or a longer period as agreed by the Town, and are in association with an approved event authorised by the Town will be exempt from requiring approval under this policy.

10.0 LENGTH OF APPROVAL

Unless otherwise varied by the Town, the length of validity of approval to host a Parklet is 12 months.

When this time is nearing expiration, an applicant is to reapply to host the Parklet for an additional 12-month term.

11.0 REMOVAL OF PARKLET

The Town reserves the right to request the removal of a Parklet, should the need arise. For example, if road works or infrastructure works are earmarked in the area for the Parklet.

12.0 LEGISLATIVE RELATIONSHIP

Section 2.7.(2) (b) of the Local Government Act 1995 gives Council the power to determine its policies.

Section 3.5 of the Local Government Act 1995 gives Council the power to make Local Laws.

The Town of Bassendean Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2010, gives the Town the power to issue a permit for activities within thoroughfares.

13.0 APPLICATION REQUIREMENTS AND PROCESS

13.1 APPLICATION REQUIREMENTS

Any application for a Parklet is to include the following at a minimum, lodged to the Town prior to the installation of any Parklet:

- Application form;
- Payment of applicable Parklet application fee;
- Site plan;
- Photographs of site;
- Structural engineering sign off for the Parklet; and
- Copy of Public Liability insurance.

13.2 PROCESS

| | | | | | | |
|--|--|---|--|---|--|---|
| Step 1. Meet with Town of Bassendean officers on site | Step 2. Determine if your site is suitable for a Parklet | Step 3. Get support from business, property owners and community groups | Step 4. Design your Parklet | Step 5. Prepare application documents | Step 6. Submit application and pay fee | Step 7. Consultation (undertaken by the Town) |
| Step 8. If application approved – sign agreement with the Town | Step 9. Provide structural engineer certification for Parklet design | Step 10. Permit issued with signed agreement | Step 11. Construct and install Parklet | Step 12. Enjoy Parklet | Step 13. Maintain Parklet | Step 14. Renew permit before permit lapses. |

14.0 ADMINISTRATION OF THIS POLICY

The Chief Executive Officer has delegated authority to approve Parklets that comply with the provisions of this Policy, as well as the power to on-delegate this authority to the Director Community Planning.

| | |
|---|--------------------------------------|
| Policy Type: Council Policy | Policy Owner: CEO |
| Link to Strategic Community Plan: Economic Wellbeing and Prosperity | Adopted: OCM – |
| | Last Review Date: August 2019 |
| | Version: 1 |
| | Next Review due by: 2021 |



Application to host a Parklet

APPLICANT INFORMATION

Proposed Parklet Address
Nearest intersection
Business Name
Postal Address
Contact Name 1
Contact Phone 1
Email Address 1
Contact Name 2
Contact Phone 2
Email Address 2

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DESIGNER INFORMATION

Designer Name
Company Name
Phone
Email
Other

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| |

ANTICIPATED TIMELINE

How long do you think it will take to submit a detailed design?

When would you like to have the Parklet installed?

| |
|--|
| |
|--|

ADDITIONAL REPORT
ORDINARY COUNCIL AGENDA 25 JUNE 2019

10.23 Approval of Pop-up Parklet and Development of Parklet Policy (Ref: Greg Neri, Manager Youth Services)

APPLICATION

The purpose of this report is to seek Council approval to authorise the Old Perth Road Collective (Town Team) to set up temporary parklet equipment in parking bays within the Town Centre precinct. The report also seeks authority to develop a policy which supports all future temporary and semi-permanent parklet initiatives.

BACKGROUND

In 2013, the Town launched the successful Renew Old Perth Road place activation program. The program was concentrated on the western end of Old Perth Road, between the intersection with Guildford Road and Wilson Street.

Through this program, the Town encouraged local business owners to actively look beyond the walls of their business, to collaborate with neighbouring businesses, take an interest in the street area in front of their businesses.

This is achieved by empowering community members to become fully engaged in the precinct and take on responsibility for how the area looks and feels. A shared approach is advocated where the increased responsibility taken by traders is reflected by Council demonstrating greater trust in them and showing a willingness to support and promote their activities.

Parklets offer creative solutions related to the physical space, which provide simple but effective 'lingering nodes' that may enhance the appeal and amenity of Old Perth Road. These cause pedestrians and passers-by to slow down increasing the activity on the street which leads to increased foot-traffic and vibrancy, improving retail and viability and place activation.

Parklets have been installed in a number of retail precincts across Perth, including East Victoria Park, Leederville, Mt Hawthorn and Mt Lawley. Although absorbing a parking bay, the retailers are overwhelmingly supportive of them as they attract pedestrians and strengthen the viability of all the local businesses.

The equipment proposed would consist of; artificial turf, some small benches, stackable chairs, umbrella and pedestal outdoor heater.

Town officers supporting the OPRC via the Vibrancy Project have consulted Environmental Health, Engineering, Planning and the Local Government Insurance Scheme (LGIS). The OPRC has secured their own public liability insurance for this and other initiatives.

The OPRC has expressed considerable enthusiasm from their members about the proposal and it forms the basis of their first significant project since the group formed.

The proposal provides Council with an opportunity to demonstrate its 'new way of working', whereby Officers work collaboratively to provide ratepayers with timely advice and decisions which meet the community's expectations.

The proposal provides a catalyst for the Town to develop future policy/guidelines relating to future parklet implementation, as there are signals that there may be future interest in these types of proposals.

STATUTORY REQUIREMENTS

The Local Government Act 1995.

FINANCIAL CONSIDERATIONS

There are no financial implications for the Town.

OFFICER RECOMMENDATION – ITEM 10.23

That Council:

1. Authorises Officers to grant permission for a 'pop-up' parklet at various locations within the Town Centre precinct, managed by the OPRC; and
2. Instructs Officers to develop a policy/guideline for parklets to be presented to Council within 3 months.

Voting Requirement: Simple majority

At the April 2016 OCM, Council resolved to;

Authorise officers issue a permit for a parklet to be constructed in front of 25 Old Perth Road, Bassendean, for a trial period of six-months.

COMMUNICATION AND ENGAGEMENT

Council Officers have worked closely with Committee members of the Old Perth Road Collective (OPRC) in order to assess and address any health, safety, engineering or insurance considerations.

STRATEGIC IMPLICATIONS

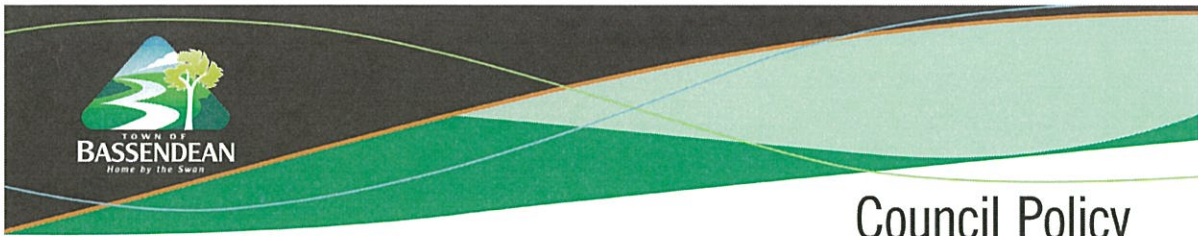
Parklets reflect intentions and objectives under the Strategic Community Plan 2017-2027.

| Objectives <i>What we need to achieve</i> | Strategies <i>How we're going to do it</i> | Measures of Success <i>How we will be judged</i> |
|---|---|---|
| 1.1 Build a sense of place and belonging | 1.1.1 Facilitate engagement and empowerment of local communities 1.1.2 Activate neighbourhood spaces to facilitate community gathering | Community / Stakeholder Satisfaction Survey (Engagement and Participation) |
| 4.1 Build economic capacity | 4.1.1 Encourage and attract new investment and increase capacity for local employment 4.1.2 Plan for and build capacity for Commercial and Industrial Activities | Economic and Commercial Activity New businesses granted development approval by the Town |
| 4.2 Facilitate local business retention and growth | 4.2.2 Continue the activation of Bassendean Town Centre 4.2.3 Enhance economic activity in neighbourhood centres | Number of local businesses Community / Stakeholder Satisfaction Survey |

COMMENT

The Old Perth Road Collective has proposed a project whereby 'pop-up' parklet equipment is set out within a parking bay within the Town Centre Precinct. An adjacent 'partner' business would be responsible for the set out of the equipment each morning, and for it to be packed away within their store each evening. The OPRC would be responsible for managing this arrangement with local businesses.

ATTACHMENT NO. 10



Policy No: 6.25 [on the basis of repeal and replace existing]

Title: Electoral Caretaker Period Policy

1. Policy Objective

1. This Policy provides the requirements and protocols to avoid actual and perceived advantage or disadvantage to a candidate in a Local Government Election.
2. This includes actual and perceived advantage or disadvantage from the use of public resources or arising from decisions made by the Council, candidates or administration, on behalf of the Town of Bassendean (Town), during the Caretaker Period.

2. Policy Scope

1. This Policy repeals and replaces Council Policy 6.25 Election Caretaker Periods.
2. This policy applies during an Electoral Caretaker Period to Council Members, Candidates and Employees in relation to:
 - (a) Decisions made by the Council;
 - (b) Decisions made under delegated authority;
 - (c) Decisions made administratively;
 - (d) Promotional materials published by the Town;
 - (e) Discretionary community consultation;
 - (f) Events and functions, held by the Town or other organisations;
 - (g) Use of the Town's resources; and
 - (h) Access to information held by the Town.

3. Policy Statement

1. Definitions

Caretaker Period means the period prior to an Election Day, specifically being the period from the close of nomination, 37 days prior to Election Day (pursuant to section 4.49(a), *Local Government Act 1995*) until 6.00 pm on Election Day.

CEO means the Chief Executive Officer of the Town of Bassendean.

Election Day means the day fixed under the *Local Government Act 1995* for the holding of any poll needed for an election. **Election Day** meaning generally excludes an Extraordinary Election Day unless otherwise specified in this Policy.

Electoral Material includes any advertisement, handbill, pamphlet, notice, letter, email, social media post or article that is intended or calculated to affect an Election Day result, but does not include:

- (a) An advertisement in a newspaper announcing the holding of a meeting (section 4.87(3) of the *Local Government Act 1995*); or
- (b) Any materials exempted under Regulation 78 of the *Local Government (Elections) Regulations 1997*; or
- (c) Any materials produced by the Town relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the returning officer for the purposes of conducting the election.

Significant Local Government Decision includes any decision:

- (a) Relating to the employment, remuneration or termination of the CEO or any other designated Senior Employee [section 5.37], other than a decision to appoint an Acting CEO, or suspend the current CEO (in accordance with the terms of their Contract of Employment), pending the Election Day result;
- (b) Relating to a new decision for the Town entering into a sponsorship arrangement with a contribution that would constitute Significant Expenditure, unless the Council resolved 'in principle' support for the sponsorship prior to the Caretaker Period taking effect, and sufficient funds are allocated in the Annual Budget;
- (c) Relating to the Town entering into a new commercial enterprise as defined by s 3.59 of the *Local Government Act 1995*;

- (d) That would commit the Town to Significant Expenditure or actions that, in the CEO's opinion, are significant to the Local Government operations, strategic objectives or will have significant impact on the community;
- (e) To prepare a report, initiated by the Administration, a Council Member, candidate or member of the public that, in the CEO's opinion, may be perceived as or is actually an election campaign issue;
- (f) Initiated through a Notice of Motion by a Council Member, where the effect of that motion will change the status quo or, in the CEO's opinion, may be relevant to the circumstances described in sub-clauses (a) to (e) above;
- (g) That adopts a new, or significantly changes an existing policy, service or service level that incurs Significant Expenditure, unless the decision is necessary to comply with legislation;
- (h) That initiates or adopts a new Local Planning Scheme, amendment to a Local Planning Scheme or Planning Policy.
- (i) Significant Local Government Decision does NOT include any decision necessary in response to an Emergency, either declared by the State or Federal Government or by the Mayor or Presiding Officer in accordance with s 6.8(1)(c) of the *Local Government Act 1995*.

Events and Functions including gatherings for the purpose of discussion, review, acknowledgement, communication, consultation, celebration or promotion, of any matter relevant to the Town or its stakeholders. Events and Functions may take the form of conferences, workshops, forums, launches, promotional activities, dinners, receptions, or gatherings by the Town or by an external entity.

Extraordinary Circumstances includes a circumstance that requires the Council to make or announce a Significant Local Government Decision during the Caretaker Period because, in the CEO's opinion, delaying the decision or announcement to occur after the Caretaker Period has reasonable potential to incur or increase legal, financial and/or reputational risk or cause detriment to the strategic objectives of the Town.

Public Consultation includes a process which involves an invitation to individuals, groups, organisations or the wider community to provide comment on a matter, proposed action or proposed policy which may be perceived as, or is

actually an electoral or campaign issue, but does not include statutory consultation or submission periods prescribed in a written law.

Significant Expenditure means expenditure that exceeds \$150,000 (excluding GST) and that has not been budgeted for in the Town's Annual Budget.

2. Caretaker Period Protocols - Decision Making

The CEO will ensure that:

(a) At least 30-days prior to a Caretaker Period, the CEO will advise Council Members and employees in writing of the dates that the Caretaker Period commences and concludes.

(b) A copy of this Policy is provided to Candidates at the time of nomination for election.

3. Scheduling Significant Local Government Decisions

During a Caretaker Period, unless Extraordinary Circumstances apply, the CEO will reasonably ensure that:

(a) Council or Committee Agenda, do not include reports or recommendations that constitute Significant Local Government Decisions; and

(b) Council Forums, Workshops or Briefings, do not list for discussions matters that relate to Significant Local Government Decisions.

(c) The CEO shall reasonably ensure that, unless Extraordinary Circumstances apply, Significant Local Government Decisions are either:

i. Considered by the Council prior to the Caretaker Period; or

ii. Scheduled for determination by the incoming Council.

(d) The CEO shall reasonably ensure that, unless Extraordinary Circumstances apply, Delegated Authority from the Council to the CEO or to a Committee is not exercised in circumstances where the exercise of that delegated authority relates to a Significant Local Government Decision or an election campaign issue.

4. Council Reports Electoral Caretaker Period Policy Statement

Extraordinary Circumstances

- (a) **Council Reports:** Where the CEO determines that Extraordinary Circumstances apply the CEO may submit a report on a Significant Local Government Decision for Council's consideration.
- (b) The CEO report must include details of why Extraordinary Circumstances apply, stating reasons why a decision is necessary.
- (c) **Council Forums, Workshops or Briefings:** Where the CEO determines that Extraordinary Circumstances apply the CEO may include matters relating to a Significant Local Government Decision for Council Member discussion at Council Forums, Workshops or Briefings.
- (d) The CEO is required to provide Council with advice as to why Exceptional Circumstance apply.
- (e) CEO reports and advice regarding Extraordinary Circumstances is retained as a Local Government record.

5. Managing CEO Employment

- (a) This Policy prohibits Significant Local Government Decisions relating to the employment, remuneration or termination of the CEO during a Caretaker Period.
- (b) The Council is required to fulfil its obligations as the CEO's employer regardless of a Caretaker Period.
- (c) Therefore, during a Caretaker Period, the Council may consider and determine:
 - I. CEO leave applications;
 - II. appointment of an Acting CEO;
 - III. suspension of the CEO, where appropriate and in accordance with the terms of the employment contract.
- (d) The Council may not initiate a CEO recruitment process, or initiate or undertake a CEO performance review process, during a Caretaker Period.

6. Delegated Authority Decision Making in Extraordinary Circumstances

- (a) Employees who have Delegated Authority are required to consider if a proposed delegated authority decision may relate, or be subsidiary to, a Significant Local Government Decision or election campaign issue and if so, refer the matter to the CEO for review and consideration in accordance with clause 3.3(d) above.

7. Caretaker Period Protocols – Candidates

- (a) Candidates, including Council Members who have nominated for re-election, relevant to an Election Day or Extraordinary Election Day, will be provided equitable access to the Town's public information in accordance with s 5.94 of the *Local Government Act 1995*.
- (b) The CEO will ensure the equal provision of assistance and advice to all candidates as part of the conduct of the election.
- (c) Council Members nominating for re-election, may access information and assistance regarding the Town's operations and Council matters during a Caretaker Period, but only to the extent necessary to perform their role as a Councillor and limited to matters currently relevant to the Town. [refer section 5.92 of the *Local Government Act 1995*].
- (d) All election process enquiries from Candidates, or Council Members who have nominated for re-election, will be directed to the Returning Officer, or where the matter is outside the responsibility of the Returning Officer, to the CEO.

8. Candidate Requests on behalf of Electors, Residents or Ratepayers

- (a) Where a Candidate, or a Council Member who has nominated for re-election, requires assistance of the Administration to respond to a request made by an Elector, Resident or Ratepayer, the Administration will provide the response directly to the requesting Elector, Resident or Ratepayer and advise the Candidate of the outcome.

9. Candidate Campaign Electoral Materials

- (a) The Town's official crest or logo may not be used in campaign Electoral Materials by Candidates, or Councillors nominating for re-election, without the expressed permission of the CEO.

10. Candidate attendance at Meetings

- (a) The CEO will ensure that Candidates, who are not sitting Council Members, receive equal access to information about Council's decision-making during an Electoral Caretaker Period.
- (b) This includes information about public Ordinary and Special Council Meetings convened during a Caretaker Period.
- (c) Candidates will be provided a copy of the meeting agenda at the time it is distributed to Council Members.
- (d) For transparency and the benefit of the public gallery, Candidates are required to identify themselves as an election candidate prior to asking a question or making a statement at a public Council or Committee meeting.

11. Council Member Caretaker Period Protocols

- (a) Access to Information and Advice:
 - I. All Council Members will scrupulously avoid using or accessing Town information, resources or employee resources and expertise for the purpose of gaining electoral advantage or disadvantage relevant to the Council Member's candidacy or any other Candidates candidacy [refer s 5.93 of the Local Government Act 1995].
 - II. The CEO will review all Council Member requests for information or advice, and where the subject of the information or advice is considered to relate to an election campaign issue, the CEO will:
 - a. make a determination; or
 - b. refer the request for Council's determination.
 - III. Council's determination must consider whether the information or advice is:
 - a. not to be provided; or

- b. provided to one candidate; or
- c. provided to all candidates, which includes candidates who are not current Council Members.

12. Media and Publicity

- (a) The CEO will review all requests for media advice or assistance from Council Members, including Council Members who have nominated for re-election.
- (b) The CEO will only authorise Council Member access to media advice or assistance where, in the CEO's opinion, the subject matter is relevant to the Town's objectives or operations and not related to an election campaign purpose or issue or to the Council Member's candidacy or the candidacy of another person.

13. Council Member Business Cards, Printed Materials

- (a) Council Members must ensure that the Town's business cards and Local Government printed materials are used only for purposes associated with the role as Councillor, pursuant to s 2.10 *Local Government Act 1995*.
- (b) Council Members are prohibited from using the Town's business cards or printed materials at any time, including times outside a Caretaker Period, for any election campaign purpose, to support candidacy or the candidacy of another person.

14. Council Member Participation in Events and Functions

- (a) During a Caretaker Period Council Members may continue to fulfil their role through attendance at events and functions hosted by external bodies.

15. Council Member Delegates to External Organisations

- (a) At any time, including times outside of a Caretaker Period, Council Members who are the Council appointed delegate to an external organisation, must not use their attendance at an external organisation's meeting, event or function for any purpose associated with an election campaign purpose, including; recruiting campaign assistance or to promote their own candidacy or the candidacy of another person.

16. Council Member Addresses or Speeches

- (a) Excluding the Mayor and Deputy Mayor, when fulfilling their functions prescribed in sections 2.8 and 2.9 of the *Local Government Act 1995*, Council Members who have nominated for re-election, shall not be permitted to make speeches or addresses during a Caretaker Period at events or functions organised or sponsored by the Town, unless expressly authorised by the CEO.
- (b) In any case, the Mayor, Deputy Mayor and Council Members are prohibited from using an official speech or address during a Caretaker Period to promote an election campaign purpose.

17. Council Member Misuse of Local Government Resources

- (a) This prohibition on misuse of Local Government Resources for electoral purposes applies at all times and is not only applicable to a Caretaker Period.
- (b) For clarity, Local Government resources includes, but is not limited to: employee time or expertise, Town's provided equipment, information and communication technologies, stationery, hospitality, images, communications, services, reimbursements and allowances provided by the Town.

18. Publicity, Promotional and Civic Activities

- (a) Publicity campaigns and promotional activities during a Caretaker Period may be undertaken only for the purposes of:
 - I. Promoting the Town's services and activities, where such promotion do not relate to an electoral campaign issue and would otherwise be undertaken as part of normal operations; and
 - II. Conducting the Election and promoting Elector participation in the Election.
 - III. All other, publicity and promotional activities of Town initiatives will be, where reasonably practicable, avoided during the Caretaker Period, including the announcement of Significant Local

Government Decisions, made prior to the commencement of a Caretaker Period or proposed to be made after a Caretaker Period.

- IV. The CEO may determine if Exceptional Circumstances apply and if a Significant Local Government Decision announcement is necessary during a Caretaker Period.

19. Civic Events and Functions

- (a) The Town will avoid the scheduling of Civic Events and Functions during a Caretaker Period, which may give rise to any actual or perceived electoral advantage to Council Members who have nominated for re-election.
- (b) Where the Town is required to schedule a Civic Event or Function during a Caretaker Period at which Council Members would usually be invited, all Candidates will also be invited to attend and will be acknowledged as candidates immediately following any acknowledgement provided to Council Members.
- (c) Candidates will be introduced at the function immediately following the introduction of Council Members.

20. Publications and Communications

- (a) Publications and communications distributed during a Caretaker Period must not include content that:
 - I. may actually, or be perceived to, persuade voting in an election; or
 - II. is specific to a candidate or candidates, to the exclusion of other candidates;
 - III. draws focus to or promotes a matter which is a Significant Local Government Decision or which is an electoral campaign issue.
- (b) Publications and communications proposed to occur immediately prior to, throughout, or during, a Caretaker Period must be reviewed and approved by the CEO prior to publication or distribution.

21. Website and Social Media Content

- (a) During the Caretaker Period, this Policy applies to content proposed for publication on the Town's website and social media channels.
- (b) Website and social media content regarding Council Members will be limited to: Council Member names, contact details, membership of committees and Council appointments as Town's Delegates on external committees and organisations however, all other biographical information related to a sitting Council Member who is also a candidate will be removed from public access for the duration of the Caretaker Period.
- (c) The Candidate Election Profiles prescribed in s 449(b) of the *Local Government Act 1995*, may also be published on the Town's website and social media.
- (d) Website and social media content, published prior to a Caretaker Period, will not be subject to this Policy.
- (e) New website or social media content which relates to Significant Local Government Decisions or election campaign issues will not be published during a Caretaker Period, unless Exceptional Circumstances apply.
- (f) Content posted by the public, candidates or Council Members on the Town's social media channels, which is perceived as candidate election campaign material or promotes a candidate or candidates will be removed.

22. Community Consultation

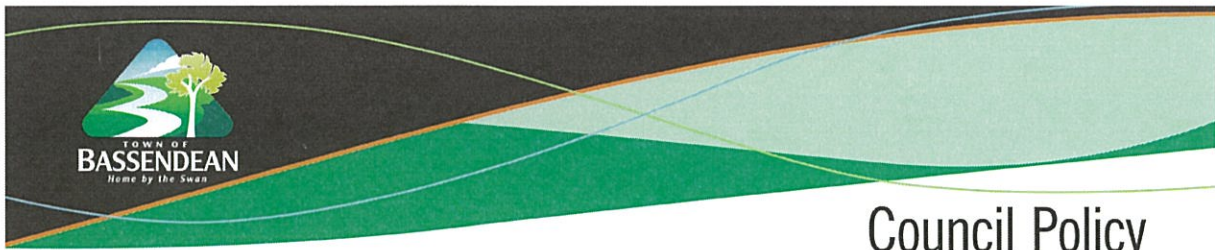
- (a) The Town will undertake planned community consultation (discretionary and legislative) during a Caretaker Period, unless the consultation relates to a Significant Local Government Decision or potentially contentious election campaign issue.

23. Council Committees

- (a) At the last Ordinary Council Meeting prior to the commencement of caretaker period, the Council may, in accordance with the provisions of section 5.11, *Local Government Act 1995*, resolve to disband all established Committees pursuant to section 5.8, *Local Government Act 1995*.

| | | | |
|-----------------------------------|---|-----------------------------|---------------------------------------|
| Document Control Box | | | |
| Document Responsibilities: | | | |
| Owner: | Chief Executive Officer | Owner Business Unit: | Office of the Chief Executive Officer |
| Inception Date: | [Insert OCMXXXXDate] | Decision Maker: | Council |
| Review Date: | 31 August 2020 | | |
| Compliance Requirements: | | | |
| Legislation: | <ul style="list-style-type: none"> ▪ <i>Local Government Act 1995</i> ▪ <i>Regulation 8 of the Local Government (Rules of Conduct) Regulations 1996</i> | | |

DRAFT WED 14 AUGUST 2019



6.25 Election Caretaker Periods

OBJECTIVE

To ensure that the functions and responsibilities of the Town of Bassendean, and of the Councillors who are candidates in local government elections, are undertaken in a manner that supports a high standard of integrity during local government election periods.

POLICY STATEMENT

The primary purpose of the Policy is to avoid the Council making major decisions prior to an election that would bind an incoming Council, prevent use of public resources in ways that are seen as advantageous to or promoting the current elected members who are seeking re-election, and ensures that local government officers act impartially in relation to all candidates. Implementation of a Caretaker Election Period Policy would provide for better decision-making and greater transparency and accountability in Council, as prescribed by section 1.3 of the *Local Government Act 1995*.

The policy applies to the Caretaker Period to cover:

- decisions made by the Council;
- materials published by the local government
- attendance and participation in functions and events;
- use of the local government's resources; and
- access to local government information.

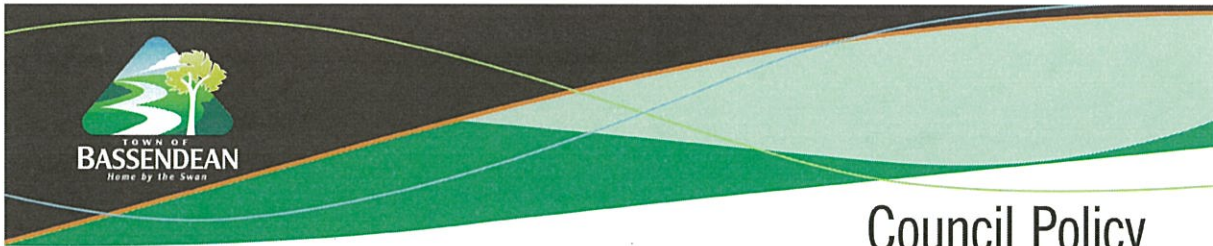
This Policy applies to Councillors, electoral candidates and employees of the Town of Bassendean.

Scheduling Consideration of Major Policy Decisions

No Ordinary Council Meeting shall occur during a caretaker period. Instead the Chief Executive Officer is to ensure that such decisions are either:

- a) Considered by the Council prior to the Caretaker Period; or
- b) Scheduled for determination by the incoming Council.

Where extraordinary circumstances prevail, the Chief Executive Officer may submit a major policy decision to the Council in accordance with the provisions of this Policy.



Council Policy

Decisions Made Prior to a Caretaker Period

This Policy only applies to actual decisions made during a Caretaker Period, not the announcement of decisions made prior to the Caretaker Period. Whilst announcements of earlier decisions may be made during a Caretaker Period, as far as practicable any such announcements should be made before the Caretaker Period begins.

Role of the Chief Executive Officer in Implementing Caretaker Practices

The role of the Chief Executive Officer in implementing the caretaker practices outlined in this policy is as follows:

The Chief Executive Officer will ensure, as far as possible, that all Councillors and staff are aware of the Caretaker Policy and practices 30 days prior to the start of the Caretaker Period.

The Chief Executive Officer will ensure, as far as possible, that any major policy or significant decisions required by the Council are scheduled for Council resolution prior to the Caretaker Period or deferred where appropriate for determination by the incoming Council.

The Chief Executive Officer will endeavour to make sure all announcements regarding decisions made by the Council, prior to the Caretaker Period, are publicised prior to the Caretaker Period.

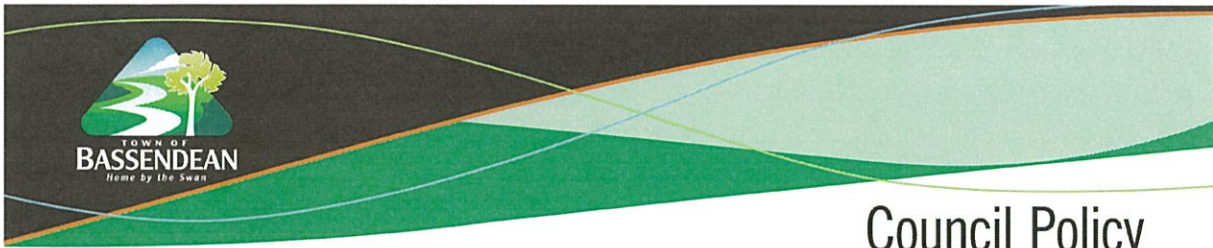
Extraordinary Circumstances

The Chief Executive Officer may, where extraordinary circumstances prevail, permit a matter defined as a 'major policy decision' to be submitted to the Council. The Chief Executive Officer is to have regard to a number of circumstances, including but not limited to:

- a) Whether the decision is 'significant';
- b) The urgency of the issue (that is - can it wait until after the election);
- c) The possibility of legal and/or financial repercussions if it is deferred;
- d) Whether the decision is likely to be controversial; and
- e) The best interests of the Town of Bassendean.

Appointment or Removal of the Chief Executive Officer

Whilst this policy establishes that a Chief Executive Officer may not be appointed or dismissed during a Caretaker Period, in the case of an emergency, the Council may act to appoint an Acting Chief Executive Officer, or suspend the current Chief Executive Officer



Council Policy

(in accordance with the terms of their contract), pending the election, after which date a permanent decision can be made.

Prohibition on Publishing Electoral Material

The Town shall not print, publish or distribute, or cause, permit or authorise others to print, publish or distribute on behalf of the Town any advertisement, handbill, pamphlet or notice that contains 'electoral material' during the Caretaker Period.

Without limiting the generality of the definition of 'electoral material', material will be considered to be intended or likely to affect voting in the election if it contains an express or implicit reference to, or comment on:

- a) The election; or
- b) A candidate in the election; or
- c) An issue submitted to, or otherwise before, the voters in connection with the election.

Candidate and/or Councillor Publications

Candidates and/or Councillors are permitted to publish campaign material on their own behalf but cannot claim for that material to be originating from or authorised by the Town.

Election Announcements

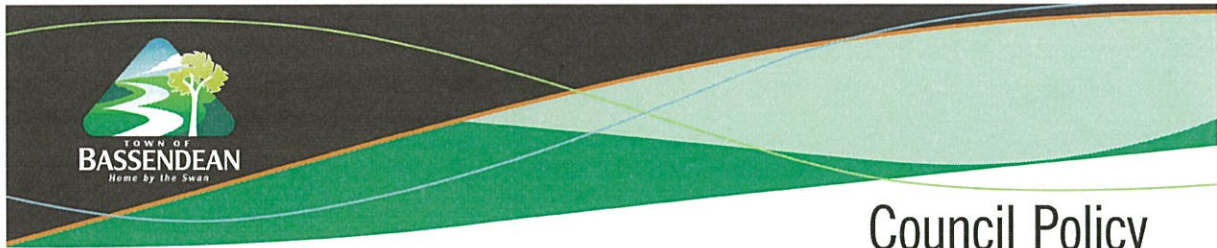
This policy does not prevent publications by the Town that merely announce the holding of the election, relate only to the election process itself, or encourage electors to participate in the election.

Town of Bassendean Publications

Any reference to Councillors in the Town's publications printed, published or distributed during the Caretaker Period must not include promotional text. Any of the Town's publications that are potentially affected by this policy will be reviewed by the Chief Executive Officer to ensure that any circulated, displayed or otherwise publicly available material during the Caretaker Period does not contain material that may be construed as 'electoral material'.

Town's Website and Social Media Formats

During the Caretaker Period the Town's website and Social Media portals will not contain any material which is precluded by this policy. Any references to the election will only relate to the election process. Information about Councillors will be restricted to names, contact details, titles, membership of committees and other bodies to which they have been appointed to by the Council.



Council Policy

Councillor Business Cards

During the Caretaker Period, Councillors shall ensure that their allocated business cards are used only for purposes associated with the normal role of a Councillor in servicing their electorate. Councillor Business Cards shall not be used in a manner that could be perceived as an electoral purpose. It should be noted that this prohibition on the use of the Town's resources for electoral purposes is not restricted to the Caretaker Period.

Public Consultation During the Caretaker Period

It is prohibited under this Policy for public consultation to be undertaken during the Caretaker Period (either new consultation or existing), unless the consultation is a mandatory statutory process or prior approval is given by the Chief Executive Officer.

Attendance Public Events Hosted by External Bodies

Councillors may continue to attend events and functions hosted by external bodies during the Caretaker Period.

Attendance at Town of Bassendean Organised Civic Events/Functions

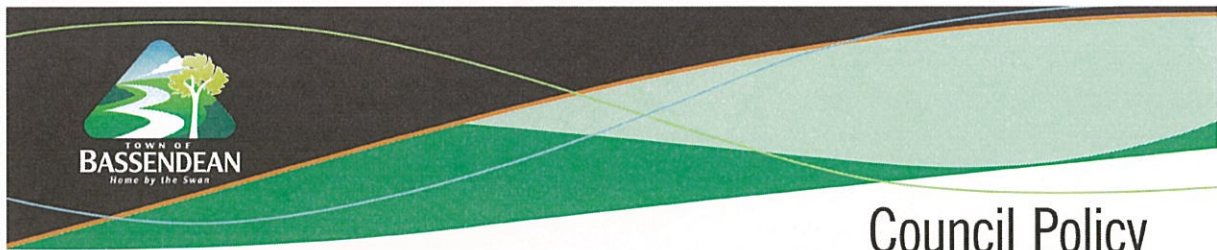
Civic events/functions organised by the Town and held during the Caretaker Period will be reduced to only those essential to the operation of the Town, and should not in any way be associated with any issues considered topical and relevant to the election. All known candidates are to be invited to civic events/functions organised by the Town during the Caretaker Period, however, only sitting Councillors will be formally acknowledged at such events/functions.

Addresses by Councillors

Councillors who are also candidates should not, where possible, be permitted to make speeches or addresses at events/functions organised or sponsored by the Town during the Caretaker Period. Councillors may make short welcome speeches at events and functions organised or sponsored by the Town during the Caretaker Period, subject to prior approval of the Chief Executive Officer.

Community and Advisory Groups

Councillors appointed to community groups, advisory groups, and other external organisations as representatives of the Town, shall not use their attendance at meetings of such groups to either recruit assistance with electoral campaigning or to promote their personal or other candidates' electoral campaigns.



Council Policy

Use of the Town's Resources

The Town's Code of Conduct for Councillors, Committee Members and Employees prohibits the use of any of the Town's resources for partisan political purposes or for personal advantage or to the detriment of others. Such actions may also be a breach of the Local Government (Rules of Conduct) Regulations 2007.

The Town's staff must not be asked to undertake any tasks connected directly or indirectly with an election campaign and should avoid assisting Councillors in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of Town's resources might be construed as being related to a candidate's election campaign, advice is to be sought from the Chief Executive Officer.

Councillor Access to Information

During a Caretaker Period, Councillors are able to access Council information relevant to the performance of their functions as a Councillor. However, this access to information should be exercised with caution and limited to matters that the Council is dealing with within the objectives and intent of this policy. Any Council information so accessed must not be used for election purposes.

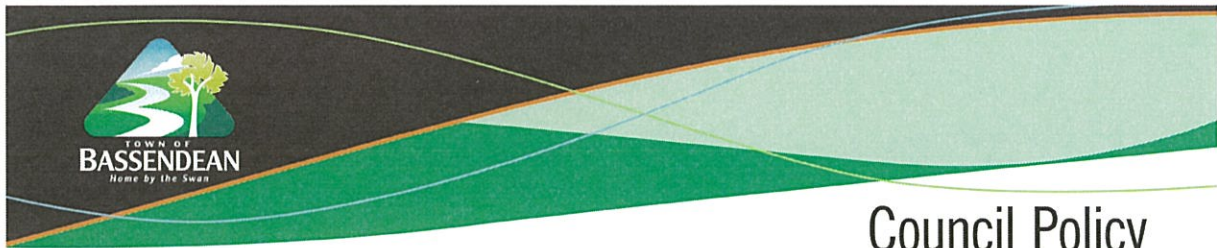
Councillor Access to Electoral Information and Assistance

All candidates will have equal rights to access public information, such as the electoral rolls (draft or past rolls) and information relevant to their election campaigns from the Town's administration. Information, briefing material and advice prepared or secured by staff for a Councillor must be necessary to the carrying out of the Councillor's role and must not be related to election issues that might be perceived to be of an electoral nature.

Any assistance and advice provided to candidates as part of the conduct of the local government election will be provided equally to all candidates. The types of assistance that are available will be documented and communicated to candidates in advance. Types of assistance may include advice on manipulation of electoral roll data and interpretation of legislative requirements, amongst other matters.

Councillor Request for Media Advice

Any requests for media advice or assistance from Councillors during the Caretaker Period will be referred to the Chief Executive Officer. No media advice will be provided in relation to election issues or in regard to publicity that involves specific Councillors. If satisfied that advice sought by a Councillor during the Caretaker Period does not relate to the election or publicity involving any specific Councillor(s), the Chief Executive Officer may authorise the provision of a response to such a request.



Publicity Campaigns

During the Caretaker Period, publicity campaigns, other than for the purpose of conducting (and promoting) the election will be avoided wherever possible. Where a publicity campaign is deemed necessary for a Town activity it must be approved by the Chief Executive Officer. In any event, the Town's publicity during the Caretaker Period will be restricted to communicating normal Town activities and initiatives.

Media Attention

Councillors will not use their position to access Town staff or resources to gain media attention in support of their or any other candidate's election campaign.

Town Employees

During the Caretaker Period no Town employee may make any public statement that relates to an election issue unless the statements have been approved by the Chief Executive Officer.

Election Process Enquiries

All election process enquiries from candidates, whether current Councillors or not, will be directed to the Returning Officer or, where the matter is outside of the responsibilities of the Returning Officer, to the Chief Executive Officer.

Relevant Delegations

The Chief Executive Officer has the delegated authority to determine those matters that may be considered by the Council during the designated Caretaker Period in accordance with the provisions of this Policy.

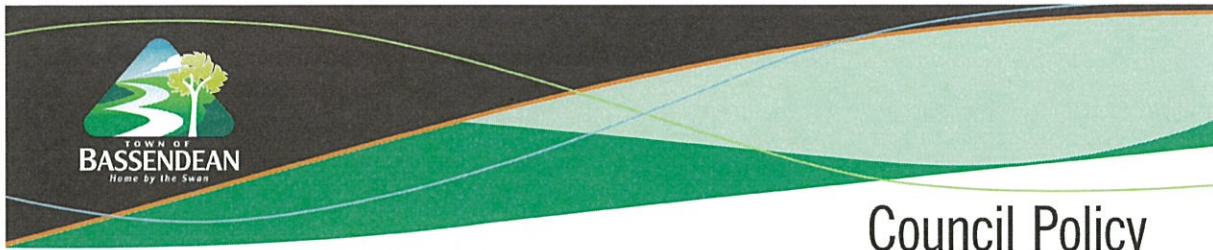
DEFINITIONS:

'Caretaker Period' means the period of time when the caretaker practices are in place prior to the election. The caretaker practices will apply from the close of nominations, being 37 days prior to the Election Day in accordance with section 4.49(a) of the *Local Government Act 1995*, until 6pm on Election Day.

'Election Day' means the day fixed under the *Local Government Act 1995* for the holding of any poll needed for an election.

'Electoral Material' means any advertisement, handbill, pamphlet, notice, letter or article that is intended or calculated to affect the result in an election, but does not include:

- a) An advertisement in a newspaper announcing the holding of a meeting in



Council Policy

accordance with section 4.87(3) of the *Local Government Act 1995*.

- b) Any materials exempted under Regulation 78 of the Local Government (Elections) Regulations 1997.
- c) Any materials produced by the Town relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purposes of conducting an election.

'Events and Functions' means gatherings of internal and external stakeholders to discuss, review, acknowledge, communicate, celebrate or promote a program, strategy or issue which is of relevance to the Town and its stakeholders and may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinners and receptions.

'Major Policy Decision' means any:

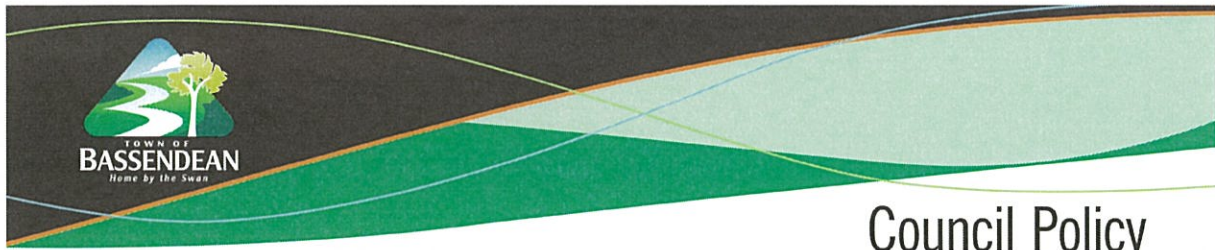
- a) Decisions relating to the employment, termination or remuneration of the Chief Executive Officer, or any other designated senior officer, other than a decision to appoint an Acting Chief Executive Officer, or suspend the current Chief Executive Officer (in accordance with the terms of their contract), pending the election.
- b) Decisions relating to the Town entering into a sponsorship arrangement with a total Town contribution value exceeding \$5,000 (excluding GST).
- c) Irrevocable decisions that commit the Town to substantial expenditure or significant actions, such as that which might be brought about through a Notice of Motion by a Councillor.
- d) Irrevocable decisions that will have a significant impact on the Town of Bassendean or the community.
- e) Reports requested or initiated by a Councillor, candidate or member of the public that, in the Chief Executive Officer's opinion, may be perceived within the general community as an electoral issue that reflects upon the Council's decision-making process, and has the potential to call into question whether decisions are soundly based and in the best interests of the community.

'Public Consultation' means a process which involves an invitation to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy.

RELATED LEGISLATION:

Local Government Act 1995 Part 4

Local Government (Elections) Regulations 1996



Application

Responsibility for the implementation of this Policy rests with the Mayor, Councillors and Chief Executive Officer. The Policy is to be reviewed every three years.

| | |
|---|--|
| Policy Type: Strategic Policy | Responsible Officer: Chief Executive Officer |
| Link to Strategic Community Plan: Leadership and Governance | Adopted: OCM-24/05/18, Version 1 |
| | Next Review due: May 2021 |