

**TOWN OF BASSENDEAN  
AGENDA  
BRIEFINGS SESSION  
11 DECEMBER 2018**

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# TOWN OF BASSENDEAN

## NOTICE OF BRIEFINGS SESSION

A Briefings Session of the Council of the Town of Bassendean will be held on Tuesday, 11 December 2018 in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 7.00pm.

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## A G E N D A

**The Mayor will preside at Briefing Sessions. In the absence of the Mayor, the session will be presided over by the Deputy Mayor.**

### 1.0                    DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

#### Acknowledgement of Traditional Owners

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

#### Live Streaming – Audio and Video

*The Town is committed to engaging with its community and recognises that providing opportunities for the community to attend Council meetings will result in more informed and engaged residents.*

*Live Streaming will commence at the times that the meetings are due to commence and finish when the Presiding Member closes or adjourns the meeting for any reason.*

*Meetings closed for consideration of matters under Section 5.23 of the Local Government Act or by resolution of Council will not be streamed.*

**Members of the public are requested to sign the attendance sheet located on the table at the rear of the Council Chamber.**

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**2.0 ATTENDANCES AND APOLOGIES**

**3.0 DEPUTATIONS**

**4.0 DECLARATIONS OF INTEREST**

**5.0 ADDRESSES BY MEMBERS OF THE PUBLIC**

15 minutes will be allocated for addresses by members of the public on matters contained in the agenda only.

*It should be noted that comments are recorded and live streamed via YouTube, and that there is no protection from legal action being taken against you, should it arise from your comments delivered at the meeting.*

## **6.0**                    **REPORTS**

### **6.1**            **Amended Delegation Arrangements to respond to subdivision applications involving lots that comply with WAPC Development Control Policy 2.2 – Residential Subdivision (Ref: GOVN/CCLMEET/6 – Alex Snadden – Planning Officer)**

#### **APPLICATION**

The purpose of this report is for Council to review the delegations made to the Chief Executive Officer and to other officers under the *Local Government Act 1995* with respect to providing advice to the Western Australian Planning Commission (WAPC) on applications to amalgamate and subdivide land having regard to Development Control Policy 2.2-Residential Subdivision.

#### **ATTACHMENTS**

##### **Attachment No. 1:**

Development Control Policy 2.2 – Residential Subdivision

#### **BACKGROUND**

The CEO and Town staff were initially delegated the authority to give advice to the WAPC on subdivision applications at Council's Ordinary Council Meeting on 19 December 2004. This delegation has been reviewed by Council annually since its inception, with the most recent review occurring at Council Ordinary Meeting held on 23 October 2018.

#### **COMMUNICATION & ENGAGEMENT**

Delegations are a matter for Council and as such, no consultation is required for the review of delegations to the Chief Executive Officer and other Officers.

#### **STRATEGIC IMPLICATIONS**

The following objective from the Strategic Community Plan 2017-2027 is of relevance.

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
3.1 Plan for an increased population and changing demographics	3.1.1 facilitate diverse housing and facility choices.	The number of new dwelling approvals granted by the Town against the Perth Peel @ 3.5 million planning framework target for Bassendean (4,200 new dwellings by 2050).
5.1 Enhance organizational accountability	5.1.4 Improve efficiency and effectiveness of planning and services	Community/stakeholder satisfaction survey (Governance)

**COMMENT**

Development Control Policy 2.2 – Residential Subdivision (DCP 2.2) establishes the WAPC’s position on residential subdivision and circumstances in which the WAPC can exercise their delegation to vary the minimum, average and battle-axe lot sizes and frontage requirements above and beyond those outlined in State Planning Policy 3.1 - Residential Design Codes (R-Codes).

DCP 2.2 in particular provides guidance on allowing variations to minimum and average lot size up to five percent, reiterating provisions within the R-Codes, as well as providing criteria where variations to average lot size greater than five per cent can be considered. The criteria to allow for variations greater than five per cent to the average lot size are as follows:

1. *“A single residential coding of R20 to R35 applies to the land.*
2. *The site is a corner lot with frontage to two different street names or any other lot with frontage to more than one dedicated street (excluding primary and other regional roads). Corner lots with frontage to the same street name are generally not supported, however will be considered on merit against this policy, recommendation of the local government and presented to the WAPC for determination.*
3. *All proposed lots comply with the minimum lot size and frontage requirements specified in Table 1 of the R-Codes.*
4. *Crossovers and driveways to proposed lots are provided in accordance with Australian Standard (AS 2890) and the R-Codes.*

5. *Any corner truncation, pedestrian access way, vehicle right of way or laneway widening is excluded from the calculation of the minimum lot size."*

In summary, the above enables a corner lot to be subdivided at the minimum lot requirement without achieving the average.

Criteria 1 & 2 above are similar criteria to that of the density bonus provided under Part 4.3.1.3 of LPS 10 which allows corner lots with a density code of either R17.5 or R20 to be developed or subdivided at the R25 density.

The WAPC has already set a precedence that they would be willing to support a further density bonus by allowing the variations to average lot size greater than five percent in accordance with DCP 2.2, for lots affected by Part 4.3.1.3 of LSP 10. i.e. corner lots coded R17.5 or R20 by LPS 10 can be subdivided against the minimum 300m<sup>2</sup> lot size (without any averaging requirement) assigned to the R25 density code.

As it stands, when assessing a subdivision application, Town staff have only been delegated the powers to provide advice to the WAPC on a subdivision applications provided it is consistent with the provisions of the Local Planning Scheme No. 10 (LPS 10) and the Residential Design Codes, which are incorporated into Part 4 of LPS 10.

Therefore, recommendations to the WAPC are made without taking into consideration the provisions of DCP 2.2 (which can go beyond what is accommodated by the R-codes as highlighted in the table below).

Density Code	R25 (with average lot requirement as per the R-Codes)	R25 (without average lot requirement as per DCP 2.2)
<b>Minimum &amp; Average Site Area Requirements</b>	Min Lot Area: 300m <sup>2</sup> Average Lot Area: 350m <sup>2</sup>	Min Lot Area 300m <sup>2</sup>  No averaging requirement
<b>Outcome</b>	1 lot per 350m <sup>2</sup>	1 lot per 300m <sup>2</sup>

Subsequently scenarios have arisen where Town staff have made recommendations to the WAPC for refusal on the basis that the subdivision does not comply with the provisions of LPS 10 and the R-Codes, knowing the subdivision meets the circumstances outlined in DCP 2.2 and that the WAPC are likely to approve the subdivision application.

For example, if a 600m<sup>2</sup> corner lot with a density code of R25 proposed a two lot subdivision, the application, when assessed against the requirements of the R-codes could not achieve an average lot requirement of 350m<sup>2</sup> and therefore Town staff would not support the proposal. However, in accordance with DCP 2.2 the proposal would still satisfy the minimum lot requirement of 300m<sup>2</sup> and therefore the WAPC would support the application without average lot requirements.

When a local government objects to a variation to the average lot requirements and the WAPC is of the view the application should be supported due to overall compliance with DCP 2.2, further consultation may be undertaken with the Local Government before the application is determined. If the Town takes into consideration DCP 2.2, it will reduce the number of discrepancies between the Town's recommendation and the WAPC determination, avoiding the need for further correspondence. In turn this will improve the efficiency and effectiveness of the Towns planning department and facilitate the densification of the town.

Amending the delegation to enable the CEO and Town staff to consider DCP 2.2 will enable Town's staff to take into consideration the policy framework the WAPC will ultimately make a determination on and aid in the achievement of the Town's objectives to plan for an increased population and changing demographics and enhance organizational accountability. The existing delegation and proposed delegations are listed below.

Existing Delegation	The authority to give advice to the Western Australian Planning Commission on applications to amalgamate and subdivide land under s142 of the Planning and Development Act 2005, provided the advice is consistent with the requirements of Local Planning Scheme No. 10, subject to all applications for subdivision or amalgamation being presented to the Development Control Unit.
Proposed Delegation	The authority to give advice to the Western Australian Planning Commission on applications to amalgamate and subdivide land under S142 of the Planning and Development Act 2005, provided the advice is consistent with the requirements of Local Planning Scheme No. 10 and <b>WAPC Development Control Policy 2.2 – Residential Subdivision</b> , subject to all applications for subdivision or amalgamation being presented to the Development Control Unit.

The amendment to the delegation simply seeks to expand the planning framework that the Town's staff can consider when assessing a subdivision application on a corner lot.

**STATUTORY REQUIREMENTS**

*Local Government Act 1995*

**S5.42 Delegation of Some powers and duties to CEO**

- 1) A local government may delegate to the CEO the exercise of any of its powers or discharge of any of its duties under –
  - a. This Act other than those referred to in section 5.43; or
  - b. The Planning and Development Act 2005 section 214 (2), (3) or (5).
  
- 2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

*Planning and Development Act 2005*

*Local Planning Scheme No. 10*

**FINANCIAL CONSIDERATIONS**

The new delegation should reduce the Town's operational costs by eliminating the need to deal with an application twice where a corner lot is affected by the policy.

**OFFICER RECOMMENDATION — ITEM 6.1**

That Council modifies the existing delegation listed in Part 4.1 of the Delegation Register to read as follows:

PLANNING SERVICES			
4.1	Advice to the Western Australian Planning Commission	Planning & Development Act 2005 & Local Planning Scheme No. 10	The authority to give advice to the Western Australian Planning Commission on applications to amalgamate and subdivide land under S142 of the Planning and Development Act 2005, provided the advice is consistent with the requirements of Local Planning Scheme No. 10 and WAPC Development Control Policy 2.2 – Residential Subdivision, subject to all applications for subdivision or amalgamation being presented to the Development Control Unit.

**Voting requirements: Absolute Majority**

**6.2 Proposed Third-Party Signage on Payphone Facility-adjacent to the Bassendean Hotel Lot 5 No 25 Old Perth Road Bassendean Applicant JCDecaux C/o Urbis (Ref: DABC/BDVAPPS/2018-137 - Brian Reed, Manager Development Services)**

APPLICATION

The purpose of this report is for Council to consider an application for development approval for a payphone facility containing third party advertising on the footpath outside the Bassendean Hotel, and more broadly whether the Town supports this form of advertising.

ATTACHMENTS

**Attachment No. 2:**

- Planning report prepared by Urbis
- Telstra Smart City Payphones Brochure
- Plans of proposed Telstra Smart City Payphone
- Sign Management/Advertising Strategy

BACKGROUND

An application for development approval has been submitted to erect a payphone containing third party advertising on the Old Perth Road footpath adjacent to the Bassendean Hotel.

The proposal forms part of a wider proposal to roll out over 1800 new Smart City Payphones across Australia, to replace existing dated payphone facilities.

The Smart City Payphone at this location is intended to replace the existing payphone located some 70m along Old Perth Road on the south eastern corner of Guildford Road and Old Perth Road.

The Payphone structure has an overall height of 2.727m, a width of 1.2m and an effective depth of 1.019 m.

Two signs are proposed to be located on the payphone. The rear sign measures 900mm x 1600mm, and the front sign measures 400mm x 700mm. The rear screen will be used primarily for third party unrelated advertising, although could be used for the display of emergency information, while the smaller front screen will be used for Telstra advertising and could be used for the Town's digital content.

The new generation payphone will also enable, Wi-Fi access, Nearfield Communication ('tap for information' tags) and USB charging stations.

The application is discussed further in the comment section below.

**COMMUNICATION & ENGAGEMENT**

External consultation has not been carried out associated with the preparation of this report.

**STRATEGIC IMPLICATIONS**

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
3.3 Enhance the Town's appearance	3.3.1 Improve amenity and the public realm	Community / Stakeholder Satisfaction Survey (heritage, amenity and appearance)
	3.3.2 Strengthen and promote Bassendean's unique character and heritage	
	3.3.3 Implement design policies and provisions of buildings and places	

**COMMENT**

**Internal consultation**

Internal consultation on the application site has occurred with the Director of Operational Services and the Town's Engineering Technical Coordinator.

The Director of Operational Services does not support the proposal for the following reasons:

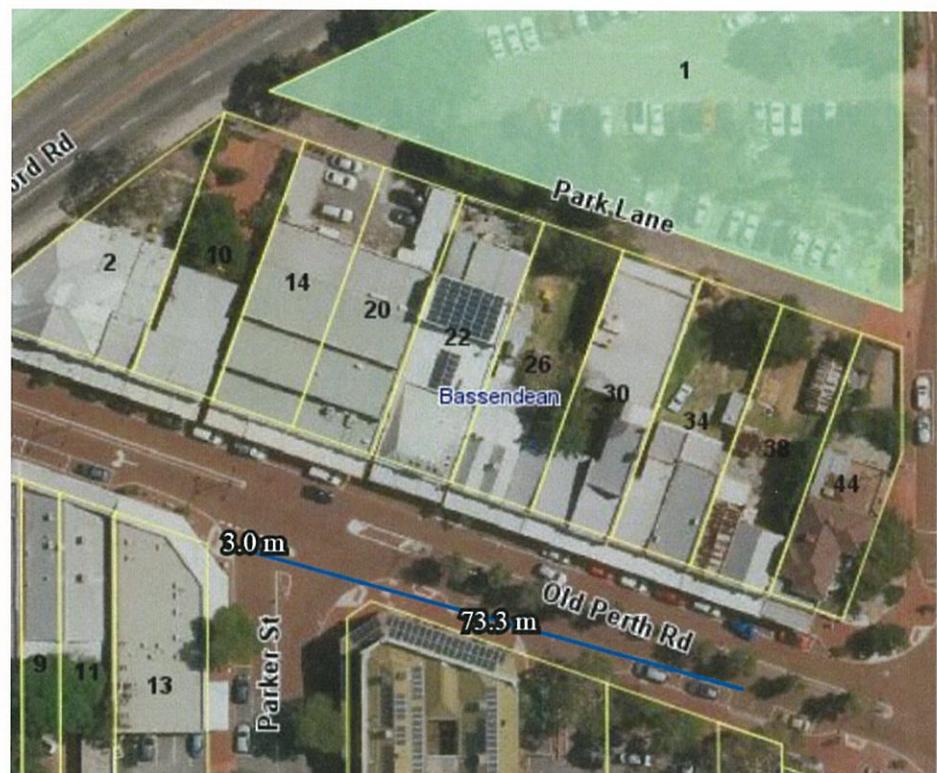
- The Bassendean Hotel has been up lit to illuminate the 1927 architectural features of this historic building and the proposed new payphone with electronic advertising will negatively impact the streetscape;
- The Bassendean Hotel is listed on the Town of Bassendean's Municipal Inventory and the proposed new payphone with electronic advertising will negatively impact the building; and
- Illuminated/ electronic advertising creates visual pollution and driver distraction within the road reserve.

The Engineering Technical Coordinator offers the following comments:

- Sight line requirements

Old Perth Road is a 40km zone. In accordance with MRWA Supplement to Austroads Guide to Road Design-Part 4a guidelines the minimum Safe Intersection Sight Distance (SISD) must be 73m (From a distance back from the hold or giveaway line = 3.0m and reaction time of 2 seconds). This is indicated on aerial photo below.

Sight line shall remain visually clear to see approaching vehicles. This is not met so the proposal is not supported (see areal below)



- Pedestrian access path

2.0m or wide pedestrian access path shall be clear of all street furniture.

I have indicated diagrammatically 2.0m wide path on aerial photo below. Any proposal shall be out of this area.



### Conclusion

Asset Services does not support the proposed location of the Telstra Digital phone facility. Alternative locations shall be investigated.

### Policy framework

The Town Area Strategy Policy and Guidelines are really designed to control the form of development that occurs on private land rather than the public realm. The only real guidance comes from section 7.10 of the document that states that:

Seating, lighting and other street furniture should match that proposed in public areas or be of high quality design durable materials and approved by Council.

Similarly Local Planning Policy No 16 – Control of Advertisements under the Local Planning Scheme No 10 aims at controlling advertisement on private land, dependant on the type of advertisement proposed, however contains the general following advice on the placement of advertisements, which are relevant to the current proposal:

An advertisement should not be displayed where -

- (b) in the case of an internally illuminated advertisement, its display would cause glare or dazzle or would otherwise distract the driver of any vehicle;
- (d) it would be likely to interfere with, or cause risk or danger to traffic on a thoroughfare by virtue of the fact that it:
  - (i) may be mistaken or confused with, or obstruct or reduce the effectiveness of any traffic control device;
  - (v) may obscure the vision of a person driving a vehicle.
- (e) in the case of an illuminated advertisement, it may be confused with or mistaken for the stop or tail light of a vehicle or vehicles;
- (g) it would detrimentally affect the amenity of the area.
- (h) It would detrimentally affect the significance and aesthetics of a Heritage Area or a place on the Heritage List.

Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 sets out matters to be considered by a local government when determining any application for development approval.

Relevant considerations for the proposal include the amenity of the locality (n), the probable effect on traffic flow and safety (t), the availability and adequacy of public utility services (u(ii)), the potential loss of any community service or benefit (v), and the impact of the development on the community as a whole (x).

### Conclusion

The current proposal is considered to be unacceptable in the proposed location proposal due to it compromising the minimum Safe Intersection Sight Distance at the junction of Parker Street and Old Perth Road, being inappropriately located adjacent to a pram ramp, and not providing the minimum 2.0m clear pedestrian path.

Concern has also been expressed by the Director of Operational Services that the proposal will have a negative impact on a heritage building, the streetscape, and will create visual pollution and driver distraction.

Having regard to the above comments, the proposal cannot be supported in its current form and options for Council are to either refuse the application, or to invite the applicant to investigate alternative sites in the Town Centre, if it supports the provision of this type of utility in the Town.

Whilst approval cannot be recommended in the currently proposed location, the Manager Development Services supports the provision of a Smart City Payphone within the west end of Old Perth Road as it provides increased facilities, through WiFi and USB charging facilities, and represents an increase in investment if the West end of Old Perth Road.

### STATUTORY REQUIREMENTS

Telstra can install and operate these Smart City Payphones as a 'low -impact facility' without the need for formal approval from the relevant Local Government, pursuant to Schedule 3 of the Telecommunications Act 1997. The Telecommunications Act 1997 is federal legislation thus prevails over any other relevant state or local government legislation.

Whilst Telstra can install and use these phones without approval from the Town, they can only display Telstra's Standard Telephone Service (STS) advertising and information.

Approval of the Local Government is required where Telstra seek to use the advertising screens for the display of third party content. Therefore, Telstra requires the City's approval to utilise the digital displays on the phone infrastructure for advertising of third party information.

Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 sets out matters to be considered by a local government when determining any application for development approval. Relevant considerations for the proposal include the amenity of the locality (n), the probable effect on traffic flow and safety (t), the availability and adequacy of public utility services (u(ii)), the potential loss of any community service or benefit (v), and the impact of the development on the community as a whole (x).

### FINANCIAL CONSIDERATIONS

Nil to the Town.

### OFFICER RECOMMENDATION — ITEM 6.2

That Council:

- 1 Invites JCDecaux to lodge amended plans for an upgraded Telstra Smart City Payphone facility in another location in the west end of Old Perth Road; and
- 2 Authorises the Manager Development Services to deal with an amended proposal for an upgraded Telstra Smart City Payphone facility under delegated authority.

### **Voting requirements:**

**Point 1 - Simple Majority**

**Point 2 - Absolute Majority**

**6.3 Station Access Cycle & Pedestrian Upgrade – Broadway, Bassendean (Ref: ROAD/DESCONT/7 – David Dwyer, Engineering Technical Coordinator and Ken Cardy, Manager Asset Services)**

APPLICATION

The purpose of this report is to inform Council of results of the community consultation completed for the above aforementioned project and an update on the progress of the detailed design.

Furthermore, seek approval to progress to construction within 2018/19 financial year.

ATTACHMENTS

**Attachment No. 3:**

- Letters sent to adjacent residents
- “Your Say” engagement report
- Responses received and officer comment
- Current Design Drawings

BACKGROUND

In March 2018, Council (OCM-27/03/18) provided in principle support to the Public Transport Authority for the implementation of the Station Access Cycling & Pedestrian Upgrade – Broadway, Bassendean Project. Council requested the Public Transport Authority present the draft plans to Council for consideration.

In May 2018, Council (OCM22/05/18) received presentation from Public Transport Authority of concept plans for the Station Access Cycling & Pedestrian Upgrade – Broadway, Bassendean. Council noted the Station Access Cycling & Pedestrian Upgrade – Broadway Bassendean Project concept plan and requested the Public Transport Authority be advised that the Town continued interest in the project and that final determination will be made at Council’s 2018/19 Budget consideration. Council (OCM 16/05/18) also resolved to commence a period of public consultation regarding the design, specifically with residents along the affected route

In the 2018/19 Budget, \$100,000 was committed to the Station Access Cycling & Pedestrian Upgrade – Broadway, Bassendean Project.

The project will make riding or walking to the Bassendean Station a more attractive option for local residents, by improving the separation of these modes from vehicle movements. The project also has the potential to reduce traffic congestion around Bassendean Station by encouraging more people to choose active transport modes when commuting to the station.

The project will include:

- Upgrading 550m of bicycle lane on either side of the roadway along Broadway;
- Upgrade kerbing and footpaths at the start and finish of the bicycle lanes to improve connectivity with existing bicycle and pedestrian paths; and
- Improvements to pedestrian crossings at the intersection of Broadway/Iolanthe St and Iolanthe St/Railway Parade.

The red asphalt bicycle lanes will be 1.25m wide and separated from traffic lanes by a painted buffer. The lanes will be created within the existing roadway without encroaching on verges or driveways.

#### COMMUNICATION CONSULTATION & ENGAGEMENT

Concept drawings and all community engagement documents were presented 12 October 2018 Councillors' Bulletin.

The community consultation program (2 weeks: commenced on 12 October and concluded on 26 October 2018) and included the following:

1. Letter drop to 61 residents adjacent to the project - A3 concept plans and project information letter;
2. Residents adjacent to the project were offered via letter the opportunity to attend a "walk through" on 18 October between 4pm and 5pm. Interested residents were required to register their interest prior;
3. Engagement, feedback gathering and information via the "Your Say Bassendean" interactive web platform; and
4. Promotion of project via the Town's social media channels which informed the community about project and linked to the "Your Say Bassendean" platform.

After the two week community consultation period, Asset Services reviewed all feedback.

No residents registered for the “walk through”. Representatives from the Town and the Public Transport Authority attended the site between 4:00pm and 4:30pm, in case any residents wished to go through the project. No residents were in attendance.

“Your Say Bassendean” received 79 visits with 9.3% engaging. Seven people completed the survey and 22 people downloaded documents.

One email was received directly by the Town’s Engineering Technical Coordinator.

**STRATEGIC IMPLICATIONS**

Strategic Priority 3: Built Environment

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we’re going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
3.2 Enhance connectivity between places and people	3.2.1 Connect the Town through a safe and inviting walking and cycling network.	Community / Stakeholder Satisfaction Survey (roads, footpaths and cycle paths) Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.)
	3.2.2 Advocate for improved and innovative transport access and solutions.	
	3.2.3 Enhance the liveability of local neighbourhoods.	
	3.2.4 Enhance road safety through design	

**COMMENT**

Eight people from the community provided feedback regarding the Bassendean Station Access, Cycle and Pedestrian Upgrade Project (seven via “Your Say” and one via direct email).

Seven “Your Say” responses were received by the Town - five are in support of the project and two were not.

One email received directly by The Town’s Engineering Technical Coordinator, was in support of the project with comments regarding traffic calming.

In total, six of the responses received were in support of the project and two were not in support. In each response, an officer comment has been provided (see attachment).

### DESIGN PROGRESS

The Public Transport Authority commenced detailed design in November in consultation with Town of Bassendean's Engineering Officers. A topographical feature survey of the design area has been completed.

Following consultation with external stakeholders - Main Roads and TransPerth and in order to gain necessary approvals, the proposed design has been slightly modified to provide 3.2m traffic lanes (absolute minimum lane width acceptable for a bus route) and will delineate the 1.25m cycle lane by the use of red asphalt and incorporate a 0.3m painted buffer area between the cycle lane and vehicle lane. Narrowing the vehicle lane width (lane width to be reduced from 4.0m to 3.2m) has been shown to reduce passive vehicle speed by visually confining the available space and is expected to help address traffic speeding concerns raised by the community.

As mentioned in the community consultation material, the implementation of on-site stormwater infiltration is being considered in the detailed design.

### STATUTORY REQUIREMENTS

Nil.

### FINANCIAL CONSIDERATIONS

An amount of \$100,000 has been listed in 2018/19 Budget.

### OFFICER RECOMMENDATION — ITEM 6.3

That Council:

1. Receives feedback from the community and notes the outcome of community consultation period, and
2. Endorses the update on the progress of the detailed design for the Station Access Cycle & Pedestrian Upgrade – Broadway, Bassendean

**Voting requirements: Simple Majority**

**6.4 Draft Emission Reduction Plan (Ref: ENVM/PLANNG/1 - Jeremy Walker, Senior Environmental Officer)**

APPLICATION

The purpose of this report is for Council to endorse the revised draft Town of Bassendean Emissions Reduction Plan in order to invite community comment for future Council consideration

ATTACHMENTS

**Attachment No. 4:**

Draft Town of Bassendean Emission Reduction Plan

BACKGROUND

Since the year 2000, the Town of Bassendean, in conjunction with the East Metropolitan Regional Council, has been implementing climate mitigating strategies and actions. In 2004, Council adopted its first Environmental Management Plan, which was used by staff to develop numerous plans and policies. In order to improve strategic direction, a 2014-2024 Environmental Management Plan document was prepared and adopted by Council to guide and to be used as a reference document for staff covering the following six focus areas:

1. Governance and Communication;
2. Land Use and Cultural Heritage;
3. Atmosphere and Climate Change;
4. Biodiversity;
5. Waste Management; and
6. Water Conservation.

In regards to the Atmosphere and Climate Change focus area, the Town has been implementing the required actions to reduce carbon emissions and the impacts of climate change, such as increased heatwaves, floods and storms that will affect current and future generations and the Bassendean environment. Reducing the emission of greenhouse gases is just one way that the Town is contributing to mitigating climate change, as well as the sustainability of corporate activities and the resilience of the Bassendean community.

As part of the ongoing environmental work, in 2014/2015 the Town of Bassendean set a 7.5% Carbon Reduction Target based on the 2011/2012 corporate emissions. As a result, Council allocated funding to implement the required actions to achieve a 10.8% reduction in carbon emissions in 2016/2017, through the implementation of solar PV systems, LED lighting, energy efficient products and much more.

During 2017/2018, the Town's Carbon Reduction Plan was reviewed with the desktop study of the EMRC's Regional Environment Strategy 2016-2020 and taking into consideration the Australian Government's Emissions Reduction Target of reduce emissions by 26-28% on 2005 levels by 2030, which was developed as part of the its commitment to the 2015 Paris Agreement global climate change treaty.

It was determined that the Town's new target is to "reduce 2014/2015 corporate carbon emissions by 26-28% by 2029/2030". This will require emissions reductions against the Town's current carbon footprint within all organisational units including buildings and facilities, fleet, parks and gardens, auxiliary lighting and street lighting.

### COMMUNICATION & ENGAGEMENT

In March 2018, the draft of the ACER Emission Reduction Plan was presented to the Sustainability Committee. The Committee (SC-6/03/18) resolved in part to receive the first draft ACER Emission Reduction Plan and requested that members of the Committee review the draft ACER Emission Reduction Plan and provide feedback to officers by COB Friday 14 April 2018, to enable officers to review feedback and provide an update at meeting on 29 May 2018.

As the Town did not receive the requested feedback from the members of the Sustainability Committee by 14 April 2018, a follow up request was forwarded with one community member providing the following feedback:

*'I've had a read and think it looks really good! One comment I would make is that maybe we don't need to tie our emissions reductions target to Australia's Paris Commitment. The first round of country commitments aren't anywhere near enough to keep the world below 2 degrees, let alone 1.5 degrees warming. It's expected that countries will continue to ramp up their efforts at the five-yearly review of Paris Targets. So given this, maybe Bassendean can aim higher than that. I also wonder whether it would be worth Bassendean considering joining in on an the emissions reduction pledge or framework? For example the Climate Council runs the Cities Power Partnership, which launched mid last year and already has 10 WA Local Governments participating. It sounds like a pretty good program as participants get access to resources, publicity for actions taken, and are 'buddied up' to other Local Governments. There are other ones too, like One Planet Councils and the Compact of Mayors.'*

Officers have taken this feedback on board and the Emission Reduction Plan was updated to include the Town joining the 'Cities Power Partnership'. On 2 October 2018, the Town was included into the partnership along with 31 other new councils. Cities Power Partnership now has over 100 Local Governments across Australia. As part of the program, Councils pledge five actions to tackle climate change locally, from ramping up renewable energy through to planning sustainable transport systems. The Town has captured these five actions within its Emission Reduction Plan.

It is not proposed to include an item in the Bassendean Briefings due to the distribution date will not commence until 18 to 22 February 2019, and Officers are looking to report to Council in February 2019, to enable funding to be listed for Council consideration. As a result, the draft Emission Reduction Plan attached to this agenda will be advertised in January 2019 for a 6 week period, on the Town's Facebook page, the Eastern Reporter and the "Your Say Bassendean" website, inviting public feedback. It is intended that the feedback provided will be reviewed and presented to Council for consideration.

**STRATEGIC IMPLICATIONS**

Community Strategic Plan 2017-2027- Strategic Priority 2 Natural Environment, states:

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
2.1 To display leadership in environmental sustainability	2.1.1 Strengthen environmental sustainability practices and climate change mitigation	Waste reduction ratio to population  Carbon emissions ("Planet Footprint")
	2.1.2 Reduce waste through sustainable waste management practices	
	2.1.3 Initiate and drive innovative Renewable Energy practices	

**COMMENT**

In regards to the comment relating to the Town aligning its target with the Australian Paris agreement, the Town's previous CRP set a target to reduce base year (2011/2012) corporate emissions by 7.5% by 2016/2017.

The Town achieved this target early, prompting the review and creation of a new target. If the Town is to achieve the Federal Government's target early, the plan can be reviewed once again and a new target set, as this is a working document.

Officers believe that aligning with the Federal Government target is a good starting point and the Town can improve on this target, if achieved early. The Emissions Reduction Plan is an implementation tool for the strategy and provides actions for the Town over a five year period (2018-2023) to achieve a new emissions reduction target.

Since the new target baseline year of 2014/2015, the Town has already reduced its corporate carbon emissions by 10.8% through the implementation of solar PV systems, LED lighting, energy efficient products and much more. For the Town to achieve its new target, corporate carbon emissions will need to be reduced by a further 258.0 - 331.5 tonnes CO<sub>2</sub>-e to reach a 26-28% reduction by 2029/2030.

Within the emission reduction plan, the Town's emissions boundary is defined, and actions developed in the CRP review process are listed in action tables. To aid in identifying priority actions, the action tables list budget types, estimated cost ranges, emissions reduction potential and timeframes, as well as outline the responsible department/s. These actions will assist the Town to progress emissions reductions towards its new target.

The Town's carbon footprint is the aggregated emissions from the Town's corporate operations and activities that use stationary energy and liquid fuels, such as electricity, gas, unleaded petrol and diesel. The Town's emissions are measured in tonnes of carbon dioxide equivalent (tCO<sub>2</sub>-e) and each source type has different emissions factors that are used for calculation. The Town mainly consumes electricity and gas for Council buildings and facilities such as administration, community centres and lighting. The Town's 2014/2015 total carbon footprint was 1,699.1 tCO<sub>2</sub>-e. Of that total, 44.3% of emissions were produced by street lighting, 33.6% by buildings and facilities, 16.4% by fleet, 5.5% by parks and gardens (operation of plant and equipment, eg irrigation pumps) and 0.2% by auxiliary lighting.

The areas which have the most potential for reductions include the Town's buildings and facilities, fleet, and parks and gardens. These areas make up over 55% of the Town's carbon footprint and reducing emissions in these areas can be achieved with technology and measures that are currently accessible.

The Town is on its way to achieving its new target, and officers will continue their efforts, including thinking of new ways to reduce the Town's carbon footprint as it approaches 2030.

### STATUTORY REQUIREMENTS

Local Government Act 1995

### FINANCIAL CONSIDERATIONS

The following funds have been allocated in 2018-19 Budget to undertake short-term actions identified in Emission Reduction Plan:

- Electric car charging Station \$6,000 – OCM 15/10/18 approved site for charging station which was officially launched Saturday 1<sup>st</sup> December 2018;
- Switch your Thinking Program \$5,000 - OCM 15/10/18 resolve to promote the program to residents and the discounted solar photovoltaic (PV) systems;
- Climate Clever Program \$5,000 - OCM 15/10/18 endorsed the program with an information session held at 3:30pm on 12 November 2018 and notes that the "Switch Your Thinking" subsidy will be made available to the schools;
- Community Grants & Projects \$5,000 - OCM 15/10/18 resolved for the Sustainability Committee to prepare a draft application form and grant funding selection criteria that assists applicants to demonstrate their ability to deliver the intended outcome, including evidence of financial management and demonstrate capabilities; and to make recommendation to Council as to how the grant funding shall be distributed or expended; and
- Community Grants & Projects \$5,000 OCM 15/10/18 resolved to provide a subsidy to residents for either composting, Bokashi or worm farm subject to attendance at a workshop and being a resident of the Town.

The Emissions Reduction Plan - page 16: Action Table 1: Whole Organisation, outlines ongoing actions, short, medium and long term financial commitments and actions, in order for Council to achieve the required target. At this stage, the plan indicates an estimated dollar range to undertake the proposed actions, however, it is intended that quotes will be obtained as part of the future budget cycles for Council consideration.

**OFFICER RECOMMENDATION – ITEM 6.4**

That:

1. Council receives the Draft Emission Reduction Plan attached to the Ordinary Council agenda of 11 December 2018;
2. The draft Emission Reduction Plan be advertised for a period of 6 weeks in January 2019 via the Town's Facebook page, "Your Say Bassendean" website and the Eastern Reporter inviting community feedback; and
3. The community feedback provided will be reviewed and presented to Council for consideration.

**Voting requirement: Simple majority**

**6.5 River Parks Committee – Instrument of Appointment and Delegation (Ref: GOVN/CCLMEET/33 – Simon Stewart-Dawkins, Director Operational Services)**

APPLICATION

The purpose of this report is for Council to endorse the proposed amendments to the River Parks Committee's Instrument of Appointment and Delegation for the 2017-19 term.

ATTACHMENTS

**Attachment No. 5:**

Draft Instrument of Appointment and Delegation – River Parks Committee

BACKGROUND

On 26 September 2017, Council authorised the continuation of the Bassendean River Parks Management Committee and called for expressions of interest from community members and notifies government agencies of the continuation of this Committee for the 2017-19 term.

The Instrument of Appointment currently states that membership of the River Parks Committee consists of the following, with voting rights:

- Three Councillors from the Town of Bassendean; and
- Five community representatives.
- One representative from the Department of Planning;
- One representative from the Department of Parks and Wildlife;
- One representative from the Department of Water; and
- One representative Department of Fire and Emergency Services.

As part of a recent review of the Instrument of Appointments, the Western Australian Local Government Association (WALGA) Governance Manager advised that in order for the State Government Agencies to have voting rights, Council would need to appoint the individuals.

In the past Council has invited representatives from State Government Agencies rather than appointing an individual person from an agency, because of the limited resources within a Government Agency and it provided flexibility for another officer to attend.

**COMMUNICATION & ENGAGEMENT**

At the 13 November 2018 River Parks Committee meeting, the Committee was informed of the WALGA advice and the general consensus from the current State Government Agency representatives is that they would prefer not to have voting rights on this Committee, because at times they feel that there could be a perceived conflict of interest when particular matters may arise.

**STRATEGIC IMPLICATIONS**

*Community Strategic Plan 2017-2027 Section 5 - Good Governance*

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>
5.2 Proactively partner with the community and our stakeholders	5.2.1 Improve customer interfaces and service
	5.2.2 Engage and communicate with the community
	5.2.3 Advocate and develop strong partnerships to benefit community

**COMMENT**

It is suggested that the Instrument of Appointment of Delegation for the River Parks Committee be amended, as follows:

**"MEMBERSHIP**

*Membership of the Committee shall consist of 8 members, with voting rights, comprising the following:*

- *Three Councillors from the Town of Bassendean; and*
- *Five community representatives.*

*Four members in an advisory role, with no voting rights, comprising the following:*

- *One representative from the Department of Planning;*
- *One representative from the Department of Parks and Wildlife;*
- *One representative from the Department of Water; and*
- *One representative Department of Fire and Emergency Services."*

As State Government Agency representatives may change from time to time, because of competing demands on their limited resources, it is recommended that the Instrument of Appointment be amended in accordance with the Local Government Act and the Town of Bassendean Standing Orders 2011.

### STATUTORY REQUIREMENTS

Local Government Act 1995

Town of Bassendean Standing Orders Local Law 2011, states:

Part 2 – Establishment and membership of committees

2.1 Establishment of committees

- (1) The establishment of committees is dealt with in the Act.

A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees. \*Absolute majority required.  
[Section 5.8 of the Act]

- (2) A Council resolution to establish a committee under section 5.8 of the Act is to include –
  - (a) the terms of reference of the committee;
  - (b) the number of council members, officers and other persons to be appointed to the committee;
  - (c) the names or titles of the council members and officers to be appointed to the committee;
  - (d) the names of other persons to be appointed to the committee or an explanation of the procedure to be followed to determine the appointments; and
  - (e) details of the delegation of any powers or duties to the committee under section 5.16 of the Act.

### FINANCIAL CONSIDERATIONS

Nil.

OFFICER RECOMMENDATION — ITEM 6.5

That the Instrument of Appointment of Delegation for the River Parks Committee be amended, as follows:

MEMBERSHIP

*Membership of the Committee shall consist of 8 members, with voting rights, comprising the following:*

- *Three Councillors from the Town of Bassendean; and*
- *Five community representatives.*

*Four members in an advisory role, with no voting rights, comprising the following:*

- *One representative from the Department of Planning;*
- *One representative from the Department of Parks and Wildlife;*
- *One representative from the Department of Water; and*
- *One representative Department of Fire and Emergency Services.*

**Voting requirements: Absolute majority**

**6.6 Sparx Early Learning Centre – Risk Mitigation Options for Tree Roots (LEGL/AGMT/7 - Salvatore Siciliano – Manager Recreation and Culture)**

**APPLICATION**

This report is for Council to determine their preferred option in mitigating the risks associated with exposed tree roots in the play area of the Sparx Early Learning Centre located at 128 Ivanhoe Street, Eden Hill.

**ATTACHMENTS**

**Attachment No. 6:**

- Arborist report
- Public liability risk assessment

**BACKGROUND**

Funtrain Enterprises Pty Ltd (Lessee), trading as Sparx Early Learning Centre located at 128 Ivanhoe Street, Eden Hill is currently exercising the third and final 5 year option of their lease from 5 February 2016 to 4 February 2021 and have a licence agreement for the use of Alf Faulkner Hall for the same period for their out of school care program.

There are two mature flooded gum trees (*Eucalyptus rudis*) in the centre of the child care playground that have exposed tree roots in the outside play area. The Lessee has raised safety concerns after an employee first tripped over the roots in January 2017 and was part of a worker's compensation claim for approximately 8 weeks.

An arborist site inspection and visual tree assessment was undertaken from ground level on 24 October 2017, with an additional site visit conducted on 22 August 2018 to determine the monetary value of both trees.

The arborist report was conducted within the context of maintaining tree retention and outlining options to mitigate the issue of exposed tree roots.

In early 2018, a Public Liability Risk Assessment was commissioned by Officers and undertaken by Local Government Insurance Services (LGIS), with a final risk assessment report being provided to the Town in April 2018. A range of options for mitigating the risks of the exposed tree roots was outlined in the report.

From the outset, the Lessee has been mitigating the risk of exposed tree roots by placing play equipment and synthetic surfaces over the tree roots and in the long term does not present a viable option.

The Lessee has recently advised Officers that the softfall in the play area has undergone considerable wear and tear and would more than likely need to be replaced. Without knowing the mitigation strategy for dealing with the exposed tree roots, the Lessee is currently reluctant to replace any softfall.

Whilst a separate issue and the subject of a separate report to Council, the Lessee has requested Council to consider an extension to the current lease prior to the expiration of the existing lease in February 2021.

Given that the issue of exposed tree roots was first raised with Officers in January 2017, it is critical that the matter be resolved as soon as possible.

As part of the lease agreement, the lessee is responsible for the general upkeep of the outside play area and garden.

#### COMMUNICATION AND ENGAGEMENT

Town Officers have maintained regular communication with the owner of Sparx, which has included site visits and linking the owner with the Arborist and LGIS for their respective site visits and report writing.

A site inspection of the property has been scheduled for Tuesday 11 December 2018, prior to the Briefings Session be held.

#### STATUTORY REQUIREMENTS

Local Government Act 1995

#### STRATEGIC IMPLICATIONS

The issue of exposed tree roots and mitigation strategies to manage associated risks align with the following:

<b>Objectives</b> <i>What we need to achieve</i>	<b>Strategies</b> <i>How we're going to do it</i>	<b>Measures of Success</b> <i>How we will be judged</i>
1.3 Plan for a healthy and safe community	1.3.1 Facilitate safer neighbourhood environments	Community / Stakeholder Satisfaction Survey (Safety, Health and Well-being)
	1.3.2 Promote and advocate community health and well-being	
2.2 Protect our River, Bushland Reserves, and Biodiversity	2.2.1 Protect and restore our biodiversity and ecosystems	Community / Stakeholder satisfaction Survey (River, Bushland and Reserves)
	2.2.2 Sustainably manage significant natural areas	
5.1 Enhance organisational accountability	5.1.3 Strengthen governance, risk management and compliance	
	5.1.5 Ensure optimal management of assets	

### COMMENT

In determining the appropriate strategy to mitigate the risks of exposed tree roots in the play area of Sparx Early Learning Centre, the following options have been recommended for the Town's consideration by both the Arborist and LGIS:

<b>Source</b>	<b>Option</b>	<b>Officer Comment</b>
Arborist Report (Bowden Tree Consultancy)	<p>Option 1 (Where tree retention is desired for both trees)</p> <p>Removal of synthetic turf within structural root zone and replace with mulch and/or landscape plantings.</p> <p>For root/surfacing conflicts beyond the structural root zones, consideration could be given to lifting of the synthetic turf, raising the soil slightly to achieve a level surface and re-applying the synthetic turf.</p> <p>Pruning of a small number of roots beyond the structural root zone provides an option to alleviate the conflicts, however ongoing pruning as part of normal maintenance will be required in the medium term (2-5 years) to prune subsequent adventitious root growth.</p>	<p>Presents a short to medium solution to mitigate the risks of exposed tree roots, ie. 2-5 years and could be implemented as part of Asset Services/Parks and Gardens annual operating budget.</p> <p>Whilst not mentioned in the arborist's report, a possible solution to this option could be also to remove the synthetic surface and cracked damaged slabs around trees, retain the existing trees and manage in accordance with a suitable low timber deck to be installed around the trees. The timber deck can be incorporated into the outdoor space and can be used as a play space. This option would be considered to be a capital item and would need to be included in the February 2019 budget review and/or 2019/2020 budget process.</p>

<p>Arborist Report (Bowden Tree Consultancy)</p>	<p>Option 2                  (As tree/root growth is likely to continue)</p> <p>Relocate the synthetic turf surface and play area away from the trees.</p>	<p>To maintain the existing size of play area, would mean that the perimeter fence would need to be extended eastward towards Mary Crescent Reserve and ground works to be undertaken to level the area.</p> <p>Whilst this option is a long term solution, the re-location of the play area becomes a capital project and would need to be costed and included as part of the February 2019 budget review or included in the 2019/2020 budget process.</p>
<p>Risk Treatment Options - LGIS</p>	<p>Option 1 – Arboricultural Assessment (short to medium solution)</p> <p>This treatment option does not permanently eliminate identified hazards within the centre of the play area.</p> <p>Roots within the structural root zone are critical to the trees stability, so landscaping to delineate this area would mitigate the risk of instability, however this alone would reduce the play area by 78sqm.</p> <p>Lifting the synthetic surface in order to raise the soil level is a short to mid-term fix.</p> <p>Although this option mitigates some risks in the short to medium term, the hazards and potential consequences will continue to persist in the play area longer term.</p>	<p>The LGIS report does describe the trees as being mature and structurally sound and in good health.</p> <p>Presents a short to medium solution to mitigate the risks of exposed tree roots, ie. 2-5 years and could be implemented as part of Asset Services/Parks and Gardens annual operating budget .</p>
<p>Risk Treatment Options - LGIS</p>	<p>Option 2 – Arboricultural Assessment (long term solution)</p> <p>Relocate the synthetic turf surface and play area away from the Flooded Gum Trees.</p> <p>This option allows the Town to preserve the trees, however it's a longer term solution to address hazards identified.</p> <p>Implementing this recommendation would require extending the play area boundaries to include part of the Mary Crescent Reserve. This would be expensive as it would require the relocation of a number of fixed / permanent play area fixtures.</p>	<p>Capital project, would need to be costed and included in February 2018/2019 budget review or considered in the 2019/2020 budget process.</p> <p>To maintain the existing size of play area, would mean that the perimeter fence would need to be extended eastward towards Mary Crescent Reserve and ground works to be undertaken to level the area.</p> <p>It is important to note that there are a number of trees within the relocation area and ground works may impact these trees.</p>

	<p>Ground works would also need to be conducted as there is a drop in surface level of approximately 60cm from the current perimeter fencing of the play area to the far edge of the area under consideration.</p> <p>It is important to note that there are a number of trees within the relocation area and ground works may impact these trees.</p>	
<p>Risk Treatment Options - LGIS</p>	<p>Option 3 – Remove both trees. (long term solution)</p> <p>Identified as a further risk treatment option to remove both trees as this option resolves all issues relative to the root/surface conflicts and are likely to be cost effective.</p>	<p>The Town has in place a Tree Protection Policy and an Amenity Evaluation Policy. The option of removing both trees would require a resolution from Council. The arborist has valued the amenity tree value of both trees as follows:                  Tree 1 (southernmost tree)                  \$8,941                  Tree 2 (northernmost tree)                  \$11,391                  Total value = \$20,332</p> <p>The cost to plant new trees as per the Town's fees/charges for 2018/2019 is \$2,264.80 per tree.</p> <p>The Lessee has advised that the removal of both trees would present a long term solution from the perspective of safety. Also, given the low leaf foliage of both trees with minimal shade being currently provided, the Lessee is of the view that the removal of both trees would have little or no impact on the ability of children to play outside. More than half the outside area is covered in shade.</p> <p>The financial viability of removing trees versus the cost of implementing other risk mitigation options needs to be considered.</p>
<p>Risk Treatment Options - LGIS</p>	<p>Option 4 – Do nothing. (short term solution)</p> <p>The suitability of this option is dependent upon the Town's risk tolerance.</p> <p>To date there has been one worker's compensation claim associated with root/surface conditions and a number of children have tripped over the exposed roots, of which no injuries have been recorded to date.</p>	<p>It is not an option for the Town to do nothing given that the safety concerns of exposed tree roots have been raised by the Lessee, with one employee sustaining an injury and a number of children reportedly tripping over the tree roots.</p>

Given that safety is the driving factor to find a suitable solution to mitigate the risks of exposed tree roots of the two mature flooded gum trees, subject to Council retaining the view that 128 Ivanhoe Street, Eden Hill is to continue to be used for the purpose of a child care centre, Officers would like to recommend that the following two options represent the best long term course of action:

**Option 2 – Arborist Report / Risk Treatment Option (LGIS)**

Relocate the synthetic turf surface and play area away from the Flooded Gum Trees.

Extend the play area boundaries to include part of the Mary Crescent Reserve with associated ground works to be undertaken.

Additional item to cover the affected area of exposed tree roots with mulch and native bush garden to reduce the incidence of child care staff and children from accessing the affected area.

**OR**

**Option 3 – Risk Treatment Option (LGIS)**

Remove both mature flooded gum trees (southernmost and northernmost trees).

**FINANCIAL CONSIDERATIONS**

The implementation of Option 2 - Arborist Report / Risk Treatment Option (LGIS), represents a capital item and would need to be costed out and considered as part of the February 2019 budget review or as part of the 2019/2020 budget process.

The implementation of Option 3 - Risk Treatment Option (LGIS), would cost the Town \$20,332 in amenity tree value plus removal costs.

Using the Streetscape Contribution as per the Town's Fees and Charges Schedule 2018/2019 as a guide, if Option 3 was to be implemented, the cost to the Town to plant two new trees would equate to \$4,529.60.

Whilst not fully costed out, the implementation of Option 2 would represent a more expensive option for the Town to complete given that ground works need to be completed with a fence extension.

If Option 2 was adopted, the ongoing costs of mulching and maintaining the native bush garden in the affected area would become the responsibility of the Lessee once the initial installation is completed by the Town.

OFFICER RECOMMENDATION - ITEM 6.6

That:

1. Council receives the Arborist's Report and the Public Liability Site Risk Assessment by Local Government Insurance Services regarding exposed tree roots and associated risks of the two mature flooded gum trees;
2. Officers obtain quotations on the implementation of Option 2 for the relocation of the playground with associated ground works and fence extension, versus the viability of implementing Option 3 for the removal of both flooded gum trees; and
3. Writes to the Lessee of 128 Ivanhoe Street, Eden Hill, advising of Council's preferred interim course of action.

**Voting requirements: Simple Majority**

**6.7 Annual Report for the Year Ended 30 June 2018 (Ref: FINM/AUD/7 – Peta Mabbs, Chief Executive Officer)**

APPLICATION

The purpose of this report is to:

- Adopt the 2017/18 Annual Report that includes the Audited Annual Financial Statements for the year ended 30 June 2018; and
- Set a date for the General Meeting of Electors.

ATTACHMENTS

**Attachment No. 7:**

- Draft 2017/18 Annual Report
- 2017/18 Audited Annual Financial Statements including the Audit Report.

BACKGROUND

The 2017/18 Annual Report has been completed and Council is requested to adopt the document.

The CEO is required to give local public notice of the availability of the report. Additionally, a General Meeting of Electors is to be held within 56 days of the adoption by Council of the Annual Report.

It is suggested that the People Services Committee be rescheduled to Tuesday 5 March 2019. This will allow the General Meeting of Electors to be held on Tuesday 5 February 2019.

It should be noted that a number of dates have been investigated to hold the General Meeting of Electors, including statutory timeframes, availability of officers, venue availability, and other Town events.

RELEVANT LAW

The Local Government Act specifies as follows:

**Section 5.53. Annual reports**

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain:

- (a) a report from the mayor or president;
- (b) a report from the CEO;
- [(c) (d) deleted]
  
- (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;
- (f) the financial report for the financial year;
- g) such information as may be prescribed in relation to the payments made to employees;
- (h) the auditor's report for the financial year;
- (ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993;
- (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including -
  - (i) the number of complaints recorded in the register of complaints
  - (ii) how the recorded complaints were dealt with;
  - (iii) any other details that the regulations may require; and
- (i) such other information as may be prescribed.

#### **Section 5.54. Acceptance of annual reports**

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.  
*\* Absolute majority required.*
  
- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

#### **Section 5.55 - Notice of Annual Reports**

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

#### **COMMUNICATION & ENGAGEMENT**

The General Meeting of Electors provides members of the public the opportunity to ask questions and make statements. A community bar-b-que is proposed to be hosted by the Town of Bassendean prior to the meeting. Members of the public will be asked to RSVP to the event and provide notice of any questions.

## STRATEGIC IMPLICATIONS

### Leadership and Governance

- *We will be accountable and make decisions for the good of the community*
- *Strengthen Council governance and compliance.*

### COMMENT

The Annual Report and the 2017/18 Audited Financial Statements provides an overview of the activities of the Town of Bassendean and reports on the measures of success in line with the Corporate Business Plan.

The Independent Audit Report provided by the Town's Auditors, Macri & Partners, is included in the Financial Report.

### OFFICER RECOMMENDATION – ITEM 6.7

That Council:

1. Accepts the Town of Bassendean's 2017/18 Annual Report for the year ended 30 June 2018; and
2. Endorses that the People Services Committee be rescheduled to Tuesday 5 March 2019; and
3. Holds its General Meeting of Electors on Tuesday, 5 February 2019 in the Bassendean Community Hall , 48 Old Perth Road, Bassendean, commencing at 7.00pm.

### **Voting requirement:**

**Point 1: Absolute majority**

**Point 2: Simple majority**

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

The Principal Building Surveyor made the following building decisions under Delegated Authority:

<b>Building Applications Determined in the Month of November 2018</b>		
<b>Application No</b>	<b>Property Address</b>	<b>Description</b>
201800246	7 PARKER STREET, BASSENDEAN	DEMOLITION OF AN ASSEMBLY BUILDING ONLY
201800242	25 LITTLEMORE WAY, EDEN HILL	SHED
201800248	18 IDA STREET, BASSENDEAN	DEMOLITION OF DWELLING
201800240	9 SURREY STREET, BASSENDEAN	FENCE
201800244	58 SCADDAN STREET, BASSENDEAN	WIDENING OF DOORWAY
201800243	5 YELLAND WAY, BASSENDEAN	FILLING OF FIRE RATED WALLS
201800247	184 RAILWAY PARADE, BASSENDEAN	RETAINING WALL
201800241	14 SURREY STREET, BASSENDEAN	DEMOLITION OF DWELLING
201800249	176 WEST ROAD, BASSENDEAN	BELOW GROUND FIBREGLASS POOL
201800262	6 FILKINS STREET, BASSENDEAN	PATIO
201800261	188 ANZAC TERRACE, BASSENDEAN	FULL HOUSE DEMOLITION
201800265	11 BARTON PARADE, BASSENDEAN	DEMOLITION OF DWELLING
201800254	62 RAILWAY PARADE, BASSENDEAN	DEMOLITION OF DWELLING
201800250	176 WEST ROAD, BASSENDEAN	INSTALL POOL SAFETY FENCE
201800258	42 WALTER ROAD EAST, BASSENDEAN	FULL DEMOLITION
201800256	97 WHITFIELD STREET, BASSENDEAN	REMOVE AND REPLACE ROOF (TILE TO STEEL)
201800252	19 SCHOFIELD STREET, EDEN HILL	FULL DEMOLITION
201800251	112 FIRST AVENUE, BASSENDEAN	SHED & PATIO
201800259	16 NURSTEAD AVENUE, BASSENDEAN	FULL DEMOLITION OF DWELLING
201800255	97 WHITFIELD STREET, BASSENDEAN	REMOVE AND REPLACE PATIO ROOF (SHADE CLOTH TO STEEL)
201800253	32 COLSTOUN ROAD, ASHFIELD	PATIO
201800257	80 PARKER STREET, BASSENDEAN	ADDITIONS INCLUDING ALFRESCO TO EXISTING DWELLING
201800230	1/1 ANZAC TERRACE, BASSENDEAN	RESIDENTIAL ALTERATIONS/ADDITIONS
201800236	42 WALTER ROAD EAST, BASSENDEAN	FOUR DOUBLE STOREY DWELLINGS
201800235	125A WALTER ROAD EAST, BASSENDEAN	SINGLE DWELLING
201800237	33 MARGARET STREET, ASHFIELD	ADDITIONS TO EXISTING DWELLINGS CONSISTING OF FAMILY ROOM KITCHEN MEALS AREA THEATRE ROOM ALFRESCO AND GARAGE
201800129	79 IVANHOE STREET, BASSENDEAN	DWELLING

201800103	53 KENNY STREET, BASSENDEAN	REPLACE & REPOSITION EXISTING STUDIO
201800182	17 HARDY ROAD, BASSENDEAN	RETROSPECTIVE APPROVAL FOR SOLID GLASS PANEL INSTALLED TO WORK FLOOR TIMBER CONSTRUCTION CREATED FOR DRYING AREA

OFFICER RECOMMENDATION – ITEM 6.8

That Council notes the decisions made under delegated authority by the Principal Building Surveyor.

**Voting requirement: Simple majority**

**6.9 Determinations Made by Development Services (Ref: LUAP/PROCED/1 – Brian Reed, Manager Development Services)**

The Manager Development Services made the following planning decisions under Delegated Authority since those reported to the last Council meeting:

<b>Planning and Subdivision Applications Determined to 30 November 2018</b>			
<b>Applic No.</b>	<b>Property Address</b>	<b>Description</b>	<b>Determination</b>
2018-064	48 GALLAGHER STREET EDEN HILL 6054	CONSULTING ROOMS	Refused
2018-094	18 CLARKE WAY BASSENDEAN 6054	SINGLE HOUSE	Delegate Approved
2018-098	UNIT 2/23 PURSER LOOP BASSENDEAN 6054	CHANGE OF USE - WAREHOUSE TO FOOD PROCESSING FACTORY	Delegate Approved
2018-124	14 PALMERSTON STREET BASSENDEAN 6054	RELOCATION OF EXISTING SINGLE HOUSE	Delegate Approved
2018-130	50 LORD STREET EDEN HILL WA 6054	ADDITIONS AND ALTERATIONS TO GROUPED DWELLING	Delegate Approved
2018-132	2A WALTER ROAD EAST BASSENDEAN 6054	HOME OCCUPATION (WAXING SERVICES)	Delegate Approved
2018-139	57 FIRST AVENUE BASSENDEAN 6054	AMENDED APPLICATION FOR 8 MULTIPLE DWELLINGS TO EXTEND PERIOD OF VALIDITY OF APPROVAL	Delegate Approved
2018-140	63 FOURTH AVENUE BASSENDEAN 6054	AMENDED APPLICATION FOR FOUR GROUPED DWELLINGS TO EXTEND PERIOD OF VALIDITY OF APPROVAL	Delegate Approved
2018-149	84A IVANHOE STREET EDEN HILL 6054	SINGLE HOUSE	Delegate Approved
2018-150	87 HAMILTON STREET BASSENDEAN 6054	AMENDED APPLICATION FOR SINGLE HOUSE	Delegate Approved
2018-161	UNIT 3/335 COLLIER ROAD BASSENDEAN 6054	AMENDED APPLICATION FOR CONVENIENCE STORE SIGNAGE	Delegate Approved
<b>Subdivision Applications</b>			
1180-18	84 WHITFIELD STREET BASSENDEAN 6054	TWO LOT SURVEY STRATA	Statutory Advice (Recommend Approval)
157405	81 PENZANCE STREET BASSENDEAN 6054	TWO LOT SUBDIVISION	Statutory Advice (Recommend Approval)

OFFICER RECOMMENDATION – ITEM 6.9

That Council notes the decisions made under delegated authority by the Manager Development Services.

**Voting requirement: Simple majority**

## **7.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

### **7.1 Notice of Motion – Cr Quinton: Street Doctor**

Cr Quinton has advised that she wishes to move the following motion:

*“That the CEO request staff to investigate and consult with the doctors and outreach workers for improved shelter options for the Street Doctor located at the Ashfield Reserve on Colstoun Road and provide a report to Council for consideration in the 2018/19 budget mid-year review.*

#### **Strategic Objectives**

##### **1.3 Plan for a healthy and safe community**

1.3.2 Promote and advocate community health and wellbeing

##### **1.4 Improve lifestyle choices for aged, families and youth**

1.4.3 Enhance the wellbeing and participation of our youth and children.

#### **BACKGROUND – CR QUINTON**

The Street Doctor is a mobile service that provides free medical appointments to homeless, transient, disadvantaged and marginalised people in Perth. The Street Doctor operates at the Ashfield Reserve on Colstoun Road every Wednesday and Friday between 9.30am – 3pm, and can see up to 30 people per session.

During the winter, people who visit the service often sit in the cold wind under the shelter of the Ashfield Reserve toilets, which includes elderly and sick people.

Given the Town’s commitment to the service and the benefits it provides to Bassendean community members, providing a roller door, café blinds or some other permanent option where the service can store tables and chairs to ensure people who are waiting to see the doctor are comfortable, and out of the cold wind and rain, particularly in the winter months, would fit into the remit of the Town’s responsibilities.

**7.2 Notice of Motion – Cr Quinton: Early Childhood Australia (WA Branch) campaign**

Cr Quinton has advised that she wishes to move the following motion:

*“That the Town of Bassendean endorse the Early Childhood Australia (WA Branch) campaign to develop and implement a play strategy in Western Australia.”*

**Strategic Objectives**

**1.3 Plan for a healthy and safe community**

1.3.2 Promote and advocate community health and wellbeing

**1.4 Improve lifestyle choices for aged, families and youth**

1.4.3 Enhance the wellbeing and participation of our youth and children.

**BACKGROUND – CR QUINTON**

Early Childhood Australia (WA) is campaigning for the State Government to develop and implement a play strategy which would ensure that children have the opportunity to play. Local Governments are at the forefront to provide those opportunities by building playgrounds, incorporating play elements into built form on the streetscape and constructing spaces where children can play both indoors and outdoors.

The specific aspect that Town of Bassendean can action through the strategy is this part:

- Plan our future environments and community infrastructure taking play and children into account as a fundamental priority.

The endorsement will give gravitas to the campaign in their efforts to lobby the State Government to develop and play strategy; and signal the Town’s agreement that children should always be considered when developing and designing built form in Town.

The letter of endorsement from ECAWA is included as **Attachment No. 8.**

**7.3 Cr Gangell: Lighting & CCTV at the Boat Ramp at Pickering Park**

Cr Gangell has advised that he wishes to move the following motion:

*“That Council receives a report on the feasibility and costings on providing lighting at the boat ramp at Pickering Park and also the provision of CCTV being provided in that location.”*

**7.4 Notice of Motion – Cr Hamilton: changing the permitted use of properties**

Cr Hamilton has advised that she wishes to move the following motion:

*“That Council:*

- 1. Requests staff to review and commence the process of changing the permitted use of properties zoned Local Shopping to prohibit development of ‘Convenience Stores Providing for the Sale of Fuel and Convenience Goods’ and ‘Service Stations’ at undesirable locations within the Town; and*
- 2. Requests staff to review and commence the process of changing the permitted use of properties zoned Town Centre to prohibit development of ‘Convenience Stores Providing for the Sale of Fuel and Convenience Goods’ and ‘Service Stations’ at undesirable locations within the Town’s central business district.”*

**Background: Cr Hamilton**

Strategic Priority 3: Built Environment, Objective Strategy 3.1.3: Plan for Local neighbourhoods and their Centres Objective Strategy 3.2.3: Enhance the Liveability of Local Neighbourhoods

Scheme Amendments are about precisely deciding appropriate and inappropriate land uses. An application for a Convenience Store Providing for the Sale of Fuel and Convenience Goods at Lot 75 (No. 72) Walter Road East (corner Marion Street), Eden Hill was refused at a JDAP hearing on 27th of November 2018. The minuted reasons for refusal suggest that it is timely for the Town to now initiate a review of permitted land uses to ascertain the suitability of these types of businesses in various locations with a view to minimise potential conflicts between adjoining land uses and road networks.

## **8.0** **CONFIDENTIAL BUSINESS**

*It should be noted that that the audio and live streaming will be turned off whilst confidential items are being discussed.*

### **8.1** **Application from Sparx Early Learning Centre For a New Lease/Licence Period at the Expiration of the Current Lease/Licence Agreement in 2021 (Ref: LEGL/AGMT/7-Graeme Haggart, Director Community Development and Salvatore Siciliano, Manager Recreation & Culture)**

*This matter is to be considered with members of the public excluded from the Chamber under Clause 5.23 (2) (b) of the Local Government Act 1995, as the officer report discusses information of a personal nature.*

## **9.0** **CLOSURE**

The next Briefing Session will be held on Tuesday 19 February 2019 commencing at 7.00pm.