

# **ATTACHMENT NO. 5**

# **'Industry Warehouse'** **Lot 600 (No. 174) Railway Parade, Bassendean** Change of Use Application

April 2019 | 18-639



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# Executive Summary

Perth's inner eastern suburbs – including Bassendean, Bayswater and Ashfield, are enviably located close to the Swan River and with ready access to public transport and lifestyle amenities, with Perth city and a range of town centres also easily accessible.

Demand to live and work in these fast-growing areas is increasing, and the Town of Bassendean has recognised this, with a series of initiatives underway to catalyse revitalisation in key areas and foster community vibrancy.

In line with this strong vision comes the opportunity for land and property owners to contribute to Bassendean's growth by delivering innovative and high-quality development outcomes that celebrate the area's character and identity.

This is where "Industry Warehouse" comes in. As one of the Bassendean / Bayswater industrial area's last remaining 1948 post-war warehouses, a unique opportunity exists to breathe new life into a building that has now sat vacant for more than 10 years, heralding a new era in line with the broader area's role as an 'Activity Centre' under the Western Australian Planning Commission (WAPC)'s Central Sub-Regional Planning Framework.

Strategically located adjacent the Ashfield Train Station at 174 Railway Parade, property owner and proponent, VDA Holdings Pty Ltd has a bold vision to celebrate the warehouse's industrial architecture, form and dramatic scale through a substantial building refurbishment program to adaptively re-use the asset so it can accommodate new and contemporary functions.

With significant refurbishment work already underway – including like for like replacement of old fittings and finishes – other works are proposed that will deliver a modern industrial look and showcase the building's warehouse aesthetic. The significant volume of uninterrupted internal space creates an opportunity for one-of-kind industrial-focused events facility to be achieved.

To ensure this project meets the State Planning framework and functions as a catalyst for the wider area, flexibility of use under the Town's Town Planning Scheme 10 will be required and a partial Change of Use from 'Warehouse' to 'Exhibition Centre', 'Market', 'Reception Centre' and 'Trade Display' is respectfully requested.

## Project overview:

- Unifying the site's industrial architecture with contemporary uses to create a multifunctional event space;
- Achieving an adaptive re-use outcome that transforms the warehouse from its current derelict state to offer a point of difference and new ambiance unable to be replicated or achieved through a new build;
- Designing to cleverly incorporate exposed structural elements, reclaimed brickwork and new cladding without impacting on the building's original fabric;
- Ability to adapt the large multifunctional event space into smaller areas, to support industry development and economic activity at a local level. The space can accommodate groups from 10 to 500 people;
- Industry events and initiatives planned for the space, which will be managed by the proponent, include:
  - o Networking and trade/product launches (e.g. Komatsu/Caterpillar);
  - o Display space for trade goods and car/industry auctions where grandeur of scale is demanded (e.g. promotion or trading of new equipment);
  - o Corporate/private functions within a unique, adaptively reused warehouse (e.g. industry trade fairs);
  - o Special market events;
  - o Industrial demonstrations/ business workshops/ upskilling workshops/ trade seminars;
  - o Short term hire of contemporary, attractive and quality boardroom/meeting rooms for nearby industrial businesses; and
  - o Industrial setting for photography/ exhibition space for local artists, photographers and cultural groups within the ambiance of a restored warehouse.

This is a significant opportunity to delivering an outcome that will be seen as a tangible asset to the Bassendean business community and residents, bringing people together and contributing to the area's local economic success.

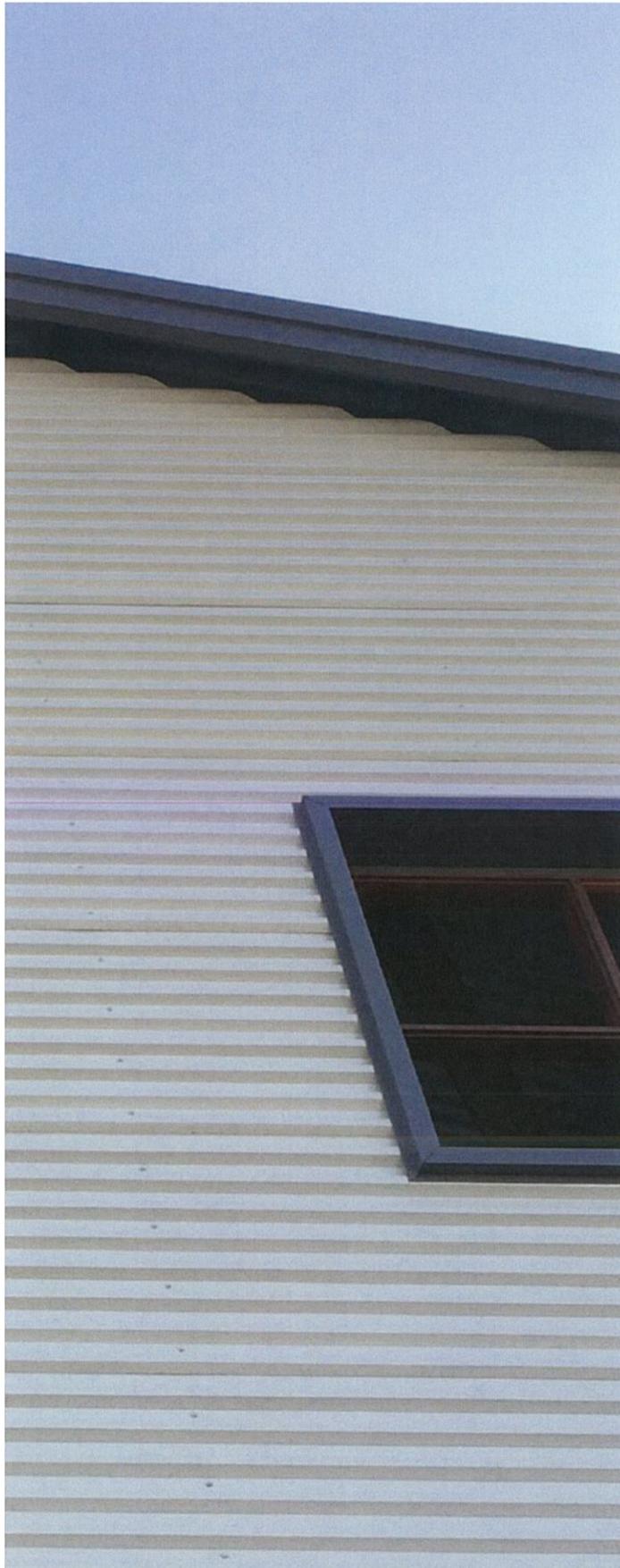
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# Introduction

Further to our meeting on 10 December 2018 and site visit held on 7 January 2019, **element** on behalf the landowner, VDA Holdings Pty Ltd, is pleased to present this Development Application seeking approval under Town of Bassendean Town Planning Scheme No. 10 (TPS 10) for a partial Change of Use at Lot 600 (174) Railway Parade, Bassendean (subject site), from 'Warehouse' to 'Exhibition Centre', 'Market', 'Reception Centre' and 'Trade Display'.

This report provides an overview of the subject site and the proposed activities, as well as an assessment of the proposal against the applicable planning framework.



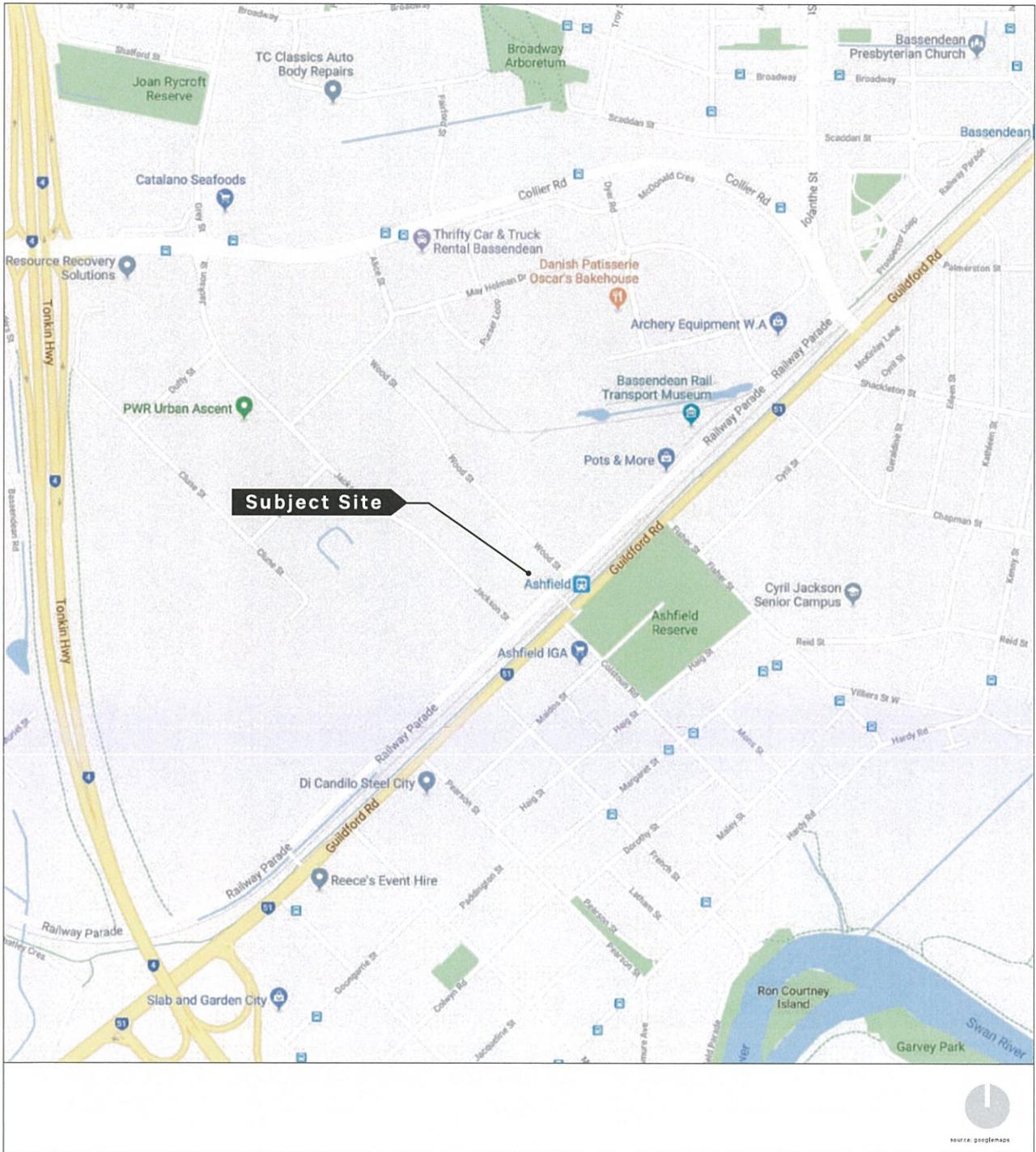


Figure 1. Location Plan

# The Site

## Legal Description

The subject sit is described as Lot 600 on Plan 410333, No. 174 Railway Parade, Bassendean. The particulars of the Certificate of Title are summarised in the following table.

**Table 1: Particulars of Certificate of Title**

Lot	Plan	Vol/Fol	Area	Registered Proprietor
600	410333	2916/686	1.0292ha	VDA Holdings Pty Ltd

There are no encumbrances listed on the Certificate of Title that affect this Change of Use application.

*Refer to Appendix 1 – Certificate of Title and Survey*

*Refer to Figure 1 – Location Plan*

## Existing Development

The site comprises two main warehouse buildings with extensions, plus a small electrical substation located centrally on the lot. Land surrounding the warehouses comprises hardstand, car parking and landscaping. This Change of Use application applies to the site's western-most warehouse and the immediate surrounding area.

This western warehouse is, anecdotally, the last remaining 1948 post-war warehouse constructed in Bassendean/Bayswater industrial area and is unique in its architecture, form and grandeur of scale. Substantial works have already been undertaken/ being undertaken at the warehouse to replace, like-for-like, any old fittings/finishes, windows etc. and other internal works are being progressed to achieve the 'Industry Warehouse' interior.

Planning approval has recently been granted for a Lunch Bar located within the north-western corner of the warehouse, which is set to commence trading within the first half of 2019.

*Refer to Figure 2 – Aerial and Site Plan*

## Context

The subject site is strategically located adjacent to the Ashfield Station, within the Bassendean/Bayswater industrial area/'Tonkin Business Park'. Sited between two connecting roads north of the rail line, it presents a prominent focal point for interest and activation of the Bassendean/Bayswater industrial area and patronage of the train station. The site is central to the Tonkin Business Park and Tonkin Highway Industrial Estate; a combined employment-based area of over 130 hectares.

Given its strategic context and potential to become a real asset to Bassendean, the subject site is considered to act as a catalyst to revitalising the wider industrial area.



Figure 2. Aerial and Site Plan

# The Proposal

## Purpose and Envisioned Activities

This application seeks approval from the Town of Bassendean to retain and adaptively reuse a 1948 post-war warehouse for industry events that service industries within the local and regional catchment. The unique space, aptly named 'Industry Warehouse', is proposed to cater for the following land uses as described by TPS 10:

- **'Exhibition centre'** 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'** means premises used for the display and sale of goods from stalls by independent vendors;
- **'Reception centre'** means premises used for functions on formal or ceremonial occasions but not for unhosted use for general entertainment purposes; and
- **'Trade display'** means premises used for the display of trade goods and equipment for the purpose of advertisement.

The partial Change of Use does not propose to alter the existing 'Office' and 'Lunch Bar' land uses.

More specifically, individual activities are envisaged as follows:

- Industry events/networking and trade/product launches (e.g. Komatsu/Caterpillar);
- Display space for trade goods and car/industry auctions where grandeur of scale is demanded (e.g. promotion or trading of new equipment);
- Corporate/private functions within a unique, adaptively reused warehouse (e.g. industry trade fairs);
- Special market events (e.g. gourmet food products and produce);
- Industrial demonstrations/ business workshops/ upskilling workshops/ trade seminars;
- Short term hire of contemporary, attractive and quality boardroom/meeting rooms for nearby industrial businesses; and
- Industrial setting for photography/ exhibition space for local artists, photographers and cultural groups within the ambiance of a restored warehouse.

The restoration of the warehouse is not without challenge but has resulted in an industrial aesthetic that will have far greater value overall than a complete new building would have ever achieved. The huge volume of uninterrupted internal space creates an opportunity for one-of-kind industrial-focused events within an appropriate setting. It also means the site's industrial capabilities are not lost through demolition or a purpose-built structure.

Different activities will occur at different times, in different parts or all of the warehouse space, and for different durations; a once-off or re-occurring event may be held for a few hours (e.g. industrial product launch), whereas an exhibition or trade display may continue for one or two months.

Minor works proposed include line-marking of additional car parking bays to the east of the warehouse, plus further landscaping (internal).

## Internal Layout and Appearance

The purposefully designed interior can be configured in many different ways. One large main space is proposed within the original warehouse which can be further divided into smaller areas for more intimate industry events. Glass partitioning separates the former southern showroom extension to create a more structured event space, while allowing visitors to move between the two areas.



The design contrasts the old with the new, which can be observed in the material and colour palette both internal and external to the warehouse. It lends itself to one-of-a-kind industry events or a simple, contemporary and unique space to hold a meeting.

Refer to Appendix 2 – Proposed Layout Plan

## Management and Operation

### Anticipated Staff and Visitor Numbers

The warehouse has been restored and new facilities added to be able to accommodate groups from anywhere between a few - 10 persons on a more regular basis, and on occasions/ special events, up to 500 persons. Staff numbers will vary depending on the type of event (e.g. one - 20 staff, with the employees of the office attending as event staff during business hours) and security personnel are currently available onsite. Catering for industry events will typically be delivered to the site, however a commercial kitchen is located onsite should it be required.

### Anticipated Hours of Use

Regular hours of use will be traditional business hours, with event bookings ranging from 7am-11pm Sunday through Thursday, and 7am-midnight Friday and Saturday (Refer to Figure 3). The nature of larger events (e.g. 100-500 persons) lends itself to afterhours and weekend bookings when the majority of people can attend such activities. It would be highly unlikely that all uses/activities would be operational at the same time at the maximum capacity, especially given the activities occupy the same space. There are no sensitive land uses surrounding the site that would be impacted by these hours of use, and it is noted neighbouring Bradken is a 24/7 manufacturing operation.

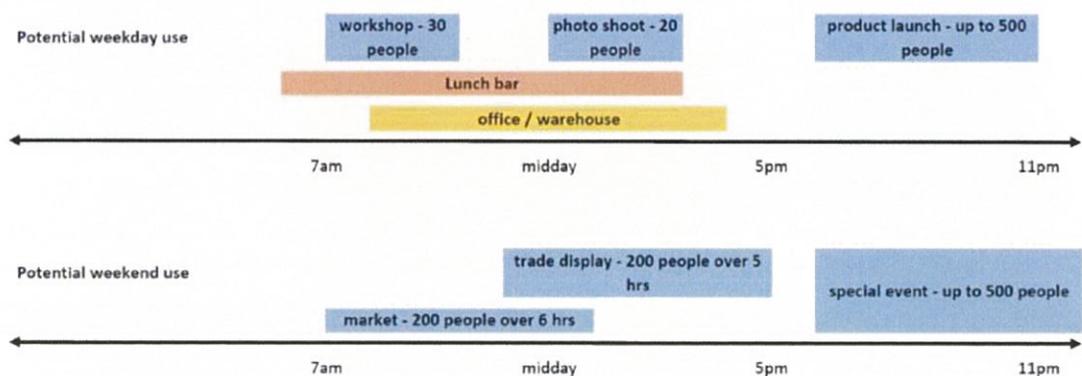


Figure 3. Typical Usage Profile

### Guiding Management Principles

The following key principles will be adopted by the proponent to ensure successful industry events:

- Tailor each event to its unique user profile and spatial requirements while considering social and environmental impacts throughout the event management and delivery process;
- Prepare and implement an Event Management Plan and/or Parking Management Plan which outlines various scales and scopes of activity at the site; and
- Continuously evolve management strategies, action and feedback mechanisms to improve operational efficiency and effectiveness for the benefit of all stakeholders, including the Town of Bassendean, users, neighbouring landowners, staff and visitors.

It is anticipated that a condition of approval will require the preparation and implementation of an Event Management Plan and/or Parking Management Plan.

## Waste Management

Waste will continue to be managed by private collection with waste receptacles stored within the designated bin store.

## Access and Parking

Main site access for visitors arriving by private car will be via Jackson Street with secondary access from Railway Parade. Staff parking is located fronting Railway parade and includes a small portion of tandem bays (continuation of the existing arrangement). A total of 95 car parking bays is provided on site with a shade tree generally planted for every six car bays. Active modes of transport are facilitated through the provision of bicycle racks conveniently located adjacent to the Lunch Bar, and the Ashfield Station located adjacent to the site.

Access for large vehicles delivering trade equipment has been catered for both onsite and within the surrounding road network, which has been designed for heavy vehicles.

*Refer to Appendix 3 – Transport Impact Statement*



# Planning Framework and Assessment

This section provides a detailed assessment and discussion of the proposed Change of Use against the relevant State and local planning frameworks.

## Strategic Planning Framework

### Perth and Peel at 3.5 Million and Central Sub-Regional Planning Framework

These State strategic planning documents are the overarching spatial framework and strategic plan that establishes a vision for future growth of the metropolitan Perth and Peel Region.

The Central Sub-Regional Planning Framework (the Framework) identifies the site as being located within an 'Activity Centre' (Ashfield). The Framework describes the aim of activity centres is to provide [for] "... *the creation of a sense of place by providing social and business activities and services. These activity centres would build on existing infrastructure and be linked to a co-ordinated and integrated transport network...*". The Framework also describes activity centres as "... *hubs that attract people for a variety of activities ... These centres mainly consist of a concentration of commercial uses ... The role and function of these centres and the diversity of activities within them varies depending on their catchment.*"

Refer to Figure 4 – Extract of Central Sub-Regional Planning Framework

While the draft boundary of the Ashfield Activity Centre may have been based loosely on the Ashfield Precinct Plan (2010) (and the then airport rail link alignment), the framework has since been finalised following local government feedback (which supported "*the classification of Ashfield in principle as an activity centre*") with no change to the activity centre boundary. The Framework is a State endorsed strategic plan.

This notwithstanding, it is acknowledged that the Framework also identifies the site within an 'industrial centre'; a hierarchical classification that sits below the higher order 'strategic industrial centre' (e.g. Kwinana and Kewdale-Welshpool). It is understood that this designation is based upon its current General Industry zoning under LPS 10 and its Industrial zoning under the MRS. One of the urban consolidation principles of the framework in relation to industrial land is to "*prevent incompatible residential encroachment on these areas*". The proposed Change of Use does not contemplate residential land uses, rather it proposes activities and amenity that will complement and support the growth of the Bassendean industrial area and its catchment by providing quality space for industries to grow their networks, upskill their workforce and promote trade equipment. It does not propose the demolition of any industrial infrastructure or facilities.

In light of the above, it is considered that the proposed Change of Use will contribute positively to both the Ashfield Activity Centre and industrial area classifications as advocated by the strategic Framework. Specifically, the application responds to the proposal of Perth and Peel @ 3.5 Million to "... *strengthen key employment centres, including activity centres and industrial centres to meet the future needs of industry, commerce and the community*".

### Town of Bassendean Local Planning Strategy (2008; currently under review)

The Town's Local Planning Strategy (LPS) sets out the long-term planning directions for the local government and is currently undergoing a comprehensive review. Part 4 of the current LPS outlines the Town's 'Industrial Strategy'. It notes the Bassendean industrial area occupies more than 130 hectares of land and comprises a diverse mix of lot sizes and a wide range of businesses. The subject site is identified in the Industrial Strategy as part of Precinct 'A'; 'a group of large, older industries fronting the railway line.

A relevant objective of the Industrial Strategy includes retaining the area as an industrial area incorporating a mix of industrial land uses such as warehousing, showroom and office. The proposal maintains the site's industrial legacy (and future industrial use potential) by restoring a warehouse to its former glory (as opposed to demolition) and hosting, for example, product launches for large machinery as part of industry

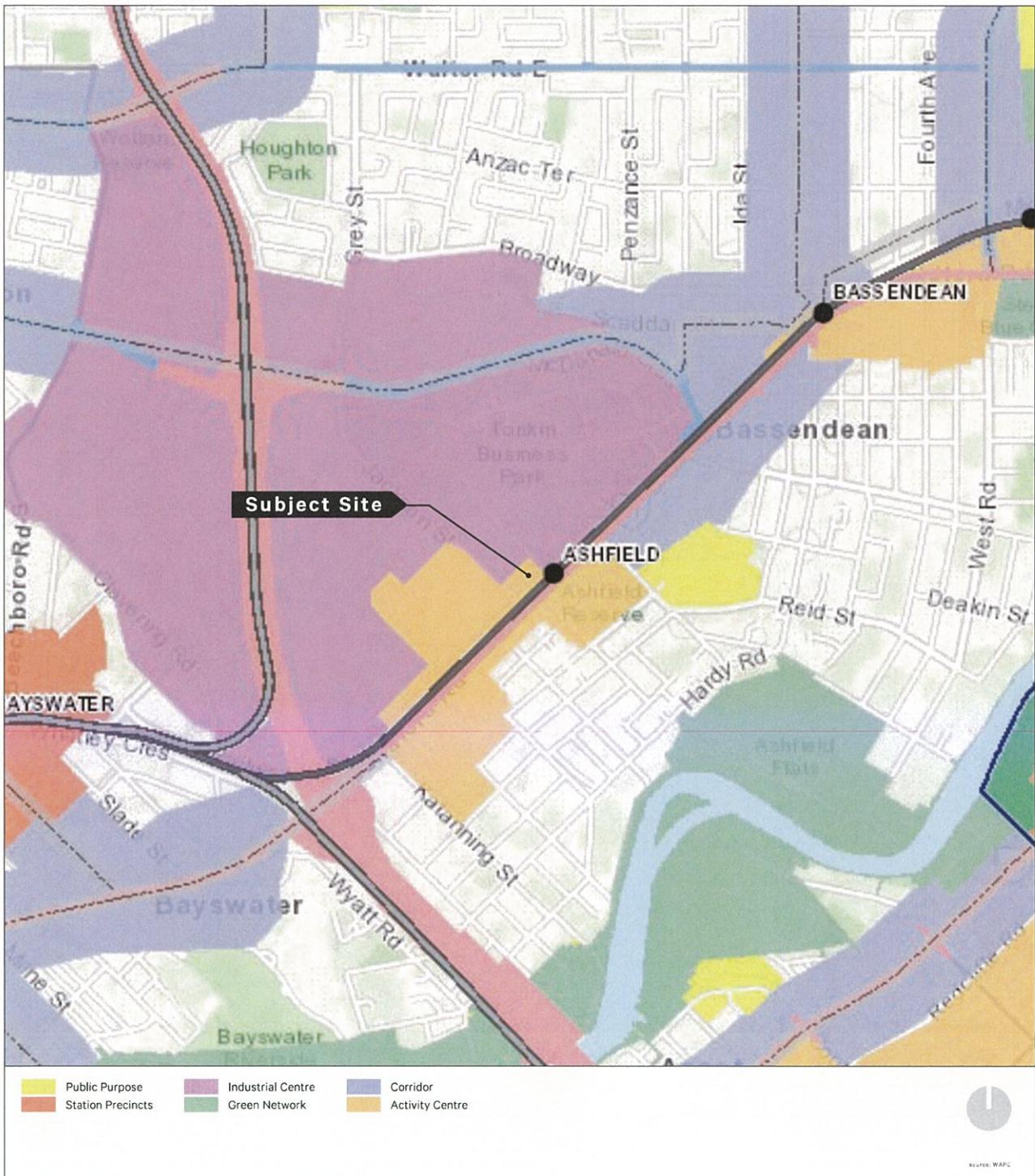


Figure 4. Extract of Central Sub-Regional Planning Framework

events and exhibitions. The building will also continue to function its Office and Showroom-type activities with trade displays envisioned to be a common occurrence, as well as providing space to build the business capacity of existing industrial uses.

A second warehouse located on the subject site (not subject to this application) will continue operating core industrial activities.

## Ashfield Precinct Plan

The Ashfield Precinct Plan has been developed as a strategic vision and urban design document to guide future development within the future activity centre. Prepared by the Department of Planning, its objective was to establish Ashfield as a transit oriented development, with Ashfield Station central to the planning of higher densities, higher order activity, an eco-industrial village and education precinct-type uses (training facilities).

While the Precinct Plan is not formally adopted as a planning instrument, its principle of supporting a variety of land uses in close proximity of a train station remain as fundamental planning directives of the State government. The proposed Change of Use includes space for trade seminars and workshop (similar to a training centre's function).

## Statutory Planning Framework

### Metropolitan Region Scheme

The subject site is zoned 'Industrial' under the Metropolitan Region Scheme (MRS).

### State Planning Policy 4.2 Activity Centres for Perth and Peel

SPP 4.2 specifies broad planning requirements for the planning and development of new activity centres and the redevelopment or renewal of existing centres. It provides broad land use and urban design criteria for activity centres and facilitates the integration of centres with public transport. This Policy also seeks to ensure that centres contain a range of activities to promote benefits through infrastructure efficiency and economic benefits of business cluster, to which this change of Use seeks to achieve.

### Draft State Planning Policy 4.1 Industrial Interface

The purpose of this policy is to protect industry and infrastructure facilities from the encroachment of incompatible land uses. Incompatible land uses are described as uses sensitive to industrial impacts of noise, odour and other emissions, for example residential or institutional type activities. The proposed land uses and activities are not described as a 'sensitive land use' under SPP 4.1 (recognising neighbouring Bradken is a 24/7 manufacturing operation). The Bassendean/Bayswater industrial area is also not identified under this policy as a 'Strategic Industrial Area'.

### Development Control Policy 1.6 Planning to Support Transit Use and Transit-Oriented Development

DC Policy 1.6 seeks to maximise the benefits to the community of an effective and well used public transit system by promoting planning and development outcomes that will support and sustain public transport use. The Change of Use proposal achieves the following relevant objectives of DC Policy 1.6, to:

- *Promote and facilitate the use of public transport as a more sustainable alternative to the private car for travel;*
- *Ensure the optimal use of land within transit oriented precincts by encouraging the development of uses and activities that will benefit from their proximity and accessibility to public transport, and which will in turn generate a demand for the use of transit infrastructure and services; and*
- *Ensure that opportunities for transit supportive development are realised.*

### Town of Bassendean Town Planning Scheme No. 10

Under Town Planning Scheme No. 10 (TPS 10), the subject site is zoned 'General Industry'. The objectives of the General Industry zone are:

- *To provide for a broad range of industrial uses, excluding noxious or hazardous activities;*
- *To accommodate industry that would not otherwise comply with the performance standards of light industry;*
- *To accommodate a range of manufacturing and associated service activities which will not, by the nature of their operations, detrimentally affect the amenity of the adjoining or nearby land;*

- To achieve safety and efficiency in traffic circulation, and also recognise the function of Collier Road as a regional road;
- To provide car parking and landscaping appropriate to the scale of development;
- To preclude the storage of unsightly goods from public view; and
- To ensure that development conforms with the Local Planning Strategy and the principles of any Local Planning Policy adopted by the Council.

Clause 4.9 of TPS 10 'General Development Requirements – Industrial Zones' does not contain specific provisions relevant to the proposed Change of Use. In considering applications for development approval, the local governmental shall have regard to the objectives of the zone and the Industrial Strategy component of the LPS, as mentioned above.

The appropriateness of the proposed land uses is discussed below.

Refer to Figure 5 – Extract of Town Planning Scheme No. 10

### Local Planning Policy No. 6 – Industrial Zones Development Design Guidelines

Local Planning Policy No. 6, while comprehensive for new development, does not contain any specific provisions relevant to the proposed Change of Use of an existing building.

## Other Local Strategic Frameworks

### Town of Bassendean Strategic Community Plan (2017 – 2027) and Economic Development Plan (2012)

The Town's Strategic Community Plan is the 'vision and aspirations' of the community and has been adopted by the town of Bassendean Council as a guiding document. While the Strategic Community Plan does not form part of the planning framework, its key components are informed by input from community and its vision, which is in turn are informed by - and inform - 'Land use plans and Land use Schemes'.

The Vision: "A *connected community, developing a vibrant and sustainable future, that is built upon the foundations of our past*". The proposed Change of Use – a unique, adaptively reused and restored industrial warehouse catering for industry events, trade displays and seminars, industry networking, art/cultural exhibitions and functions, for example, adjacent to Ashfield Station – will greatly assist in achieving this vision through the following aspirations of the Plan:

- "Continue to support and facilitate participation in the arts, community festivals and events"
- "Ensure our unique culture and history are shared and celebrated"
- "Provide accessible facilities that support leisure, learning and recreation for people of all ages"
- "Encourage and attract new investment and increase capacity for local employment"
- "Strengthen local business networks and partnerships"

Economic development is also a priority area in the Strategic Community Plan. Two core objectives are to build economic capacity and to facilitate local business retention and growth. This follows on from the Town's Economic Development Plan (2012) which states:

***"resilience, adaptability and environmentally, economically and socially responsive outcomes can be achieved through the creation of industrial developments which add value to businesses and communities"***.

The proposed land uses will aid in building resilience amongst industries (including local business) by providing space for business networking, learning, knowledge sharing and upskilling.

It will also provide an opportunity to showcase examples of creativity and innovation; a key recommendation of the Economic Development Plan, which also highlights the strategy to "adopt a welcoming stance and attitude to business".

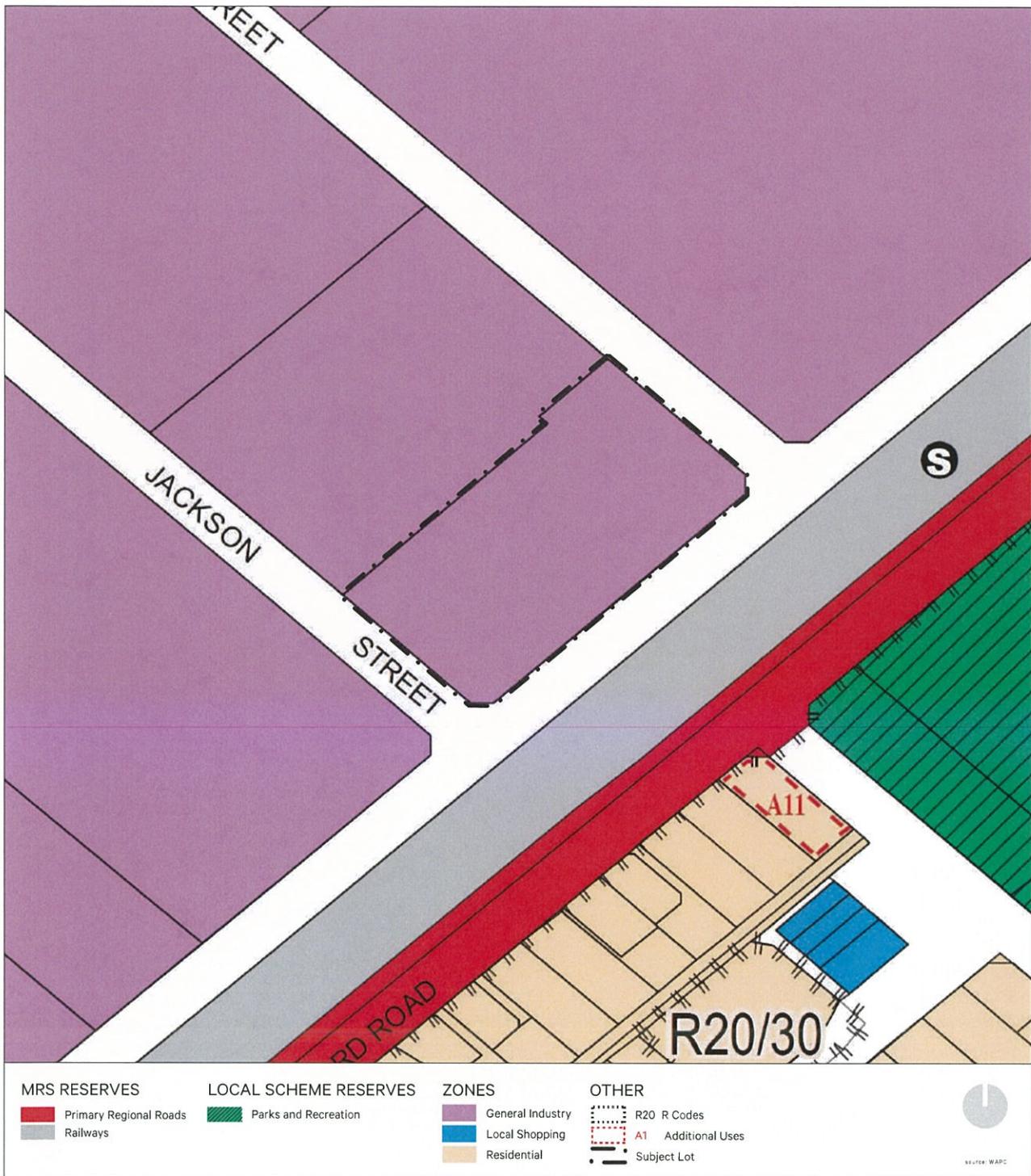


Figure 5. Extract of Town Planning Scheme No. 10

## Discussion

### Land Use Permissibility and Appropriateness

The following table sets out the land use permissibility under TPS 10:

Land Use Category	TPS 10 Definition	Use Permissibility within General Industry Zone
Exhibition Centre	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	D
Trade Display	means premises used for the display of trade goods and equipment for the purpose of advertisement;	D
Market	means premises used for the display and sale of goods from stalls by independent vendors	D
Reception Centre	means premises used for functions on formal or ceremonial occasions but not for unhosted use for general entertainment purposes	Use not listed.
Office	means premises used for administration, clerical, technical, professional or other like business activities	Existing
Warehouse	means premises used to store or display goods and may include sale by wholesale	Existing

The proposed land uses of 'Exhibition Centre', 'Market' and 'Trade Display' are all 'D' discretionary land uses within the General Industry zone. Despite 'Reception Centre' not involving a traditional industrial use, it still maintains a discretionary use class in the General Industry zone by way of being a Use Not Listed. The proposed land uses are therefore all capable of approval by Council and to ensure this project meets the State Planning framework and functions as a catalyst for the wider area, flexibility of use under the Town's TPS 10 will be required.

The proposed mix of land uses are considered worthy of support for the following reasons:

- The unique mix of activities provide an opportunity to contribute to Bassendean's growth by delivering innovative and high quality development outcomes that celebrate the area's industrial character and identity;
- It offers industries a unique, local space that is attractive, convenient and of a quality not readily available within the Bassendean area, for industries to display, launch or promote trade equipment and grow their industry networks, partnerships, or to upskill their workers; responding to key objectives under the Town's Economic Development Plan and Strategic Community Plan;
- Opportunity exists for synergies to therefore form between the proposal and existing (and emerging) industries within the area, promoting the growth of those industries and strengthening the industrial centre's status, and increasing the activity in around the Ashfield Station in return;
- It has the real potential to catalyse revitalisation of a strategically important precinct and foster community vibrancy. It will unify the site's industrial architecture with contemporary uses to create a multifunctional event space;
- The proposed Change of Use presents significant investment in an otherwise blighted Bassendean industrial area and helps to build the capacity of local business to meet emerging industries. The Town's Economic Development Plan highlights the extensive issue regarding the lack of investment in the area with premises and infrastructure facilities in poor condition and businesses relocating to alternate industrial precincts that offer amenity;
- The uses provide space and a service to industries that, by the nature of their operations, do not detrimentally affect the amenity of the adjoining or nearby land;
- The uses are not sensitive land uses (as defined by State planning policy) and therefore do not encroach on traditional industrial uses. Due to the location on Railway Parade, being within an established industrial area, emissions such as noise is not likely to be greater than other industries; and
- The proposal heralds a new era in line with the broader area's role as an 'Activity Centre' under the WAPC's Central Sub-Regional Planning Framework;

This is a significant opportunity to delivering an outcome that will be seen as a tangible asset to the Bassendean business community and residents, bringing people together and contributing to the area's local economic success.

Further, the proposed land uses are not that dissimilar to other land uses and activities existing elsewhere within the Bassendean/ Bayswater industrial area, as described in the table below:

Business	Street Address	Land Use
Urban Ascent indoor rock-climbing gym	Jackson Street	Private recreation
Bassendean Rail Transport Museum	Railway Parade	Exhibition centre
Model Camp Au	May Holman Drive	Training centre
WFI insurance company	Railway Parade	Office
Maltese Association of WA	May Holman Drive	Reception Centre (signage advertised)
Pots & More	Railway Parade	Retail
Audio Technik	May Holman Drive	Retail/ hire
Right2Drive	Purser Loop	Car hire
PawPals Dog Daycare	Collier Road	Animal Establishment
Star Mites Gym	Collier Road	Private recreation
Morley Baptist Church	Harwell Way	Place of Worship and Reception Centre

Refer to Figure 6 – Context Plan

In light of the above, the proposed land uses are capable of approval under the General Industry zone, are considered appropriate at the site and should be supported based their merits and alignment with strategic planning direction.

## Car parking

The following table sets out car parking provisions at the site:

Use	Size	Parking Requirement	Required Bays
Warehouse expo*	Up to 500 persons	1:4 persons	125
Office	275sqm	1:20sqm	14
Lunch Bar	245sqm	1:20sqm	12
Eastern warehouse	2,000sqm	1:100sqm	20
<b>Total required</b>			<b>171 bays</b>
Reciprocal parking (available afterhours when largest events likely to occur)			-46 bays
<b>Total required with reciprocal parking</b>			<b>125 bays</b>
<b>If 25% of warehouse expo patrons travelled by public transport (adjacent to station)</b>	<b>375 persons travel by car</b>	<b>1:4 persons</b>	<b>94 bays</b>
<b>Total provided</b>			<b>95 bays</b>

\* Proposed uses combined. It is noted that TPS 10 does not stipulate car parking requirements for the individual uses of Exhibition Centre, Market and Reception Centre. Trade Display requires 1:20sqm.

TPS 10 states when determining car parking provisions, the local government shall have “regard to the nature of the proposed development, the number of employees likely to be on the site, the prevention of the obstruction of roads and streets, and the orderly and proper development of the locality and the preservation of its amenities”. The proposal is considered to have sufficient car parking for the following reasons:

- Not all land uses/activities will be operational at the same time, nor for the full capacity of the space available;
- Car parking bays attributed to the eastern warehouse, lunch bar and office (total 46 bays) are available beyond traditional business hours (evenings and weekends), when the largest volume of visitors is likely expected;
- Staff numbers are minimal and the impact from traffic generated from this site upon existing peak hour movements in the local street network will be negligible (i.e. not typical workforce peaks);
- The proposal is located adjacent to the Ashfield Station and is consistent with the principles of supporting transit oriented development as advocated by DC Policy 1.6;

- The Town of Bassendean has recently partnered with the State Government to deliver the Your Move program to help residents and workplaces (and schools) to become more active and connected in their local community by considering their travel choices;
- Large groups of people, for example from one organisation, may arrive by chartered bus rather than by private vehicle; and
- Facilities are provided to encourage the use of alternate modes of transport.

In light of the above, the proposed provision of on-site car parking associated with the Change of Use is considered appropriate and should be supported by the Town.



Figure 6. Context Plan

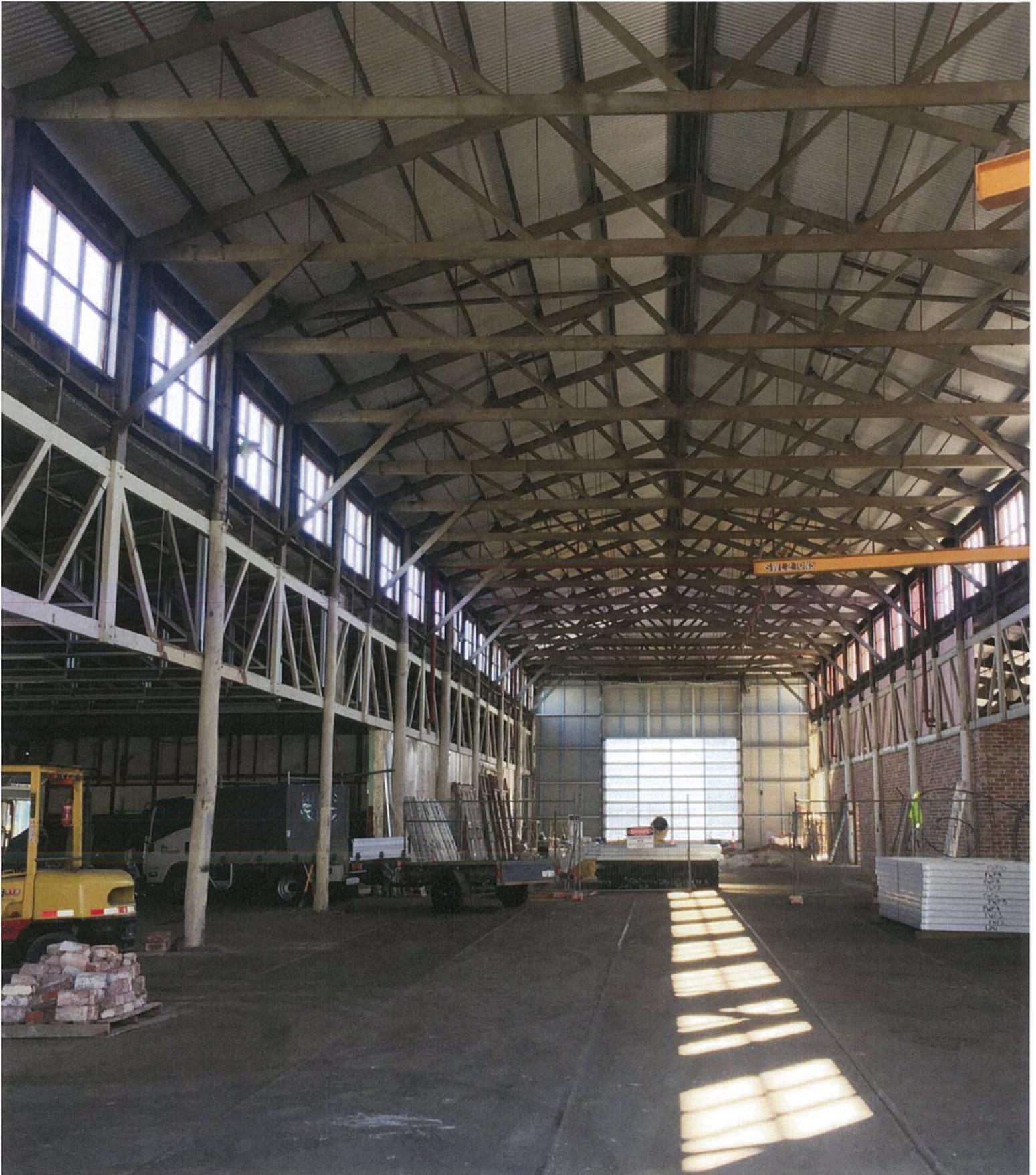
## Matters to Be Considered by Local Government

Clause 67 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* set out matters that, to the extent they are relevant to the development, shall be considered by the local government when determining an application for development approval. The proposed Change of Use responds to the relevant matters as follows:

Relevant Matter	Application Response
(a) the aims and provisions of TPS 10.	<p>Proposed land uses and activities will contribute towards the following aims of TPS 10:</p> <ul style="list-style-type: none"> <li>• To enhance the lifestyle of residents and provide community and leisure facilities for a range of socio-demographic groups.</li> <li>• To promote greater use of alternative modes of transport and public transport.</li> </ul> <p>by providing an event facility capable of servicing the local business and resident community alike, directly adjacent to a train station.</p>
(b) the requirements of orderly and proper planning, including any proposed planning instrument that the local government is seriously considering adopting or approving.	<p>There are no proposed scheme amendments or draft local frameworks that affect the subject site. All proposed land uses maintain a discretionary use classification under TPS 10.</p>
(c) any approved State planning policy, any policy of (e) & the Commission, and policy of the State. (f)	<p>This report has outlined consistency with SPP 4.2, Draft SPP 4.1, and DC Policy 1.6.</p>
(l) the effect of the proposal on the cultural heritage significance of the area in which the development is located.	<p>The Change of Use retains and restores a pre-war 1948 warehouse, anecdotally the last of its kind in the Bassendean/ Bayswater industrial area.</p>
(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.	<p>The proposed land uses are not emission-generating land uses, are not sensitive land uses, and there are no other sensitive land uses within its immediate locality. The existing warehouse is not proposed to be altered and development is compatible with its setting. The proposed activities have a positive relationship with land in the locality, being to serve those industries and to promote patronage of the train station.</p>
(n) the amenity of the locality including the following — (i) environmental impacts of the development (ii) the character of the locality (iii) social impacts of the development	<p>The proposed land uses are not emission-generating land uses and will have a positive environmental impact by promoting patronage of the train station. The proposal will have a positive social impact by offering something truly unique to the Bassendean business and resident community, creating opportunities for networking, business growth, upskilling and social benefits.</p>
(p) whether adequate provision has been made for the landscaping of the land to which the application relates.	<p>Adequate landscaping has been addressed via the recently approved Lunch Bar, with this Change of Use application only improving that landscaping.</p>
(r) the suitability of the land for the development taking into account the possible risk to human health or safety.	<p>The proposed land uses and activities are not sensitive land uses as defined by Draft State Planning Policy 4.1, and do not generate emissions that risk human health.</p>
(s) the adequacy of — (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;	<p>Adequate access has been addressed in this report and presents improved access than what was existing prior to the Lunch Bar approval. Refer to Appendix 3 – Transport Impact Statement.</p>
(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.	<p>Further, the Town's Local Area Traffic Management Plan (2012) identified Railway Parade as having capacity to accommodate an increase in traffic volumes, and specifically the area around Ashfield Station as being generally well serviced by major strategic transport routes, both road and rail and, as a TOD, the additional car-borne trips will be minimal. Staff numbers are also minimal in comparison to traditional industrial workforce activities and the impact from traffic generated from this site upon existing peak hour movements in the local street network will be negligible (i.e. not typical workforce peaks). Refer to Appendix 3 – Transport Impact Statement.</p>

Relevant Matter	Application Response
<p>(u) the availability and adequacy for the development of the following —</p> <ul style="list-style-type: none"> <li>(i) public transport services;</li> <li>(ii) public utility services;</li> <li>(iii) storage, management and collection of waste;</li> <li>(iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);</li> <li>(v) access by older people and people with disability.</li> </ul>	<p>The site is located adjacent to the Ashfield Station and is served by adequate utilities, storage and access for pedestrians and cyclists. Universal access is provided to the site and warehouse. Refer to Appendix 3 – Transport Impact Statement.</p>
<p>(w) the history of the site where the development is to be located.</p>	<p>As mentioned, the warehouse is anecdotally the last remaining post-war 1948 warehouse in the area and its restoration and adaptive reuse – which is not without significant investment - celebrates this history and shares it with the wider community, which should be supported by the Town.</p>
<p>(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals.</p>	<p>This proposal will create something truly unique for the Bassendean area and will become a real asset for the business, industrial, trade and cultural industry, and resident community. It is entirely consistent with Town's aspirations under its Strategic Community Plan, in particular:</p> <p><i>“Continue to support and facilitate participation in the arts, community festivals and events”</i></p> <p><i>“Ensure our unique culture and history are shared and celebrated”</i></p> <p><i>“Provide accessible facilities that support leisure, learning and recreation for people of all ages”</i></p> <p><i>“Encourage and attract new investment and increase capacity for local employment”</i></p> <p><i>“Strengthen local business networks and partnerships”</i></p>





## Amenity and Planning Merit

Further to the justification provided in the preceding sections of this report, the proposed Change of Use is considered highly appropriate, on the basis that:

- The proposal is consistent with the objectives and intent of:
  - o Perth and Peel @ 3.5 Million and Central Sub-Regional Planning Framework, as the proposed use will facilitate the activation of land within a designated Activity Centre centred around Ashfield Station;
  - o DC Policy 1.6, as the proposed activities being adjacent to a train station will promote patronage of public transport, and the perceived safety through activation of that station;
  - o Town of Bassendean Local Planning Strategy, as the proposal retains and restores an industrial warehouse for industry events and capacity building and celebrates the area's industrial character and identity;
  - o Town of Bassendean Strategic Community Plan and Economic Development Plan, as the benefits of the proposal include capacity building amongst industry, strengthening of industry networks and partnerships, facilitating participation in arts and events, and sharing the site's history;
- The proposal aligns with the aims of TPS 10, in particular providing community and leisure type facilities for a range of groups and promoting greater use of public transport;
- The proposal will provide an amenity to the Bassendean industrial area not seen before;
- The proposal is considered to have a transformative effect on the Bassendean industrial area by encouraging investment in existing industrial uses. It will also create opportunities for new industries to form, network and establish synergies, catalysing the revitalisation of this key area and fostering community vibrancy;
- The proposal offers activities and amenity that will serve and support the Bassendean industrial area and its catchment, promoting industry growth and resilience, and strengthening business networks through the provision of high-quality space for industries to network, upskill their workforce and promote trade equipment;
- The proposed land uses are neither sensitive land uses of emission/ impact generating uses and are compatible within the locality, not encroaching on traditional industrial uses;
- The proposal does not propose the demolition of any industrial infrastructure or facilities; and
- While the land is zoned Industrial under the MRS and General Industry under TPS 10, ultimately, given:
  - o the strategic location of the subject site opposite the Ashfield Station;
  - o the retention of industrial infrastructure/ facilities both subject to this application and elsewhere on the subject site;
  - o the site's role as advocated for under the State strategic planning framework;
  - o the use of the site to support industry; and
  - o the discretionary use classifications;
 the change of use from warehouse storage to more intensive development is considered to hold planning merit.

On the basis of the above and the detailed planning assessment provided in this report, it is considered that the proposed Change of Use accords with the principles of orderly and proper planning and will make a positive contribution to the amenity of the Bassendean industrial area. The proposal is therefore considered worthy of support.



# Conclusion

This report has been prepared by **element** on behalf of VDA Holdings Pty Ltd in support of a Change of Use application seeking approval to activate 174 Railway Parade, Bassendean as a unique industry event space from its former warehouse storage use.

'Industry Warehouse' is strategically located adjacent to the Ashfield Station and is identified as forming part of the Ashfield Activity Centre under the State government's Central Sub-Regional Planning Framework. This report has demonstrated the proposed Change of Use to 'Exhibition Centre', 'Market', 'Reception Centre' and 'Trade Display' is consistent with the objectives and intent of the strategic planning direction for the area, the principles of orderly and proper planning, and holds planning merit worthy of support.

After sitting vacant for 10 years, the site has fallen into the hands of passionate landowners who wish to create something truly unique for the Bassendean area. It will deliver a real asset to the Town's industry, business and resident networks and ensure the Town remains a vibrant, livable community. On the basis of the information contained within the report, we respectfully request the Town of Bassendean support and approve the proposed Change of Use.

# Appendix 1

## Certificate of Title and Survey

WESTERN



AUSTRALIA

REGISTER NUMBER

600/DP410333

DUPLICATE  
EDITION  
N/A

DATE DUPLICATE ISSUED

N/A

VOLUME  
2916

FOLIO  
686

**RECORD OF CERTIFICATE OF TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 600 ON DEPOSITED PLAN 410333

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

VDA HOLDINGS PTY LTD OF 25 KATANNING STREET BAYSWATER WA 6053

(T N528989 ) REGISTERED 12/1/2017

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

1. \*T7504/1948 EASEMENT BENEFIT SEE SKETCH ON VOL 1313 FOL 669. REGISTERED 16/6/1948.
2. \*T7508/1948 EASEMENT BENEFIT SEE SKETCH ON VOL 1313 FOL 669. AS MODIFIED BY INSTRUMENT H562137. REGISTERED 16/6/1948.
3. \*T7509/1948 EASEMENT BENEFIT SEE SKETCH ON VOL 1313 FOL 669. AS MODIFIED BY INSTRUMENT H562138. REGISTERED 16/6/1948.
4. \*T7510/1948 EASEMENT BENEFIT SEE SKETCH ON VOL 1313 FOL 669. AS MODIFIED BY INSTRUMENT H562139. REGISTERED 16/6/1948.
5. \*T12665/1947 EASEMENT TO COMMONWEALTH OF AUSTRALIA. SEE TRANSFER 12665/1947. REGISTERED 3/9/1947.
6. \*T7506/1948 EASEMENT BURDEN SEE TRANSFER 7506/1948. REGISTERED 16/6/1948.
7. \*T7507/1948 EASEMENT BURDEN SEE TRANSFER 7507/1948. REGISTERED 16/6/1948.
8. \*T7508/1948 EASEMENT BURDEN SEE DEPOSITED PLAN 410333 REGISTERED 16/6/1948.
9. \*T7509/1948 EASEMENT BURDEN SEE DEPOSITED PLAN 410333 REGISTERED 16/6/1948.
10. \*T7510/1948 EASEMENT BURDEN SEE DEPOSITED PLAN 410333. REGISTERED 16/6/1948.
11. \*EASEMENT BURDEN CREATED UNDER SECTION 167 P. & D. ACT FOR ELECTRICITY PURPOSES TO ELECTRICITY NETWORKS CORPORATION SEE DEPOSITED PLAN 410333
12. \*N528990 MORTGAGE TO NATIONAL AUSTRALIA BANK LTD REGISTERED 12/1/2017.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land

END OF PAGE 1 - CONTINUED OVER



RECORD OF CERTIFICATE OF TITLE

REGISTER NUMBER: 600/DP410333

VOLUME/FOLIO: 2916-686

PAGE 2

and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP410333  
PREVIOUS TITLE: 1313-669  
PROPERTY STREET ADDRESS: 174 RAILWAY PDE, BASSENDEAN.  
LOCAL GOVERNMENT AUTHORITY: TOWN OF BASSENDEAN

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING  
L189990

VER.	AMENDMENT	AUTHORISED BY	DATE
2	AUDIT REQUIREMENTS	J.J.M	28/11/2016



**Brown McAllister Surveyors**

Licensed Surveyors | Engineering Surveyors |  
Land Development & Strata Consultants |

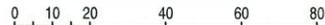
Email : admin@brownmcallister.com.au  
43 Broadway, Nedlands WA 6009

Tel: (08) 9386 9688  
Our Ref: 15506-3DP\_rev1

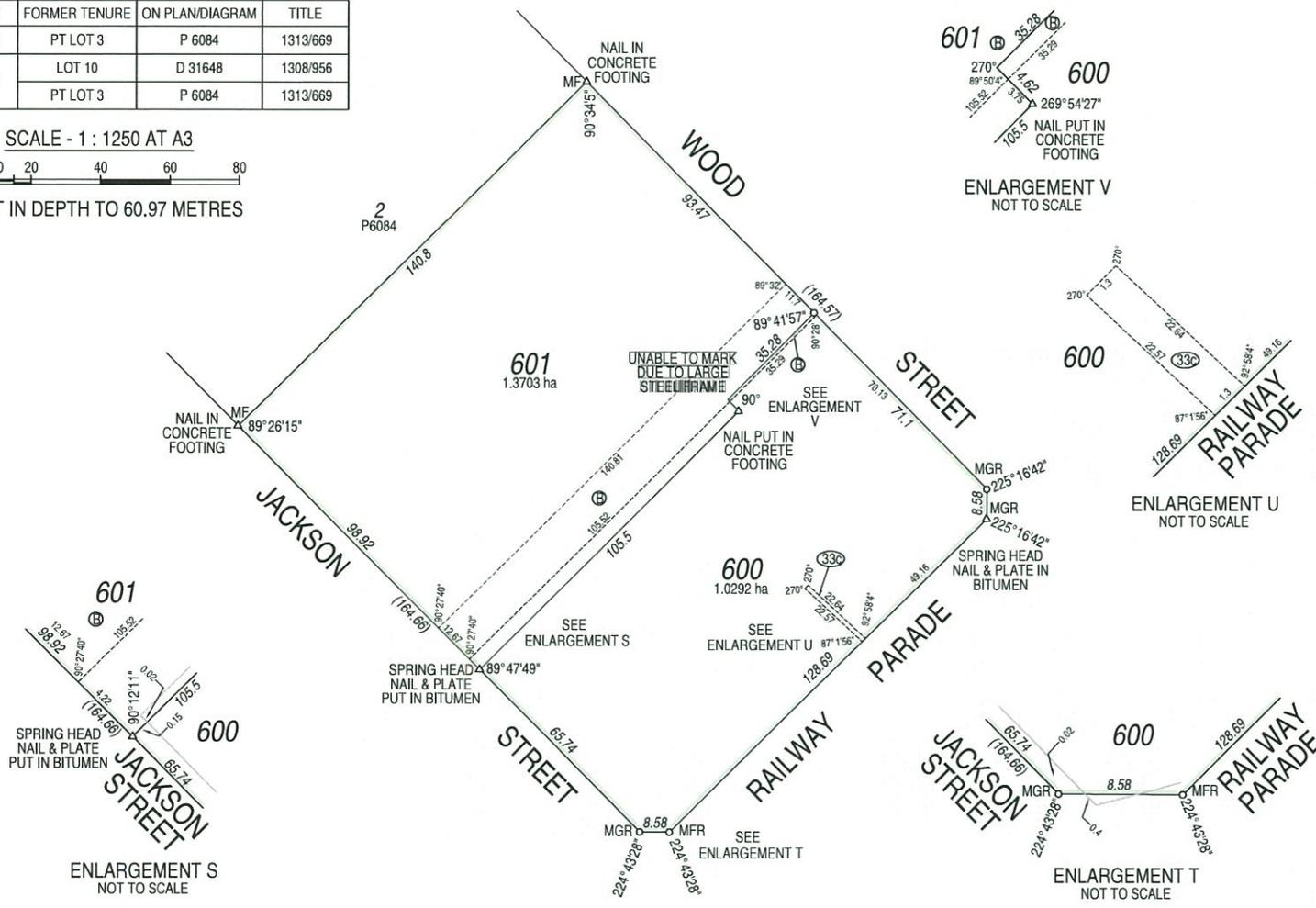
Fax: (08) 9386 9677  
Date: 28/11/2016

LOT	FORMER TENURE	ON PLAN/DIAGRAM	TITLE
600	PT LOT 3	P 6084	1313/669
601	LOT 10	D 31648	1308/956
	PT LOT 3	P 6084	1313/669

SCALE - 1 : 1250 AT A3



LIMIT IN DEPTH TO 60.97 METRES



INTERESTS AND NOTIFICATIONS

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
Ⓟ	EASEMENT		DOC T7508/1948 DOC T7509/1948 DOC T7510/1948	LOT 600 & 601	SEE DOCUMENT	
Ⓢ33c	EASEMENT (ELECTRICITY SUPPLY)	SEC 167 OF THE P & D ACT, REG 33(c)	THIS PLAN	LOT 600	ELECTRICITY NETWORKS CORPORATION	

HELD BY LANDGATE IN DIGITAL FORMAT ONLY

TYPE FREEHOLD S.S.A. NO

PURPOSE SUBDIVISION

PLAN OF

LOTS 600, 601 & EASEMENT

FORMER TENURE  
SEE TABLE

LOCAL AUTHORITY  
TOWN OF BASSEDEAN

LOCALITY  
BASSEDEAN

D.O.L. FILE

FIELD RECORD 137514

SURVEYOR'S CERTIFICATE - REG 54

I, JOSEPH JOHN MAHONEY  
herby certify that this plan is accurate and is a correct representation of the:  
(a) 'survey; and/or  
(b) 'calculations from measurements recorded in the field records,  
[\* delete if inapplicable]  
undertaken for the purposes of this plan and that it complies with the relevant written law(s) in relation to which it is lodged.

Joseph John Mahoney  
2016.11.28 16:06:17  
+08'00'

LICENSED SURVEYOR DATE

11.10.16	LODGED \$411.50	20291174
DATE	FEE PAID	ASSESS No.

I.S.C.

EXAMINED	DATE
E. Milewska	1.12.2016

WESTERN AUSTRALIAN PLANNING COMMISSION	FILE	DATE
	151526	05-Dec-2016

Delegated under S.16 P&D Act 2005 DATE

IN ORDER FOR DEALINGS  
SUBJECT TO SEC 167 OF THE P&D ACT

*Milewska*  
FOR INSPECTOR OF PLANS AND SURVEYS 6.12.2016 DATE

APPROVED 13.12.2016  
INSPECTOR OF PLANS AND SURVEYS DATE  
(S. 18 Licensed Surveyors Act 1908)



DEPOSITED PLAN

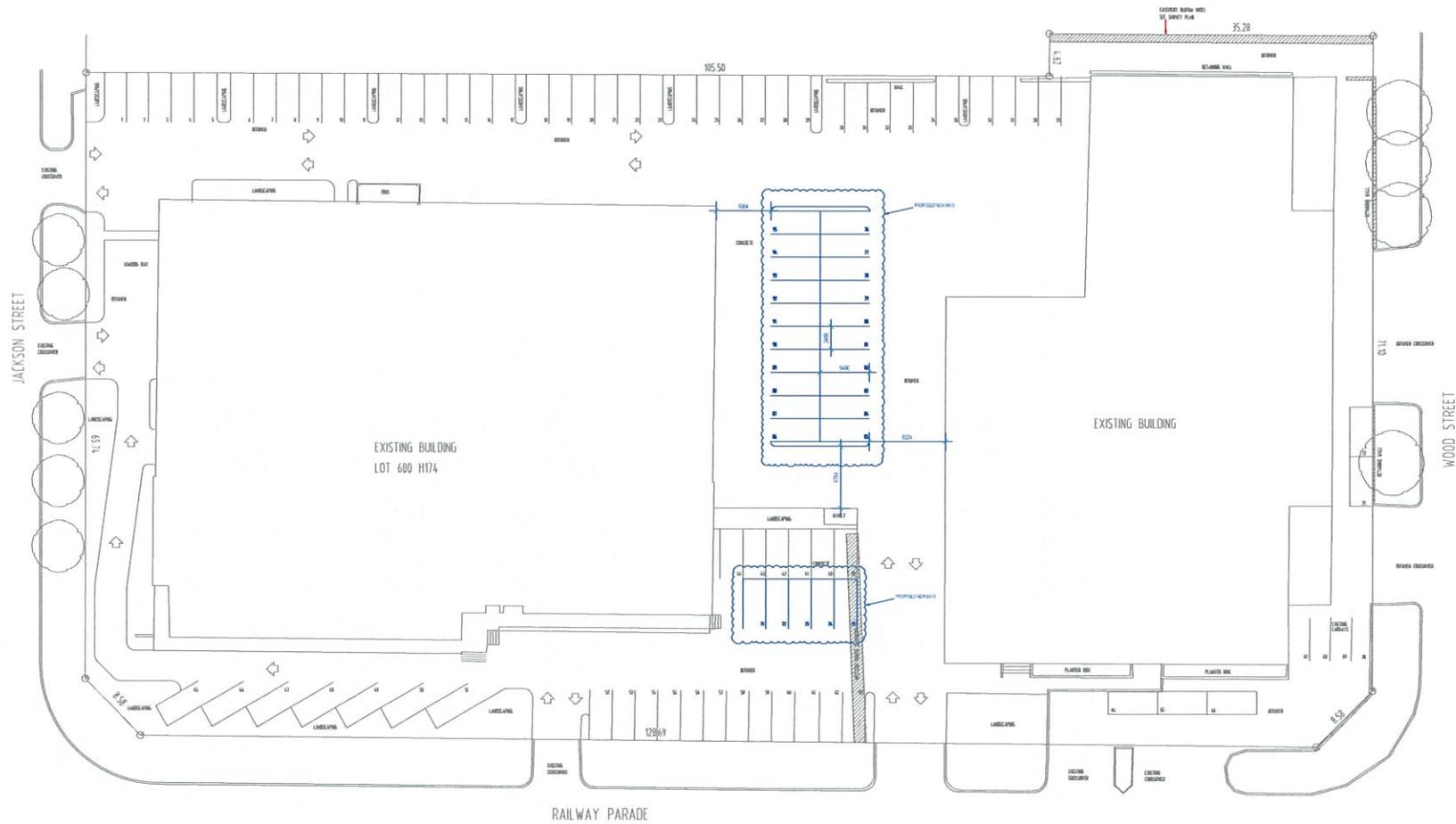
410333

SHEET 1 OF 1 SHEETS  
VERSION 2

# Appendix 2

## Proposed Layout Plan





# PROPOSED CHANGE OF USE - CAR PARK LAYOUT

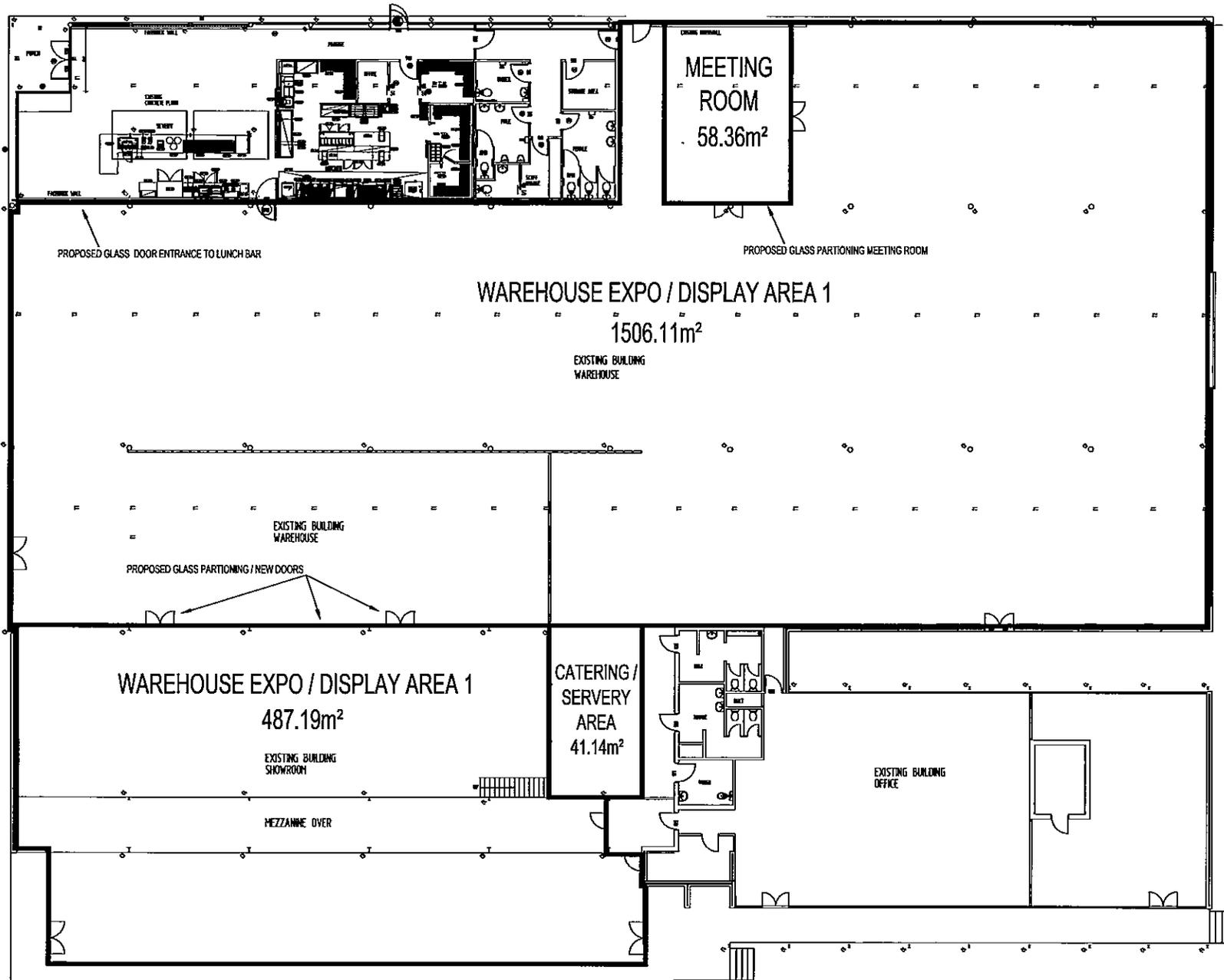
174 RAILWAY PARADE, BASSENDEAN

Date: 20 February 2019  
 Scale: 1:250 @ A1  
 No: 16-639 PL1A.dwg  
 Sheet: 1 of 1  
 Scale: 10m



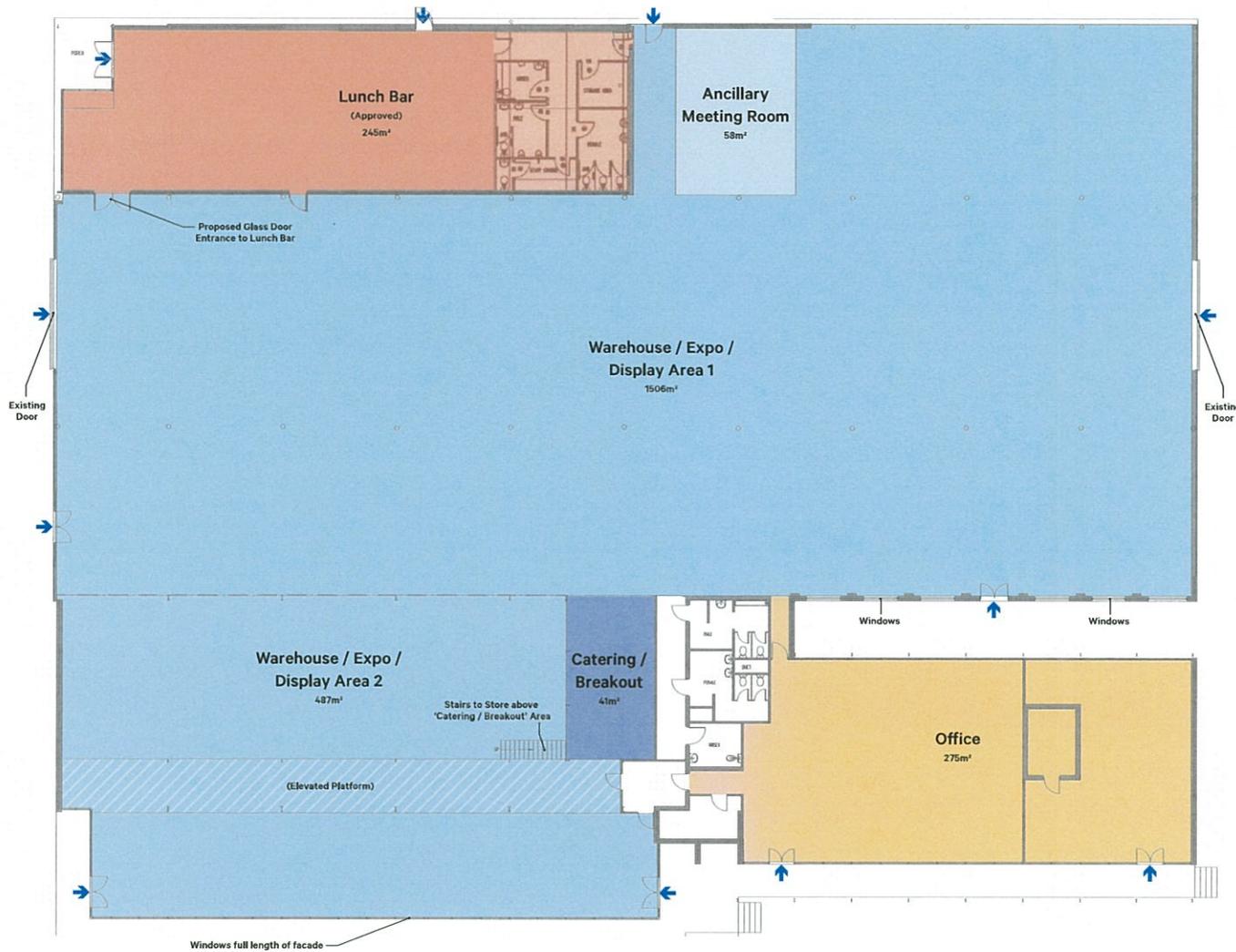


# DRAFT



**PROPOSED CHANGE OF USE**  
174 RAILWAY PARADE, BASSENDEAN

DATE: 20 February 2019  
SCALE: 1:100 @ A4  
PROJECT: 16-839 PL1A.dwg  
SHEET: 1  
TOTAL SHEETS: 1



- LEGEND**
- Warehouse / Expo / Display Area
  - Ancillary Meeting Room
  - Catering / Breakout
  - Lunch Bar
  - Office
  - Access Point

## Proposed Change of Use

174 Railway Parade, Bassendean

Date: 25 Feb 2019 Scale: 1:250 @ A3 File: 18-639 CP-1 A Staff: AMH/GW Checked: AMH

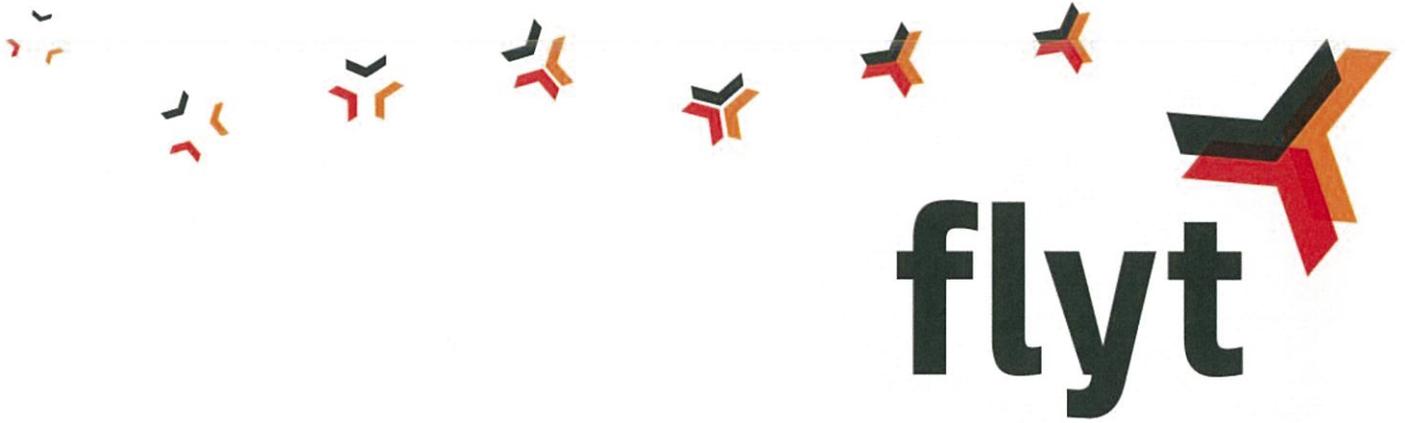


**element.**

Level 10, 89/91 Georges Terrace, Perth Western Australia 6000  
 T: +61 8 9259 8000 | E: info@element.com.au | elementwa.com.au

# Appendix 3

## Transport Impact Statement



# 174 Railway Parade

## TRANSPORT IMPACT STATEMENT

PROJECT	81113-451-FLYT-TRS-0002			
Revision	Description	Originator	Review	Date
A	Draft	CS	AS	23/04/2019
0	Issued	CS	AS	23/04/2019



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## 1. INTRODUCTION

### 1.1 Development Introduction

This report has been prepared in support of the proposed change of use at 174 Railway Parade, Bassendean.

The development site is to the northwest of Railway Parade, also bounded by Jackson Street, Wood Street and an existing industrial development at 7 Jackson Street, as shown in Figure 1. The site is located within the Town of Bassendean.

*Figure 1 Development site context (source: Town of Bassendean)*



### 1.2 Transport Impact Statement

The report has been prepared in accordance with the WA Planning Commission's (WAPC) Transport Impact Assessment Guidelines (Volume 4 – Individual Developments). The Guidelines promote three levels of assessment, where the required detail is dependent on the likely level of traffic impact:

- Low impact – less than 10 peak hour trips, no assessment required;
- Moderate impact – between 10 and 100 peak hour trips, Transport Impact Statement required; and
- High impact – more than 100 peak hour trips, full Transport Impact Assessment required.

The Guidelines list typical land uses and the size of development likely to cause moderate and high traffic impact, as shown in Figure 2. Assuming the proposed development is an entertainment venue, attracting between 10 and 500 persons, the Guidelines consider this will cause a moderate traffic impact, therefore the required level of assessment is a Transport Impact Statement.

Figure 2 Level of transport impact assessment required (source: WAPC Transport Impact Assessment Guidelines)

LAND USE	MODERATE IMPACT	HIGH IMPACT
	Transport Impact Statement required	Transport Impact Assessment required
	10 – 100 vehicle trips in the peak hour	> 100 vehicle trips in the peak hour
Residential	10–100 dwellings	>100 dwellings
Schools	10–100 students	> 100 students
Entertainment venues, restaurants, etc.	100–1000 persons (seats) OR 200–2000 m <sup>2</sup> gross floor area	>1000 persons (seats) OR >2000 m <sup>2</sup> gross floor area
Fast food restaurants	50–500 m <sup>2</sup> gross floor area	>500 m <sup>2</sup> gross floor area
Food retail/Shopping centres with a significant food retail content	100–1000 m <sup>2</sup> gross floor area	>1000 m <sup>2</sup> gross floor area
Non-food retail	250–2500 m <sup>2</sup> gross floor area	>2500 m <sup>2</sup> gross floor area
Offices	500–5000 m <sup>2</sup> gross floor area	>5000 m <sup>2</sup> gross floor area
Service Station	1–7 refuelling positions	>7 refuelling positions
Industrial/Warehouse	1000–10,000 m <sup>2</sup> gross floor area	>10,000 m <sup>2</sup> gross floor area
Other Uses	Discuss with approving authority	Discuss with approving authority

### 1.3 Report Structure

The report is structured as required by the Transport Impact Assessment Guidelines, with the following Sections:

- Proposed development;
- Vehicle access and parking;
- Provision for service vehicles;
- Hours of operation;
- Daily traffic volumes and vehicle types;
- Traffic management on frontage streets;
- Public transport access;
- Pedestrian access;
- Cycle access;
- Site specific issues;
- Safety issues.

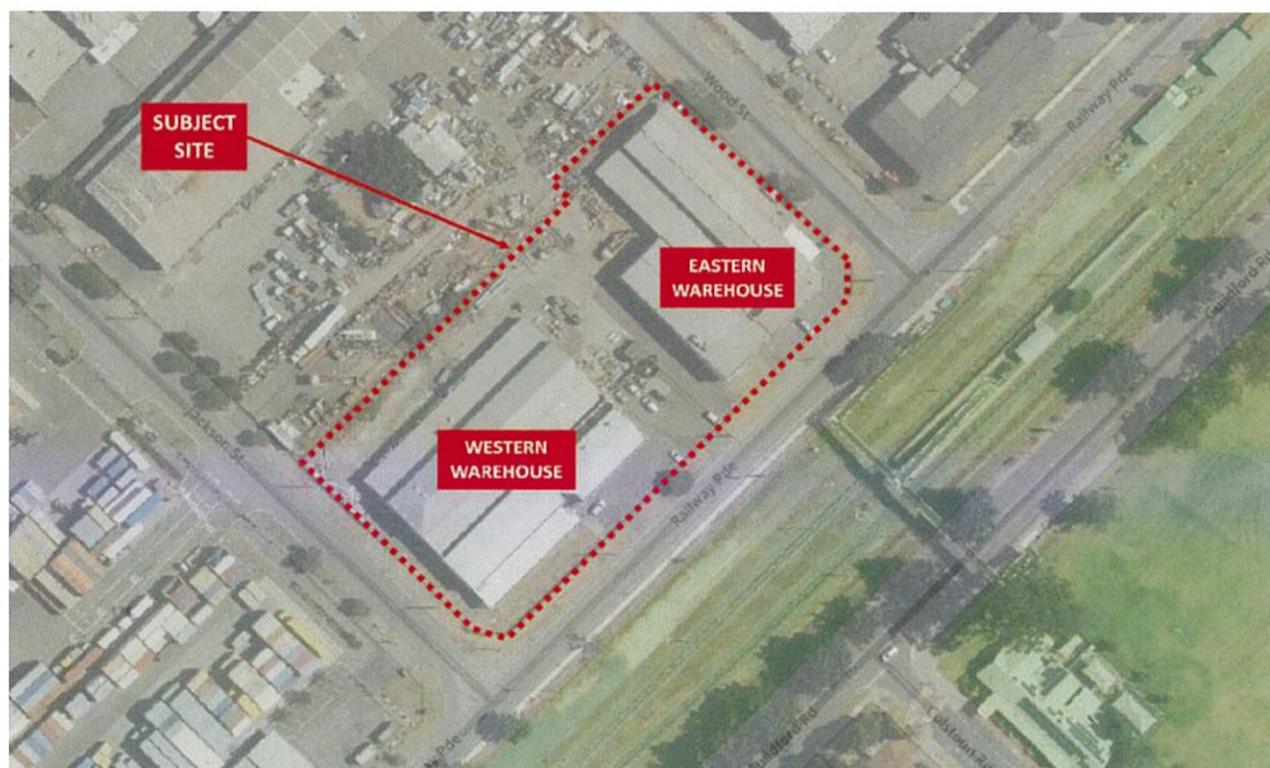
## 2. PROPOSED DEVELOPMENT

### 2.1 174 Railway Parade

The site is located at 174 Railway Parade, Bassendean and is opposite Ashfield Station on the Midland Line. The site is bordered by Railway Parade to the southeast, Wood Street to the northeast, Jackson Street to the southwest and by an existing industrial development to the northwest.

174 Railway Parade is currently occupied by two warehouses; the eastern warehouse which operates as a workshop and the western warehouse which also includes an office and lunch bar. The development site and two warehouses are shown in Figure 3.

Figure 3 – Development site (source: Town of Bassendean)



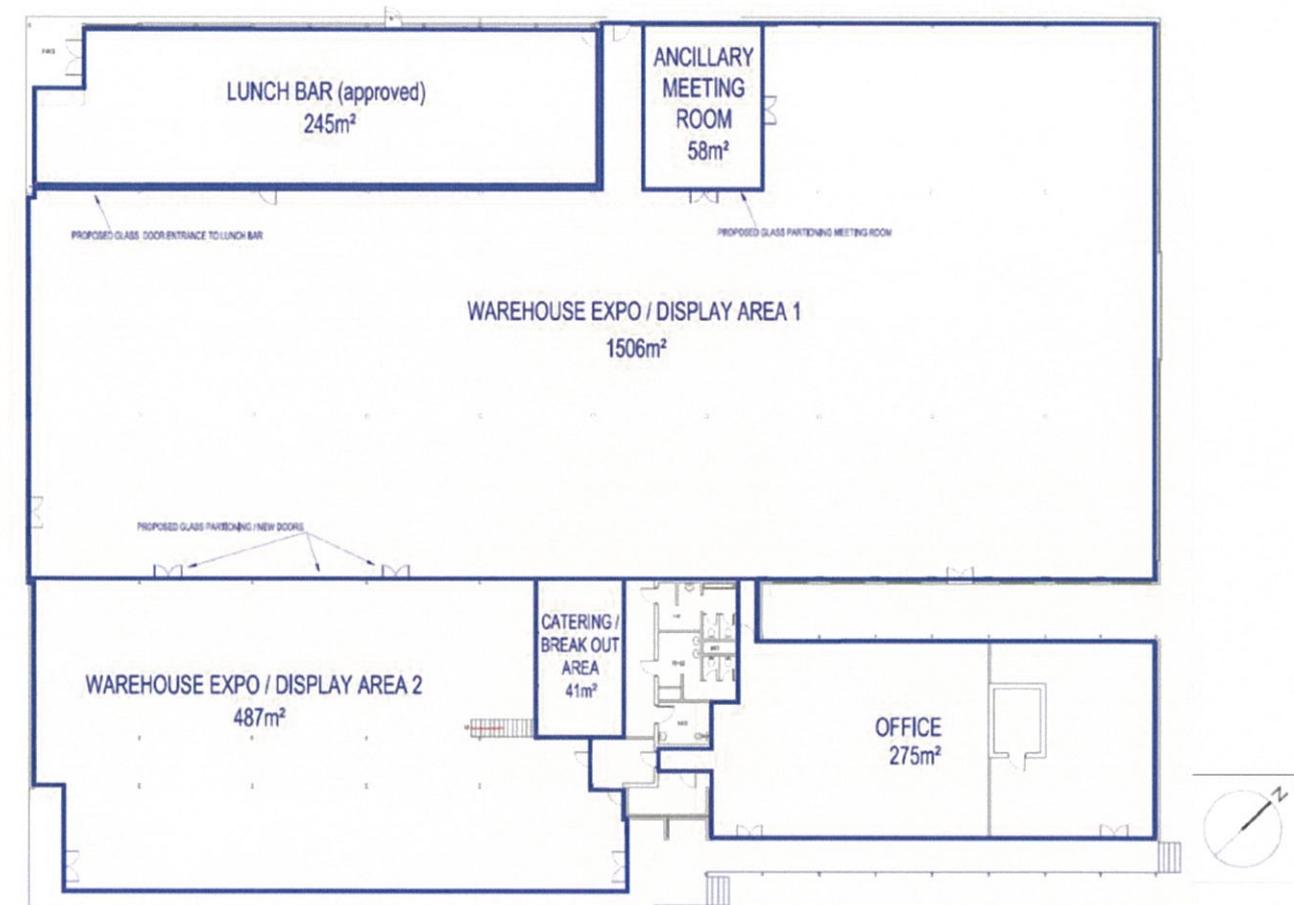
The development proposals only relate to the western warehouse; the eastern warehouse will remain unchanged and continue to operate as a workshop.

The proposed development of the western warehouse includes the following:

- Retention of existing 275m<sup>2</sup> office;
- Retention of existing 245m<sup>2</sup> lunch bar;
- Two event spaces within the warehouse at 1,506m<sup>2</sup> and 487m<sup>2</sup> to accommodate trade displays, product launches, auctions, training/seminars, receptions, markets – a mix of event-type activities for up to 500 people; and
- Modifications to the existing car park to accommodate total of 95 bays.

A plan of the proposed uses within the existing western warehouse is shown in Figure 4.

Figure 4 – Western warehouse plan (source: element)

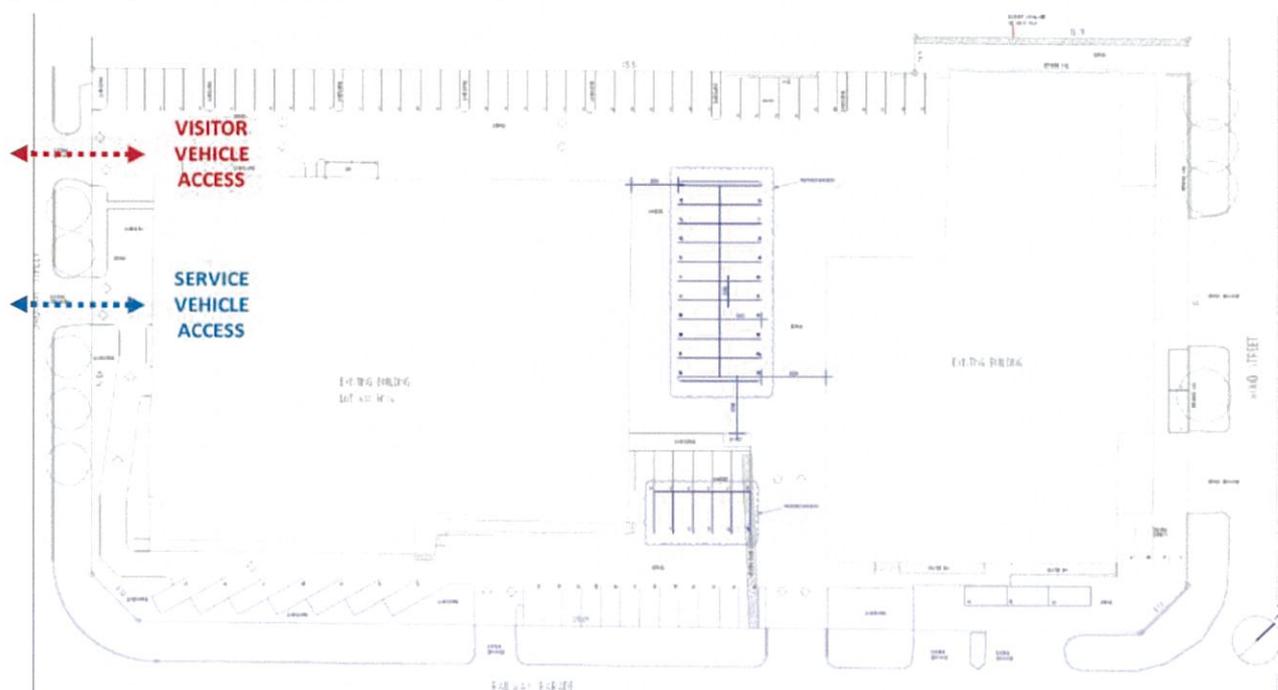


### 3. VEHICLE ACCESS AND PARKING

#### 3.1 Vehicle Access

The existing site has multiple crossovers to Railway Parade, Jackson Street and Wood Street. Vehicle access for the proposed multipurpose event space will be via Jackson Street, as shown in Figure 5. The visitor vehicle crossover will be located approximately 70m to the northwest of the intersection of Jackson Street with Railway Parade.

Figure 5 – Proposed vehicle access (source: element)



#### 3.2 On-site Parking

The existing car park has been modified to accommodate a total of 95 bays. The new parking bays will be designed to comply with Australian Standards 2890 Parking Standards Part 1: Off-street car parking. Some existing parking will be designated for staff and the existing eastern warehouse.

The existing uses of the site (eastern warehouse operating as a workshop and the office and lunch bar uses within the western warehouse) have a total of 9 dedicated parking bays, leaving 86 on site bays available for visitors to the multipurpose event spaces.

The proposed multipurpose event spaces will accommodate up to 500 people. It is assumed that the lunch bar use will not attract additional trips, rather will be used by people already on site.

It is expected that the event spaces will attract small numbers of visitors (i.e. 10 - 100 people) during weekday business hours. Events attracting large numbers of visitors (i.e. 100 – 500 people) will be held mainly during weekday evenings and on weekends.

While some visitors can be expected to drive to and from the venue, they will be encouraged to car pool. In addition, large numbers of visitors will access rideshare and public transport.

#### 4. PROVISION FOR SERVICE VEHICLES

Service vehicle and delivery access for the proposed multipurpose event space will be via Jackson Street, as shown in Figure 5. The service vehicle crossover will be located approximately 40m to the northwest of the intersection of Jackson Street with Railway Parade.

## 5. HOURS OF OPERATION

The proposed new development of a multipurpose event space to be occupied as a reception centre, trade display, exhibition centre or market is likely to be operational 7 days a week, over the following hours:

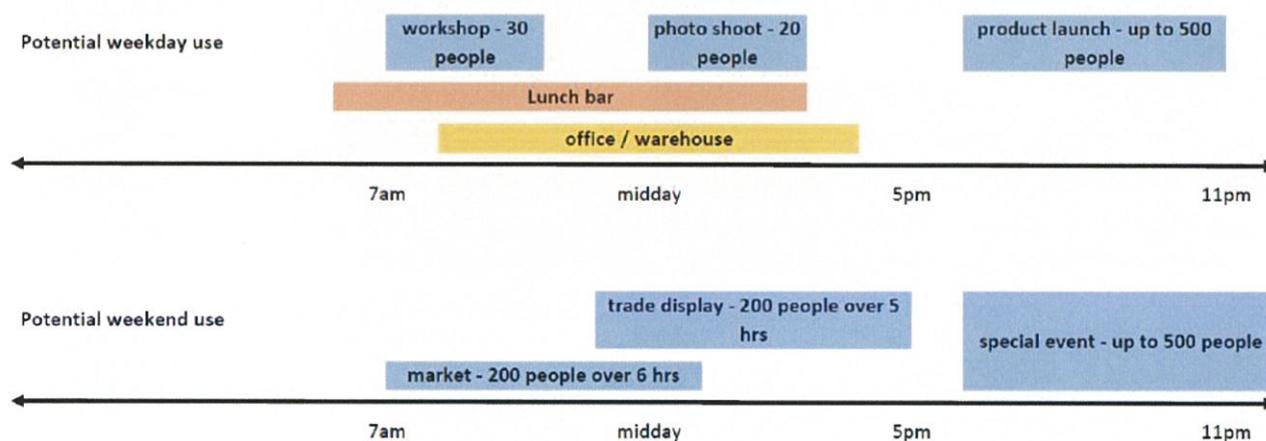
- Monday to Thursday 7am - 11pm
- Friday and Saturday 7am - midnight
- Sunday 7am - 11pm

On weekdays the existing site land uses (office, warehouse and lunch bar) will continue to operate, with the office and warehouse open between 8am and 4pm and the lunch bar typically open between 6am and 3pm.

It is expected that the event spaces will attract small numbers of visitors (i.e. 10 - 100 people) during weekday business hours. It is only during weekday evenings and on weekends that events attracting large numbers of visitors (i.e. 100 – 500 people) will be held.

A typical use profile for weekdays and weekends is shown as *Figure 6*.

*Figure 6 – Typical site use profile*



## 6. DAILY TRAFFIC VOLUMES AND VEHICLE TYPES

An estimate of trips to and from the multipurpose event space can be made based on the typical use profile as shown in Figure 6.

It is expected that the event spaces will attract small numbers of visitors (i.e. 10 - 100 people) during weekday business hours. Most of these visitors could travel to and from the site via car, with 10% travelling via train.

Events attracting large numbers of visitors (i.e. 100 – 500 people) will be held mainly during weekday evenings and on weekends. For these events, up to 10% of visitors would travel to/from by train, with 45% by ride share (assuming an average of 2 guests per rideshare vehicle) and 45% by private car (assuming an average car occupancy of 2.5 people per car).

- Weekday business hours
  - Small event (10-100 people) 9-90 trips TO site before event 9-90 trips FROM site after event
- Weekday evening
  - Large event (up to 500 people) 203 trips TO (113 rideshare, 90 car) +113 trips FROM before event  
113 trips TO + 203 trips FROM (113 rideshare, 90 car) after event
- Weekend
  - Large event (up to 500 people) 203 trips TO (113 rideshare, 90 car) +113 trips FROM before event  
113 trips TO + 203 trips FROM (113 rideshare, 90 car) after event

Given the existing site uses have a total of 9 dedicated parking bays, it is estimated that these uses generate 9 trips to the site and 9 trips from the site per day.

## 7. TRAFFIC MANAGEMENT ON FRONTAGE STREETS

### 7.1 Frontage Streets

The site is bordered by Railway Parade to the southeast, Wood Street to the northeast, Jackson Street to the southwest and by an existing industrial development to the northwest. The road hierarchy surrounding the development site is shown in Figure 7 and the speed zoning is shown in Figure 8.

Figure 7 – Road hierarchy surrounding development site (source: MRWA)

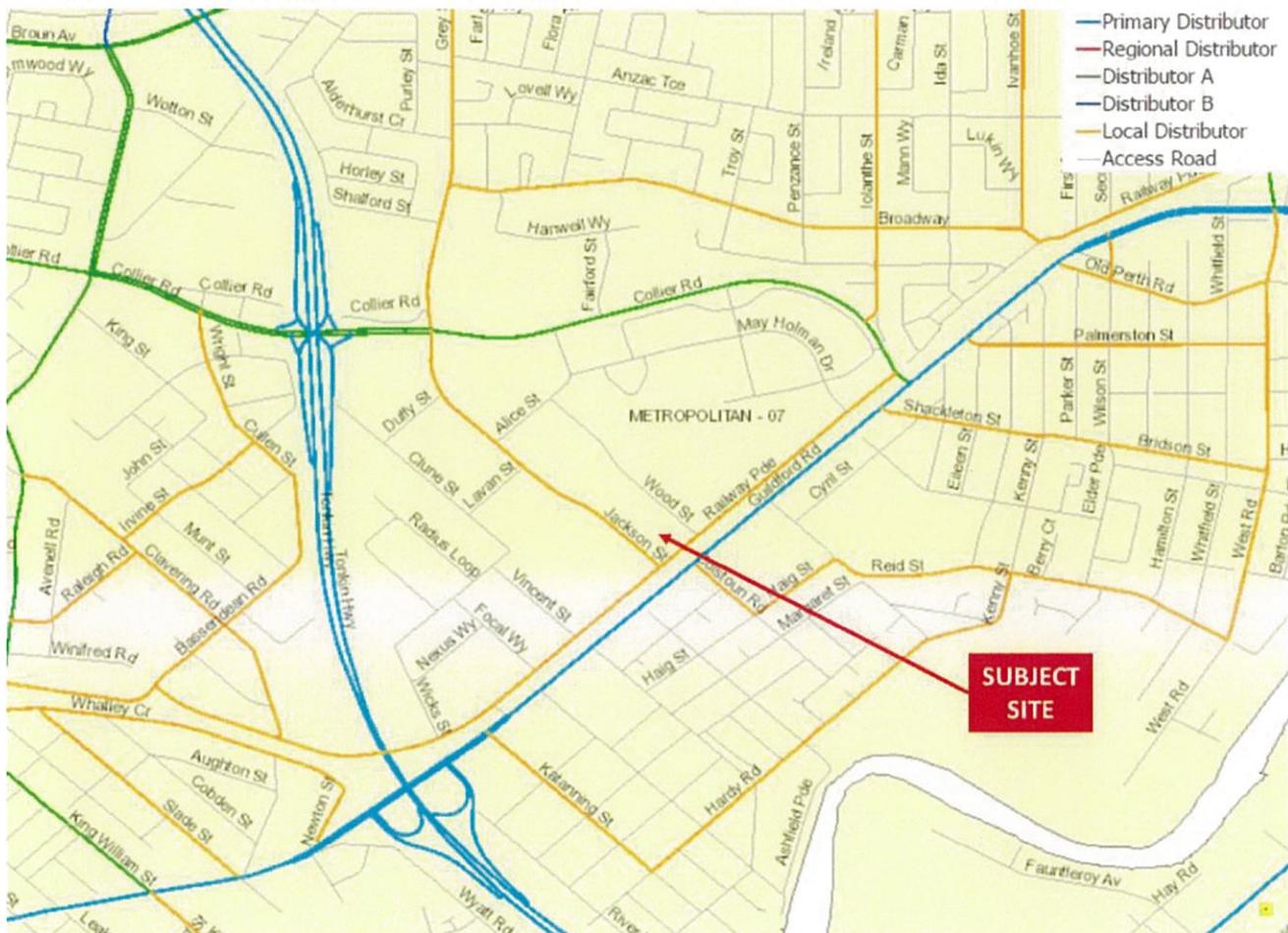
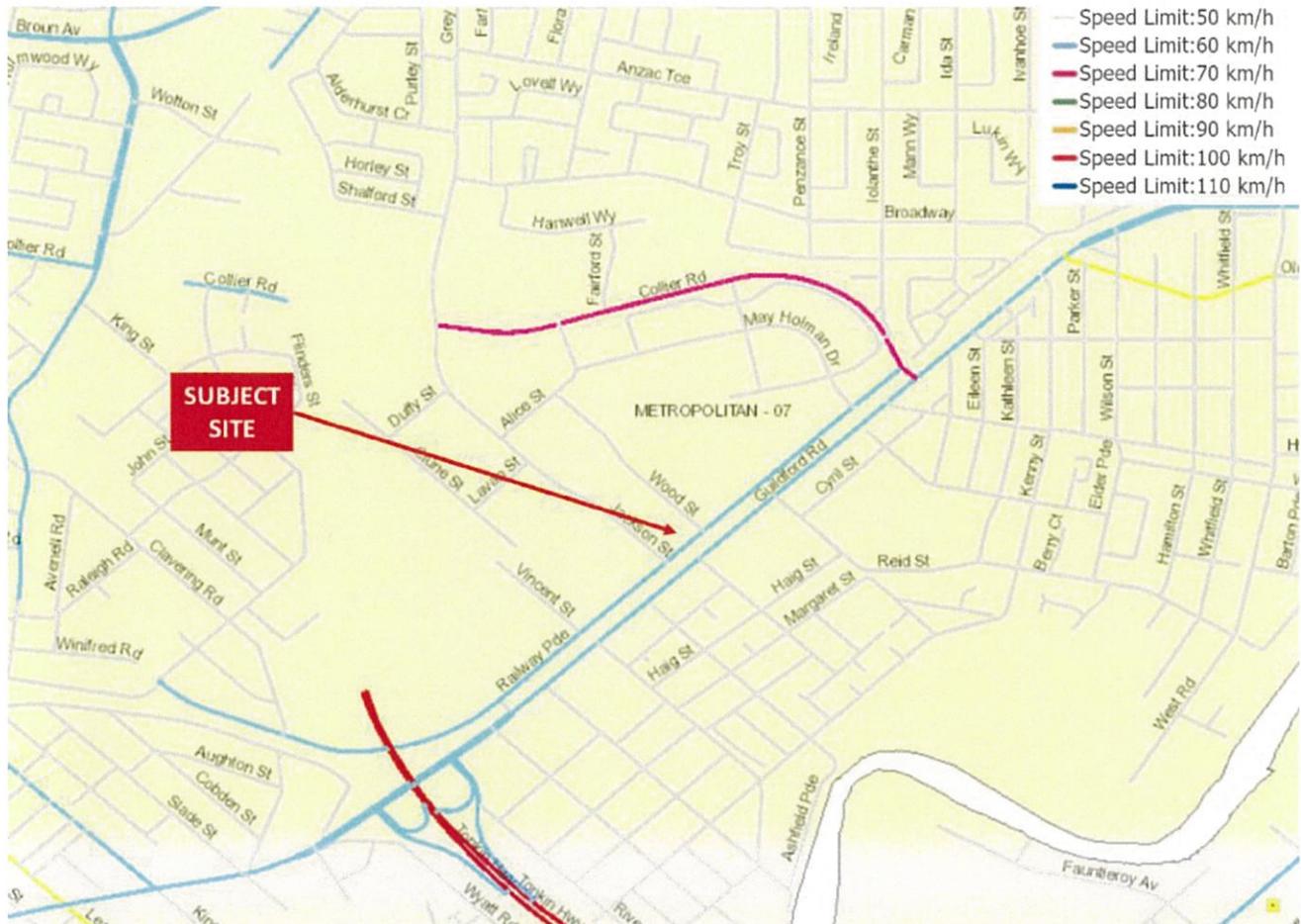


Figure 8 – Speed zoning surrounding development site (source: MRWA)



Railway Parade provides an east-west connection on the northern side of the Midland rail line. It is classified as a Local Distributor and is under the care and control of the Town of Bassendean. Along the frontage of the development site it is constructed as a 7.4m wide two lane single carriageway. The Railway Parade cross section is shown in Figure 9.

The posted speed limit of Railway Parade is 60 kph. There is no on-street parking. A 1.5m wide concrete footpath is provided along the south-eastern side of Railway Parade.

The most recent traffic count for Railway Parade, undertaken in 2015 approximately 870m to the northeast of the intersection with Wood Street, revealed traffic volumes of 5,400 vehicles per day (vpd). Heavy vehicles made up approximately 7.3% of all traffic along Railway Parade.

Figure 9 – Railway Parade cross section looking southwest (source: Google Maps)



Jackson Street is a connection between Collier Road and Railway Parade. It is classified as a Local Distributor. Along the development frontage it is constructed to a width of 10m, with a single lane of travel in each direction. A cross section of Jackson Street is shown in Figure 10. The posted speed limit is 50 kph and there is no formalised on-street parking. There are no footpaths constructed along Jackson Street.

Figure 10 – Jackson Street cross section looking southeast (source: Google Maps)



Wood Street is classified as an Access Street. Along the development frontage it is constructed to a width of 10m, with a single lane of travel in each direction. A cross section of Wood Street is shown in Figure 11. There is no formalised on-street parking along Wood Street and the posted speed limit is 50 kph. There are no footpaths on either side of Wood Street.

Figure 11 – Wood Street cross section looking southeast (source: Google Maps)



## 7.2 Wider Road Network

As part of the recently completed southern section of MRWA’s NorthLink project, Tonkin Highway has been upgraded between Guildford Road and Reid Highway to a free-flowing freeway standard. The section of Collier Road between Jackson Street and Beechboro Road South has also been upgraded, including the installation of traffic signals at the intersection of Collier Road and Jackson Street. This will provide traffic from the Bassendean Industrial area, including the development site, with safe access to Collier Road and Tonkin Highway.

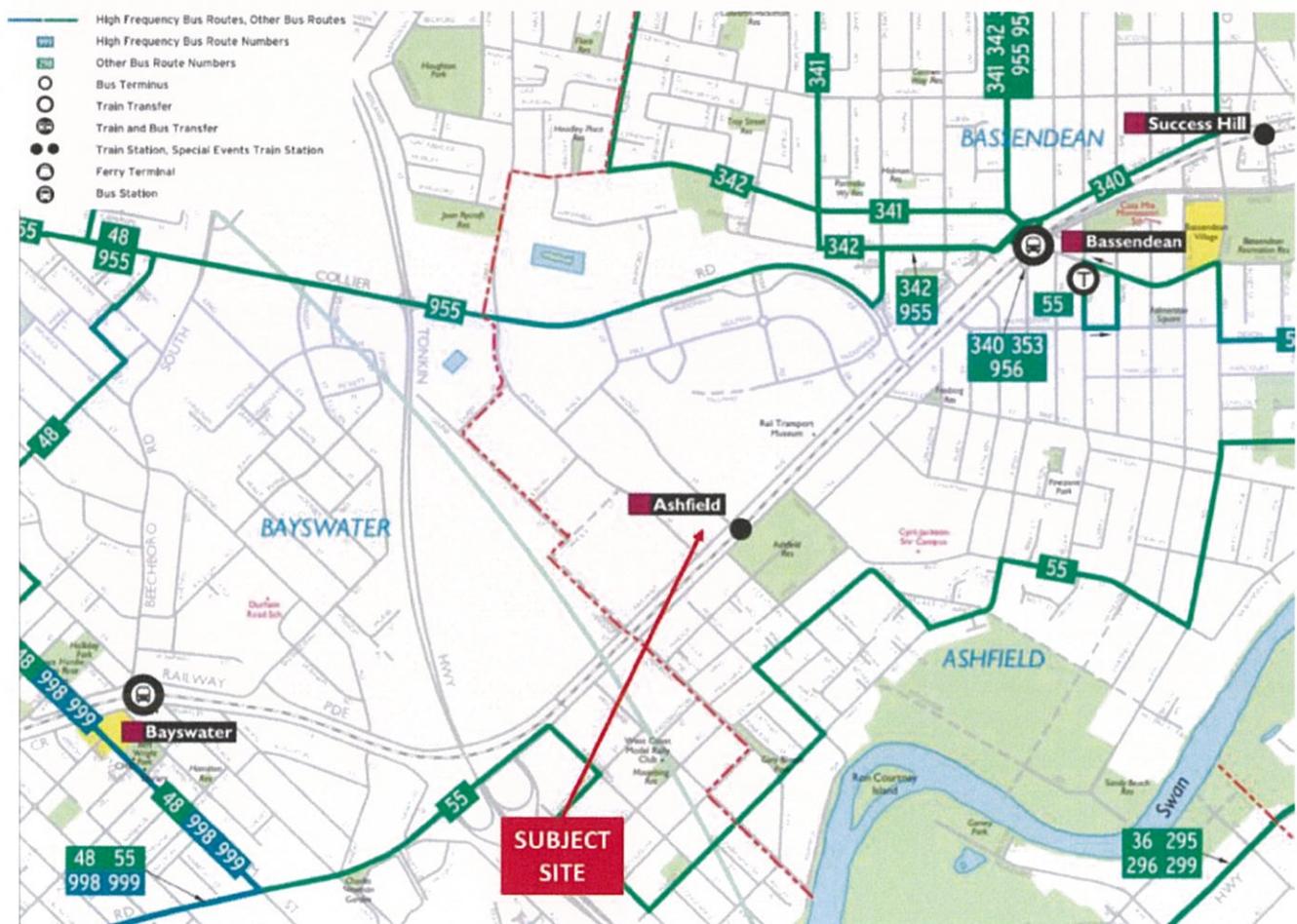
## 8. PUBLIC TRANSPORT ACCESS

The subject site is opposite Ashfield Station on the Midland Line. Ashfield is ranked as the 9<sup>th</sup> busiest station on the Midland line (out of a total of 14 stations), with an average of 25 boardings per weekday in 2018. There are 65 weekday train services to Perth starting at 5:39am and continuing until 12:10am. There are 62 weekday services to Midland starting at 5:43am and continuing until 12:14am. There are 124 Saturday services (62 to Perth, 62 to Midland) and 107 Sunday services (53 to Perth and 54 to Midland).

The access ramp to the station platform is located opposite the intersection of Railway Parade with Wood Street. To travel between the station and the development site, pedestrians would walk along the footpath on the south-eastern side of Railway Parade before crossing Railway Parade and turning into Jackson Street where they would walk along the verge to the access the front door. The total travel distance from platform to development front door is 340m which is a 4 minute walk.

As the site is located in an industrial area bus services are very sparse with the closest bus service passing approximately 1km from the site as shown in Figure 12.

Figure 12 – Adjacent public transport routes (source: Transperth)



## 9. PEDESTRIAN ACCESS

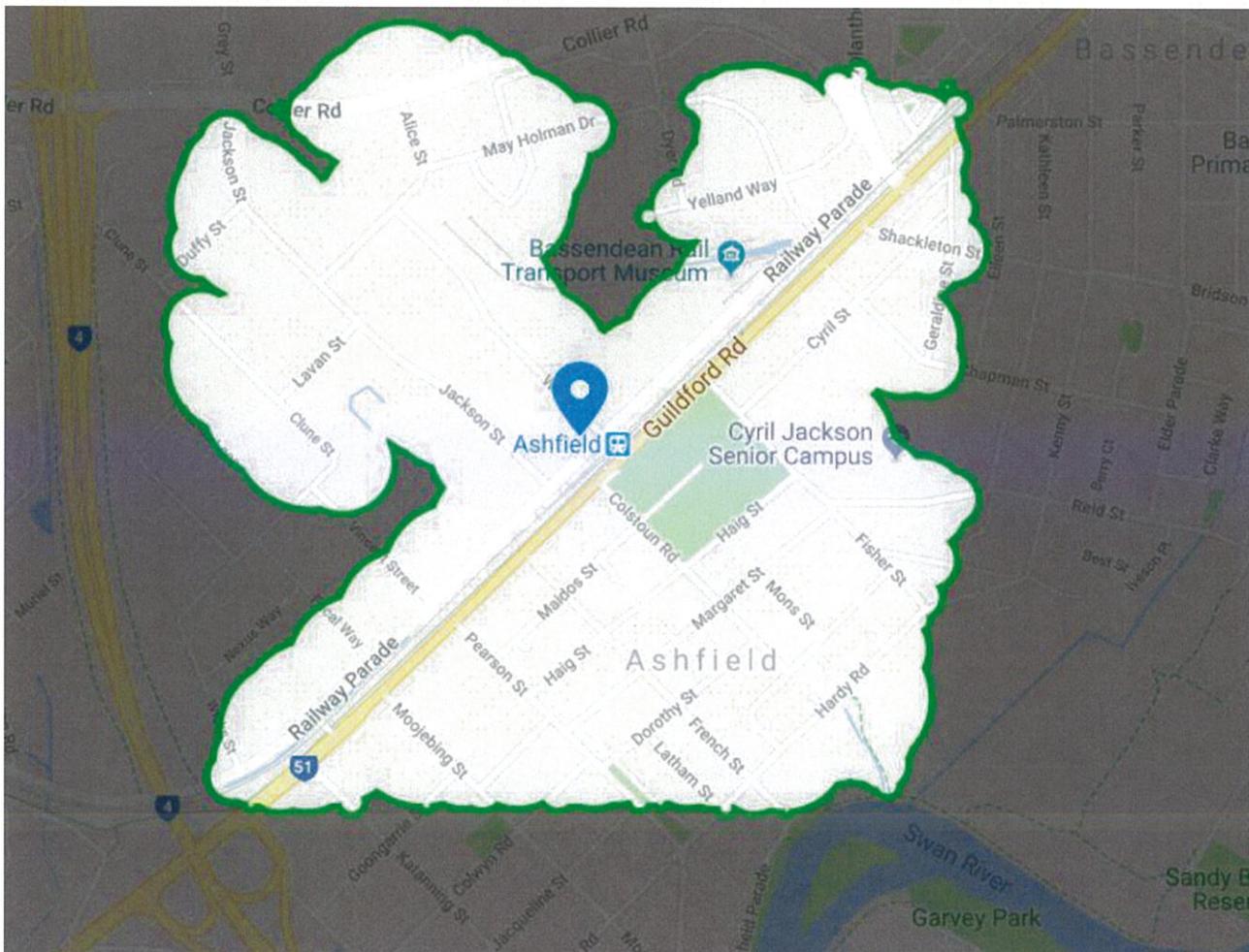
### 9.1 Existing Pedestrian Network

A 1.5m wide concrete footpath is provided along the south-eastern side of Railway Parade. There are no footpaths along either Jackson Street or Wood Street.

The WalkScore walkability assessment tool considers the area around the development site to be car dependent (with most errands requiring a car), with a walk score of 43 out of 100.

The 15-minute walkable catchment is shown in Figure 13, which includes a large portion of Ashfield and the Bassendean Industrial area.

Figure 13 – Walkable catchment in 15 minutes (source: WalkScore)



### 9.2 Development Proposals

The proposed change of use does not include any modifications to the pedestrian network.

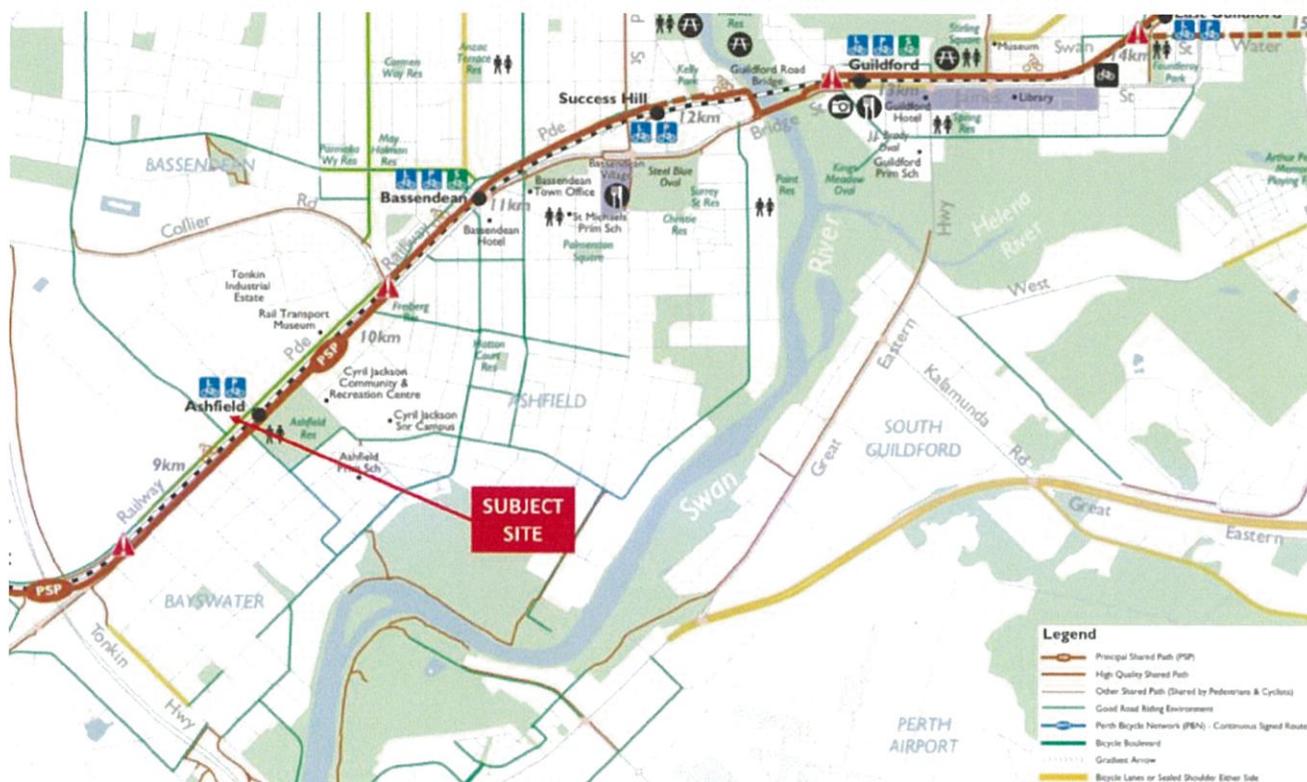
## 10. CYCLE ACCESS

### 10.1 Existing Cycle Network

The formal cycle and shared path network in the vicinity of the development site are shown in Figure 14. This includes the principal shared path (PSP) along the southern side of the Midland train line with connections to East Perth and Guildford. Jackson Street is identified as having a good on road riding environment due to its width and low traffic volumes.

A new 4m wide PSP has recently opened along the western side of Tonkin Highway between Guildford Road and Reid Highway. This was constructed as part of the southern section of the NorthLink project.

Figure 14 – Cyclist network surrounding development site (source: Department of Transport)



### 10.2 Development Proposals

The proposed change of use does not include any modifications to the cycle network.

## 11. SITE SPECIFIC ISSUES

### 11.1 Ashfield Station

The subject site is opposite Ashfield Station on the Midland Line. Ashfield is ranked as the 9<sup>th</sup> busiest station on the Midland line (out of a total of 14 stations), with an average of 25 boardings per weekday in 2018. There are 127 weekday services, 124 Saturday services and 107 Sunday services. The access ramp to the station platform is located opposite the intersection of Railway Parade with Wood Street. The total travel distance from platform to development front door is 340m which is a 4 minute walk.

The development of a multipurpose event space to host trade displays, product launches, auctions, training/seminars, receptions and markets has the potential to attract more rail passengers to Ashfield Station.

### 11.2 Road Network

As part of the recently completed southern section of MRWA's NorthLink project, Tonkin Highway has been upgraded between Guildford Road and Reid Highway to a free-flowing freeway standard. The section of Collier Road between Jackson Street and Beechboro Road South has also been upgraded, including the installation of traffic signals at the intersection of Collier Road and Jackson Street. These recent upgrades have increased road network capacity between the development site and Collier Road/ Tonkin Highway, allowing the road network to accommodate the traffic volumes associated with the multipurpose event space.



## 12. SAFETY ISSUES

### 12.1 Crash History

In the five-year period ending December 31<sup>st</sup> 2017, there were six reported crashes at the intersection of Railway Parade and Jackson Street, including 3 crashes which required medical treatment. Of the 6 crashes, 5 were right angle crashes (vehicles approaching from adjacent approaches of the intersection).

In the same 5 year period there was 1 rear end crash at the intersection of Railway Parade with Wood Street.

The crash incidence is within the expected range for intersections of this nature.

## 13. SUMMARY AND CONCLUSIONS

### 13.1 Transport Impact Statement

This report has been prepared in support of the proposed change of use at 174 Railway Parade, Bassendean. The site is currently occupied by two warehouses; the eastern warehouse which operates as a workshop and the western warehouse which also includes an office and lunch bar. The change of use relates to the western warehouse where it is proposed to create a multipurpose event space while retaining the office and lunch bar. The existing car park will be modified to accommodate a total of 95 bays, with 86 of these bays available for visitors to the multipurpose event spaces.

The report has been prepared in accordance with the WA Planning Commission's (WAPC) Transport Impact Assessment Guidelines (Volume 4 – Individual Developments). Assuming the proposed development is an entertainment venue, attracting between 10 and 500 persons, the Guidelines consider this will cause a moderate traffic impact, therefore the required level of assessment is a Transport Impact Statement.

The subject site is opposite Ashfield Station on the Midland Line. There are 127 weekday train services (65 to Perth, 62 to Midland), with 124 Saturday services (62 to Perth, 62 to Midland) and 107 Sunday services (53 to Perth and 54 to Midland). The total travel distance from train station platform to development front door is 340m which is a 4 minute walk.

While the footpath network in the vicinity of the development site is limited to a 1.5m wide concrete footpath along the south-eastern side of Railway Parade, there are 2 high standard shared paths within a 5 minute bike ride of the development site; the PSP along the southern side of the Midland train line and the recently constructed PSP along the western side of Tonkin Highway.

It is expected that the event spaces will attract smaller numbers of visitors (i.e. 10 - 100 people) during weekday business hours. Most of these visitors could travel to and from the site via car, with 10% travelling via train. For a weekday business hour event, there could be up to 90 trips either to or from the development in a single hour.

Events attracting large numbers of visitors (i.e. 100 – 500 people) will be held mainly during weekday evenings and on weekends, when the surrounding road network is less busy. For these events, up to 10% of visitors would travel to/from by train, with 45% by ride share (assuming an average of 2 guests per rideshare vehicle) and 45% by private car (assuming an average car occupancy of 2.5 people per car). For an event attracting 500 visitors, there could be up to 316 trips associated with the multipurpose event space during a single hour (113 rideshare vehicles to the site, 113 rideshare vehicles from the site and 90 cars either to or from the site).

As part of the recently completed southern section of MRWA's NorthLink project, Tonkin Highway has been upgraded between Guildford Road and Reid Highway to a free-flowing freeway standard, the section of Collier Road between Jackson Street and Beechboro Road South has also been upgraded, and traffic signals have been installed at the intersection of Collier Road and Jackson Street. These recent upgrades have increased road network capacity between the development site and Collier Road/ Tonkin Highway, allowing the road network to accommodate the traffic volumes associated with the multipurpose event space.

# **ATTACHMENT NO. 6**

**LOCAL GOVERNMENT ACT 1995**

**TOWN OF BASSENDEAN**

**DUST AND BUILDING WASTE LOCAL LAW 2018**

**PART 1—PRELIMINARY**

- 1.1 Citation
- 1.2 Commencement
- 1.2 Application
- 1.4 Interpretation

**PART 2—GENERAL CONTROL MEASURES**

- 2.1 Dust, sand and sand drift control measures
- 2.2 Building waste control measures
- 2.3 Escape of loads being transported

**PART 3—DUST MANAGEMENT PLANS**

- 3.1 Dust generating development
- 3.2 Requirement for a dust management plan
- 3.3 Content of dust management plan
- 3.4 Assessing a dust management plan
- 3.5 Other situations where a dust management plan required

**PART 4—NOTICES**

- 4.1 Notice to comply
- 4.2 Notice to cease activity
- 4.3 Notice to prevent possible breach
- 4.4 Withdrawing a notice

**PART 5—OFFENCES AND PENALTIES**

- 5.1 Offences
- 5.2 Prescribed offences
- 5.3 Prescribed notices
- 5.4 Penalties

**SCHEDULE 1—PRESCRIBED OFFENCES**

## LOCAL GOVERNMENT ACT 1995

## TOWN OF BASSENDEAN

## DUST AND BUILDING WASTE LOCAL LAW 2018

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the Town of Bassendean resolved on 24 April 2018 to make this local law.

## PART 1—PRELIMINARY

## 1.1 Citation

This local law may be cited as the *Town of Bassendean Dust and Building Waste Local Law 2018*.

## 1.2 Commencement

This local law comes into operation 14 days after the day on which it is published in the *Government Gazette*.

## 1.3 Application

This local law applies throughout the district.

## 1.4 Interpretation

In this local law, unless the contrary intention appears—

*Act* means the *Local Government Act 1995*;

*authorised person* means a person authorised by the *local government* under section 9.10 of the Act to perform any of the functions of the *local government* under this local law;

*building site* means a site on which building works or construction works are being, or are proposed to be, undertaken;

*building waste* means builders rubble, demolition waste and other waste, from or in connection with a building site;

*building works* means building works in respect of which a building permit or demolition permit is required under the *Building Act 2011*;

*CEO* means *Chief Executive Officer* of the *local government*;

*development* means the development or use of any land, including—

(a) any demolition, erection, construction, alteration of or addition to any building or structure on the land; and

(b) the carrying out on the land of any excavation or other works;

*district* means the district of the Town and includes any area placed under the jurisdiction of the Local government under any written law;

*dust* means any visible granular or particulate material which has or has the potential to become airborne and includes organic matter and sand, but does not include smoke;

*dust generating development* means a development referred to in clause 3.1 of this local law;

*dust management plan* means a plan referred to in Part 3 of this local law;

*equipment* means equipment, machinery or vehicles used for or in connection with the development of land;

*extractive industry* means an industry which involves the activity of extraction of sand, gravel, clay, soil, rock, stone or similar substance from land, and includes—

(a) the management of products from any of those materials when the manufacture is carried out on the land from which any of the materials so used is extracted or on land adjacent to that land; and

(b) the storage of such materials or products;

*land* includes any land, premises, building or other structure on the land;

*local government* means the Town of Bassendean;

*occupier* means any person who is in control of any land or part of any land or authorised by the owner, lessee, licensee or any other person empowered to exercise control in relation to land or to perform any work in relation to any land and includes a builder or contractor;

*owner* has the same meaning given to it in the Act;

*person in charge* means the person on or near a site who appears to the local government to be the person apparently in charge of a dust generating development on the site;

Regulations mean the *Local Government (Functions and General) Regulations 1996*;

*sand* means any granular or particulate material consisting of rocks finer than gravel, and includes dust and organic matter;

*sand drift* means the movement of sand, sediment and similar materials across, within or along a surface;

*street* means a thoroughfare which the public is entitled to use, and includes every part of the thoroughfare, including the verge and other things including bridges and culverts appurtenant to it; and

*waste* has the meaning given to it in section 3(1) of the *Waste Avoidance and Resource Recovery Act 2007*.

Where, under this local law, a duty or liability is imposed on an owner, the duty or liability, as the case may be, is deemed to be imposed jointly and severally on each of the owner and occupier.

Where, under this local law, an act is required to be done in relation to any land, the owner and occupier of the land must each cause that act to be done.

Where, under this local law, an act is forbidden to be done in relation to any land, the owner and occupier of the land must each prevent that act from being done.

Where this local law refers to the giving of notice, this is to be given as set out in sections 9.50, 9.52 and 9.53 of the Act and in the form determined by the local government from time to time.

## PART 2—GENERAL CONTROL MEASURES

### 2.1 Dust, sand and sand drift control measures

An owner or occupier of land must take effective measures to—

- (a) stabilise dust and sand on the land;
- (b) ensure that no dust, sand or sand drift is released or escapes from the land whether by means of wind, water or any other cause; and
- (c) notify the owners or occupiers of adjoining land in writing 48 hours prior to the commencement of any activity that has the potential to cause the release or escape of dust or sand from the land giving details of—
  - (i) the nature of the activity;
  - (ii) the proposed time and location of the activity; and
  - (iii) the name of the person responsible for carrying out the activity and how and where that person may be contacted.

### 2.2 Building waste control measures

(1) A person must not commence or continue, or permit the commencement or continuation of building works on a building site unless—

- (a) an *Approved Receptacle* is provided and maintained on the building site;
- (b) all building waste is placed, and kept securely, in the *Approved Receptacle*;
- (c) the lid of the *Approved Receptacle* is kept securely in place at all times except when building waste is being placed in, or removed from, the *Approved Receptacle*; and
- (d) the *Approved Receptacle* is maintained in an effective and operable condition.

(2) In this clause—

*Approved Receptacle* means—

- (a) a receptacle with a capacity of at least 4 cubic metres with a lid;
- (b) a wire enclosure with a capacity of at least 4 cubic metres with a lid; or
- (c) any other receptacle or container, with a lid, that is approved by the local government or an authorised person.

### 2.3 Escape of loads being transported

(1) A person must not drive a vehicle carrying a load from a dust or sand generating development, or a building site, unless effective measures have been taken to ensure that the load, or any part of it, cannot escape from the vehicle.

(2) In this clause—

- (a) *load* includes any material or other thing used in connection with the load; and *vehicle* has the meaning given to it in the *Road Traffic Code 2000*.

## PART 3—DUST MANAGEMENT PLANS

### 3.1 Dust generating development

(1) A dust generating development is a development that—

- (a) has been authorised, or requires authorisation, under an application for subdivision approval for land exceeding an area of 5,000 square metres;

- (b) is an extractive industry; or
  - (c) is determined by the local government, under this clause, to be a dust generating development.
- (2) The local government may determine that a development which—
- (a) is proposed to be carried out, or is being carried out; and
  - (b) involves or may involve a significant risk of the release or escape of dust or sand affecting adjoining land, is a dust generating development.
- (3) Examples of proposed developments for the purpose of subclause (2) are those that are the subject of—
- (a) an application for subdivision approval for land having an area of 5,000 square metres or less;
  - (b) an application for development approval under a town planning scheme of the local government; or
  - (c) an application for a building permit or a demolition permit.
- (4) Written notice of a determination made under subclause (2) is to be given, in whatever form the local government considers to be appropriate, to—
- (a) the owner or occupier of the land on which the dust generating development is to be carried out or is being carried out;
  - (b) a contractor or developer carrying out the dust generating development;
  - (c) an applicant for approval for, or in relation to, the dust generating development; or
  - (d) the person in charge.

### 3.2 Requirement for a dust management plan

A person must not commence or carry out a dust generating development unless—

- (a) a dust management plan, in a form approved by the local government, has been lodged with the local government;
- (b) the local government has approved the dust management plan; and
- (c) the person complies with any condition to which the approval is subject.

### 3.3 Content of dust management plan

A dust management plan must—

- (a) specify the nature and extent of the development;
- (b) identify the dust and sand exposure risks associated with that development;
- (c) specify the measures that are proposed to be taken to address the risks;
- (d) specify targets for maximum atmospheric concentrations of dust;
- (e) specify the measures to be taken for the monitoring of dust including, where appropriate, professionally monitored dust measuring devices to be stationed at the dust generating development site;
- (f) be signed by the owner of the land which is the subject of the dust generating development; and
- (g) be given to the local government and accompanied by whatever plans, documents or other information as the local government may reasonably require.

### 3.4 Assessing a dust management plan

(1) The local government may—

- (a) refuse to consider a dust management plan that does not comply, or in its opinion does not adequately comply, with the requirements of this Part; and
- (b) require the owner or occupier to provide further plans, documents or other information to enable it to properly assess the dust management plan.

(2) In assessing a dust management plan, the local government may—

- (a) consult with any person or body;
- (b) have regard to any relevant publications from the Department of Water and Environmental Regulation or other relevant State Authority; and
- (c) the local government may refuse to approve or may approve a dust management plan.

(3) The local government may—

- (a) impose whatever conditions it considers appropriate in granting approval; and
- (b) limit the period during which the approval is to be valid.

### 3.5 Other situations where a dust management plan required

Where it appears to an authorised person that dust or sand is escaping, being released or being carried, or is likely to escape, be released or be carried, from any land, the authorised person may, by notice in writing, direct the owner or occupier, within a time specified in the notice, to submit to the local government for its approval a dust management plan.

**PART 4—NOTICES****4.1 Notice to comply**

- (1) This clause applies where the local government is of the opinion that—
- (a) an owner or occupier has not complied with clause 2.1(a) or (b);
  - (b) dust or sand or building waste has been released or escaped from the owner's or occupier's land; or
  - (c) a person has not complied with a term or condition of an approved dust management plan.
- (2) Where the local government is of the opinion referred to in subclause (1), it may give to the owner or occupier of the land, or the person who has not complied, a notice requiring the owner or occupier, or other person, to do one or more of the following—
- (a) comply with clause 2.1(a) or (b);
  - (b) clean up and properly dispose of any released or escaped dust, sand or building waste;
  - (c) comply with the terms and conditions of the approved dust management plan;
  - (d) clean up and make good any damage resulting from the released or escaped dust, sand or building waste, including any damage to adjoining or other affected properties; and
  - (e) take effective measures to stop any further release or escape of dust, sand or building waste from the land.
- (3) The requirements set out in a notice issued under subclause (2) must be complied with—
- (a) immediately, if the notice so specifies;
  - (b) within such other period as is specified in the notice; or
  - (c) where no other time period is specified in the notice—
    - (i) within 24 hours of the notice being given to the owner; or
    - (ii) to the person who has not complied.

**4.2 Notice to cease activity**

- (1) This clause applies where the local government is of the opinion that—
- (a) dust, sand or building waste has escaped or has been released as the result of an activity undertaken on land or as a consequence of the use of equipment on land; or
  - (b) as a result of the failure of a person to comply with a term or condition of an approved dust management plan, there is a risk that dust, sand or building waste may be released or may escape from the land.
- (2) Where the local government is of the opinion referred to in subclause (1), it may give a notice to the owner or occupier of the land, the person responsible for complying with the approved dust management plan or the person in charge, as the case may be, requiring that, for the period specified in the notice—
- (a) the activity or use of the equipment on the land cease immediately; or
  - (b) any development on the land under the dust generating development cease immediately.

**4.3 Notice to prevent possible breach**

Where the local government is of the opinion that dust or building waste may be released or escape as a result of an activity which is likely to be carried on from any land, the local government may give to the owner or occupier of the land, or the person in charge, a notice prohibiting the activity from being carried on except in accordance with the conditions that are specified in the notice.

**4.4 Withdrawing a notice**

- (1) The local government may withdraw a notice that has been issued under this local law to the owner or occupier of any land, or any other person, if the owner, occupier or other person satisfies the local government, within 24 hours or within any other period that is specified in the notice from the date of giving of the notice, that—
- (a) he or she was not responsible for the conduct in respect of which the notice was given under clause 4.1, or the activity in respect of which a notice was given under clause 4.2, as the case may be;
  - (b) he or she took all reasonable precautions to prevent the conduct or activity, as the case may be; and
  - (c) where another person was responsible for the conduct or activity, he or she identifies the person responsible for the conduct or activity sufficiently to enable the notice to be issued to that person.
- (2) Subclause (1) is not to apply where a notice is issued to which clause 4.1(2)(c) applies.

**PART 5—OFFENCES AND PENALTIES****5.1 Offences**

Any person who—

- (a) fails to comply with a notice issued under this local law;
- (b) fails to do anything required or directed to be done under this local law;
- (c) does anything which under this local law the person is prohibited from doing; or
- (d) contravenes any provision of this local law, commits an offence.

**5.2 Prescribed offences**

An offence against a clause of this local law specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.

The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.

**5.3 Prescribed notices**

For the purposes of this local law—

- (a) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
- (b) the form of the infringement withdrawal notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.

**5.4 Penalties**

A person who commits an offence under this local law is to be liable to—

- (a) a penalty not exceeding \$5,000 and not less than—
  - (i) in the case of a first such offence, \$500;
  - (ii) in the case of a second such offence, \$1,500; and
  - (iii) in the case of a third or subsequent offence, \$3,000, and
- (b) if the offence is of a continuing nature, an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

**SCHEDULE 1—PRESCRIBED OFFENCES**

[Clause 5.2]

Item No.	Clause	Description	Modified Penalty
1	2.1(a)	Failure to take effective measures to stabilise dust and sand drift.	\$500
2	2.1(b)	Failure to take effective measures to ensure no dust, or sand is released or escapes from the land.	\$500
3	21(c)	Failure to take effective measures to notify the owners or occupiers of adjoining land as required.	\$500
4	2.2(1)(a)	Failure to provide an approved receptacle or enclosure or approved container on a building site.	\$500
5	2.2(1)(b)	Failure to place in, and secure, all building waste in an approved receptacle.	\$500
6	2.2(1)(c)	Failure to keep secure lid of approved receptacle.	\$500
7	2.2(1)(d)	Failure to maintain the approved receptacle in an effective and operable condition.	\$500
8	2.3(1)	Failure to take effective measures to prevent a load or any part of it escaping from a vehicle during transportation.	\$500
9	3.2(1)(a)	Commencing or carrying out a dust generating development without lodging an appropriate dust management plan.	\$500
10	3.2(1)(b)	Commencing or carrying out a dust generating development without the approval of a dust management plan.	\$500
11	3.2(1)(c)	Commencing or carrying out a dust generating development approval contrary to a condition of approval on the approved dust management plan.	\$500
12	4.1	Failure to comply with a notice.	\$500
13	4.2(2)	Failure to comply with a notice to cease activity or development.	\$500
14	4.3	Failure to comply with a notice to prevent a possible breach.	\$500

Dated this 18th day of January 2019.

The Common Seal of the Town of Bassendean was affixed to this document by resolution of the Council in the presence of—

Cr RENEE JOY McLENNAN, Mayor.  
Ms PETA MAREE MABBS, Chief Executive Officer.

# **ATTACHMENT NO. 7**

## Submission from the Public

### Parking Local Law

Date of Submission	Submission	Comment
13/02/2019	Sounds fair	Nil
15/02/2019	<p>1. Increasing the penalty from \$60 to \$75 is pointless. \$60 is a fair fine, the purpose of increasing will only make money. It is not for the purpose of deterring parkers. Fix the underlying issue.</p> <p>2. I agree with having more clear street signs and better yet having more parking. If you have more parking then people do not need/have an excuse to park illegally. Especially at bassendean primary. There is not enough parking for parents.</p>	<p>As neither comment is in relation to the structure, purpose or effect of the Local Law this submission was considered but was deemed to not warrant amendment to the proposed Local Law.</p>

## **TOWN OF BASSENDEAN PARKING LOCAL LAW 2018**

### **1. Amendments to traffic legislation**

The Department is aware that recent amendments to traffic legislation will come into force on 2 July 2019.

Many of the Town's definitions refer to parking legislation such as the Code, the Road Traffic Act and the Taxi Act. These definitions might be affected by the amendments.

It is advisable for the Town to wait until the proposed amendments come into force, then confirm that the draft's definitions are still fit for purpose. It is possible that the definitions will need to refer to different terminology or cite a different piece of legislation.

### **2. Citation clause and year**

It is suggested that the title of this local law be changed to refer to "2019" as this is the year when the local law is likely to be made and gazetted. If this change is made, the citation in clause 1.1 should also be amended along with the reference in the Schedules

### **3. Page numbering and footer**

It is suggested that page numbers in the contents and footer be removed from the local law as they will not be necessary when the local law is published in the *Government Gazette*. In the event that the Town chooses to maintain a public version of the local law in hard copy or electronic format, the Town can choose to retain the page numbers in that version.

### **4. Impounding of vehicles**

Clause 7.6 provides that vehicles may be impounded when they cause an obstruction of a public area.

Under the *Local Government Act 1995*, impounding can only occur in a specific set of circumstances. To avoid any conflict, it is suggested that the Town replace the subclauses with the following:

- (1) A person shall not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.
- (2) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.
- (3) The powers of the local government to remove and impound goods including vehicles are set out in Part 3 Division 3 Subdivision 4 of the Act.

### **5. Schedules**

It is suggested that the Schedule titles be reformatted in line with best drafting principles. They should be bold, centralised, and include the relevant clause. It is also unnecessary to cite the local law title and the Local Government Act. An example has been provided below for the Town's consideration:

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## Schedule 2 – Prescribed offences

[Cl 8.1(4)]

### 6. Prescribing forms in Schedules

Clause 8.2 provides that an infringement notice should be in the form prescribed in Schedule 3. It is unnecessary to prescribe the form in a Schedule, since the form is already prescribed in Regulations.

As an alternative, the Town can delete Schedule 3 and replace clause 8.2 with the following:

#### 8.2 Forms of notices

Unless otherwise specified, for the purposes of this local law –

- (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
- (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
- (c) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.

If this approach is taken, the definition of **notice** should also be updated and the following definition should also be added to clause 1.5, in alphabetical order:

**Regulations** means the means the *Local Government (Functions and General) Regulations 1996*;

### 7. Minor Edits

The following minor edits are suggested:

- In line with best drafting principles, defined terms should be bold and italics without quote marks. It is suggested that clause 1.4 be amended to reflect this.
- It is suggested that Part titles be centralised.
- **Clause 1.5:**
  - It is suggested that the Town insert a definition for the term **kerb**, as this will reduce the possibility of misinterpretation.
  - In the definition of **disability parking permit**, insert a semicolon at the end of the definition.
  - In the definition of **park**, delete the word “or” after the semicolon in paragraph (a).
- **Clause 2.1:** in subclause (2) replace the word “subsection” with “subclause”.
- **Clause 2.3:** In subclause (3), change “1(b)” to “(1)(b)”.
- **Clause 3.6:**
  - In subclause (4)(a) insert the word “or” after the semicolon.
  - In subclause (1), it is suggested that the designation “(a)” be deleted and paragraph (b) be moved to a new line and redesignated as subclause (2). If this is done, the remaining subclauses should be redesignated accordingly. The references in subclause (2) and Schedule 2 should also be updated accordingly.
- **Clause 4.1:** in subclauses (1), (2), (4) and (5) delete the headings “No stopping”, “No parking”, “Yellow Edge Lines” and “Bicycle Lane”.
- **Clause 6.1:**
  - Redesignate subclauses (1) – (4) as paragraphs (a) – (d).
  - Remove the capitals in the first word of each paragraph.
- **Schedule 4:** It may be advisable to include additional details of the parking station, such as its physical address or lot number.

**TOWN OF BASSENDEAN**

**PARKING LOCAL LAW 2019**

**Local Government Act 1995**

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# LOCAL GOVERNMENT ACT 1995

## Town of Bassendean

### PARKING LOCAL LAW 2019

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Town of Bassendean resolved on the XXX to adopt the following local law.

#### PART 1 - DEFINITIONS AND OPERATION

##### 1.1 Citation

This local law may be cited as *Town of Bassendean Parking Local Law 2019*.

##### 1.2 Commencement

This local law will come into operation on the fourteenth day after the day on which it is published in the *Government Gazette*.

##### 1.3 Repeal

The *Town of Bassendean Parking and Parking Facilities Local Law 2010* published in the *Government Gazette* on 7 June 2011 is repealed.

##### 1.4 Interpretation

In this local law unless the context otherwise requires:

*Act* means the *Local Government Act 1995*;

*Authorised Person* means a person authorised by the local government under section 9.10 of the Act, to perform any of the functions of an Authorised Person under this local law;

*authorised vehicle* means a vehicle authorised by the local government, CEO, Authorised Person or by any written law to park on a thoroughfare or parking facility;

*bicycle* has the meaning given to it by the Code;

*bicycle lane* has the meaning given to it by the Code;

*bus* has the meaning given to it by the Code;

*bus embayment* has the meaning given to it by the Code;

*bus stop* has the meaning given to it by the Code;

*bus zone* has the meaning given to it by the Code;

**caravan** has the meaning given to it by the *Caravan Parks and Camping Grounds Act 1995*;

**carriageway** has the meaning given to it by the Code;

**centre** in relation to a carriageway, means a line or a series of lines, marks or other indications:

- (a) for a two-way carriageway – placed so as to delineate vehicular traffic travelling in different directions; or
- (b) in the absence of any such lines, marks or other indications – the middle of the main, travelled portion of the carriageway;

**children's crossing** has the meaning given to it by the Code;

**CEO** means the Chief Executive Officer of the local government;

**Code** means the *Road Traffic Code 2000*;

**commercial vehicle** means a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers, and includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;

**disability parking permit** has the meaning given to it by the *Local Government (Parking for People with Disabilities) Regulations 2014*;

**district** means the district of the local government;

**driver** means any person driving or in control of a vehicle;

**drop-off zone** means the parking stalls which are set aside for the use by persons collecting and setting down of people;

**emergency vehicle** has the meaning given to it by the Code;

**footpath** has the meaning given to it by the Code;

**GVM** (which stands for 'gross vehicle mass') has the meaning given to it by the Code;

**Kerb** means any structure, mark, marking or device to delineate or indicate the edge of a carriageway;

**Loading Zone** means a parking stall which is set aside for use by commercial vehicles if there is a sign referable to that stall marked 'Loading Zone';

**local government** means the Town of Bassendean;

**mail zone** has the meaning given to it by the Code;

**median strip** has the meaning given to it by the Code;

**motorcycle** has the meaning given to it by the Code;

**motor vehicle** means a self-propelled vehicle that is not operated on rails; and the expression includes a trailer, semi-trailer or caravan while attached to a motor vehicle, but does not include a power assisted pedal cycle;

**no parking area** has the meaning given to it by the Code;

**no parking sign** means a sign with the words 'no parking' in red letters on a white background, or the letter 'P' within a red annulus and a red diagonal line across it on a white background;

**no stopping area** has the meaning given to it by the Code;

**no stopping sign** means a sign with the words 'no stopping' or 'no standing' in red letters on a white background or the letter 'S' within a red annulus and a red diagonal line across it on a white background;

**notice** means a notice in the form of Form 1, Form 2 or Form 3, in Schedule 1 of the Regulations;

**obstruct** means to prevent or impede or make difficult the normal passage of any vehicle, wheelchair, perambulator or pedestrian and 'obstruction' shall have a similar meaning;

**occupier** has the meaning given to it by the Act;

**offence** shall have the same meaning as defined in the Act;

**owner**

- (a) where used in relation to a vehicle licensed under the *Road Traffic Act 1974*, means the person in whose name the vehicle has been registered under that Act;
- (b) where used in relation to any other vehicle, means the person who owns, or is entitled to possession of that vehicle; and
- (c) where used in relation to land, has the meaning given to it by the Act;

**park**, in relation to a vehicle, means to permit a vehicle, whether attended or not by any person, to remain stationary except for the purpose of:

- (a) avoiding conflict with other traffic;
- (b) complying with the provisions of any law; or
- (c) taking up or setting down persons or goods (*maximum of 2 minutes*);

**parking area** has the meaning given to it by the Code;

***parking facilities*** includes land, buildings, shelters, parking stalls and other facilities open to the public generally for the parking of vehicles and signs, notices and facilities used in connection with the parking of vehicles;

***parking region*** means the area described in Schedule 1;

***parking stall*** means a section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked;

***parking station*** means any land, or structure provided for the purpose of accommodating vehicles;

***pedestrian crossing*** has the meaning given to it by the Code;

***permit*** means a permit issued under this local law;

***private driveway*** means that area of land located within the boundaries of privately owned property which has been constructed, formed, shaped or otherwise designated for use by vehicles;

***property line*** means the boundary between the land comprising a street and the land that abuts thereon;

***public place*** means any place to which the public has access whether or not that place is on private property;

***Regulations*** means the *Local Government (Functions and General) Regulations 1996*;

***reserve*** means any land:

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an 'otherwise unvested facility' within section 3.53 of the Act;

***right of way*** means any lane, passage, thoroughfare or way, whether private or public, over which any person in addition to the owner, has a right of carriageway;

***Road Traffic Act*** means the *Road Traffic Act 1974*;

***Schedule*** means a Schedule to this local law;

***shared zone*** has the meaning given to it by the Code;

***sign*** includes a traffic sign, inscription, road marking, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a

parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking of vehicles;

*special purpose vehicle* has the meaning given to it by the Code;

*stop* in relation to a vehicle means to stop a vehicle and permit it to remain stationary, except for the purposes of avoiding conflict with other traffic or of complying with the provisions of any law;

*symbol* includes any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this local law shall be also deemed to include a reference to the corresponding symbol;

*taxi* means an 'on-demand passenger transport service' as per the *Transport (Road Passenger Services) Act 2018*;

*taxi zone* has the meaning given to it by the Code;

*thoroughfare* has the meaning given to it by the Act;

*traffic island* has the meaning given to it by the Code;

*trailer* means any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include the rear portion of an articulated vehicle, or a side car;

*vehicle* has the meaning given to it by the Code; and

*verge* means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line but does not include a footpath.

## **1.5 Application of Particular Definitions**

- (1) For the purposes of the application of the definitions 'no parking area' and 'parking area' an arrow inscribed on a traffic sign erected at an angle to the boundary of the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the boundary.
- (2) Unless the context otherwise requires, where a term is used, but not defined, in this local law, and that term is defined in the Road Traffic Act or in the Code, then the term shall have the meaning given to it in that Act or the Code.

## **1.6 Application and pre-existing signs**

- (1) Subject to subclause (2), this local law applies to the parking region.
- (2) This local law does not apply to a parking facility or a parking station that is not occupied by the local government, unless the local government and the

owner or occupier of that facility or station have agreed in writing that this local law will apply to that facility or station.

- (3) The agreement referred to in subclause (2) may be made on such terms and conditions as the parties may agree.
- (4) Where a parking facility or a parking station is identified in Schedule 3, then the facility or station shall be deemed to be a parking station to which this local law applies and it shall not be necessary to prove that it is the subject of an agreement referred to in subclause (2).
- (5) A sign that -
  - (a) was erected by the local government or the Commissioner of Main Roads prior to the coming into operation of this local law; and
  - (b) relates to the parking of vehicles within the parking region, shall be deemed for the purposes of this local law to have been erected by the local government under the authority of this local law.
- (6) An inscription or symbol on a sign referred to in subclause (5) operates and has effect according to its tenor, and where the inscription or symbol relates to the stopping of vehicles, it shall be deemed for the purposes of this local law to operate and have effect as if it related to the parking of vehicles.
- (7) The provisions of Parts (2), (3), (4) and (5) do not apply to a bicycle parked at a bicycle rail or bicycle rack.

## **1.7 Classes of vehicles**

For the purpose of this local law, vehicles are divided into classes as follows -

- (a) buses;
- (b) commercial vehicles;
- (c) motorcycles and bicycles;
- (d) taxis; and
- (e) all other vehicles.

## **1.8 Part of thoroughfare to which sign applies**

Where under this local law the parking of vehicles in a thoroughfare is controlled by a sign, the sign shall be read as applying to that part of the thoroughfare which -

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and
- (c) is on that side of the thoroughfare nearest to the sign.

## **1.9 Powers of the local government**

The local government may, by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this local law.

### **PART 2 - PARKING STALLS AND PARKING STATIONS**

## **2.1 Determination of parking stalls and parking stations**

- (1) The local government may by resolution constitute, determine and vary -
  - (a) parking stalls;
  - (b) parking facilities and parking stations;
  - (c) permitted time and conditions of parking in parking stalls and parking stations which may vary with the locality;
  - (d) permitted classes of vehicles which may park in parking stalls and parking stations;
  - (e) permitted classes of persons who may park in specified parking stalls or parking stations; and
  - (f) the manner of parking in parking stalls and parking stations.
- (2) Where the local government determination under subclause (1) it shall erect signs to give effect to the determination.
- (3) Where a parking facility or a parking station is identified in the Schedule 3, then the facility or station shall be deemed to be a parking station to which this local law applies.

## **2.2 Vehicles to be within parking stall on thoroughfare**

- (1) Subject to subclause (2), (3) and (4), a person shall not park a vehicle in a parking stall in a thoroughfare otherwise than -
  - (a) parallel to and as close to the kerb as is practicable;
  - (b) wholly within the stall; and
  - (c) headed in the direction of the movement of traffic on the side of the thoroughfare in which the stall is situated.
- (2) Subject to subclause (3) where a parking stall in a thoroughfare is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.
- (3) If a vehicle is too long or too wide to fit completely within a single parking stall then the person parking the vehicle shall do so within the minimum number of parking stalls needed to park that vehicle.

- (4) A person shall not park a vehicle partly within and partly outside a parking area.
- (5) Where a vehicle is parked such that any part of it is in a prohibited or restricted area, the whole of the vehicle may be deemed to be in the prohibited or restricted area for the purposes of this local law.

### **2.3 Parking prohibitions and restrictions**

- (1) A person shall not -
  - (a) park a vehicle so as to obstruct an entrance to, or an exit from a parking station, or an access way within a parking station;
  - (b) except with the permission of the local government or an Authorised Person park a vehicle on any part of a parking station contrary to a sign referable to that part;
  - (c) permit a vehicle to park on any part of a parking station, if an Authorised Person directs the driver of such vehicle to move the vehicle; or
  - (d) park or attempt to park a vehicle in a parking stall in which another vehicle is parked but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a stall marked 'M/C', if the bicycle is parked in accordance with subclause (2).
- (2) No person shall park any bicycle -
  - (a) in a parking stall other than in a stall marked 'M/C'; and
  - (b) in such stall other than against the kerb.
- (3) Despite subclause (1)(b), a driver may park a vehicle in a stall that is in a parking station (except where it is in a parking area for people with a disability) for twice the length of time allowed if –
  - (a) the driver's vehicle displays a valid disability parking permit; and
  - (b) a person with a disability to whom that disability parking permit relates is either the driver of, or a passenger in, the vehicle.

## **PART 3 - PARKING GENERALLY**

### **3.1 Restrictions on parking in particular areas**

- (1) A person shall not park a vehicle in a thoroughfare or part of a thoroughfare, or part of a parking station -
  - (a) if by a sign it is set apart for the parking of vehicles of a different class;

- (b) if by a sign it is set apart for the parking of vehicles by persons of a different class; or
  - (c) during any period when the parking of vehicles is prohibited by a sign.
- (2) A person may park a vehicle in a thoroughfare or part of a thoroughfare or part of a parking station, except in a thoroughfare or a part of a thoroughfare or part of a parking station to which a disabled parking sign relates, for twice the time period indicated on the sign if –
- (a) the driver's vehicle displays a valid disability parking permit; and
  - (b) a person with a disability to whom that disability parking permit relates is either the driver of, or a passenger in, the vehicle.
- (3) A person shall not park a vehicle -
- (a) in a no parking area;
  - (b) in a parking area, except in accordance with both the signs associated with the parking area and with this local law;
  - (c) in a stall marked 'M/C' unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle.
- (4) A person shall not park a motorcycle without a sidecar or a trailer, or a bicycle in a parking stall unless the stall is marked 'M/C'.
- (5) A person shall not, without the prior permission of the local government, the CEO, or an Authorised Person, park a vehicle in an area designated by a sign stating 'Authorised Vehicles Only'.

### **3.2 Parking with a permit**

- (1) A sign may indicate that all or part of a parking station or road is set aside, during the period indicated on the sign, for the parking of vehicles with a permit.
- (2) The local government may upon a written application of an eligible person, issue a parking permit, in the form of a permit issued by the local government, in respect of all or part of a parking station or road referred to in subclause (1).
- (3) A parking permit may be issued as –
- (a) a temporary parking permit for a period as specified on the permit; or
  - (b) an annual residential parking permit for a period of not more than twelve months, expiring on 31 December of the year of issue; or

- (c) an annual visitor parking permit for a period of not more than twelve months, expiring on 31 December of the year of issue.
- (4) The local government's power to issue, replace and revoke permits under subclause (2) may be exercised by an authorised person.
- (5) A person must not park or stop a vehicle, or permit a vehicle to remain parked, in a parking station or road that is set aside under subclause (1) unless the permit issued under subclause (2) is displayed inside the vehicle so that it is clearly visible to an authorised person examining the permit from outside the vehicle.
- (6) The local government may, at any time, revoke a permit issued under subclause (2).

### **3.3 Parking vehicle on a carriageway**

- (1) Unless otherwise permitted by a sign or markings on the roadway, a person parking a vehicle on a carriageway shall park it -
  - (a) in the case of a two-way carriageway, so that it is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
  - (b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked.
- (2) Unless otherwise permitted by a sign or markings on the roadway, a person parking a vehicle on a carriageway other than in a parking stall, shall park it-
  - (a) so that at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or any continuous line or median strip, or between the vehicle and a vehicle parked on the farther side of the carriageway;
  - (b) so that the front and the rear of the vehicle respectively is not less than 1 metre from any other vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this local law; and
  - (c) so that it does not obstruct any vehicle on the carriageway.
- 3) In this clause, 'continuous line' means –
  - (a) a single continuous dividing line only;
  - (b) a single continuous dividing line to the left or right of a broken dividing line; or

- (c) 2 parallel continuous dividing lines.

### **3.4 When parallel and right-angled parking apply**

Where a traffic sign associated with a parking area is not inscribed with the words 'angle parking' (or with an equivalent symbol depicting this purpose), then unless a sign associated with the parking area indicates, or marks on the carriageway indicate, that vehicles have to park in a different position, where the parking area is -

- (a) adjacent to the boundary of a carriageway, a person parking a vehicle in the parking area shall park it as near as practicable to and parallel with that boundary; and
- (b) at or near the centre of the carriageway, a person parking a vehicle in that parking area shall park it at approximately right angles to the centre of the carriageway.

### **3.5 When angle parking applies**

- (1) This clause does not apply to -
  - (a) a passenger vehicle or a commercial vehicle with a mass including any load, of over 3 tonnes; or
  - (b) a person parking either a motor cycle without a trailer or a bicycle.
- (2) Where a sign associated with a parking area is inscribed with the words 'angle parking' (or with an equivalent symbol depicting this purpose), a person parking a vehicle in the area shall park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway.

### **3.6 General prohibitions on parking**

- (1)
  - (a) This clause does not apply to a vehicle parked in a parking stall nor to a bicycle in a bicycle rack.
  - (b) Subclauses (2)(c), (e) and (g) do not apply to a vehicle which parks in a bus embayment.
- (2) Subject to any law relating to intersections with traffic control signals a person shall not park a vehicle so that any portion of the vehicle is -
  - (a) between any other stationary vehicles and the centre of the carriageway;
  - (b) on or adjacent to a median strip;
  - (c) obstructing a right of way, private drive or carriageway or so close as to deny a vehicle reasonable access to or egress from the right of way, private drive or carriageway;

- (d) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the vehicle would obstruct traffic;
- (e) on or within 10 metres of any portion of a carriageway bounded by a traffic island;
- (f) on any footpath or pedestrian crossing;
- (g) between the boundaries of a carriageway and any continuous line, double longitudinal line consisting of two continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of a carriageway nearer to the continuous line, unless there is a distance of at least 3 metres clear between the vehicle and the continuous or double longitudinal line;
- (h) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
- (i) within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug;
- (j) within 3 metres of a public letter pillar box, unless the vehicle is being used for the purposes of collecting postal articles from the pillar box;
- (k) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is parked;
- (l) on a bridge or other elevated structure or within a tunnel or underpass; or
- (m) within the head of a cul-de-sac,

unless a sign or markings on the carriageway indicate otherwise.

- (3) A person shall not stop a vehicle so that any portion of the vehicle is within 10 metres of the departure side of -
  - (a) a sign inscribed with the words 'Bus Stop' or 'Hail Bus Here' (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers; or
  - (b) a children's crossing or pedestrian crossing.
- (4) A person shall not stop a vehicle so that any portion of the vehicle is within 20 metres of the approach side of -

- (a) a sign inscribed with the words 'Bus Stop' or 'Hail Bus Here' (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers;
  - (b) a children's crossing or pedestrian crossing.
- (5) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing.

### **3.7 Authorised person may order vehicle on thoroughfare to be moved**

The driver of a vehicle shall not park that vehicle on any part of a thoroughfare in contravention of this local law after an Authorised Person has directed the driver to move it.

### **3.8 Authorised person may mark tyres**

- (1) An Authorised Person may mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers.
- (2) A person shall not remove a mark made by an Authorised Person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

### **3.9 No movement of vehicles to avoid time limitation**

- (1) Where the parking of vehicles in a parking facility is permitted for a limited time, a person shall not move a vehicle within the parking facility so that the total time of parking exceeds the maximum time allowed for parking in the parking facility unless the vehicle has first been removed from the parking facility for at least 2 hours.
- (2) Where the parking of vehicles in a thoroughfare is permitted for a limited time, a person shall not move a vehicle along that thoroughfare so that the total time of parking exceeds the maximum time permitted, unless the vehicle has first been removed from the thoroughfare for at least 2 hours.

### **3.10 No parking of vehicles exposed for sale and in other circumstances**

A person shall not park a vehicle on any portion of a thoroughfare -

- (a) for the purpose of exposing it, or goods thereon, for sale or hire;
- (b) if where the vehicle is required to be licensed under the Road Traffic Act -
  - (i) the vehicle is not licensed under the Road Traffic Act; or
  - (ii) each number plate issued for the vehicle is not fixed to the vehicle and displayed in accordance with regulation 119 of the *Road Traffic (Vehicles) Regulations 2014*;

- (c) if that vehicle is a trailer or a caravan unattached to a motor vehicle; or
- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a thoroughfare.

### **3.11 Parking on reserves**

No person other than an employee of the local government in the course of his or her duties or a person authorised by the local government shall drive or park a vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose.

### **3.12 Suspension of parking limitations for urgent, essential or official duties**

- (1) Where by a sign the parking of vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government, the CEO or an Authorised Person may, subject to the Code, permit a person to park a vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.
- (2) Where permission is granted under subclause (1), the local government, the CEO or an Authorised Person may prohibit the use by any other vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

## **PART 4 – PARKING AND STOPPING GENERALLY**

### **4.1 No stopping and no parking signs, yellow edge lines and bicycle lanes**

- (1) A driver shall not stop on a length of carriageway, or in an area, to which a 'no stopping' sign applies.
- (2) A driver shall not stop on a length of carriageway or in an area to which a 'no parking' sign applies, unless the driver is-
  - (a) dropping off, or picking up, passengers or goods;
  - (b) does not leave the vehicle unattended; and
  - (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.
- (3) In subclause (2) 'unattended', in relation to a vehicle, means that the driver has left the vehicle so that the driver is more than 3 metres from the closest point of the vehicle.
- (4) A driver shall not stop a vehicle at the side of a carriageway marked with a continuous yellow edge line.

- (5) A driver must not stop in a bicycle lane unless the driver is driving a public bus or taxi, and is dropping off, or picking up, passengers.

## **PART 5 – STOPPING IN ZONES FOR PARTICULAR VEHICLES**

### **5.1 Stopping in a loading zone**

A person shall not stop a vehicle in a loading zone unless it is -

- (a) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods;

but, in any event, shall not remain in that loading zone -

- (b) for longer than a time indicated on the 'loading zone' sign; or  
(c) longer than 30 minutes (if no time is indicated on the sign).

### **5.2 Stopping in a taxi zone or bus zone**

- (1) A driver shall not stop in a taxi zone, unless the driver is driving a taxi.  
(2) A driver shall not stop in a bus zone unless the driver is driving a public bus, or a bus of a type that is permitted to stop at the bus zone by information on or with the 'bus zone' sign applying to the bus zone.

### **5.3 Stopping in a mail zone**

A person shall not stop a vehicle in a mail zone.

### **5.4 Other limitations in zones**

A person shall not stop a vehicle in a zone to which a traffic sign applies if stopping the vehicle would be contrary to any limitation in respect to classes of persons or vehicles, or specific activities allowed, as indicated by additional words on a traffic sign that applies to the zone.

## **PART 6 – OTHER PLACES WHERE STOPPING IS RESTRICTED**

### **6.1 Stopping in a shared zone**

A driver shall not stop in a shared zone unless –

- (a) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law;  
(b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under this local law;  
(c) the driver is dropping off, or picking up, passengers or goods; or

- (d) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

## **6.2 Double parking**

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is between any other stopped vehicle and the centre of the carriageway.
- (2) This clause does not apply to -
  - (a) a driver stopped in traffic; or
  - (b) a driver angle parking on the side of the carriageway or in a median strip parking area, in accordance with this local law.

## **6.3 Stopping near an obstruction**

A driver shall not stop on a carriageway near an obstruction on the carriageway in a position that further obstructs traffic on the carriageway.

## **6.4 Stopping on a bridge**

A driver shall not stop a vehicle on a bridge, causeway, ramp or similar structure unless -

- (a) the carriageway is at least as wide on the structure as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
- (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

## **6.5 Stopping on crests, curves, etc.**

- (1) Subject to subclause (2), a driver shall not stop a vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking vehicle, from a distance of 50 metres within a built-up area, and from a distance of 150 metres outside a built-up area.
- (2) A driver may stop on a crest or curve on a carriageway that is not in a built-up area if the driver stops at a place on the carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

## **6.6 Stopping near a fire hydrant etc.**

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless -

- (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and does not leave the bus unattended; or
  - (b) the driver is driving a taxi, and the driver stops in a taxi zone and does not leave the taxi unattended.
- (2) In this clause a driver leaves the vehicle 'unattended' if the driver leaves the vehicle so the driver is over 3 metres from the closest point of the vehicle.

### **6.7 Stopping at or near a bus stop**

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is within 20 metres of the approach side of a bus stop, or within 10 metres of the departure side of a bus stop, unless -
- (a) the vehicle is a public bus stopped to take up or set down passengers; or
  - (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.
- (2) In this clause -
- (a) distances are measured in the direction in which the driver is driving; and
  - (b) a trailer attached to a public bus is deemed to be a part of the public bus.

### **6.8 Stopping on a path, median strip, or traffic island**

The driver of a vehicle (other than a bicycle or an animal) shall not stop so that any portion of the vehicle is on a path, traffic island or median strip, unless the driver stops in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

### **6.9 Stopping on verge**

- (1) A person shall not -
- (a) stop a vehicle (other than a bicycle);
  - (b) stop a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle; or
  - (c) stop a vehicle during any period when the stopping of vehicles on that verge is prohibited by a sign adjacent and referable to that verge,
- so that any portion of it is on a verge.

- (2) Subclause (1)(a) does not apply to the person if he or she is the owner or occupier of the premises adjacent to that verge, or is a person authorised by the occupier of those premises to stop the vehicle so that any portion of it is on the verge.
- (3) Subclause (1)(b) does not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the commercial vehicle is parked, provided no obstruction is caused to the passage of any vehicle or person using a carriageway or a path.

**6.10 Obstructing access to and from a path, driveway, etc.**

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is in front of a path, in a position that obstructs access by vehicles or pedestrians to or from that path, unless -
  - (a) the driver is dropping off, or picking up, passengers; or
  - (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under this local law.
- (2) A driver shall not stop a vehicle on or across a driveway or other way of access for vehicles travelling to or from adjacent land, unless -
  - (a) the driver is dropping off, or picking up, passengers; or
  - (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under this local law.

**6.11 Stopping near a letter box**

A driver shall not stop a vehicle so that any portion of the vehicle is within 3 metres of a public letter box, unless the driver -

- (a) is dropping off, or picking up, passengers or mail; or
- (b) stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

**6.12 Stopping on a carriageway or verge – heavy and long vehicles**

- (1) A person shall not park a vehicle or any combination of vehicles that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes -
  - (a) on a carriageway or verge in a built-up area, for any period exceeding 1 hour, unless engaged in the picking up or setting down of goods; or

- (b) on a carriageway or verge outside a built-up area, except on the shoulder of the carriageway, or in a truck bay or other area set aside for the parking of goods vehicles.
- (2) Nothing in this clause mitigates the limitations or condition imposed by any other clause or by any local law or traffic sign relating to the parking or stopping of vehicles.

**6.13 Stopping on a carriageway with a bicycle parking sign**

The driver of a vehicle (other than a bicycle) shall not stop on a length of carriageway to which a 'bicycle parking' sign applies, unless the driver is dropping off, or picking up, passengers.

**6.14 Stopping on a carriageway with motor cycle parking sign**

The driver of a vehicle shall not stop on a length of carriageway, or in an area, to which a 'motor cycle parking' sign applies, or an area marked 'M/C' unless -

- (a) the vehicle is a motor cycle; or
- (b) the driver is dropping off, or picking up, passengers.

**PART 7 - MISCELLANEOUS**

**7.1 Removal of notices on vehicle**

A person, other than the driver of the vehicle or a person acting under the direction of the driver of the vehicle, shall not remove from the vehicle any notice put on the vehicle by an Authorised Person.

**7.2 Unauthorised signs and defacing of signs**

A person shall not without the authority of the local government -

- (a) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government under this local law;
- (b) remove, deface or misuse a sign or property, set up or exhibited by the local government under this local law or attempt to do any such act; or
- (c) affix a board, sign, placard, notice or other thing to or paint or write upon any part of a sign set up or exhibited by the local government under this local law.

**7.3 Signs must be complied with**

An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this local law.

#### **7.4 General provisions about signs**

- (1) A sign marked, erected, set up, established or displayed on or near a thoroughfare is, in the absence of evidence to the contrary presumed to be a sign marked, erected, set up, established or displayed under the authority of this local law.
- (2) The first three letters of any day of the week when used on a sign indicate that day of the week.

#### **7.5 Special purpose, emergency and vehicles driven by authorised persons**

Notwithstanding anything to the contrary in this local law, the driver of -

- (a) a special purpose vehicle may, only in the course of his or her duties and when it is expedient and safe to do so, stop, or park the vehicle in any place, at any time;
- (b) an emergency vehicle may, in the course of his or her duties and when it is expedient and safe to do so or where he or she honestly and reasonably believes that it is expedient and safe to do so, stop, or park the vehicle at any place, at any time; and
- (c) an authorised person may, in the course of his or her duties and when it is expedient and safe to do so or where he or she honestly and reasonably believes that it is expedient and safe to do so, stop, or park a vehicle at any place, at any time.

#### **7.6 Vehicles not to obstruct a public place**

- (1) A person shall not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.
- (2) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.
- (3) The powers of the local government to remove and impound goods including vehicles are set out in Part 3 Division 3 Subdivision 4 of the Act.

### **PART 8 - PENALTIES**

#### **8.1 Offences and penalties**

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

- (3) Any person who commits an offence under this local law shall be liable, upon conviction, to a penalty not less than \$250 and not exceeding \$5000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.
- (4) The amount appearing in the final column of Schedule 2 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

## **8.2 Form of notices**

Unless otherwise specified, for the purposes of this local law -

- (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
- (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
- (c) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.

**Schedule 1 - Parking Region**  
[C1 1.4]

The parking region is the whole of the district, but excludes the following portions of the district:

1. the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
2. prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
3. any road which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that road is carried out subject to the control and direction of the Commissioner of Main Roads or has been delegated by the Commissioner to the local government.
4. private land, other than private land which Council has resolved to control at the landowners request.

**Schedule 2 - Prescribed Offences**  
[CI 8.1(4)]

<b>ITEM NO.</b>	<b>CLAUSE NO.</b>	<b>NATURE OF OFFENCE</b>	<b>MODIFIED PENALTY \$</b>
1	2.2	Failure to park wholly within parking stall	75
2	2.2(4)	Failure to park wholly within parking area	75
3	2.3(1)(a)	Causing obstruction in parking station	100
4	2.3(1)(b)	Parking contrary to sign in parking station	100
5	2.3(1)(c)	Parking contrary to directions of Authorised Person	100
6	2.3(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	75
7	3.1(1)(a)	Parking wrong class of vehicle	75
8	3.1(1)(b)	Parking by persons of a different class	75
9	3.1(1)(c)	Parking during prohibited period	75
10	3.1(3)(a)	Parking in no parking area	100
11	3.1(3)(b)	Parking contrary to signs or limitations	75
12	3.1(3)(c)	Parking vehicle in motor cycle only area	75
13	3.1(4)	Parking motor cycle in stall not marked 'M/C'	75
14	3.1(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	80
15	3.2(5)	Failure to display valid parking permit	75
16	3.3(1)(a)	Failure to park on the left of two-way carriageway	75
17	3.3(1)(b)	Failure to park on boundary of one-way carriageway	75

18	3.3(1)(a) or 3.3(1)(b)	Parking against the flow of traffic	80
19	3.3(2)(a)	Parking when distance from farther boundary less than 3 metres	80
20	3.3(2)(b)	Parking closer than 1 metre from another vehicle	75
21	3.3(2)(c)	Causing obstruction	100
22	3.4(a)	Failure to park close and parallel to the boundary	75
23	3.4(b)	Failure to park at approximate right angle	75
24	3.5(2)	Failure to park at an appropriate angle	75
25	3.6(2)(a) and 6.2	Double parking	80
26	3.6(2)(b)	Parking on or adjacent to a median strip	75
27	3.6(2)(c)	Denying access to private drive or right of way	80
28	3.6(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	100
29	3.6(2)(e)	Parking within 10 metres of traffic island	80
30	3.6(2)(f)	Parking on footpath/pedestrian crossing	100
31	3.6(2)(g)	Parking contrary to continuous line markings	80
32	3.6(2)(h)	Parking on intersection	80
33	3.6(2)(i)	Parking within 1 metre of fire hydrant or fire plug	100
34	3.6(2)(j)	Parking within 3 metres of public letter box	80
35	3.6(2)(k)	Parking within 10 metres of intersection	80
36	3.6(2)(m)	Parking within the head of a cul-de-sac	80
37	3.6(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	100

38	3.6(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	100
39	3.6(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	100
40	3.7	Parking contrary to direction of Authorised Person	100
41	3.8(2)	Removing mark of Authorised Person	100
42	3.9	Moving vehicle to avoid time limitation	75
43	3.10(a)	Parking in thoroughfare for purpose of sale or hire	75
44	3.10(b)	Parking unlicensed vehicle in thoroughfare	75
45	3.10(c)	Parking an unattached trailer/caravan on a thoroughfare	75
46	3.10(d)	Parking in thoroughfare for purpose of repairs	75
47	3.11	Driving or parking on reserve	75
48	4.1(1)	Stopping contrary to a 'no stopping' sign	75
49	4.1(2)	Parking contrary to a 'no parking' sign	75
50	4.1(4)	Stopping within continuous yellow edge lines	75
51	4.1(5)	Stopping in a bicycle lane	75
52	5.1	Stopping unlawfully in a loading zone	75
53	5.2(1)	Stopping unlawfully in a taxi zone	75
54	5.2(2)	Stopping unlawfully in a bus zone	75
55	5.3	Stopping unlawfully in a mail zone	75
56	5.4	Stopping in a zone contrary to a sign	75
57	6.1	Stopping in a shared zone	75
58	6.3	Stopping near an obstruction	80

59	6.4	Stopping on a bridge	75
60	6.5	Stopping on crests/curves etc.	100
61	6.6	Stopping near fire hydrant	100
62	6.7	Stopping near bus stop	80
63	6.8	Stopping on path, median strip or traffic island	75
64	6.9(1)(a) or 6.9(1)(c)	Stopping on verge	75
65	6.9(1)(b)	Stopping commercial vehicle or bus, or unattached trailer/caravan on verge	75
66	6.10	Obstructing path, a driveway etc.	75
67	6.11	Stopping near letter box	75
68	6.12	Stopping heavy or long vehicles on carriageway or verge	80
69	6.13	Stopping in bicycle parking area	75
70	6.14	Stopping in motorcycle parking area	75
71	7.6	Leaving vehicle so as to obstruct a public place	100
72		All other offences not specified	75



**Schedule 3 - Deemed Parking Stations**  
[Cl 1.6(4) and Cl 2.1(3)]

- **PARKING STATION NO. 1 – WILSON STREET CARPARK**, corner Guildford Road and Wilson Street, Bassendean (Lot 9644 Park Lane).

Dated: .....2019

The Common Seal of the }  
Town of Bassendean was }  
affixed by authority of a }  
resolution of the Council }  
in the presence of: }

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**CR RENEE JOY MCLENNAN  
MAYOR**

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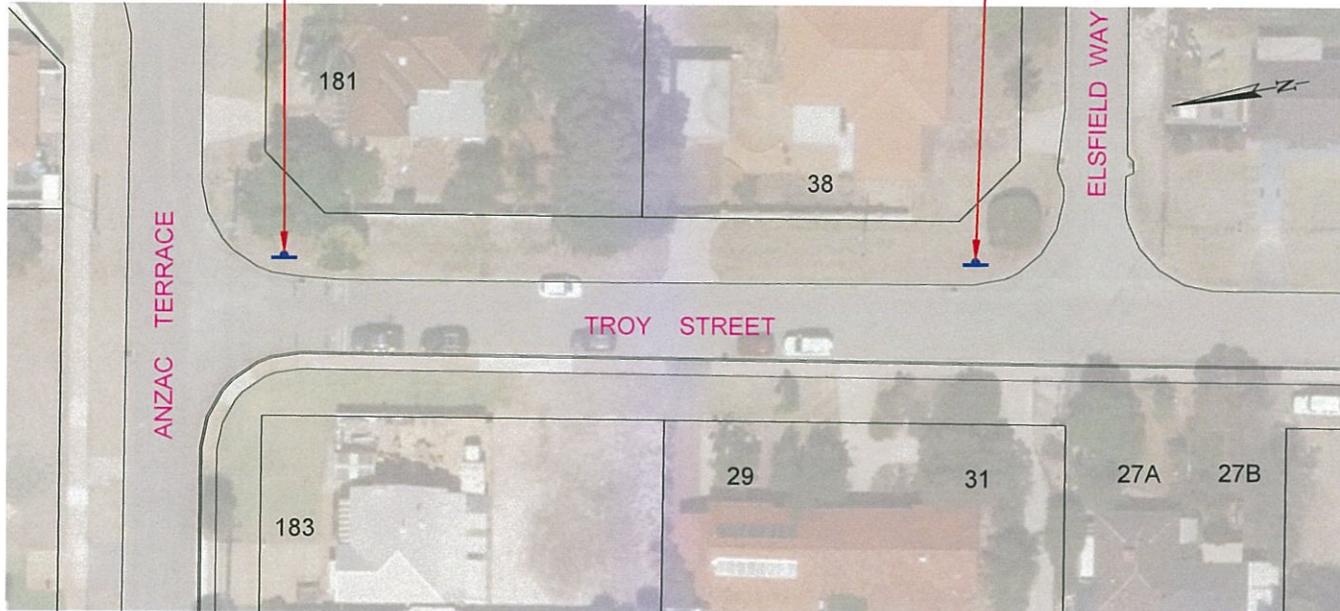
**MS PETA MABBS  
CHIEF EXECUTIVE OFFICER**

**ATTACHMENT NO. 8**



INSTALL 1 X PARKING  
RESTRICTION SIGN

INSTALL 1 X PARKING  
RESTRICTION SIGN



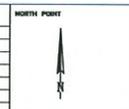
N.T.S



**TOWN OF BASSENDEAN**  
ASSET SERVICES

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Telephone: 081 9377 9000  
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[www.bassendean.wa.gov.au](http://www.bassendean.wa.gov.au)

AMENDMENTS
G
F
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A



SCALE - N.T.S

0 5 10 15 20 25 30 35 40 45 50  
ORIGINAL DRAWING SIZE IS A1

SURVEY
DESIGN
DRAWN J. LONGMAN
CHECKED
APPROVED
HORIZONTAL SCALE

FIELD BOOK
CAD DRAWING
DATE 4/7/2019
DATE
DATE
VERTICAL SCALE

DRAWING NAME  
**TOWN OF BASSENDEAN**  
PARKING RESTRICTIONS  
**TROY STREET**  
ANZAC TERRACE TO ELSFELD WAY

DRAWING NUMBER	DWT	REV.
TOB-2019-52PR	1	A1

# **ATTACHMENT NO. 9**



Jeremy Walker  
Senior Environmental Officer  
Town of Bassendean  
[jwalker@bassendean.wa.gov.au](mailto:jwalker@bassendean.wa.gov.au)

Ref: COUNCIL RESOLUTION – ITEM 10.5 (OCM – 10/12/17)

Dear Jeremy

Thank you for your email enquiry requesting comment from the Department of Primary Industry and Regional Development (DPIRD) on Town of Bassendean's Council Resolution – Item 10.5 (carried unanimously 7/0) relating to Notice of infestation Success Hill Reserve. I will set out below the council resolution, questions and information sought, and then provide what information I can in response.

**1 a.** The details and location of past and current European House Borer infestations in the Success Hill Pine Plantation;

DPIRD Response: DPIRD does not publish the address of infested properties (affecting trees, buildings and articles).

Maps showing Restricted Movement Zones (buffers) associated with previous European house borer (EHB) infestations are available on the EHB website ([agric.wa.gov.au/ehb](http://agric.wa.gov.au/ehb)). The affected landholder undertakes treatment measures for the disinfection of properties and many have been disinfested for a number of years.

**1 b.** A risk assessment detailed the likelihood and timeframe for the spread to surrounding pine trees at Success Hill and to the James Street and Depot plantations;

DPIRD Response: An internal technical review prepared (31 May 2017) for DPIRD EHB project by ACIL Allen Consulting Group includes risk assessment information that may be of assistance –

“This technical report has been informed through a review of literature regarding EHB in Australia and elsewhere regarding the known entomology of EHB in the Western Australian environment, treatment methods for its control and destruction, and the benefits of containment and/or eradication of the pest. ACIL Allen has developed a model of spread of EHB in Western Australia based on a previous model developed by DAFWA (Diggle, 2006). This model has also been developed in conjunction with experts and industry to ensure its robustness and appropriateness to the current environment. The spread model has been used to inform a benefit cost assessment of the current EHB containment project. The benefit cost model is set up to compare the cost of the current containment project against a situation where there is no containment of EHB in Western Australia.

The assumptions used in this report have been tested through a consultation process with entomologists, scientists, policy makers and industry representatives.”

“In order to understand the likely spread of EHB in Western Australia, given the current level of infestation, ACIL Allen developed a model of spread based on a model

developed by Diggle in 2006 (Diggle, 2006). This model shows that without containment, infestation resulting in structural failure in buildings in the Perth Metropolitan Area could be expected within 50 to 60 years assuming these houses remain. The impact on the pine timber industry would be immediate with parts of Western Australia losing its current EHB free status and therefore preventing any interstate trade in untreated pine products.

The costs of infestation would be considerable and would include the following:

— Loss of interstate trade for pine timber products estimated at \$390,000 per annum

— Costs to households of:

- Structural damage caused by EHB infestation which could be in the order of \$50,000 assuming the replacement of a roof structure of a single storey standard dwelling,
- Fumigation costs of \$25,000 per household to remove an infestation.”

It should also be noted that the characteristics of EHB are such that first and second generations of the infestation do not spread great distances from the initial site and largely lay eggs back into the same piece of wood with the infestation remaining localised for a number of generations/years making localised eradication of infestations possible. Spread by movement of infested material and natural spread depends on level of plantation hygiene and the level of success in removing the infestation. The time period for spread to surrounding pine trees at Success Hill and to James Street 1.7 Km from current infestation and Depot cannot be estimated.

**1 c.** Alternate management options (other than immediate removal) for managing the spread of European House Borer.

DPIRD Response: Adult EHB emerge from pine and may be wind-blown or fly away from trees in all directions. No option other than tree removal is effective in preventing this normal insect behaviour.

Options to minimise human movement of EHB infested pine are described on DPIRD's EHB website ([agric.wa.gov.au/ehb](http://agric.wa.gov.au/ehb)).

From the website: "In order to protect WA from the potentially devastating effects of EHB, the State Government introduced legislation on 7 February 2006 - the *Agriculture and Related Resources Protection (European House Borer) Regulations 2006*. The regulations restrict the movement, storage, treatment and disposal of untreated pinewood within EHB affected areas, known as Restricted Movement Zones (RMZs). Future success to contain EHB will depend on business and community awareness to prevent infestation and minimise further spread due to human movement of host pine materials."

**2.** The Town adopts the appropriate biosecurity/hygiene measures and community education to prevent the spread of European House Borer.

DPIRD Response: Adoption of plant hygiene measures (including removal and destruction of dead branches) and community education is commended to minimise visitor collection and movement out of the reserve of potentially EHB infested pinewood. Unfortunately, borer larvae travel within dead branches to the main trunk and may emerge as adult beetles from the outer trunk (dry) crust of healthy trees.

3. The Town engage with the Eastern Metropolitan Regional Council to work with neighbouring local governments in an endeavour to reduce the spread of EHB across the region.

DPIRD Response: DPIRD staffs are available to provide information and guidance in support of EMRC actions to minimise risk of EHB spread.

**In response to the questions raised by Residents of Bassendean, DPIRD advises as follows:**

**Q1** Does the treatment of pinewood, to prevent termite infestation, also kill the European House Borer (EHB)?

DPIRD response: Yes, industry has successfully employed chemicals to prevent insect infestation.

From ACIL Allen Technical report: "Treatment of termites is relatively easy and inexpensive and does not require substantive effort such as that required for fumigation. The key difference between treating EHB the same way as termites is in the:

- Visibility of termites with termite activity relatively easy to identify because of the residue left on the outside of infested timber. In comparison, EHB activity is difficult to identify with the only obvious activity realised when adult beetles emerge from timber leaving an exit hole. Even so, identification in roof spaces and wall cavities remains problematic. If exit holes are discovered, then it is likely that the piece of timber is already damaged or structurally unsound.
- Method by which EHB are able to spread. Termites are subterranean and there are fairly effective ways of preventing their spread into buildings using barriers. In contrast, EHB disperse by flying which means that there are no effective means of preventing them entering into any part of a building.
- Method of treatment. While termites are able to be prevented from entering buildings and are able to be easily treated on site in a cost effective manner, the treatment for EHB in buildings is invasive and cost prohibitive."

**Q2** Can the Department offer any evidence that removing pine trees from the Perth metropolitan area will curtail the spread of EHB?

DPIRD response: Yes, removal of pine trees removes a significant source of EHB host material, preventing EHB population build up and spread. EHB management is in a containment phase recognising that it cannot be eradicated from the state. Infestations are being contained to a number of plantations that continue to be a source for the initiation of new localised infestations across the Metro area. Eradication and management of these new infestations prevents the build-up of populations across the Metropolitan Area. Modelling suggests that the eradication of new localised infestations will significantly delay the build-up of EHB populations across the Perth Metro Area.

**Q3** Is there any available research suggesting that growing pine trees can be treated such that their dead branches are resistant to EHB attack?

DPIRD response: No, there is no known research suggesting live trees can be treated in a manner that would render dead branches resistant. Excerpt from the technical

review prepared (31 May 2017) for DPIRD EHB project by ACIL ALLEN, Section 3.6 Treatment methods and costs states the following:

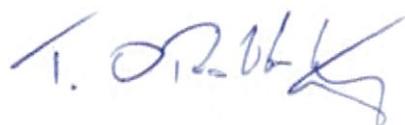
“Removing EHB from timber is difficult. Whilst mobile objects such as furniture and timber beams can be heat treated, the fumigation of timber or timber structures is the only absolute method of eliminating EHB infestations, particularly in timber structures. Fumigations are the use of volatile, poisonous gases contained within a gas-impervious tarp to penetrate timber. The current and only method of treating all four stages of the EHB lifecycle in EHB infestations in timber is fumigation with Methyl Bromide.

**Q4** Will the Department provide the following research paper to the Town of Bassendean, and if so, may I see it please and any other research available – European House Borer *Hylotrupes bajulus* Linnaeus in Western Australia: the anatomy of an eradication program. Proceedings of the International Research Group on Wood Protection, Beijing China.

DPIRD response: Access to the paper “European House Borer *Hylotrupes bajulus* Linnaeus in Western Australia: the anatomy of an eradication program”. Proceedings of the International Research Group on Wood Protection (IRGWP) requires membership of IRGWP (DPIRD is not a current member). A request for a copy of the publication may be made directly to the IRGWP secretariat from their website: [www.irg-wp.com/search-irg-docs.html](http://www.irg-wp.com/search-irg-docs.html)

I trust this information is of assistance to the Town of Bassendean. Please do not hesitate to contact me if you require further clarification.

Yours sincerely



Terry O'Rafferty  
Inspector in Charge  
European House Borer Project

2 July 2018

Prepared by: Dr Oonagh Byrne  
(Terry O'Rafferty)  
(Clare Darragh)

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3 Baron-Hay Court, South Perth WA 6151  
Locked Bag 4, Bentley Delivery Centre WA 6983  
Telephone +61 (0)8 9368 3333  
[dpird.wa.gov.au](http://dpird.wa.gov.au)  
ABN: 18 951 343 74

4<sup>th</sup> April 2019

Jeremy Walker  
Senior Environmental Officer  
Town of Bassendean  
PO Box 87  
BASSENDEAN WA 6934



Dear Jeremy,

***ARBORICULTURAL ASSESSMENT AT SUCCESS HILL RESERVE BASSENDEAN***

Please find enclosed the results of the arboricultural assessment undertaken recently for the trees at Success Hill Reserve, Bassendean.

Where recommendations for remedial arboricultural work have been made, it is imperative that it is undertaken as outlined in the Australian Standard 4373-2007: Pruning of Amenity Trees and/ or Australian Standard 4970-2009: Protection of Trees on Development Sites. It is also strongly advised that any remedial pruning works be undertaken by, or supervised by, a qualified arborist (AQF Level 3 in Arboriculture).

If you have any questions regarding the assessment or if I can be of service to you again in the future, please feel free to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'BB' followed by a stylized flourish.

Brad Bowden  
Principal  
Bowden Tree Consultancy®

B.Sc. Sustainable Forestry  
Dip. Arboriculture & Parks Management  
ISA Certified Arborist – Municipal Specialist AU-0020AM & Tree Risk Assessment Qualified (TRAQ)

## **1.0 Introduction**

### **1.1 Scope of Report**

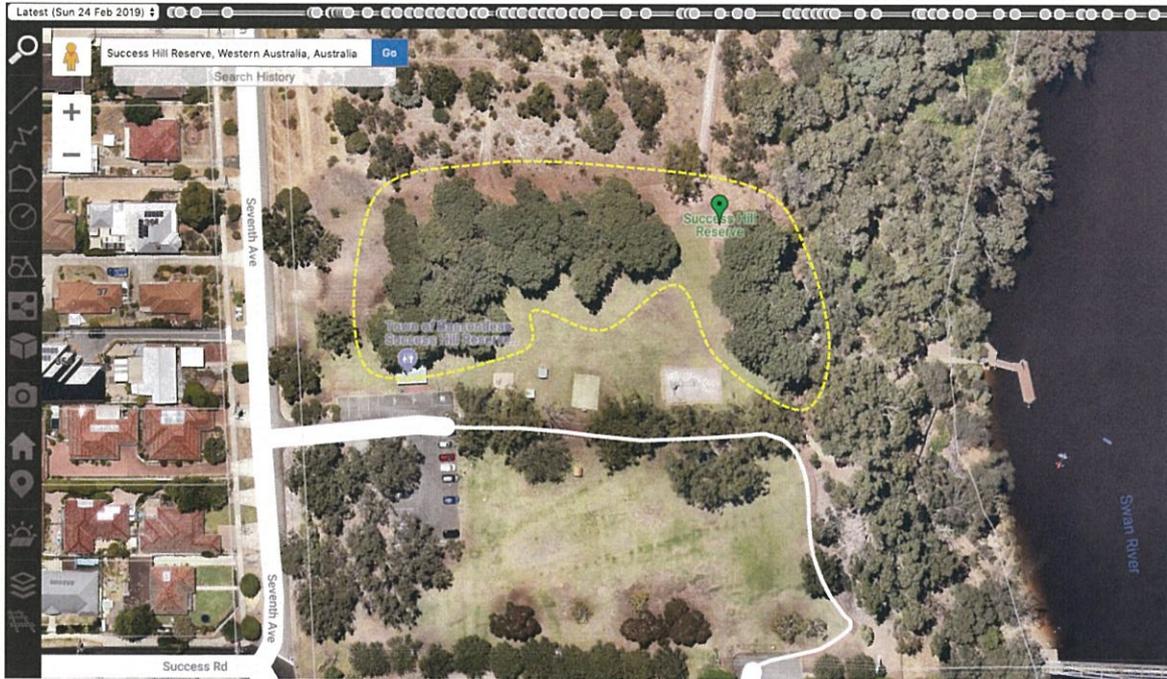
1.2 The purpose of this report is to summarise the results of the arboricultural assessment and provide recommendations for approximately 25 mature Maritime pine trees (*Pinus pinaster*) within the municipal reserve known as Success Hill Reserve, located at Seventh Avenue, Bassendean. The site visit and visual tree assessment was undertaken from ground level on the 2<sup>nd</sup> April 2019 at 1345hrs and was accurate at the time of inspection. No soil excavation or below ground level inspection was undertaken unless specified, and no detailed assessment of tree health and structure was undertaken. Viewing conditions were fine. Concern has been raised by the Department of Primary Industries and Regional Development regarding the potential for European house borer (EHB) infestation of the pine trees within Success Hill Reserve and subsequently by the Town of Bassendean regarding the remedial options for the future management of the trees.

### **1.3 Executive Summary**

1.4 The exotic trees identified within this report provide a range of benefits to the ecosystem, to human beings for environmental and health reasons, and to the climate. Assessment has revealed approximately 25 mature pine trees within the reserve that provide significant urban tree canopy cover and important amenity tree value, in addition to food source for local native fauna. Inspection of a number of dead branch samples pruned on site failed to identify any European house borer larvae or adult beetles, and the borer exit holes within the branches were atypical to the those of the EHB. Subsequently, consideration could be given to deadwooding of the pine trees on site to remove the dead branch sections as a preventative measure to mitigate the potential for EHB infestation.

## 2.0 Site Investigation

### 2.1 Tree Location



**Figure 1.** Aerial photo of site and location of the Maritime pine trees (see dashed line) within the northern section of Success Hill Reserve, Bassendean.



**Figure 2.** Location of the Maritime pine trees at the northern section of Success Hill Reserve, Bassendean; looking towards the northeast.

<b>Assessed trees:</b>	<b>Botanical Name:</b> <i>Pinus pinaster</i>
<b>Common Name:</b>	Maritime pine
<b>Location:</b>	Northern section of reserve
<b>Height:</b>	25-30m (approx.)
<b>DBH:</b>	40-80cm (approx.)
<b>Structure:</b>	Fair
<b>Health:</b>	High
<b>Comments:</b>	

- Borer exit holes were identified on several of the dead branch samples removed from the pine trees, with the orientation of the oval-shaped hole across the grain of the wood rather than parallel to the grain
- Destructive probing of the dead branch sections adjacent to the borer exit hole revealed internal tunnelling however no borer larvae (EHB or other) were evident within the branches
- Numerous dead branches of ~250mm diameter were observed throughout the crown of the pine trees, typical for the species and age-class of trees and which have resulted from the natural shading of lower and internal branches
- Previous pruning works included crown lifting for the majority of the pine trees on site to remove the low branches and to improve the clearance within the dripline of the trees



**Figure 3.** Borer exit hole (see arrow) identified on a dead branch removed from one of the pine trees, with the orientation of the oval-shaped hole across the grain of the wood rather than parallel to the grain.



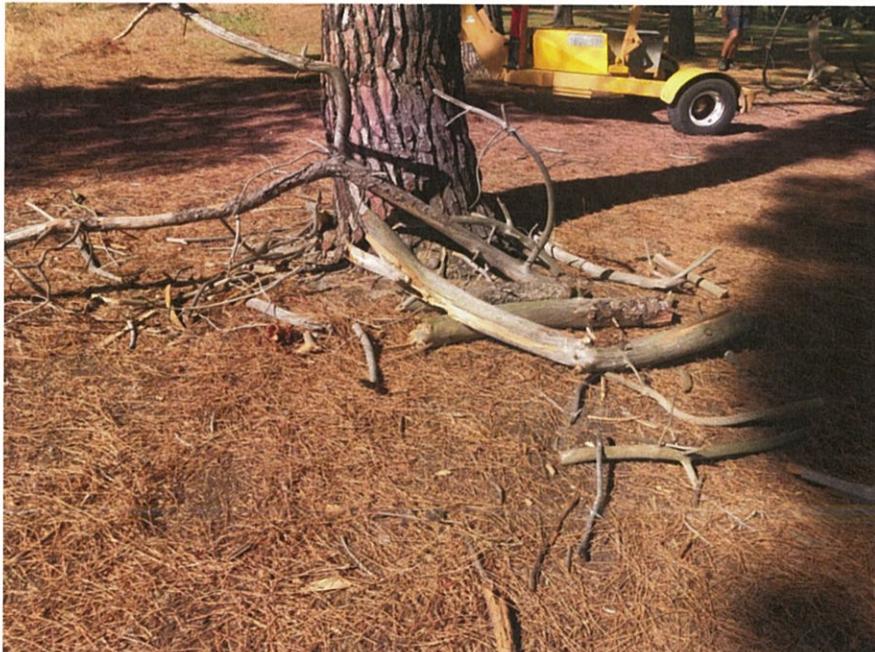
**Figure 4.** Borer exit hole (see arrow) identified on a dead branch removed from one of the pine trees, with the orientation of the oval-shaped hole across the grain of the wood rather than parallel to the grain.



**Figure 5.** Destructive probing of the dead branch sections adjacent to the borer exit hole revealed internal tunnelling (see arrow) however no borer larvae were evident.



**Figure 6.** Destructive probing of the dead branch sections adjacent to the borer exit hole revealed internal tunnelling (see arrow) however no borer larvae were evident.



**Figure 7.** Numerous naturally-occurring dead branches were observed throughout the crown of the pine trees, typical for the species and age-class of trees.

### 3.0 Discussion and Recommendations

#### 3.1 Discussion

**3.2 Tree benefits:** Mature urban trees confer many benefits including shade and cooler air temperatures, screening (privacy) and noise reduction, built form aesthetic amelioration, energy conservation, mitigation of the urban heat island effect, air quality improvement and oxygen production, carbon uptake/storage and greenhouse gas reduction, minimisation of storm water run-off and improvement of water quality, fauna habitat and food source. In general, they enhance our built and natural environments with larger trees providing more benefits.

**3.3 European house borer:** Identification of European house borer provided by the Department of Primary Industries and Regional Development (DPIRD) factsheets:

Adult beetles lay eggs into dead pine trees and dead branches of living pine trees. EHB can also infest pinewood timber used for house roofing and framing as well as pinewood furniture, boxes, crates and pallets.

**What to look for:**

- EHB beetles emerge from pine timber from September to March.
- Exit holes are 5-10mm in length, oval shaped and run with the grain of the wood.
- Larvae are a creamy white colour with a rippled body and enlarged head. They can grow up to 40mm in length.

[agric.wa.gov.au/ehb](http://agric.wa.gov.au/ehb)



EHB larvae exposed in pinewood



EHB exit holes are oval in shape

#### 3.4 Recommendations

**3.5** Undertake deadwooding to remove all dead branches from the pine trees within Success Hill reserve. The pruning operation should remove as much of each dead branch as possible without cutting into the live tissue of the trunk or residual branch and should include the removal of any dead sections or branch stubs created in previous pruning operations. The dead pinewood material should be removed from site and processed as per DPIRD requirements.

## **4.0 Appendix I**

### **4.1 Arboricultural Terminology**

- 4.2 Crown – the leaves and branches of a tree measured from the lowest branch on the trunk to the top of the tree, whilst crown lifting involves pruning of the lower branches to improve clearance for buildings, pedestrians, vehicles etc.
- 4.3 DBH - diameter of the main trunk, measured at breast height approximately 1.4m above ground level for urban trees.
- 4.4 Deadwooding – the removal of dead, diseased, broken, or damaged branch wood from the crown of the tree.
- 4.5 Dripline – the width of the crown of the tree measured by the lateral extent of the foliage, with the crown spread measurement indicating the widest part.
- 4.6 Fall zone – is the area in which the tree or tree part is likely to fall when it fails, often calculated as 1.5 times the tree height where brittle dead branches etc. may break up and scatter debris.
- 4.7 First order structural branch – the large branches arising from the trunk that form the main structure of the crown, also referred to as a stem.
- 4.8 Reduction prune – pruning to reduce/ shorten the length of a branch, back to a lateral branch that is at least one-third the diameter of the branch being removed (whilst retaining internal branches to avoid lion-tailing).
- 4.9 Root collar – area at the base of the tree where the roots and trunk merge.
- 4.10 Second order branch – a branch arising from a first order structural branch.
- 4.11 Targets – an object, person or structure that would be damaged or injured in the event of tree or branch failure is referred to as the target or target area. The hazard evaluation of the target area is relative to the expected use and occupancy of that area.
- 4.12 Topping and Lopping – deleterious tree height and branch reduction work often at indiscriminate points and generally resulting in weakly-attached regrowth branches prone to failure as subsequent growth occurs.
- 4.13 Tree Protection Zone (TPZ) – the zone of the root plate most likely to contain roots that are critical for anchorage and stability, as well as the absorbing roots responsible for the uptake of water and nutrients; calculated as trunk diameter (DBH) x 12.
- 4.14 V-shaped union – ingrown bark from adjacent parts of the tree that are in contact with each other; usually branch forks, acutely-angled branch attachments or basal stems – often a high failure potential.

#### 4.15 Tree Structure and Health

4.16 The structural condition ('Structure') for each tree or group of trees has been assessed using the following qualitative criteria:

- Good – generally free of structural defects
- Fair – defects evident that may be typical for the species and age class, and which could be corrected through remedial pruning works
- Poor – significant defects that are not likely to be corrected through remedial pruning or arboricultural works
- TBA – to be assessed, requiring further investigation to evaluate tree structural condition

4.17 The vitality ('Health') for each tree or group of trees has been assessed using the following qualitative criteria:

- High – consistent crown density and foliage colour, good shoot extension and an insignificant number of naturally-occurring internal dead branches
- Average – crown condition that may be representative for the species and/or seasonal, possessing satisfactory shoot extension and/or minimal decline and dead branches
- Low – poor shoot extension, sparse crown density and not likely to be corrected through improvement of site resources and plant nutrition
- Moribund – final stages of a decline spiral

## **5.0 Appendix II**

### **5.1 Author Formal Qualifications**

- 5.2 Bachelor of Science (Sustainable Forestry) – 2012  
Edith Cowan University, Joondalup & Murdoch University, Murdoch, WA.
- 5.3 Diploma of Applied Science (Horticulture) – 2000  
Major studies Arboriculture and Parks/ Gardens management  
University of Melbourne, Burnley campus, VIC.
- 5.4 Certificate IV (TAE40110) in Training & Assessment – 2014  
Plenty Training, Robina, QLD.
- 5.5 Certificate of Horticultural Practice – 1994  
Challenger TAFE, Murdoch campus, WA.

### **5.6 Additional Certifications**

- 5.7 ISA Certified Arborist: Municipal Specialist (AU-0020AM) – 2012 (recertified 2018)  
International Society of Arboriculture  
[www.isa-arbor.com/certification/benefits/credentialsExplained.aspx](http://www.isa-arbor.com/certification/benefits/credentialsExplained.aspx)
- 5.8 ISA Tree Risk Assessment Qualification (TRAQ) – 2013 (recertified 2018)  
International Society of Arboriculture  
<http://www.isa-arbor.com/certification/becomequalified/becomequalified.aspx>

### **5.9 Limitation of Liability**

- 5.10 Bowden Tree Consultancy are tree specialists who use their qualifications, education, knowledge, training, diagnostic tools and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of this assessment and report.
- 5.11 Bowden Tree Consultancy cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways that the arboriculture industry does not fully understand. Conditions are often hidden within trees and below ground. Unless otherwise stated, observations have been visually assessed from ground level. Bowden Tree Consultancy cannot guarantee that a tree will be healthy or a low risk of harm under all circumstances, or for a specified period of time. Likewise, remedial treatments cannot be guaranteed.
- 5.12 Treatment, pruning and removal of trees may involve considerations beyond the scope of Bowden Tree Consultancy's service, such as property boundaries and ownership, disputes between neighbours, sight lines, landlord-tenant matters and other related incidents. Bowden Tree

Consultancy cannot take such issues into account unless complete and accurate information is given prior or at the time of the site inspection. Likewise, Bowden Tree Consultancy cannot accept responsibility for the authorisation or non-authorisation of any recommended treatment or remedial measures undertaken.

- 5.13 In the event that Bowden Tree Consultancy recommends retesting or inspection of trees at stated intervals, or installs any cable/s, bracing systems and support systems, Bowden Tree Consultancy must inspect the system installed at intervals of not greater than 12 months, unless otherwise specified in written reports. It is the client's responsibility to make arrangements with Bowden Tree Consultancy to conduct the re-inspection.
- 5.14 Trees can be managed, but they cannot be controlled. To live or work near a tree involves a degree of risk. All written reports must be read in their entirety; at no time shall part of the written assessment be referred to unless taken in full context with the whole written report. If this written report is to be used in a court of law, or any other legal situation, Bowden Tree Consultancy must be advised in writing prior to the written assessment being presented in any form to any other party.

#### **5.15 Business Details**

- 5.16 Bowden Tree Consultancy®  
ABN: 51925884945  
Post Office Box 104 Darlington W.A. 6070  
M: 0438 936 679  
E: [info@bowdentree.com.au](mailto:info@bowdentree.com.au)  
W: [www.bowdentree.com.au](http://www.bowdentree.com.au)

#### **5.17 Literature Cited**

- 5.18 Department of Primary Industries and Regional Development, (2017). *European House Borer factsheet*  
Sourced:  
<https://www.agric.wa.gov.au/sites/gateway/files/EHB%20factsheet%20Aug%202017.pdf>
- 5.19 Mattheck, C. & Breloer, H. (1994). *The Body Language of Trees - A Handbook for Failure Analysis*. London, England: The Stationery Office.
- 5.20 Standards Australia, (2007). *AS4373-2007 Pruning of Amenity Trees*, Sydney: SAI Global

10 May 2019

Ref: D2019/08561

A meeting was held with Jenny Crisp, Manager Biosecurity and Sustainability, DPIRD, and her colleague, Sam Manning, on 10 May 2019 to obtain information about the European House Borer in response to a request from the Town of Bassendean.

### European House Borer in Perth's Eastern Region

- European House Borer (EHB) targets untreated pine timber, either used in construction or fallen limbs.
- EHB is difficult to identify as it normally infests the internal structure of timber, with only small exit holes.
- EHB infestations have been found across Perth's Eastern Region, with [Restricted Movement Zones \(RMZ\)](#) covering all six member Councils.
- DPIRD provides resources on its [website](#) regarding identification, biosecurity, spread and reporting.
- DPIRD is actively working with pest control operators, TAFE course providers and local governments to support ongoing risk management.
- DPIRD is concerned that the information campaign provided several years ago is no longer reaching its intended audience and there is the potential for greater spread of the pest.
- DPIRD has provided information recently to the Shire of Kalamunda.
- Various options were discussed regarding how to embed information about EHB into local government processes.
- Target audience includes house owners, purchasers, developers and pest control operators.

### Background

- EHB has been in Perth since 2004; Parkerville in the Shire of Mundaring was 'Ground Zero'.
- The EHB flight season in Perth is December to January; EHB adult beetles have been found to travel up to 2 km to seek out new wood in which to lay eggs.
- Untreated timber can include house construction, loose pinewood, furniture and dead limbs of trees; there is still a lot of untreated timber in Perth from the period before legislation required treatment of pinewood.
- It was thought that that the higher temperatures in Perth's summers would limit the spread of EHB; however it has now been found that high temperatures in roofs do not affect EHB; temperatures need to exceed 60°C in the core of wood to have any significant impact on larval mortality.
- Pest controllers may not include EHB identification in their standard home assessment; EHB is hard to detect, even by experts.
- To treat EHB in a house involves extensive fumigation (est. \$50,000) or replacing all the timber; cost is at the owner's expense.
- Fines for transporting infected timber are in place, but legal instruments will not contain the pest.

## Opportunities

- Awareness for prevention of the spread of EHB is the focus.
- DPIRD discussed opportunities with local governments to get the relevant information out; various possibilities were discussed, such as:
  - Inclusion of EHB in risk management systems
  - Posting information on websites and Facebook feeds
  - Including EHB information with rates notices
  - Providing information sessions to councillors and community
  - Including EHB information with fire/burning season notices to ensure that potentially infected pinewood and sources of untreated pinewood are destroyed by home owners.
- It was suggested that DPIRD contact WALGA regarding their annual conference as a means to get more information out to local governments.
- DPIRD would like to engage with local governments to embed EHB awareness and management within internal systems so that, in the event of funding no longer being available at a state level, the pest is still being actively managed.
- The EMRC noted that it would be able to host regional information sessions if that would be useful to member Councils.

## Further information:

Jenny Crisp  
Manager  
Biosecurity and Sustainability  
Department of Primary Industries and Regional Development

Tel: 9368 3254

Email: [jenny.crisp@dpird.wa.gov.au](mailto:jenny.crisp@dpird.wa.gov.au)

Communications contact: Sam Manning, email: [Sam.Manning@agric.wa.gov.au](mailto:Sam.Manning@agric.wa.gov.au)

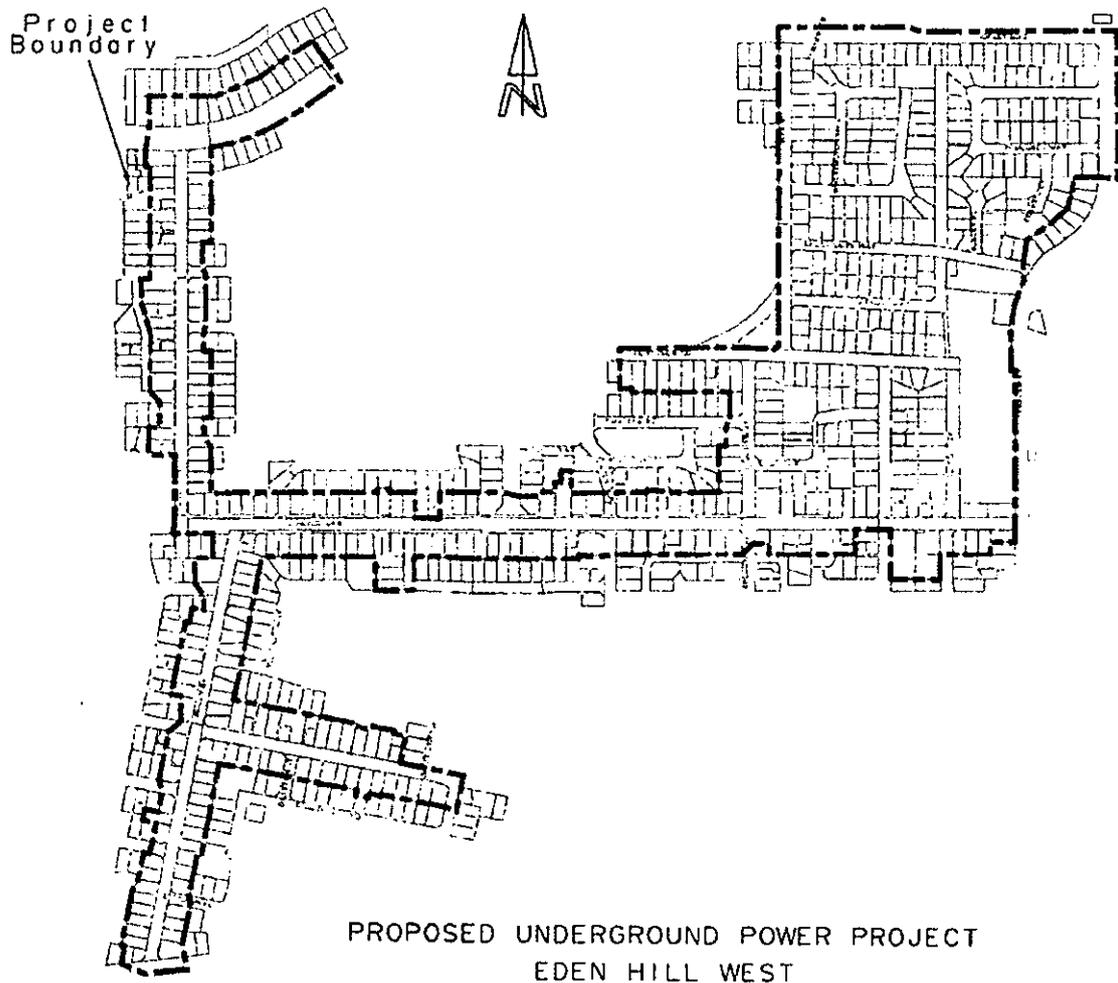
**Website:** <https://www.agric.wa.gov.au/biosecurity-biosecurity-quarantineeuropean-house-borer>

**ATTACHMENT NO. 10**

## ATTACHMENT

Previous Eden Hill proposed Undergrounding project

Map



### Summary of what occurred

The Eden Hill West Project area reached the survey stage of the last State Underground Power Program round (the other project proposed by the Town was ineligible). The survey area is above.

Ratepayers were asked whether they supported the project with an indicative cost of **\$5,350** for a typical single residential property with costs lower for multi-unit developments.

When Eden Hill West area were surveyed by the Public Utilities Office in 2017 regarding underground power, the response rate was just 38.8% (the third lowest of the 27 project areas surveyed) and the level of support was just 39.4% - which was the lowest level of support anywhere.

# Metro Underground Strategy

Eden Hill

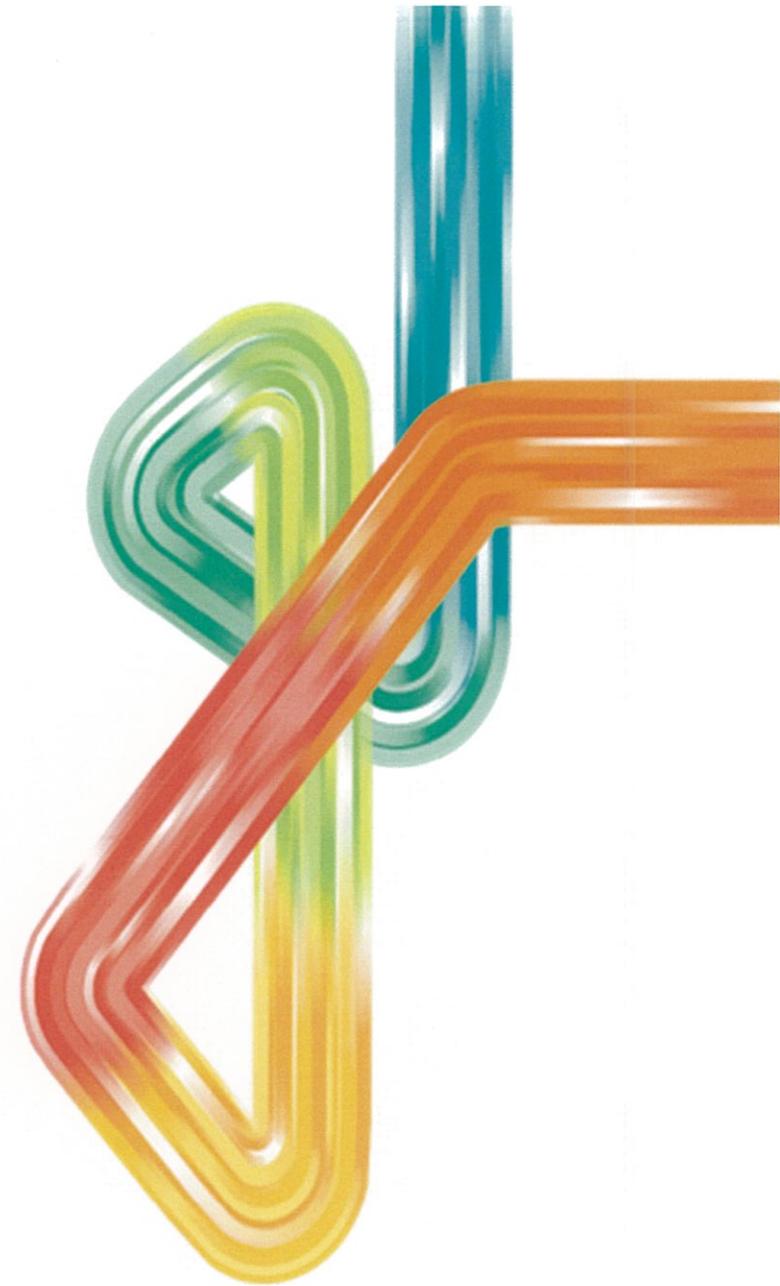
Town of Bassendean

June 2019



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1. Background
2. Proposed Pilot Projects
3. Indicative Project Boundary
4. Agreement/Contract
5. Project Deliverables and Milestones
6. Indicative Timeline
7. Indicative Project Delivery Schedule
8. Project Team Structure
9. Stakeholder and Communication Plan
10. E30 Estimate & Qualifications
11. Indicative Cash Call Schedule



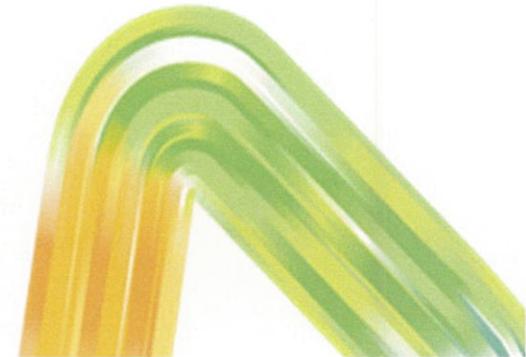
# Background

- Many portions of Western Power's existing metropolitan overhead network are reaching end of life and will require on-going maintenance and/or replacement
- Where these assets are clustered, economies of scale can be achieved to create a once in 30/40 year investment opportunity for undergrounding
- Benefits of underground power include:
  - Improved public safety
  - Enhanced streetscape (visual amenity)
  - Reduced vegetation management
  - No exposed bare conductors
  - Reliability of supply
- Given the condition of the network and its assets nearing the "end of useful life", asset replacement works will be carried out in the area (overhead or underground)
- Public Utilities Office (PUO) and Western Australian Local Government Association (WALGA) have been briefed with positive feedback

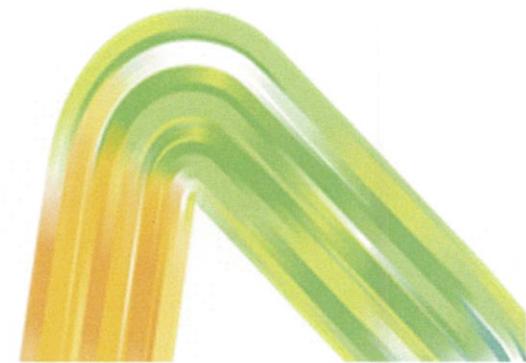
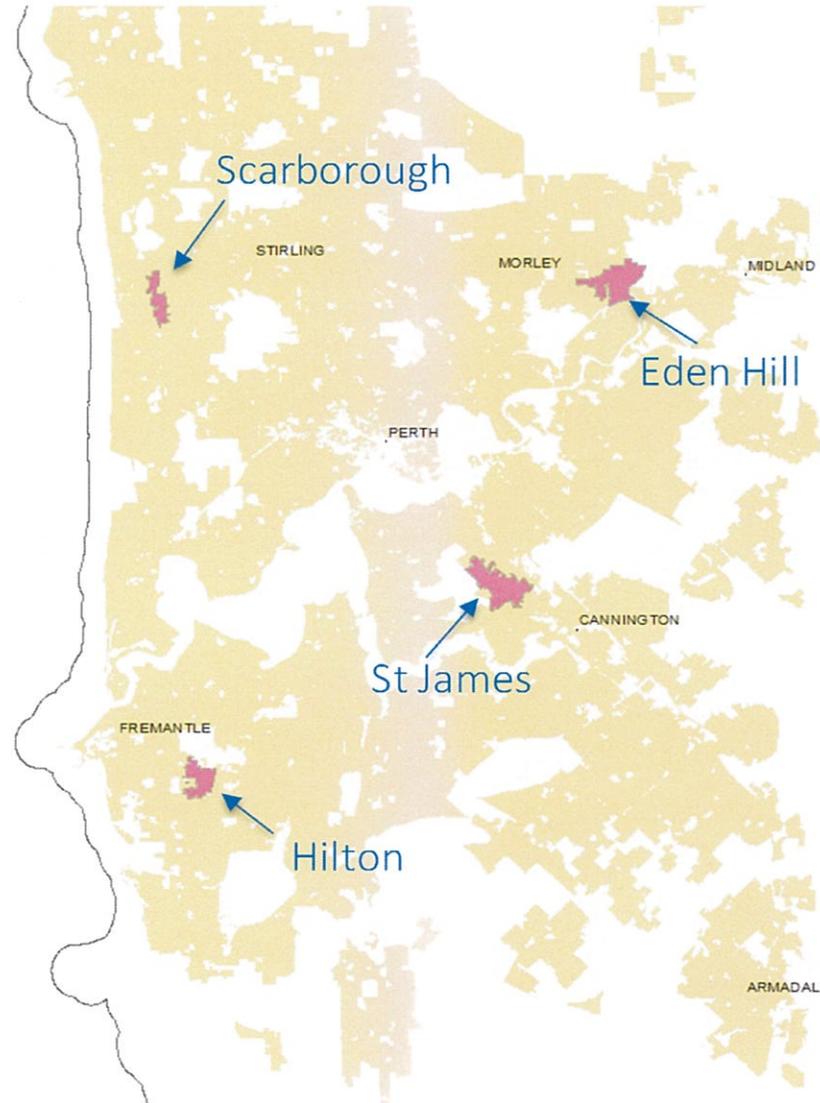


# Background cont.

- Invitation to the Town of Bassendean to work with Western Power to achieve mutual benefits
- Funding Model:
  - Western Power to fund the Capex portion of the Works
  - Local Government Authorities (LGA's) will be requested to fund the Opex portion of the Works (consumer mains connection)
- Delivery Model:
  - Western Power will project manage and deliver both the Capex and Opex components
- Distribution assets (22kV and below) will be included in the undergrounding program
- Transmission assets (33kV and above) will NOT be included in the undergrounding program

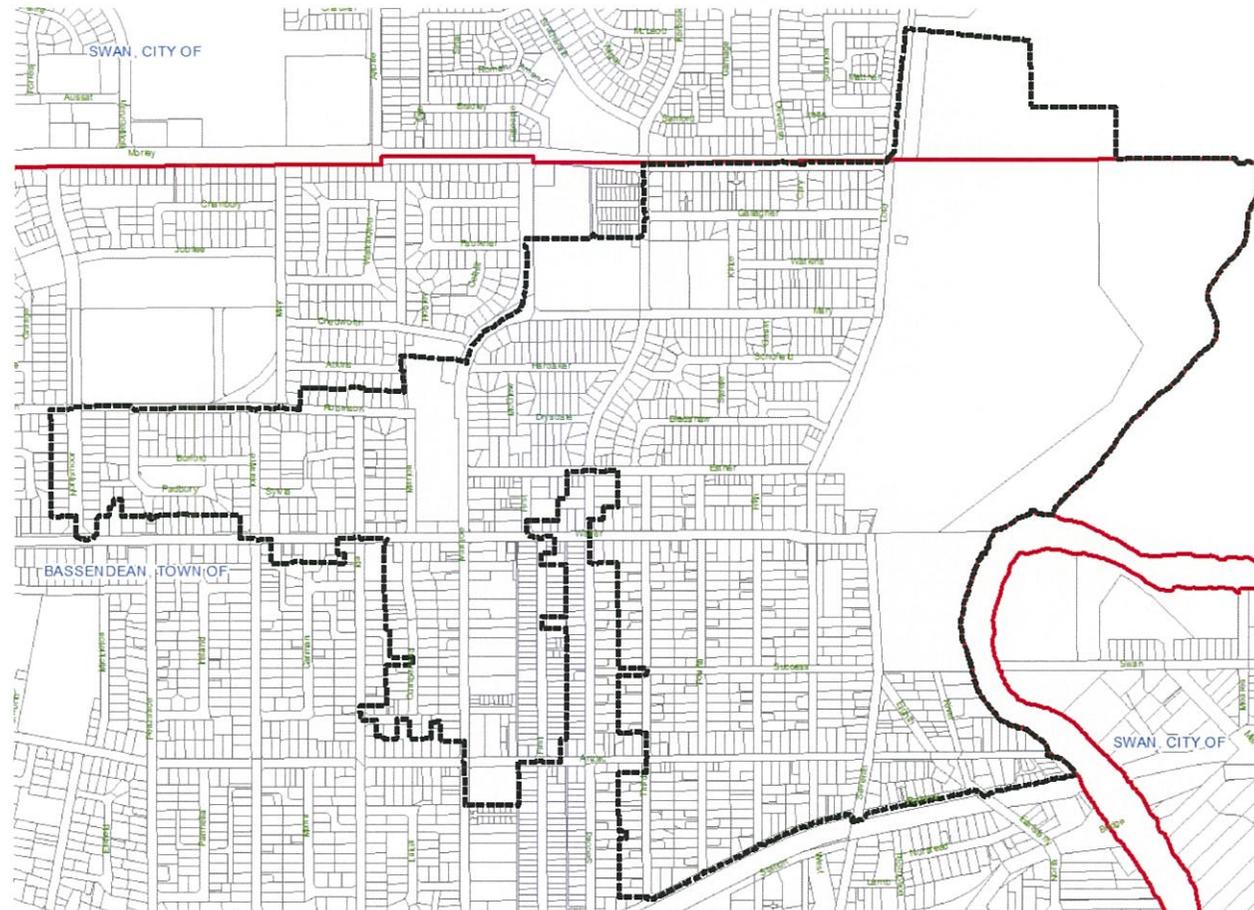


# Proposed Pilot Projects



# Indicative Project Boundary – Eden Hill

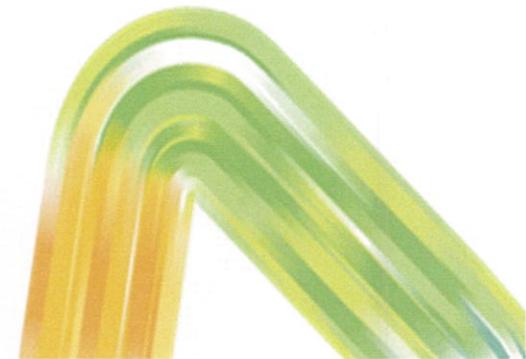
- Project boundaries are determined by the risk profile of the overhead assets in the area
- A detailed review of the proposed boundary will be undertaken in conjunction with the LGA to ensure that the most cost effective design and construction is achieved (i.e. reduce the amount of interface poles and primary equipment)



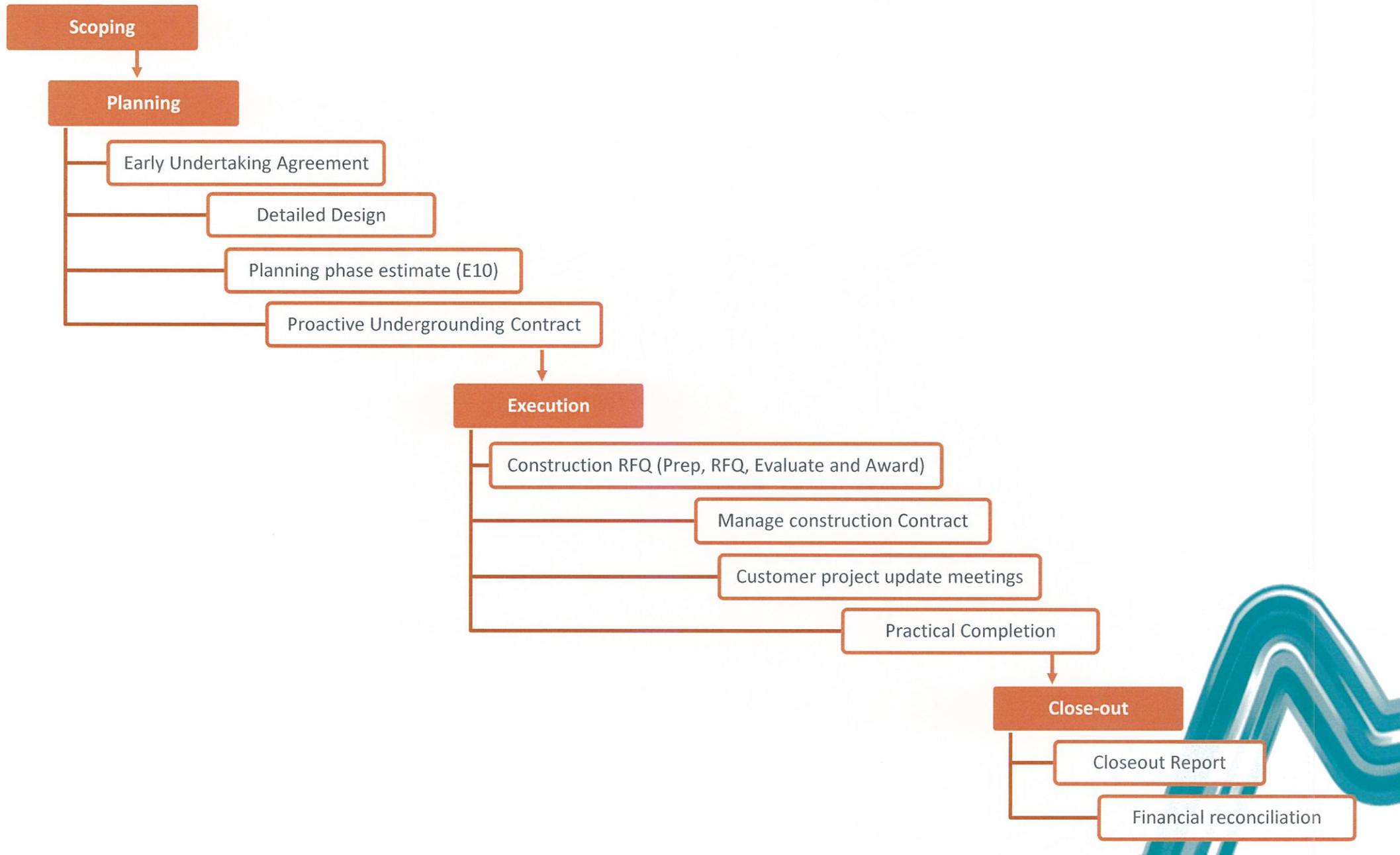
# Proposed Agreement/Contract

Western Power proposes a commitment to the project in two stages as follows:

- Early Undertaking Agreement
  - Pre-detailed design
  - The LGA commit to 15% of the planning phase costs
  - Contribution will be refunded if the project is cancelled at Western Power's discretion
- Proactive Undergrounding Contract
  - Contract will be entered into post detailed design and E10 estimate
  - Contract to be executed subject to Western Power Business Case approval
  - Cash Call Schedule will commence 28 days after Contract execution



# Project Deliverables and Milestones



# Indicative Timeline

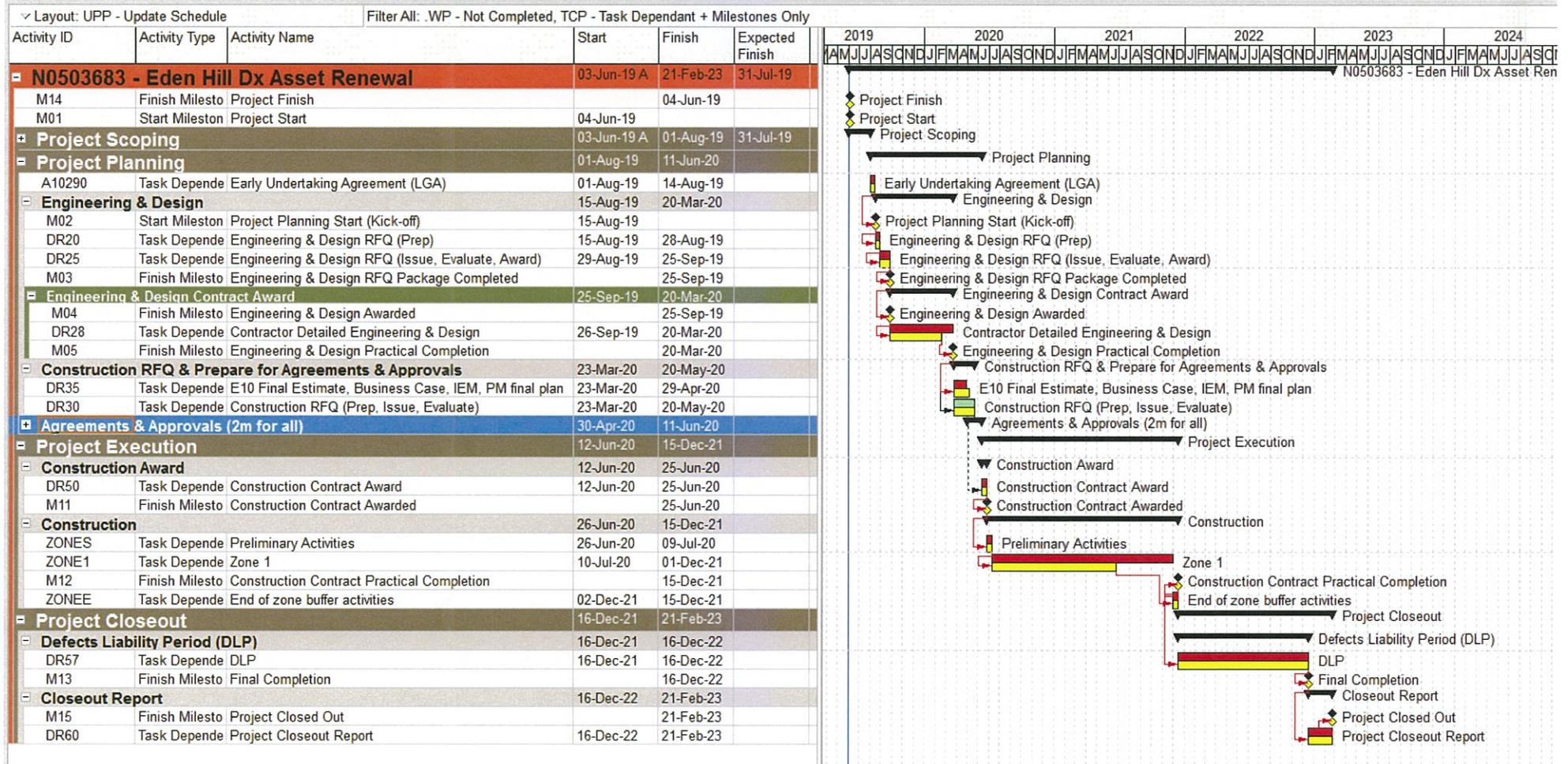
- The project will be in planning phase for 12 months followed by 12-18 months of execution



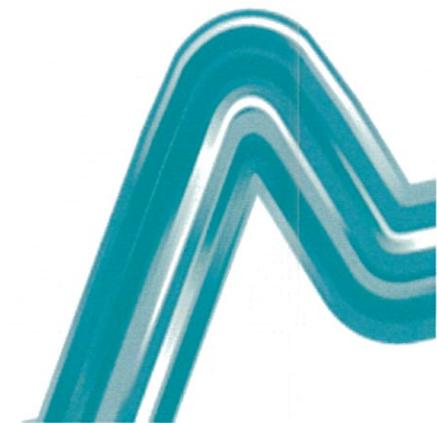
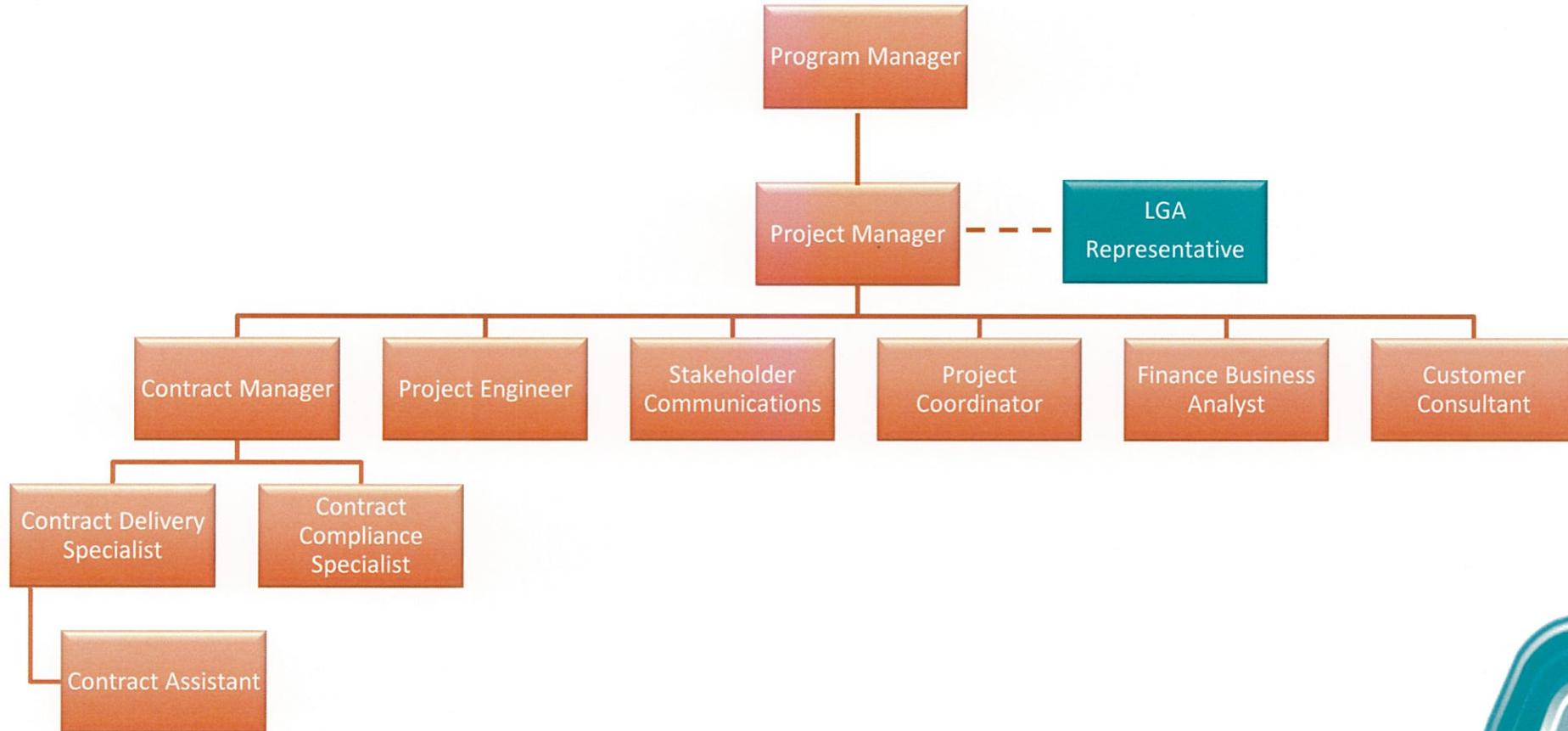
# Indicative Project Delivery Schedule

## Activities

### Projects Activities

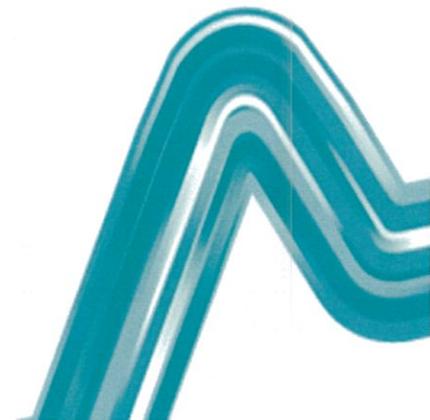


# Project Team Structure



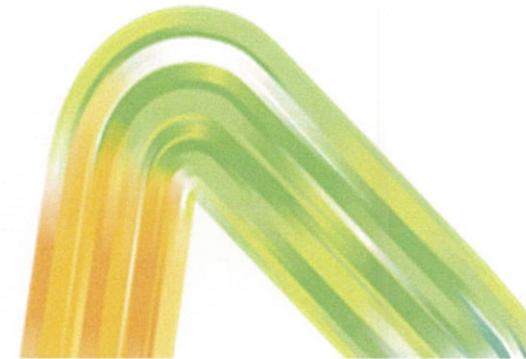
# Stakeholder and Communication Plan

- Western Power and LGA websites will be updated with key messaging for the community and residents
- Key messaging is required to distinguish this program of work from SUPP and LGA initiated Customer Funded work
- Communication strategy agreed by both parties including:
  - Start-up newsletter/brochure
  - Stakeholder register
  - Resident consultation process
  - Resident advice notices
  - Frequently asked questions
  - Social media and websites



# E30 Estimate & Qualifications

- Estimate \$1,631,011 (E30 +/-30%)
- Per connection \$1,989
- Final costs are subject to market conditions
- Qty of Connections are referred to as CUSA (Customer Service Attachment) extracted from Geographic Information System (GIS) as total Overhead Connections
- CUSA Qty's are subject to variance upon pole to pillar/development approvals
- Property connections quantity's finalised during detailed design
- Opex costs do not include any costs associated with the supply, installation and testing of the pillar (Capex)



# Indicative Cash Call Schedule

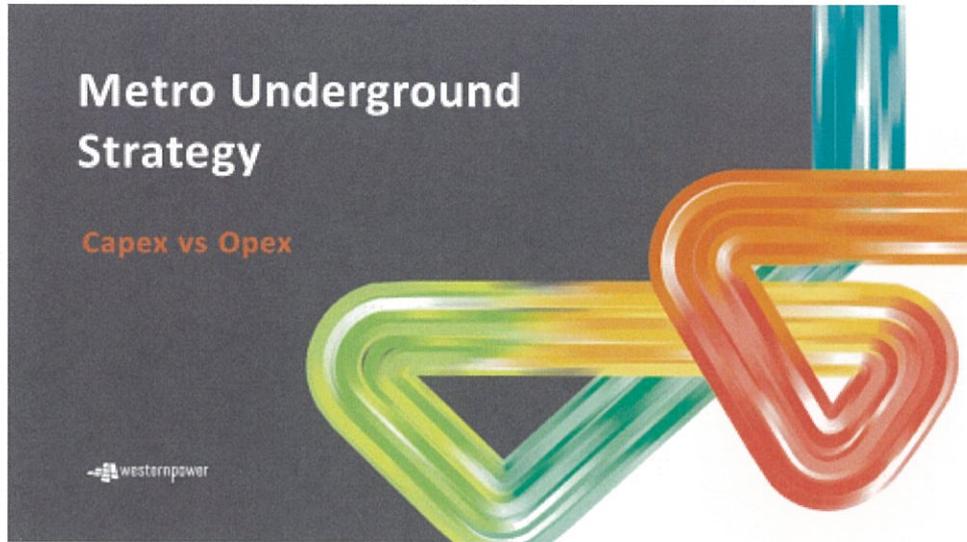
## Metropolitan Underground Strategy Eden Hill

### E30 OPEX ESTIMATE INDICATIVE CASH CALL SCHEDULE

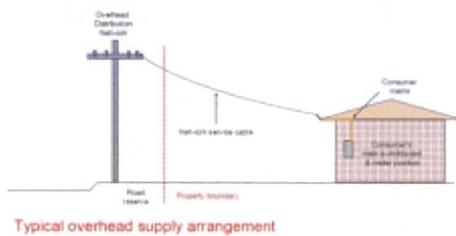
<b>Total Budget</b>			<b>\$</b>	<b>1,631,011</b>
<b>LGA Contribution</b>	<b>100%</b>		<b>\$</b>	<b>1,631,011</b>
Early Undertaking Agreement	<b>Due:</b>	28/07/2019	\$	30,000
Cash Call 1	<b>Due:</b>	28/12/2020	\$	280,000
Cash Call 2	<b>Due:</b>	28/02/2021	\$	280,000
Cash Call 3	<b>Due:</b>	28/04/2021	\$	280,000
Cash Call 4	<b>Due:</b>	28/06/2021	\$	280,000
Cash Call 5	<b>Due:</b>	28/08/2021	\$	280,000
Cash Call 6	<b>Due:</b>	28/10/2021	\$	201,011
<b>Total Cash Call Value</b>			<b>\$</b>	<b>1,631,011</b>

ATTACHMENT

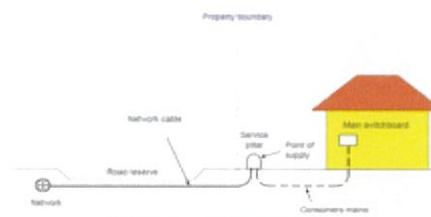
**Western Power presentation: Capex vs Opex**



**Overhead to Underground**



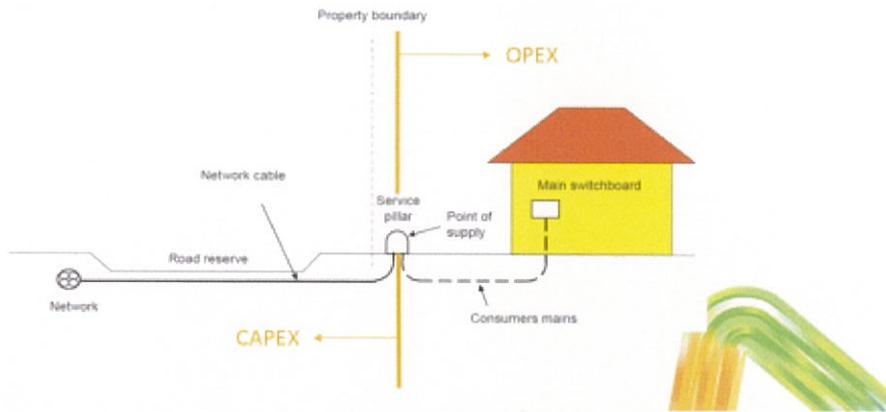
Typical overhead supply arrangement



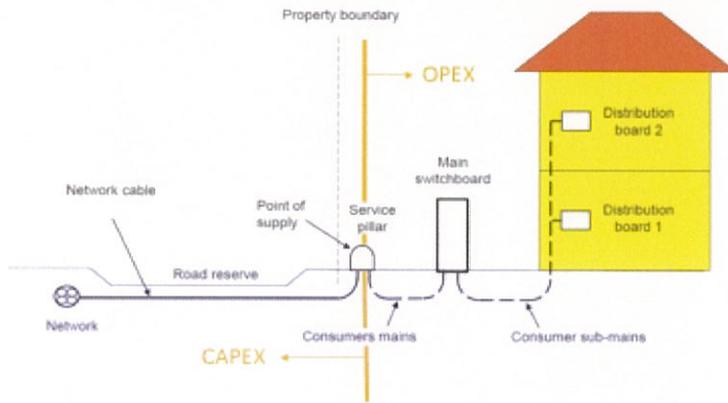
Typical underground supply arrangement



## Capex & Opex – Single Dwelling



## Capex & Opex – Strata Lot



## Attachment

### **High Level Summary**

The following is a brief description of where this is at.

I have attached further detail being the questions and WP responses which they have also attached a description of the assets they are addressing through this upgrade – particularly WP assets as compared to the privately owned assets. Also attached is advice from WALGA and please refer to the attachment I have sent through previously.

The purpose of this is to provide you with a high level view of what WP proposes and I what I believe is the drivers/status etc.

- WP need to upgrade their aging infrastructure and this could be either Under Ground (U/G) or above ground. The next time they will be upgrading the asset could be in 40+ years and are therefore presenting this to us as a once in a lifetime opportunity to achieve U/Ging.
- What they describe as CAPEX on their attachment is what they OWN and will pay for and what they describe as OPEX is where they require customer funds. They do not have a head of power to recoup these funds (\$1.6M) and therefore are relying upon us to recoup these funds for them and essentially broker the deal and administer the funds. This will cost us money, in the form of resources, which we will not recoup. The benefit for us is that it will benefit the community and put house price up.
  - WP believe there is also ongoing benefits for the community in the form of improvements to technology, solar and renewables and electric vehicles etc.
- To move this process along, WP is seeking early undertaking agreement which they would like prior to August which I have said is going to be a challenge and we will need to get our skates on if we are going to achieve this (hence this email). The early undertaking agreement will then require us to commit to 15% of the Planning costs which will result in a \$30K payment from the ToB to WP (refundable should the project not go ahead).
  - To summarise the risks I have identified so far, the payment will be undertaken prior to WP completing the Business Case feasibility (which may kill the project) and prior to WP providing us with a confirmed area (currently the area is only proposed). Ie , it may or may not include Thompson Rd.
  - When quizzed as to when this will be known they stated April 2020 – They are working through planning issues to bring this date forward.

- Other costs associated with this project include: Undertaking the Community Consultation and administering the \$1.6M.
- It is an all in approach and individual residents will not be able to opt out.
- In my discussions with them they explained that this will provide a large range of benefits for the whole community.

FIGURE 1 - UNDERGROUND POWER PROJECT

