

TOWN OF BASSENDEAN
MINUTES
BASSENDEAN RIVER PARKS COMMITTEE

HELD IN THE COUNCIL CHAMBER, 48 OLD PERTH ROAD, BASSENDEAN
ON TUESDAY 13 NOVEMBER 2018, AT 3.00PM

1.0 **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The Presiding Member opened the meeting, welcomed all those in attendance and conducted an Acknowledgement of Country.

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

Present

Cr Melissa Mykytiuk, Presiding Member
Cr Kathryn Hamilton
Cr Bob Brown (from 3.25pm)
Nonie Jekabsons, Community Representative
Paul Bridges, Community Representative
John Wood, Community Representative

State Government Reps

Augustine Okom, Dept. of Biodiversity, Conservation & Attractions – Rivers & Estuaries Branch
Peter Kane, Dept. of Planning – Lands & Heritage
Andrew Hawkins, Dept. of Planning – Lands & Heritage
Tim Sparks, Dept. of Water (from 4.00pm)

Staff

Simon Stewert-Dawkins, Director Operational Services
Jeremy Walker, A/Manager Asset Services
Amy Holmes, Minute Secretary

Apologies

Stephen Summerton, DFES
Naomi Bannister, Community Representative
Jane Bremmer, Community Representative

3.0 DEPUTATIONS

Nil

4.0 CONFIRMATION OF MINUTES

COMMITTEE/OFFICER RECOMMENDATION – ITEM 4.1

MOVED Paul Bridges, Seconded John Wood, that the minutes of the River Parks Committee meeting held 7 August 2018, be confirmed as a true record.

CARRIED UNANIMOUSLY 5/0

It was noted that the Notices of Motion submitted by Nonie Jekabsons were recorded in the minutes however they did not make it into the agenda.

5.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

6.0 DECLARATIONS OF INTEREST

Nil

7.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

Nil

8.0 REPORTS

Cr Brown arrived at 3.25pm.

8.1 Department of Planning, Lands & Heritage - Draft 2018-2023 Ashfield Flats Reserve Works Program (PARE/DESCONT/6) Simon Stewert-Dawkins Director Operational Services

APPLICATION

The purpose of the report is to provide an update in regards to the Department of Planning, Lands & Heritage draft Ashfield Flats Concept Plan, the public consultation undertaken and the Department's report on the community feedback received.

BACKGROUND

Ashfield Flats Reserve represents the largest remaining river flat in the Perth Metropolitan Area and covers approximately 64 hectares. This reserve is listed as a Bush Forever Site No. 214 and the site is listed in the Directory of Important Wetlands in Australia.

At the February 2018 River Parks Committee meeting, the Department of Planning, Lands & Heritage representative presented as a deputation to the Committee, the draft 2018-2023 Ashfield Flats Reserve works programme for consideration.

The Department continued to liaise with Elected Members, as well as with other interest groups, including the AshfieldCAN, Water Corporation and Department of Biodiversity Conservation and Attractions.

Council (OCM – 29/05/18) received the River Parks Committee report and resolved in part to:

- Note the Department of Planning, Lands & Heritage is working with key stakeholders and seeking comments on the draft 2018-2023 Ashfield Flats Works Program;
- Request the Department of Planning, Lands & Heritage receive and acknowledge the Committee feedback on the proposed draft 2018-2023 Ashfield Flats Works program;
- Request the Department of Planning, Lands & Heritage amend the Draft 2018-23 Ashfield Flats Concept Plan to reflect the plan prepared by the Town of Bassendean to include:
 - A path alignment adjacent to the proposed fence line and a treatment that is suitable for cyclists, prams and wheelchairs;
 - An additional river access point (as suggested on the TOB map) that is stabilised and appropriate for public access; and
 - A fence that curves around to be at right angles to the riverbank at all access points to limit access to restoration areas; and
- Endorse the concept plan for Stage 1 of the Works Program subject to the above amendments.

In addition, Council requested that the Town upload the draft amended Ashfield Flats Reserve Concept Plan and Works Program to the “Your Say” Town of Bassendean website for community consultation.

COMMUNICATION & ENGAGEMENT

Community consultation via “Your Say” Bassendean website commenced on 11 June 2018 and Officers also arranged for the plan to be advertised in the Bassendean Briefings and promoted using the Town's Facebook page.

On 30 July 2018 at 7pm, a representative from the Western Australian Planning Commission and the Department of Planning Lands and Heritage provided a community briefing to 36 attendees on the draft Concept Plan.

The closing date for public submissions via the “Your Say” Bassendean website was extended to 15 August 2018. In accordance with Council (OCM – 29/05/18) resolution the “Your Say” feedback was provided directly to the Department of Planning, Lands & Heritage for their consideration.

On 23 October 2018, the Department of Planning, Lands & Heritage provided a report on the community feedback received and Department of Planning, Land and Heritage (DPLH) Response to the issues raised.

Please note that for privacy, the resident names have been removed.

COMMENT

The Department of Planning Lands & Heritage also provided a detailed analysis of responses received, indicating 29 out of 41 respondents (70%) either supported or majority supported the Draft Works Program. 10 respondents (25%) did not support the Program and a further 2 respondents were neutral (5%).

From the responses, four key issues were highlighted by 95% of respondents, being; path alignment, motor boats/river wash, dogs at Ashfield Flats and the foreshore fencing. The Department compiled a list of recommendations based on these key issues, which will result in modifications to the existing Draft Works Program.

The Department of Planning Lands & Heritage (DPLH) is confident that the recommendations uphold and enhance the primary intent of the Program, being the implementation of a program of works to rehabilitate Ashfield Flats, ensuring that the environmental values are protected, while recognising the need to provide an appropriate balance for the community who use Ashfield Flats for recreation and enjoyment.

The Department also recognises that the Program remains a fluid document, and will be heavily influenced by current works undertaken by the Department of Biodiversity Conservation and Attractions, on behalf of the WAPC, involving a hydrological study. The results of the hydrological study are expected to be available in the next 18-24 months.

As a result, a number of the recommendations contained in the “Report on the community feedback received for the Ashfield Flats Draft Works Program 2018-2023” are contingent on the Hydrological Study being completed. It should therefore be noted that the outcome of the Hydrological Study will heavily influence the recommendations proposed and the preparation of an “Ashfield Flats Foreshore Management Plan” to be developed by the Department of Planning, Lands and Heritage in consultation with the Department of Biodiversity Conservation and Attractions.

In May 2018, Council (OCM-29/05/18) resolved in part to write to the Department of Transport to request a review of the current boat speed on the upper reaches of the Swan River and undertake community education and water policing programs. On 3 July 2018 the Department of Transport provided a letter of response.

Also in May 2018 Council (OCM – 41/05/18) resolved to write to the Minister for Transport regarding regulating the use of vessels on the Swan River and on 31 July 2018, the Minister for Transport Planning & Lands provided a letter of response.

In August 2018, Council (OCM – 11/08/18) resolved in part to locate the proposed Nature Based Playground to the western aspect of Sandy Beach Reserve, being on part lot 646 Kitchener Road. Therefore in respect to Attachment 1 - Draft Ashfield Flats Works Program 2018-2023 and the concept plan that was advertised, the DPLH has advised that in the interest of accuracy and avoiding confusion, they would prefer to leave the attachment for the Committee/ Council consideration, and then to remove reference to the playground from the adopted version of the draft Concept Plan.

In regards to the recommendation “That the Department of Planning, Lands and Heritage and the Town of Bassendean agree to a policy at Ashfield Flats covering access by dogs and the control of this access”, as outlined above, Ashfield Flats Reserve represents the largest remaining river flat in the Perth Metropolitan Area and covers approximately 64 hectares. This reserve is listed as a Bush Forever Site No. 214 and the site is listed in the Directory of Important Wetlands in Australia.

Ashfield Flats is owned by the Western Australian Planning Commission and the land is managed by the Department of Planning Lands & Heritage.

In July 2003, the Western Australian Planning Commission (WAPC) leased a portion of land for 5 years to the Town of Bassendean, so as to provide 'Community Recreation and a Dog Exercise Area' within Ashfield Flats Reserve.



The WAPC resolved not to renew this lease agreement, as the designated dog exercise areas were impacting on the Bush Forever Site (No. 214) and in the Directory of Important Wetlands.

The Department of Biodiversity, Conservation & Attractions and the Town of Bassendean staff representatives support the recommendation to control dogs within Ashfield Flats as it will assist with the management of future rehabilitation areas and the conservation of the Bush Forever Site (214) and this important wetland.

As the River Parks Committee / Council would be aware some visitors taking their dog to Ashfield Flats allow their pet to be "off leash" and as a consequence some dogs have been observed wandering and causing damage to the river bank, flora and wildlife.

The Dog Act 1976 states in section 31 Control of dogs in certain public places, that:

- (1) *A dog shall not be in a public place unless it is —*
 - (a) *held by a person who is capable of controlling the dog; or*

- (b) *securely tethered for a temporary purpose by means of a chain, cord, leash or harness of sufficient strength and not exceeding the prescribed length.*

Section 3A) states

that a local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area. The Dog Act 1976 also requires that dog exercise areas and dog prohibited areas are determined by an absolute majority decision of Council.

To address the recommendation for dogs to be controlled in Ashfield Flats, the Town's Rangers can work with the WAPC/ DPLH develop a policy position in accordance with the Dog Act 1976, erect signage and educate dog owners of the importance of the Bush Forever site and wetland.

If deemed appropriate, the Western Australian Planning Commission and the Town of Bassendean could enter into a short-term lease agreement for a portion of Lot 646 Kitchener Road, Bassendean, as shown in the aerial map below (marked blue) and signage erected for the specific purpose of a Dog Exercise Area in accordance with section 31, clause 3A of the Dog Act 1976.



If a short-term lease arrangement was to be arranged, it would be critical that WAPC and Department of Planning Lands & Heritage be permitted to continue to undertake the draft 2018-2023 Works Program and implement the Foreshore Management Plan in order to rehabilitate this portion of the Ashfield Flats.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2017-2027; Strategic Priority 2:
Natural Environment

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
2.2 Protect our River, Bushland Reserves, and Biodiversity	2.2.1 Protect and restore our biodiversity and ecosystems	Community / Stakeholder satisfaction Survey (River, Bushland and Reserves) Biodiversity and Bush Condition ("Keighery" Scale of bush condition) measurement
	2.2.2 Sustainably manage significant natural areas	
	2.2.3 Partner with stakeholders to actively protect, rehabilitate and enhance access to the river	

FINANCIAL CONSIDERATIONS

At the Community Briefing held on 30 July 2018, the Western Australian Planning Commission advised that they had received a grant of approximately \$200,000 to undertake a Hydrological Study of Ashfield Flats Reserve, including the Chapman Street drain. This study is anticipated to take between 18 to 24 months to complete.

Peter Kane tabled the following update:

- *Ashfield Flats has been slashed with another cut due before Christmas. At this point in time many areas are still green and have not died off.*
- *The area will be closely monitored during the fire seasons to address ongoing fire mitigation programmes and to continue liaison with the relevant fire authorities.*
- *Water Corporation has slashed the various drain edges.*
- *Weed control is continuing in front of the various units however some owners are disposing of their green waste on the WAPC owned reserve. This matter is currently being followed up.*
- *The limestone piles will be used to upgrade the strategic firebreak / fire access track adjoining the units.*

Tim Sparks arrived at 4.00pm.

OFFICER RECOMMENDATION – ITEM 8.1

That the Committee recommends to Council that it:

1. Endorses the Department of Planning, Lands & Heritage's "Report on the community feedback received for the Ashfield Flats Draft Works Program 2018-2023" attached to the 13th November 2018 River Parks Committee agenda; and
2. Notes that a number of the recommendations contained in the "Report on the community feedback received for the Ashfield Flats Draft Works Program 2018-2023" are contingent on the outcomes of the Hydrological Study being completed in approximately 18-24 months and that the study will heavily influence the recommendations proposed and the preparation of an Ashfield Flats Foreshore Management Plan to be prepared by the Department of Planning, Lands and Heritage in consultation with the Department of Biodiversity Conservation and Attractions.
3. Supports the recommendation contained in the "Report on the community feedback received for the Ashfield Flats Draft Works Program 2018-2023" for:
 - a) the Department of Planning, Lands & Heritage to approach the Department of Transport and request a fixed Swan River speed camera be erected at Ashfield Flats, to assist with the control of boat speed, with the aim to reduce the impact of boat wash as a contribution to reducing riverbank erosion at Ashfield Flats;
 - b) the Department of Planning, Lands & Heritage to seek the advice of the Department of Transport to direct all Swan River traffic and modify existing nautical maps to use the channel navigation markers between Ron Courtney Island and Garvey Park.
 - c) the Western Australian Planning Commission and the Department of Planning, Lands & Heritage to develop a policy in accordance with the Dog Act 1976, to control dog access at Ashfield Flats Reserve in order to assist with the management of future rehabilitation areas.

Paul Bridges moved the officer recommendation with minor amendments, as shown in bold.

COMMITTEE RECOMMENDATION – ITEM 8.1(a)

RPC – 1/11/18

MOVED Paul Bridges, Seconded Cr Hamilton, that the Committee recommends to Council that it:

1. Endorses the Department of Planning, Lands & Heritage's "Report on the community feedback received for the Ashfield Flats Draft Works Program 2018-2023" attached to the 13th November 2018 River Parks Committee agenda; and
2. Notes that a number of the recommendations contained in the "Report on the community feedback received for the Ashfield Flats Draft Works Program 2018-2023" are contingent on the outcomes of the Hydrological Study being completed in approximately 18-24 months and that the study will heavily influence the recommendations proposed and the preparation of an Ashfield Flats Foreshore Management Plan to be prepared by the Department of Planning, Lands and Heritage in consultation with the Department of Biodiversity Conservation and Attractions.
3. Supports **all** the recommendations contained in the "Report on the community feedback received for the Ashfield Flats Draft Works Program 2018-2023" for:
 - a) the Department of Planning, Lands & Heritage to approach the Department of Transport and request a fixed Swan River speed camera be erected at Ashfield Flats, to assist with the control of boat speed, with the aim to reduce the impact of boat wash as a contribution to reducing riverbank erosion at Ashfield Flats;
 - b) the Department of Planning, Lands & Heritage to seek the advice of the Department of Transport to direct all Swan River traffic and modify existing nautical maps to use the channel navigation markers between Ron Courtney Island and Garvey Park;
 - c) the Western Australian Planning Commission and the Department of Planning, Lands & Heritage to develop a policy in accordance with the Dog Act 1976, **in consultation with representative community groups**, to control dog access at Ashfield Flats Reserve in order to assist with the management of future rehabilitation areas; and

- d) requests that any foreshore fencing constructed be sympathetic to the natural environment, facilitate river views and provide multiple access points to the foreshore.**

LOST 3/3

Paul Bridges, Cr Hamilton & Nonie Jekabsons voted in favour of the motion. Cr Mykytiuk, Cr Brown & John Wood, voted against the motion.

Cr Mykytiuk moved an alternative motion.

COMMITTEE RECOMMENDATION – ITEM 8.1(b)

RPC – 2/11/18

MOVED Cr Mykytiuk, Seconded John Wood, that the Committee recommends to Council that it:

1. Acknowledges the community feedback received regarding the Ashfield Flats Draft Works Programme 2018-2023;
2. Endorses the Department of Planning, Lands & Heritage's "Report on the community feedback received for the Ashfield Flats Draft Works Programme 2018-2023" attached to the 13th November 2018 River Parks Committee agenda;
3. Notes that a number of the recommendations contained in the "Report on the community feedback received for the Ashfield Flats Draft Works Program 2018-2023" are contingent on the outcomes of the Hydrological Study being completed in approximately 18-24 months and that the study will heavily influence the recommendations proposed and the preparation of an Ashfield Flats Foreshore Management Plan to be prepared by the Department of Planning, Lands and Heritage in consultation with the Department of Biodiversity Conservation and Attractions;
4. Provides in principal support for all the recommendations contained in the "Report on the community feedback received for the Ashfield Flats Draft Works Programme 2018-2023" and requests the following:

- a) That the Department of Planning, Lands & Heritage and the Town of Bassendean work together with dog walkers and the community to develop a policy at Ashfield Flats covering access by dogs and the control of this access to protect high value conservations areas and restoration sites whilst facilitating recreation and community connection;
- b) That high value conservation areas and restoration sites be identified in conjunction with the Department of Biodiversity, Conservation and Attractions and a workshop convened with the Department of Planning, Lands and Heritage and the Town of Bassendean, dog walkers and community representatives to inform a policy at Ashfield Flats covering access by dogs and the control of this access and develop educational signage regarding on and off lead areas;
- c) That officers provide information on responsible dog ownership to the community regarding the Ashfield Flats and generally via multiple media platforms;
- d) That any foreshore fencing constructed be sympathetic to the natural environment, facilitate river views and provide multiple access points to the foreshore.

CARRIED UNANIMOUSLY 6/0

REASON: To ensure that a future policy regarding dog access and control within the Ashfield Flats considers environmental and social values to minimise negative environmental impacts and facilitate recreation and community connection.

8.2 Department of Planning Lands & Heritage and the proposed AshfieldCAN Look Out at Lot 821/52 Villiers Street Ashfield (PARE/DESCONT/6) Simon Stewart-Dawkins Director Operational Services

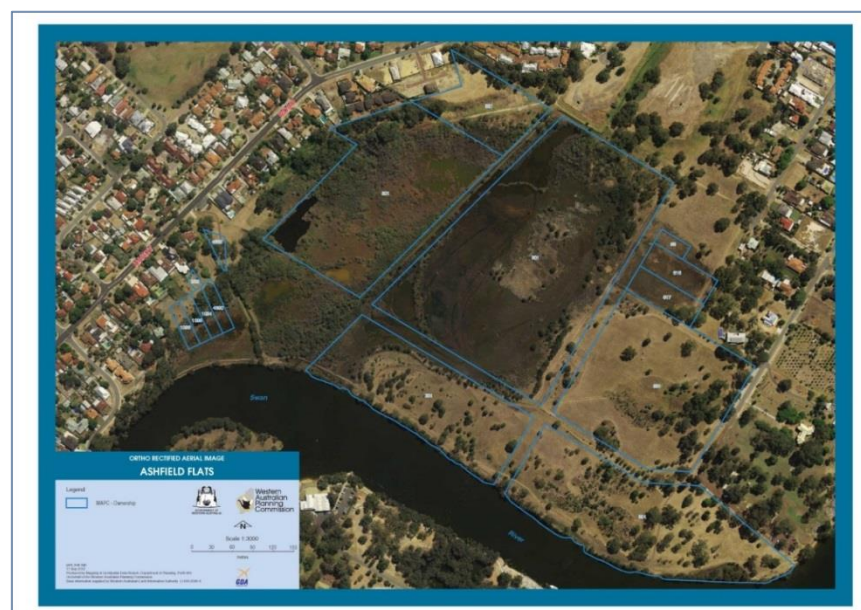
APPLICATION

The purpose of the report is to provide an update in regards to the discussion held between Western Australian Planning Commission, the Department of Planning, Lands & Heritage and the AshfieldCAN concerning a proposal to construct an Outlook on Western Australian Planning Commission owned land at Lot 821/52 Villiers Street Ashfield.

BACKGROUND

Ashfield Flats represents the largest remaining river flat in the Perth Metropolitan Area (Swan River Trust 1997; State Planning Commission 1987) and covers approximately 64 hectares. It is listed as a Bush Forever Site No. 214 (Department of Environmental Protection 2000) and the site is listed in the Directory of Important Wetlands in Australia.

The Ashfield Flats is predominantly vested with the Western Australian Planning Commission (WAPC). The Department of Planning Lands & Heritage (DPLH) currently manage the vested land (blue outline for each parcel of land) and the Department of Water manage the open drains and the Town of Bassendean manage the balance of the reserve, as illustrated in the aerial photograph below



In regards to Lot 821/52 Villiers Street Ashfield, the WAPC own this lot and the DPLH manage and maintain the 13,462m² parcel of land.

Lot 821/52 Villiers Street, Ashfield has been identified as a contaminated site. In May 2017, Council (OCM-19/5/17) considered the Bassendean River Parks Management Committee meeting report and resolved in part to consider the offer from the WAPC to transfer ownership of the fenced top area only, being part of Lot 821/52 Villiers street to the Town, following the investigation and remediation of the contaminated portion of the site by the WAPC, in order to facilitate the development of the proposed contemplative park and wildlife observatory overlooking Ashfield Flats.

COMMUNICATION & ENGAGEMENT

In 2006, Council (OCM - 12/07/06) resolved to write to the former Minister for Planning & Infrastructure regarding the vesting and long-term management of Ashfield Flats Reserve. The response outlined that ultimately Ashfield Flats would form part of the Regional Swan River Park and the land would be vested with the Conservation & Parks Commission and therefore Ashfield Flats would be managed by a department responsible for protecting and conserving natural areas such as the Department of Parks & Wildlife or similar agency.

Where appropriate, the Town has continued to lobby State Government and the WAPC/ Department of Planning, Lands & Heritage, to transfer Ashfield Flats Reserve parcels of land to a State Government agency responsible for protecting and conserving natural areas, such as the Department of Parks and Wildlife or similar.

The AshfieldCAN has advised that the community group conducted three community consultation sessions, to determine the community's visions and concerns for the site, create a concept for a lookout feature and develop a brief for a designer.

The design that arose from the consultations was for a dry land passive local park for the local community to walk to, with a lookout feature, seating, pathways, human sundial, stepping stones, logs, signage and interpretive information.

Through the process, it became clear that the whole space would need to be considered to create a plan for an outcome of most benefit to the community.

The DPLH - Manager Acquisitions, Management, Disposals - Business and Corporate Services, advised on Thursday 1 November 2018, that the WAPC and DPLH representatives held a site meeting at Lot 821/52 Villiers Street, with the AshfieldCAN representatives, Cr Brown and the Director Community Development regarding the proposed Outlook structure, path and landscaped areas.

After the meeting, the DPLH provided the feedback to the Town of Bassendean in respect to the following queries raised:

- Has the WAPC/ DPLH completed the contaminated site investigations, remediation works and obtained Department of Environmental Regulation clearance in order to the proposed Contemplative Park and Lookout to be constructed? If so, can I have a copy of the Department of Environmental Regulation conditional clearance document?

DPLH Response:

In respect to the matter of the contamination contained within the Villiers Street site, I enclose a copy of the letter received from DWER. You will note that the DWER has classified the site as remediated for restricted use under section 13 of the Contaminated Sites Act 2003.

The other key point is that the site can be used for the works proposed by the AshCAN provided that a Site Management Plan (SMP) is provided. Essentially this relates to the asbestos contained within this site and the need to ensure that if any ground penetration is undertaken it is done in a manner that does not disturb the asbestos i.e. water is used to keep the area is wet, people wear appropriate PPE (Personal Protective Equipment).

- *Does the WAPC / DPLH support the AshfieldCAN proposal to construct a Contemplative Park and Lookout on your land?*

DPLH Response:

In principle the WAPC supports the AshCAN plan, as we believe that what is intended is sympathetic with the overarching works program for Ashfield and it is our understanding that this was the concurrence of all attendees including the ToB. We also discussed the opportunity to adopt a signage standard e.g.. Interpretive signage etc, so that this can flow through the Ashfield Flats.

- *What Statutory Planning processes do you have to undertake before the AshfieldCAN can commence works onsite?*

DPLH Response:

In terms of statutory approval process, we would only require a DA in respect to the proposed works and depending on the final budget cost, you will need to determine if a building permit is required.

- *Does WAPC/DPLH have any estimate for the proposed Contemplative Park and Lookout?*

DPLH Response:

No I understand that the AshCAN will be looking at doing this as a next step.

- *Will DPLH contribute financially to the construction costs of the proposed Contemplative Park and Lookout?*

DPLH Response:

The WAPC is happy to assist with some aspects of the project. We discussed at the meeting that the WAPC would be prepared to construct the crushed gravel path, with the addition of a spur to be added to the adjoining ToB land where we understand that the ToB is proposing to construct a living stream, this was felt by all to be a sensible addition, as it would allow this area to provide a link to the Flats below as well as the linking the Villers Street lookout.

Clearly the AshCAN would like the Villiers Street lookout incorporated into the ToB holdings and the WAPC support this as a good for the local community outcome. As noted in our email to you of 31 October we would like to add this area to our lease discussions and would note that all parties attending the meeting agreed that this would be a worthwhile outcome.

COMMENT

Acknowledging Ashfield Flats' regional and environmental significance, the Town of Bassendean Council (OCM - 12/07/06) resolved that the vesting and long term management of Ashfield Flats Reserve should be transferred from Department of Planning, Lands & Heritage (formally Department of Planning), to an appropriate State Government Agency such as the Department of Parks and Wildlife or similar agency responsible for protecting and conserving natural areas.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2017-2027; Strategic Priority 2:
Natural Environment

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
2.2 Protect our River, Bushland Reserves, and Biodiversity	2.2.3 Partner with stakeholders to actively protect, rehabilitate and enhance access to the river	Community / Stakeholder satisfaction Survey (River, Bushland and Reserves)

FINANCIAL CONSIDERATIONS

On 2 March 2017, Dave Kelly State Labor Member for Bassendean advised in writing that funding for a variety of projects would be made available if WA Labor is successful at the state election to be held on 11 March. The WA Labor commitment included, but was not limited to supporting the AshfieldCAN to construct a 'look out' facility with cover and seating overlooking the Ashfield Flats.

As a result of the 2017 Western Australian state election, the WA Labor government - Dave Kelly MLA advised that the AshfieldCAN had secured \$30,000 for the purpose of constructing a Lookout on WAPC land at Lot 821/52 Villiers Street Ashfield.

In addition, the AshfieldCAN has advised that it has set aside approximately \$10,000 to develop a reflective community space at Lot 821/52 Villiers Street, an elevated area known to local residents as the Lookout.

From the information provided in Attachment 6, it does not appear that detailed estimates of ongoing maintenance costs have been prepared for the Lookout Concept Plan.

At present, the AshfieldCAN has indicated that it is in a position to only commit to the construction of the Lookout feature and surrounding garden, but it is hoped that the space can be more widely developed.

Lot 821/ 52 Villiers Street, Ashfield is currently classified as a Contaminated Site. On 2 March 2018, the Department of Water and Environmental Regulation (DWER) provided a letter advising that following a site inspection and review of historical information, DWER concluded the site is suitable for its current use, as a Regional Open Space, provided a Site Management Plan is prepared for its ongoing management.

The DWER letter stated in part that:

- The Site Management Plan should detail how the site is to be regularly inspected and maintained to ensure the grass cover remains intact and no visible asbestos – containing material is present on the surface of the site and should set out how inspections and maintenance actions are to be documented.
- The site classifications sets out restrictions on use of the site, which includes no change to a more sensitive land use and no disturbance of the fill.
- Should any disturbance of the fill be proposed in the future, a Site Specific Health and Safety Management Plan would need to be developed to manage handling of any excavated material, air monitoring and post disturbance validation.

As outlined above, Lot 821/ 52 Villiers Street, Ashfield is owned by the Western Australian Planning Commission and the land is managed and maintained by the Department of Planning Lands & Heritage. To date the WAPC/ Department of Planning Lands & Heritage has not prepared a Site Management Plan or a Site Specific Health and Safety Management Plan.

Council's (OCM-19/5/17) resolution required the remediation of the contaminated portion of Lot 821/52 Villiers Street Ashfield by the Western Australian Planning Commission/ Department of Planning Lands & Heritage, in order to facilitate the development of the proposed contemplative Park and Outlook.

The AshfieldCAN has indicated that it believes the Town of Bassendean would be best placed to undertake ongoing maintenance of the lookout and gardens should it be developed into a park. From an Officer's perspective this outcome is not viewed as appropriate, considering Lot 821/52 Villiers Street, Ashfield is a contaminated site which poses financial risks for ratepayers and Occupational Health & Safety Risks for volunteers or staff who may be involved in disturbing the soil.

In addition, the Lot 821/52 Villiers Street, Ashfield forms part of the Ashfield Flats Reserve, which Council has previously resolved that the vesting and long term management of, should be with an appropriate State Government agency. Previously Council has been advised that all of the Ashfield Flats Reserve will ultimately be vested with the Conservation & Parks Commission and managed by a department responsible for protecting and conserving natural areas such as the Department of Parks & Wildlife or similar agency.

OFFICER RECOMMENDATION – ITEM 8.2

That the Committee recommends to Council that it:

1. Endorse the AshfieldCAN Lookout Concept Plan for lot 821/52 Villiers Street Ashfield prepared by Urban Botanic attached to the 13th November 2018 River Parks Committee agenda;
2. Notes the Department of Water & Environmental Regulation letter regarding contaminated Lot 821/52 Villiers Street, Ashfield, attached to the 13th November 2018 River Parks Committee agenda; and
3. Writes to the Western Australian Planning Commission to advise that the Town of Bassendean is not prepared to take on a Management Order or Lease Agreement for Lot 821/52 Villiers Street, Ashfield.

Cr Mykytiuk moved Points 1 & 2 of the officer recommendation with an alternative Point 3, given strong support from some sectors of the community for the Town of Bassendean to assume access it is prudent that the Town understands future costs and responsibilities prior to considering a management order or lease agreement for Lot 821/52 Villiers Street.

COMMITTEE RECOMMENDATION – ITEM 8.2

RPC – 3/11/18

MOVED Cr Mykytiuk, Seconded Paul Bridges, that the Committee recommends to Council that:

1. Council endorse the AshfieldCAN Lookout Concept Plan for lot 821/52 Villiers Street Ashfield prepared by Urban Botanic attached to the 13th November 2018 River Parks Committee agenda;
2. Council notes the Department of Water & Environmental Regulation letter regarding contaminated Lot 821/52 Villiers Street, Ashfield, attached to the 13th November 2018 River Parks Committee agenda; and
3. **The Town of Bassendean considers a management order or lease agreement for the high ground depicted in the AshfieldCAN Lookout Concept Plan for Lot 821/52 Villiers Street, Ashfield subject to the WAPC/Department of Planning Lands & Heritage preparing a site management plan including specific health and safety management and an estimate of annual maintenance costs including mowing and weeding.**

CARRIED UNANIMOUSLY 6/0

8.3 Ashfield Flats Reserve, Pickering Park and Bindaring Park – Fox Activity (Ref PARE/MAINT/68, PARE/MAINT/67, PARE/MAINT/69 - Jeremy Walker Senior Environmental Officer)

APPLICATION

The purpose of the report is to present to the committee the fox trapping results for Ashfield Flats, Bindaring & Pickering Park.

BACKGROUND

Ashfield Flats is listed as Bush Forever Site (No. 214) and in the Directory of Important Wetlands.

At the May 2018 River Parks Committee meeting, Officers presented the November 2017, Fox Monitoring Report for Council owned land within Ashfield Flats and a quotation from the contractor to undertake further monitoring and trapping of both the Department of Planning, Lands & Heritage and Council land.

Council (OCM – 29/05/18) supported the Committee's resolution and resolved to receive the November 2018 Fox Activity Survey, noted the Natural Area Management Services (NAMS) Fox Monitoring & Trapping Program, that the program is currently under review by the Western Australian Planning Commission; and requested that the Town of Bassendean includes fox monitoring of Pickering Park and Bindaring Park.

In August 2018, Officers presented an updated monitoring report to the River Parks Committee (RPC-02/08/18) meeting, the updated report including monitoring of Department of Planning Lands & Heritage (DPLH) land and Town of Bassendean (TOB) land within Ashfield Flats and Bindaring & Pickering Parks. The report showed signs of fox activity within the Ashfield Flats through visual evidence of scats and carcasses of small birds. From the cameras installed, foxes were recorded at camera sites A3, A7, A8 & A10 which fall within both the Town of Bassendean and Department of Planning Lands & Heritage managed land.

The Bindaring Park monitoring report showed that no foxes were recorded through camera monitoring, however, signs of fox activity were noted within the reserve through visual findings of fox scats, possible fox digging marks and evidence of a fox run seen along south/west side of wetland behind the houses off Watson Street.

The report specified that six individual cats were recorded during the monitoring period, with only one cat visibly collared. The contractor found remains from a pigeon but were unable to determine if this was from a fox or a cat.

Council (OCM – 16/08/18) received the report on a meeting of the River Parks Committee held on 7 August 2018 and the River Parks initiatives updates, and resolved in part the following:

1. To receive the May 2018 Fox Monitoring reports for Ashfield Flats, Bindaring Park & Pickering Park;
2. Notes that Officers do not recommend that soft jaw traps be implemented within Ashfield Flats or Bindaring & Pickering Park due to potential injury to domestic animals;
3. Recommends the cage-trapping program be implemented, targeting both foxes and feral cats within Bindaring & Pickering Park during the month of October, in accordance with the Natural Area Consulting Management Services (NAM) report recommendation;
4. Recommends cage trapping be implemented targeting foxes within the Ashfield Flats Reserve in the month of October, in accordance with the Natural Area Consulting Management Services (NAM) report recommendation with the cost divided proportional on the basis of the land area being managed by Department of Planning Lands & Heritage and Town of Bassendean;

COMMUNICATION & ENGAGEMENT

The Town has in place the following Information Sheets:

- Responsible Cat Ownership
- Dog Behaviour in a Public Space and Dog Exercise Areas

Both of these information sheets can be found at: <https://www.bassendean.wa.gov.au/documents/information-sheets>

STRATEGIC IMPLICATIONS

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

Objectives	Strategies	Measures of Success
<i>What we need to achieve</i>	<i>How we're going to do it</i>	<i>How we will be judged</i>

2.2 Protect our River, Bushland Reserves, and Biodiversity	2.2.1 Protect and restore our biodiversity and ecosystems	Community / Stakeholder satisfaction Survey (River, Bushland and Reserves)
	2.2.2 Sustainably manage significant natural areas	
	2.2.3 Partner with stakeholders to actively protect, rehabilitate and enhance access to the river	Biodiversity and Bush Condition ("Keighery" Scale of bush condition) measurement

STATUTORY REQUIREMENTS

Local Government Act 1995
Dog Act 1976 -Section 31 Control of dogs in certain public places

FINANCIAL CONSIDERATIONS

The Department of Planning, Lands and Heritage (DPLH) agreed to contribute 88.75% of the Ashfield Flats cage trapping program as a proportion of the reserve land area under their management, along with the shared cost of 3 weeks free feeding. On that basis the DPLH will pay \$1,464.38 and the Town will pay \$185.62

The Town of Bassendean paid \$4,402.50 for cage trapping with three weeks free feeding at Bindaring & Pickering Park.

COMMENT

The Town commissioned Animal Pest Management Services to undertake cage trapping at Ashfield Flats Reserve, Bindaring Park and Pickering Park.

The trapping program at Ashfield Flats Reserve commenced on 8 of October 2018 with 3 weeks of free feeding at seven locations within Ashfield Flats Reserve. The consultant noted that fox activity was present during the free feeding period with evidence of fresh scats and tracks observed. The cage traps were implemented on 22 of October 2018 with 6 cages strategically placed within the Ashfield Flats Reserve where free feeding had been implemented. Once the cages were installed the contractor found no evidence of fox activity around the cage sites.

A few issues arose during the week of trapping, with two reports of domestic dogs setting off the traps with the Town of Bassendean Rangers assisting in the release of the dogs. Another trap had the lure removed from the cage without setting it off. This is also suspected to have been caused by a domestic dog, given the recorded tracks around the cage.

The contractor has advised that the lack of success is partially due to the fact that adult foxes can be difficult to trap using the cage method and due to the high number of domestic dogs frequenting the flats with accessibility to the cages, as they are off leash. The contractor has advised that future cage trapping of foxes will result in the same success rate while domestic dogs have access to the cages.

The trapping for cats at Bindaring Park was implemented the same as Ashfield Flats with 3 weeks free feeding starting on 8 October and cages set on 22 October for 1 week. No signs of foxes were recorded during free feeding or trapping, however one cat was recorded trapped in a cage on 25 October with a resident notifying the rangers. When the Town's Rangers attended the site to remove that cat, it was no longer in the trap and it is suspected that a resident released the cat. As the cat was not in the trap when Rangers attended the site, the Town was unable to determine if the cat was an abandoned cat with no identification or someone's domestic pet.

OFFICER RECOMMENDATION – ITEM 8.3

That the Committee:

1. Receives the report updating on cage trapping within Ashfield Flats Reserve, Bindaring Park and Pickering Park;
2. Recommends no further cage trapping is implemented due to high volume of domestic dogs wandering "off leash" within the Ashfield Flats Reserve;
3. Requests that the Department of Planning Lands & Heritage and Town of Bassendean officers continue to monitor the Ashfield Flats fox activity and in the future should the Western Australian Planning Commission implement a dogs "On Leash" policy for Ashfield Flats, that a fox cage trapping program be reconsidered;
4. Requests that officers continue to monitor the wandering cat problem at Bindaring Park and Pickering Park and on an 'as required' basis, the Town of Bassendean Rangers provide cat owners education materials regarding responsible pet ownership, in order to protect wildlife.

Cr Mykytiuk moved the officer recommendation with minor amendments as shown in bold.

COMMITTEE RECOMMENDATION – ITEM 8.3

RPC – 4/11/18 MOVED Cr Mykytiuk, Seconded Paul Bridges, that the Committee:

1. Receives the report updating on cage trapping within Ashfield Flats Reserve, Bindaring Park and Pickering Park;
2. Recommends no further cage trapping is implemented, **until a reevaluation of the programme is undertaken**, due to the high volume of domestic dogs wandering “off leash” within the Ashfield Flats Reserve;
3. Requests that the Department of Planning Lands & Heritage and Town of Bassendean officers continue to monitor the Ashfield Flats fox activity and **reconsiders a fox cage trapping programme once guidelines for dog access on the Ashfield Flats have been implemented and their effectiveness evaluated**;
4. Requests that officers continue to monitor the wandering cat problem at Bindaring Park and Pickering Park and on an ‘as required’ basis, the Town of Bassendean Rangers provide cat owners education materials regarding responsible pet ownership, in order to protect wildlife;
5. **Requests temporary signage be erected notifying the public that fox cage trapping is in effect and not to access affected areas.**

CARRIED UNANIMOUSLY 6/0

REASON: To ensure that the fox monitoring programme is reevaluated in response to changes regarding access of dogs to the Ashfield Flats.

9.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

10.1 Turf Management Practices - Nonie Jekabsons

“That the Bassendean River Parks Management Committee liaise with Town of Bassendean staff to improve the processes and procedures around turf management of the Town’s parks, reserves and street verges with a view to minimising the pollution of our waterways and the Swan River.”

10.2 PFOS and PFAS Groundwater Sampling – Nonie Jekabsons

“That the Bassendean River Parks Management Committee request the Town of Bassendean include testing for Perfluorooctane sulfonate (PFOS) and Polyfluoroalkyl Substances (PFAS) in the ongoing groundwater sampling programme to ascertain whether these chemicals are present.”:

11.0 CONFIDENTIAL BUSINESS

Nil

12.0 CLOSURE

Council is yet to determine the 2019 meeting dates.

There being no further business, the Presiding Member closed the meeting at 5.00pm.

Please note attachments to the agenda can be found at:
<https://www.bassendean.wa.gov.au/council-meetings/river-parks-committee/292>