

# TOWN OF BASSENDEAN

## NOTICE OF ORDINARY COUNCIL MEETING

An Ordinary Meeting of the Council of the Town of Bassendean will be held on Tuesday, 24 April 2018 in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 7.00pm.

BOB JARVIS  
CHIEF EXECUTIVE OFFICER

20 April 2018

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## A G E N D A

### 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.

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

### 2.0                    PUBLIC QUESTION TIME

*Members of the public who wish to do so may ask questions at this point in the agenda.*

**3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE**

Apologies

Mr Graeme Haggart  
Cr Bob Brown

**4.0 DEPUTATIONS**

**5.0 CONFIRMATION OF MINUTES**

**5.1 Ordinary Council Meeting held on 27 March 2018**  
**(Attachment No. 1)**

OFFICER RECOMMENDATION – ITEM 5.1(a)

That the minutes of the Ordinary Council meeting held on 27 March 2018, be received.

OFFICER RECOMMENDATION – ITEM 5.1(b)

That the minutes of the Ordinary Council meeting held on 27 March 2018, be confirmed as a true record.

**5.2 Special Council Meeting held on 11 April 2018**  
**(Attachment No. 2)**  
**(Confidential Attachment No. 1)**

OFFICER RECOMMENDATION – ITEM 5.2(a)

That the minutes of the Special Council meeting held on 11 April 2018, be received.

OFFICER RECOMMENDATION – ITEM 5.2(b)

That the minutes of the Special Council meeting held on 11 April 2018, be confirmed as a true record.

**6.0 ANNOUNCEMENT BY THE PRESIDING PERSON WITHOUT DISCUSSION**

## **7.0                    PETITIONS**

## **8.0                    DECLARATIONS OF INTEREST**

## **9.0                    BUSINESS DEFERRED FROM PREVIOUS MEETING**

## **10.0                  REPORTS**

### **10.1    Adoption of Recommendations En Bloc**

The following information is provided to Councillors for guidance on the use of en bloc voting as is permissible under the Town's Standing Orders Local Law 2011.

Standing Orders Local Law 2011, Clause 5.4 states:

- (1) In this clause adoption by en bloc voting means a resolution of the Council that has the effect of adopting, for a number of specifically identified reports, the officer recommendation as the Council resolution.
- (2) Subject to subclause (3), Council may pass an adoption by en bloc voting.
- (3) An adoption by en bloc voting may not be used for a matter –
  - (a) that requires a 75% majority or a special majority;
  - (b) in which an interest has been disclosed;
  - (c) that has been the subject of a petition or deputation;
  - (d) that is a matter on which a member wishes to make a statement; or
  - (e) that is a matter on which a member wishes to move a motion that is different to the Officer recommendation.

Councillors should be aware that should they wish to declare an interest in any of the items listed in the en bloc voting table, and have not done so under Item 8.0, Declarations of Interest, they should do so at this point of the agenda.

OFFICER RECOMMENDATION – ITEM 10.1

That Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Agenda of 24 April 2018:

Item	Report
10.2	Joint Metropolitan Central Development Assessment Panel Application – Form 1 – Development Assessment Panel Application for Mixed Development Comprising Additions and Alterations to Nursing Home, Shops and 18 Multiple Dwellings – Lot 54 (Nos. 25-27) Hamilton Street; Lot 84 (No. 68) Old Perth Road and Lot 85 (No. 70) Old Perth Road, Bassendean
10.9	Casa Mia Reroofing
10.10	1 Surrey Street, Bassendean – Project Brief for Option 2C Design
10.11	North Road On-Street Parking
10.12	Adoption of the Reconciliation Action Plan 2018 – 2021
10.15	Quarterly Report for Period Ended 31 March 2018
10.16	Town Assets Committee Meeting held on 6 February 2018
10.17	Economic Development Committee Meeting held on 6 March 2018
10.18	Sustainability Committee Meeting held on 13 March 2018
10.19	Design Bassendean Committee Meeting held on 5 April 2018
10.20	People Services Committee (PSC) 10 April 2018
10.21	Determinations Made by the Principal Building Surveyor
10.22	Determinations Made by Development Services
10.23	Use of the Common Seal
10.24	Calendar for May 2018
10.25	Implementation of Council Resolutions
10.26	Accounts for Payment – February and March 2018

Council is now requested to consider the balance of the Officer recommendations independently.

Item	Report
10.3	Possible Improvement Plan for Lots 4 & 5 (Nos. 246 & 248) Morley Drive East, Eden Hill
10.4	Adoption of Town of Bassendean Dust and Building Waste Local Law 2018
10.5	Adoption of Town of Bassendean Repeal Local Law 2018
10.6	RFQ CO 364W 2017-18 Supply and Construct Eco Cells, Swales and Traffic Islands on Shackleton Street, Bassendean
10.7	Damaged Crossover - 18 Anzac Terrace, Bassendean
10.8	RFT CO 074 2017-18 Provision of Root Cutting and Drainage Pipe Relining for the Town of Bassendean
10.13	Review of Policy 6.7- Electronic Recordings and Live Streaming of Council Meetings
10.14	Adoption of a Policy for the Conduct of Town of Bassendean Advisory Groups in anticipation that the Council might Disband the Current Design Bassendean Committee
10.27	Financial Statements – February 2018 and March 2018
11.1	Notice of Motion – Cr McLennan: Tree Preservation Order - 248 Morley Drive East
11.2	Notice of Motion – Cr Quinton: Proposed Local Studies Collection Working Group
11.3	Notice of Motion – Cr Quinton: Establish a Integrated Children and Family Services Centre Working Group
11.4	Notice of Motion – Cr Hamilton: Information Process & Distribution Timelines

**10.2 Joint Metropolitan Central Development Assessment Panel Application – Form 1 – Development Assessment Panel Application for Mixed Development Comprising Additions and Alterations to Nursing Home, Shops and 18 Multiple Dwellings – Lot 54 (Nos. 25-27) Hamilton Street; Lot 84 (No. 68) Old Perth Road and Lot 85 (No. 70) Old Perth Road, Bassendean, Owner: T & T Management Services Pty Ltd. Applicant: Peter Webb & Associates (Ref: DABC/BDVAPPS/2018 – 026 – Christian Buttle, Senior Planning Officer)**

**APPLICATION**

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

**ATTACHMENTS**

**Attachment No. 3:**

1. Applicant's Planning Report titled:  
Application for Planning Approval - Proposed Aged Care Facility, Multiple Dwellings & Shops - Prepared by Peter Webb and Associates

Annexures to Planning Report comprising:

- (a) Annexure 1 – WAPC Amalgamation Approval.
- (b) Annexure 2 – Certificates of Title x 3.
- (c) Annexure 3 – Annotated Site Photographs.
- (d) Annexure 4 – Design Drawings comprising:
  - EX1 – Existing Site Plan;
  - Schedule of Finishes 8 Dec 2017
  - SK1 – Proposed Site Plan;
  - SK2 – Lower Ground Floor Plan;
  - SK3 – Upper Ground Floor Plan;
  - SK4 – First Floor Plan;
  - SK5 – Second Floor Plan;
  - SK6 – Third Floor Plan;
  - SK7 – Elevations;
  - SK8 – Elevations;
  - SK9 – Sections;
  - SK10 – Shadow Plan;
  - Perspective 1 – Old Perth Rd; and
  - Perspective 2 – From Hamilton St / Old Perth Rd corner.
- (e) Annexure 5 – Landscape Plan.

- (f) Annexure 6 – Correspondence comprising:
  - (i) 22 Oct 2014 from Peter Webb & Associates to Town of Bassendean; and
  - (ii) 13 Nov 2014 reply from Town of Bassendean to Peter Webb & Associates.
- (g) Annexure 7 – Local Planning Policy No. 1 Compliance Report.
- (h) Annexure 8 – Waste Management Plan.
- (i) Annexure 9 – Traffic Impact Statement.
- (j) Annexure 10 – Contaminated Site Audit.
- (k) Annexure 11 – Stormwater Drainage Management Plan.

## 2. Aerial Photo / Location Plan

### BACKGROUND

Background information is provided within the Form 1 report, below.

### COMMUNICATION AND ENGAGEMENT

Consultation undertaken and responses received are discussed in detail in the Form 1 report, below.

### STRATEGIC IMPLICATIONS

The following components of the Town’s adopted Strategic Community Plan 2017-2027 are of relevance when considering the application for development approval:

#### Strategic Priority 3: Built Environment

Objective 3.1: Plan for an increased population and changing demographics	Strategy 3.1.1 Facilitate diverse housing and facility choices.
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#### Strategic Priority 4: Economic

Objective 4.1: Build Economic Capacity	Strategy 4.1.1 Encourage and attract new investment and increase capacity for local employment.
	Strategy 4.1.2 Plan for and build capacity for commercial and industrial.
Objective 4.2: Facilitate local business retention and growth	Strategy 4.2.2 Continue the activation of Bassendean’s Town Centre.

## COMMENT

Detailed comments in relation to the proposed development are contained within the Form 1 report, below.

### **Briefing Session and Site Inspection**

Staff responded to a number of questions about this proposal at the site inspection and briefing session, with three of the main areas of query being discussed in more detail, below:

#### Blank Section of Ground Floor Façade facing Old Perth Road

As discussed in the JDAP report, the Town's Local Planning Policy No. 1 states that "*blank walls longer than 2.0 metres at street level are not permitted.*"

Recommended condition 5 within attached Officer JDAP report reads as follows:

*"The blank section of wall associated with the fire pump room and transformer compound on the Old Perth Road frontage of the development shall be modified by replacing the solid balustrade to the balcony of the lounge above (which forms a continuation of the wall to the pump room and transformer) with clear glass balustrade and:*

- (a) Replacing the transformer and pump room with shop fronts to match the remainder of the design of the ground floor of the Old Perth Road frontage of the development, including awnings above; or*
- (b) Applying a piece of public art to this location to the satisfaction of the Town, and in accordance with the provisions contained within Local Planning Policy No. 1 Town Centre Strategy and Guidelines and Local Planning Policy No. 15 – Percent for Art Policy."*

It is clear that the exercise of discretion is required to facilitate option (b) identified within this recommended condition. As such, if Council were of a mind that this discretion should not be exercised, it could endorse the Officer recommendation generally, but by deleting part (b) from its recommendation.

In this event, Council's recommended condition 5 could simply require that:

*“The blank section of wall associated with the fire pump room and transformer compound on the Old Perth Road frontage of the development shall be modified by replacing the solid balustrade to the balcony of the lounge above (which forms a continuation of the wall to the pump room and transformer) with clear glass balustrade and replacing the transformer and pump room with shop fronts to match the remainder of the design of the ground floor of the Old Perth Road frontage of the development, including awnings above.”*

An extra footnote has also been included within the JDAP report to explain that any adjustment to the design that replaces the transformer and pump room with shop fronts to match the remainder of the Old Perth Road frontage will also need to take account of the need to have regard to impacts on the layout of the car park and associated impact on the required number of car parking bays to be provided for the development.

#### Bins

There was discussion raised at the site inspection about proposed waste management arrangements and the appropriateness of bins being placed on the Old Perth Road frontage of the development site while awaiting collection.

After giving further consideration to this matter, Officers agree that it would be preferable for bins associated with the shops and multiple dwellings to be placed on the Hamilton Street frontage of the development site only while awaiting collection. The JDAP report and associated recommended conditions of approval have been updated to reflect this as follows:

*“Additionally, it is considered to be more appropriate for bins to be placed on the Hamilton Street frontage of the development site only (and not the Old Perth Road frontage) while awaiting collection, and the WMP will need to be updated to reflect this arrangement.”*

The recommended waste management condition has been updated to include the following additional item:

*“The placement of bins only on the Hamilton Street verge area of the development site with no bins being placed on the Old Perth Road frontage while awaiting collection.”*

#### Appropriateness of Nursing Home Land Use

At the Briefings Session, a member of the public queried the appropriateness of the nursing home land use with the assertion that this component of the development would not add to the vibrancy of the Town Centre.

In terms of vibrancy, the project offers ground level commercial tenancies and two levels of apartments above (third and fourth floors of development), which matches the form and intensity of the majority of the adjoining Whitfield development. In isolation, this would satisfy requirements contained within the Town Centre Strategy which requires development to be a minimum of three stories. Additionally, the proposal incorporates a further two stories of nursing home development between the ground floor commercial tenancies and the apartments. The five storey development which results is the maximum accommodated by the Town Centre Strategy. In addition to the ground floor commercial tenancies and apartments, the nursing home component will also attract visitors and will be a source of employment, that will each add vibrancy to the Town Centre in their own right.

It is also noted that State Planning Policy No. 4.2 – Activity Centres for Perth and Peel, advocates a range of land uses and also land uses that would generate activity outside of normal business hours. Not only does the nursing home component of the development assist with the aim of providing a variety of land uses within the Town Centre; it will also generate activity outside normal business hours through staffing arrangements and family visits.

#### STATUTORY REQUIREMENTS

All statutory requirements are discussed in detail in the Form 1 report, below.

#### FINANCIAL CONSIDERATIONS

Nil

#### CONCLUSION

The remainder of this report includes the Senior Planning Officer's report and recommendation to the JDAP. The report is presented in the format required by the Development Assessment Panel Regulations (Form 1 – Responsible Authority Report).

Council's options are to either endorse the recommendation contained in the report below, or to make an alternative recommendation.

Council's nominated members for the JDAP are Mayor McLennan and Councillor Hamilton. Alternate members, should the need arise, are Councillor Brown and Councillor Wilson.

The Development Assessment Panel Training notes make the following comments in terms of Local Government representatives as DAP members:

*“The role of a local government representative is made difficult by their dual roles of local government Councillor and DAP member.*

*The Code of Conduct acknowledges this difficulty in clause 2.1.2. A local government may make a decision in relation to a DAP application as a basis for providing a DAP with a recommendation, as it is required to do in accordance with regulation 12.*

*Clause 2.1.2 provides that a local government DAP member is not precluded from voting in relation to a DAP application where it has also been involved with the decision or recommendation made by the local government.*

*Clause 2.1.2 requires only that local government DAP member exercise independent judgment, and consider the application on its planning merits.”*

#### OFFICER RECOMMENDATION – ITEM 10.2

That Council endorses the Senior Planning Officer’s Form 1 – Responsible Authority Report for the Application for Mixed Development Comprising Additions and Alterations to Nursing Home, Shops and 18 Multiple Dwellings at Lot 54 (Nos. 25-27) Hamilton Street, Lot 84 (No. 68) Old Perth Road and Lot 85 (No. 70) Old Perth Road, Bassendean.

**Voting requirements: Simple Majority**

**Form 1 - Responsible Authority Report**  
(Regulation 12)

<b>Property Location:</b>	Lot 54 (Nos. 25-27) Hamilton Street; Lot 84 (No. 68) Old Perth Road; and Lot 85 (No. 70) Old Perth Road, Bassendean
<b>Development Description:</b>	Mixed Development Comprising Additions and Alterations to Nursing Home, Shops and 18 Multiple Dwellings
<b>DAP Name:</b>	Metro Central Joint Development Assessment Panel
<b>Applicant:</b>	Peter Webb & Associates
<b>Owner:</b>	T & T Management Services Pty Ltd
<b>Value of Development:</b>	\$13 million
<b>LG Reference:</b>	2018-026
<b>Responsible Authority:</b>	Town of Bassendean
<b>Authorising Officer:</b>	Christian Buttle, Senior Planning Officer
<b>DAP File No:</b>	DAP/18/01379
<b>Report Due Date:</b>	Friday, 4 May 2018
<b>Application Received Date:</b>	16 February 2018
<b>Application Process Days:</b>	To be updated prior to sending report to JDAP secretariat
<b>Attachment(s):</b>	<p>Planning Report titled: Application for Planning Approval - Proposed Aged Care Facility, Multiple Dwellings &amp; Shops - Prepared by Peter Webb and Associates</p> <p>Annexures to Planning Report comprising: (l) Annexure 1 – WAPC Amalgamation Approval. (m)Annexure 2 – Certificates of Title x 3.</p>

	<p>(n) Annexure 3 – Annotated Site Photographs.</p> <p>(o) Annexure 4 – Design Drawings comprising:</p> <ul style="list-style-type: none"><li>• EX1 – Existing Site Plan;</li><li>• Schedule of Finishes 8 Dec 2017;</li><li>• SK1 – Proposed Site Plan;</li><li>• SK2 – Lower Ground Floor Plan;</li><li>• SK3 – Upper Ground Floor Plan;</li><li>• SK4 – First Floor Plan;</li><li>• SK5 – Second Floor Plan;</li><li>• SK6 – Third Floor Plan;</li><li>• SK7 – Elevations;</li><li>• SK8 – Elevations;</li><li>• SK9 – Sections;</li><li>• SK10 – Shadow Plan;</li><li>• Perspective 1 – Old Perth Rd; and</li><li>• Perspective 2 – From Hamilton St / Old Perth Rd corner.</li></ul> <p>(p) Annexure 5 – Landscape Plan.</p> <p>(q) Annexure 6 – Correspondence comprising:</p> <p>(iii) 22 Oct 2014 from Peter Webb &amp; Associates to Town of Bassendean; and</p> <p>(iv) 13 Nov 2014 reply from Town of Bassendean to Peter Webb &amp; Associates.</p> <p>(r) Annexure 7 – Local Planning Policy No. 1 Compliance Report.</p> <p>(s) Annexure 8 – Waste Management Plan.</p> <p>(t) Annexure 9 – Traffic Impact Statement.</p> <p>(u) Annexure 10 – Contaminated Site Audit.</p> <p>(v) Annexure 11 – Stormwater Drainage Management Plan.</p> <p>Aerial Photo / Location Plan</p>
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### **Officer Recommendation:**

That the Metro Central JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/18/01379 is appropriate for consideration as a 'P' and 'D' land use ('P' for Nursing Home component) and compatible with the objectives of the zoning table in accordance with the Town of Bassendean Local Planning Scheme No. 10.
2. **Approve** DAP Application reference DAP/1801379 and accompanying plans dated 31 October 2017:

Drg No. EX1 Issue DA (site analysis plan)

Drg No. SK1 Issue B (site plan)

Drg No. SK2 Issue C (lower ground floor plan)

Drg No. SK3 Issue B (upper ground floor plan)

Drg No. SK4 Issue A (first floor plan)

Drg No. SK5 Issue A (second floor plan)

Drg No. SK6 Issue A (third floor plan)

Drg No. SK7 Issue A (elevations)

Drg No. SK8 Issue A (elevations)

Drg No. SK9 Issue A (sections)

Drg No. SK10 Issue A (shadow plan)

in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Town of Bassendean Local Planning Scheme No. 10, subject to the following conditions as follows:

### **Conditions**

1. This decision constitutes development approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. Prior to the issue of a Building Permit for this development, Lots 54, 84 & 85 shall be amalgamated into a single lot on a Certificate of Title or the owner shall enter into a legal agreement with the Town prepared by the Town's Solicitors at the owner's cost requiring amalgamation to be completed within twelve months of the issue of a building permit, or the completion of the development, whichever occurs earlier.
3. Solid walls or fences that are situated between the street alignment and the building line not exceeding 800mm in height above natural ground level.
4. External finishes according with those identified on the 'Schedule of Finishes' prepared by Montague Grant Architects and dated 8 December 2017 unless otherwise approved.

5. The blank section of wall associated with the fire pump room and transformer compound on the Old Perth Road frontage of the development shall be modified by replacing the solid balustrade to the balcony of the lounge above (which forms a continuation of the wall to the pump room and transformer) with clear glass balustrade and:
  - (a) Replacing the transformer and pump room with shop fronts to match the remainder of the design of the ground floor of the Old Perth Road frontage of the development, including awnings above; or
  - (b) Applying a piece of public art to this location to the satisfaction of the Town, and in accordance with the provisions contained within Local Planning Policy No. 1 Town Centre Strategy and Guidelines and Local Planning Policy No. 15 – Percent for Art Policy.
6. Solid balustrading to balconies shall be replaced with clear glass balustrading to the extent required that when viewed from the street balconies to the development are predominantly open to the satisfaction of the Town.
7. All multiple dwellings being provided with balconies incorporating a minimum usable area of 10 sq.metres within minimum dimensions of 2.4 metres. (see advice note).
8. An updated landscaping plan being provided prior to or with the application for a Building Permit for the Town's approval which provides full detail of the scope of works to be undertaken in both the private realm and the public realm adjoining the development site and which updates the plan submitted in conjunction with the application for development approval by:
  - (a) providing accurate details with respect to the Hamilton Street road reserve;
  - (b) providing details of proposed landscape treatment to the Hamilton Street road reserve; and
  - (c) incorporating street tree planting within the Hamilton Street road reserve in accordance with the Town's Street Tree Master Plan.
9. Street trees shall be a minimum height of 2m at the time of planting and shall be spaced generally at 7m centres.
10. The site shall be landscaped in accordance with the approved landscaping plan and shall be maintained thereafter.
11. Existing street trees within the street verge adjacent to the development site being protected with barricades during construction in accordance with the Town's Policy for street tree protection.

12. The submission of a detailed lighting plan is to be provided showing all security and safety lighting throughout all public and interior circulation areas, along with external lighting to the Old Perth Road and Hamilton Street frontages of the development site for the approval of the Town, prior to the issue of a building permit. Display lighting to commercial premises on both the Old Perth Road and Hamilton Street frontages shall be time-switched to remain on every evening until at least 15 minutes after the last train has left Bassendean Train Station.
13. The redundant crossover on the Old Perth Road frontage of the site and the second redundant crossover at the Hamilton Street / Old Perth Road intersection shall each be removed and the verge / footpath shall be reinstated to the satisfaction of the Town.
14. Works proposed within the road reserve around the perimeter of the site (such as footpath forward of the shop tenancies) shall be the subject of a separate plan to be submitted for the Town's approval in advance of any such works being undertaken.
15. The on site car parking spaces and access ways being constructed and maintained thereafter to the Town's specifications and those contained within AS2890.1 – Part 1: Off-street parking and Part 6: Off-street parking for people with disabilities. Drawings submitted for a Building Permit shall incorporate the following design changes:
  - (a) The length of the accessible car bay and the adjoining visitor car bay shall each be increased to 5.4m minimum without compromising the prescribed aisle width behind these bays. The column to the rear of the visitor bay shall be positioned in accordance with Figure 5.2 of AS2890.1; and
  - (b) The width of the aisle between shared use car parking bays 19 and 20 shall be increased to a minimum of 6.1 metres, clear of the columns.
16. A longitudinal section of the vehicle access driveway to the lower ground floor car park shall be provided to the satisfaction of the Town prior to or in conjunction with the application for a Building Permit which demonstrates that the ramp to the car park has been designed in accordance with the provisions contained within Cl 2.5.3 of AS2890.1 (Circulation roadway and ramp grades).
17. Car parking on any subsequent strata plan shall be allocated in accordance with the approved drawings and the following requirements:
  - (a) Each multiple dwelling shall be allocated 1 car parking bay;
  - (b) Nursing Home being allocated 20 car parking bays;
  - (c) 60 sq.m shop tenancies being allocated 2 car parking bays and the 99 sq.m shop tenancy being allocated 3 car parking bays; and

- (d) 6 visitor car parking bays and the accessible car parking bay all being retained for the shared use of visitors to all components of the development.
18. Visitor parking spaces being clearly marked for "Visitors Only" and used only as such.
  19. Prior to the submission of an application for a building permit, details of the security intercom system are to be provided to demonstrate that visitors can make contact with all components of the development in order to gain access to the visitor parking bays. The security intercom system is required to be installed and operational in accordance with the approved details prior to the occupation of the development on the subject lot and maintained thereafter.
  20. A minimum of 12 bicycle parking spaces shall be provided within the secure car park and a minimum of 4 bicycle parking spaces shall be provided for visitors, external to the building. All bicycle parking spaces shall be constructed in accordance with the provisions of AS 2890.3 (as amended). Details of the location and design of the required bicycle parking spaces shall be submitted prior to or in conjunction with the application for a Building Permit.
  21. The development shall be designed to accommodate storage of stormwater on site to a minimum of a 1:20 year storm event with any proposal to connect to the Town's drainage infrastructure network to accept stormwater associated with an event beyond 1:20 years incorporating a restricted outlet flow. (see footnote)
  22. The provision of an externally accessed storage unit of not less than 4 sq.metres internal area for each dwelling. All stores to have minimum internal dimensions of 1.5m minimum with the exception of stores 10-14 which are approved with lesser internal dimensions subject to:
    - (a) These stores being allocated to the same dwelling as the car parking bay to which they are predominantly located in front of; and
    - (b) The door to these stores being removed and replaced with a roller door which incorporates a width that matches the car bay width forward of each respective store.
  23. A pedestrian path (separate from car parking bays) being provided to stores 6-9.
  24. External fixtures, including but not restricted to air-conditioning units, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be located such that they are not visible from the street. Prior to the issue of a building permit, details being submitted of all proposed ventilation systems, including the location of plant equipment, vents and air conditioning units for the Town's approval. All equipment must be adequately screened to the satisfaction of the Town.

25. External clothes drying is prohibited where visible from the street.
26. Each dwelling shall be provided with a mechanical clothes dryer.
27. An updated Waste Management Plan (WMP) is to be submitted for the Town's approval prior to or in conjunction with the application for a Building Permit. The WMP shall address matters including, but not necessarily limited to, the following:
  - (a) Consistency with respect to the identified number of bins that will be needed to service the proposed development;
  - (b) The need for an updated WMP to be prepared in the event of future change of use to any of the shop tenancies where any proposed new use would generate additional waste beyond that which the plan has been designed for;
  - (c) The number of bins that are anticipated to require kerbside collection from the development other than the nursing home;
  - (d) The placement of bins only on the Hamilton Street verge area of the development site with no bins being placed on the Old Perth Road frontage while awaiting collection;
  - (e) The number of bins that will be provided to the multiple dwellings and to the shops;
  - (e) Details of advice to be provided to owners and occupiers regarding the WMP; and
  - (f) Details of how the WMP will continue to be applied in perpetuity across the life of the development, including the WMP being incorporated into the strata by-laws for the proposed development;
28. The bin storage areas on site are:
  - (a) To be surrounded by a 1.8 metre high minimum wall with a self-closing gates (where outside a building) or doors (where inside a building);
  - (b) To be provided with 75mm min thickness concrete floors grading to a 100mm industrial floor waste, with a hose cock to enable both the bins and bin storage area to be washed out; and
  - (c) To be provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning.
29. Bins shall be stored only in an approved, designated location, and shall not be stored within any of the approved car parking bays or associated access aisles.
30. Visually impermeable roller shutters (external and internal), doors, grilles and security bars shall not be installed on any part of the frontage of the development facing Old Perth Road or Hamilton Street.

31. Prior to commencement of development, investigation for soil and groundwater contamination is to be carried out to determine if remediation is required.

If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to completion of construction works to the satisfaction of the Town of Bassendean on advice from the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use.

Investigations and remediation are to be carried out in compliance with the Contaminated Sites Act 2003 and current Department of Water and Environmental Regulation contaminated sites guidelines.

32. An acid sulphate soils self-assessment form and, if required as a result of the self-assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Department of Water and Environmental Regulation before any subdivision works or development are commenced. Where an acid sulphate soils management plan is required to be submitted, all subdivision works shall be carried out in accordance with the approved management plan.
33. Prior to the issue of a building permit the applicant shall lodge a Construction Management Plan to the satisfaction of the Town of Bassendean that provides details of the following:
  - (a) Estimated timeline and phasing of construction;
  - (b) Dust control measures;
  - (c) Noise control measures;
  - (d) Access points for heavy vehicles during demolition and construction;  
and
  - (e) 24 hours contact details of staff available to deal with either an emergency situation or to respond to complaints.
34. The incorporation of public art into the proposed development or a cash-in-lieu payment of one percent of the construction cost of the proposed development in accordance with the Town's adopted Local Planning Policy No. 15 "Percent for Art Policy". Detailed arrangements and agreement with respect to art to be provided on site or alternatively payment of the required fee shall be made prior to or in conjunction with the application for a Building Permit.
35. Prior to the issue of a Building Permit, the applicant shall pay to the Town of Bassendean the 2% contribution of the building construction costs as prescribed under LPP No. 1 - Town Centre Area Strategy and Guidelines for Bassendean. The 2% contribution is inclusive of the 1% public art contribution required in accordance with the previous condition.

36. Prior to the issue of a building permit, a development bond for the sum of \$9,000 being lodged with the Town to ensure the satisfactory completion of all works associated with landscaping, car parking, access ways, screen walls, and other associated works.
37. The building hereby approved shall not be occupied until all of the conditions of development approval have been complied with to the satisfaction of the Town, unless the applicant has entered into an agreement with the Town to comply with those conditions within a specified period.

### Advice Notes

1. The issue of a Building Permit is required prior to the commencement of any construction works on site.
2. The street number being prominently displayed at the front of the development.
3. Individual unit numbers being prominently displayed at the pedestrian entrance to each individual dwelling.
4. Balconies shall be modified generally in accordance with the design modifications advocated within this report.
5. Dial Before You Dig:  
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please telephone 1100 before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via Dial Before You Dig "1100" number in advance of any construction activities.
6. Telecommunications Act 1997 (Commonwealth)  
  
The **nbn**<sup>TM</sup> network is Australia's new landline phone and internet network. It's designed to provide all Australians with access to fast and reliable phone and internet services, no matter where you live.  
  
**nbn** (the company) was established in 2009 to design, build and operate Australia's new broadband network. They are responsible for providing wholesale services to phone companies and internet service providers who offer **nbn**<sup>TM</sup> plans for homes and businesses.

Each building unit or lot in a new real estate development needs to be serviced by “fibre-ready facilities” under the Telecommunications Act. For new homes, nbn enables developers to connect to the **nbn**<sup>™</sup> network upfront in the new build process – but the developer needs to apply via [www.nbn.com.au/newdevelopments](http://www.nbn.com.au/newdevelopments). **nbn** asks that you apply at least 3 months before civils commence. If you do not have these facilities in place, there may be a delay with your titles process.

Telstra and **nbn** (and its authorised contractors) are the only companies that are permitted to conduct works on network and assets.

Any person interfering with a facility or installation owned by Telstra or **nbn** is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to telecommunication infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on assets in any way, please contact Telstra's Network Integrity Team on 1800 810 443 or **nbn** on [relocationworks@nbnc.com.au](mailto:relocationworks@nbnc.com.au).

7. If the development approval lapses, no development shall be carried out without further approval having first been sought and obtained.
8. Any adjustment to the design that replaces the transformer and pump room with shop fronts to match the remainder of the Old Perth Road frontage will also need to take account of the need to have regard to impacts on the layout of the car park and associated impact on the required number of car parking bays to be provided for the development.
9. If the applicant is aggrieved by this decision there is a right of review under Part 14 of the Planning and Development Act 2005. An application for review must be lodged within 28 days of the determination.
10. Separate approval must be obtained from the Town's Asset Services Department for the proposed crossover.
11. Separate approval must be obtained from the Town's Asset Services Department for any proposed connection to the Town's drainage infrastructure network.
12. A separate application and approval is required for any signage proposed for the development.
13. The applicant must liaise with Main Roads Western Australia with respect to arrangements to be implemented for the required relocation of the electronic 40kph school zone sign.

14. Department of Water and Environmental Regulation related advice:

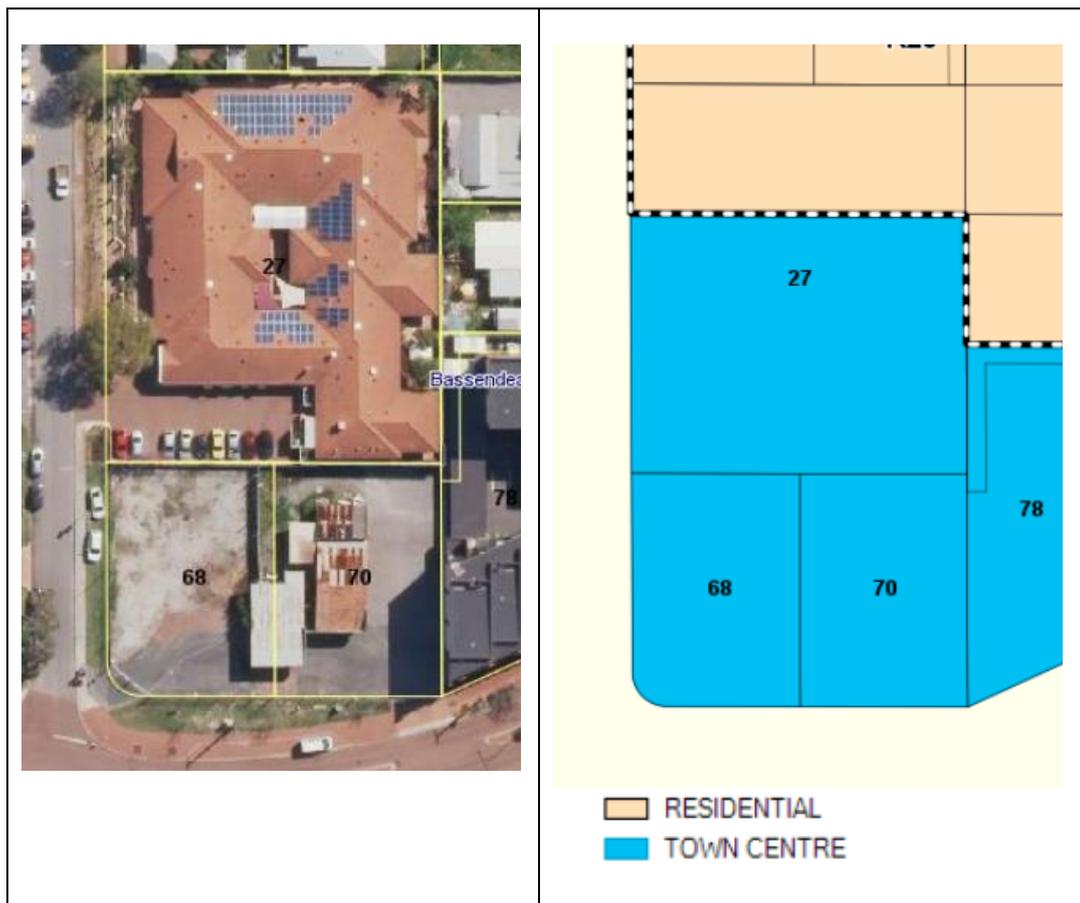
In accordance with regulation 31(1) of the Contaminated Sites Regulations 2006, a Mandatory Auditor's Report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation as evidence of compliance with the condition relating to site contamination. A current list of accredited auditors is available from [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)."

An "acid sulphate soils self-assessment form" can be downloaded from the Western Australian Planning Commission's website at: [www.planning.wa.gov.au](http://www.planning.wa.gov.au).

The "acid sulphate soils self-assessment form" makes reference to the Department of Environment and Conservation's "Identification and Investigation of Acid Sulphate Soils" guideline. This guideline can be obtained from the Department of Water and Environmental Regulation website at: [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)."

**Details: outline of development application**

Zoning within MRS:	The entirety of the development site is zoned Urban under the Metropolitan Region Scheme.
Zoning within LPS10	The majority of the site is zoned Town Centre by the Town of Bassendean Local Planning Scheme No. 10 (LPS10). A portion of the site upon which the existing Nursing Home is situated is zoned Residential with an R20 density code under LPS10.  (See extract of Zoning Map and Aerial Photo, below)
Insert Use Class:	Shop (P) use within the Town Centre Zone; Multiple Dwelling (D) use within the Town Centre Zone; and Nursing Home (use not listed)
Insert Strategy Policy:	Town of Bassendean Local Planning Policy No. 1 - Town Centre Strategy and Guidelines
Insert Development Scheme:	Town of Bassendean Local Planning Scheme No. 10 (District Zoning Scheme).
Insert Lot Size:	Lot 54 (Nos. 25-27) Hamilton Street: 3,101 sq.m; Lot 84 (No. 68) Old Perth Rd: 922 sq.m; Lot 85 (No. 70) Old Perth Rd: 924 sq.m  _____ TOTAL COMBINED AREA = 4,947 sq.m  _____
Insert Existing Land Use:	Lot 54 (Nos. 25-27) Hamilton Street – Nursing Home  Lots 84 and 85 (Nos. 68-70) Old Perth Road – Currently unused. Most recently used for the purpose of Motor Vehicle Sales.



The application proposes:

- Retention of the existing Nursing Home on Lot 54 (Nos. 25-27) Hamilton Street;
- Internal modifications and additions to the Nursing Home and integration of this facility into the new development;
- Removal of the former Service Station / Car Yard development on Lots 84 and 85 (Nos. 68-70) Old Perth Road and development of this land in the following manner:
  - (a) Lower Ground Floor – Three shop tenancies along with 52 car parking bays, store rooms and service infrastructure (bin storage area / fire pump room / transformer compound);
  - (b) Upper Ground Floor – Aged Care Facility which integrates with the existing Nursing Home;
  - (c) First Floor – Aged Care Facility which integrates with the existing Nursing Home;
  - (d) Second Floor – 9 Multiple Dwellings; and
  - (e) Third Floor – 9 Multiple Dwellings.

The following table identifies the zoning of the site and associated land use permissibility:

Zoning	Proposed Land Use	Land Use Permissibility
Town Centre (Majority of Development Site)	• Shops	• 'P' (permitted)
	• Multiple Dwellings	• 'D' (not permitted unless discretion is exercised to grant approval)
	• Nursing Home	• Use Not Listed (see further comments after table)
Residential (Small portion of development site)	The part of the Nursing Home which is situated on the land that is zoned Residential is to remain unchanged from that which currently exists.	

Use Not Listed

CI 3.4.2 of LPS10 states that:

*“If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may:*

- a) Determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- b) Determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 67 of the deemed provisions in considering an application for development approval; or*
- c) Determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.”*

Clause 3.2.3 of LPS10 sets down the objectives of the Town Centre Zone.

*“The objectives of the Town Centre Zone are:*

- a) To promote, facilitate and strengthen the town centre zone as the principal focus of the district in terms of shopping, professional, administrative, cultural, entertainment and other business activities;*
- b) To recognise the unique and specific function of each precinct within the town centre in terms of:*

- (i) *Traditional main street pedestrian based commercial retail, west of Wilson Street;*
  - (ii) *Civic, drive-by commercial and town centre living uses between Wilson and Whitfield Street; and*
  - (iii) *Car based retail in the Bassendean Village Shopping Centre;*
- c) *To accommodate a diversity of commercial, cultural and residential facilities;*
- d) *To encourage the integration of existing and proposed facilities within the zone so as to promote ease of pedestrian movement and the sharing of infrastructure, as well as to retain the opportunity for any future expansion of the area;*
- e) *To achieve safety and efficiency in traffic circulation;*
- f) *To ensure that buildings, ancillary structures and advertising are of high quality and achieve an architectural theme contributing to the uniqueness of the townscape;*
- g) *To provide sheltered places for pedestrians and shade to car parking areas;*
- h) *To preclude the storage of bulky and unsightly goods from public view;*
- i) *To provide landscaping appropriate to the scale of development; and*
- j) *To ensure that development conforms with the Local Planning Strategy and the principles of any Local Planning Policy adopted by the Council.”*

The proposed Nursing Home land use is consistent with the objectives set down for the Town Centre Zone.

**Background:**

The Town's records for the development of Lot 54 (Nos. 25-27) Hamilton Street show the following applications:

- 1971 – 39 Bed 'C' class hospital;
- 1975 – Application for minor additions and alterations;
- 1994 – Outbuilding;
- 2002 – Additions and Alterations to Nursing Home (which increased the number of beds on site to 44);
- 2005 – Patio; and
- 2016 – Solar Panels.

The existing Nursing Home is intended to be retained, modified, extended and incorporated into the new development.

Noting that the former car yard site is to be completely redeveloped, the development history of this site will not be discussed in detail. The site was originally developed as a service station circa 1930 and was used as a car sales yard for approximately 30 years until around late 2015 / early 2016. The site has been unoccupied since this time.

The proposal mixed use development is generally consistent with the vision set down for the Old Perth Rd precinct within the Town of Bassendean Local Planning Policy No. 1 – Town Centre Strategy and Guidelines. It is reflective of other mixed use developments that have occurred within the Town Centre within the last 5 years including:

- 78-80 Old Perth Rd (directly adjoining the development site) – Three (and part four) storey development comprising ground floor commercial tenancies and 34 multiple dwellings;
- 85 Old Perth Rd (diagonally opposite the development site) – Five storey development comprising ground floor commercial tenancies and 40 multiple dwellings; and
- 93 Old Perth Rd (approx. 120m from development site) – Four storey development comprising ground floor commercial tenancies and 25 multiple dwellings.

A large portion of the development site is already used for nursing home purposes and a separate nursing home exists directly opposite the proposed development.

### **Legislation & policy:**

#### Local Government Legislation and Policy

(a) Town of Bassendean Local Planning Scheme No. 10, including:

- Clause 3.2.3 – Objectives of Town Centre Zone;
- Clause 4.5 – Variations to Site and Development Standards and Requirements;
- Clause 4.7.2 – Car parking;
- Clause 4.10 – General Development Requirements – Town Centre Zone

LPS10 is accessible via the following link:

<http://www.bassendean.wa.gov.au/documents/town-planning-local-planning-scheme-10-gazetted>

(b) Local Planning Policy:

- Local Planning Policy No. 1 – Town Centre Strategy and Guidelines;
- Local Planning Policy No. 8 – Parking Specifications;
- Local Planning Policy 10 – Window Security for Non-Residential Property Facades;
- Local Planning Policy No. 14 – On-site Stormwater Retention Policy;
- Local Planning Policy No. 15 – Percent for Art Policy; and
- Local Planning Policy No. 18 – Landscaping with Local Plants.

Relevant Local Planning Policies are accessible via the following link:  
<http://www.bassendean.wa.gov.au/documents/town-planning-local-planning-scheme-10-policies>

(c) Town of Bassendean Strategic Community Plan

The following components of the Town's adopted Strategic Community Plan 2017-2027 are of relevance when considering the application for development approval:

Strategic Priority 3: Built Environment

Objective 3.1: Plan for an increased population and changing demographics	Strategy 3.1.1 Facilitate diverse housing and facility choices.
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Strategic Priority 4: Economic

Objective 4.1: Build Economic Capacity	Strategy 4.1.1 Encourage and attract new investment and increase capacity for local employment.
	Strategy 4.1.2 Plan for and build capacity for commercial and industrial.
Objective 4.2: Facilitate local business retention and growth	Strategy 4.2.2 Continue the activation of Bassendean's Town Centre.

State Government Policies

The following state government policies are of relevance when considering the application for development approval:

- (a) Perth and Peel @ 3.5 million (Bassendean is an identified District Centre)
- (b) State Planning Policy 3.1 – Residential Design Codes of Western Australia
- (c) State Planning Policy 4.2 – Activity Centres for Perth and Peel

Local Policies

The main policy against which the application for development approval must be assessed is the Town's adopted Local Planning Policy No. 1 – Town Centre Strategy and Guidelines.

**Consultation:**

Public Consultation

The application was advertised by mail to the properties highlighted in red on the following aerial photo extract.



Consultation was not applicable for the property on the opposite side of Hamilton St cnr Old Perth Rd as this site (which is also developed with a nursing home) is held in the same ownership as the development site.

A total of seven (7) public submissions were received in response to the advertising of the application with the matters raised in the submissions, along with an officer response, summarised in the following table:

Comments in support of application		Officer's Comments
1.	Nursing Home land use is appropriate for the site.	<b>Supported.</b>  The proposed development incorporates (in part) an extension to an existing nursing home. A separate nursing home also exists on the opposite corner of Hamilton Street and Old Perth Road.
2.	Height of building is acceptable and in keeping with streetscape noting height of building at 85 Old Perth Rd.	<b>Supported.</b>  The Town's adopted LPP1 – Town Centre Strategy and Guidelines contemplates building heights of between 3 and 5 stories.
3.	No objection if a car parking shortfall is proposed.	<b>Conditionally Supported.</b>

		See more detailed comments in planning assessment section of report.
4.	Proposed development will benefit the immediate area greatly.	<b>Conditionally Supported.</b>  General development concept supported. Various detailed matters requiring further adjustment / refinement as discussed in more detail throughout the report.
<b>Comments objecting to the application (or components of the application)</b>		<b>Officer's Comments</b>
1.	In accordance with CI 8.3 and 8.5 of LPP1, the blank wall that is more than 2m wide to the eastern end of the ground floor should be removed and replaced with shop frontages.	<b>Noted.</b>  The submitters' comment is acknowledged and accurately reflects the provisions contained within LPP1.  This component of the design is the subject of more detailed discussion and consideration within the planning assessment section of the report under Design element 6.2.4 – Building Appearance.
2.	In accordance with CI 8.7 of LPP1, an awning should be provided along the length of the Old Perth Rd frontage and also along Hamilton St.	<b>Not supported.</b>  An awning is provided along the length of the commercial frontages on the Old Perth Road frontage of the development.  This awning also wraps around the Hamilton Street frontage of the ground floor shop 3 and an awning is also provided above the entrance to the lobby immediately adjacent to shop 3.  Provision of an awning along the full length of the Hamilton Street frontage of the development is not warranted for the following reasons: (a) The ground floor of the development is set back around 2.4 metres from the Hamilton Street property boundary;

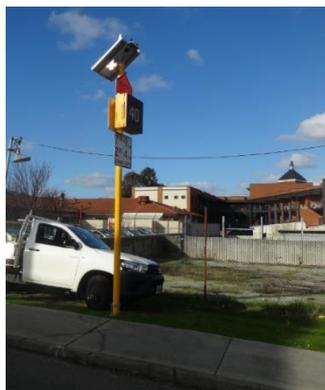
		<p>(b) The Hamilton Street footpath is positioned immediately adjacent to the kerb and not the property boundary (the footpath is around 3.6m from the property boundary); and</p> <p>(c) Noting the combined 6m separation between the building alignment and footpath alignment described in points (a) and (b) above, an awning on this side of the building will serve little practical purpose.</p>
3.	<p>Privacy / Overlooking – windows from the development look directly into our courtyard.</p> <p>(3 separate submissions)</p>	<p><b>Not supported.</b></p> <p>This component of the design is the subject of more detailed discussion and consideration within the planning assessment section of the report under Design element 6.4.1 – Visual Privacy.</p>
4.	<p>Reduced Sunlight and Ventilation increasing dampness.</p> <p>West side of the ‘Whitfield’ development is the only open side of this development which provides a breezeway and view.</p> <p>(5 separate submissions)</p>	<p><b>Not Supported.</b></p> <p>While it is acknowledged that the proposed development, if approved, would cast afternoon shadow toward the ‘Whitfield’ development, the proposal is fully compliant with overshadowing provisions contained within both the R-Codes and the Town’s LPP1 – Town Centre Strategy and Guidelines.</p>
5.	<p>Increased noise, traffic and pollution from staff, residents and visitors.</p> <p>(2 separate submissions)</p>	<p><b>Not supported.</b></p> <p>The land uses proposed are consistent with those already established within the Town Centre and the intensity of development is commensurate with that expected within the Town Centre.</p>
6.	<p>The Whitfield development is mostly 3 stories and would be dwarfed / towered over by a 5 storey building adjacent.</p> <p>(4 separate submissions)</p>	<p><b>Not supported.</b></p> <p>The building height contemplated is accommodated by the Town’s adopted LPP1 – Town Centre Strategy and Guidelines, which sets down parameters for development of this kind.</p>

7.	<p>Proximity of development – potential fire hazard if too close.</p> <p>(2 separate submissions)</p>	<p><b>Not supported.</b></p> <p>This is a matter that will be appropriately addressed in conjunction with the application for a building permit for the proposed development.</p>
8.	<p>A drainage problem already exists with the nursing home which will be exacerbated by the excavation required for the car park.</p>	<p><b>Not supported.</b></p> <p>This is a matter for which information has been provided in support of the application for development approval, and for which more detailed information will also need to be provided in support of the application for a building permit.</p> <p>Drainage associated with any completed development needs to be appropriately contained on site / disposed of, and if this is not occurring, there are compliance actions that can be undertaken to address any areas of non-compliance.</p>
9.	<p>Adverse impact on property values.</p> <p>(4 separate submissions)</p>	<p><b>Not supported.</b></p> <p>The impact (if any) on the value of other properties is unknown and is not a valid planning consideration.</p>
10.	<p>A smaller development closer in character to the existing nursing home buildings would be supported.</p> <p>(2 separate submissions)</p>	<p><b>Noted.</b></p> <p>Comments regarding building height are addressed above.</p>

Consultation with other Agencies or Consultants

**Main Roads Western Australia (MRWA)**

The proposed development was referred to MRWA as the proposed new crossover which serves the main car park for the development conflicts with the location of the recently installed electronic 40kph school zone sign that is shown in the photo below.



The proposed development would require the sign to be located approximately 2m toward Old Perth Rd (south). MRWA have advised that the proposed re-location can be accommodated, and the applicant will need to liaise directly with this agency with respect to required works

### **Department of Water and Environmental Regulation (DWER)**

The proposed development was referred to DWER as lots 84-85 (Nos. 68-70) Old Perth Rd were each reported as suspected contaminated sites under the Contaminated Sites Act 2003 in February 2014, noting the former use of these lots as a service station / mechanical repair station.

DWER advise that the proposed development involves a change of land use from a potentially contaminating activity to a sensitive land use and therefore, DWER would typically recommend that a condition be placed on any approval granted for the development requiring the assessment and, if required, management of contamination to ensure that the site is suitable for the proposed development.

DWER also note that the application documentation includes a letter dated 11 Jan 2016 from an accredited contaminated sites auditor (Vanessa Bryant of Senversa) which demonstrates that appropriate action has commenced in relation to the site. (Also see Annexure 10 – Contaminated Site Audit (Senversa) to Applicant's planning report)

To ensure that identified contamination is appropriately managed or remediated prior to development, DWER have recommended that the following contamination condition and advice note be included in any approval granted for development of the site:

#### *“Condition X*

- a) *Prior to commencement of development, investigation for soil and groundwater contamination is to be carried out to determine if remediation is required.*
- b) *If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to completion of construction works to the satisfaction of the Western Australian Planning Commission on advice from the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use.*

*Investigations and remediation are to be carried out in compliance with the Contaminated Sites Act 2003 and current Department of Water and Environmental Regulation contaminated sites guidelines. (Department of Water and Environmental Regulation)*

*Advice*

*In relation to Condition [X] and in accordance with regulation 31(1) of the Contaminated Sites Regulations 2006, a Mandatory Auditor's Report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation as evidence of compliance with Condition [X]. A current list of accredited auditors is available from [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)."*

DWER go on to state that the site is identified as having a moderate to low risk of acid sulfate soils occurring within 3m of natural ground level, but a high to moderate risk beyond 3m beneath natural ground level, and that a similar development adjacent to the proposed development required active management of acid sulfate soils. DWER advise that it is also likely that acid sulfate soil disturbance will occur through soil excavation and dewatering activities in conjunction with the proposed development. On this basis, they also recommend that the following acid sulfate soil condition and advice note be applied in the event that the proposed development is approved:

*"Condition X*

- a) *An acid sulphate soils self-assessment form and, if required as a result of the self-assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Department of Water and Environmental Regulation before any subdivision works or development are commenced. Where an acid sulphate soils management plan is required to be submitted, all subdivision works shall be carried out in accordance with the approved management plan. (Department of Environment and Conservation)*

*Advice*

*Condition [X] makes reference to an "acid sulphate soils self-assessment form". This form can be downloaded from the Western Australian Planning Commission's website at: [www.planning.wa.gov.au](http://www.planning.wa.gov.au).*

*The "acid sulphate soils self-assessment form" makes reference to the Department of Environment and Conservation's "Identification and Investigation of Acid Sulphate Soils" guideline. This guideline can be obtained from the Department of Water and Environmental Regulation website at: [www.dwer.wa.gov.au](http://www.dwer.wa.gov.au)."*

**External Design Review**

The Town took the opportunity to seek independent design review input following an earlier attempt to submit an application for the proposed development (this earlier application was not formalised).

This design review took the form of planning staff from the Town discussing the plans with an Architect from Hames Sharley, the consultants who had been responsible for preparation of LPP1 – Town Centre Strategy and Guidelines.

Comments resulting from this initial design review which were conveyed to the applicant are provided below:

**Comments Resulting from Architectural Review including consideration of Bulk and Scale (recession plane for solar access for street) along with Cross Ventilation and Solar Access for development itself**

- Open up the ground level courtyard to more sun (increase size), noting:
  - (a) the limited solar access that is afforded to this space; and
  - (b) the scale of built form surrounding this space.(i.e. four storeys of built form around a small courtyard)

Consider opportunities to bring at least the nursing home levels of the building out to the Old Perth Road and Hamilton Street property boundaries to assist in this respect (opportunity exists for these levels of the building being brought out to street boundaries);

- Landscaping detail shown on drawings for central courtyards are highly misrepresentative of landscape treatment that could actually be achieved within this space (drawings show 7m high trees on top of concrete slab to car park below with planters incorporating 400mm soil depth);
- Activate the area in front of the blank wall on the Hamilton Street side of the building which sits between shop 3 and the car park entry (i.e. consider incorporating a break out space for nursing home patients and their families into the design on the outside of the building into the design of the project);
- Blank wall to transformer and fire pump room on Old Perth Road frontage of the development only acceptable if a suitable public art concept can be formulated for consideration in conjunction with the application for development approval;
- Increase size of entry foyer to development and consider relocation to corner of building or Old Perth Road frontage;
- Provide weather protection to entry foyer (none shown on perspectives);
- Consider direct link between entry foyer and adjoining commercial tenancy, especially if it is contemplated that it may be a café;
- Consider balconies surrounding lounges on OPR / Hamilton St corner;
- Reconsider the impact of the modifications to the existing entry to the existing section of nursing home facing Hamilton Street. The revised entry arrangement is considered to be inferior to that which currently exists. An entry of an equivalent standard to that which currently exists should be maintained as the existing section of nursing home will operate independently from the new section of development;

- Open up corridors throughout the proposed development to the outside through the introduction of windows and 'view corridors' within the building. Proposed development is very internalised and internal amenity for nursing home in particular but also apartment occupiers could be improved greatly by internal design adjustments to provide a relationship between the inside spaces and the outside. At the moment, the view down corridors is commonly to exit doors or blank walls. See markings on attached plans for a diagrammatic explanation in this respect;
- Integration of two buildings and carrying over architectural language from existing structure into new building. Perspectives show a very different built form between what is proposed and what is existing. Consider introducing some sections of pitched roof over some of the lower sections of the proposed building to tie in with the pitched roof form of the existing building (and the pitched roof which is proposed over the uppermost level of the proposed building);
- Crime Prevention Through Environmental Design (CPTED) – be mindful of the emergency exit next to the fire pump room – don't create a space which is enclosed on both sides (as shown on the perspectives). Make sure that the right hand side of this area is not enclosed and is stepped back to tie in with the same design approach that has been utilised with the adjoining 'Whitfield' development (see attached photo)

### **Building Bulk**

No concerns held with building bulk, provided that shadowing does not extend beyond kerb line on opposite side of Old Perth Road. Indeed, it was suggested that it may be possible to bring some sections of the building closer to street boundaries.

### **Cross Ventilation / Solar Access**

If there is a desire to push forward with the design concept as presented (what I will call the donut design for ease of reference) in lieu of a design incorporating a single building layer along street boundaries along with fully enclosed circulation spaces for the apartments, which are both notionally at odds with the design approach advocated within the Town Centre Policy and Strategy should only be supported where there is refinement to the design concept to provide:

- Increased size central courtyard;
- Improved cross-ventilation within individual units; and
- Refinement to design to allow optimised solar access to living areas.

Within Part 6 of their written planning report ('Response to Pre-Application Issues), the applicant has provided comment in relation to how the plans that are now the subject of formal consideration were modified in relation to the pre-application discussions.

The main changes that have resulted from the drawings that are now the subject of consideration to those which were first provided to the Town are summarised as follows:

- Ground level courtyard increased in size from approximately 8m x 12.5m (96 sq.m) to 11.5m x 14.5m (167 sq.m);
- Slight increase in extent of active frontage to Hamilton St frontage;
- Re-location of vehicle access to car park from Old Perth Rd frontage to Hamilton St frontage;
- Introduction of balconies to the nursing home component of the development at the Hamilton St / Old Perth Rd corner of the development;
- Introduction of sections of 'mid-level' pitched roof on the additions in an attempt to provide greater connectivity in design between existing building and proposed works; and
- Significant design re-configuration to Multiple Dwellings in order to provide enhanced solar access to living areas and opportunities for cross-ventilation along with provision of vented sky lights to all multiple dwellings on the third floor.

In general, the design changes are seen to have positively improved the design from that which was first presented to the Town.

**Planning assessment:**

A summary of the planning assessment is provided below:

<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
6.1.1 Building Size	Maximum permissible plot ratio of 2.0.	<p>Clause 7.5 – Building Envelope:</p> <p>An agreed envelope of footprint and height will define new development on each lot. There is no plot ratio limit in the Town Centre.</p> <p>A minimum height of 3 storeys or 10 metres is set for buildings in the Town Centre.</p>	<p><b>Complies.</b></p> <p>No plot ratio limit prescribed.</p>
<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
6.1.2 Building height	<p>Top of external wall = 18m.</p> <p>Top of pitched roof = 21m.</p>	<p>Clause 7.5 – Building Envelope:</p> <p>A minimum height of 3 storeys and a maximum height of 5 storeys.</p>	<p><b>Complies.</b></p> <p>A maximum building height of 5 storeys is proposed.</p>
<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
6.1.3 Street setback	<p>Min primary street setback 2 m.</p> <p>Minimum secondary street setback 2 m.</p>	<p>Clause 7.5 – Building Envelope:</p> <p>Development should generally have nil setback to front and side boundaries.</p> <p>Residential entry foyers at ground</p>	<p><b>Complies.</b></p> <p>Nil setback generally to ground floor commercial development on Old Perth Road frontage of development site.</p> <p>2.4m setback generally to ground floor on Hamilton</p>

		level can have a nil setback.	Street frontage of development site.
<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
6.1.4 Lot boundary setbacks	Table 5 = prescribed side setback of 4m.	<p>Clause 7.5 – Building Envelope:</p> <p>Development should generally have nil set back to front and side boundaries.</p> <p>Rear setbacks should be provided suitable to accommodate parking and avoid overshadowing of neighbouring buildings.</p> <p>Rear setbacks from residential adjoining should provide privacy and comply with R Code requirements.</p>	<p><b>Does Not Comply with Deemed-to-Comply provisions of the R-Codes.</b></p> <p>Consideration against Design principles required. See detailed comments, below.</p>
<p>Provisions within LPP1 take precedence over those specified within Table 5 of the R-Codes. However, acceptability of side setbacks proposed alongside the ‘Whitfield’ development at Nos. 78-80 Old Perth Rd are largely to be determined having regard to visual privacy considerations. As such, see further comment in part 6.4.2 – Visual Privacy, later within the report.</p>			
<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
6.1.5 Open space	No requirements specified.	No requirements specified.	<b>Complies.</b>
<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
6.2.1 Street surveillance	Street elevation addresses street and	Clause 8.7 – Awnings, canopies and balconies:	<b>Does not comply with LPP1 requirements.</b>

	<p>clearly defined entry.</p> <p>Building has habitable room windows or balconies facing street.</p> <p>Basement parking structures no more than 1m above ground level.</p>	<p>Other elements such as balconies and terraces provide spaces for people to be part of the street environment and contribute to passive surveillance as 'eyes on the street'.</p> <ul style="list-style-type: none"> <li>• Balconies and terraces are encouraged on street facades in residential and mixed use buildings; and</li> <li>• Balconies should have predominantly open balustrades, while considering the need for screening of washing and air conditioner units and solar screens.</li> </ul>	<p>Consideration against the provisions of CI 6.3 – Variation Discretion of LPP1 required in relation to balcony design.</p>
<p>The proposal demonstrates compliance with R-Code provisions as both the Hamilton Street and Old Perth Road frontages of the building address the street with facades parallel to the street and clearly defined entry points which are visible and accessed from the street.</p> <p>The building has both habitable room windows and balconies which face each of the street frontages although the balustrading to the balconies is more solid than open which conflicts with the requirements contained within LPP1 and which calls for “predominantly open balustrades”.</p> <p>This matter could be addressed by way of condition of approval, if the development were to be approved.</p>			
<p><b>Design Element</b></p>	<p><b>Residential Design Codes</b></p>	<p><b>Town Centre Strategy</b></p>	<p><b>Compliance / Officer Comments</b></p>
<p>6.2.2 Street walls and fences</p>	<p>Front walls and fences within the front setback are</p>	<p>Clause 9.5 – Safety and Security:</p>	<p><b>Does not comply with provisions of LPP1 – Town</b></p>

	visually permeable above 1.2m	Solid fencing / screening above 0.8m high is discouraged on street frontages.	<p><b>Centre Strategy and Guidelines</b></p> <p>Consideration against the provisions of CI 6.3 – Variation Discretion of LPP1 required in relation to wall/fence heights within the Hamilton St street setback area.</p> <p>Hamilton Street frontage of site contains two sections of solid brick wall/fence (one adjacent to car park entry and one adjacent to main lobby) which each exceed 0.8m in height above natural ground level.</p> <p>No solid fencing on Old Perth Road frontage of site.</p>
<p>The solid wall/fence alongside the main entry to the car park reaches approximately 1.65m in height above natural ground level.</p> <p>The solid wall/fence alongside the main entry lobby reaches approximately 1.05m in height above natural ground level.</p> <p>There is nothing preventing the height of these sections of solid wall/fence being lowered to meet provisions contained within LPP1, and lowering height would have beneficial outcomes from a crime prevention through environmental design (CPTED) perspective.</p> <p>This matter could be addressed by way of condition of approval, if the development were to be approved.</p>			

<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
6.2.3 Sight lines	Walls, fences and other structures truncated within a 1.5m x 1.5m truncation area adjacent to intersection of driveway and street alignment.	No specific provisions.	<b>Complies.</b>
<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
6.2.4 Building appearance	Buildings that comply with the provisions of a special control area.	<p>Part 8, including:</p> <ul style="list-style-type: none"> <li>• 8.2 – Building character;</li> <li>• 8.3 – Facades;</li> <li>• 8.4 – Roofs;</li> <li>• 8.5 – Old Perth Road frontage;</li> <li>• 8.6 – Building Entry;</li> <li>• 8.7 – Awnings, canopies &amp; balconies;</li> <li>• 8.8 – Materials and colour;</li> <li>• 8.9 – Signage and public art; and</li> <li>• 8.10 – Plant and equipment.</li> </ul> <p>See more detailed comments on policy requirements, below.</p>	<p><b>Does not comply with provisions of LPP1 – Town Centre Strategy and Guidelines</b></p> <p>Consideration against the provisions of CI 6.3 – Variation Discretion of LPP1 required in relation to various components of design as discussed below.</p>
<p>LPP1 – Town Centre Strategy and Guidelines sets down detailed design requirements for new development as summarised below:</p> <p><b>8.2 - Building Character:</b></p> <ul style="list-style-type: none"> <li>• Buildings should reflect contemporary lifestyle, function and materials and not mimic historic styles; and</li> </ul>			

- Buildings should have a proportion and scale appropriate to their location and respecting neighbouring buildings.

#### 8.3 – Facades:

- Ground floor facades should be distinctive from upper levels;
- Circulation spaces such as stairs and foyers should be positioned and glazed to add activity that is visible from the street; and
- Glazing of facades is encouraged to provide visibility between inside and outside the building.

#### 8.4 – Roofs:

- Pitched roofs should respect and be consistent in pitch with roofs in close proximity.

#### 8.5 – Old Perth Road frontage:

- Non-residential and mixed use buildings shall have nil setbacks to Old Perth Road frontage;
- Glazed shopfronts are required in retail and commercial buildings. Old Perth Road facades should have a minimum of 80% clear glazed area at ground level;
- Blank walls longer than 2.0 metres at street level are not permitted;
- Upper levels of buildings fronting Old Perth Road should include functional size balconies; and
- All frontages on Old Perth Road should be well illuminated.

#### 8.6 – Building Entry:

- The primary building entrance should be clearly identifiable and visible from the primary street; and
- Pedestrian shelter, signage and lighting should be provided at primary entrances.

#### 8.7 – Awnings, Canopies and Balconies:

- Residential and mixed use buildings shall have pedestrian shelter such as awnings or canopies over entrances;
- Balconies and terraces are encouraged on street facades in residential and mixed use buildings; and
- Balconies should have predominantly open balustrades, while considering the need for screening of washing and air conditioner units and solar screens.

#### 8.8 – Materials and Colour:

- Respond to neighbouring buildings with complimentary colours and materials; and
- A limited palette of external colours and building materials should be used to ensure building harmony.

#### 8.9 – Signage and Public Art:

- Refer to public art policy and master plan and commercial advertising signage policy;

- A public realm contribution of 2% of building construction cost will be required for development in Bassendean Town Centre. This includes provision for public art;
- All building signage will be of a high standard and generally not exceed 5% of the building wall area to which it is fixed;
- Signage suspended below awnings, canopies or balconies or cantilevered will have a minimum clearance above footpath level of 2.7m; and
- Signage shall not obscure display windows by more than 5% area.

The following comments are provided in relation to the Town's assessment of applicable LPP1 provisions (Note: where no comments are provided, it is seen that policy provisions have been satisfactorily addressed):

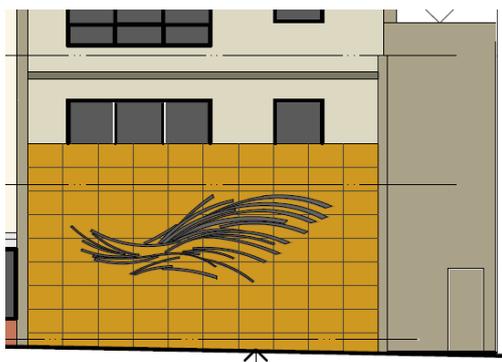
#### Stairwell on Hamilton St Frontage of Development

A stairwell has been positioned on the Hamilton St frontage of the development, but has not been glazed in any manner, contrary to the preferred arrangement identified within LPP1. Given the floor level of the landings within the stair, it is difficult (although not impossible) to position windows so that they would line up with other windows on either side of the stairwell. Given that the stair occupies only a very small proportion of the façade and that there is a large number of other windows and balconies facing Hamilton St, the stairwell is considered to be acceptable as proposed in this instance.

#### Extent of Blank Wall to Old Perth Road Frontage

The development incorporates a section of blank wall at the eastern end of the Old Perth Rd frontage that is 12m in length whereas LPP1 restricts sections of blank wall to 2m in length.

The drawings show a transformer compound, fire pump room and fire escape / fire tanks in this location as shown in the extract from the Old Perth Rd elevation, shown below. The prominence of this blank section of wall is exacerbated by the fact that it also constitutes balustrade associated with a common lounge area of the nursing home component of the development. This solid balustrade should be replaced with open balustrade in accordance with LPP1 requirements.



In acknowledgement of the conflict with LPP1 policy provisions, the applicant has notionally shown this section of wall as being the location of the public art for the development.

This approach should only be accepted if an appropriately designed piece of public art can be commissioned for this location. If not, the design should be adjusted to remove the transformer and fire pump rooms and replace these spaces with shop fronts and associated awnings as per the remainder of the Old Perth Rd frontage of the proposed development. This could be dealt with by way of a condition if the development were to be approved.

Functional Size Balconies

This is the subject of more detailed discussion under Design Element 6.3.1 – Outdoor Living Areas. As presented, concern is held with respect to the functionality of a number of balconies for the proposed multiple dwellings.

Predominantly Open Balustrades to Balconies

LPP1 specifies a requirement for the balustrade of balconies to be predominantly open. Contrary to this requirement, the balustrade design that has been incorporated into the design is predominantly solid, with a lesser amount of glazed balustrade used in the design. This matter could be dealt with by way of a condition, if the development were to be approved.

Design Element	Residential Design Codes	Town Centre Strategy	Compliance / Officer Comments
6.3.1 Outdoor living areas	Each unit to be provided with at least one balcony or equivalent accessed directly from a habitable room with a min area of 10 sq.m and min dimension of 2.4m.	<p>Clause 8.5 – Old Perth Road Frontage:</p> <p>Upper levels of buildings fronting Old Perth Road should include functional size balconies.</p>	<p><b>Does Not Comply with Deemed-to-Comply provisions of the R-Codes.</b></p> <p>Consideration against Design principles required. See detailed comments, below.</p>

Balconies for units 2, 3, 4, 5, 6, 7, 8, 9, 12 and 18 meet the requirements contained within the DTC provisions of the R-Codes.

Balconies for units 1, 10, 11, 13, 14, 15, 16 and 17 do not meet the requirements contained within the DTC provisions of the R-Codes and accordingly must be assessed against the associated Design principles.

Design principle 6.3.1 (P1) requires:

*“Balconies or equivalent outdoor living areas capable of use in conjunction with a habitable room of each dwelling, and if possible, open to winter sun.”*

The applicant's planning report states that the multiple dwellings have generally been designed in accordance with the 10 sq.m area with 2.4m dimension requirements that are specified within cl 6.3.1 of the R-Codes. It goes on to state that:

*"Units 10, 11, 14 & 15 have smaller balconies, and these have been made smaller to provide for solar access to dwellings below. However, these balconies are still of sufficient size to be used for over 55's occupants and therefore, still satisfy the Design Principles of Part 6.3.1 which requires balconies to be used in conjunction with a habitable room and (if possible) open to winter sun."*

This does not actually explain how the balconies are of a sufficient size (i.e. by way of plans showing how they could be appropriately furnished) and makes no comment about access to winter sun.

The following balconies have area and/or dimensions that are less than those specified within the DTC provisions of the R-Codes:

- U1: 3.05m x 2.85m = 8.69 sq.m (plus extra 'unusable' area of 5.0m x 1.2m);
- U10: 3.05m x 2.20m = 6.71 sq.m (plus extra 'unusable' area of 4.4m x 0.5m);
- U11: 4.20m x 1.80m = 7.56 sq.m (plus extra 'unusable' area of 1.3m x 3.8m);
- U13: 3.00m x 3.10m = 9.30 sq.m (plus extra 'unusable' area of 1.2m x 0.7m);
- U14: 2.65m x 2.70m = 7.16 sq.m (plus second balcony of 1.6m x 2.8m = 4.48 sq.m);
- U15: 3.50m x 1.8m = 6.30 sq.m;
- U16: 3.70m x 2.60m = 9.62 sq.m (plus extra usable area of 2.0m x 1.4m) along with second balcony of 5.10m x 1.40m = 7.10 sq.m;
- U17: 3.00m x 2.80m = 8.40 sq.m.

With the exception of the balcony for U16 (and possibly U13) all of the balconies above are seen to be unreasonably small and/or have unreasonably restricted dimensions that will detrimentally affect their use.

There is the capacity to quite simply modify all of the balconies identified above to meet the area and dimension requirements specified within the DTC provisions of the R-Codes. Only one such balcony adjustment would cause impact on northern solar access to another dwelling (increasing size of balcony to U15 will affect solar access to U6). Adjustments that can be made to balconies, along with any associated impact on solar access to other dwellings, is identified below:

(Unless detailed otherwise, the suggested change does not result in adverse solar access impacts for any other unit)

- U1: Extend balcony toward Hamilton St (west) or Old Perth Rd (south);
- U10: As per discussion above for U1;

- U11: Extend balcony to the north to extent required to achieve 10 sq.m area;
- U13: As per discussion above for U11;
- U14: Extend balcony to the west to extent required to achieve 10 sq.m area;
- U15: Extend balcony to north to extent required to achieve 10 sq.m area (it is noted that this change will have some limited impact on 6);
- U16: Adjust section of balcony immediately adjacent to B2 of U15 in order to provide balcony of prescribed overall size with 2.4m dimension;
- U17: Extend balcony toward Old Perth Rd (south).

This matter could be addressed by way of condition of approval (requiring balconies to be adjusted in the manner identified above), if the development were to be approved.

Design Element	Residential Design Codes	Town Centre Strategy	Compliance / Officer Comments
6.3.2 Landscaping	Landscaping of open spaces in accordance with the following: <ul style="list-style-type: none"> <li>• Separate pedestrian paths providing wheelchair accessibility connecting all entries to buildings with public footpath and car parking areas;</li> <li>• Lighting to pathways and car parking areas; and</li> <li>• Clear sight lines at pedestrian and vehicle crossings.</li> </ul>	Clause 7.10 – Landscape and Hardscape  All spaces around buildings are to be designed to offer attractive amenity for users and passers-by.  <ul style="list-style-type: none"> <li>• A town centre public realm contribution of 2% of development cost will be payable to Council as a condition of development approval;</li> <li>• Landscape provision will be assessed on quality rather than quantity; and</li> <li>• Generally use water-wise and indigenous plant species.</li> </ul>	<p><b>Does not demonstrate compliance with Deemed-to-Comply provisions of the R-Codes.</b></p> <p>See detailed comments, below.</p>

### Landscape Plan

The landscape plan has been reviewed by the Town's Parks and Gardens Supervisor who has indicated that he is generally happy with the plant species selected and that the plan is generally acceptable.

The plan shows retention of existing street trees within the road reserve adjoining the site along with an existing Jacaranda on site alongside the 'service entrance' to the development. The plan is outdated, however, in that it shows works within the Hamilton Street road reserve that are no longer proposed (embayed parking and footpath re-location), so it should be updated to reflect existing verge treatments that are proposed to be retained. In doing so, it should show how the existing 'soft' verge area along Hamilton Street is to be treated and should also incorporate provision of street tree planting within the Hamilton Street verge area.

The need for an updated landscape plan to be provided, implemented and for landscaping to be subsequently maintained throughout the life of the development can be dealt with by way of conditions in the event that the proposed development is approved.

### R-Codes

The R-Codes requires that the development incorporate lighting to pedestrian pathways and car parking areas (the Town's LPP1 – Town Centre Strategy and Guidelines separately includes a requirements relating to lighting as specified within Part 9.6 – External Lighting). Lighting requirements can be dealt with by way of a condition in the event that the proposed development is approved.

### 6.3.3 – Parking (Cars)

The requirements for the provision of on-site car parking spaces for the development are set down by provisions contained within:

- The R-Codes for Multiple Dwellings; and
- LPS10 for the Shops and Nursing Home.

Also of relevance are provisions contained within:

- LPP1 – Town Centre Strategy and Guidelines; and
- SPP4.2 – Activity Centres for Perth and Peel.

	<b>Provided by Proposed Development</b>	<b>Prescribed by R-Codes or LPS10</b>	<b>If SPP 4.2 – Activity Centres is used</b>	<b>Officer Comment</b>
<b>18 Multiple Dwellings</b>	18	19  (1 bay per unit for units 2-9 & 11-18)  (1.25 bays per unit for units 1 & 10).	19	Accept 18 bays (1 bay per unit)
<b>Multiple Dwelling Visitor</b>	5	5  (0.25 bays per unit)	5	Visitor bays not to be solely restricted to multiple dwellings
<b>Nursing Home and Shops</b>	27	38  (LPS10 requirement for Nursing Home is 1 bay per 5 beds) (LPS10 requirement for Shops is 8 per 100 sq.m of gross floor area)	31  (SPP 4.2 Activity Centre suggests provision of 4-5 bays per 100 sq.m of floor area for shops)	Accept 27 bays
<b>Un-allocated visitor</b>	1	0	0	6 visitor bays for the shared use of all components of the development

<b>Accessible (Disabled)</b>	1	0*	0	1 accessible bay for the shared use of all components of the development
<b>TOTAL</b>	<b>52</b>	<b>62</b>	<b>55</b>	<b>52**</b>

\* Although an accessible bay is not prescribed by the Scheme or Codes, one of the matters to be considered by local government (under cl 67(u)(v) of the Local Planning Scheme Regulations) is that consideration be given to “access by older people and people with a disability.” Also, noting the non-residential nature of the development, car parking provision for people with a disability is a mandatory requirement from a Building Code perspective.

\*\* It is considered reasonable to accept the car parking concession for the following reasons, but subject to the following listed requirements:

Reasons:

- (a) The Town has accepted a car parking concession for other new commercial development within the Town Centre where the number of bays has aligned with parking ratios set down within SPP4.2 – Activity Centres for Perth and Peel;
- (b) There are 3 existing car parking bays within the road reserve directly in front of the development site;
- (c) Four motorcycle / scooter bays are provided (as advocated by LPP1 – Town Centre Strategy and Guidelines);
- (d) There is potential for there to be some degree of reciprocity of use within the development;
- (e) There is potential for there to be some degree of public transport use associated with the development noting the proximity of the development site to the Bassendean Train Station, while also being located on a bus route; and
- (f) There is potential for there to be some degree of bicycle use associated with the proposed development (provided that this mode of transport is adequately catered for) (see further comments in next section of report in relation to this matter).

Requirements:

- (a) In the event that there is future strata titling of the site, the following car parking distribution shall be included on any strata plan:
  - Multiple Dwellings – 1 bay per dwelling (18 bays total);
  - Nursing Home – 20 bays;
  - Shop 1 – 2 bays;
  - Shop 2 – 2 bays;
  - Shop 3 – 3 bays; and

- 7 shared use visitor bays (inclusive of the accessible car bay) shall remain unallocated to any individual tenancy / strata lot.
- (b) Provision of enhanced bicycle parking facilities for the development (see next section of report for further discussion on this matter).

### 6.3.3 – Parking (Bicycles)

The requirements for the provision of bicycle spaces for the development (as well as end of trip facilities) are set down by provisions contained within:

- The R-Codes for Multiple Dwellings; and
- LPS10 for the Shops and Nursing Home.

Also of relevance are provisions contained within:

- LPP1 – Town Centre Strategy and Guidelines; and
- SPP4.2 – Activity Centres for Perth and Peel.

	<b>Prescribed by R-Codes or LPS10</b>	<b>If SPP 4.2 – Activity Centres is used</b>	<b>Provided by proposed development</b>
<b>18 Multiple Dwellings</b>	6	N/A	0 designated for MD's.
<b>Multiple Dwelling Visitor</b>	2	N/A	0 designated for MD visitors.
<b>Nursing Home and Shops</b>	See Comments below	Motorcycles and bicycles provided at 5-10% of all bays. (Approx. 3)	0 designated for Nursing Home and Shops.
<b>Un-Allocated spaces within car parking area</b>	N/A	N/A	8 (4 racks that can each hold 2 x bikes)
<b>TOTAL</b>	Approx. 11		8

Clause 4.7.6 of LPS10 is titled 'Bicycle Facilities' and states that:

*“The local government may require the provision of facilities that provide for and encourage cycling as part of any private development. Such facilities shall provide for storage and parking of bicycles and change rooms/showers for cyclists.”*

Bicycle parking is also addressed within LPP4.2 – Activity Centres for Perth and Peel as follows:

### 3.4 Cycling

The planning and development of activity centres should also make greater provision to encourage cycling for centre employees and visitors<sup>28</sup>.



Cycling is an under-exploited and healthy mode of transport. It is inexpensive, reliable and convenient, particularly for shorter trips.

#### Planning considerations:

Network provision	To promote cycling as a viable mode of transport provision should be made for a comprehensive network <sup>29</sup> that connects the centre safely and conveniently to other local destinations. This includes dedicated or shared paths and the reallocation of road space to provide more space for cyclists, such as cycle lanes or bus lanes where cyclists are permitted.
End of trip facilities	Facilities should be provided to cater for and promote cycling within commercial and community developments such as showers, change rooms and lockers.
Cycle parking	Standards to ensure the supply of adequate cycle parking for public and private use should be adopted and mandated as part of the development control process.

Having regard to the comments and information provided above, it would be appropriate for additional bicycle parking spaces to be provided within the secure car park (an additional two racks, catering for an additional 4 bicycles) plus provision of at least two bike racks external to the development for visitor / customer use.

End of trip facilities are provided for the nursing home (separate male and female showers and a shared locker area), and a shower has been provided within the accessible ground floor toilet for the ground floor shops. Given their small size this limited provision for the ground floor shop tenancies (single shared shower only, no lockers) is considered acceptable.

Design Element	Residential Design Codes	Town Centre Strategy	Compliance / Officer Comments
6.3.4 Design of car parking spaces	Car parking bays and manoeuvring areas designed and provided in accordance with AS2890.1 (as amended).	Clause 7.4 – Development Type and Intensity in Bassendean:  “Common parking areas below ground are encouraged.”  Ground Level car parking area	<b>Does not comply.</b>  <ul style="list-style-type: none"> <li>• Accessible car bay and adjoining visitor car parking bay are both under length;</li> <li>• Column position within this visitor bay does not</li> </ul>

	<p>Visitor spaces marked and retained for such use, and outside security barrier.</p> <p>Car parking spaces (except visitors bays) concealed from view of the street.</p>	<p>provided for development with car bays screened from view of the street.</p>	<p>demonstrate compliance with positioning specified within AS2890.1; and</p> <ul style="list-style-type: none"> <li>• Aisle width between shared use car parking bays 19 and 20 is under width</li> </ul> <p>See detailed discussion below.</p>
<p>Visitor parking spaces are located within the basement, however this not uncommon for a building that is designed in an 'urban' context (i.e. without large street setbacks where such bays would ordinarily be located). Location of visitor bays within basement is supported (as exists for adjoining development) provided that suitable arrangements can be made for access, and that there are conditions specifying the need for these bays to be made available for visitor use.</p> <p>The length of the accessible car parking bay and adjoining visitor car parking bay must each be increased in length from 5.2 metres to 5.4 metres with the column to the rear of the visitor bay positioned in accordance with Figure 5.2 of AS2890.1.</p> <p>The aisle width between shared use car parking bays 19 and 20 must be increased from 5.8 metres to 6.1 metres minimum to satisfy the provisions contained within CI 2.5.2 of AS2890.1.</p>			
<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
<p>6.3.5 Vehicular Access</p>	<p>Vehicular access is limited to one opening per 20m street frontage that is visible from the street.</p> <p>Access to on site parking spaces is to</p>	<p>Clause 7.9 – Vehicle movement and parking:</p> <p>Parking should be accessed from secondary streets and not from Old Perth Road.</p> <p>Parking should be located to rear of or below buildings.</p>	<p><b>Does not comply with either Deemed-to-comply provisions of the R-Codes nor LPP1 requirements.</b></p> <p>Consideration against Design principles of R-Codes and CI 6.3 – Variation Discretion</p>

	<p>be provided from the secondary street (Hamilton Street)</p> <p>Driveways designed for two way access to allow for vehicles to enter the street in forward gear.</p> <p>Driveways to be adequately paved and drained.</p>	<p>Crossovers should be limited to one crossover (3 – 6m wide) per development site. Crossovers should match footpath colour.”</p> <p>Service and delivery should be provided discretely and in minimal space.</p>	<p>of LPP1 required in relation to proposal for two crossovers on Hamilton Street.</p> <p>See detailed discussion below.</p>
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The existing Nursing Home has a crossover on the Hamilton Street frontage of the development site which is proposed to be retained.

There were two crossovers associated with the former car yard site (one at the street corner where Hamilton Street and Old Perth Road intersect and a second at the eastern end of the Old Perth Road frontage) which are both to be removed.

A new (second) crossover is proposed to be installed on the Hamilton Street frontage of the site. The two crossovers are separated from each other by 10.2 metres.

Noting this, vehicle access arrangements must be considered against the Design principles contained within cl 6.3.5 P5 which requires:

*“Vehicular access provided so as to minimise the number of crossovers, to be safe in use and not detract from the streetscape.”*

The existing crossover is intended to serve a space that will be used for deliveries and rubbish collection (for the Nursing Home).

Proposed arrangements are supported noting that:

- Vehicle access has been restricted to Hamilton Street as required by LPP1 and the R-Codes;
- Two crossovers allows for separation of cars and trucks;
- Overall number of crossovers to the site has decreased from three to two; and

- Two crossovers for a development site with over 145 metres of street frontage (as is the case with the proposed development) is not excessive.

A separate application will need to be made to the Town for the proposed new crossover.

The vehicle access to the lower ground floor ramp incorporates a change in levels of approximately 1m and the drawings do not provide sufficient information to demonstrate that the ramp has been appropriately designed with respect to gradient and transitions at the base of the ramp, across the building line and across the property boundary.

In the event that approval were to be granted, it would be appropriate that this matter be dealt with by way of a condition of approval.

<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
6.3.6 Site works	Excavation or filling between the street and a building not exceeding 0.5m except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for a dwelling.  Excavation or filling within a site and behind a street setback line limited by compliance with building height limits and building setback requirements.	No specific provisions.	<b>Complies.</b>
<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
6.3.7 Retaining walls	Where a retaining wall less than 0.5m high is required on a lot boundary, it may be located up to the lot boundary.	No specific provisions.	<b>Complies.</b>

<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
6.3.8 Stormwater management	All storm water being directed to garden areas, sumps or rainwater tanks within the development site if possible.	<p>Clause 9.2 – Services and Infrastructure:</p> <p>“All stormwater shall be contained on site or connected to drainage points where supplied.”</p> <p>Local Planning Policy No. 14 (LPP14) – On-site Stormwater Policy also applies to the development.</p>	<p><b>Does not comply with Deemed-to-Comply provisions of the R-Codes.</b></p> <p>Consideration against Design principles and Town’s Local Planning Policy No. 14 – On-Site Stormwater Policy required.</p>
<p>The applicant has provided a “Stormwater Drainage Management Plan” report prepared by BPA Engineering Civil &amp; Structural Consultants in support of the application for development approval.</p> <p>In summary, the report indicates that the site is unsuitable for stormwater disposal on site and on this basis recommends that stormwater be disposed of into the municipal drainage system.</p> <p>A Town of Bassendean drainage line does exist within the Old Perth Rd road reserve to the south of the development, but there is no drainage infrastructure in the Hamilton St road reserve. This suggests that stormwater associated with the existing nursing home must be contained on site via the use of soakwells.</p> <p>In the event that discharge into the Town’s system is proposed, LPP14 requires that at a minimum, the development be designed to accommodate a 1:20 year storm event on site with discharge into the Town’s system only occurring where a storm event beyond 1:20 years is experienced. The report prepared by BPA indicates that this will be accommodated by way of a below ground storage tank. This corresponds with arrangements that were put in place for development of the adjoining ‘Whitfield’ development at Nos. 78-80 Old Perth Road.</p> <p>The procedure that must be followed in conjunction with the application for a Building Permit is detailed in LPP14.</p>			

Design Element	Residential Design Codes	Town Centre Strategy	Compliance / Officer Comments
6.4.1 Visual Privacy	<p>Major openings set back from lot boundaries in accordance with the cone of vision or screened.</p> <p>Prescribed setbacks from boundaries are:</p> <p><u>3m</u> Beds / studies</p> <p><u>4.5m</u> Major openings other than bedrooms</p> <p><u>6m</u> Balconies</p>	<p>Clause 7.5 – Building Envelope:</p> <p>“Rear setbacks from residential adjoining should provide for privacy and comply with R code requirements.”</p>	<p><b>Does Not Comply with Deemed-to-Comply provisions of the R-Codes.</b></p> <p>Consideration against Design principles required. See detailed comments, below.</p>

Upper Ground Floor Level

The design incorporates two balconies (one directly outside the staff room approximately 5m in length and a second of approximately 26m in length which runs the length of nursing home bedrooms 2-8) which is set back 3m from the common boundary with the adjoining mixed use development at Nos.78-80 Old Perth Road. Overlooking from this component of the development is not controlled by the R-Codes as it is non-residential in nature. Notwithstanding, the proposed configuration is supported for the same reasons as those described below for the residential component of the development on the second and third floor of the development.

First Floor Level

The design incorporates a balcony of approximately 34.5m in length which runs the length of nursing home bedrooms 29-37, and which is set back 3m from the common boundary with Nos. 78-80 Old Perth Road. Comments for this component of the development are the same as those for the upper ground floor level.

Second Floor Level

The design incorporates 3 multiple dwellings and a common lounge/meeting room alongside the common boundary with Nos. 78-80 Old Perth Road which each have major openings to habitable rooms / active habitable spaces that are set back a lesser distance from the common boundary than those identified within the DTC provisions of the R-Codes as described below:

U5:

- Balcony (from Lounge) – 5.5m to boundary;
- Lounge window – 3.57m setback to boundary; and
- Balcony (from B1) – 3.57m setback to boundary.

Communal Lounge / Meeting Room

- Balcony with 3.57m setback to boundary;

U6:

- Balcony – 3.57m to boundary; and
  - Lounge window – 3.57m setback to boundary.
- (3.57m setback to B2 window of U6 meets DTC provisions of R-Codes)

U7:

- Balcony – 2.7m to boundary.

Third Floor Level

The design incorporates 3 multiple dwellings alongside the common boundary with Nos. 78-80 Old Perth Road which each have major openings to habitable rooms / active habitable spaces that are set back a lesser distance from the common boundary than those identified within the DTC provisions of the R-Codes as described below:

U14:

- Balcony (from Lounge) – 5.5m to boundary;
- Lounge window – 3.57m setback to boundary; and
- Balcony (from B1) – 3.7m setback to boundary.

U15:

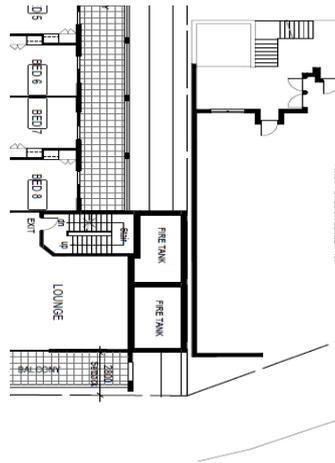
- Balcony – 3.7m to boundary; and
  - Lounge window – 3.57m setback to boundary.
- (3.57m setback to B2 window of U15 meets DTC provisions of R-Codes)

U16:

- Balcony – 2.7m to boundary.
- (6.4m setback to Living Room window meets DTC provisions of R-Codes)

The openings to multiple dwellings on the second and third floor levels of the proposed development which are described above along with the two lower levels of nursing home are all considered to be suitable for approval under a Design principle assessment for the following reasons:

The sections of development which are closest to the Old Perth Rd end of the development sit alongside a boundary wall on the adjoining property which extends in length 22m back from the Old Perth Rd property boundary while also extending to the full height of the adjoining development. This wall is shown in the plan extract, below. As such, the portions of the development which are closest to the Old Perth Rd end of the development are looking directly toward a 3 storey blank boundary wall on the adjoining property.

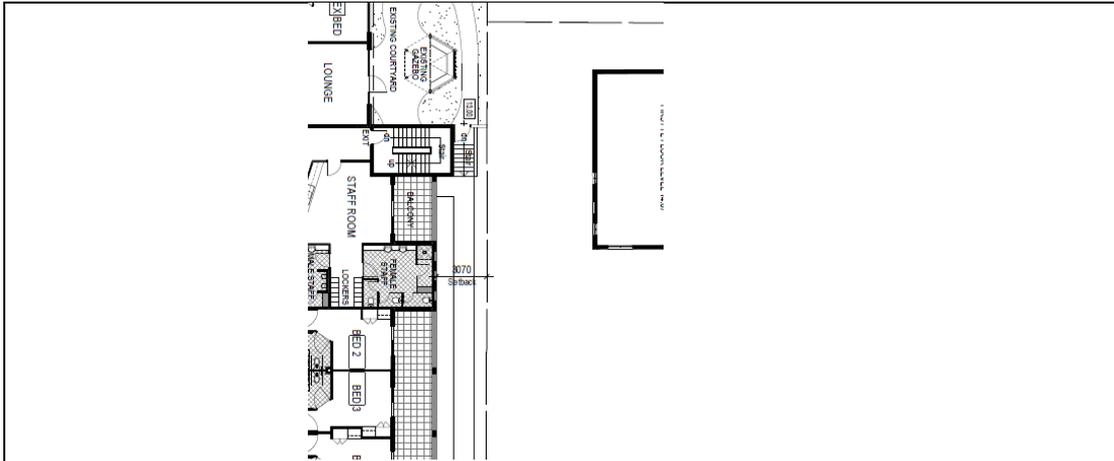


The sections of development that are located centrally overlook a row of carports and vehicle access way as shown on following aerial photo extract:



The sections of development that are located furthest from Old Perth also overlook a section of car park on the adjoining development and a section of building beyond which contains bedroom windows on the first and second floors.

However, the overall separation distance between the proposed development and the wall containing those bedroom windows is 9.5 metres and this exceeds the separation distance that would result if DTC setbacks from each of the adjoining lot boundaries (i.e. 3m for bedroom + 6m for balcony) were provided. On this basis the separation distance is seen to acceptable and the Design principle met.



In addition to the reasons identified above, the following points in support of the proposed arrangement are also noted:

- Construction of the adjoining development was completed approximately two years ago, so arrangements that exist on the adjoining property are unlikely to change for a considerable period of time; and
- It is the two levels of nursing home additions that sit ‘alongside’ development on the adjoining property while the uppermost two levels of the proposed development, being the multiple dwellings, are positioned ‘above’ development on the adjoining property.

Design Element	Residential Design Codes	Town Centre Strategy	Compliance / Officer Comments
6.4.2 Solar access for adjoining sites	Not to overshadow adjoining residential properties by specified amounts (25% for adjoining R20 coded properties at Nos. 28 & 30 Whitfield St with specific percentage not set for adjoining Town Centre zoned lot at Nos. 78-80 Old Perth Road.	Clause 7.5 – Building Envelope:  “Rear setbacks should be provided suitable to accommodate parking and avoid overshadowing of neighbouring buildings.”	<b>Complies.</b>  Having regard to orientation of the lot, all shadow is cast toward the Old Perth Rd road reserve.  Rear setbacks not applicable noting that the development constitutes additions and alterations to the southern side of an

			existing building and that shadow cast from the proposed development is directed away from adjoining properties and toward the road reserve.
<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
6.4.3 Dwelling size	<p><u>1 Bed units:</u> 20% minimum (4 required / 1 proposed);</p> <p>and</p> <p>50% maximum (9 allowed / 1 proposed)</p> <p><u>2 Bed units:</u> 40% minimum (8 required / 15 proposed)</p> <p><u>3 Bed units:</u> No requirements / 2 proposed.</p>	<p>Clause 7.4 – Development Type and Intensity:</p> <p>Provision of affordable single or 2 bed apartments is encouraged.</p> <p>Smaller dwellings with, 1 bed/1bath or 2 bed/2 bath, flexible living space and limited internal fit out and finishes are encouraged to provide affordable housing for younger and older people.</p>	<p><b>Does Not Comply with Deemed-to-Comply provisions of the R-Codes.</b></p> <p>Consideration against Design principles required. See detailed comments, below.</p>

The proposed dwelling mix is supported for the following reasons:

- 89% of the proposed dwellings fall into the 1 bed/1bath or 2 bed / 2 bath form of development advocated by LPP1;
- The development introduces 3 bedroom Multiple Dwellings within the Town Centre for the first time; and
- Even with the dwelling mix that is proposed within this individual development, the overall multiple dwelling apartment mix that is occurring within the Town Centre as a whole is satisfying the mix of dwelling types advocated by the R-Codes as shown below.

Completed Mixed Use Developments within the Town Centre include:

- 78-80 Old Perth Rd: 22 x 1 Bed and 12 x 2 Bed dwellings;
- 85 Old Perth Rd: 8 x 1 Bed and 32 x 2 Bed dwellings; and
- 93 Old Perth Rd: 10 x 1 Bed and 15 x 2 Bed dwellings.

The existing overall multiple dwelling mix is therefore:

- 1 Bed: 40 of 99 dwellings or 40.4%;
- 2 Bed: 59 of 99 dwellings or 59.6%; and
- 3 Bed: 0 of 99 dwellings or 0%.

If the proposed 18 Multiple Dwellings which form part of this development are included, the overall multiple dwelling mix within the Town Centre becomes:

- 1 Bed: 41 of 117 dwellings or 35%;
- 2 Bed: 74 of 117 dwellings or 63%; and
- 3 Bed: 2 of 117 dwellings or 2%.

The overall dwelling mix fits comfortably within that advocated by both the R-Codes and LPP1 – Town Centre Strategy and Guidelines.

<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
6.4.4 Outbuildings	Size of outbuildings as specified.	No specific provisions.	<b>Complies.</b> No outbuildings proposed.

<b>Design Element</b>	<b>Residential Design Codes</b>	<b>Town Centre Strategy</b>	<b>Compliance / Officer Comments</b>
<p>6.4.5 External fixtures, utilities and facilities</p>	<p>Solar collectors acceptable.</p> <p>Standard TV aerials, essential plumbing and water down pipes.</p> <p>Other fixtures not visible or screened.</p>	<p>Clause 8.10 – Plant and Equipment:</p> <p>All plant and equipment must be concealed from public view using screening or other means that is an integral part of the building design. Surface mounted services, piping and conduits will not be permitted.</p> <p>Roof mounted equipment, aerials, antennas, masts etc. must be screened from all views including from above where applicable.</p> <p>Ground level or balcony mounted equipment/air conditioning plant must be well screened using materials to suit the building.</p> <p>All plant and equipment must have noise attenuation to council satisfaction.</p> <p>Telecommunications dishes are not permitted on roofs.</p> <p>Lift over runs shall be contained within the roof space or appropriately designed as an element of the building active frontages.</p>	<p><b>Unable to Ascertain Compliance</b></p> <p>See comments, below.</p>

In the event that the development is approved, this matter can be dealt with by way of a condition(s) of approval.

	Storerooms - One per unit and 4m <sup>2</sup> with minimum dimensions of 1.5m.	No specific provisions.	<p><b>Does Not Comply with Deemed-to-Comply provisions of the R-Codes.</b></p> <p>Consideration against the Design principles required. See detailed comments below.</p>
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Floor Area:

Stores for all multiple dwellings incorporate prescribed 4 sq.m internal area.

Internal Dimensions:

- Stores 1-5, 16 and 17 appear to have a minimum internal dimension of 1.4m.
- Stores 10-14 incorporate an internal dimension of 1.15m and as a result of this narrow width, their functionality is severely compromised (they have little actual usable storage area). Additionally it is not clear that these stores are associated with the car parking bays from which they are accessed. Functionality of the stores (and therefore ability to support) would increase if instead of a standard door (as proposed) they were provided with a roller-door with a width that was equivalent to the width of the car bay that the respective store was situated behind. Additionally, it would need to be confirmed that stores and adjoining car bays were associated with the same dwelling.

Access

Stores 6 and 7 are located behind visitor car parking bays and cannot be accessed. It is necessary for the path that runs behind apartment visitor bay 3 and apartment visitor bay 4 to be connected behind the lift in order to provide necessary access.

Each of these matters can suitably be addressed by way of conditions in the event that the proposed development is approved.

	<p>Rubbish bins – communal pick up area addressing specified requirements.</p>	<p>Clause 7.9 – Vehicle movement and parking:                  “Consideration should be given to location, access to and storage of recycling and other rubbish bins including communal bin facilities.”</p> <p>Clause 9.3 – Servicing and maintenance:                  All waste storage and delivered goods should be contained within buildings. Rubbish storage and collection facilities shall comply with the current general requirements of the Town of Bassendean and will be efficient, convenient and allow for collection of recyclable material.</p>	<p><b>Complies</b></p> <p>Waste Management Plan has been provided and is generally acceptable but requires some refinement.</p> <p>See further comment below.</p>
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The application for development approval is supported by a Waste Management Plan (WMP) prepared by Aurora Environmental. In summary, the WMP explains that waste management will be dealt with in the following manner:

- Two separate bin storage areas are proposed which are positioned in two separate locations.
- The existing bin storage area that serves the nursing home will be retained and will continue to service the nursing home component of the development. The private collection arrangements that are in place with respect to this waste service will continue to operate as they currently do, but collection frequencies will be increased to cater for the increased size of the expanded nursing home.
- A new bin storage area will be Incorporated into the car parking area that services the development. This bin storage area will house 240L bins (general and recycling) for both the proposed 18 multiple dwellings and the 3 shop tenancies.
- The new bin storage area is of a sufficient size to accommodate the number of bins that are projected to be required based upon land uses shown on the plans that are the subject of the current application (i.e. 18 MD’s and 3 shops).

There are some inconsistencies in the WMP which should be rectified by way of an updated document. For example:

- In Table 3 (pg. 8) the WMP indicates that the multiple dwellings will generate 2140L of general waste per week and 2140L of recyclables per fortnight. Based upon a weekly collection for general waste and fortnightly collection for recyclables, this equates to a need for 9 general 240L bins and 9 recycling bins for the multiple dwellings. However in Table 6 (pg. 9), the WMP states that the multiple dwellings will be provided with 8 general bins and 5 recycling bins;
- There should be a need for an updated WMP to be prepared in the event of future change of use to any of the shop tenancies where any proposed new use would generate additional waste;
- The WMP refers to a potential need for 20 bins to be placed kerbside for collection but does not account for bins associated with the commercial tenancies that will also need to be placed kerbside for collection; and
- The WMP should set the number of bins that are to be provided for each of the uses. A definitive figure is needed by the Town in order that matters such as delivery of the correct number of bins and setting of correct rubbish charges to different components of the development can be set.

Additionally, it is considered to be more appropriate for bins to be placed on the Hamilton Street frontage of the development site only (and not the Old Perth Road frontage) while awaiting collection, and the WMP will need to be updated to reflect this arrangement.

In the event that development approval is granted, the need for an updated waste management plan can be dealt with by way of a condition of approval.

	<p>Clothes drying screened from view from the primary or secondary street.</p>		<p>Conditions recommend ed that mechanical clothes drying facilities be provided for each dwelling and for clothes drying to be screened from view of street or any other public place.</p>
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Local Planning Scheme No. 10, by virtue of Clause 5.5, gives the local government the ability to vary the site and development standards for all development other than residential development.

Similarly, the Town Centre Area Strategy, which is adopted as a Planning Policy under the Scheme, gives the discretion to vary any part of the Guidelines, subject to the quality of the building and place design being considered when granting any variation.

The Residential Design Codes provides Deemed-to-comply development standards to ensure a certain path to approval and also the opportunity to provide performance based solutions under the associated Design Principles.

### Local Planning Scheme

Local Planning Scheme No. 10 (LPS10) sets down a limited number of development controls against which the development proposal must be assessed against.

Clause 4.10 of LPS10 is titled 'General Development Requirements – Town Centre Zone.' It states that in considering applications for development approval within the Town Centre Zone, the local government (or in this case the Metro Central JDAP in lieu of the local government) shall have regard to the Objective for the Zone and that all development shall have regard to:

- (a) The Town Centre Design Guidelines; and
- (b) Any other relevant policy statement prepared by the local government.

With respect to residential development (as is proposed in this instance), CI 4.10 states that:

- The local government may, at its discretion, permit residential development within the Town Centre Zone to a maximum density of R-AC3; and that
- Residential development shall only be permitted where the local government is satisfied that this development is complementary to the scale and character of buildings within the Town Centre Zone.

Car parking requirements are also specified within Table 2 of the Scheme and these requirements have been discussed in detail within the report.

### Local Planning Policies

Local Planning Policy No. 1 – Town Centre Strategy and Guidelines and Local Planning Policy No. 15 – Percent for Art Policy each identify the requirements for:

- A 1% Town Centre infrastructure contribution to be provided; and
- A 1% Art Contribution to be provided (or for public art to be provided on site to a value equivalent to 1% of the construction cost of the development)

Conditions have been included within the recommendation in relation to each of these matters.

In their submission (pages 15 and 16 of the planning report), the applicant has a mistaken understanding of required contributions in relation to public art (referring to a 2% or \$260,000 public art contribution based upon the \$13M development value).

Actual requirements are:

- 1% (or \$130,000) contribution toward public infrastructure; and
- 1% (or \$130,000) contribution toward public art, or (as is more likely with this proposal) an equivalent amount being spent on public art associated with the development itself.

Accordingly, the actual required financial contribution associated with the development is likely to be \$130,000 for infrastructure (with public art being provided on site as part of the development).

This is not considered to be unreasonable requirement given the discretion that is being supported (particularly linked to car parking provision) for the development. This requirement has also been provided consistently in conjunction with other approvals for similar development within the Town Centre.

### **Options/Alternatives**

If the Development Assessment Panel believes that it is not appropriate to exercise discretion as advocated within this report and the associated officer recommendation, it could choose to incorporate additional conditions or refuse the application subject to specifying appropriate reasons.

### **Council Recommendation:**

To be included following Council's consideration of the application.

### **Conclusion:**

This application represents the fourth Mixed Use development within the Town Centre to take advantage of increased development potential offered under the provisions of LPS10 (RAC3 density of development) and the Town Centre Strategy and Guidelines following the completion of mixed use developments at No. 85 Old Perth Road, Nos. 78-80 Old Perth Road and No. 93 Old Perth Road.

The proposal is generally consistent with LPS10 incorporating the Residential Design Codes and Local Planning Policies. Where adjustment / refinement is required, this is able to be dealt with via recommended conditions of approval. The proposed development should deliver the type of building envisaged by the sites zoning and the Town of Bassendean Town Centre Area Strategy.

**10.3 Possible Improvement Plan for Lots 4 & 5 (Nos. 246 & 248) Morley Drive East, Eden Hill, Ownership Lot: 4 Birmingham Properties Pty Ltd/Ladriфт Pty Ltd /Matax Pty Ltd, Lot 5: Town of Bassendean (Ref: A3693 & A3714 – Anthony Dowling, Director Strategic Planning and Brian Reed, Manager Development Services)**

**APPLICATION**

The purpose of this report is ascertain whether Council is prepared to enter into further dialogue with the Birmingham Properties regarding the above properties.

**ATTACHMENTS**

**Attachment No. 4:**

Correspondence received from Lavan Legal on behalf of Birmingham properties Pty Ltd.

**BACKGROUND**

This matter was last considered by Council at its meeting held in February this year when it was resolved in response to an offer to purchase Lot 5 (No. 246) Morley Drive East, Eden Hill, by OCM – 30/02/18, as follows:

*“MOVED Cr McLennan, Seconded Cr Hamilton, that:*

- 1. In response to the offer to purchase the Town of Bassendean owned Lot 5 (No. 246) Morley Drive East, Eden Hill, by the owners of the adjoining Lot 4 (No. 248) Morley Drive East, Eden Hill, the owners of No. 248 Morley Drive East and their representatives be advised that Council declines the current offer to purchase.*
- 2. Council requests that the Chief Executive Officer proceed immediately with actions required to have an Improvement Plan prepared for Lots 4 & 5 (Nos. 246 & 248) Morley Drive East, Eden Hill, pursuant to the provisions contained within Part 8 of the Planning and Development Act 2005.*
- 3. Officers present a further report to the Ordinary Council Meeting in March 2018 detailing proposed actions to be undertaken in conjunction with the initiation of an Improvement Plan for the land in question and remediation works required to be undertaken for Lot 5, for Council’s consideration.”*

Details of Council's resolution has been passed onto Birmingham properties, which has resulted in the letter being received from Lavan, which is summarised further in the comment section below.

Having regard to the comments raised in the letter, officers have not progressed points 2 and 3 of the February resolution.

### COMMUNICATION AND ENGAGEMENT

No external consultation has been carried out in the preparation of this report.

### STRATEGIC IMPLICATIONS

The Town of Bassendean contains the following objectives and strategies under Strategic Priority 4: Economic:

Objective 4.1: Build economic capacity

4.1.1: Encourage and attract investment and increase capacity for local employment; and

4.1.2: Plan for and build capacity for Commercial and Industrial.

Objective 4.2: Facilitate local business retention and growth

4.2.3: Enhance economic activity in neighbourhood centres.

### COMMENT

The correspondence from Lavan includes the following key points:

1. There have been negotiations which span several years, between Birmingham Properties and the Town, concerning the possible acquisition of lot 5, being land owned by the Town.
2. Birmingham Properties are very concerned about the unilateral rejection of the offer to acquire lot 5, without further consultation with the company and indeed with an attempt to initiate an improvement plan for lots 4 & 5, as well as presumably, a potential rezoning of that land.
3. Birmingham Properties strongly opposes any rezoning of the land and improvement plan which would see the current commercial opportunities eliminated and residential uses substituted, through zoning and improvement plan processes.
4. Improvement plans are ordinarily undertaken for significantly larger land holdings than those the subject of lots 4 & 5, are complicated statutory planning documents and of course require support from the Western Australian Planning Commission (WAPC) at a minimum.

5. Any rezoning of the land requires support not only from the WAPC, but also the Minister for Planning.
6. Birmingham Property's position is that the highest and best use of the land, supported by planning advice from its consultant, is for commercial purposes, consistent with the current zoning, not residential purposes. With that in mind, my client will vigorously oppose at Department of Planning and Commission level, any attempts to change the current status of the land from commercially focused, to a residential site
7. Rather than coming embroiled in a contest with the council regarding the most appropriate form of development for lots 4 & 5, my client would prefer to continue negotiations with the council and its officers to see if an appropriate development could be progressed, which integrates lots 4 & 5 and would potentially facilitate an acquisition of lot 5 by my client. For that purpose, my client is prepared to work up a schematic development plan with a renowned architectural consultant and then to discuss that proposal with council on a conceptual level.
8. The Town is asked to indicate, by way of written response, whether Council is prepared to embrace the further discussions contemplated in this letter, rather than proceed to initiate proposals, which could prove destructive to the best community outcome for the land the subject of consideration. It is also worth bearing in mind, that there is currently an environmental investigation underway with respect to lots 4 & 5 and it would be premature to progress any form of development proposals or improvement plans, or indeed any rezoning, of the land, until after that investigation has been concluded.

#### Manager Development Services' Comments

Point 1 - it is recognised that the Town has been discussing the possible sale of Lot 5 to Birmingham Properties since September 2016.

Point 2 – Lot 5 is owned by the Town of Bassendean, and subject to the provision about the sale of land contained within the Local Government Act 1995, it is at Council's absolute discretion how it chooses to manage its property portfolio.

Council's previous support in principle, has always been conditional upon, amongst other things, the preparation of a concept plan showing the ultimate development of Lots 4 & 5 Morley Drive East with this concept plan forming part of the public advertising required by the sale by private treaty under the Act.

Council's resolution to investigate the Improvement Plan process is presumably borne out the lack of any real economic activity on Lot 4, and the fact that the site has been under-utilised for more than 20 years.

Point 3 - the potential loss of commercial development opportunities has no foundation. Council has made no decision in this regard. On the contrary, a proposed mixed use designation/zoning is likely to retain opportunities for future commercial/ retail development but at a suitable scale and within an appropriate built form.

In terms of future development scale and form, Council is required to have particular regard to State Planning Policy (SPP) 4.2 – Activity Centres for Perth and Peel.

This policy requires a local government to develop and reflect through its strategic planning framework a hierarchy of activity centres.

Based on the site's location and size, and having regard to nearby existing commercial-based centres (eg. Kiara shopping centre), this site lends itself to being designated and developed as either a Local Centre or Neighbourhood Centre (as per the centres hierarchy prescribed in *SPP 4.2*). Consideration of which of these categories ought to apply to this site will be determined through the review of the current local planning strategy, and within the context of the recommended commercial floor space projections cited in the draft Local Economic Overview. (NB: The draft Overview is intended to be presented to Council at its May 2018 Ordinary Meeting for consideration of endorsement).

Points 4 and 5 – it is recognised that the Improvement Plan process and any Scheme Amendment would require the support of the Western Australian Planning Commission and the Minister for Planning. It is also accepted that Improvement Plans, often apply to larger sites, with multiple land ownerships, however, the Shenton Park Rehabilitation Hospital Improvement Plan, as an example, appears to be in one ownership.

Point 6 – Whilst it is evident that Birmingham Properties' position is that the highest and best use of the site is for commercial purposes, no proposals have been submitted for the redevelopment of the site for commercial purposes during the last 20 years or so.

Notwithstanding Birmingham Properties' contention that the site's highest and best use is for commercial purposes only, Council may wish to consider commissioning its own viability assessment of at least lot 5 to satisfy itself whether this is the case as claimed prior to further considering the proposition of disposing the land to Birmingham Properties.

Points 7 and 8 ask for Council to reconsider its position and allow further dialogue between the Town and Birmingham Properties, leading to the preparation of a schematic development plan for further discussion with the Town.

#### Options for Council

Options for Council include to reaffirm its previous decision or to hold further discussions with Birmingham Properties, as requested. If Council reaffirms its previous decision, then a report on the Improvement Plan process will be presented to Council in May.

Should the Improvement Plan option prove to be unviable, then Council will need to address the future of the sites through the Local Planning Strategy.

#### STATUTORY REQUIREMENTS

Nil at this stage.

#### FINANCIAL CONSIDERATIONS

Nil at this stage.

#### OFFICER RECOMMENDATION — ITEM 10.3

1. That Council reaffirms its previous resolution OCM – 30/02/18 made at the Ordinary Council meeting held on 27 February 2018;

**Or**

2. That Council:
  - (a) Revokes its resolution OCM – 30/02/18 made at the Ordinary Council meeting held on 27 February 2018, which reads:

“MOVED Cr McLennan, Seconded Cr Hamilton, that:

1. *In response to the offer to purchase the Town of Bassendean owned Lot 5 (No. 246) Morley Drive East, Eden Hill, by the owners of the adjoining Lot 4 (No. 248) Morley Drive East, Eden Hill, the owners of No. 248 Morley Drive East and their representatives be advised that Council declines the current offer to purchase.*
2. *Council requests that the Chief Executive Officer proceed immediately with actions required to have an Improvement Plan prepared for Lots 4 & 5 (Nos. 246 & 248) Morley Drive East, Eden Hill, pursuant to the provisions contained within Part 8 of the Planning and Development Act 2005.*
3. *Officers present a further report to the Ordinary Council Meeting in March 2018 detailing proposed actions to be undertaken in conjunction with the initiation of an Improvement Plan for the land in question and remediation works required to be undertaken for Lot 5, for Council’s consideration.*

And

- (b) Enters into further discussions with Birmingham Properties leading to the development of a concept plan for the redevelopment of lots 4 and 5 Morey Drive East, Eden Hill.

**Voting requirements:**  
**Point 1 - Simple Majority**  
**Point 2 - Absolute Majority**

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

APPLICATION

The purpose of this report is Council to consider the submissions made on the Draft Town of Bassendean Dust and Building Waste Local Law 2018 with a view to finalising the Local Law.

ATTACHMENTS

**Attachment No. 5:**

- Proposed Town of Bassendean Dust and Building Waste Local Law 2018
- Comments received from the Department of Local Government.

BACKGROUND

This matter was last considered by Council at its meeting held in December last year, when it was resolved by OCM – 9/12/17 as follows:

*“MOVED Cr Quinton, Seconded Cr Wilson, that Council commences the advertising and consultation processes outlined in clauses (3) and (3a) of section 3.12 of the Local Government Act 1995 for the proposed Town of Bassendean Dust and Waste Local Law attached to the Ordinary Council Agenda of 19 December 2017.”*

COMMUNICATION AND ENGAGEMENT

The proposed local law was advertised in accordance with the provisions of section 3.12 of the Local Government act 1995. An advert was placed in the *West Australian* on 18<sup>th</sup> January 2018, which included the purpose and effect of the local law, inviting any submissions to be made by 2<sup>nd</sup> March 2018.

Details of the proposed local law were also advertised through *your say Bassendean*, with hard copies of the proposed local law being available at the Customer Service Centre and the Memorial Library.

No public submissions were received.

Consultation did occur with the Minister for Local Government, which led to the informal comments being received from the Department of Local Government, which are included as an attachment.

### 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

The purpose of this local law is to provide for the regulation, control and management of dust and building waste on building sites and subdivisions on land within the district to protect and enhance the environment and amenity of the district.

No public submissions were made in response to statutory advertising. The comments received from the Department of Local Government have been incorporated into the final version of the local law attached to this agenda.

### STATUTORY REQUIREMENTS

The following represents the process outlined under section 3.12 of the Act which remains outstanding.

- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law\* as proposed or make a local law\* that is not significantly different from what was proposed.

*\* Absolute majority required.*

- (5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the *Gazette* the local government is to give local public notice —

- (a) stating the title of the local law;
  - (b) summarising the purpose and effect of the local law (specifying the day on which it comes into operation);  
and
  - (c) advising that copies of the local law may be inspected or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —  
making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Under section 3.13 of the Act, if the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

#### FINANCIAL CONSIDERATIONS

The cost of advertising the three local laws currently being prepared was \$654.35 and has been met out of Account 401333.

#### OFFICER RECOMMENDATION — ITEM 10.4

That Council makes the Town of Bassendean Town of Bassendean Dust and Building Waste Local Law 2018 as attached to the Ordinary Council Agenda dated 24 April 2018.

**Voting requirements: Absolute Majority**

**10.5 Adoption of Town of Bassendean Repeal Local Law 2018  
(Ref: LAWE/LOCLWS/2 - Brian Reed, Manager  
Development Services)**

**APPLICATION**

The purpose of this report is Council to consider the submissions made on the Draft Town of Bassendean Repeal Local Law 2018 with a view to finalising the Local Law.

**ATTACHMENTS**

**Attachment No. 6:**

Proposed Town of Bassendean Repeal Local Law 2018

**BACKGROUND**

This matter was last considered by Council at its meeting held in October last year, when it was resolved by OCM – 6/10/17 as follows:

*“MOVED Cr Pule, Seconded Cr Bridges, that under the powers conferred on it under the Local Government Act 1995 and all other powers enabling it, the Council of the Town of Bassendean proposes to make the Town of Bassendean Repeal Local Law to repeal the following Local Laws:*

- (a) The By-law regarding Discount on Rates, published in the Government Gazette on 17 September 1920;*
- (b) The Schedule of Poundage and Sustenance Fees, published in the Government Gazette on 19 February 1915 and as amended and published in the Government Gazette on 16 December 1921, 7 September 1923, 9 October 1942, 13 August 1948 and 18 April 1952;*
- (c) The By-law prescribing a Shopping and Residential Area, published in the Government Gazette on 11 January 1935;*
- (d) The Local Law relating to Parks and Reserves, published in the Government Gazette on 13 August 1937;*
- (e) The Local Law relating to Health Model By-laws Series "A", published in the Government Gazette on 14 November 1941;*
- (f) The Adoption of Draft Model By-laws (Street Lawns and Gardens) No. 11, published in the Government Gazette on 11 June 1963;*
- (g) The By-laws relating to Parking of Commercial Vehicles on Street Verges, published in the Government Gazette on 29 May 1981 and as amended and published in the Government Gazette on 21 April 1989;*
- (h) The By-law relating to Refuse, Rubbish, Dangerous Things and Nuisances, published in the Government Gazette on 22 July 1983;*

- (i) *The By-law relating to Conduct of Proceedings and the Business of Council, published in the Government Gazette on 15 November 1991 and as amended and published in the Government Gazette on 19 January 1996;*
- (j) *The Town of Bassendean Urban Environment and Nuisance Local Law, published in the Government Gazette on 16 August 2001; and*
- (k) *The Town of Bassendean Signs, Hoardings and Bill Posting Local Law, published in the Government Gazette on 16 August 2001.”*

### COMMUNICATION AND ENGAGEMENT

The proposed local law was advertised in accordance with the provisions of Section 3.12 of the Local Government Act 1995. An advert was placed in the *West Australian* on 18 January 2018, which included the purpose and effect of the local law, inviting any submissions to be made by 2 March 2018.

Details of the proposed local law were also advertised through *your say Bassendean*, with hard copies of the proposed local law being available at the Customer Service Centre and the Memorial Library. No public submissions were received.

Consultation did occur with the Minister for Local Government, which led to the following informal comments being received from the Department of Local Government:

*“This email is regarding your letter dated 18 January 2018 concerning the Town's proposed repeal local law. The Department has considered the draft and no significant issues have been identified. Some minor comments are noted below:*

#### *Town of Bassendean Repeal Local Law*

##### *1. Minor edits*

*The following minor issues were noted:*

- a) The number "2018" should be added to the local law's title and the citation in clause 1.*
- b) It is uncertain whether the Town can repeal the fees listed in paragraph (a), since the power to set and amend those fees was repealed in 1960. However, leaving the paragraph in the local law is unlikely to cause any legal issues. Whether the fees are repealed or not, it appears they have been overruled by the poundage fees prescribed in the Local Government (Misc. Provisions) Act 1960.*
- c) The Town should also ensure that all citations and gazettal dates are accurate prior to the local law being submitted to Council.”*

## STRATEGIC IMPLICATIONS

### 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>
3.3 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

The purpose of this local law is to repeal a number of obsolete local laws. No public submissions were made in response to statutory advertising. The comments received from the Department of Local Government in terms of minor editing have been incorporated into the final version of the local law attached to this agenda.

### STATUTORY REQUIREMENTS

The following represents the process outlined under section 3.12 of the Act which remains outstanding:

- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law\* as proposed or make a local law\* that is not significantly different from what was proposed.

*\* Absolute majority required.*

- (5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the *Gazette* the local government is to give local public notice —
- (a) stating the title of the local law;
  - (b) summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
  - (c) advising that copies of the local law may be inspected or obtained from the local government's office.

(7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

(8) In this section —  
making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Under section 3.13 of the Act, if the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

### FINANCIAL CONSIDERATIONS

The cost of advertising the three local laws currently being prepared was \$654.35 and has been met out of Account 401333.

### OFFICER RECOMMENDATION — ITEM 10.5

That Council makes the Town of Bassendean Repeal Local Law 2018 as attached to the Ordinary Council Agenda of 24 April 2018.

**Voting requirements: Absolute Majority**

**10.6 RFQ CO 364W 2017-18 Supply and Construct Eco Cells, Swales and Traffic Islands on Shackleton Street, Bassendean (Ref: SEWD/TENDNG/19) – Rohini Dias, Engineering Technical Coordinator**

**APPLICATION**

The purpose of this report is to appoint a successful contractor from those tender offers received for RFQ CO 364W 2017-18 Supply and Construct Eco Cells, Construct Swales and Traffic Islands on Shackleton St, Bassendean.

**ATTACHMENTS**

**Confidential Attachment No. 2:**

**BACKGROUND**

Potential contractors were invited to submit an offer for RFQ CO 364W 2017-18 Supply and Construct Eco Cells, Construct Swales and Traffic Islands on Shackleton St, Bassendean through the WALGA Preferred Supplier program (EQuotes portal) on 15 March 2018.

The Town received three responses, prior to the closing time 10am on Wednesday 28 March 2018.

**COMMUNICATION AND ENGAGEMENT**

The Request documents were uploaded to 36 suppliers on the WALGA Drainage panel.

**STRATEGIC IMPLICATIONS**

**Natural 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)
	3.2.2 Advocate for improved and innovative transport access and solutions.	
	3.2.3 Enhance the liveability of local neighbourhoods.	Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.)
	3.2.4 Enhance road safety through design	

### COMMENT

An Evaluation Panel was formed to assess each submission against the selection criteria. The Panel included the Engineering Technical Coordinator, Engineering Design Officer, and the Director Corporate Services.

Pricing details, regarded as commercial in confidence, and the selection criteria weightings are included in the confidential attachment.

### STATUTORY REQUIREMENTS

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

### FINANCIAL CONSIDERATIONS

The costs associated with this contract are included in the 2017/18 Budget. Details are included in the confidential attachments.

### OFFICER RECOMMENDATION – ITEM 10.6

That Council appoints WCP Civil Pty Ltd to undertake the work as required in RFQ CO 364W 2017-18 Supply and Construct Eco Cells, Swales and Traffic Islands on Shackleton Street, Bassendean in accordance with its offer and the specifications and terms and conditions for works to be completed and finalised prior to Friday 8 June 2018.

**Voting Requirement: Absolute majority**

**10.7 Damaged Crossover - 18 Anzac Terrace, Bassendean (Ref: PARE/MAINT/1 – Andreea Balica, Engineering Technical Assistant / Compliance Officer)**

**APPLICATION**

The purpose of this report is to bring to Council's attention the matter regarding the damaged crossover at 18 Anzac Terrace, Bassendean and relating to the construction works at 6 River Street, Bassendean.

**ATTACHMENTS**

**Attachment No. 7:**

- Photos of the verge and crossover at 18 Anzac Terrace, after the incident occurred;
- Photo of the verge and crossover at 18 Anzac Terrace from Google Street View, before the incident occurred.

**BACKGROUND**

On 16 February 2017, the Town was notified by the resident at 18 Anzac Terrace in regards to the crossover adjacent to his property which was allegedly damaged by a skip bin truck accessing the neighbouring property located at 6 River Street, Bassendean.

Officers inspected the crossover on the same day the complaint was received. Attachment No. 1, provides a photograph of the verge which shows the damage crossover and outlines the non-compliant verge treatment.

At the time of the inspection, the owner at 18 Anzac Terrace was notified about the non-compliant verge treatment and was informed that the retaining wall was required to be removed due to potential trip hazard.

On 16 February 2017 and then via email on 20 February 2017, the bin delivery company was contacted, however, the company did not accept responsibility for the damage to the crossover.

Further correspondence was carried out with the owners of 6 River Street, the property where the bin was delivered.

## COMMUNICATION & ENGAGEMENT

At an on-site meeting, the Town's Compliance Officer, Works Supervisor and the owners at 6 River Street, discussed that cracked section of the crossover was required to be replaced. The resident from 6 River Street advised that the crossover was allegedly cracked before the delivery truck hit the crossover and that the 18 Anzac Terrace non-compliant verge treatment contributed to the cracks in the crossover.

On 13 March 2017, the Town emailed the property owner of 6 River Street, Bassendean to seek an update in regards to the repair/reinstatement works required to crossover located adjacent to 18 Anzac Terrace as the crossover was damaged and a potential hazard.

On 23 March 2017, a response was received from the property owner at 6 River Street stating that they were waiting on quotes to be provided to repair the damaged crossover.

## STRATEGIC IMPLICATIONS

The Bassendean Strategic Community Plan 2017-2027 states under 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)
	3.2.3 Enhance the liveability of local neighbourhoods	

## COMMENT

The crossover adjacent to 18 Anzac Terrace was installed in 1989 by the Town of Bassendean, and staff have inspected the crossover to confirm the construction was compliant with the specifications relevant at the time.

On 29 August 2017, the matter was referred to the Manager Asset Services and he advised that the issue was a civil matter and should be resolved between both parties.

Staff are cognisant of the frustration experienced by the owner of 18 Anzac Terrace, but given that the damage was not caused by the Town, the recommendation to Council is that a civil action is the most appropriate way for this to be resolved, if the two parties cannot resolve the matter.

## STATUTORY REQUIREMENTS

### Local Government (Uniform Local Provisions) Regulations 1996 - Reg 13

13. *Requirement to construct or repair crossing — Sch. 9.1  
cl. 7(3)*

- (1) A local government may, subject to regulation 14(2), give a person who is the owner or occupier of private land a notice in writing requiring the person to construct or repair a crossing from a public thoroughfare to the land or a private thoroughfare serving the land.*
- (2) If the person fails to comply with the notice, the local government may construct or repair the crossing as the notice required and recover 50% of the cost of doing so as a debt due from the person.*
- (3) A person given a notice under sub-regulation (1) must comply with the notice.*

*Penalty: a fine of \$5 000.*

*[Regulation 13 amended in Gazette 1 Feb 2013 p. 430.]*

## FINANCIAL CONSIDERATIONS

From the information provided, it is clear that the Town of Bassendean did not damage the crossover and that a dispute has arisen between neighbours regarding the alleged damaged to a crossover.

In August 2017, the matter was escalated to the Manager Asset Service and he advised that the issues was a civil matter and should be resolved between both parties. This can be undertaken mutually between the parties or via the small claims tribunal.

The Magistrates Court deals with civil matters that involve minor claims for debt or damages up to \$10,000.

Asset Services have advised that no formal quote has been provided to the parties, however, should a private contractor undertake the repair, the estimated cost would be a minimum of \$1,250

**OFFICER RECOMMENDATION – ITEM 10.7**

That Council:

1. Acknowledges that the damage to the crossover is a civil matter to be resolved between the property owners of 18 Anzac Terrace and 6 River Road, Bassendean; and
2. Requests that the property owners of 18 Anzac Terrace and 6 River Road, Bassendean, resolve this matter mutually to undertake the required repairs to the crossover.

**Voting Requirement: simple majority**

**10.8 RFT CO 074 2017-18 Provision of Root Cutting and Drainage Pipe Relining for the Town of Bassendean (Ref: SEWD/TENDNG/16) –Rohini Dias, Engineering Technical Co-ordinator)**

**APPLICATION**

The purpose of this report is to appoint a successful contractor from those tender offers received for RFT CO 074 2017-18 Provision of Root Cutting and Drainage Pipe Relining for the Town of Bassendean.

**ATTACHMENTS**

**Confidential Attachment No. 3:**

**BACKGROUND**

Potential tenderers were invited to submit a tender offer for “RFT CO 074 2017-18 Provision of Root Cutting and Drainage Pipe Relining for the Town of Bassendean” through a Western Australian Newspaper advertisement, Town of Bassendean Webpage and a Facebook article on Saturday 17 February 2018.

The Town received five responses, prior to the closing time 11am on Friday 9 March 2018.

**COMMUNICATION AND ENGAGEMENT**

The “Request for Tender” was advertised in the West Australian Newspaper on Saturday, 17 February 2018 and through the Town’s website and Facebook page.

**STRATEGIC IMPLICATIONS**

The adopted Strategic Community Plan 2017-2027, contains the following under 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	3.2.3 Enhance the liveability of local neighbourhoods.	Community/ Stakeholder Satisfaction Survey (access to public transport both access to Town and within.)
	3.2.4 Enhance road safety through design	

### COMMENT

An Evaluation Panel was formed to assess each submission against the selection criteria. The Panel included the Engineering Technical Coordinator, Engineering Tech Assist/Compliance Officer, and the Director of Corporate Services.

Tenderers pricing details, regarded as commercial in confidence, and the selection criteria weightings are included in the attached Confidential Report.

### STATUTORY REQUIREMENTS

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

### FINANCIAL CONSIDERATIONS

The costs associated with this contract are included in the 2017/18 Capital Budget.

All contract and project financial information is provided in the confidential report.

### OFFICER RECOMMENDATION – ITEM 10.8

That Council appoints T C Drainage to undertake the work as required in RFT CO 074 2017-18 Provision of Root Cutting and Drainage Pipe Relining for the Town of Bassendean in accordance with its offer and the specifications and terms and conditions for works commencing 30 April 2018 and to be completed and finalised prior to Friday 15 June 2018.

**Voting Requirement: Absolute majority**

**10.9 Casa Mia Reroofing (Ref: DABC/BDVAPPS/2016-120 – Ken Cardy (Manager Asset Services))**

**APPLICATION**

The purpose of this report is to advise Council that staff have liaised, with the owner of 13 Hamilton Street, Bassendean, regarding the Town's installation of zincalume roofing to the Casa Mia School at 11 Hamilton Street, Bassendean.

**ATTACHMENTS**

**Attachment No. 8:**

- Solarban Tinting quote
- Superior Slat System quote
- Installation Plan

**BACKGROUND**

At the Ordinary Council Meeting (OCM- 25/01/18) Council resolved the following:

*OCM – 25/01/18 - MOVED Cr Hamilton, Seconded Cr Gangell, that Council:*

1. *Requests staff to liaise with the owner of 13 Hamilton Street regarding the Town's installation of zincalume roofing to the Casa Mia School at 11 Hamilton Street in an effort to seek an economical solution to the reflective glare issue it is reported to have created;*
2. *Requests that a summary of the agreed course of action, together with the financial costings and any other implications be provided to Council for consideration prior to the commencement of any remedial works;*
3. *Funds any remedial work from the residual balance of the initial budget allocation for the roofing works that is left over from the works completed in December 2017;*
4. *Requests staff to prepare a "Reflective Roofing Policy" for Council's consideration when reviewing the Town's building policies; and*
5. *In future, when capital works are planned to be conducted on one of the Town's buildings that will potentially impact adjoining properties, communication with the adjacent property owners about the proposed works will be undertaken prior to any works commencing.*

## COMMUNICATION & ENGAGEMENT

On 23 January 2018, a Council inspection was undertaken at the above site and the resident of 13 Hamilton Street was in attendance.

Officers have been in communications with the resident of 13 Hamilton Street and he is aware a report is being presented to Council.

## STRATEGIC IMPLICATIONS

The Strategic Community Plan 2017 - 2027 includes the following under Strategic Priority 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>
3.3 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

Officers have had discussions with the zincalume roofing manufacture, (BHP) regarding the possibility of repainting the roof to a duller colour but the manufacture advised, the roof would no longer be covered under warranty. The cost to remove and replace the zincalume roof with a more suitable material would cost between \$10,000 and \$15,000.

Officers have met with the residents of 13 Hamilton St Bassendean to discuss the glare issue and possible solutions to remedy the situation.

Officers did note the glare from the zincalume roof had decreased as the roof has oxidised, but there was a distinctive glare towards the alfresco and the kitchen areas. The zincalume roof will further oxidise over coming years and the glare will continue to decrease, but as the alfresco and kitchen areas look directly onto the 11 Hamilton Street roof, the glare from the roof will continue to be a concern for the resident.

The resident of 13 Hamilton Street has suggested that tinting to a portion of the upstairs area be undertaken and the installation of aluminium elliptical louvered slats on the boundary border, near the alfresco area, would provide an acceptable solution.

The resident also stated if the Town purchased the aluminium elliptical louvered slats, he would, through his building company, install the slats at his cost.

Two quotes were taken for the aluminium elliptical louvered slats (Oxworks - \$4,620 and (Superior Metal Industries Australia - \$4,240.)

The resident also stated:

*Just confirming our discussion yesterday the following is being proposed as a solution to Motion 11.2 held on the 30<sup>th</sup> January, 2018:*

*The Town engages a Contractor to complete the tinting of the upstairs living areas to a cost of \$544.50 (Inc Gst). This addresses the issue of reflection to the top storey living areas*

*The Town supplies materials for the installation of materials as per the attached quote of \$3854.60+gst for aluminium louvered screens along the 13/11 Hamilton St boundary (louvered so as to allow air flow but inhibit light) along the boundary as shown. This addresses the issue of reflection to the ground floor and external living areas.*

*I am happy to provide all labour for the installation of the screen at no cost to the Town.*

In line with Council's resolution (OCM – 25/01/18) Asset Services, have introduced a new working practice , when capital works are planned to be conducted on one of the Town's buildings that will potentially impact adjoining properties, communication with the adjacent property owners about the proposed works will be undertaken prior to any works commencing.

With regards to "Reflective Roofing Policy" the Manager Development Services has provided the following statement - *The preparation of a reflective roofing policy will be addressed as part of the review of existing planning policies and preparation of new planning policies.*

#### STATUTORY REQUIREMENTS

N/A

### FINANCIAL CONSIDERATIONS

The total costs for louvered slat (\$4,240.06) and tinting upstairs \$544.50, totals \$4,784.56.

The capital budget (AB1701) for the 11 Hamilton reroofing project was \$80,000. A total of \$66,902 was the final contractor's cost of the project.

### OFFICER RECOMMENDATION — ITEM 10.9

That:

1. Council provides an ex-gratia payment to the property owner at 13 Hamilton Street, Bassendean, of \$4,784.56 for the potential glare to the property caused by the reroofing of the Casa Mia building at 11 Hamilton Street;
2. The payment of \$4,784.56 be funded from account AB1701; and
3. The Town makes this payment as a final amount and no further claims for this matter will be accepted by Council.

**Voting requirements: Simple Majority**

**10.10 1 Surrey Street, Bassendean – Project Brief for Option 2C Design (Ref: COMDEV/TENDNG/10 - Director Operational Services, Simon Stewert-Dawkins)**

APPLICATION

The purpose of this report is to seek Council approval for a draft project brief in order to appoint suitable contractors to achieve OCM – 11/02/18 resolution to explore the SIA Architect Option 2c design.

ATTACHMENTS

**Attachment No. 9:**

- Draft - 1 Surrey Street Interpretation, Infant Heath, Community Use and Playgroup Project Brief for 2c Design
- Department of Health, Child & Adolescent Community Health Services Consultancy / Clinic Room Layout (RL.CO4.04) & Typical child Health Clinic Layout (CC.001) Plans

BACKGROUND

In November 2015, Council (OCM-6/11/15) approved SIA Architect option 2C design for 1 Surrey Street. As a result, SIA Architects Pty Ltd and the Town's officers held regular meetings with a Steering Group, which included representatives from Bassendean Historical Society, Bassendean Arts Council, Dr Fiona Bush Heritage & Archaeology consultant and other relevant representatives to provide feedback on the detailed designs.

Once the 2C detailed designs were completed, they were submitted to the State Heritage Office and Development Services for approval. After receiving the required conditional approvals, in November 2016 Council (OCM-14/11/16) noted that in accordance with the early Council (OCM-6/11/15) resolution and the 2016/2017 Capital budget provisions, that a Lotterywest grant application would be submitted.

Lotterywest advised in March 2017 that the Town of Bassendean had been awarded a \$375,000 grant, which was \$100,000 more than anticipated or allocated in the budget.

In April 2017, a Notice of Motion (OCM – 3/04/17) was supported by Council to rescind resolution OCM-6/11/15 and to prepare plans consistent with the SIA Architect Option 1 design.

In order to achieve the new direction an officer report was presented to the May 2017 Ordinary Council Meeting and Council (OCM – 12/05/17 / SCM – 6/7/17) resolved to list funds in the draft 2017/2018 Budget to engage a heritage architect to project manage the consultation, design and construction of the Option 1 project.

Council allocated funds in the 2017/2018 Budget and invited tenders in accordance RFQ 351 2017-18 to project manage the 1 Surrey Street consultation, design and construction, this also included a separate offer/ fee for the museum consultant.

Council considered the tender submissions in November 2017, which included feedback received from Lotterywest and key stakeholders and (OCM – 14/11/17) resolved:

1. *Note the RFQ 351 2017-18 Heritage Architect report associated with the project management of the consultation, design and construction process at 1 Surrey Street, Bassendean and notes the following:*
  - a) *Insufficient funding allocation;*
  - b) *LotteryWest Grant Variation requirements;*
  - c) *Stakeholder feedback received;*
  - d) *Risks and consequences associated with the stakeholder & community consultation process, the detailed investigation and design process;*
2. *Does not accept any of RFQ 351 2017-18 Heritage Architect proposals submitted to project manage the consultation, design and construction process at 1 Surrey Street, Bassendean;*
3. *Requests staff provide an update of all expenditure to date associated with the investigation and creation of plans for the 1 Surrey Street Project;*
4. *Requests staff investigate the whole of life costs for the 1 Surrey Street Project and provide to this Council the business cases for Option 1 and Option 2c; and*
5. *Requests staff inform the key stakeholders that a Councillor Workshop will be held early in the New Year to consider alternative options that include the whole of life costs including any ongoing management requirements associated with future options for the use of the 1 Surrey Street heritage site.*

To implement the Council OCM – 14/11/17 resolution, a report was submitted to the December 2017 Ordinary Council Meeting requesting the 2017/18 Budget be amended to engage a contractor to prepare a Whole of Life Costs for Options 1 and 2C and Business Case for 1 Surrey Street, Bassendean. Council (OCM– 12/12/17) request staff provide as much information as possible on the financial aspects of the project and resolved to defer any further expenditure pending the outcome of the January 2018 Councillor workshop.

In February 2018, a report was tabled confirming the Councillors' Workshop and advised that in order to progress any proposals, the Town requires Council authority to expend funds from the 2017/18 Budget.

Council (OCM – 11/02/18) subsequently resolved to amend the 2017/18 Budget for the purpose of engaging a suitable contractor to explore the SIA Architect Option 2C design with a view to repurposing the homestead and extension for use as a Family & Children's Services Facility.

To progress the Council (OCM – 11/02/18), a draft project brief has been prepared for Council consideration.

#### COMMUNICATION & ENGAGEMENT

In February 2015, a report to the Ordinary Council Meeting outlined the SIA Architects Pty Ltd 2014 schematic design and a business case for option 1 and option 2, together with additional drawings 2B and 2C for the restoration, reconstruction and refurbishment along with recommendations in order to proceed with the detailed design process.

Council resolved to conduct additional consult with key stakeholders. As a result Bassendean Heritage Council Inc, Bassendean Arts Council Inc, State Heritage Office, Museums Australia, Dr Fiona Bush Heritage & Archaeology consultant and other relevant representatives provided feedback and SIA Heritage Architects obtained additional structural engineering reports.

On 3 November 2015, Elected Members inspected the 1 Surrey Street property along with SIA Heritage Architects, Pensioner Guard Museum Curator, the CEO and Officers.

At the November 2015 Ordinary Council Meeting the stakeholder feedback was considered and Council (OCM – 6/11/15) resolved to endorse SIA Architects Pty Ltd Option 2C draft design proposal.

In regards to the April 2017 Council (OCM – 3/04/17) resolution to prepare plans consistent with the SIA Architect Option 1 design, after the October 2017 Local Government Elections, the newly elected Councillors requested a Councillor Briefing on the 1 Surrey Street Project. This briefing occurred on the 21 November 2017.

In response to Council resolutions OCM – 14/11/17 and OCM– 12/12/17, prior to the January 2018 Councillor Workshop, elected members were provided with a copy of the SIA Architects Pty Ltd 2014 schematic design and a business case for option 1 and option 2 for consideration

The Councillor Workshop occurred on the 31 January 2018, with Mr Paul Bridges initially making a presentation to Elected Members and then the Director Operational Services provided an update of all expenditure to date associated with the investigation and creation of plans for the 1 Surrey Street Project and provided a presentation on the whole of life costs.

At the workshop it was explained that the State Heritage Office recommended to the Town to use the United Kingdom's National Trust – Chorley Formula in conjunction with whole-of-life costs for heritage buildings. Essentially, whole-of-life costs include all costs such as design and building costs, operating costs, associated financing costs, depreciation, comparing options and their associated cost and income streams over time. Then the information provided with the Chorley Formula requires estimated expenditure for the care of the heritage building under future conditions.

Considering the project time delays, the Town made contact with Lotterywest Senior Grants Officer and on 20 April 2018, the following response was provided:

*The inclusion of Family and Children Services in to the intended usage of the facility is a potential complicating factor. As discussed with you, the service will be operated by the State Government and Lotterywest cannot support infrastructure that is intended for State Government services. Without understanding the changes to Option 2c design (which for the sake of clarification, is the design originally presented to Lotterywest as part of the grant application 421010236), the impact on how the community will access and use the facility, and the costs for the final design I cannot make comment.*

*I acknowledge that Lotterywest's contribution to the facility (based on initial costings) is around 38%. It would be Lotterywest's intention to work with the Town to keep the project moving forwards. However Lotterywest will need to be confident that the grant funds are only supporting parts of the refurbishment that will accommodate community organisations and heritage activities, and not support services provided by the State Government or any other ineligible service providers. I would respectfully suggest that following Council's consideration of the matter on Tuesday 24 April (and assuming the recommendations are endorsed), the consultation workshop, and the architects re-consideration of the design and costs for the project, that the Town and Lotterywest meet to discuss the specifics of the design, costs and usage.*

*To confirm:*

- Until the Town has a confirmed position on how the project is moving forwards, it is too early to consider a further extension to the grant 'first claim' dead line, beyond 30 April 2019.*
- At soon as practical, Lotterywest requires clarification regarding the redesign of Option 2c, the new costings and anticipated usage of the facility, noting Lotterywest's challenges with supporting infrastructure for the provision of State Government services and ineligible organisations.*

Considering the feedback received that 38% is funded by Lotterywest, the balance of 62% is anticipated to be funded by the Town of Bassendean. Therefore it appears that as long as the Town remains within these financial and operational constraints, it is anticipated the grant funding will be met.

Considering Lotterywest's preliminary feedback, the project brief has included a requirement to provide details of the proposed changes to Option 2c design to clarify any differences between the original 2C design presented to Lotterywest as part of the grant application (421010236) and the impact on how the community will access and use the facility, and the costs for the final design.

## STRATEGIC IMPLICATIONS

The Community Strategic Plan 2017-2027, contains the following under the 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>
3.3 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

As a result of Council (OCM – 11/02/18) direction, staff have liaised with or obtained relevant information from the following organisations:

- State Heritage Office correspondence 15<sup>th</sup> October 2012;
- Museum Australia WA correspondence 28<sup>th</sup> August 2015;
- Department of Health, Child & Adolescent Community Health Services advise 5<sup>th</sup> April 2018;
- Nature Play WA to obtain information on early year's nature play space information;
- Referred to the Town of Bassendean RElax Program and Early Parenting Groups to identified potential community/ cultural activities that would be compatible or complementary for parents and carers of young children to come together;
- Referred to the current Playgroups list on the Town of Bassendean community directory; and
- LotteryWest grant variation dated 19 July 2017.

The intention of providing a draft project brief is for Council to articulate for SIA Architects the interpretation requirements for the heritage listed site and potential multifunctional uses for the Option 2c design.

As Council is aware, previously the State Heritage Office, Bassendean Historical Society Inc, National Trust of Australia (WA), the Royal Western Australian Historical Society (Inc) provided letters of support for the option 2C design.

While Council has resolved to return to the previously approved SIA Architect 2C design, Council has requested the use of the buildings be explored and therefore, it would be prudent to liaise with the above stakeholders concerning the proposed Interpretation, Infant Heath, Community Use and Playgroup use of the facility

Keeping in mind the Lotterywest funding variation requirement that the first claim for grant funds is required by 30 April 2019, Officers have prepared the following timeline to explain that it is very possible that Council will not be able to achieve the timeframes

Activity	Required date
Obtain quote, appoint consultant and undertake key stakeholder consultation	May 2018
Obtain quote from SIA Architects to review drawings and specifications to accommodate Council (OCM – 11/02/18) direction and project brief	May 2018
Workshop with State Heritage Office, Bassendean Historical Society Inc, National Trust of Australia (WA), The Royal Western Australian Historical Society	May 2018 <i>Unlikely to be achieved due to insufficient time to coordinate all involved</i>
Council receives letters of support from key stakeholders	May 2018 <i>Unlikely to be achieved due to insufficient time</i>
Capital funds listed in the draft 2018/2019 Budget <i>NB. Currently the Town only has the March 2017 pre-tender estimate</i>	June 2018
SIA Architects were necessary makes “very minor” amendments to drawings/specifications. <i>NB. Any significant changes will take addition time and resources</i>	June 2018 <i>May not be achievable within timeframe</i>
1 Surrey Street Development Application submitted in accordance with 2C design to Town of Bassendean & State Heritage for change of use	June 2018 <i>Any delays will result in not achieving required submission date and will impact all the remaining tasks</i>
Planning approval <i>Nb Generally advertising and assessment a 90 day process</i>	September 2018 <i>Refer to above comments</i>
Town of Bassendean to invite tenders for the 1 Surrey Street Restoration works	October 2018 <i>Refer to above comments</i>
Council to approve the Heritage Builder	February 2019 <i>Refer to above comments</i>
Heritage Builder appointed	March 2019 <i>Refer to above comments</i>
Heritage Builder commences works	April 2019 <i>Refer to above comments</i>
Town of Bassendean submits 1 <sup>st</sup> claim to Lotterywest	30 <sup>th</sup> April 2019 <i>Refer to above comments</i>

Considering the above timeframes will most likely not be achievable, it is recommended that Council formally advises Lotterywest the following:

- After exploring the Option 1 and 2C designs further, it has become evident that there is no Council support for pursuing Option 1.
- Considering the significant funds invested to prepare plans for the 2C design, Council (OCM – 11/02/18) resolved in February 2018 to engage suitable contractors to explore the SIA Architect Option 2Cc design to house the Family & Children's Services Facilities, which has been highlighted as a priority for the Bassendean community through the recent community strategic planning process.
- Request a further Grant Extension (Application 421010236) to allow Council the time required to consult with the following organisations in regards to the Option 2C plans:
  - State Heritage Office;
  - Bassendean Historical Society Inc;
  - National Trust of Australia (WA); and
  - Royal Western Australian Historical Society Inc.

While the Town has liaised with a consultant to undertake a workshop with stakeholders who previously provided letters of support, at the time of preparing this report, a quote had not been requested as staff are unclear if the draft project brief will be endorsed/approved to enable the project to proceed.

Once Council approves the project brief, it is intended to obtain a quote from an independent consultant to conduct the stakeholder workshop and a quote from SIA Architects and if required, sub-consultants.

### STATUTORY REQUIREMENTS

Local Government Act 1995  
Local Government (Functions and General) Regulations 1996  
Heritage of Western Australia Act 1990

### FINANCIAL CONSIDERATIONS

In regards to OCM – 14/11/17 resolution to provide an update of all expenditure to date associated with the investigation and creation of plans for the 1 Surrey Street Project and the Whole of Life Costs for Option 1 and Option 2c, below is a summary of the information presented at the 31 January 2018 Councillor Workshop:

Year	Expenditure
2011/ 2012	\$25,679
2012/2013	\$31,073
2013/2014	\$69,236
2014/2015	\$35,960
2016/ 2017	\$35,881
2017/2018	\$0 YTD
<b>TOTAL</b>	<b>\$197,830</b>

The above expenditure figures include Past Reports, Statutory Reports, Dr Fiona Bush Curator/ Project Manager, SIA Heritage Architect & sub-consultants documents

To calculate the estimated Whole of Life Cost, the Town initially referred to the November 2014 SIA Architect Pty Ltd Schematic Design Report which outlined the estimated costs for Option 1 and Option 2 design and then applied the Australian Bureau of Statistics Construction Inflation Calculator Index, to estimate current construction costs and also applied the current Operation & Maintenance figures. The estimate the annual Whole of Life Cost was calculated for a 50-year life, however as this is a heritage listed building the Town is very much aware that ongoing maintenance and restoration requirements. The estimate Whole of Life Costs for Option 1 was calculated at \$67,853 per annum and Option 2 at \$67,302 per annum.

Considering the Town was aware of the limitations of using Whole of Life Costs on heritage buildings; feedback was obtained from the State Heritage Office and it was recommended the Town apply the United Kingdom's National Trust adopted "Chorley Formula" to ensure that any heritage building being managed calculates the endowment required, taking in to account expected high-level maintenance and repairs, likely revenues, workers wages and any other factors and on that basis the following was estimated.

Option 1 - (\$182,136) endowment

Option 2 - (\$181,144) endowment

As Council (OCM – 12/05/17/ SCM – 6/7/17) is aware the 2017/2018 budget included \$80,000 to appoint an architect to prepare new detailed drawings/ specifications consistent with the SIA Architect Pty Ltd Option 1 design, however Council (OCM – 14/11/17) resolved to pursue the option 2C designs.

In February 2018 Council (OCM – 11/02/18) resolved to amend the use of the above funding to allow the Town to engage suitable contractors to explore the SIA Architect Option 2C design, with a view to repurposing the homestead and extension for use as a Family & Children’s Services Facility that funds can be used for this purpose.

**OFFICER RECOMMENDATION – ITEM 10.10**

That Council:

1. Approves the 1 Surrey Street project brief attached to the Ordinary Council Meeting Agenda of 24 April 2018;
2. Engages a suitable consultant to undertake a workshop with an appropriate representative from the State Heritage Office; Bassendean Historical Society Inc; National Trust of Australia (WA); the Royal Western Australian Historical Society Inc, Department of Health, Child & Adolescent Community Health Services, together with representatives from Council with a view to repurposing the SIA Architect Option 2C design for the proposed Interpretation of the heritage listed site, incorporating an Infant Heath Clinic and providing the opportunity for other community use of the facility and for the consultant to provide a report on the outcomes to achieve the Council direction; and
4. Engages SIA Architects Pty Ltd to review the approved project brief, the outcomes of the stakeholder workshop and if necessary, for the architect and subcontractors to make minor amendments to the 2C design to enable a development application to be submitted in a timely manner.

**Voting Requirements: Simple Majority**

**10.11 North Road On-Street Parking (Ref: LAWE/REPRTNG/3 – Sharna Merritt – Senior Ranger)**

APPLICATION

The purpose of this report is to provide Council with feedback from a resident regarding the on-street parking on North Road, Bassendean, during large community events at Steel Blue Oval.

ATTACHMENTS

**Attachment No. 10:**

- Bassendean Activity Centre – Parking Audit Report – Part report only for Bassendean Oval Precinct
- 8 March 2018 proposed Line Marking drawing for 16-26 North Road on-street parking.
- April 2018 North Road – Guildford to Devon Road – Drawing TOB4-2018

BACKGROUND

In November 2017, the Town received the following email from a resident in relation to parking on North Road, Bassendean, in regards to large community events held at Bassendean Oval:

*“I am pleased to see events at the Oval are being well supported, but it is also increasing the demand for parking. Parking spaces are marked on Old Perth Rd, Brook St, Prowse St and Surrey St but not on North Road where parking is permitted on the east kerbside (and prohibited on the west side).*

*During events at the Oval, I have noted people frequently park on North Rd from Guildford Rd to as far down as Devon Rd and there is often confusion as to where people may park - noting verge parking is not permitted without owners consent along North Rd (and part of Brook St).*

*In this context, please will you consider painting parking spaces on North Rd (from Guildford Rd to Devon Rd) to make it safer and easier for patrons, event organisers, residents and other traffic?”*

In regards to the resident’s suggestion, Officers confirm that surrounding Bassendean Oval, there are existing parking restrictions in place for a number of streets from 8am to 6pm March to August each year during the football season. As a result, there are no parking restrictions outside of these times.

In regards to North Road between Guildford Road and Devon Road, Rangers confirm that when large events occur at Bassendean Oval, they have observed parking occurring on North Road, Bassendean.

In March 2018 Council (OCM – 10/03/18) resolved that this report be deferred to the April Ordinary Council Meeting to allow Councillors to attend a site meeting.

### COMMUNICATION & ENGAGEMENT

On Tuesday 17 April 2018, a Councillors' site inspection occurred at North Road to discuss the proposal to amend the parking restrictions between 16 and 26 North Road, Bassendean.

At the site meeting, Councillors discussed Drawing TOB4-2018 which outlined potential parking control options between Guildford Road and Devon Road.

Council may wish to consider any of the options outlined in TOB4-2018, however, the Officer recommendation has not been amended from the deferred March 2018 Ordinary Council Meeting agenda.

As this report is submitted for Council consideration, at this early stage no communication has occurred with residents affected by the Bassendean Oval event parking.

Depending on the direction provided by Council in regards to this parking issue, if required the Town will communicate with the affected residents.

### STRATEGIC IMPLICATIONS

The Bassendean Strategic Community Plan 2017-2027 states under 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

Attached to this agenda is part of the June 2016, Transcore report titled, Bassendean Activity Centre – Parking Audit Report. The following information from the report has been extracted, relating to Bassendean Oval Precinct:

*“Site observations and utilisation survey analysis indicate that currently there are about 430 bays/ spaces available for visitors during an event on different areas surrounding the Bassendean Oval as shown in Figure 9. These areas include the verge parking spaces along Old Perth Road and West Road. Out of 430 available bays/ spaces about 372 bays/ spaces were utilised during the major event with 11 illegal on-street parking observed along Prowse Street. Therefore, parking surplus of about 47 bays was recorded at these locations during the major event.*

*Site observation also indicate that during the major event visitors parked on the areas shown in Figure 9 and no visitor are anticipated to park in car parks further away from the Oval such as the PTA car park, the Library car park or the River Reserve car park. These parking areas offer ample available parking during the weekends.”*

Please note that Figure 9, is provided in the attachment.

The Bassendean Activity Centre – Parking Audit Report did not specifically discuss North Road. However, the Report Conclusions state, in part on Page 17, the following:

*“In order to improve the existing parking facilities around the Oval or free up areas for potential development opportunities around the Oval it is recommended to:*

- Formalise the existing parking areas on vacant lots around the Oval;*
- Investigate the opportunity of providing additional parking along Old Perth Road in the vicinity of the Oval; and*
- Investigate the opportunity of utilising the available car park areas further away from the Oval (such as PTA car park) during major events.”*

In regards to the above recommendations, while Council may wish to pursue these in the future, they will not address the current issue raised by the resident.

Considering the Bassendean Oval Precinct survey and observations (Figure 9) did not extend to North Road, the Town's Engineering Technical Co-ordinator and Rangers inspected the locality to determine the feasibility of achieving the resident's proposal to mark parking spaces onto North Road from Guildford Road to Devon Road, Bassendean.

As part of the investigations, Officers reviewed North Road parking issues and the other adjacent residential on-street parking.

As Council is aware, a number of years ago, on-street parking was provided in the following adjacent residential streets:

Locality	Road Width -Approximate-	On-Street Parking	Remaining Lane Width -Approximate-
Brooke Street	7.1 metres	One side	4.6 metres
Prowse Street	5.4 metres	One side	2.9 metres
Surrey Street	7.3 metres	Two sides	2.9 metres

In these particular streets, the on-street parking was provided with satisfactory sight lines (straight roads) and the roads carry less vehicle numbers. Therefore, the above streets are different from the portion of North Road, which is the subject of this report.

To commence the investigation, a traffic classifier was installed (22 North Road, Bassendean) between the 16 and 28 November 2017. The data recorded at this location was as follows:

- 974 vehicle per day - averaged over 7 days
- Mean Traffic Speed - 46.8 km/hour
- 85 percentile speed - 56.4 Km/hour

The investigation identified that if vehicles are parked on the west side of North Road on the bend, between Brook Street and Prowse Street, and if vehicles are also parked on the east side (both sides of road) in this section of North Road, that vehicle sight lines and restricted vehicular navigation issues occurred.

The Technical Engineering Co-ordinator has advised that considering the layout of this section of North Road, the direction of the bend, the 7.3 metre width of the road, and the crest of the hill; that it was determined that providing on-street parking bays for either side of the road would not be suitable from a safety perspective, and would not comply with the current Australian Standards because of sight line requirements.

The current Australian Standard 2890.5-1993 Parking Facilities On-Street Parking, states to install parking bays on the street the minimum lane width required (per side of the road) is 5.8 metres, and to install bays on both sides of the street requires twice this width, resulting in a minimum carriageway width of 11.6 metres.

As this section of North Road is only 7.3 metres wide, the resulting single lane width is 3.65 metres; therefore, in accordance with the current Australian Standard, is approximately 2.15 metres short of the required minimum lane width for installing on street parking bays.

Should Council wish to explore the provision of parking on the east side of in this portion of North Road, the following options may be considered, but would require detailed investigations:

- Road widening to provide sufficient space for the on-street parking
- Parking embayment's within the verge area

Both options would be relatively expensive, potentially not well received by the adjacent property owners, may contribute to increased vehicle speeds and may impact existing street trees.

From the investigation it was determined that 'No Parking' restrictions on the west side of North Road, from 16 to 26 North Road, Bassendean, would alleviate many of the vehicle navigation and movement issues experienced when vehicles park in this section of North Road.

Outside of large events held at Bassendean Oval, parking in this location is not generally an issue. However, considering the investigation, and in order to ensure overflow parking in this portion of North Road is controlled, it is recommended that parking restrictions between 16 and 26 North Road, Bassendean be installed 'at all times'.

This recommendation is due to the layout of the road, that any vehicles parked on the western side of the s-bend, i.e. between 16 and 26 North Road, regardless other parked vehicles, can create sight-line issues for vehicles navigating the corner, and potentially force cars into on-coming traffic. In addition, it would be difficult and confusing for the public and residents to specify each individual event as not all events are regularly held or events may occur on an ad hoc basis.

As Council is aware, football parking restrictions currently are in place in this location, and a new installation of restrictions would not be required. It would simply be an amendment to existing restrictions. This amendment being from 'No Parking, 8am to 6pm, Saturdays, March to August' to 'No Parking' on the road at all times.

Residents between 16 to 26 North Road, currently have parking restrictions for 6 months. Extending the parking restriction will cater for other significant Bassendean Oval events that occur on an ad hoc basis throughout the year

It should be noted that this proposal will not affect authorised verge parking should the property owner wish to utilise this space for temporary parking.

If Council supports this proposal, the Town will write to advise affected residents (16 to 26 North Road) of the traffic safety assessment and arrange for the signage to be modified.

Alternatively, Council may wish to seek community feedback before undertaking the proposed parking restrictions.

#### STATUTORY REQUIREMENTS

Local Government Act 1995  
Parking and Parking Facilities Local Law 2010  
Road Traffic Code 2000  
AS 2890.5 1993 Parking facilities - On-street parking

#### FINANCIAL CONSIDERATIONS

Asset Services has estimated that it will cost approximately \$500 to undertake the proposed modifications to the parking restrictions.

The amendment to existing restrictions in this location can be covered within in the current Operational Budget 2017-18 "Street Signs & Road Marking" WR0004.

**OFFICER RECOMMENDATION– ITEM 10.11**

That Council:

1. Receives the North Road parking report presented to the April 2018 Ordinary Council Meeting; and
2. Writes to the residents between 16 and 26 North Road, Bassendean, to advise of the recent North Road traffic assessment and advise that due to parking issues identified at the locality, the current 'No Parking, 8am to 6pm, Saturdays, March to August' parking restrictions will be amended to 'No Parking' on the road restrictions at all times.

**Voting Requirements: - Simple majority**

**10.12 Adoption of the Reconciliation Action Plan 2018 – 2021 (Ref: GOVN/CCLMEET/26 – Graeme Haggart, Director Community Development)**

APPLICATION

For Council to adopt the Reconciliation Action Plan 2018 - 2021 (RAP).

ATTACHMENT

**Attachment No. 11:**

Final draft Reconciliation Action Plan 2018 – 2021

BACKGROUND

Council last considered this matter in September 2017 when it was resolved (OCM – 13/09/17) that Council:

1. Endorses the Reconciliation Action Plan 2018 – 2021; and
2. Forwards the Reconciliation Action Plan 2018 – 2021 to be registered by Reconciliation Australia (RA).

RA acknowledged the achievements of the Town with the inaugural RAP and so proposed the Town elevate this RAP to being an Innovate Plan.

All RAPs have the same structure, however, Innovate RAPs have modified compulsory elements to that of Reflect RAPs.

The amendments were made and the document returned to RA for its further consideration.

Councillors workshopped the final draft RAP on Wednesday 21 March 2018. The final draft RAP 2018 – 2021 is presented for adoption.

COMMUNITY ENGAGEMENT

The Town has engaged in consultation with RA to ensure the final draft RAP is compliant and becomes registered.

COMMENT

The drawing up of the Town's second RAP– Innovate RAP, has taken some time. Officers are confident the final draft RAP is implementable and achievable.

On adoption, the Town can confirm that RA can proceed with registering the Town's RAP.

Once adopted, the RAP Working Group can then meet to prepare an Implementation Action Plan for the 2018/19 year.

#### STATUTORY REQUIREMENTS

Local Govt Act 1995

#### FINANCIAL CONSIDERATIONS

Funding for implementing the RAP for 2018/19 will be a consideration of the budget process and follow the development of the Implementation Action Plan.

Council has provided funds in each of the past four budgets for RAP activity. Ongoing RAP activity funding has been allocated in the long-term financial plan.

#### OFFICER RECOMMENDATION – ITEM 10.12

That Council adopts the Reconciliation Action Plan 2018 – 2021 as attached to the Ordinary Council Meeting Agenda of 24 April 2018.

**Voting requirements: Simple Majority**

**10.13 Review of Policy 6.7- Electronic Recordings and Live Streaming of Council Meetings (Ref: GOVN/CCLMEET/1 – Bob Jarvis – Chief Executive Officer)**

**APPLICATION**

The purpose of this report is to provide Council with an updated Policy 6.7- Electronic Recording & Livestreaming of Council Meetings, following Council's resolution of January 2018.

**ATTACHMENTS**

**Attachment No. 12:**

Draft Policy 6.7 - Electronic Recording and Livestreaming of Council Meetings

**BACKGROUND**

At the January 2018 OCM, Council resolved (OCM – 14/01/18) that Council:

- “1. Pursues a modest upgrade of the Chambers recording and audio system to improve amplification and provide a basic live streaming option using existing staff resources to design and implement using off-the-shelf equipment, acknowledging that the Chambers does not lend itself well to cabling, it will not include an audio loop or equivalent, and that \$5,000 be allocated in the Budget Review to carry out the work; and*
- 2. Requests that officers redraft “Policy 6.17 – Electronic Recordings of Council Meetings” to:*
  - a) update the objectives including a reference to transparency and accessibility for the public;*
  - b) remove obsolete paragraphs from the strategy;*
  - c) incorporate the provision of live streaming;*
  - d) identify what parts of the meeting will be included/excluded in recordings &/or streaming;*
  - e) outline what measures will be taken to ensure the public are aware that they are being recorded, including an announcement by the presiding person and a written notification in the Council Chamber;*

*and presents the revised draft to Council for consideration at the February OCM.”*

## COMMUNICATION & ENGAGEMENT

Nil. No Community Engagement was requested by Council.

## STRATEGIC IMPLICATIONS

### **Strategic Priority 5. Good Governance**

*Objective 5.1 - Enhance organisational accountability*

## COMMENT

Being mindful of the Council's resolution that the recordings of meetings be made available, and that live streaming of Council meetings be trialled, coupled with feedback from Councillors at the Briefing Session on 23 January 2018, the Council's policy has been amended in pursuit of these outcomes for Council's resolution from the January 2018 meeting.

## STATUTORY REQUIREMENTS

Council is required to keep minutes of meetings in accordance with the Local Government Act and its Standing Orders Local Law 2011.

## FINANCIAL CONSIDERATIONS

There is currently an amount of \$5,000 in the 2017/18 Budget.

## ADDITIONAL COMMENT

Following a question from the Mayor at the April Agenda Briefing Session, regarding the platform being used for our livestreaming, it has been suggested that we either Facebook live or YouTube. It is envisaged that we would use YouTube as there may be some residents that don't have Facebook. Staff are awaiting a quote for the video to be saved to our website from Market Creations. This should be available at the Ordinary Council meeting..

Information has been obtained from the City of Vincent (as requested at the Briefing Session) on the use of Livestreaming of Council meetings.

The City of Vincent does host the livestreaming from its website and maintains some 2 months of Council meeting videos on its website. A copy of the livestream is saved onto its website within 48 hours of the meeting.

The City of Vincent lease the equipment from a service provider and the company does all the work on the videos that enables that hosting of the live stream on the City's website. Market Creations works with this company to create the look and feel of the pages which hosts the live stream.

The service provider did the initial installation of the AV equipment and they format the videos that can be viewed on the website.

The City of Vincent only keep the livestream video on its website. They do not keep a separate audio copy of the meetings on their website.

Information about the cost of the lease and the number of people who access the City of Vincent livestream will be tabled at the Council meeting.

#### OFFICER RECOMMENDATION — ITEM 10.13

That Council adopts the revised Policy 6.17 - Electronic Recordings and Live Streaming of Council Meetings attached to the Ordinary Council Agenda of 24 April 2018.

**Voting requirements: Absolute Majority**

**10.14 Adoption of a Policy for the Conduct of Town of Bassendean Advisory Groups in anticipation that the Council might Disband the Current Design Bassendean Committee (Ref: GOVN/CCLMEET/19 - Bob Jarvis CEO)**

APPLICATION

Council's consideration of a new Policy for the conduct of Town of Bassendean Advisory Groups in anticipation that the Council might disband the current Design Bassendean Committee in the near future in favour of an advisory group established under this policy of Council which is similar to that used by the City of Vincent.

ATTACHMENT:

**Attachment No. 13:**

Draft Town of Bassendean Advisory Group Policy

BACKGROUND

At its Ordinary Meeting in March of 2018 the Council resolved the following (OCM – 16/03/18):

MOVED Cr McLennan, Seconded Cr Wilson, that Council:

1. Receives the information on the Town of Vincent's Advisory Group structure; and
2. Requests staff draft an "Advisory Group" policy in alignment with the example provided by the City of Vincent with the inclusion of a requirement for "declarations of interest" for consideration by Council, with a view to this replacing the current Design Bassendean Committee structure.

It should also be noted that a report, outlining Council's resolution and intent, went to the Design Bassendean Committee meeting held on 5 April 2018, at which the Committee made the following recommendation to Council:

*"MOVED Coan Harvey, Seconded Phillip Burton that the Committee supports the Design Bassendean Committee transitioning to an Advisory Group of Council."*

The unconfirmed minutes of the Committee meeting, along with its recommendations to Council, will form part of this Council Agenda.

## COMMUNICATION AND ENGAGEMENT

The Design Bassendean Committee Members were consulted on its views on disbanding the Committee and being part of an Advisory Group.

## STRATEGIC IMPLICATIONS

### *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>	<b>Measures of Success</b> <i>How we will be judged</i>
5.2 Proactively partner with the community and our stakeholders	5.2.1 Improve customer interfaces and service	Community / Stakeholder Satisfaction Survey (Community engagement and participation)
	5.2.2 Engage and communicate with the community	
	5.2.3 Advocate and develop strong partnerships to benefit community	

## COMMENT

The attached draft policy is substantially based on that adopted by the Town of Vincent, and has only been modified to strengthen the importance of maintaining impartiality and ethical behaviour in decision making – given that working groups are not covered by the Local Government Act 1995 or the Town's adopted Local Law – Standing Orders 2011.

A copy of the Town of Vincent's policy was provided as an attachment to the report that went to the March 2018 Ordinary Council Meeting, and so Councillors will be very familiar with its content and intent.

If Council is satisfied with the policy, and wishes to pursue the change proposed, it would need to, adopt the policy, disband the current Design Bassendean Committee (Absolute Majority Required) and establish a Design Bassendean Working Group which would operate pursuant to the adopted policy. It would also need to determine and resolve to appoint the membership of the Working Group, but it has been assumed that Council would wish to have the same membership as the current Design Bassendean Committee. Council should, in accordance with the policy, outline the objectives for the advisory group, and the following is suggested:

*“To provide advice to Council and professional officers, and feedback on the Town’s adopted Strategic Planning Framework”*

### STATUTORY REQUIREMENTS

Sections 5.8 and 5.11 of the Local Government Act 1995 cover the establishment of committees of council and the tenure of committees which includes disbanding of committees by Council.

It should be noted that advisory groups are not provided for in the Local Government Act 1995, nor are they covered by the Town’s Local Law Standing Orders.

### FINANCIAL IMPLICATIONS

There will be some modest costs associated with advertising the changes and the revised meeting schedule.

### OFFICER RECOMMENDATION – ITEM 10.14

That Council:

1. Adopts the Town of Bassendean Advisory Group Policy attached to Ordinary Council meeting Agenda of 24 April 2018;
2. Disbands the Design Bassendean Committee;
3. Establishes a Design Bassendean Advisory Group to operate pursuant to the adopted Town of Bassendean Advisory Group Policy; with the following Objectives: “To provide advice to Council and professional officers, and feedback on the Town’s adopted Strategic Planning Framework”, and
4. Appoints the following as the inaugural members of the Design Bassendean Advisory Group, expiring at the next Local Government Elections:

Councillors	Cr McLennan Cr Gangell Cr Wilson
Community Representatives	Ross Jutras-Minett Coan Harvey Phillip Burton Moss Johnson David Doy Jennie Collins

**Voting requirement: Absolute majority**

**10.15 Quarterly Report for Period Ended 31 March 2018 (Ref: FINM/AUD/1 – Bob Jarvis, Chief Executive Officer)**

APPLICATION

The purpose of this report is for Council to receive the Quarterly Report for the period ended 31 March 2018.

ATTACHMENTS

**Attachment No. 14:**

Quarterly Report P/E 31 March 2018

BACKGROUND

Council's Quarterly Report format addresses progress against the CEO's Key Performance Indicators, as well as providing a progress report on budget deliverables in the 2017-2027 Corporate Business Plan, where those deliverables will commence in the current financial year.

The Quarterly Report also provides information on the progress of cash in lieu projects and grants applied for and received in each quarter.

Included in this quarter also is a summary of activities in the environmental health area, which will be included in future reports.

STRATEGIC IMPLICATIONS

Strengthen Council governance and compliance.

OFFICER RECOMMENDATION – ITEM 10.15

That Council receives the Quarterly Report for the quarter ended 31 March 2018.

**Voting requirements: Simple majority**

**10.16 Town Assets Committee Meeting held on 6 February 2018  
(Ref: GOVNCCL/MEET/37 – Simon Stewert-Dawkins,  
Director Operational Services)**

**APPLICATION**

The purpose of this report is for Council to receive the report on a meeting of the Town Assets Committee Meeting held on 6 February 2018, and adopt the recommendations from the Committee.

**ATTACHMENTS**

**Attachment No. 15:**

Minutes of the Town Assets Committee of 6 February 2018.

**COMMENT**

Ms Lisa Last of the Bassendean Verge Transformation Project Group, addressed the Committee on Verge Treatment Policy and Verge Maintenance Policy.

The Committee discussed 'Projects for the Term of the Committee' and requested Officers provide:

- A brief status report on these projects;
- Any reports/documentation/plans associated with these projects; and
- The Capital Works Programme.

Reports presented to the Committee for discussion:

- Asset Management Policy, Procedures and Documentations Overview; and
- Verge Treatment Policy and Verge Maintenance Policy

A brief overview of the Town's current Asset Management practices was provided in the report to the Committee, and documents containing more in-depth information were made available as attachments.

The Committee was provided with an outline of the proposed changes to the Verge Treatment and Maintenance Policy, and feedback was sought on the proposed new draft Verge Maintenance Policy, the new draft Verge Treatment Policy and the draft Permissible Verge Treatment Information Sheet.

The Town's Asset Committee resolved the following:

MOVED Cr Hamilton, Seconded Cr McLennan, that the Town Assets Committee:

1. Receives the report in regards to:
2.
  - a) Asset Management Policy;
  - b) Asset Management Strategy;
  - c) Asset Management Plans; and
  - d) Applicable operational procedures;
3. Notes the Council's approved 2017-18 Capital Budget Works Program and the itemised status of each project.

MOVED Cr McLennan, Seconded Cr Hamilton, that the Town Assets Committee:

1. Receives draft Verge Treatment Policy and Verge Maintenance Policy report attached to its agenda of 6 February 2018; and
2. Notes that Council Officers will commence the Council (OCM-10/01/18) requested amendments, liaise with the Verge Transformation Group and provide a further Verge Treatment Policy and Verge Maintenance Policy report for the Town Assets Committee's consideration.

#### OFFICER RECOMMENDATION – ITEM 10.16

That Council receives the report on a meeting of the Town Assets held on 6 February 2018.

**Voting requirement: Simple Majority**

**10.17 Economic Development Committee Meeting held on 6 March 2018 (Ref: GOVN/CCLMEET/13 – William Barry, Senior Economic Development Officer)**

APPLICATION

The purpose of the report is for Council to receive the report on a meeting of the Economic Development Committee held on 6 March 2018.

ATTACHMENTS

**Attachment No. 16:**

Economic Development Committee Minutes of 6 March 2018.

COMMENT

The main items considered at the meeting included:

Election: Presiding Member and Deputy Presiding Member

Cr Gangell was elected Presiding Member by Committee. Stuart Ridgway was elected Deputy Presiding Member.

Instrument of Appointment and Delegation

The Committee reviewed the Instrument of Appointment and Delegation, determining not to recommend changes at this time.

Snr Economic Development Officer Report

The full report is in the minutes. The paramount concern is delivery of the first Festival of Local Business occurring on 8 April. The biggest challenge is getting the message out to community and business owners and encourage them to attend and to participate. There. The event will also officially launch the refreshed web site and logo.

The event will be the launch of Localism as a platform for economic development. In the long term localism has the benefit of bringing businesses closer together by building up trust and agglomerate the businesses into a distinct local economy.

Other Committee Business

Members of the Committee were asked what their objectives on this Committee were and what they felt should be priorities going forward. Suggestions included:

- Enhance the visibility of the Town - people drive past Bassendean and don't know what's here. Promotion of what's here. Something to brand Bassendean as a place to visit.
- Bureaucracy in planning department and lack of knowledge. Hinders development of small local businesses. Greater level of flexibility from Council.
- Safety and security for local businesses - CCTV. Decrease crime with more people living in the main business areas.
- Events and festivals to bring people into the community.
- Bassendean Business Association. 5-15 small business owners meet for coffee to share ideas. Local community network and support for home businesses. How can the Town support home businesses.
- Co-working space.

#### STATUTORY REQUIREMENTS

Nil.

#### FINANCIAL CONSIDERATIONS

Nil.

#### OFFICER RECOMMENDATION — ITEM 10.17

That the report on a meeting of the Economic Development Committee held on 6 March 2018, be received.

**Voting requirements: Simple Majority**

**10.18 Sustainability Committee Meeting held on 13 March 2018  
(Ref: GOVN/CCL/MEET/33 – Simon Stewert-Dawkins,  
Director Operational Services)**

APPLICATION

Council is requested to receive the report on a meeting of the Sustainability Committee held on 13 March 2018.

ATTACHMENTS

**Attachment No. 17:**

Sustainability Committee Minutes of 13 March 2018.

BACKGROUND

The Committee's Instrument of Appointment and Delegation defines the Committee's role to make recommendations to Council on achieving the Natural and Built Environment Strategic Priority Area Objectives and Strategies of the 2017-2027 Strategic Community Plan.

Progress reports will be provided to Committee on a projects listed in the Natural and Built Environment Strategic Priority Area of the 2017-2021 Corporate Business Plan.

Operational Services Directorate Officer Reports provide an update on relevant activities and of items requiring determination by Council.

STRATEGIC IMPLICATIONS

The Sustainability Committee is principally concerned with reporting on the Natural and Built Environment Key Result Area of the 2017-2027 Strategic Community Plan and Corporate Business Plan 2017 - 2021:

COMMENT

The following items were considered at the meeting:

Presiding and Deputy Presiding Member

Being the inaugural meeting, Committee elected the Presiding Member (Ms Caroline Easton) and Deputy Presiding Member (Mr Chris Mahony) for the term of the Committee.

### Presentation

Ms Anita Marriott, Sustainability Officer, Policy and Place, City of Vincent, was in attendance to share her experiences as part of the City of Vincent's Sustainability Advisory Group that has been operating for some time.

### Previous Liveable Town Advisory Committee/Council Resolutions (OCM-23/11/17 and OCM-26/01/18)

An update report was provided for each of the following items of the above Council resolutions.

- Audit of the Town's fleet vehicles and prepare a report on transitioning the fleet to hybrid/electric vehicles; and implementing alternative transport options/incentives for staff.
- Investigates the installation of electric charging station/s within the Town, as well as the offer of a charging station from the REV Programme at UWA.
- Lobbies Western Power to transition the Town's street lighting to LED and OCM-26/01/18 requests staff prepare a report for the first Sustainability Committee meeting.
- Investigates and introduces a solar bulk buy purchase scheme for property owners in the Town of Bassendean
- Develops and implements a "Sustainable Town Incentive Scheme.
- Investigates offering environmental sustainability grants for suitable community projects.

### Draft Carbon Reduction Plan

The Committee was presented with the First Draft of ACER – Emissions Reduction Plan and feedback sought from the Committee.

### School Programs – Eastern Regional Catchment Skills 4 Youth Natural Resource Management Program and Climate Clever Program.

An overview of the following school programs was provided.

- Eastern Metropolitan Regional Council (EMRC) operate an award winning community program that works with young people to learn about and care for the natural areas in their neighbourhood.
- The Climate Clever initiative is a new program designed specifically to help schools measure, monitor and reduce their carbon footprint, and become leaders in sustainability climate action in their community.

### Recycling Station and Public Recycling Bins

A report was provided on the results of the three-bin phone survey.

### Peer-to-Peer Energy Trading Project

The Western Power and Curtin University trial on a shared energy storage system was presented.

### STATUTORY REQUIREMENTS

Local Government Act 1995

### FINANCIAL CONSIDERATIONS

The Sustainability Committee has requested that \$31,000 be listed for Council consideration in the draft 2018/2019 budget for four new projects as per the committee minutes and the recommendations below.

### COMMITTEE RECOMMENDATION – ITEM 10.18

That:

1. The report on a meeting of the Sustainability Committee held on 13 March 2018, be received;
2. Council lists for consideration in the 2018/2019 draft Budget \$6,000 to provide an electric charging station;
3. Town officers investigate a suitable location for the installation of the electric charging station;
4. Town officers contact Hawaiian to request that they also consider installing an electric car charging station at the Bassendean Shopping Centre;
5. Council investigates a third party to facilitate a bulk buy solar incentive scheme and investigate the Switch Your Thinking programme, to report back to this committee at its May meeting;
6. Council lists \$10,000 for consideration in the draft 2018/2019 Budget to initiate sustainability grants for community sustainability projects;
7. Council lists \$10,000 for consideration in the draft 2018/2019 Budget for community education programmes;

8. Council lists \$5,000 for consideration in the 2018/2019 Budget for the Climate Clever programme; and
9. Town officers provide the relevant information to James Eggleston from Powerledger in relation to the Peer to Peer Energy Trading Project.

**Voting requirement: Simple majority**

**10.19 Design Bassendean Committee Meeting held on 5 April 2018 (Ref: GOVN/CCL/MEET/36 – Anthony Dowling, Director Strategic Planning)**

APPLICATION

Council is requested to receive this report on the Design Bassendean Committee meeting held on 5 April 2018 and consider the Committee's resolutions for adoption.

ATTACHMENTS

**Attachment No. 18:**

- List of Committee Objectives, Strategies and Projects (extract from Strategic Priority 3: Built Environment of the Town's 2017-2027 Strategic Community Plan).
- Design Bassendean Committee Minutes of 5 April 2018.

BACKGROUND

Council has established the Design Bassendean Committee to inform and make recommendations to it in respect to the objectives, strategies, and projects listed respectively under Strategic Priority 3: Built Environment of the Town's 2017-2027 Strategic Community Plan and its Corporate Business Plan 2016 – 2020.

The Committee is to meet at least quarterly in a calendar year. It can also hold additional meetings as and when required. Scheduled meetings for 2018 are 7 February, 6 June, 8 August and 5 December.

The second meeting of the Committee was convened on 5 April 2018 to consider and discuss the following matters:

1. A proposal to disband the committee and reconstitute it as an advisory group of Council (see OCM – 16/03/18);
2. The Phase 2 report of the *Bassendean Built Form and Character Study*;
3. Preliminary land use and residential density changes; and
4. Proposed community engagement/consultation strategies for strategic planning projects.

Ensuing discussion in respect to the aforementioned matters took place at the meeting leading to four resolutions made by the Committee as set out in the minutes of the meeting attached to this report.

**STRATEGIC IMPLICATIONS**

Convening the Committee assists in achieving Strategic Priority 5: Good Governance in the Town’s *2017-2027 Strategic Community Plan*) and related strategies 5.2.2 and 5.2.3 below:

<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>
5.2 Proactively partner with the community and our stakeholders	5.2.1 Improve customer interfaces and service	Community / Stakeholder Satisfaction Survey (Community engagement and participation)
	5.2.2 Engage and communicate with the community	
	5.2.3 Advocate and develop strong partnerships to benefit community	

**COMMENT**

In respect to Committee resolution 8.2, the Committee considered that the study to date had articulated the existing character and types of design responses adequately to enable the commencement of the development of a local planning policy and design guidelines to guide the shape and form of future development within the context of preserving the Town’s unique character.

The Committee considers the development of a suitable local planning policy and design guidelines as a priority task. This is principally for two reasons:

- To effect as soon as possible further direction in respect to the desired form, scale, and disposition etc of future development within the Town; and
- To augment proposed State Planning Policies *SPP 7.0—Design Principles* and *SPP 7.3—Apartment Design*, which the adoption of by the Western Australian Planning Commission (WAPC) is understood to be imminent.

In respect to the latter, the proposed SPP’s will apply unilaterally across the State. Augmenting the State Planning Policy provisions with the development and adoption of a local planning policy (or policies) and local design guidelines is one way of ensuring that future development within the Town is cognisant of preserving the Town’s unique character.

The Committee is cognisant too that prioritising the development of a local planning policy and design guidelines may impact the timing of other strategic planning projects and possibly entail additional resources to assist in carrying out this task.

The Director Strategic Planning is currently identifying whether additional resources will be required to undertake this work.

On the face of it, this is likely as the development of design guidelines will benefit from the assistance of either an urban designer and/or a graphic designer experienced in designing and illustrating development site layouts and building forms. Ideally, design guidelines ought to be highly illustrative and graphical as this best conveys the form, scale and disposition of future development desired.

There is flexibility within the current Strategic Planning budget to procure the services of an appropriate designer on a short-term contract if such a need is identified.

It is anticipated that development of a suitable draft local planning policy and design guidelines is likely to take at least until mid-June 2018 to complete (excluding the time required for statutory public advertising of the draft local planning policy).

This work, along with the development of three (3) residential density scenarios (Committee resolution 8.3), the undertaking of the Bassendean Transport Study (now underway and due for completion by mid-August 2018), and the need to carry out subsequent community engagement and consultation associated with these projects/tasks, is likely to 'push-back' by at least several months the scheduled completion of the draft revised Local Planning Strategy.

This will require review and likely recalibration of the currently adopted Strategic Planning Framework implementation timetable, which the Director Strategic Planning aims to present to firstly, the Bassendean Design Committee (as per its resolution 8.4) at a likely future meeting of the Committee in early May 2018, and thereafter to Council at its May 2018 Ordinary Meeting.

#### STATUTORY REQUIREMENTS

*Local Government Act 1995*

#### FINANCIAL CONSIDERATIONS

Nil

COMMITTEE/OFFICER RECOMMENDATION – ITEM 10.19

That Council:

1. Receives the report on the meeting of the Design Bassendean Committee held on 5 April 2018; and
2. Receives the *Bassendean Built Form and Character Study* to inform the preparation of a local planning policy and design guidelines that seek to find the right balance between developing for the future and preserving our Town's unique character and that the key matters to be considered are:
  - (a) Resourcing implications for the Town's administration;
  - (b) Impact on the timing of other strategic planning projects;
  - (c) Development of a community consultation plan; and
  - (d) Draft *State Planning Policy 7—Design Principles* and draft *State Planning Policy 7.3—Apartment Design*;
3. Requests the Director Strategic Planning to prepare three residential density scenarios for further consideration by the Bassendean Design Committee, with each scenario maintaining the State's dwelling target for the Town of Bassendean of an additional 4,150 dwellings by 2050; and
4. Requests the Director Strategic Planning to prepare a revised draft schedule of the strategic planning framework for further consideration by the Design Bassendean Committee.

**Voting requirement: Simple majority**

**10.20 People Services Committee (PSC) 10 April 2018 (Ref: GOVN/CCL/MEET/ – Graeme Haggart, Director Community Development)**

**APPLICATION**

The purpose of the report is for Council to receive the report on a meeting of the People Services Committee held on Tuesday 10 April 2018.

**ATTACHMENTS**

**Attachment No. 19:**

People Services Committee Minutes of 10 April 2018.

**BACKGROUND**

The Committee's Instrument of Appointment and Delegation defines the Committees role to make recommendations to Council on achieving the Social Strategic Priority Area Objectives and Strategies of the 2017-2027 Strategic Community Plan.

Progress reports will be provided to Committee on a projects listed in the Social Strategic Priority Area of the 2017-2021 Corporate Business Plan.

Community Development Directorate Officer Reports provide an update on relevant activities and of items requiring determination by Council.

**STRATEGIC IMPLICATIONS**

The PSC is principally concerned with reporting on the Social Key Result Area of the 2017-2027 Strategic Community Plan and Corporate Business Plan 2017 - 2021:

**COMMENT**

The following items were considered at the meeting:

**Announcements by the Presiding Member**

The Presiding Member (Cr Sarah Quinton) gave an overview of recent decisions of Council, and of other projects, of interest to Committee.

**Cultural Plan Review**

Consultant, Ricky Arnold, provided an update of the consultation process for the Cultural Plan Review project.

### **Projects for the Term of the Committee**

An update report was provided on the list of projects in the Corporate Business Plan 2017 – 2021 in the Social Strategic Priority Area.

### **Revised Town of Bassendean Youth Statement**

At the last meeting it was agreed that Committee Members be invited to provide feedback and comment to the Manager Youth Services on the Town's Youth Statement and be further considered at the next meeting of the Committee.

Comments were received and incorporated, however, it was noted that some members, who had expressed desire to, had yet to make a contribution.

Accordingly, it was resolved to refer the Statement back to officers for further consultation.

### **Australia Day Celebrations and Fireworks Event – Future Direction**

The Committee received an officer report into the review of the Australia Day Celebrations held by the Town. The report noted that the Town has hosted a mass community event at Ashfield Reserve since 2005 that includes entertainment, food providers, amusement rides and concludes with a fireworks display. The review was conducted as the event has grown to having an estimated audience of 20,000 people: The risk profile and the logistical scale of the undertaking has correspondingly increased in complexity and cost.

A Working Group of Councillors and interested residents was established. The Working Group determined the review methodology and the mechanisms of consulting the community.

The Working Group recommendations to the Committee were:

- That at this stage the date of the event remains the same in the interests of maintaining inclusivity and listening to the Town's community. The Working Group also recognised that society is in transition and it is likely that a change in the date of when Australia Day will be celebrated will occur in the medium to long term.
- That a detailed review of the event be carried out prior to finalising the 2018/2019 Council budget decision. There was agreement that the event posed a number of increasing risks, (in particular the significant risks of conducting a firework display in January in a residential setting) and resource issues.

- A detailed analysis be done on the real cost of the current event to include the cost of event on the night but also the staff time and the time of all associated services needed to conduct the event safely.
- The objectives of the event be clarified to suit the current social environment to include:
  - Commemoration
  - Reflection
  - Inclusivity
  - Diversity
  - Community ownership
  - Family
  - Sense of place
  - Showcase Town and the community
  - Benefits to the Town – Not just economic benefits

It is noted that there was a range of views on the Working Group and that the position arrived at was not unanimously supported.

The Officer Report to Committee included the detailed financial analysis that defined the true cost of staging the event at \$185,000 which equates to approximately one third the public events budget and consumes a considerable proportion of the Town's Cultural Development staff resourcing.

Following considerable discussion, the Committee resolved to recommend that Council:

1. Receives the report on the future direction of the Town's Australia Day event;
2. Notes the recommendations made by the Working Group established to review the Australia Day event; and that subject to budget considerations;
3. Approves the Town continuing to stage an Australia Day event that reflects the objectives set out for the event by the Working Group, and inclusive of the stories of all Australians particularly the contribution of our first nations people;
4. Approves the Town exploring the staging of an alternative event format at a reduced budget that does not include a fireworks display on 26 January; and present a report to the next Committee Meeting of the nature of that event;
5. Approves the Town exploring a fireworks display at an alternative event;

6. Committee recommends that Council acknowledge that the survey is just one tool of the feedback from community and the decision making process;
7. Acknowledge that the Australia Day event is part of the annual calendar of events that is being considered in the Cultural Plan review;
8. Continues the discussion of Australia Day that brings people together rather than divides the community; and
9. Considers in the draft 2018/19 budget an allocation for education and storytelling with the theme of 'What does Australia Day mean to you?'

### **Community Event Sponsorship**

Committee considered an application for a \$1,000 sponsorship from the Bassendean Preservation Group to support the staging of the Bindaring Wetlands Forum scheduled for 25 August 2018 from 10am to 3pm at Bindaring Park. Committee resolved to recommend Council approve the application.

### **Ongoing Activity Progress Reports**

Officers reported on activities relevant to Committee under their Business Units:

- Recreation and Culture
- Youth Services
- Volunteer Centre
- Library and Information Services (including a report on Local Studies Collection)
- Seniors and Disability Services
- Children's Services

### **STATUTORY REQUIREMENTS**

Local Government Act 1995

### **FINANCIAL CONSIDERATIONS**

There were no financial implications resulting from the meeting.

COMMITTEE RECOMMENDATION – ITEM 10.20

That Council

1. Receives the report on the future direction of the Town's Australia Day event;
2. Notes the recommendations made by the Working Group established to review the Australia Day event; and that subject to budget considerations;
3. Approves the Town continuing to stage an event that reflects the objectives set out for the Australia Day event by the Working Group, and inclusive of the stories of all Australians particularly the contribution of our first nations people;
4. Approves the Town exploring the staging of an alternative event format at a reduced budget that does not include a fireworks display on 26 January; and an Officer Report be presented to the next People Services Committee Meeting on the nature of that event;
5. Approves the Town exploring a fireworks display at an alternative event;
6. Acknowledges that the survey is just one tool of the feedback from community and the decision making process;
7. Acknowledges that the Australia Day event is part of the annual calendar of events that is being considered in the Cultural Plan review;
8. Continues the discussion of Australia Day that brings people together rather than divides the community;
9. Considers an allocation in the draft 2018/19 budget for education and storytelling with the theme of 'What does Australia Day mean to you?';
10. Approves a sponsorship of \$1,000 to the Bassendean Preservation Group Inc for the staging of the Bindaring Wetlands Forum – Bassendean on Saturday 25 August 2018, 10am to 3pm at Bindaring Park;
11. Prepares a sponsorship agreement between the Town and the Bassendean Preservation Group Inc to outline the conditions of the sponsorship; and

12. Receives the report of the meeting of the People Services Committee held on Tuesday 10 April 2018.

**Voting requirement: Simple Majority**

**10.21 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 March 2018</b>		
<b>Application No</b>	<b>Property Address</b>	<b>Description</b>
201800047	26 BLACKTHORN ROAD, EDEN HILL	PATIO
201800045	87 HAMILTON STREET, BASSENDEAN	FULL DEMOLITION
201800049	21A CARMAN WAY, BASSENDEAN	SINGLE DWELLING
201800040	8 IRELAND WAY, BASSENDEAN	DEMOLITION
201800044	13 CUMBERLAND WAY, BASSENDEAN	FULL DEMOLITION
201800042	7 CLARKE WAY, BASSENDEAN	PATIO & CARPORT
201800046	31 NORTHMOOR ROAD, EDEN HILL	PATIO
201800065	66 MICKLETON TERRACE, BASSENDEAN	CARPORT
201800064	15 KENMURE AVENUE, ASHFIELD	CARPORT
201800060	80 IOLANTHE STREET, BASSENDEAN	SINGLE BRICK & METAL DWELLING
201800066	170 ANZAC TERRACE, BASSENDEAN	FENCE APPLICATION
201800062	35 SEVENTH AVENUE, BASSENDEAN	STEEL FRAME CARPORT
201800051	8 LUKIN WAY, BASSENDEAN	GARAGE/STORAGE
201800059	90 KATHLEEN STREET, BASSENDEAN	FRONT FENCE
201800055	59 FOURTH AVENUE, BASSENDEAN	COMPLETION OF RESIDENTIAL DWELLING
201800053	29 FOURTH AVENUE, BASSENDEAN	REMOVE & REPLACE ROOF TILE TO METAL
201800057	3 COLSTOUN ROAD, ASHFIELD	INTERNAL FIT OUT (KITCHEN)
201800052	84 HAMILTON STREET, BASSENDEAN	DEMOLITION OF HOUSE AND CLEARING OF BLOCK
201800050	80A IOLANTHE STREET, BASSENDEAN	DWELLING
201800058	13A GALLAGHER STREET, EDEN HILL	RESIDENTIAL DWELLING
201700309	89 OLD PERTH ROAD, BASSENDEAN	RETROSPECTIVE APPROVAL - OFFICE/MEDICAL ADDITIONS/ALTERATIONS

**OFFICER RECOMMENDATION – ITEM 10.21**

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

**Voting requirement: Simple majority**

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

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

<b>Applic No.</b>	<b>Property Address</b>	<b>Description</b>	<b>Determination</b>
2018-006	80 IOLANTHE STREET BASSENDEAN 6054	SINGLE HOUSE	DELEGATE APPROVED
2018-032	13 CUMBERLAND WAY BASSENDEAN 6054	SINGLE HOUSE	DELEGATE APPROVED
2018-033	14 / 117 OLD PERTH ROAD BASSENDEAN 6054	PATIO	DELEGATE APPROVED
2018-036	290 COLLIER ROAD BASSENDEAN 6054	SIGNAGE	DELEGATE APPROVED
2018-037	49 ASHFIELD PARADE ASHFIELD 6054	RE - ROOFING (TILES TO COLORBOND)	DELEGATE APPROVED
<b>Subdivision Applications</b>			
Strata Plan 78032	18 SECOND AVENUE BASSENDEAN 6054	FORM 24 & FORM 26 - CERTIFICATE OF APPROVAL - STRATA PLAN FOR 8 MULTIPLE DWELLINGS	DELEGATE APPROVED
Strata Plan 78044	38 THIRD AVENUE BASSENDEAN 6054	FORM 24 & FORM 26 - CERTIFICATE OF APPROVAL - STRATA PLAN FOR 8 MULTIPLE DWELLINGS	DELEGATE APPROVED
156384	9 BARTON PARADE BASSENDEAN 6054	TWO LOT SUBDIVISION	STATUTORY ADVICE
245-18	4 CALNON STREET BASSENDEAN 6054	TWO LOT SURVEY STRATA SUBDIVISION	STATUTORY ADVICE
288-18	86 REID STREET BASSENDEAN 6054	TWO LOT SURVEY STRATA SUBDIVISION	STATUTORY ADVICE

**OFFICER RECOMMENDATION – ITEM 10.22**

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

**Voting requirement: Simple majority**

**10.23 Use of the Common Seal (Ref: INFM/INTPROP/1 – Sue Perkins – Executive Assistant)**

The Chief Executive Officer and the Mayor have been delegated the responsibility for affixing the Common Seal to documents requiring signing and sealing, and for reporting the exercise of that delegation to the next available Ordinary Meeting of the Council.

The Common Seal was attached to the following documents during the reporting period:

- 17/04/18 Notification Under Section 70A, Lot 16; 16 Nurstead Avenue, Bassendean, between Pamela Rae Hall & Terry Archer Hall and the Town of Bassendean, to notify future purchasers/landowners of the property's vicinity to a transport corridor and is currently affected, or may in the future be affected, by transport noise.
- 29/03/18 Restrictive Covenant & Section 70A Notification - Lots 1, 2, 3 & 4 on Survey Strata Plan 77110; 43 Lord Street, Bassendean - Advice of noise corridor, single access from Lord Street, and need to comply with Council's Energy Efficiency Policy, between Maureen Janice Beckwith and Gregory James Lewis and the Town of Bassendean.
- 27/03/18 Deed of Novation - Provision of Street Sweeping Services between Mint Civil Pty Ltd and the Town of Bassendean.

**OFFICER RECOMMENDATION – ITEM 10.23**

That Council notes the affixing of the Common Seal to the documents listed in the Ordinary Council Meeting Agenda of 24 April 2018.

**Voting Requirements: Simple majority**

**10.24 Calendar for May 2018 (Ref: Sue Perkins, Executive Assistant)**

Tue	8 May	3.00pm	Bassendean River Parks Committee Meeting – Council Chamber (Crs Brown, Mykytiuk & Hamilton)
Tue	8 May	7.00pm	Economic Development Committee Meeting Council Chamber (Crs Brown & Gangell)
Wed	9 May	5.30pm	Audit & Governance Committee Meeting – Council Chamber (Crs Mykytiuk, Wilson & Hamilton)
Tue	15 May	7.00pm	Briefings Session – Council Chamber
Wed	16 May	10.00am	Access & Inclusion Committee Meeting – Council Chamber (Cr Quinton)
Thu	17 May	6.00pm	EMRC Strategy/Briefings Session – <b>If required</b> – EMRC (Crs Mykytiuk & Wilson)
Tue	22 May	7.00pm	Ordinary Council Meeting – Council Chamber
Thu	24 May	6.00pm	EMRC Council Meeting – <b>If required</b> - EMRC (Crs Mykytiuk & Wilson)
Fri	25 May	5.00pm	Youth Advisory Council – Bassendean Youth Services
Tue	29 May	7.00pm	Sustainability Committee Meeting – Council Chamber (Crs McLennan, Quinton & Hamilton)
Thu	31 May	5.00pm	Perth Airports Municipalities Group – City of South Perth (Cr Wilson)

**OFFICER RECOMMENDATION - ITEM 10.24**

That the Calendar for May 2018 be adopted.

**Voting Requirements: Simple majority**

## 10.25 Implementation of Council Resolutions (Ref: GOVN/CCLMEET/1 – Sue Perkins)

At the Ordinary Council meeting held on 14 December 2010, it was resolved that only those items that are to be deleted from the implementation of Council resolutions be referred to Council, and all other items in progress be included in the Councillors' Bulletin on the last Friday of the month.

### STRATEGIC IMPLICATIONS

Strengthen Council governance and compliance.

### COMMENT

The following table details those resolutions of the Council that are recommended for deletion:

Issue ID	Assigned To	Brief Description	Action Taken
59298	Anthony Dowling	OCM-8/4/12 - Proposed Ceding of Laneway between Maidos Street, Guildford Road, Colstoun Road and Pearson Street, Ashfield	The respective transfer of titles comprising the Maidos Street laneway from the Housing Authority to the Town has now been completed. <b>Recommend deletion.</b>

Issue ID	Assigned To	Brief Description	Action Taken
ROC17/57448	ANTHONY DOWLING	OCM-10/11/17 - REQUEST FOR COUNCIL AGREEMENT - CONTINUATION OF CURRENT ACCESS ARRANGEMENTS FROM MAIDOS STREET LANEWAY ASHFIELD TO ADJOINING LOT 2 ON SURVEY STRATA PLAN 65608	TRANSFER OF THE TITLES COMPRISING THE MAIDOS STREET LANEWAY FROM THE HOUSING AUTHORITY TO THE TOWN HAS NOW BEEN COMPLETED. <b>RECOMMEND DELETION.</b>
ROC18/59847	ANTHONY DOWLING	OCM-13/02/18 - DRAFT STATE PLANNING POLICY (SPP) 4.1 – INDUSTRIAL INTERFACE	ACTION COMPLETED. <b>RECOMMEND DELETION.</b>
ROC18/60314	GRAEME HAGGART	OCM-18/3/18 - BASSENDEAN LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD ON 7 MARCH 2018	ALL MATTERS COMPLETED. <b>RECOMMEND DELETION</b>
ROC17/56332	BRIAN REED	OCM-9/9/17 - APPLICATION FOR PROPOSED SEVEN MULTIPLE DWELLINGS ON LOT 238; (NO. 25) CUMBERLAND WAY BASSENDEAN	APPLICATION TO BE DETERMINED UNDER DELEGATED AUTHORITY DUE TO CHANGES TO THE LOCAL PLANNING SCHEME NO. 10 DEALING WITH MULTIPLE DWELLINGS. <b>RECOMMEND DELETION.</b>

ROC18/60301	CAMERON HARTLEY	OCM-6/3/18 -APPLICATION FOR OUTDOOR DINING (8 NAPKINS) AT LOT 1 (UNIT 4 NO. 85) OLD PERTH ROAD BASSENDEAN	APPROVAL ISSUED IN ACCORDANCE WITH COUNCIL RESOLUTION. <b>RECOMMEND DELETION.</b>
ROC18/60302	CAMERON HARTLEY	OCM-7/03/18 - APPLICATION FOR A CHANGE OF USE TO RECREATION – PRIVATE (STAR MITES GYM SPORTS PTY LTD) AT LOT 119; (NO. 301) COLLIER ROAD BASSENDEAN	APPROVAL ISSUED IN ACCORDANCE WITH THE RESOLUTION OF COUNCIL. <b>RECOMMEND DELETION.</b>
ROC18/60321	GREGORY P NERI	OCM-32/3/18 - APPOINTMENT OF MEMBERS TO YOUTH ADVISORY COUNCIL.	MEMBERS APPOINTED. <b>RECOMMEND DELETION.</b>
ROC17/55803	KEN CARDY	OCM-25/8/17 - NOTICE OF MOTION – CR PULE: REFERENCE: BETTER USE OF RUBBISH TIP PASSES	THE BAYSWATER FACILITY IS NOT CURRENTLY SUITABLE FOR RESIDENTS TO ENTER AS IT IS CURRENTLY USED AS A TRANSFER STATION BY THE COB. <b>RECOMMEND DELETION.</b>
ROC18/59093	KEN CARDY	OCM-25/1/18 - NOTICE OF MOTION – CR HAMILTON: CASA MIA ROOF	REPORT BEING PRESENTED TO COUNCIL APRIL 2018. <b>RECOMMEND DELETION.</b>
ROC18/60309	MANDY GODFREY	OCM-13/3/18 - RFT CO 077 2017-18 PROVISION OF BUILDING & GENERAL ELECTRICAL SERVICES (MAINTENANCE & MINOR WORKS) FOR THE TOWN OF BASSENDEAN	NO FURTHER ACTION REQUIRED. <b>RECOMMEND DELETION.</b>
ROC17/53986	SALVATORE SICILIANO	OCM-15/5/17 - REQUEST FOR FUNDING FROM NELLA FITZGERALD EVENTS TO STAGE THE LITTLE ITALY STREET FESTIVAL EXTRAVAGANZA SPRING SAGRA ON SATURDAY 9 AND SUNDAY 10 SEPTEMBER 2017	DEBRIEF OF THE EVENT WAS RECENTLY HELD ON TUESDAY 3 APRIL 2018. EVALUATION/ACQUITTAL TO BE LODGED IN THE NEAR FUTURE. <b>RECOMMEND DELETION.</b>
ROC18/60306	SHARNA MERRITT	OCM-10/3/18 - NORTH ROAD ON-STREET PARKING	A COUNCILLOR INSPECTION OCCURRED ON SITE ON TUESDAY 17 APRIL 2018. THE DEFERRED REPORT WILL BE RE-PRESENTED TO COUNCIL IN APRIL. <b>RECOMMEND DELETION</b>

ROC18/60303	TIMOTHY ROBERTS	OCM-8/3/18 - AMENDED APPLICATION FOR DEVELOPMENT APPROVAL FOR A CONVENIENCE STORE (PETROL STATION) AT LOT 125 (UNIT 3 NO. 335) COLLIER ROAD BASSENDEAN	APPLICATION APPROVED BY COUNCIL AT 2018 MARCH COUNCIL MEETING. NO FURTHER ACTION REQUIRED. <b>RECOMMEND DELETION.</b>
ROC18/60305	TIMOTHY ROBERTS	OCM-9/3/18 - AMENDED APPLICATION FOR DEVELOPMENT APPROVAL FOR A CONCRETE BATCHING PLANT AT LOT 105 (NOS. 2-8) CLUNE STREET BASSENDEAN	APPLICATION APPROVED BY COUNCIL AT 2018 MARCH COUNCIL MEETING. NO FURTHER ACTION REQUIRED. <b>RECOMMEND DELETION.</b>

**OFFICER RECOMMENDATION – ITEM 10.25**

That the outstanding Council resolutions detailed in the table listed in the Ordinary Council Meeting Agenda of 24 April 2018 be deleted from the Implementation of Council Resolutions list.

**Voting Requirements: Simple majority**

**10.26 Accounts for Payment – February and March 2018 (Ref: FINM/CREDTS/4 – Ken Lapham, Manager Corporate Services)**

**APPLICATION**

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

A detailed list of payments made under delegated authority for the periods February 2018 and March 2018 can be accessed by Elected Members on the Councillors' Portal.

Members of the public can access the list of payments on request.

**BACKGROUND**

The monthly payments made for the period February 2018 and March 2018 are presented to Council, with details of payments made by the Town in relation to goods & services received.

**STRATEGIC IMPLICATIONS**

***Good Governance***

- *Ensure Financial sustainability*
- *Strengthen governance, risk management and compliance*

**STATUTORY REQUIREMENTS**

Local Government (Financial Management) Regulations 1996

**FINANCIAL CONSIDERATIONS**

All payments are authorised prior to disbursement in accordance with their allocated budget.

**OFFICER RECOMMENDATION - ITEM 10.26**

That in accordance with Regulation 13(3) Local Government (Financial Management Regulations 1996) the List of Accounts paid for February 2018 and March 2018 be received and recorded in the minutes of the Council

**Voting Requirements: Simple majority**

**10.27 Financial Statements – February 2018 and March 2018 (Ref: FINM/AUD/1 – Ken Lapham, Manager Corporate Services)**

**APPLICATION**

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

**ATTACHMENTS:**

**Attachment No. 20:**

Financial Reports for February 2018 and March 2018

**BACKGROUND**

Regulations require a local government to prepare a monthly statement of financial activity, reporting on the revenue and expenditure as set out in the Annual Budget.

A statement of financial activity and accompanying documents are required to be presented to Council within 2 months after the end of the month to which the statement relates.

In addition to this and in accordance with Regulation 34 (5) of the Local Government (Financial Management) Regulations 1996 each year Council is required to adopt a percentage or value to be used in the reporting of material variances. For the 2017/18 financial year the amount is \$5,000 or 10% whichever is the greater.

**STRATEGIC IMPLICATIONS**

***Good Governance***

**Enhance Organisational Accountability**

- *Ensure Financial sustainability*
- *Strengthen governance, risk management and compliance*

## COMMENT

The Monthly Financial Statements for February 2018 and March 2018 are attached to the agenda.

The attached statements as presented represent the adopted 2017/18 Budget estimates & actual income and expenditure amounts for the period ending 28<sup>th</sup> February and the 31<sup>st</sup> March 2018.

### **February 2018**

The Summary of Financial Activity (Income by Nature & type) is indicating that income for the Year to date is marginally ahead of budget Year to date estimates. Fees & charges, Operating Grants, Interest earnings other revenue are marginally ahead of budget estimates.

Total expenditure by nature & type for the period ending February 2018 is well below Budget. Employee costs, Materials & contracts, utilities, interest expenses are under budget expectations in the current reporting period.

Expenditure on Infrastructure Capital expenditure work has commenced, however expenditure to date is low.

### **March 2018**

The Summary of Financial Activity (Income by Nature & type) is indicating that income for the Year to date is marginally behind budget Year to date estimates. Fees & charges, Operating Grants are slightly ahead of Budget, with Interest earnings other revenue being under budget estimates.

Total expenditure by nature & type for the period ending March 2018 is 8.59% lower than budget forecasts. The main components of the budget, being Employee costs, Materials & contracts, utilities, and other expenditure are under budget expectations in the current reporting period.

Expenditure on Infrastructure Capital projects is proceeding.

The Statements provide a comparison between actual and budget income and expenditure on year to date basis. The Notes accompanying the statements provide a detailed breakdown of the amounts.

**BUDGET AMENDMENTS**

GL Account Code	Description	Original Budget	Amended Budget	Increase in Available Cash	Decrease in Available Cash	Reason
211509	EXPENSE - ROAD MAINT - REPAYMENT OF GRANT FUNDS GEN	0	31,027		(31,027)	Repayment of Unspent grant funds
AR1707	WEST ROAD - UPGRADE TRAFFIC CALMING DEVICES & PARKING IMPROVEMENT GEN	90,000	70,000	20,000		Project Savings
AR1709	WEST Rd/OLD PERTH RD ROUNDABOUT - RESURFACING	76,000	64,973	11,027		Project Savings
AR1702	COLSTOUN - HAIG ST TO MARGARET ST - MILL AND REPLACE GEN	46,000	78,134	32,134		Project Savings
751359	EXPENSE - CONTAMINATED SITES REMEDIATION - 271 HAMILTON STREET	200,000	167,866		(32,134)	Add. Funds Required
AF1708	PP7170 - COX RIDE-ON MOWER GEN	5,000	1,136	3,864		Funds not required
AF1713	CCTV TRAILER UPGRADE (STRONGER COMMUNITIES GRANT) GEN	3,864	7,728		(3,864)	Add. Funds Required - council contribution to project
				<b>67,025</b>	<b>(67,025)</b>	

**Main Roads Grant Funding**

The 2016/17 budget included an amount of \$390,000 in AR1601 for Collier Road Resurfacing . Based on an estimated cost, the agreed Main Roads WA grant funding of 2/3 was \$240,354. The actual project costs were significantly lower than expected which resulted in an overpayment of funds from MRWA of \$31,027.15.

The 2017/18 budget includes amounts of \$90,000 in AR1707 West Road - Upgrade Traffic Calming Devices and Parking Improvement and \$76,000 in AR1709 West Rd/Old Perth Road Roundabout - Resurfacing. Both these projects are completed under budget.

From the surplus funds, a budget of \$31,027 will be transferred to new G/L account 211509 Expense - Road Maintenance - Repayment of Grant Funding. This reallocation of budget is required to allow for the repayment of the 16/17 grant funding to Main Roads WA.

Lot 271 Hamilton Street Bassendean - Remediation of Contaminated site

The 2017/18 budget includes an amount of \$200,000 (A/C 751359) for the Remediation of Contaminated Sites.

The budget includes a number of other works such as retaining walls, fencing, clean fill and other associated works to provide a rehabilitated lot. A break down of the year to date expenditure for lot 271 Hamilton Street is as follows:

RFQ 331 (SERS) - Rehabilitation of the Site	\$ 70,700.00
RFQ 358 (all day construction)	\$100,200.00
Water corporation connection fee	\$ 5,923.58
Temporary fencing	\$ 1,917.00
Engineer certificate limestone wall	\$ 260.00
Building Permit	\$ 155.32
Fence repair (Bunnings)	\$ 17.96
Single line diagram electricity input	\$ 300.00
Soil sampling & Validation and movement based on soil reactivity	\$ 1,860.00
Total Expenditure to Account :751359	\$ 181,333.86

This leaves a balance of \$18,666.14.

There are additional works required to remove the stockpile of contaminated spoil on site which will cost approximately \$50,800. Therefore a budget increase of \$32,134 is required to account 751359 to allow for the works to proceed. This will increase the budget from \$200,000 to \$232,134.

The additional amount of \$32,134 will be funded from saving from AR 1702 - Colstoun - Haig St To Margaret St - Mill And Replace.

### Background

In October 2017, SRS quoted an amount of \$70,700 for the rehabilitation of the site. Shortly after works commenced, SERS advised the Town that the soils down all profile strata were water logged and the underlying clay layers were not allowing sufficient drainage to delineate the soil strata as specified, therefore they could not deploy successful Asbestos Containing Material (ACM) remediation works via screening. SERS advised the Town that if the soil was removed and stockpiled for 6 months it could dry out and then be screened and remediated.

As a result the Town has stockpiled approximately 1,500m<sup>2</sup> of spoil in adjacent land for the past 6 months. In January 2018 SERS re-assessed the stockpile and assessed a 20m<sup>2</sup> sample offsite and successfully screened that sample. SERS have now provided an updated quote to remediate the remaining stockpile based on the original RFQ rates. The screening process is quoted at \$23,800 for any ACM affected soils and for oversize Class 1. Using the survey estimates the 1,500m<sup>3</sup> screened pile will produce approximately 600m<sup>3</sup> of clean re-usable fines, 450m<sup>3</sup> of 200mm screened re-usable soil and approximately 450m<sup>3</sup> of oversize soil that will require removal from site, this is estimated at \$27,000 using supplied rates. The total cost being \$50,800.

### CCTV Trailer Upgrade – Stronger Communities Grant

Council received grant funding from Stronger Communities for upgrade of CCTV trailer of \$3864, with council required to match the grant funding. G/L AF1708 has a budget of \$5000 which is no longer required. \$3864 of these funds will be transferred to AF1713 to allow for councils contribution to the CCTV trailer upgrade.

### STATUTORY REQUIREMENTS

Local Government (Financial Management) Regulations 1996.

### FINANCIAL CONSIDERATIONS

The Financial Statements provide an overview of the income and expenditure for the appropriate period periods. There are no direct financial implications arising from this report.

OFFICER RECOMMENDATION – ITEM 10.27

That:

1. The Financial Reports for the period ending 28 February 2018 and 31 March 2018 be received; and
2. The budget amendments listed for adoption in the Financial Statements, as attached to the Ordinary Council Agenda of 28 April 2018, be received..

**Voting Requirements: Absolute majority**

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

### **11.1 Notice of Motion – Cr McLennan: Tree Preservation Order - 248 Morley Drive East)**

Cr McLennan has advised that she wishes to move the following notice of motion:

*“That Council commences the process of implementing a preservation order over the mature tree located on the north-west boundary of Lot 4 (No. 248) Morley Drive East, Eden Hill, in accordance with the provisions of Clause 5.7.7.2 of Local Planning Scheme 10.”*

#### **Strategic Implications:**

Objective 2.2: Protect our river, bushland reserves and biodiversity  
Strategies 2.2.1: Protect and restore our biodiversity and ecosystems

#### **OFFICER COMMENT**

As mentioned in the notice of motion, the process for making a Tree Preservation Orders (TPO) is governed by section 5.7.7 of the Local Planning Scheme No 10. The Town may make a TPO having regard to a tree's:

- (a) aesthetic quality;
- (b) historical association;
- (c) rarity; or
- (d) other characteristics, which in the opinion of the local government, makes the tree worthy of preservation.

In order to assess the qualities of the tree, it is customary to engage a suitably qualified arborculturalist to carry out an assessment of the tree against the above criteria and also to examine the health of the tree. The cost of the assessment, estimated to be in the order of \$750 to \$1,000 can be met out of the Town Planning operational accounts.

Prior to Making a TPO, the Town is required to consult with the landowner of the tree and invite their comments on the proposed TPO.

## **11.2 Notice of Motion – Cr Quinton: Proposed Local Studies Collection Working Group**

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

*“That the Town of Bassendean establish a Local Studies Collection Working Group.*

*The working group will:*

- 1. Consult with community and stakeholders to build the local studies collection within the Town of Bassendean Memorial Library and support the librarian in developing the collection;*
- 2. Promote that history through projects and events;*
- 3. Report those findings to the People Services Committee”.*

### **BACKGROUND – CR QUINTON**

The former Local Studies Committee ran for more than 10 years and worked to build the local studies collection within the Town of Bassendean’s Memorial Library.

At the Local Government election in 2017, all Committees were abolished. The newly elected councillors agreed that the Local Studies Collection Committee would make part of the People Service’s Committee to ensure cross communication of resources and information.

### **Officer Comment**

The Town’s Local Studies Collection is acknowledged as one of the best municipal collections in Perth and a credit to the past Committees and staff.

The former Local Studies Management Committee was considered by the Bassendean Historical Society as a partnership with the Town in the preservation of local history.

The proposed Working Group, reporting to the People Services Committee, will provide community members a vehicle to make an ongoing contribution to building the collection further and is supported by staff.

**11.3 Notice of Motion – Cr Quinton: Establish a Integrated Children and Family Services Centre Working Group**

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

*“That The Town of Bassendean establish a Integrated Children and Family Services Centre Working Group.*

*The working Group will:*

- a) Define the need, scope of services and stakeholders to ideally be accommodated by an Integrated Children and Family Services Centre Working Group; and*
- b) Investigate a model that would be both acceptable to the community and feasible to the Town including reviewing previous models considered by the Town; and*
- c) Report those findings to the People Services Committee.”*

**BACKGROUND – CR QUINTON**

During the previous Liveable Town’s Advisory Committee meeting in August 2017, the Committee resolved to establish a Family and Children’s Services Working Group.

In response to a Notice of Motion by Cr McLennan, at the March OCM, Council resolved (OCM – 34/03/17) that it:

1. Affirms the high value that is placed upon families and children in our community and its commitment to provide appropriate facilities to meet the requirements of this important group;
2. Recognises the need for upgraded infant health and other children & families’ facilities within the Town of Bassendean;
3. Notes the previous failure of plans for a Children & Families’ Services Centre to proceed (OCM – 14/12/13);
4. In light of the above, reconsiders establishing a Children and Families’ Services facility including: a) Defining a model that would be both acceptable to the community and feasible for the Town; b) Defining the scope of services to ideally be accommodated by such a facility; c) Identifying suitable sites for such a facility to be located; and d) Identifying potential funding sources for the project; and

5. Refers the matter to the Liveable Town Advisory Committee to action in consultation with the community.

The approach to be taken on this matter is recommended to be the establishment of a Working Party with Terms of Reference defined by part 4 above. Council recently considered the merits of leasing commercial property in the Town Centre to accommodate the Child Health Clinic in response to the facility no longer meeting the purpose: The building was constructed in the 1950's. Council resolved not to proceed with leasing premises, but to investigate enhancing the existing facility to better meet client needs as an interim measure and as part of this process, refers the condition of the building to the Asset Management Working Group.

Following an extensive process that took many years, in December 2013, Council resolved not proceed with the proposal for a Children and Family Services Centre.

The May 2013 report includes design and cost estimates to construct the facility at the original site, being from Hamilton Street to James Street and from the Tennis Courts to abut residential properties and including the Child Health Clinic site. The cash flow business model for this facility (both options 1 & 2) showed an operating deficit and was not supported by Council. Council resolved to consider the facility on an alternate site, being the Senior Citizens' Centre and down James Street.

The second document in the attachments is the concept plan and capital cost estimates that was beyond the Town's borrowing capacity. It was at this point the project was abandoned. The Town continues to experience gentrification with an increase in the number of young families taking residency. The number of live births remains historically high. An initiator of the proposal to establish an Integrated Children and Family Services Centre was a petition received by the Town in 2006 seeking Council provide better facilities for playgroups.

As a short term outcome, the Children Services component of Ashfield Community Centre that accommodated Out of School Child Care Services was adapted to provide playgroups through the day. A Federal Government funded facilitated playgroup was provided in the Centre. This facility now provides long day care service (Wind in the Willows Ashfield) and can no longer meet playgroup needs. No new community facilities have been constructed by the Town in the intervening years. Playgroups continue to operate in the Town but the demand for Council facilities for the purpose has reduced. Wind in the Willows Bassendean celebrated 40 years of service to the community in Wilson Street last year.

The facility, while maintained in good working order, is 40 years old. The nature of childcare has radically changed in that time and the facility has been adapted to meet those changes. It nevertheless remains a 40 year old facility.

A “homely environment” is undoubtedly a strength and assists Wind in the Willows achieve the requirement to meet all financial outgoings through parent fees. Growing Wind in the Willows business model and the establishment of a second Centre, Wind in the Willows Ashfield, was as a result of changes in local demand. Alternate Out of School Care services were being established on School properties. This in turn reduced demands for primary school aged childcare services while at the same the Town was unable to meet demand for under school-aged care.

In 2015, the Town transitioned the Ashfield Centre to long day care, specialising in 3–5 year olds. In doing so, the Bassendean Centre was able to specialise on 0 – 3 year olds. This model continues today. Demand continues to be stubbornly higher than can be accommodated Future industry changes may well see children as young as three years old becoming more formally engaged in the education system. This may affect demand for placements.

The Committee resolved (LTAC – 2/08/17):

MOVED Kylie Turner, Seconded Jeanette Maddison, that:

1. An Integrated Children and Family Services Centre Working Group be established;
2. Membership include Jeanette Maddison, Kylie Turner, Cr John Gangell and that expressions of interest be called from the community;
3. The Working Group Terms of Reference be: a) Define the need, scope of services and stakeholders to ideally be accommodated by such a facility; and b) Investigate a model that would be both acceptable to the community and feasible to the Town including reviewing previous models considered by the Town.

### OFFICER COMMENT

The principle drivers for the earlier Integrated Children and Family Services Centre investigative processes remain current and include:

- The importance of early years development in determining all-of-life outcomes for individual children, and the role of the community and the local environment in aiding the child's development prior to entering formal education as demonstrated in the Australian Early Development Census (the readiness of children for school at entry to school); and
- The ageing infrastructure at Wind in the Willows and the opportunity to consolidate services to within a contemporary facility that is understood by the community as providing a one-stop-shop child development node function.

Officers are able to provide administration for the Working Group if convened.

#### **11.4 Notice of Motion – Cr Hamilton: Information Process & Distribution Timelines**

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

*"That Council:*

- 1. Directs the CEO to organise the provision of a detailed overview of this Council's economic position to all Councillors within 30 days of each local government election. This should be via a workshop briefing that provides as a minimum a detailed analysis of the Town's financial position, the latest Auditors Reports, and notification of any variations that may impact on the budget;*
- 2. Requests staff to provide to Councillors the proposed scope of works and/or brief prior to the engagement of consultants preparing reports for Council's consideration;*
- 3. Requests staff to provide to Councillors with a simple summary sheet listing all contracts entered into by the Town each month listing key material points such as total value and length of contract; and*

4. *Requires Consultants' Reports that are prepared for consideration by Council to be presented to all Councillors within 30 days of each report completion date.*

#### Background – Cr Hamilton

Strategic Priority 5: Good Governance

5.1 Enhance Organisational Accountability

5.1.3 Strengthen Governance, Risk Management and Compliance

5.1.4 Improve efficiency and effectiveness of planning and services

5.3 Strive for Improvement and Innovation

5.3.1 Adopt and measure against best practices ensuring a focus on continuous improvement

The role of Councillors is to examine all the facts and thereafter provide considered decision making and direction for this Town. The timely distribution of information to Councillors is an important component to this process.

Recent instances of delayed presentation of reports on the *Community Facilities, Ovals/Reserves & Boating Infrastructure Audit & Needs Assessment* and *a significant variation affecting the Budget* has highlighted the potential to improve the process for timely dissemination of information to Councillors.

By providing a stronger structure to the information distribution process, Councillors can be confident that they are receiving up to date data on a more regular basis.

This conforms with the aims of our Strategic Community Plan to promote continuous improvement.

#### OFFICER COMMENT

##### INDUCTION- Item 1

The Town does provide an induction to all new Councillor's following the election. All Directors address the induction and Officers provide information on:

- Governance- including the role of Councillors and their responsibility under the Local Government Act;
- Town Planning- Provide an overview of the current planning projects and statutory requirements;
- Asset Services- Provides information on the projects contained in the budget;
- Community Services- Provides information on the services we provide and community expectations;

- Financial Management- Provides information on the financial management of the Town, Investments, Financial positions and budget and reporting requirements.

*Note: the requirement to provide an audit report within 30 days of the Election may be problematic if this is not available. The Audit report is provided to the Audit and Governance Committee and Council with the Annual Financial Statements and Annual Report. This report is presented to the Annual General Meeting of Electors. In regards to the variations between the Actual opening surplus and budget surplus, this forms part of the consideration when reviewing the adopted budget in February.*

### ENGAGEMENT OF CONSULTANTS- Item 2

Projects included in the budget are authorised by Council when it adopts its budget. The scope of works and engagement of consultants for those projects cannot be withheld until Council make a decision.

This will create unnecessary delays. Staff have delegated authority to enter into contracts without any reference to Council. It would entirely impracticable to delay a projects pending a further decision by Council to engage a consultant.

We would need further clarifications of what consultants Council requires information - eg Auditors are consultants.

### LIST OF CONTRACTS

A list of contracts is available any time to Councillors at their request. It is the responsibility of Staff to monitor and maintain a contracts register for the community.

### CONSULTANTS' REPORTS

Generally, consultants' reports are presented to Council as part of reports on projects within the budget. We would need further clarifications of what consultant reports Council requires information. Eg - environmental, financial, community, economic.

It should be noted that costs for consultancies and projects are reported monthly in the Financial Statements on Page 227-28.

### GENERAL COMMENT

The role of a Council is included in Clause 2.7 of the Local Government Act and this includes:

- Governs the local government affairs;
- Is responsible for the performance of the local government's functions;
- Oversee the allocation of the local government finances and resources; and
- Determines local government policies.

*The role of a Councillor:- ( Clause 2.10 of the Local Government Act)*

*A councillor —*

- (a) represents the interests of electors, ratepayers and residents of the district; and*
- (b) provides leadership and guidance to the community in the district; and*
- (c) facilitates communication between the community and the council; and*
- (d) participates in the local government's decision-making processes at council and committee meetings; and*
- (e) performs such other functions as are given to a councillor by this Act or any other written law*

There is the issue of whether the separation of duties between Councillors (who make policy for the good governance of the district) and Staff who are there to ensure that resolutions of Council are fully actioned within the required timeframe. To delay any projects would be considered inappropriate, given that Staff are under considerable pressure to complete all the projects within the adopted budget and the financial year.

Council needs to reconsider the intent of this Notice of Motion, as it may cause considerable delays in undertaking projects that have been authorised by Council and delegated to Staff to complete within the adopted budget.

**12.0** **ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING**

**13.0** **CONFIDENTIAL BUSINESS**

**14.0**                    **CLOSURE**

The next Briefing Session will be held on Tuesday 15 May 2018 commencing at 7.00pm.

The next Ordinary Council meeting will be held on Tuesday 22 May 2018 commencing at 7.00pm.