ORDINARY COUNCIL MEETING 26 JULY 2023 ATTACHMENTS

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This Petition is to ask for the removal of storm water painted obstructions on Hannay lane.

The pots greatly affect traffic movement to the dangerous side other than Slowing cars down.

We have had a good response from rate paying residents that agree.

Since the start of this 18 month trial we have been affected quite severely, cars reversing into storm drain pots. Trucks blocking the lane for 10 minutes at a time to unload no cars can move. Damage to cars hitting pots have been common.

The trial has made running a small business in the lane difficult as the only business affected is Yallingup coffee roasting company, we have paid rates at this site for 22 years I am sure we can have a say what gets put in front of our business. The council/shire has removed the pots at the side of Tommy Bahamas with no problem.

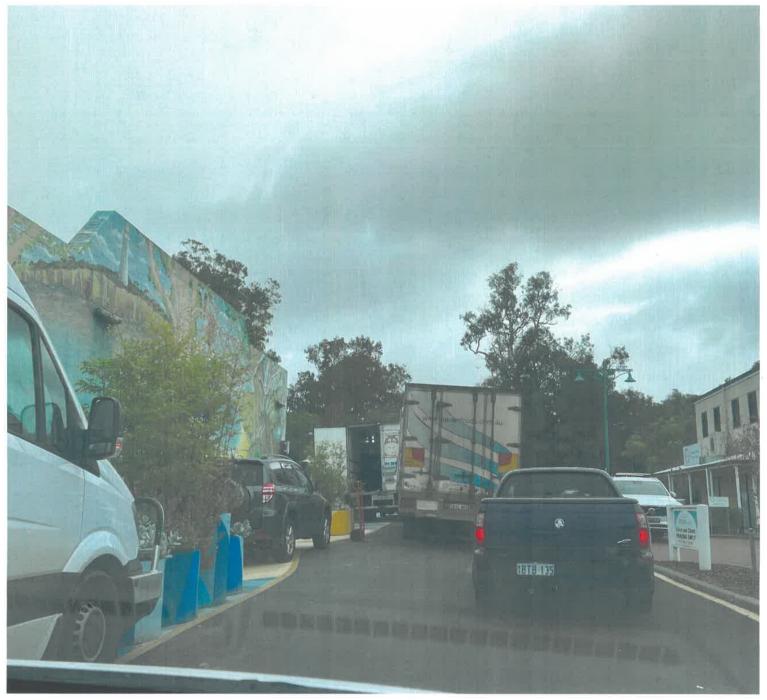
We have a full photographic library we have included some in this submission Please contact Craig McConville for any questions

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4 of 294 ATT::6.1.1.1 Petition- Hannay Lane (Redacted)





6 of 294 ATT::6.1.1.1 Petition- Hannay Lane (Redacted)



TO: Mayor Henley, City of Busselton

2 Southern Drive, Busselton WA 6280

city@busselton.wa.gov.au

Correspondence in respect of this petition should be addressed to:

Name:

Craig McConville

Address:



Email:

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The names, addresses and signatures of the petitioners* are as follows:

A	-1 140001 -1-0	
Amanda Hogan		Mga
		Gue.
Ros Murry		Rug
Lab Tydall		Link
Helisa Rey		(lucerco)
Imagen Wainwigit		#
	Salorina M Res Muser Labradall Lebradall Lebradall	Salorina M Ros Muray

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T (08) 9781 0444 E city@busselton.wa.gov.au Locked Bag 1 Busselton WA 6280 www.busselton.wa.gov.au



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Date	Name	Address (include suburb)	Signature
55	Phil Kelleler		Relll.
55	Paul Collins		Roll
5/5	Grace Green		Com
5/5	Margarettear		Alkan
5/5	Katie Candy		lledy
5/5	DI KIrkwood		
05/05	S. WILLIAMSEN		Skille.
06/05	Jane Huxley		Anxy
06/05	MartinBourna		Chom
66/05	Dave Pefluil		#
06/05	Bianca Magni		Shocarhe

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06/05	BARRIS MCKINNS		BL
06/05	Anne-Lise Nibi	t	A.M. Nisbet
√	FRANK MICHEL		geliètell
	GROFFRANKAR		
M	Ross Dallimore		his Ill
4	Ross Miller		Mille

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6/5	HG MASTERS		Haratan.
1/5	TONY SHAW		Hw
"	JAGB ODRISCOU		
7/5	CHERCUL WHITE		Ollintes
7/5	ANOT WIMIF		Myd
715	IRVINE WHITE		hlyt
8/s	W. HANCOCK		MA
8/5	J. Marsh		Mass.
8/5	B. JONES.		3
8/5	G. Dorovan		
9/5/23	N. Murphy		Well.

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9-5-23	GEOFF BARR		9-48-
10/5/23	Helen Huxley		AMO
	IAN MORRIS		Joen!
10/5/23	Sherry		Som
10/5/23	Angele Oberhoher		Abohohe!
11/5/23	Turner of lak		Mula

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11.1.23.	CHERYL BENTAMN.		ber
12.5.23	leannemoon		Calvore
()	P. Brome-Coops		L-
12-5.23	D, Pdeli		
13: 5.23	Matilda Phillips		MP
13/5/23	F TOOTIOT.		Gomeca
13/5/23	taryn Beverey Mowle Sirikin		Œ
13/5/23	Moule		
13/5/23	Luss Arvor		
13/5/23	Tame		Tres
15/5/23	Brogetin		B.

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Date	Name	Address (include suburb)	Signature
14/8/23	Andrew Considine		AL S
14/5/23	WARREN JENN	(Demuy
15/5/23	BARRY DWEN		rocover Blh-le
16/5/20	BARRY DWEN RILAND HAMP		Rollango
16-5-23	Eli Ryan		Effy.
16.5.23	Kirsty D Arm		

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Date	Name	Address (include suburb)	Signature
17/5/2023	Karen Dean		Kenrse
17/5/23	Tanya Treve		J.D. Tru
	Tory BRICES		
17/5/23	Anita Jurat		Stant
17/5/23	Th-1 Ree		J. P.
18/5/23	Mark Fabian		MATE
12/5/23	AMhon		Mr.
	W. SPENCER		wh.
	F. Kuppens		Clyps
*	K. DOLUSSON		KU -
5/23	Tom	hund	

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,		Address (include suburb)	Signature
Date	Name	Address (include suburb)	Signature
20 May	JAPNEET KEITH		Just
2015123	L. Stowe		duglene
20/5/23	Russ Arrial		- Us
	Sabrina. M		B.
	Taryn. B		也
21/5/23	SHANE REID		Sheril
25/3	Si Creagh	Doeagh.	

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Date	Name	Address (include suburb)	Signature
21/5/23	Carl Humay		em.
21/5/23	Richard Hammond		RAX
21/5/23	Georgie		Ed 2001
U/5/23	Francisco Dahvy		Tarcico My
21/5/23	Mullimbe		Mllu
21/5/23	WILLIAM STOWE		
3115/23	Native		AAA
22.5.23	GEVERNEY DOBB		Cole
25.5.23	Dan Meyer		Myr
	TRACEY MILTON		Harewith.
25/5/23	lob Kedhead.		Mart

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25/5/23	CORRINE NAKS		ON.
25 5/23	3 JON MUTTL		Jurue L
26/5/23	Peser Ward		Dand.
26/5/2	annie Palme		Ala
26/5/2	Chi Unchobs		Ez.
26/8/23	1 Modley		5 J H .

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26/5	EWALL WILL	A A A	a.
01/5/03	Jennying		COO
27/5/23	PHIL. LUKIN		Mydul.
27/5	RIVE DOLUNE		451
2715	Hannah Vernon		Hanh
27/5	Nina Beers		K
28/5.	Cathy Luston		ding Gulb.
29.5.	SWARTS		find the second
79/5	TOHNSTON		1 Milan
2/6	JA63.0		5
216	TonyUES		8

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Mayor Henley, City of Busselton

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Date	Name	Address (include suburb)	Signature
17/6/23	how Ana	-	
18/6/23	Emma Ker		Her.
18/06/23	Jayden Perry		5 lucy
18/6/23	TOBY KEN		A
19/ 106/75	Sabrina. M		
	A.Smith		day
19/6/23	B. Russell-Lane		h Shilly.

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Date	Name	Address (include suburb)	Signature
19/6/23	FIONA MCAULIFFE		1m
20/6/23	MARK FABIAN		MELL
20/6/23	Sandra Fabian		S.Jahra
	Cally Fairnie		
20/6/23	Brough Luxin		
20/6/23	Kerry Fleay		May
21/6/23	B. PALMER- OWEN		
			Allun
1	POFR DIAMOR		
	Tyra Wanunglo		
22 6 27	TRACTY Formal		950

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24/06/23	Ella Oldmeadow		5
25)/6/3	AMDREW Stone		Al
	Turner		outy
28/6/23	Mckeod		Toll
28/6/23	PAUL CAMERON		\$
28/623	Millyordnea	200	>

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246 23	Sue Reynolds		Jego do
20/6/23	Winz Hellma		Wid
1/7/23	JARANY Smith		ar .
1/1/23	Rose Mille		Thule
1/7/23	RICK WILD		Au Ca
111-23	georgea Scere		Been
2/7/23	Certheine Reid		A A
4/7/23	Simal Honord		805
5/2/23	Wikh Gland		WWCg
5/7/23			98.
5/7/23	RILEY HORROCKS		M

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As the 18 month trial period of the painted sewerage pot plants on Hannay Lane comes to an end, we request that the sewerage drain pot plants be removed as they cause significant traffic and road hazards and restrict access to local businesses. They create traffic build ups, which result in traffic flow disturbance and cause accidents when people are trying to manoeuvre past them. The removal of these will allow traffic to pass smoothly and create more parking for delivery trucks to unload without blocking the lane.

We therefore ask the City of Busselton to support the purpose of this petition, in the removal of the sewer drains pot plants on Hannay Lane.

The names, addresses and signatures of the petitioners* are as follows:

Date	Name	Address (include suburb)	Signature
3/6/23	Kim Morsden		1. ph-
3/6/23	Legan Waters		Achill,
3/6/0	NIN GIFTE		
3/6/23	RIBS FRANK		15
3/6/23	JNOV Q		maa
3/6/23	Joch lang		Slang.
	0		

All Communications to:

T (08) 9781 0444 E city@busselton.wa.gov.au Locked Bag 1 Busselton WA 6280 www.busselton.wa.gov.au



We, the undersigned, do respectfully request that the Council: (set out a concise statement of the action required from Council and reasons why)

As the 18 month trial period of the painted sewerage pot plants on Hannay Lane comes to an end, we request that the sewerage drain pot plants be removed as they cause significant traffic and road hazards and restrict access to local businesses. They create traffic build ups, which result in traffic flow disturbance and cause accidents when people are trying to manoeuvre past them. The removal of these will allow traffic to pass smoothly and create more parking for delivery trucks to unload without blocking the lane.

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The names, addresses and signatures of the petitioners* are as follows:

Date	Name	Address (include suburb)	Signature
9/6/23	Donna Grech		Jelseen.
iofhes	MULTIN HAMDON		for
11/6/23	Fai Thlook		Se
	Shirley Redler		Hole.
13.6.23 (Loughen		Trojan
14.6.23	7.160		3.4.
14/6/27	John Moore		frame.
15/6/23	Glicher		I Gleener
15/6/23	Rolyn latet		(Def)
15/6/23	V ()		Dugle
1	chis Suntan		Marsh
,			VIT

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T (08) 9781 0444 E city@busselton.wa.gov.au

Locked Bag 1 Busselton WA 6280 www.busselton.wa.gov.au



Terms of Reference

Committee: Airport Advisory

Responsible Directorate: Community and Commercial Services Version: Adopted

1. INTRODUCTION

- 1.1. The Council of the City of Busselton has established an Airport Advisory Committee (the Committee) under the powers given in Section 5.8 of the *Local Government Act 1995*.
- 1.2. The Airport Advisory Committee is established for the purpose of assisting the Council to undertake its role under Section 2.7(2)(a) of the Act; specifically to establish and maintain liaison between stakeholders, consider policies associated with the airport and oversee development of the airport.
- 1.3. The Committee shall act for and on behalf of Council in accordance with provisions of the Act, local laws and policies of the City of Busselton and these Terms of Reference.

2. OBJECTIVE

- 2.1 The objectives of the Committee are:
 - a. To foster liaison and cooperation between the City of Busselton and all stakeholders associated with the Busselton Margaret River Airport (Airport);
 - b. To provide a forum for the discussion of issues and the formulation of suggestions and recommendations on issues associated with the Airport;
 - c. To make recommendations to Council on matters associated with the future development of the Airport; and
 - d. Consult with the community, aviation, tourism, business and government organisations about the project, operations and potential impacts of the Airport.

3. MEMBERSHIP

- 3.1. The Council will appoint four elected members to the Committee.
- 3.2. Council will appoint two elected members as deputy members of the Committee.
- 3.3. Membership of the Committee will, unless determined otherwise, cease on the day of the next ordinary Council election.
- 3.4. Council will appoint new members to the Committee, in accordance with paragraphs 3.1 and 3.2, at the next meeting of Council following the Council election.
- 3.5. The membership of a member may be ceased in accordance with the Act.

4. PRESIDING MEMBER

4.1. The Committee will appoint a Presiding Member and Deputy Presiding Member to conduct its business.

5. MEETINGS

- 5.1. The Committee will meet at least six times per year.
- 5.2. The Committee will report to Council in accordance with clause 2.10 of the *City of Busselton Standing Orders Local Law 2018*.
- 5.3. Notice of meetings will be given to members at least five days prior to each meeting, with the agenda papers to be provided to members not less than 72 hours prior to the meeting.
- 5.4. The Presiding Member will ensure that detailed minutes of all meetings are kept in accordance with the Part 14 of the *City of Busselton Standing Orders Local Law 2018*.
- 5.5. All members of the Committee will have one vote. If the vote of the members present is equally divided, the Presiding Member will cast a second vote.
- 5.6. Where the Committee makes a recommendation to the Council, the Chief Executive Officer will ensure that the recommendation is on the agenda of the next practicable ordinary Council meeting.

6. OUORUM

6.1. The quorum for a meeting will be at least 50% of the number of offices of membership, whether vacant or not.

7. DELEGATED POWERS

- 7.1. Pursuant to section 5.17 of the Act, the Committee is delegated the powers to note an item that does not require a recommendation to Council or further action of Council.
- 7.2. Committee recommendations, other than those made in accordance with the delegated powers in paragraph 7.1, are not binding on Council and must be endorsed by Council to take effect.

8. EVALUATION OF COMMITTEE'S EFFECTIVENESS

8.1. At the meeting of the Council prior to the ordinary Council elections, officers will present for the Council's consideration a review as to the Committees effectiveness and ongoing relevant of the Committee.

9. TERMINATION OF COMMITTEE

9.1. Termination of the Committee shall be by an absolute majority decision of Council.

10. APPROVAL

Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	8 September 2021	Resolution #	C2109/201



Terms of Reference

Committee: Airport Advisory

Responsible Directorate: Community and Commercial Services Version: Adopted

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6. OUORUM

6.1. The quorum for a meeting shall will be at least 50% of the number of offices of membership, whether vacant or not.

7. DELEGATED POWERS

- 7.1. Pursuant to section 5.17 of the Act, the Committee is delegated the powers to:
 - a. schedule and endorse the dates, times and locations of the meetings held by the Committee; and
- 7.2.7.1. __note an item that does not require a recommendation to Council or further action of Council.
- 7.3.7.2. Committee recommendations, other than those made in accordance with the delegated powers in paragraph 7.1, are not binding on Council and must be endorsed by Council to take effect.

8. EVALUATION OF COMMITTEE'S EFFECTIVENESS

- 8.1. At the meeting of the Council mmittee prior to the ordinary Council elections, officers will present for the Council's consideration the Committee shall undertake a review as to the Committees to evaluate its effectiveness and ongoing relevant of the Committee., and as a guide the following should be determined:
- 8.2. are the Committee's purpose and objectives being met?
- 8.3. should the purpose and objectives be amended?
- 8.4. is the Committee functioning effectively and as per the requirements of the Act?
- 8.5. are the Committee members regularly attending meetings?
- 8.6.8.1. review the Terms of Reference, including membership.

9. TERMINATION OF COMMITTEE

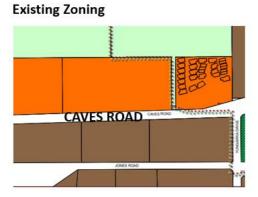
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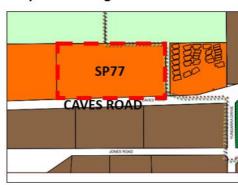
Council Adoption	DATE	8-September 2021	Resolution #	C2109/201
Previous Adoption	DATE	8 September 2021 25 September 2019	Resolution #	C2109/201C1909/191



Scheme Map



Proposed Zoning



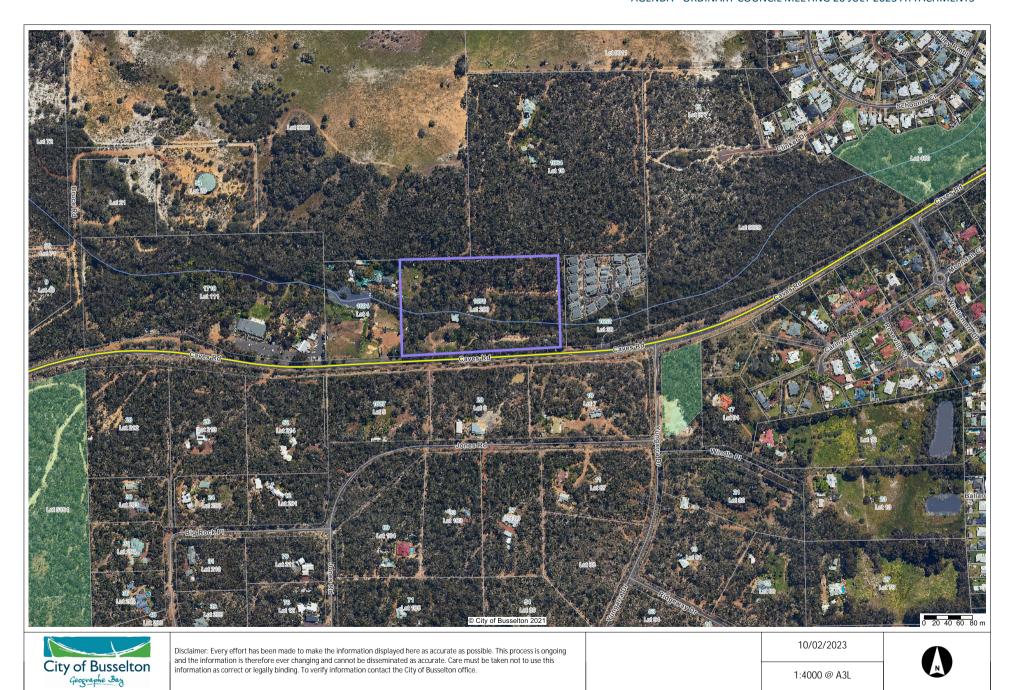
LEGEND

Local Scheme Zones



Other Categories

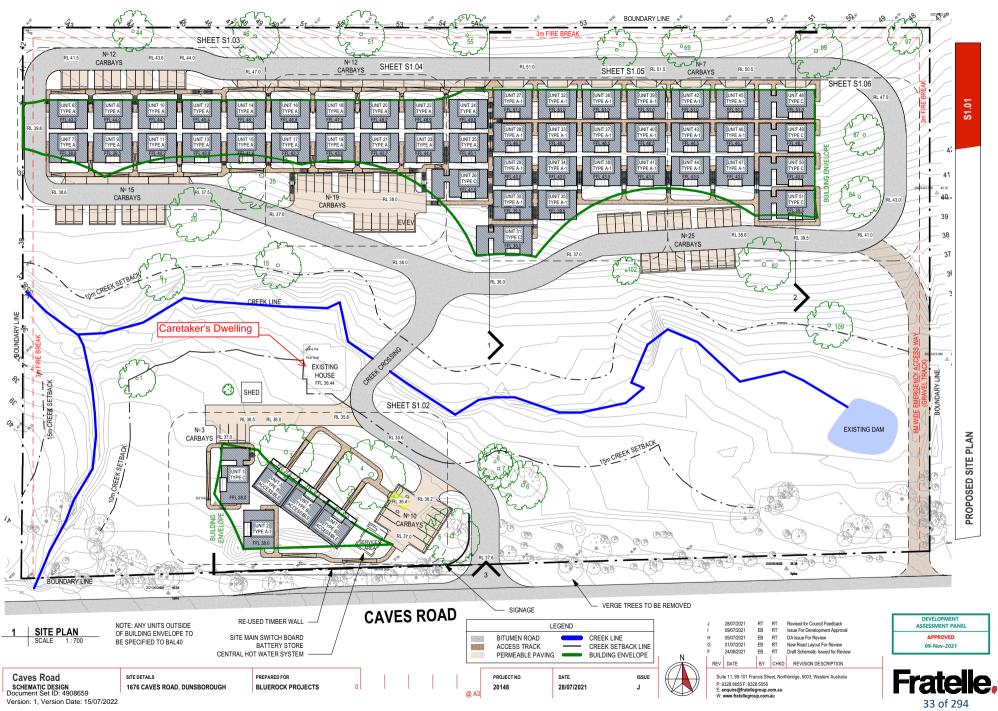




1:4000 @ A3L



1:1000 @ A3L







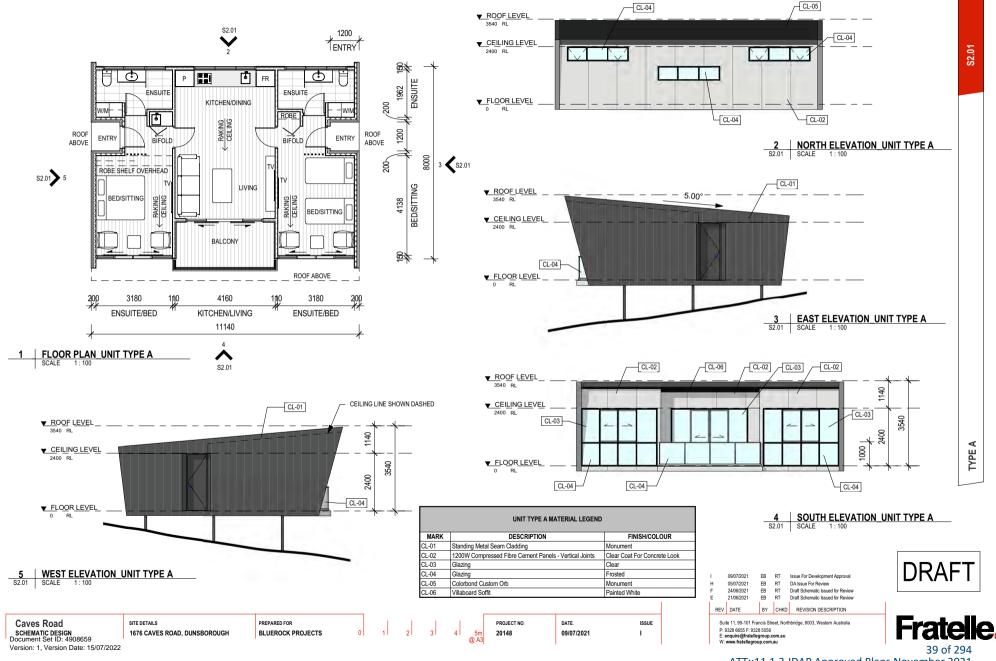






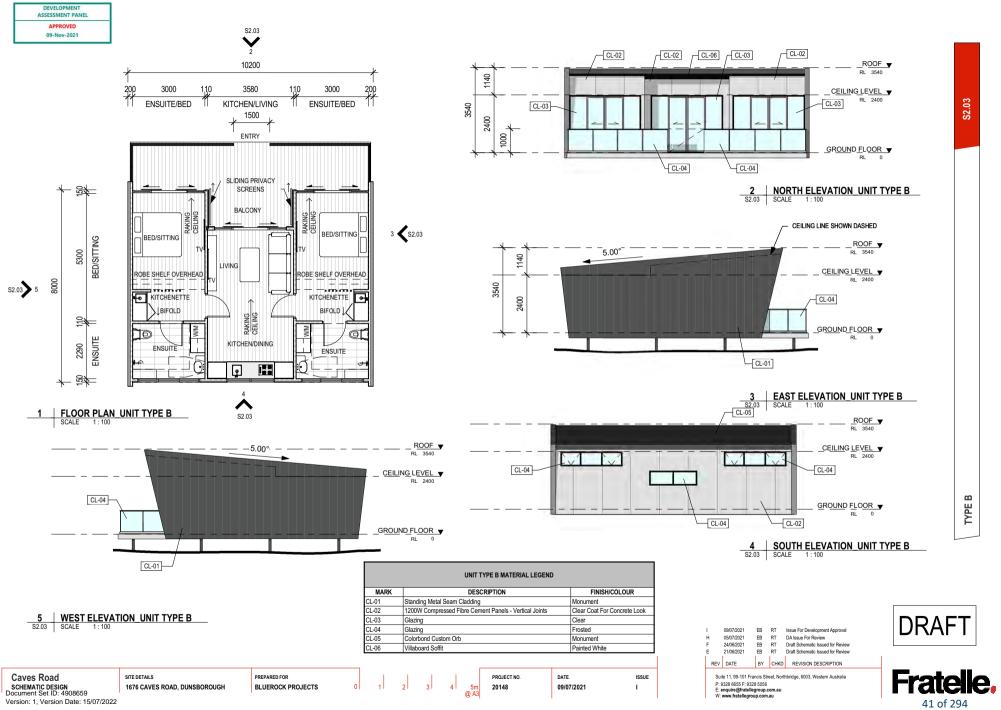
DEVELOPMENT
ASSESSMENT PANEL

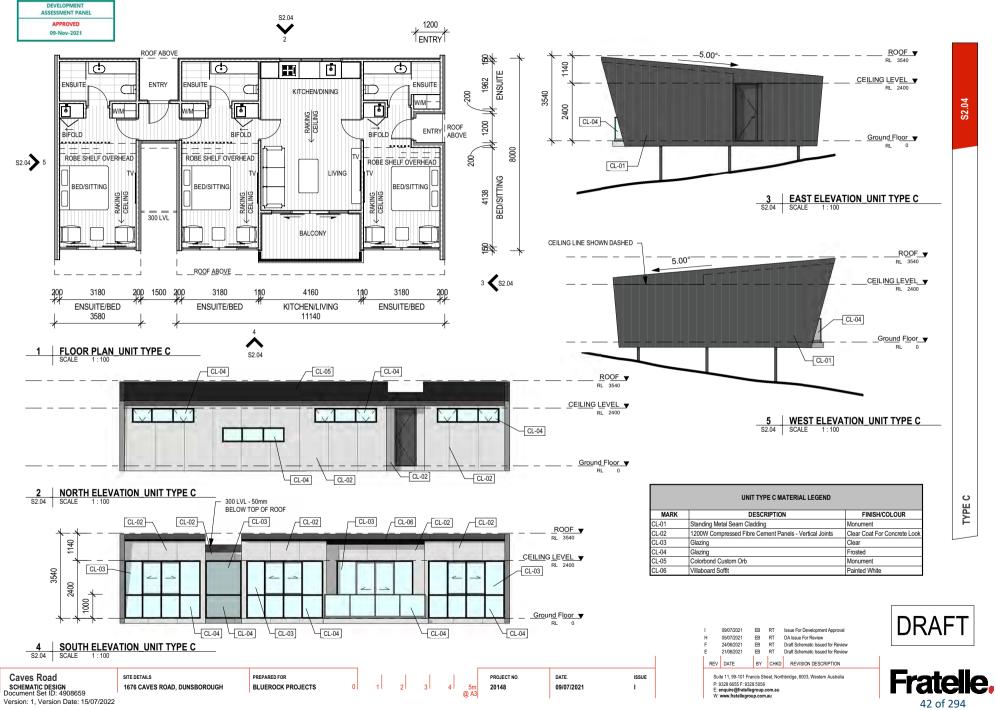
APPROVED
09-Nov-2021

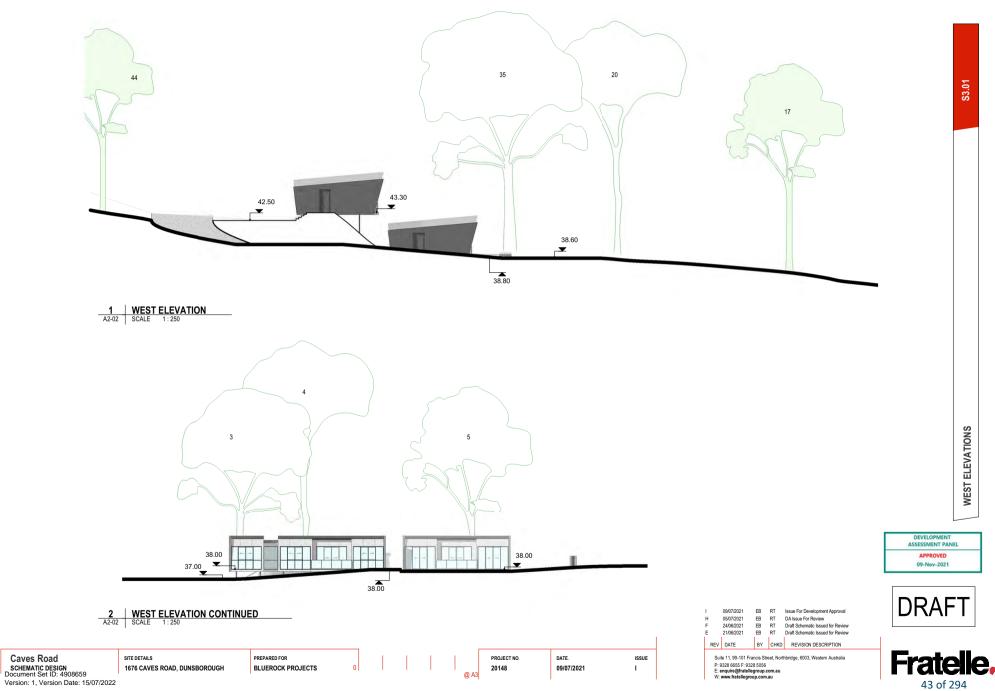


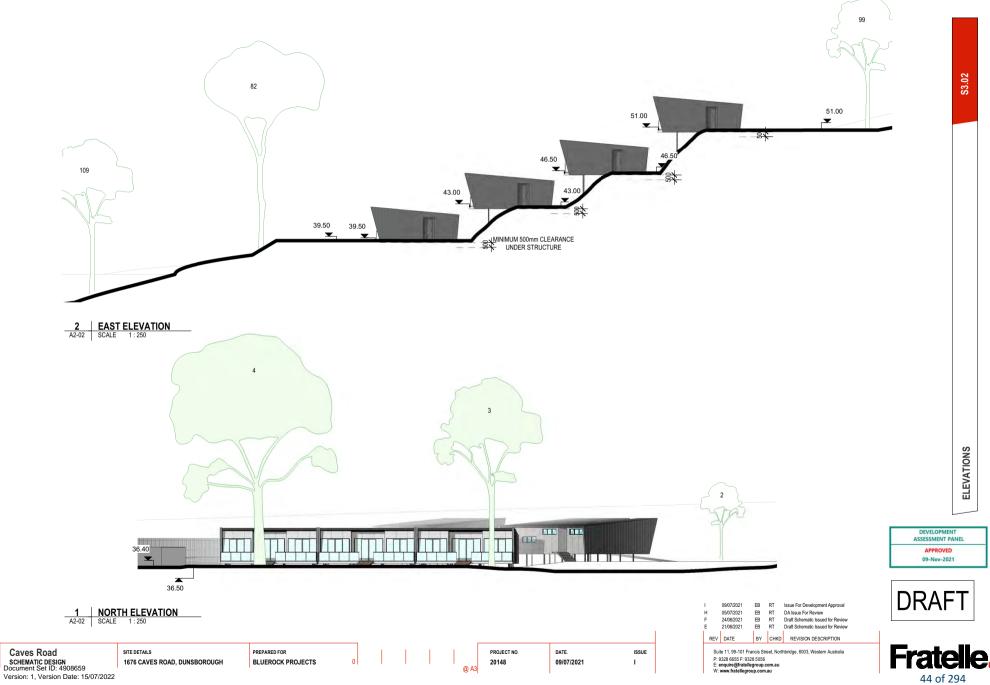
09-Nov-2021 CL-05 S2.02 CL-04 ▼ ROOF ▼ CEILING LEVEL 쫭 [a] 1628 1 ENSUITE CL-04 KITCHEN/DINING ▼ GROUND FLOOR CL-04 CL-02 ENTRY BIFOLD BIFOLD ENTRY 2 NORTH ELEVATION UNIT TYPE A-1 S2.02 SCALE 1:100 BED/SITTING 8000 3 **S**2.02 S2.02 5 ROBE SHELF OVERHEAD ROBE SHELF OVERHEAD CL-01 5962 ROOF ▼ LIVING - - -5.00°-BED/SITTING BED/SITTING CEILING LEVEL T RL 2400 BALCONY **≅**≉ CL-04 GROUND FLOOR ▼ 3180 4160 3180 200 ENSUITE/BED KITCHEN/LIVING ENSUITE/BED 11140 3 EAST ELEVATION UNIT TYPE A-1 S2.02 SCALE 1:100 FLOOR PLAN_UNIT TYPE A-1 S2.02 - CEILING LINE SHOWN DASHED CL-01 CL-02 CL-02 ____CL-06] CL-03 ____CL-02 ROOF_ ROOF ▼ 5.00° RL 3540 RL 3540 146 CEILING LEVEL T CEILING LEVEL T 3540 2400 CL-04 GROUND FLOOR ▼ GROUND FLOOR ▼ CL-03 CL-04 CL-03 PATH AND STAIR CONSTRUCTION 4 | SOUTH ELEVATION-UNIT TYPE A-1 S2.02 | SCALE 1:100 UNIT TYPE A-1 MATERIAL LEGEND 5 WEST ELEVATION UNIT TYPE A-1 S2.02 SCALE 1:100 FINISH/COLOUR MARK DESCRIPTION CL-01 Standing Metal Seam Cladding Monument CL-02 1200W Compressed Fibre Cement Panels - Vertical Joints Clear Coat For Concrete Look Glazing CL-03 Clear CL-04 Glazing Frosted CL-05 05/07/2021 DA Issue For Review Colorbond Custom Orb Monument Draft Schematic Issued for Review 24/06/2021 Villaboard Soffit Painted White 21/06/2021 Draft Schematic Issued for Review REVISION DESCRIPTION Suite 11, 99-101 Francis Street, Northbridge, 6003, Western Australia Caves Road SITE DETAILS PREPARED FOR PROJECT NO. DATE. ISSUE P: 9328 6655 F: 9328 5056 SCHEMATIC DESIGN Document Set ID: 4908659 1676 CAVES ROAD, DUNSBOROUGH BLUEROCK PROJECTS 20148 09/07/2021 E: enquire@fratellegroup.com.au W: www.fratellegroup.com.au Version: 1, Version Date: 15/07/2022

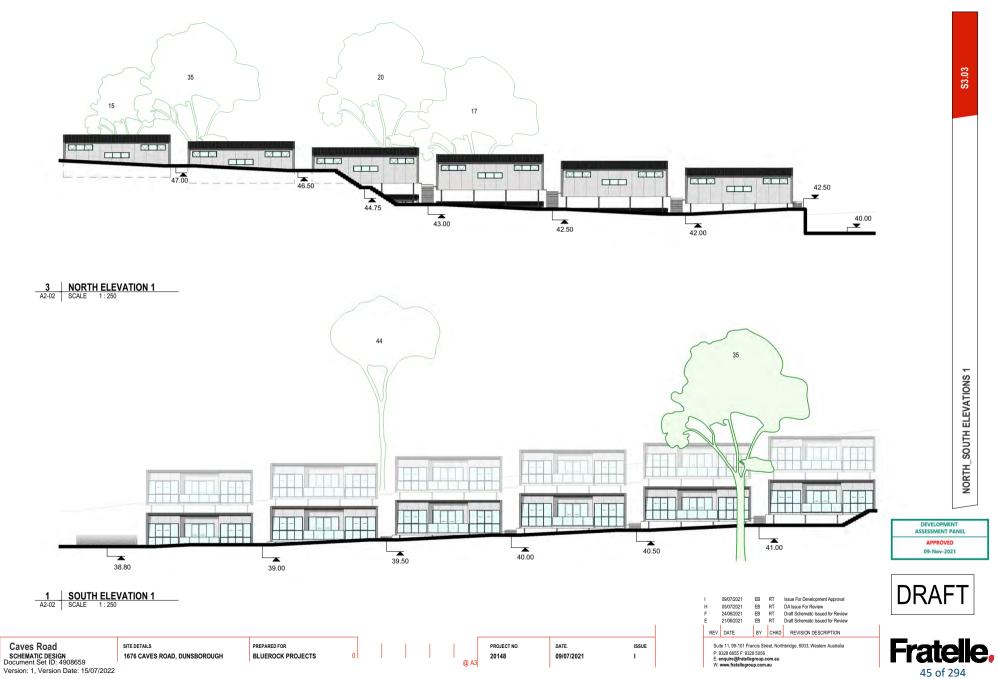
DEVELOPMENT ASSESSMENT PANEL

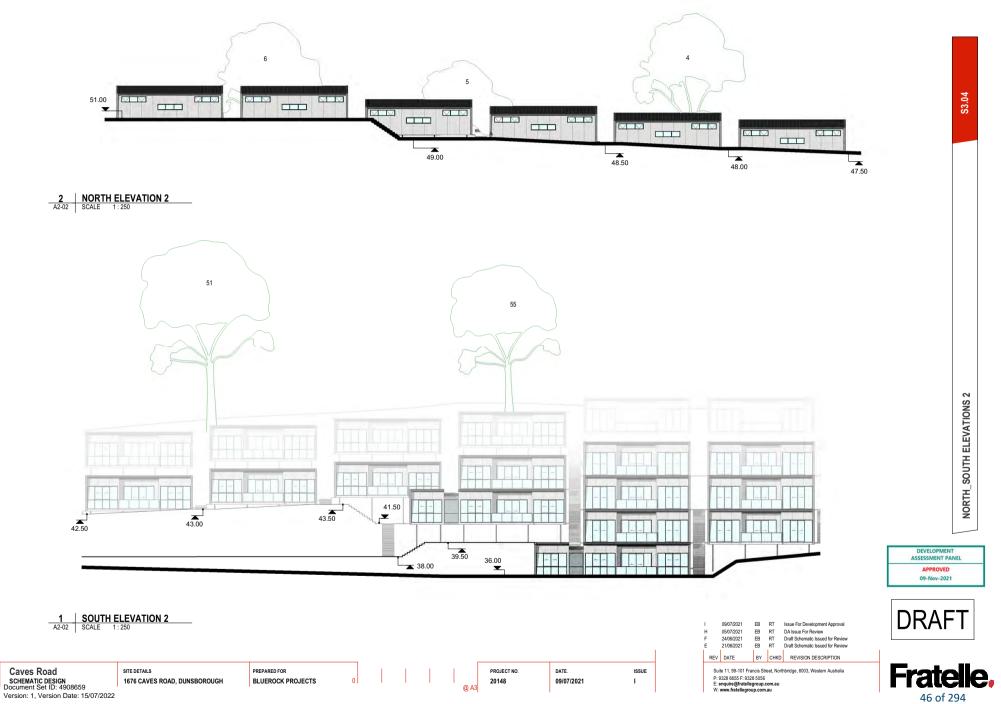


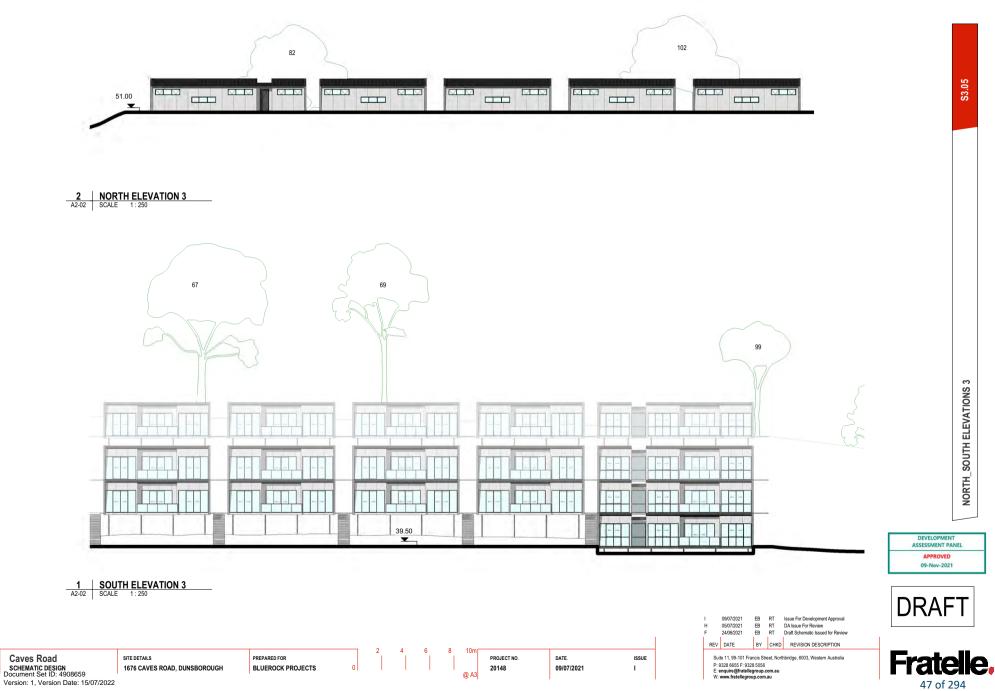




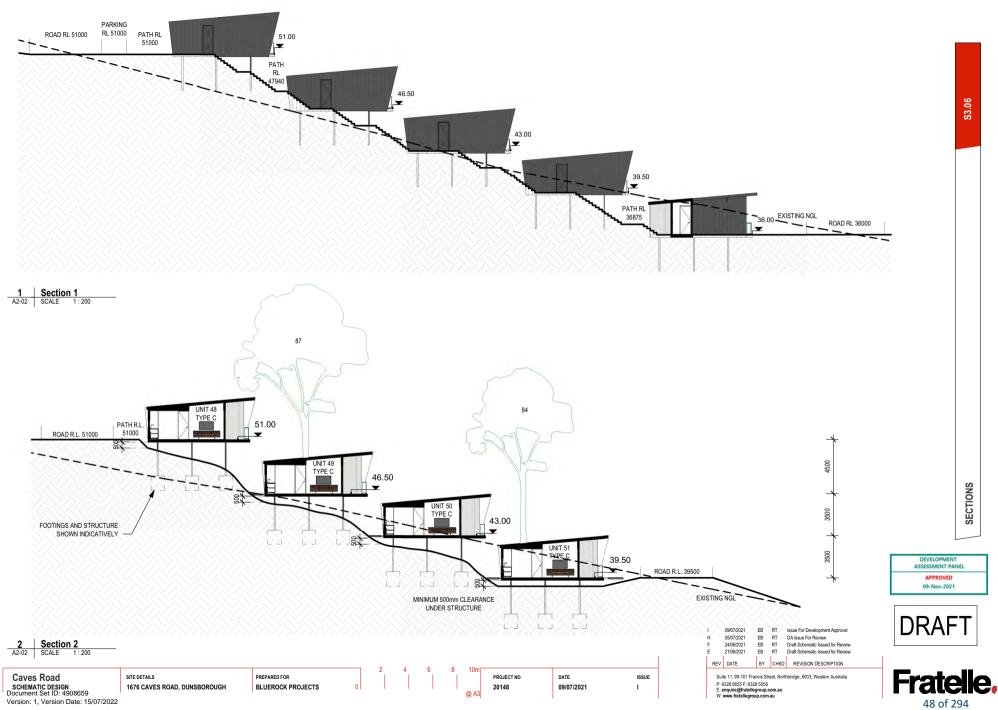








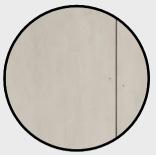
ATT::11.1.3 JDAP Approved Plans November 2021







WALLS - STANDING METAL SEAM CLADDING



FEATURE WALLS - 1200W COMPRESSED FIBRE CEMENT PANELS - VERTICAL JOINTS 'CLEAR COAT FOR CONCRETE LOOK'



DECKING - BALCONY



LARGE PANEL GLAZING

NATURAL CONNECTION

INSPIRATION FOR MATERIALS HAS BEEN TAKEN FROM THE SURROUNDING NATURAL ENVIRONMENT



NATURAL BURNT TIMBER



SURROUNDING TREES



SURROUNDING CREEK ROCKS



FEATURE RAW PLYWOOD INTERNAL LININGS (ADDITIONAL TO STANDARD PLASTERBOARD LININGS)



INNOVATIVE STORAGE



ENGINEERED TIMBER FLOORING (IN CONJUNCTION WITH CARPETED FLOORS)

DATE.



TILED FLOORING

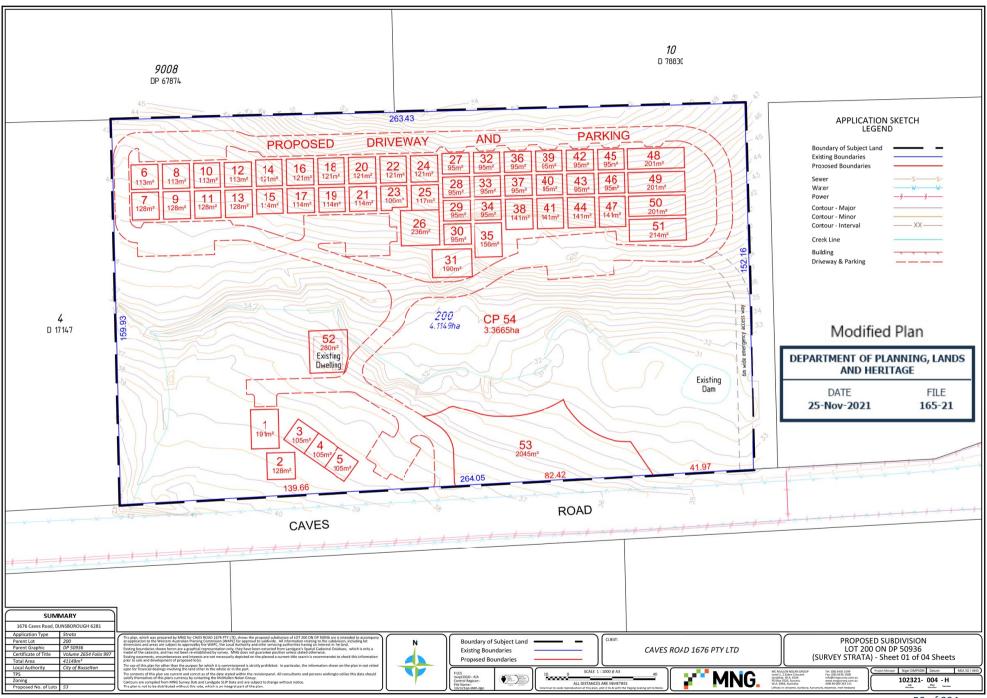
MATERIALITY DEVELOPMENT ASSESSMENT PANEL APPROVED 09-Nov-2021

DRAFT

05/07/2021 DA Issue For Review Draft Schematic Issued for Review Draft Schematic Issued for Review 24/06/2021 21/06/2021

Suite 11, 99-101 Francis Street, Northbridge, 6003, Western Australia P: 9328 6655 F: 9328 5056

INTERNAL MATERIALITY



OFFICER: Justin Biggar

No.	cy Submissions Name and Address	Nature of Submission	Comment	Recommendation
1.	Department of Water and Environmental Regulation PO Box 261 Bunbury WA 6230	The Department has no comments to the proposal, in view that: • The proposed development will be connected to a reticulated water supply and reticulated sewerage service, hence long term occupancy will not impact on water resources	Noted.	That the submission be noted.
		 within the immediate environment. All lots are within the proposed permitter driveway and parking areas, hence long-term occupancy will not result in creep into areas of native vegetation. 		
		In the event there are modifications to the proposal that may have implications on aspects of water management, the Department should be notified to enable the implications to be assessed.		
2.	Water Corporation PO Box 1600 Osborne Park WA 6916	Thank you for referring this scheme amendment to the Corporation for comment. The text amendment is minor in nature and is not likely to impact on the Corporation's networks or planning.	Noted.	That the submission be noted.

OFFICER: Justin Biggar

		The water and sewer servicing requirements including any mains extensions and upgrades can be addressed by the proponent through the conditions of the strata approval.		
3	Department of Biodiversity, Conservation and Attractions PO Box 1693 Bunbury WA 6230	I refer to your email dated 1 May 2023 seeking the Department of Biodiversity, Conservation and Attractions' (DBCA) Parks and Wildlife Service comments in relation to a proposed scheme amendment for the above property. Parks and Wildlife Service's South West Region provides the following advice. Biodiversity Values The Environmental Assessment Report - Lot 200 Caves Road Dunsborough (Strategen, September 2019) found that Lot 200 contains the poorly reserved Metricup (Mv) vegetation complex, western ringtail possum animals and habitat, and contains valuable habitat along the Dugalup creek-line. WRP are listed as critically endangered species under Western Australia's Biodiversity Conservation Act 2016 (BC Act) and the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.	Noted. There are no implications for the existing Bushfire Management Plan (BMP) in changing from 'tourist accommodation' to 'unrestricted length of stay.' The BMP has demonstrated the proposal satisfies the four elements of the bushfire protection criteria contained in the Guidelines for Planning in Bushfire Prone Areas, these being: • Element 1 – Location • Element 2 – Siting and design of development • Element 3 – Vehicular access • Element 4 – Water These requirements are unchanged, regardless of whether short term or unrestricted length of stay is proposed.	That the submission be noted.

The Environmental Protection Authority (EPA) determined on 19 April 2023 that the proposed scheme amendment referred to no impacts to the Lot 200 flora, vegetation, fauna and creek-line values from the proposed unrestricted length of stay for some chalets, and on that basis, the EPA advised that any future development of the site should aim to protect habitat trees, particularly peppermint trees, hollowbearing trees and retain canopy connectivity to enable the movement of WRP.

Advice

The proposed development of Lot 200 has been subject to extensive evaluation and assessment over numerous years, aiming to maximise the protection and retention of the site's best condition native vegetation and fauna habitat, which supports threatened species. The application's Background History refers to the site's significant planning background and the need to comply with the development requirements established through that process.

The application's Executive Summary second paragraph also refers to the existing Lot 200

It is noted the latest version of the Guidelines contains an updated *Element* 5 - Vulnerable tourism land uses which would typically apply to the land use, however the application was lodged prior to this change in the Guidelines.

Whether proposed purely for short term accommodation or unrestricted length of stay, the chalets are Class 2 buildings and are required to be built to an appropriate standard under AS 3959:2018 Construction in Bushfire Prone Areas.

No additional clearing beyond the 25m APZ required by the Guidelines is triggered by the change to unrestricted length of stay.

development approval's conditions relating to environmental management, landscape, tree retention and fire management.

The application states that the proposed amendment will not impact on the environmental management and commitments required under the existing tourist accommodation development approval dated November 2021. The Strategen JBS&G Tree Clearing Versus Retention within APZ (overall) map (Version A, 5 May 2020) depicts agreed habitat trees for retention.

The approved Strategen *Bushfire Management Plan* (Rev 1, September 2020) and the Strategen JBS&G *Addendum* dated 26 October 2021 (BMP), assessed the proposed development of Lot 200 in relation to tourist accommodation. BMP Section 5.2.4 states that all proposed future buildings must comply with AS 3959.

The proposed change from 'tourist accommodation' to 'unrestricted length of stay' for Lots 6-15 and 48-51 may result in these lots no longer being considered 'tourist accommodation' under the bushfire guidelines.

		It is unclear whether the change to "unrestricted length of stay" accommodation would change the BMP requirements for vegetation management adjacent to Lots 6-15 and 48-51, and clearing around these accommodation units, ultimately resulting in a change to the original development approval requirements. If the proposed change of use results in additional clearing or environmental impacts, than what is endorsed under the existing development approval and BMP, DBCA is not supportive of the proposed change to allow "unrestricted length of stay" without further assessment of these impacts. Thank you for the opportunity to comment on this application.		
4.	Environmental Protection Authority	The EPA has determined to not assess the City of Busselton Local Planning Scheme 21 Amendment 59. Description: The amendment proposes to introduce provisions to provide for an	Noted.	That the submission be noted.

OFFICER: Justin Biggar

	nard Reading edjinup WA 6281	Do not support.	It is noted it is not the intent of the Amendment to permit short term	That the submission be noted.
Public Subi		Do not suggest	the invested it is not the intent of the	That the control is in the
		unrestricted length of stay for a chalet on strata lots 6-13 and 48-51. Preliminary Environmental Factors: Flora and Vegetation, Terrestrial Fauna, Inland Waters and Social Surroundings. Potential Significant Effects: The EPA advises that the site contains values associated with the above environmental factors but notes implementation of the scheme text amendment will not impact values. The EPA also notes that subdivision and development approval with conditions has been granted. Protection: Future development of the site should aim to protect habitat trees, particularly large peppermint trees, hollow bearing trees and retain canopy connectivity to enable movement of Western Ringtail Possums. Determination: Referral examined. Preliminary investigations and inquiries conducted. Scheme amendment not to be assessed under Part IV of the EP Act. No advice given (not appealable).		

		I have tried to get short term accommodation for my property and it has been denied - why should this application be approved? I have been denied by the Town of Busselton and I feel this is unfair and possible collaboration with the developer.	accommodation on the site - this matter has already been determined through the JDAP assessment process in November 2021. Regardless, approval or refusal of a similar application on a neighbouring property is not a relevant consideration, with each application determined on its own merits.	
2.	Loreta Cranston Dalkeith WA 6009	Support. I support Amendment No 59 which involves a proposal to provide for extended rentals. The proposed change to the proposed tourist development is minor and will result in a beneficial outcome for potential renters in the area. There is a shortage of longer term rentals in the area and those that are available are too expensive. Council should support projects that may result in ease of the rental crisis.	Noted.	That the submission be noted.
3.	Temujin Einthal Mount Hawthorn	Support. This will provide opportunities for longer term accommodation of which there is a shortage in the surrounding area, whilst	Noted.	That the submission be noted.

		meeting the existing conditions for the approved tourist development. This proposal meets the Council's set objectives. There is a shortage of affordable rentals in the area and with the ongoing growth of the tourism industry, longer term affordable rentals will be required to support these initiatives.		
4.	Julie Capelli Pearsall WA 6065	Increase longer term accommodation and rental availability in the Dunsborough area. The proposed amendment 59 provides flexibility to the purchaser by allowing longer term rentals and residency, which has the potential to reduce general accommodation and rental shortages in Dunsborough area. Given that the development is considered a Non-Strategic Tourist site and its proximity to the town centre, I consider the proposed changes to be of benefit to the town as a whole, by providing additional accommodation options.	Noted.	That the submission be noted.
5.	Lance Hart Quindalup WA 6281	Support.	Noted.	That the submission be noted.

		It will allow for more rental options being "unrestricted length of stay' which we need to allow more permanent workers to be able to come and work in town which businesses require rather than just having all the units as short stay accommodation. The town requires more permanent rental options as businesses are struggling to find staff due to places for potential workers to live.		
6.	Colleen Jackson Nedlands WA 6009	The reason I support the Amendment No 59 which is proposing to provide extended rentals is because of the lack of rentals available in the area and because of that the ones there are way too expensive. I totally support this minor change to the proposed tourist development to provide extra unrestricted length of stay accommodation in Dunsborough because of the shortage in the area and it would benefit the area and future renters so I would strongly suggest the Council to support it.	Noted.	That the submission be noted.
7.	Jarrad Cranston Dalkeith WA 6009	Support.		

		This is a letter of support for Amendment No. 59 to the City of Busselton Local Planning Scheme No. 21. I understand the Amendment is intended to facilitate the unrestricted length of stay for 12 strata lots within the approved tourist development on Lot 200 Caves Road. It will provide opportunities for longer-term accommodation of which there is a shortage in Dunsborough and surrounding areas. The tourist development is less than 1km from the Dunsborough town centre and is to be serviced with residential services, such as water, power and deep sewerage, and		
		Reviewing the Amendment it is clear that the existing conditions for the approved tourist development, such as environmental management, landscape, tree retention, and fire management, will not be affected. I urge Council to support the Amendment.		
8.	Jackie Emery Dunsborough WA 6281	Support.	Noted.	That the submission be noted.

		Good thing to have a few more longer length rental options so more people can live here and therefore businesses can find staff.		
9.	Norelle Walsh Craigie WA 6025	Support. Housing shortages in the area. I visit the Dunsborough area every year with my family and am aware that there's a shortage of longer term rentals in the district. Also the ones that are available are often very expensive. The proposed Amendment would provide more affordable rentals without negatively affecting the environment of family feel of the township.	Noted.	That the submission be noted.
10.	Geoff Burleigh Greenwood WA 6024	Support. Provide more rental and housing in Dunsborough area. This change would provide increased rental and long term housing opportunities in the Dunsborough area. Also as the affected lots are at either end of the development, the proposed changes are unlikely to have any negative impact on the remainder of the lots or the development's environmental impact.	Noted.	That the submission be noted.
11.	Tony Arias Subiaco WA 6008	Support.	Noted	That the submission be noted.

This is a letter of support for Amendment No. 59 to the City of Busselton Local Planning Scheme No.21. The Amendment is intended to facilitate the unrestricted length of stay for 12 strata lots Lot 200 Caves Road which is an approved tourist development.

The tourist development approval includes significant and stringent conditions relating to built form, environment management, landscape, tree retention, fire management. The Amendment will therefore not result in any significant environmental, social, economic or governance impacts other than as currently approved and subject to conditions of approval. The Amendment will not impact or alter the requirement to comply with the imposed conditions for the approved tourist development on the site. No expansion is proposed by this Amendment.

The City of Busselton has recognised in its Local Tourism Planning Strategy, that for Non-Strategic Tourism Sites, being described as those sites that have an important tourism function, but where their retention for tourism only purposes is not in all cases critical, a component of unrestricted length of stay in some circumstances may be

Attachment E – Schedule of Submissions PROPOSAL: AMD21/0059 – Lot 200 (No 1676) Caves Road Dunsborough SUBMISSIONS CLOSE: 16 June 2023

OFFICER: Justin Biggar

suitable. Given the proximity to the Dunsborough townsite and the existing reticulated services, the tourist development is to be provided with reticulated services including water, power and sewer.

Lot 200 meets the requirements of the Local Tourism Planning Strategy for the City to consider allowing nominated chalets having an unrestricted length of stay. Lot 200 is located on the western edge of the Dunsborough townsite, connected to full reticulated services.

The development of the site will be undertaken in accordance with its 'Tourism' zoning and the technical planning and environmental reporting undertaken to secure the approval for 52 chalets on the site including:

- The unrestricted length of stay is consolidated at the western and eastern ends of the site—totalling 12 chalets and located away from the main core of the development;
- The development will continue to present as a tourist development with no distinction in the chalet

OFFICER: Justin Biggar

	designs from tourist to unrestricted stay; It is proposed that the unrestricted length of stay units will have specifically located carparking facilities, generally adjoining units. All chalets in the development are designed primarily for tourist occupation, with external designs and colours ensuring that it will appear as an integrated complex tourist development.	
	Local Planning Strategy states that;	
	"The Local Tourism Planning Strategy and State policy provides the scope to consider permitting an unrestricted length of stay allowance on sites designated non-strategic as an incentive for reinvestment to occur, with merit-based consideration for strategic sites where a net tourism benefit can be demonstrated (such as refurbishment, delivery of new and/or upgraded facilities, delivery of new accommodation product)."	
	The Local Planning Strategy also states that;	
	"8.2(g) To facilitate re-investment and the	

progressive upgrading of accommodation product, consider permitting unrestricted length of stay components for new development on Tourism zoned land within the Busselton-Vasse Urban Area and the Dunsborough Urban Area."

<u>City of Busselton Local Tourism Planning</u> <u>Strategy 2011</u>

The Local Tourism Planning Strategy (Table 3) classifies Lot 200 as a 'Non-strategic tourism site'. With respect to non-strategic tourism sites the LTPS states;

"Non-Strategic Tourism Sites are those sites that have an important tourism function but where their retention for tourism only purposes is not in all cases critical and where a component of residential development in some circumstances may be suitable."

The Amendment will not have environmental, social, economic or governance impacts, it is consistent with the City's local planning framework and will provide opportunities for unrestricted rental accommodation near the Dunsborough townsite.

Attachment E – Schedule of Submissions

PROPOSAL: AMD21/0059 - Lot 200 (No 1676) Caves Road Dunsborough

SUBMISSIONS CLOSE: 16 June 2023 OFFICER: Justin Biggar



Request for Tender

Request for Tender	Parks and Reserve Maintenance Services
Deadline	Thursday 8 June 2023 at 2:00pm (AWST)
Electronic Submission Only	https://www.vendorpanel.com.au/PublicTenders.aspx
RFT Number	RFT09/23

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1 City's request

1.1 Contract requirements in brief

The City of Busselton (the **City** or the **Principal**) is inviting Tenders for Parks and Reserve maintenance labour and associated services.

A detailed statement of the Requirements to be provided by the Contractor under the Contract is set out in **Part 3 – Specification.**

It is the City's intention to enter into the Contract with the successful Tenderer, in accordance with the process set out in this Request for Tender.

1.2 Tender documents

This Request for Tender is comprised of the following documents and parts:

- (a) Part 1 City's Request (read and keep this part);
- (b) Part 2 Conditions of Tender (read and keep this part);
- (c) Part 3 Specification (read and keep this part);
- (d) Part 4 General Conditions of Contract (read and keep this part);
- (e) Part 5 Special Conditions;
- (f) Part 6 Tenderer's Offer (complete and return this part, together with the required Attachments);
- (g) Any/all attachments referenced in and issued with this Request for Tender; and
- (h) Any/all Addenda issued pursuant to this Request for Tender.

1.3 Definitions

Capitalised terms in this Request for Tender are defined in:

- Part 2 Conditions of Tender
- Part 3 Specification
- Part 4 General Conditions of Contract
- Part 5 Special conditions

1.4 How to prepare your Tender

- (a) Carefully read all parts of this Request for Tender.
- (b) Ensure you understand and comply with the Conditions of Tender in Part 2.
- (c) Ensure you understand the Requirements.
- (d) Complete, sign and return your Tender (in the form set out in Part 6 Tenderer's Offer) together with all required attachments.
- (e) Make sure you have responded to all of the Selection Criteria.
- (f) Lodge your Tender before the Deadline as late submissions cannot be accepted.

Request for tender

City's request

1.5 Tender briefing

(a) Not applicable

1.6 Tender contact

Respondents should utilise the VendorPanel e-Tendering Forum to ask questions and seek clarifications in the first instance. Respondents should not rely on any information other than:

- (a) Information provided by the City on the VendorPanel Forum; or
- (b) Information provided by the person listed below:

Name: lain Ferry

Title: Parks & Environment Technical Officer

Telephone: (08) 9781 1782

Email: <u>iain.ferry@busselton.wa.gov.au</u>

1.7 How to submit the Tender

(a) The Tender must be lodged **before** the Deadline which is:

Thursday 8 June 2023 at 2:00pm in Australian Western Standard Time.

- (b) Tenders are to be submitted electronically via VendorPanel https://www.vendorpanel.com.au/PublicTenders.aspx
- (c) Tenderers must ensure that their electronic Tender is submitted in its entirety **before** the Deadline.
- (d) VendorPanel uploads have taken as long as 30 minutes. Tenderers must allow sufficient time to upload their Tender submission. It is recommended that electronic submissions commence at least sixty minutes prior to the closing time
- (e) Submissions that are hand delivered, received by post, email or facsimile will not be accepted.
- (f) Tenderers experiencing any technical issues must contact VendorPanel on (03) 9095 6181 immediately or alternatively use the 'LiveChat' help function offered by VendorPanel on its website.
- (g) Technical advice cannot be provided by City staff in relation to VendorPanel uploads.

1.8 Tender validity period

All Tenders will remain valid and open for acceptance for a minimum period of:

- (a) Ninety (90) days from the Deadline; or
- (b) Forty-five (45) days from the Council's resolution for accepting a tender,

whichever is the later, unless extended on mutual agreement between the City and the Tenderer in writing.

1.9 Tender opening

- (a) The Tender opening will be held as soon as practicable after the Deadline at the City's Administration Offices situated at 2 Southern Drive, Busselton, WA.
- (b) Tenderers and members of the public may attend or be represented at the opening of Tenders.
- (c) The names of the persons who submitted a Tender by the Deadline will be read out at the Tender opening. During the Tender opening process the City's representatives attending to the Tender opening will not enter into discussions with Tenderers or any other person concerning the Tenders submitted.

1.10 Evaluation process

The City will evaluate Complying Tenders in accordance with this Request for Tender, which process may include:

- (a) Tenders being checked for completeness and compliance;
- (b) Tenders being assessed against the Selection Criteria;
- (c) the most suitable Tenderers being short listed;
- (d) Tenderers being required to clarify their Tender, make presentations, demonstrate the solutions offered and allow the City to inspect their premises, equipment, and systems;
- (e) the City contacting and considering information obtained from referees;
- (f) the City having regard to following policies (which policies are available at http://www.busselton.wa.gov.au/council/home refer to "Council Policies"):
 - (1) Purchasing Policy
 - (2) Regional Price Preference Policy
 - (3) Occupational Health and Safety Policy
- (g) the City considering any other information it considers necessary to evaluate against the Selection Criteria.

1.11 Assessment of Tenders

- (a) Subject to the provisions in **Part 2 Conditions of Tender**, Tenders that have not been rejected will be assessed by means of a written evaluation:
 - (i) to the extent to which each Tender satisfies the Selection Criteria; and
 - (ii) to determine which of them is considered to be the most advantageous to the City to accept.
- (b) As part of the evaluation process the City has adopted a best value for money approach to this Request for Tender. This means that, although price will be a consideration, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender ranked the highest in relation to the qualitative criteria.
- (c) A scoring system will be used as part of the assessment of the qualitative criteria. A greater score will be applied to Tenders which satisfy each of these criteria, following application of the relevant weightings. The aggregate score of each Tender will be used as one of the factors in the final assessment of the

Request for tender

City's request

qualitative criteria and in the overall assessment of which Tender(s) is considered to be the most advantageous to the City to accept.

- (d) As part of the evaluation process the City may, at the City's sole discretion:
 - refer Tenders to an expert(s) or consultant(s) for advice and/or comment in relation to aspects of the Requirements and/or Tenders;
 - (ii) consider and/or have regard to such advice or comment in deciding which Tender is most advantageous to the City to accept;
 - (iii) disregard and/or decline to have regard to such advice or comment in deciding which Tender is most advantageous to the City to accept.
- (e) The City may enter into negotiations or enter into the Contract with the Tenderer whose Tender is considered to be the most advantageous to the City to accept.

1.12 Compliance with requirements

- (a) The compliance criteria for this Request for Tender are detailed within **Part 6 – Tenderer's Offer** and <u>will not</u> be point scored. Each Tender will be assessed on a "Yes"/"No" basis as to whether these criteria are satisfactorily met.
- (b) The City may reject a Tender that fails to comply with any requirement in the Request for Tender without considering the merits of that Tender.

1.13 Qualitative criteria

The Evaluation Panel will assess Complying Tenders in accordance with this request for Tender, including an assessment against the qualitative criteria detailed within **Part 6 – Tenderer's Offer** of this Request for Tender.

Each criterion is weighted to indicate the relative <u>degree of importance</u> that the City places on the technical aspects of the Requirements.

NOTE: It is essential that Tenderers address each qualitative criterion. Information that you provide addressing each qualitative criterion will be point scored by the Evaluation Panel. Failure to provide the specified information may result in elimination from the Tender evaluation process or a low score.

1.14 Price considerations

CLAUSE A: WEIGHTED COST CRITERIA

The Tendered price has the following weighting and will be assessed in conjunction with the Qualitative Criteria detailed in **Part 6 – Tenderer's Offer** of this Request for Tender.

Criterion	Weighting
Tendered price	50%

1.15 Price basis

The tendered price/rates must be specified by the Tenderer in the Schedule of Prices issued as part of this Request for Tender— see **Attachment A – Schedule of Prices**.

Request for tender

VARIABLE PRICES/RATES

The City's intention is to enter into the Contract based on the rates specified in the Schedule of Prices.

The Contract Price payable by the City shall be the amount ascertained by applying the rates accepted by the City pursuant to the Request for Tender and adjusted in accordance with the Contract, to the relevant volume/items/quantities/units of the Requirements.

Tendered prices/rates must exclude Goods and Services Tax (GST).

Unless otherwise indicated prices/rates tendered must be all inclusive to provide, perform and complete the Requirements. Any fee, charge or expense not stated in the Tender will not be allowed as a charge for any transaction under any resultant Contract.

See also Part 6 - Tenderer's Offer Section 6.4 for further pricing information.

2 Conditions of Tender

2.1 Application of this part

The terms and conditions contained in this Part 2 of this Request for Tender applies for the whole Tender process contemplated by this Request for Tender.

2.2 Definitions and interpretation

In this Request for Tender, unless otherwise required by the context or subject matter, the following words or expressions have the meaning set out below. In addition, where a term is capitalised but not defined below but is defined in the Contract, the definition in the Contract will apply to that term in this Request for Tender.

Addenda	Any additional attachments to this Request for Tender or additional information relating to the Tender process issued by the City pursuant to this Request for Tender.
City	The City of Busselton.
Complying Tender	A Tender that has not been rejected as contemplated under section 1.12 of Part 1 – City's Request .
Contract	All the documents which constitute or evidence the final and concluded agreement between the City and the Contractor for supplying the Requirements pursuant to this Request for Tender.
Contractor	The person selected by the City to enter into the Contract to provide the Requirements.

The date as specified under section 1.7(a) of Part 1 – City's Request for lodgement of a Tender.
Any and all written instructions, directions, directives, notices or operational procedures issued by the City or any other Government Agency in relation to the Requirements.
The persons appointed by the City to assess the Tenders in accordance with this Request for Tender and make a recommendation to the City as to which Tender is considered to be the most advantageous to the City to accept.
The general conditions of contract referenced in Part 4 - General conditions of contract
Any government or governmental, semi-governmental, judicial, quasi-judicial or administrative entity, agency or authority in any State or Territory or the Commonwealth of Australia.
The City of Busselton.
Any Australian legislation (i.e. relevant federal, state or local government legislation) or Directives which apply to the Requirements.
This document (comprising of all the documents as specified under section 1.2 above).
All services to be performed by the Contractor to achieve the outcomes as specified under this Request for Tender (in particular in Part 3 – Specification) and in accordance with the Contract.
The selection criteria used by the City for evaluating Tenders, including those specified in Part 6 Tenderer's Offer .
The statement of Requirements set out in Part 3 – Specification and any documents, drawings, specifications, schedules and standards referred to therein, and such other information made available by the City in writing for the purposes of submitting a Tender.
A submission submitted in response to the Request for Tender.
A person in who's name a Tender is submitted.

Term

The term or period during which the Contractor has to perform the Requirements, as specified in the Specification.

In this Request for Tender, headings are for convenience only and do not affect the interpretation of this Request for Tender and, unless the context otherwise requires:

- (a) including means "including but not limited to";
- (b) words importing the singular include the plural and vice versa;
- other parts of speech and grammatical forms of a word or phrase defined in this Request for Tender have a corresponding meaning;
- (d) an expression importing a natural person includes any company, partnership, joint venture, association, corporation or other body corporate and any Government Agency;
- (e) unless otherwise expressly set out, a reference to a section, part or attachment is a reference to a section of, part of or attachment to, this Request for Tender and a reference to this Request for Tender includes any part, attachment and Addenda:
- (f) a reference to a statute, regulation, proclamation, ordinance or by law includes all statutes, regulations, proclamations, ordinances or by laws amending, consolidating or replacing it, whether passed by the same or another Government Agency with legal power to do so, and a reference to a statute includes all regulations, proclamations, ordinances and by laws issued under that statute:
- (g) a reference to a document includes all amendments or supplements to, or replacements or novations of, that document;
- a reference to a party to a document includes that party's successors and permitted assigns;
- (i) a reference to a month is a reference to a calendar month;
- (j) a reference to "\$" is a reference to Australian currency; and
- (k) no provision of this Request for Tender will be construed adversely to a party solely on the ground that the party was responsible for the preparation of that Request for Tender or that provision.

2.3 Discrepancies, errors and omissions in this Request for Tender

- (a) If the Tenderer:
 - (1) finds any discrepancy, error or omission in this Request for Tender; or
 - (2) has any doubt as to the meaning of any portion of this Request for Tender,

the Tenderer must immediately notify the City in writing of this on or before the Deadline and seek a clarification.

- (b) The City's response to a notice under section 2.3(a):
 - (1) is only effective if issued in writing by the City;
 - (2) will also be issued to all other prospective Tenderers; and
 - (3) must be complied with by all Tenderers.

2.4 Conditions of contract

Tenders will be deemed to have been made on the basis of and to incorporate (and Tenderers will be bound to):

- (a) all the terms and conditions of this Request for Tender; and
- (b) subject to the conditions of sections 2.8, 2.9 and 2.15, all documentation submitted by the Tenderer in support of its Tender.

2.5 Acceptance of Tenders

- (a) Unless otherwise stated in this Request for Tender, Tenderers must submit a Tender for all of the Requirements.
- (b) The City may in its sole discretion accept or award any Tender, either wholly or in part or decide not to accept or award any Tender (or part of a Tender) at all.

2.6 Joint Tenders

Where a Tender is lodged in the name of 2 or more persons, either by way of joint venture, partnership or otherwise, irrespective of the relationship between the parties, each person:

- (a) is jointly and severally bound by the terms of this Request for Tender and the Tender;
- (b) must execute the offer form contained in section 6.1 of Part 6 Tenderer's Offer; and
- (c) if the Tenderer is successful, must execute the Contract.

2.7 Disclosure of contract information

- (a) The Tenderer acknowledges and accepts that the City may be required by law (whether under the *Freedom of Information Act 1992* (WA) or whether in terms of a court order or otherwise) to disclose documents or other information which form part of or are in relation to the Tender and or this Tender process.
- (b) The Tenderer must treat the information in this Request for Tender and all information provided by the City in relation thereto as confidential and communicate it only to the people directly involved in the preparation of its Tender.
- (c) Information relating to the examination, clarification, evaluation and comparison of Tenders submitted in response to this Request for Tender is confidential to the City and will not be disclosed to Tenderers or any other persons not officially concerned with such process.

2.8 Alternative Tenders

Tenderers may submit alternative Tenders on the following conditions:

- (a) All alternative Tenders <u>must</u> be accompanied by a conforming Tender.
- (b) All alternative Tenders must be clearly marked "ALTERNATIVE TENDER".
- (c) Alternative Tenders may be made subject to conditions other than the General Conditions of Contract and the Special Conditions of Contract (if any).

(d) The Principal may in its absolute discretion reject any such alternative Tender as non-conforming.

2.9 Terms and conditions printed on tenderer's documentation

Any terms and conditions other than those contained in this Request for Tender and/or the Contract, whether printed or inserted by or on behalf of the Tenderer on the Tender, any alternative Tender, any attachment, correspondence or any of the Tenderer's documentation submitted as part of the Tender (including any departures to the Contract proposed or required by the Tenderer) will not be binding on the City unless agreed upon by the City in writing.

2.10 Tenderer warranties

By submitting the Tender, the Tenderer warrants that:

- (a) it has examined this Request for Tender (including the Contract) and any other information made available in writing to Tenderers for the purpose of submitting a Tender:
- (b) it has examined and is aware of all the risks, contingencies, Relevant Legislation, and other circumstances having an effect on their Tender and which may be relevant to the performance of the Contractor's obligations under the Contract, which are obtainable by the making of reasonable enquires;
- (c) it has satisfied itself as to the correctness and sufficiency of its Tender including tendered prices which will be deemed to cover the cost of complying with all of the Contractor's obligations under the Contract and of all matters and things necessary for the due and proper performance of the Requirements;
- it has and will maintain the necessary experience, skill and expertise to perform and complete the Requirements in accordance with the Contract;
- (e) the Tender in all respects is an independent Tender and that no collusion has taken place between the Tenderer and any other prospective Tenderer or interested party in the preparation of the whole or any part of the Tender;
- (f) there is no conflict of interest or anticipated conflict of interest in doing all things required of the Tenderer under this Request for Tender (including performing the Requirements if the Tenderer is successful);
- (g) it has not canvassed or contacted any employee or contractor of the City in relation to its Tender;
- it is authorised to lodge a Tender in response to this Request for Tender and is authorised to perform the Requirements;
- to its knowledge, there are no actions, claims, proceedings or investigations pending or threatened against it which would impact on its ability to perform the Requirements;
- the City may enter into negotiations with one or more Tenderers and that negotiations will be carried out in good faith; and
- (k) it has satisfied themselves that they have a full set of this Request for Tender documents and all relevant Addenda.

The City has used reasonable efforts in compiling this request for Tender. It will not be liable to Tenderers for any inaccuracy or omission in this Request for Tender or any additional information which may be provided or withheld.

2.11 Reservation of the principal's rights

The City reserves the right to, at its discretion:

- (a) suspend, end, reinstate or vary the Tender process described in this Request for Tender;
- (b) repeat any stage in the Tender process;
- (c) include a review process as part of the Tender process;
- (d) cancel, supplement, modify or replace the Tender process or the draft Contract;
- (e) alter the Requirements, including the technical requirements;
- (f) not proceed with the Requirements at all or in the manner outlined in this Request for Tender;
- (g) elect to select one or more preferred Tenderers, or no preferred Tenderers;
- (h) not to execute a Contract with any Tenderers;
- (i) elect to select more than one Tenderer as the successful Tenderer and allocate the performance of part of the Requirements to each successful Tenderer.
- (j) elect not to select any Tenderer as the successful Tenderer;
- (k) extend the Deadline;
- (I) reject a Tender that was made after the Deadline;
- (m) accept or reject:
 - (1) a partial Tender or a non-complying Tender; or
 - (2) a Tender if the Tenderer or the Tender does not comply with this Request for Tender;
- (n) not accept the Tender with the lowest tendered price;
- (o) not accept any Tender;
- (p) exclude any Tender from further consideration once the City has considered it;
- (g) obtain further, revised or replaced Tenders from one or more Tenderers;
- (r) negotiate or clarify matters with any Tenderer, including negotiating with one or more Tenderers or negotiating on different issues with different Tenderers;
- (s) reject a Tender if the Tenderer does not comply with any reasonable request from the City to submit further information or documents, or to allow the City to conduct a site visit of the Tenderer's premises under this Request for Tender;
- (t) establish a shortlist of Tenderers with which to negotiate;
- (u) hold one or more Tenderers in reserve;
- (v) decline to answer queries from a Tenderer;
- (w) evaluate Tenders in such a manner as the City regards appropriate;
- (x) refuse participation by a particular party at any time in the Tender process;
- (y) allow further parties to participate in the Tender Process at any time;
- (z) allow a Tenderer to withdraw from the Tender Process;
- (aa) enter into the Contract without prior notice to the other Tenderers;
- (bb) conduct a security, probity or financial check on a Tenderer for the purpose of evaluating a Tender;

- (cc) rely on available information relating to a Tenderer as part of the evaluation of a Tender, including the Tenderer's performance under other contracts with the City;
- (dd) negotiate with a Tenderer after it has been chosen as the successful Tenderer or preferred Tenderer;
- (ee) take other action as the City considers, at its discretion, appropriate in relation to the process described in this Request for Tender; and
- (ff) waive any requirements or obligations under this Request for Tender, in which case that waiver will not affect any other requirements or obligations contained in this Request for Tender.

2.12 No right to claim

Except as expressly and specifically permitted in this Request for Tender, no Tenderer will have any claim for compensation of any kind whatsoever, as a result of participating in or responding to this Request for Tender, and by submitting a Tender each Tenderer will be deemed to have acknowledged and agreed that it has no such claim.

2.13 Exclusion of liability

- (a) The Tenderer will bear entirely and exclusively all costs and expenses incurred and in any way associated with developing, preparing and submitting its Tender, including attending meetings, site visits and interviews and providing any additional information required by the City irrespective of whether or not the Contract proceeds or the Tenderer's Tender is accepted or rejected.
- (b) Without limiting section 2.13(a), the City is not liable for any loss, expenses, costs or damages incurred by a Tenderer in relation to the preparation or submission of a Tender or subsequently in post Tender negotiations or otherwise arising from the Tender process.
- (c) The exclusions set out in this section 2.13 apply in relation to this Request for Tender and also in relation to any other oral or written communications or disclosures to a Tenderer by the City.

2.14 Assignment of Tender

The Tenderer must not assign the Tender or any interest in or created from the Tender without the prior written consent of the City. If a Tenderer makes an assignment without the City's prior written consent, the assignee may, in the City's absolute discretion, be disqualified and not given any further consideration.

2.15 Alterations

The Tenderer must not alter or add to this Request for Tender or any part thereof, unless specifically required by this Request for Tender.

2.16 Risk assessment

The Tenderer, by submitting a Tender, irrevocably authorises the City to contact and have access to and give consideration to:

(a) any referees nominated by the Tenderer;

- (b) any credit rating agency or any risk assessment done in relation to the Tender; and
- (c) any information produced by any state or federal body or organisation of which the Tenderer is a member or affiliated with or to whom the Tenderer has to report to.

so as to assess that Tender, and may consider such materials as tools in the Tender assessment process.

2.17 Ownership of documentation

All documents, materials, articles and information submitted by the Tenderer as part of or in support of a Tender will become upon submission of the Tender the absolute property of the City and will not be returned to the Tenderer PROVIDED that the Tenderer is entitled to retain any copyright and other intellectual property rights therein, unless otherwise provided by the Contract.

2.18 Canvassing of officers

If a Tenderer, whether personally or by an agent, canvasses any of the City's Councillors or officers with a view to influencing the acceptance of any Tender regardless of such canvassing having any influence on the acceptance of any Tender, the City may at its absolute discretion omit such Tenderer's Tender from consideration.

2.19 Registration or licensing of contractors

Where an act or ordinance of the State of Western Australia requires that a Contractor (as defined by the act or ordinance) be registered or licensed to carry out the work described in the Tender documents, the Tenderer shall state on the Tender form its registration or licence number. The Tender may not be considered if the Tenderer fails to provide such registration or licence number.

2.20 Identity of the tenderer

- (a) The identity of the Tenderer and the Contractor is fundamental to the City and will be an essential condition/part of the Contract.
- (b) The Tenderer will be deemed to be the person named as the Tenderer in Part 6

 Tenderer's Offer.
- (c) Only a Tenderer can become the Contractor.

2.21 Request for Tender not binding

- (a) The Tenderer acknowledges and agrees that neither this Request for Tender nor the procurement process pursuant to this Request for Tender constitutes a legally binding relationship between the City and the Tenderer.
- (b) Without limiting section 2.21(a), no contract will arise between a Tenderer and the City unless and until the Contract is entered into between the City and the Tenderer.

3 Specification

See Attachment B - Specification.

4 General conditions of contract

4 General conditions of contract

See Attachment C - General Conditions

5 Special conditions of contract

The Request for Tender and the Contract shall be subject to the following special conditions:

CPI adjustment of Contract price/rates

- (1) For the period from the date of commencement of the Contract until 30 June 2024 (the First Period), the Contract price/rates are firm and not subject to any adjustment for rise and fall in costs.
- (2) The Contractor may apply, by written notice to the City no later than 30 April prior to each CPI Review Date, for the Contract price/rates to be adjusted in accordance with this clause.
- (3) Strict compliance with the notice requirement in clause (2) is a precondition to the Contractor's entitlement to adjustment of the Contract price/rates.
- (4) Subject to sub-clauses (2), (3) and (6) the Contract price/rates will be reviewed on each CPI Review Date to determine the Contract price/rates (in this clause 5.1 the "Adjusted Contract price/rates") to be paid from that CPI Review Date until the following CPI Review Date (if there is one) or expiry of the Term or termination of the Contract.
- (5) The Adjusted Contract price/rates will be the Contract price/rates payable immediately before the relevant CPI Review Date, multiplied by the Current CPI and divided by the Previous CPI.
- (6) Any Adjusted Contract price/rates will not:
 - (a) be less than the Contract price/rates payable before that CPI Review Date; and
 - (b) increase by more than five percent (5%) on the Contract price/rates payable immediately before the relevant CPI Review Date.
- (7) In this clause 5.1 the following words/expressions have the following meaning:

СРІ	The Consumer Price Index (All Groups Index - Perth) as published by the Australian Bureau of Statistics.			
CPI Review Date	Annually on 1 July following the Contract commencement date.			
Current CPI	The CPI most recently published prior to the relevant CPI Review Date.			
Previous CPI	The CPI most recently published prior to the later of:			
	the Contract commencement date; or			
	the previous CPI Review Date,			
	as the case may be.			

6 Tenderer's Offer

6.1 Offer form

The Chief Executive Officer City of Busselton 2 Southern Drive BUSSELTON WA 6280

I/We

[SELECT RELEVANT OPTION BELOW AND COMPLETE IN BLOCK LETTERS]

BUSINESS STRUCTURE	TENDERER'S DETAIL
Sole proprietor If the tenderer is the sole proprietor of the business, provide: • Full name of the owner; and	
Trading name of the business if different from name of proprietor	
ABN Number	
Partnership If the tenderer is a partnership provide: • Full name of each partner; and	
Name under which the partnership is trading	
Australian Business Number (ABN)	
Company If the tenderer is a company provide: Registered name of company	
Australian Company Number (ACN)	
Trading name of business if different from name of company	
Australian Business Number (ABN)	
Trust If the tenderer is a trust provide: Name of trust	
Name of trustee	
If the trustee is a corporation, the Australian Company Number (ACN) of the trustee	
Trading name of business if different from name of trust	
Australian Business Number (ABN)	

ENDERER'S ADDRESS				
Tenderer's postal address:				
Street address of Tenderer's main place of business:				
CONTACT PERSON				
Name:				
Mobile no:				
Telephone				
Office:				
In response to RFT09/23 Parks and Reserve Maintenance Services I/we submit a Tender on the following basis:				
I/We agree that I am/we are bound by, and will comply with this Request for Tender and its associated schedules, Attachments and terms and conditions contained herein. In particular, without derogating from the generality of the above, I/we:				
A. confirm that I/we are bound to and that the tendered price is valid up to 90 calendar days from the close of Tender or 45 days from the Council's resolution for determining the Tender (whichever is the latter), unless extended on mutual agreement between the City and the Tenderer in writing;				
 B. agree that there will be no cost payable by the City towards the preparation or submission of this Tender irrespective of its outcome; and 				
C. agree that the tendered consideration is as provided under the "Schedule of Prices" in the prescribed format and submitted with this Tender.				
Dated this day of 20				
Signature of authorised signatory of Tenderer:				
Name (BLOCK LETTERS):Position:				
Address:				
Witness Signature:				
Name of witness: (BLOCK LETTERS):				
Address:				

6.2 Tenderer's response

The following checklist has been provided to assist you with your submission. Where it is necessary to provide additional information please ensure that all documents are clearly marked with the relevant Attachment title to assist the Evaluation Panel with their assessment.

NOTE: All pages within this Part 6 are to be completed and returned to the City as they form part of your Tender submission.

(a) Organisational profile

(-) -·9		
Attach a copy of your organisation structure and provide background information on your company and label it "Organisation Structure".	"Organisation Structure"	
	Attachment 1	
	Tick if attached □	
If companies are involved, attach their <u>current ASIC Current and</u> <u>Historical Company Extract</u> , including the latest annual return, and label it "ASIC Current and Historical Company Extract".	"ASIC Current and Historical Company Extract"	
	Attachment 2	
	Tick if attached □	
If any natural person is a tenderer, has that person entered into any arrangement or been subject to any order made under the <i>Bankruptcy Act 1966</i> (Cth) in the previous 3 years.	Yes / No	
If Yes, please supply in an Attachment details of any arrangement or order and label it "Financial Arrangements or Orders".	"Financial Arrangements or Orders"	
	Attachment 3	
	Tick if attached □	
If a company is a tenderer, has any director or other officer of that company been a director or other officer of any other company that has been placed under external administration (voluntary administration, receivership, liquidation) in the previous 3 years?	Yes / No	
If Yes, please supply in an Attachment details of such company and the outcomes with respect to the company and any such administration, liquidation or scheme of arrangement and label it "Company Outcomes"	"Company Outcomes" Attachment 4 Tick if attached	

(b) Referees

<u></u>			
Attach details of your referees, and label it " Referees ". You should give examples of similar work provided for your referees where possible.	"Referees" Attachment 5 Tick if attached □		
(c) Agents			
Are you acting as an agent for another party?	Yes / No		
If Yes, attach details (including name and address) of your principal and label it " Agents ".	"Agents" Attachment 6 Tick if attached □		
(d) Trusts			
Are you acting as a trustee of a trust?	Yes / No		
If Yes, in an Attachment labelled " Trusts ": 1 give the name of the trust and include a copy of the trust deed (and any related documents); and 2 if there is no trust deed, provide the names and addresses of beneficiaries.	"Trusts" Attachment 7 Tick if attached □		
(e) Subcontractors			
Do you intend to subcontract any of the Requirements?	Yes / No		
If Yes, in an Attachment labelled "Subcontractors", provide details of the subcontractor(s) including: 1 the name, address and the number of people employed; and 2 the Requirements that will be subcontracted.	"Subcontractors" Attachment 8 Tick if attached □		
(f) Conflicts of interest			
Will any actual or potential conflict of interest in the performance of your obligations under the Contract exist if you are awarded the Contract, or are any such conflicts of interest likely to arise during the Contract?	Yes / No		

If Yes, please supply in an Attachment details of any actual or potential conflict of interest and the way in which any conflict will be dealt with and label it "Conflicts of Interest".	"Conflicts of Interest" Attachment 9 Tick if attached		
(g) Financial position			
Are you presently able to pay all your debts in full as and when they fall due?	Yes / No		
Are you currently engaged in litigation as a result of which you may be liable for \$50,000 or more?	Yes / No		
If you are awarded the Contract, will you be able to fulfil the Requirements from your own resources or from resources readily available to you and remain able to pay all of your debts in full as and when they fall due?	Yes / No		
In order to demonstrate your financial ability to undertake this contract, in an Attachment labelled "Financial Position" include a profit and loss statement and the latest financial return for you and each of the other proposed contracting entities, together with a list of financial referees from your bank and/or accountant.	"Financial Position" Attachment 10 Tick if attached		
(h) Quality assurance and OSH			
Does your organisation have any quality assurance, quality management or occupational safety & health systems in place?	Yes / No		
If you propose to subcontract, does your subcontractor have a "third party" quality management or OSH system in place?	Yes / No		
Supply evidence or details of your quality assurance and OSH position and where relevant of your supplier's or subcontractor's position, in an Attachment labelled "Quality Assurance and OSH".	"Quality Assurance and OSH" Attachment 11 Tick if attached		
Do you hold the necessary licences and registrations required for you to provide the Requirements in accordance with the Contract?	Yes / No		
Provide proof of any relevant licences and registrations, in an Attachment labelled " Licences and Registrations ".	"Licences and Registrations" Attachment 12		

					Tick if a	attached	
(i) Application of <i>Professional Standards Act 1997 (WA)</i>							
Does a "scheme" as contemplated under Part 3 of the Professional Standards Act 1997 (WA) apply to the tenderer or any of its employees or subcontractors		NA					
If "Yes" provide full details of: 1 The entities/persons to whom such a scheme applies; and 2 Each such scheme. "Professional Standards Act 1997 (WA)" Not applicable					s		
below. Tenderers are coverage in a format labelled " Insurance	rements for this Reque to supply evidence tas outlined below or Coverage ". A copy ovided with this Tend	of their insurance in an Attachment of the Certificate of				ce Coveraç hment 13 ached	ge"
Туре	Insurer – Broker	Policy Number	Value	(\$)		Expiry Dat	te
Public Liability			\$20 mi	illion			
Workers Compensation and Rehabilitation (WCA)			As required under Western Australian laws				

6.3 Selection criteria

Before responding to the following criteria, Tenderers must note the following:

- All information relevant to your answers to each criterion are to be contained within your Tender;
- Tenderers are to assume that the Evaluation Panel has no previous knowledge of your organisation, its activities or experience;
- Tenderers are to provide full details for any claims, statements or examples used to address the qualitative criteria; and
- Tenderers are to address each issue outlined within a qualitative criterion.

The Selection Criteria include the following criteria and their relevant weightings:

Compliance Criteria

Description of Compliance Criteria

(a)	Compliance with and completion of the Schedule of Prices	Yes / No
(b)	Submitting a duly completed "Offer" form – see Section 6.1	Yes / No
(c)	Responding to the request for information in Sections 6.2 and 6.3	Yes / No
(d)	Submitting a Tender before the Deadline and in accordance with Section 1.7	Yes / No
(e)	Submitting evidence that the goods or services are to be supplied by an Australian Disability Enterprise	Yes / No

Price Criterion

Tendered price/rates as specified in the Schedule of Prices submitted by the Tenderer.	50%
Price weighting:	

Qualitative Criteria and weighting

Relevant Experience Describe and demonstrate evidence of your experience in supplying similar goods and/or services as the Requirements (outlined in Part 3 – Specification). Provide information such as: (a) details of similar work;	Weighti 15 % weigl	·
(b) the scope of the Tenderer's involvement including details of outcomes; (c) Details of issues that arose during the project and how these were managed; (d) Demonstration of sound judgement and discretion; and	"Relevant Experience" Attachment 14	Tick if attached
(e) Demonstration of competency and proven track record of achieving outcomes; Provide details of the respondent's membership of, accreditation with and/or involvement in any and all relevant: (e) statutory;		

(f)	non-statutory;		
(g)	professional;		
(h)	industry related,		
bodie	es, boards, associations, commissions and panels.		
Supp	bly details in an attachment and label it "Relevant Experience".		
		Weighti	na
	al Benefit	5%	9
the Id	cribe how over the past 2 (two) years you have contributed towards ocal community (that is any social, economic, environmental or other ribution or benefit). Note:		
(a)		"Local Benefit"	Tick if attached
. ,	contribution or benefit to the local community over and above being a local supplier operating within the district.	Attachment 15	attached
(b)	Information about historic use of local suppliers as subcontractors	Attachment 15	
Su	or support of local business by the tenderer may be included. pply details in an attachment and label it "Local Benefit".		
•	condent's Resources and Demonstrated Understanding	Weighti	•
comp	onstrate your ability to supply and sustain the necessary resources to plete/ supply the goods and /or services outlined in the Specification. ide information such as:	15 %	
(a) I	Plant and equipment;	"Respondent's	Tick if
(b) ı	materials;	Resources"	attached
(c) (contingency measures or back up of resources including personnel;	Attachment 16	
` '	The methodology or process for the delivery of the goods and/ or /services;		
(e) -	Training processes (if required); and		
	A demonstrated understanding of any particular issues relating to the scope of the work,		
Supp	oly details in an attachment and label it "Respondent's Resources".		
Worl	k Health and Safety	Weighti	ng
Demonstrate evidence of appropriate safety management systems. Provide information such as:		15%	
(a) \$	Site Safety Management Plans		
(b) I	Hazard Identification processes	"Occupational Health and	Tick if attached
(c) /	Accident/Incident processes	Safety"	
(d) I	Risk Assessment processes	Attachment 17	"
	Safety certifications		
Supp Safe	oly details in an attachment and label it "Occupational Health and ty".		

6.4 Price information

(a) Regional Price Preference

Are you a 'Local Supplier' (as defined in the City's Regional Price Yes / No Preference Policy) – i.e. a supplier who has had for more than 6 months prior to the closing date of the Tender a physical presence by way of a shop, depot, outlet, headquarters or other premises from which they operate within the City of Busselton district? "Regional Price Preference" To determine the application of the policy, in an Attachment labelled 'Regional Price Preference", provide details of: Attachment 18 (a) the address of your office located in the City of Busselton; Tick if attached details of where the management or delivery of the majority of the goods and services the subject of the Request for Tender will be carried out. Tenderers must note that in accordance with the City's Regional Price Preference Policy only where the management or delivery of the majority of the goods and services will be carried out from the "Local Supplier's" (as defined above) premises will the price preference be applied by the

- (b) Preamble to the Schedule of Prices
 - (1) Tenderers must complete and submit as part of their Tenders the Schedule of Prices – see Attachment A.
 - (2) Before completing the Schedule of Prices, Tenderers should ensure they have read this entire Request for Tender and in particular this Preamble.
 - (3) The Tendered Price(s) must be specified by the Tenderer in the Schedule of Prices.
 - (4) Tenderers are also required to submit a breakdown of the tendered price and other information required in the Schedule of Prices and other pricing schedules contained in this Request for Tender.
 - (5) Tenderers should ensure they have read this entire Request for Tender and performed their own measurements, calculations and estimated quantities in relation to the Requirements in calculating the tendered price.
 - (6) Unless otherwise indicated:
 - (A) the tendered price must include all applicable levies, duties, taxes and charges. Any amount that is not described in the Tender as additional to the tendered price will not be payable by the Principal under the Contract;
 - (B) the rates, amounts and percentages entered in the Schedule of Prices must include all costs for undertaking the Requirements, including the following:
 - labour and associated prices, such as all site allowances and overheads, including but not limited to worker's compensation, public liability insurance, payroll tax and superannuation levy;

- except for plant and materials to be supplied by the Principal (as specifically stated in this Request for Tender), the supply of materials, goods, storage, handling and prices in connection therewith, including delivery to site and taking delivery of materials and goods supplied by others, unloading storage and all associated costs;
- plant, equipment and vehicles required for providing/supplying/performing the Requirements and associated prices in connection with that plant;
- disposal of all waste and surplus (suitable and unsuitable) materials;
- fixing, erecting and installing or placing of materials and goods in position;
- temporary works;
- the effect of phasing various portions of the Requirements or of alteration or additions to existing services and supplies to the extent that such work is set forth or reasonably implied in the document on which this Request for Tender is based:
- establishment charges, overheads and profit;
- attendance and transport for sampling and testing carried out by the Superintendent, and supplying results of tests to be carried out by the Contractor in accordance with the Contract;
- amounts for a quality assurance system including all testing and provision of certificates of conformity; and
- removal or retention of the trees and other vegetation as specified in the Specification.
- (7) All amounts specified against specified items in the Schedule of Prices may, at the Principal's discretion, be used for the assessment and/or calculation of the value of progress claims and variations.
- (8) Where a section or item shown in the Specification or elsewhere in this Request for Tender does not appear in the Schedule of Prices, the costs of those works shall be deemed to be included in the rates for another similar section or item described elsewhere and is not paid for separately.
- (9) The tendered price must exclude Goods and Services Tax (GST).
- (10) An incorrect or inconsistent provisional sum or quantity in a Tender will not be adjusted by the Principal and will be assumed to be correct. The Tenderer may not be given an opportunity by the Principal to correct errors.
- (11) The decision as to whether or not to allow correction or adjustment of the rates in the completed Schedule of Prices, will be at the absolute discretion of the Principal.

- (12) All measurements must accord with principles laid down in Australian Standard 1181-1982 "Method of Measurement of Civil Engineering Works and Associated Building Works" unless noted otherwise.
- (13) The following abbreviations shall be used for units of measurement.

UNIT	ABBREVIATION	UNIT	ABBREVIATION
Millimeter	mm		
Metre	m	provisional sum	PS
square metre	m2	number of	No.
cubic metre	cu.m.	items	Item
Kilogram	kg	hours	Hrs
Tonne	t	man days	M/day
Diameter	Dia or dia	day	Day
Litre	I	week	Wk

Attachments to be issued with this RFT:

Attachment A - Schedule of Prices

Attachment B - Specification

Attachment C - General Conditions



Request for Tender Part 3 - Specification

Request for Tender RFT09/23 Parks & Reserve Maintenance

Contents

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Specification

1. Introduction

The City's objectives with this Request for Tender are:

The Principal's objectives is to seek an hourly rate for Parks and Reserve maintenance labour workers, with a suitably qualified Supervisor, to carry out the works on an "as needs" basis. A work roster will be established between the Contractor and the City to allocate the available hours to meet the City's requirements and budgetary constraints.

2. Scope of requirements

The scope of the Requirements is as specified below and as detailed within the documents listed under Section **Error! Reference source not found.** Reference Documents.

The Contract covers works to the City parks, gardens, reserves, ovals, road verges and landscaped areas.

lan	dscaped areas.
Тур	pical works include:
	Mowing,
	Planting,
	Mulching,
	Pruning,
	Weeding,
	Litter Collection,
	Playground Cleaning and Softfall Maintenance,
	Furniture Cleaning, and
	General Labour for other activities.
by inte	rvices shall be available when requested. In the event that the services cannot be supplied the requested date, the Contractor shall notify the Principal in writing immediately of the ended delivery date and the Principal shall be under no obligation to procure the services in the Contractor.

3. Reference Documents

Doc. Ref.	Description	Revision
	Section 9(a) - Landscape - General Guidelines	(b)

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4. Specific requirements of the contract

The following specific requirements and conditions shall apply to the Contract and are required to be satisfied by the Contractor:

4.1 MOWING

Mowing requirements shall be undertaken using rotary type mower suitable for mowing uneven ground. Availability of both drop and collection mowers shall be made available. Mowing activities include whipper snipping, edging and blow-down of adjacent hardstand areas.

4.2 PLANTING

Planting shall be conducted as outlined in Section 9(a) - Landscape - General Guidelines.

Plants will be supplied by the Principal.

4.3 MULCHING

Mulching shall be conducted as outlined in Section 9(a) - Landscape - General Guidelines. Mulch will be supplied by the Principal.

4.4 PRUNING

Pruning includes best horticultural practice techniques and pruning trees to AS 4373 2007 Pruning of Amenity Trees from ground level as directed by the Principal.

4.5 WEFDING

Weeding includes physical removal of weeds and chemical controls as directed by the Principal.

4.6 LITTER COLLECTION

Litter collection includes targeted specific litter collection. Litter shall also be collected during other works described herein.

4.7 PLAYGROUND INSPECTION, CLEANING AND SOFTFALL MAINTENANCE

Playground Inspections shall be performed by Level One Certified Playground Safety Inspectors Australia. Defined by AS 4685.0:2017 clause no. 8.5.3, this inspection is to be conducted on a regular basis and identifies any obvious hazards that could result from wear and tear, vandalism and/or weather conditions.

Playground cleaning includes removal of dirt, grime, graffiti, spider webs and sand / mulch.

Playground Softfall maintenance includes raking of softfall material, removal of foreign objects and levelling. Pressure cleaning of equipment may be required as requested by the Principal.

4.8 FURNITURE CLEANING

Furniture cleaning includes removal of graffiti, spider webs and dirt.

4.9 GENERAL LABOUR FOR OTHER ACTIVITIES

General labour may be required to fulfil other requirements not specified herein.

5. Term of contract

Subject to the Principal's right to early termination as set out in the General Conditions, the Term is for a period of **three years** from the date of commencement 1 August 2023, with **two options** of 12 month extensions, to be exercised at the Principal's sole discretion.

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6. Indicative project timeline

The City's indicative timeline for procuring and supplying the Requirements is detailed in the table below.

Tenderers must demonstrate as part of their tender the ability to undertake and complete the Requirements in accordance with the below timeline.

Action/deliverable	Date
Tender closing date	13/06/2023
Date for completion of evaluation	30/06/2023
Council meeting for accepting a	
tender/date for entering into contract	26 July 2023
Contract Commencement	1 August 2023

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RFT09/23 PARKS AND RESERVE MAINTENANCE SERVICES ATTACHMENT A SCHEDULE OF PRICES

SCHEDULE OF RATES/BILL OF QUANTITIES BASED CONTRACT

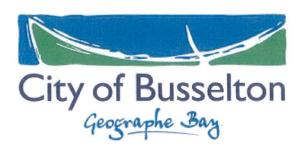
- (1) The Response will be assessed and the Contract awarded on a schedule of rates.
- (2) The Contract Price payable by the Principal shall be the amount ascertained by applying the rates accepted by the City and adjusted in accordance with the Contract to the relevant volume, items, quantities, unit of the Requirements.
- (3) All prices for providing and performing the Requirements are to be specified as rates against the volume, items, quantities, units specified in the schedule below.
- (4) Travel to and from site to be included in rate.

Item	Personnel / Classification	Unit rate ex gst
1.	Work Team of three labour plus one Supervisor inclusive vehicle / plant and equipment.	
2.	Additional labour per hour as availability and roster require.	

Materials Mark-up cost + 5%

Proof of invoice may be required by the Principal from time to time.

The Principal offers no guarantee of quantities of goods required.



TENDER EVALUATION REPORT

RFT09/23 Parks and Reserve Maintenance Services

21 June 2023

- NOT FOR PUBLIC RELEASE -

1 INTRODUCTION

1.1 TITLE

The City of Busselton (the City) issued Request for Tender RFT09/23 Parks and Reserve Maintenance Services.

(Request for Tender).

1.2 DEFINITIONS

Unless the context indicates otherwise:

Capitalised terms used in this Tender Evaluation Report shall have the same meaning as defined in the Request for Tender; and

The following terms/expressions shall have the following meaning:

CEO	the Chief Executive Officer of the City of Busselton	
Evaluation Sheet	a spreadsheet attached as Appendix B referencing the following	
ere en	information in relation to each tender:	
	Compliance assessment in accordance with section 3.2	
	 Evaluation Panel consensus scoring and ranking in accordance with sections 3.3, 3.4 and 3.5 	
Panel Consensus Score	a spreadsheet attached as Appendix A referencing the Evaluation Panel's	
Sheet	consensus comments on and scoring of the qualitative selection criteria in relation to each tender	
Regulations	Local Government (Functions and General) Regulations 1996	

1.3 SCOPE

The Request for Tender invited suppliers to submit tenders for supply of the following goods/services:

The supply of teams for the provision of general parks and reserve maintenance activities such as mowing / pruning / litter collection.

(defined in the Request for Tender as Requirements)

1.4 PROCUREMENT VALUE AND FUNDING

The estimated total value of the Requirements over the full contract term is \$40,000 per month or \$2.5million over 5 year contract term.

The Requirements will be funded as follows: 1017 Parks and Environment /1024 Waste Services Operating Budgets

1.5 PROCUREMENT TIMELINE

Date of Council meeting for accepting a tender	26 July 2023
For Supply of Goods & Services Contracts Contract commencement Term of Contract Options for Extension of Term of Contract	1 August 2023 3 years 2 x 12 months

1.6 ADVERTISING DETAILS

The Request for Tender was not publicly advertised as a tender exemption applies pursuant to regulation 11(2)(i) of the *Local Government (Functions and General) Regulations 1996* (WA), as the services are to be supplied by an Australian Disability Enterprise.

1.7 THE REQUEST FOR TENDER WAS ISSUED DIRECTLY TO ACTIV FOUNDATION INCORPORATED VIA VENDORPANEL. PRE-TENDER BRIEFING SESSION/SITE INSPECTION

No pre-tender briefing/site inspection was required for this Request for Tender.

1.8 TENDER CLOSING DATE

Tuesday 13 June 2023 at 2:00pm (AWST)

2 TENDERS RECEIVED

The Request for Tender was issued and required all tenders to be submitted via the online VendorPanel platform.

The following tender was received:

	Tenderer	Location
1	ACTIV FOUNDATION INC.	327 Cambridge Street Wembley WA 6014 / 30 Cook Street
1.	ABN: 11 553 592 765	Busselton

3 EVALUATION

3.1 EVALUATION PANEL

In accordance with Regulation 18(4) tenders that have not been rejected are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept.

For the purposes of assessing and evaluating tenders and to recommend to the City which of them (if any) are considered to be most advantageous to accept, an evaluation panel consisting of the following persons, was established by the CEO or his delegate (Evaluation Panel):

Name	Directorate/Company	Identified Conflict of Interest	Initialled
lain Ferry Parks and Environment Technical Officer	Engineering and Works	N/A	17
(Panel Chair)			
Bradley Reynolds Parks and Environment Coordinator	Engineering and Works	N/A	the

Adam Tweddle	Engineering and Works		
Foreshore / CBD /		N/A	
Trades Supervisor			

The following person assisted the Evaluation Panel with probity and compliance requirements (**Probity Officer**):

Name and Title	Directorate	Identified Conflict of Interest	Initialled
Lucinda McLeod Contract & Tendering Officer	Finance & Corporate Services	N/A	erm

The Evaluation Panel assessed each deemed compliant tender in accordance with relevant statutory requirements and City of Busselton policies, operational practices, and guidelines.

3.2 COMPLIANCE ASSESSMENT

The compliance criteria specified in the Request for Tender were:

- (a) Submitting a duly completed Offer Form section 6.1
- (b) Responding to the request for information in sections 6.2 and 6.3;
- (c) Submitting a tender before the deadline and in accordance with section 1.7;
- (d) Compliance with and completion of the Schedule of Prices.

(Compliance Criteria)

The Probity Officer conducted a compliance assessment. The Compliance Criteria were not point scored. Each tender was assessed on a **Yes/No** basis as to whether each of the Compliance Criteria was satisfactorily met.

The Probity Officer provided the compliance assessment results to the Evaluation Panel. Note that all tenders are compliant subject to:

- (a) any notes and comments detailed by the Probity Officer in the compliance tab of the Evaluation Sheet; and
- (b) satisfaction of any outstanding requirements (e.g provision of insurance certificates or performance securities required under the Contract).

Further detail of the compliance assessment is provided in the Evaluation Sheet - see *Appendix B – Tender Evaluation – Evaluation Sheet*.

3.3 QUALITATIVE CRITERIA

In accordance with Regulation 14 (2a) and pursuant to Delegation DA1-07 the CEO (or his delegate) determined the following criteria for deciding which tender should be accepted:

	Criteria	Weighting
(a)	Price (see paragraph 3.4 for further price information)	50%

(b)	Relevant Experience	15%
(c)	Local Content	5%
(d)	(d) Respondent's Resources and Demonstrated Understanding	
(e)	Work Health and Safety	15%

For purposes of assessing the tenders in writing the City prepared a spreadsheet which allows for tenders to be assessed against the Qualitative Criteria and scored in accordance with the rating scale detailed below (Evaluation Panel Individual Score Sheet).

Each Evaluation Panel member was provided with:

- A copy of each tender;
- An Evaluation Panel Individual Score Sheet; and
- An Evaluation Scoring Guide and Procedural Fairness Guidelines as published by WALGA (Panel Guide).

A rating scale of zero to five (0-5) was used for evaluating tenders against the qualitative criteria (other than price), with 0 being lowest and 5 being highest.

Each Evaluation Panel member individually assessed each tender in accordance with the Request for Tender and the Panel Guide and recorded her/his findings in an Evaluation Panel Individual Score Sheet. This assessment included:

- Reviewing submissions/presentations made in each tender of the extent to which they satisfy the Qualitative Criteria;
- Assessing whether information provided by tenderers sufficiently substantiate submissions/presentations made in their tenders; and
- Comparing the merits of each tender with other tenders to form a view as to which of them (if any)
 would be most advantageous to the City to accept.

Following individual assessment of the tenders by the Evaluation Panel members, the Evaluation Panel and Probity Officer convened as follows, discussed the Evaluation Panel members' assessments and findings, and determined further action:

Date and time of first Evaluation Panel meeting:	20/06/2023 14:00

At this meeting the Evaluation Panel and Probity Officer:

- Discussed individual Evaluation Panel members' assessment, scoring and ranking of tenders.
- Discussed application of the City's Regional Price Preference Policy.
- Completed the Evaluation Sheet and the Panel Consensus Score Sheet with relevant information from Evaluation Panel Individual Score Sheets and consensus reached at the meeting.
- Finalised pricing information and entered it into the Evaluation Sheet.
- Ranked the Evaluation Panel's overall assessment of tenders in accordance with the Evaluation Sheet.

See Appendix A – Tender Evaluation – Panel Consensus Score Sheet for the Evaluation Panel's consensus comments on and scoring of the Qualitative Criteria in relation to each tender.

3.4 PRICE INFORMATION - NON-WEIGHTED PRICE/COST

Not applicable.

3.5 PRICE INFORMATION - WEIGHTED PRICE/COST

Tendered prices/costs were considered as part of the qualitative criteria and weighted as follows:

Criterion	Weighting	
Tendered price	50 %	

The Evaluation Panel entered the tendered price(s)/costings submitted by the tenderers into the Evaluation Sheet.

The Regional Price Preference Policy applied to this tender. In accordance with this policy the Evaluation Panel considered information available in relation to the tenderer and has given a regional price preference where applicable – see the **Appendix B – Tender Evaluation – Evaluation Sheet** for further detail.

The tendered price(s)/costing(s) (as adjusted in accordance with the Regional Price Preference Policy) were then weighted and scored in accordance with the Request for Tender.

See Appendix B – Tender Evaluation – Evaluation Sheet for the tendered prices, weighting and ranking of each Tender.

3.6 EVALUATION SUMMARY

The Evaluation Panel's assessment and overall ranking of the tenders can be summarised as follows:

Ranking	Tenderer	Summary	Tendered Price
		Very good experience having offered these services in Western Australia for thirty-five years, and 16 years in Busselton.	
1.	Activ Foundation Inc	Provides employment opportunities and support to staff with a disability, including numerous staff based in Busselton.	\$110 per hour exc GST for a three person team and a supervisor
		Appropriate resources to provide the City's requirements.	,
		If successful would require review of safety documentation.	

4 RECOMMENDATION AND REFERENCES

4.1 EVALUATION PANEL RECOMMENDATION

Based on the Evaluation Panel's assessment and overall ranking of the tenders the panel recommends that the following tender is the most advantageous to the City to accept:

Activ Foundation Inc (Preferred Tenderer)

for the following reasons:

Activ is a long-standing Australian Disability Enterprise (ADE), whose primary purpose in social enterprise is to provide meaningful employment opportunities for people with disability. Approximately 16 years' service to City of Busselton with well resourced local depot and employees. A rise in pricing from \$100 p/h to \$110 p/h for a crew of three plus supervisor from the previous five-year contract (VP109809), represents a 10% increase in costs from pricing in 2018. In the same period, Australian CPI has risen by 17%.

4.2 DETAILS OF REFEREE REPORT

The Evaluation Panel conducted the following reference check in relation to the Preferred Tenderer, which supports the recommendation in section 4.1:

Referee Number 1		Information Provided
Department of Industries and Development	Primary Regional	15:00 15/06/231. How did the contractor perform and were there any issues in terms of contract management, time or cost?
Contact Person:	Margery	Was the project delivered on time?
Stevens	II	+ 10 years servicing sites. No issues on with contract management. Activ Supervisors determine work
Email	Address:	requirements.
Margery.Stevens@dpi	rd.wa.go	
<u>v.au</u>		2. What was the quality of the finished project? Has there been any feedback from user groups?
Telephone Number: 6170	08 9780	Always good quality work.
		3. Were there any unexpected events that changed project delivery? How did the contractor resolve these with you?
		Minor issues like broken sprinklers fixed quickly.
		4. Overall impression working with the contractor? Great to work with Activ Foundation. No negative feedback. Positive for both parties.

Contact; Scott Bond Coordinator Works Management Aqwest

Scott.bond@aqwest.com.au

0403 106 264

How did the contractor perform and were there any issues in terms of contract management, time or cost? Was the project delivered on time?

Activ Foundation are engaged for all grounds keeping programs and reservoir vegetation management plans.

2. What was the quality of the finished project? Has there been any feedback from user groups?

Always excellent work delivery, with Activ Supervisors identifying tasks to complete.

3. Were there any unexpected events that changed project delivery? How did the contractor resolve these with you?

Emergency tree work required. Activ engage sub contract arboriculture services through ArborGuy and managed the situation really well.

4. Were there many defects during the Defects Liability Period, if so, how were these resolved with the contractor?

N/A

5. Overall impression working with the contractor? Excellent service which Aqwest will continue to use and support.

4.3 FINANCIAL RISK REPORT

The City's Contracts and Tendering Officer undertook a high-level financial risk assessment in relation to the Preferred Tenderer, which comprised of the following:

The City obtained a "Risk of Failure Report" from Illion Direct (a commercial credit services provider) in respect to the Preferred Tenderer. The "Risk of Failure Report" details the Preferred Tenderer's risk of failure as assessed against a range of criteria/information, including:

- · Entity's legal structure
- Currency of ASIC registration
- Corporate ownership and officers
- · Legal events, collections and commercial defaults
- Credit risk analysis

The "Risk of Failure Report":

- (1) Indicated the Preferred Tenderer's relative risk level as very low; and
- (2) Recommended as follows: extend terms to encourage growth.

Other considerations:

The following terms under the proposed contract between the City and the Preferred Tenderer should provide the City with a certain level of security:

- (3) Payment terms: under the Contract payments to the contractor are to be made in arrears (i.e payments for work completed and/or goods/services supplied); and
- (4) Termination for convenience: The City may terminate the Contract at any time by giving at least 14 Business Days' notice to the Contractor.

Given the above it is considered that the financial risk to the City of entering into the Contract with the Preferred Tenderer is acceptable.

4.4 SUPPORTING DOCUMENTATION

The following documentation is available upon request (requests to be made to the CEO):

- The Request for Tender;
- · Tender submission received.

5 ENDORSEMENT

5.1 RECOMMENDATION BY EVALUATION PANEL MEMBERS

The Evaluation Panel members listed below confirm the information provided by them in this report and the recommendation in section 4.1.

Name	Signature	Date
lain Ferry Parks and Environment Officer	Iain Ferry	22/06/23
Bradley Reynolds Coordinator Parks and Environment	V. Fey	22/06/23
Adam Tweddle Foreshores / CBD / Trades Supervisor	£/	26 / 6 /23

5.2 CONFIRMATION OF DUE PROCESS

The Probity Officer confirms that the processes and procedures in relation to the Request for Tender and this Evaluation Report are compliant with relevant operational procedures and statutory and policy requirements.

Name and Position	Signature	Date
Lucinda McLeod, Contract & Tendering Officer	Konher	22 /06 /23

5.3 CONFIRMATION OF FINANCIAL REVIEW

I confirm the high-level financial assessment outlined in paragraph 4.3.

Name and Position	Signature	Date
Lucinda McLeod, Contract & Tendering Officer	Mynd	22 /06/23

5.4 ENDORSEMENT BY BUSINESS UNIT MANAGER

The recommendation in section 4.1 is supported and City approval is requested to enter into a Contract with the Preferred Tenderer.

Name and Position	, / Signature Date
Matthew Twyman - Manager Operations Services	29/06/2023

5.5 ENDORSEMENT BY BUSINESS UNIT DIRECTOR

The recommendation in section 4.1 is supported and City approval is requested to enter into a Contract with the Preferred Tenderer.

Name and Position	Signature	Date
DANGT DUREZUNEUS	Ju	30/6/23

Appendix A

Panel Consensus Score Sheet

Appendix B

Evaluation Sheet

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TENDER EVALUATION - PANEL CONSENSUS SCORE SHEET

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6.3.2 Qualitative Criteria	
	4.00
Comments	Over the past thirty five years Activ have consistently delivered property care and gardening maintenance services to local government and the private industry. Activ have been provided this service to COB for the past 16 years.
B) Local Benefit (Score out of 5) 5%	4.17 Provides employment opportunities and support to start
Comments	with a disability who would otherwise have limited employment opportunities. Aim is to support people with a disability to learn and develop the skills they need to secure long-term employment, if they choose to do so. Activ also supports other community organisations and local businesses.
D) Tenderers Resources (Score out of 15%	3.83
Comments	Activ have a range of equipment for the required tasks. They have the capacity to purchase additional equipment if required. They can also supply additional staff resources if required.
EN WILLS (Score out of 5)	3.33
Comments	They have a WHS system in place. If successful we would require copies of all safety documentation prior to engagement.
Ougligative	3.77
QUALITATIVE RANKING	1
Adjusted Price for Evaluation (including Regires 50% TOTAL WEIGHTED SCORE PRICE RANKING	99.00 5.00
	8.77
Total Score	

Evaluation Panel Members: Iain Ferry Brad Reynolds $Adam \ {\rm Twooddle}$



TENDER EVALUATION - EVALUATION SHEET

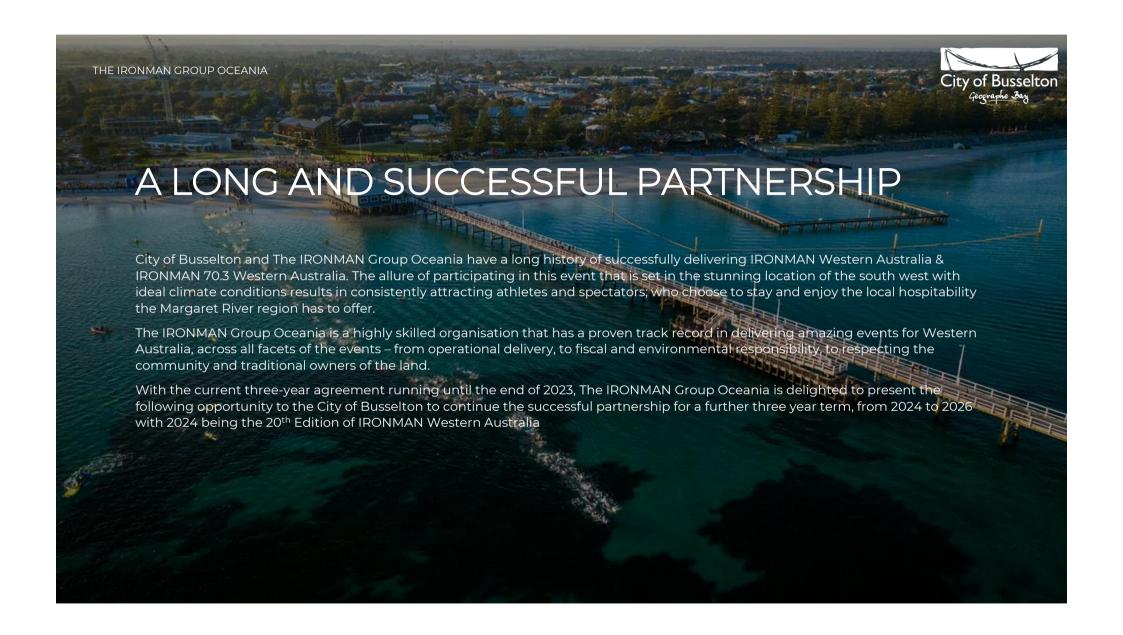
RFT09/23 Gar	den maintenance services		
Clause			Activ Foundation
6.1 OFFER	FORM m signed?		
-	EERS RESPONSE	Yes/No	yes of the first f
Addenda	a and Clarifications edged Receipt of Addendas		
Acknowle	adged Receipt of Clarifications	Addenda No.s Clarification No.s	yes
6.2.1 Organisa	ation Profile & Referees tion Profile		
ASIC Cu	rrent and Historical Company Extract	Attachment 1 Attachment 2) es
Financial	s a natural person, has person entered into anty arrangement or been subject to order under B Arrangements or Orders s a company has any director or other officer of that company been a director or other officer of	Attachment 3	no
Company	Outcomes	Attachment 4	no NA
6.2.2 Referees		Attachment 5	Constitution of the second
6.2.3 Agents Are you a	icling as an agent?	Yes/No Yes/No	
Details of	Principal	Attachment 6	
6.2.4 Trusts Are you a	cling as a trustee of a trust?	Yes/No	
Name an	d Details of Trust	Attachment 7	No
6.2.5 Subconti	actors lend to subcontract any of the Requirements?	Yes/No Island	
Details of	Subcontractors	Attachment 8	No
6.2.6 Conflicts Do you ha	of Interest ave any actual or potential conflicts of interest?	Yes/No	
	Conflict of Interest	Attachment 9	No
6.2.7 Financial	Position resently able to pay your debts?	Yes/No	at had a second
Are you c	urrently engaged in litigation? e able to fulfil the Requirements of the Contract from your own resources?	Yes/No.	yes NA
Financial	Profile of Organisation	Yes/No Attachment 10	yes yes
Does Fina	incial Profile Demonstrate capacity to fulfill requirements?	Yes/No/Comment	report to be obtained for Preferred Tenderer and reviewed by Legal Services Coordinator
6.2.8 Quality A	ssurance ve a quality system?		
Do your s	ve a quanty system? Dubcontractors have a quality system? Quality Assurance	Yes/No Yes/No	yes NA
Do you ho	duality Assurance (Id the necessary licences and registrations required for Requirements?) (Id of of relevant licences/registrations)	Attachment 11 Yes/No	yes yes
		Attachment 12	766
Does a "s	on of Professional Standards Act 2005 (WA) ("PS Act") sheme under the PS Act apply to the tenderer or its employees?	Yes/No	NA NA
i.2.10 Insurance	vide details of entities/person to whom scheme applies and scheme	Attachment 13	
 Details of 	Insurances	Attachment 14	
Worker	Liability (Confirm Value and Expiry Date) 's Comp (Confirm Value and Expiry Date) sional Indemnity (Confirm Value and Expiry Date)		\$50million exp 30/06/23 As required exp 30/06/23
Motor \	/ehicle (Confirm Value and Expiry Date) ctors All Risk (Confirm Value and Expiry Date)		
	Yes** = No Certificate of Current	су	\$35 million exp 30/06/23
6.3 RESPONS 5.3.1 Complian	SE TO SELECTION CRITERIA		
Compliano	e with and completion of the Price Schedule(s)?	Yes/No Yes/No	YES
Respondir	g to the request for information in as 6.2 and 6.3 a tender before the deadline and in accordance with s1.7	Yes/No Yes/No	YES YES
Submitting	evidence that the services are to be provided by an Australian Disability E	nterprise Yes/No	YES YES
Relevant E	o Criteria Experience (Compulsory Criteria)	Attachment 15	
Local Ben	ofit (Compulsory Criteria) Resources and demonstrated understanding	Attachment 16 Attachment 17	yes yes
Work Heal	th and Safety	Attachment 18	yes
3.3.2 Qualitativ			
A) Releva	int Experience (Score out of 5) (Note: Compulsory Criteria)	15%	4.00 1,20
B) Local weighted	Content (Score out of 5) (Note: Compulsory Criteria)	EX.	4.17 0.42
	rer's Resources (Score out of 5)	15%	3,83
Weighted	core out of 5) I Score	15%	1.15 3.35 1.00
TOTAL W	EIGHTED SCORE (Score out of 10 x Total Qualitative Weighting)	50%	3,77
.4.1	ORMATION		
Regional I	Price Preference been operating a Business within the City of Busselton	Yes/No	
Are you so	urcing materials from with the City of Bussellon	Yes/No Attachment (#)	los mana
Schedule	of Prices	Patterson (e)	
Schedule of	of prices completed? of additional Rates Completed?	Yes/No Yes/No	yes
	Price (Ex. GST)	100/110	110.0
Regional P	ricing Preference (\$50,000 Max) Fendered Price for Assessment	Lowest Price 99.00	11.0
Normalised	Price Score	Lowest Price 99.00	10.00
Price Ran		50%	1
Total Scor		(Score out of 10)	8.77
COMBINE	D RANKING		
		Collection	

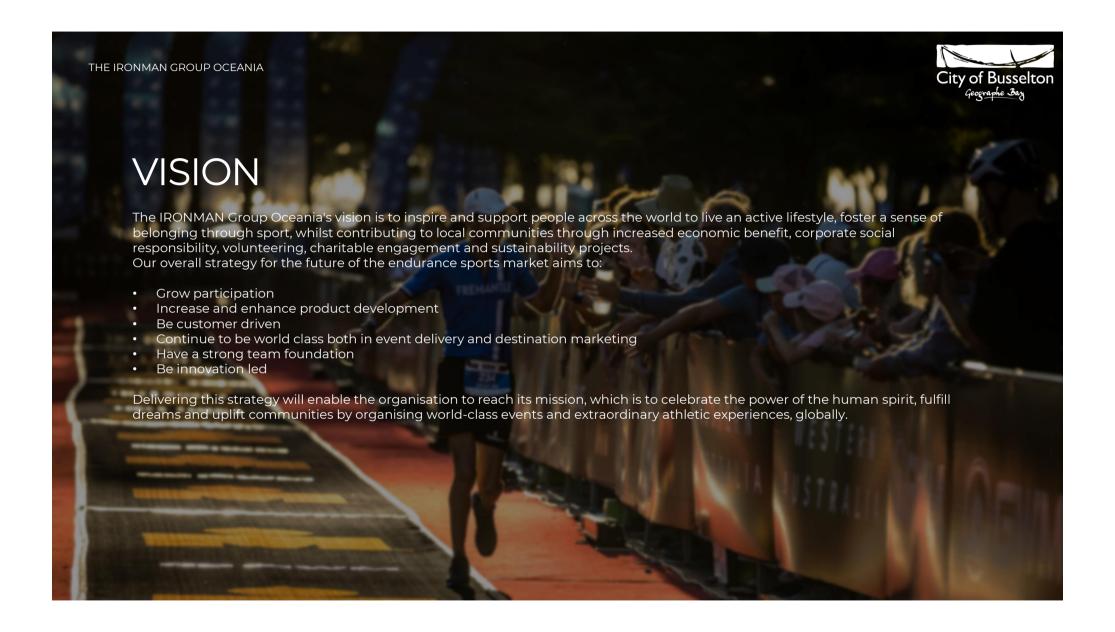
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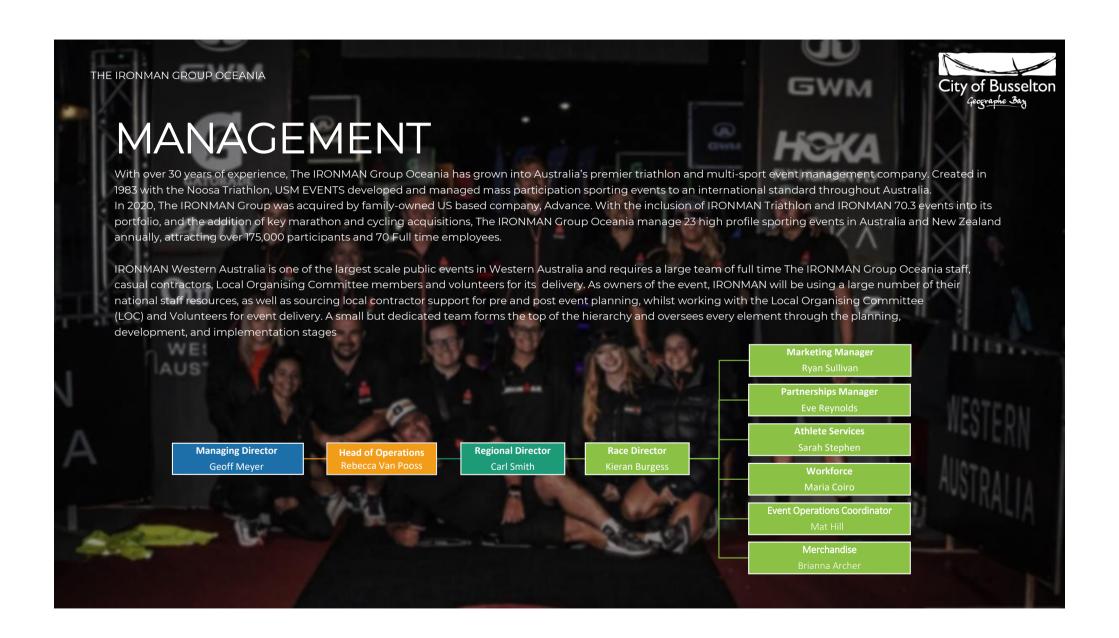
Goal	Strategy	Activity
SUSTAINABLE ECONOMIC DEVELOPMENT	Preserve and protect the natural environment	Foster regenerative tourism practises from business and consumers(2 points) Support and model best-practice approaches to clean technology, circular economy, waste elimination, resource recovery and renewable energy production (2 points)
	Progress actions from the City's Smart Cities Strategy	 Support technology interventions that enhance sustainability in urban places, parks, waterways and building management (2 points) Support for use technology and data to encourage sustainability in resource use, and improve the efficiency of waste collection and processing (2 points)
	Foster Clean Energy and Circular Economy	Support and encourage research and development in circular economy activities(1 point) Investigate and foster public and private investment opportunities in clean energy production (1 point)
ENHANCE LIVEABILITY	Advance Transport Connectivity Advance Digital Connectivity	Support increased public transport services (3 points) Support delivery of for high quality, accessible, affordable mobile and internet connectivity (2 points)
	Town centre Activation and Placemaking	Grow and support place-making and activation initiatives across town centres (3 points)
DIVERSE EDUCATION, TRAINING AND EMPLOYMENT	Diverse employment opportunities	 Programs that work with industry to diversify and deepen employment choices (2 points) Initiatives that advance workforce capability and accommodation options (3 points)
	Progress industry- aligned skilled workforce	Development of Hospitality Trade School (1 point) Aged Care and Allied Health training (1 point) Aviation Maintenance and Pilot Training (1 point) FIFO Induction Hub (1 point) Environmental Sciences Training (R&D, Marine and Terrestrial) (1 point)
INVESTMENT ATTRACTION AND MARKETING	Promote the City as an attractive place to visit, work and invest.	Support initiatives and projects that promote the City locally (1 point) Nationally and internationally (3 points)
	Advance Emerging Industries	Foster Technology & Creatives sector (3 points) Foster Manufacturing Industries (2 points) Foster Research and Development across sectors (1 point) Foster other emerging industries (1 point)
GROW, DIVERSIFY AND SUPPORT BUSINESS & INDUSTRY	Support and grow business	Facilitate business support services in conjunction with industry partners (3 points) Facilitate business networking and clustering (2 points) Facilitate collaboration, skill-building and shared learning (3 points) Foster business resilience (2 points) Support business to understand and mitigate economic leakages (2 points)

Diversify and grow	1. Facilitate value add and diversify opportunities (2 points)
Industry	2. Foster innovation and entrepreneurship (3 points)
	3. Foster investment across industries (2 points)









THE IRONMAN GROUP OCEANIA



EVENT OVERVIEW

Since 2004, IRONMAN Western Australia has been a bucket-list race for athletes all over the world, taking place in the idyllic seaside town of Busselton - the gateway to the famous Western Australia wine region of Margaret River. IRONMAN Western Australia is renowned worldwide for being the place to go for a personal best. The bike and run courses are among the flattest on the global IRONMAN circuit and with stunning seaside views and unrivalled local support, it's easy to see why this is a must-do event for athletes around the globe. For the last 19 years, IRONMAN Western Australia has attracted athletes from North America, Europe, and of course Asia and Oceania. Each year there are highly sought after qualifying slots to the IRONMAN World Championship and the IRONMAN 70.3 World Championship on offer.

During the Covid impacted years we saw the cancellation of the 2020 event and the 2021 event with mostly athletes from WA due to boarder closures. 2022 was the first year since 2019 that there were no restrictions on the WA border which meant participation numbers were back to higher (pre-COVID) levels, which gave athletes from all over WA, Australia and internationally, the opportunity to travel to the event.

EVENTS

- IRONMAN Western Australia Busselton
- IRONMAN 70.3 Western Australia
- IRONKIDS Busselton
- · Aqua Bike (Swim & Bike legs only)
- Relay Teams Component (2 or 3 members complete a IRONMAN)

EVENTS OBJECTIVE

IRONMAN have identified key objectives as follows:

- Grow athlete satisfaction
- Maintain strong participation numbers
- Drive tourism potential for the region through visitor nights as well as destination promotion
- Deliver excellent results for partners and the community
- Improve community wellbeing through promotion of an active, healthy lifestyle
- Deliver local, national and international media coverage

TENTATIVE EVENT DATES:

- 2024: Sunday 1st December 2024
- 2025: Sunday 7th December 2025
- 2026: Sunday 6th December 2026

	2020	2021	2022*	2024	2025	2026
Total Targeted Athlete Participation	-	1,658	2715	2,366	2,401	2,150
- Local		50	74	118	120	108
- Intrastate	<u>6</u>	1226	1228	710	720	645
- Interstate	Covid-1	315	992	946	960	860
- International	Ó	67	495	592	600	538
Total Visitors (Includes Staff, Volunteers, Athlete friends and family etc)	due to	7,329	8,500	6,701	6,914	6,221
- Out-of-state Visitors	cancelled	1,418	3,659	3691	3744	3355
Accompanying Spectators	t canc	3.39	2.5	2.5	2.5	2.5
Average length of stay	Event	4.45	4.5	4.5	4.5	4.5
Average Daily Spend		\$226	\$234	\$240	\$245	\$250
Regional Economic Impact		\$6.9M	\$9.14M	\$7.42M	\$7.68M	\$7.08M

- In 2019 & 2022 an Independent Survey was conducted by a Third party (Metrix Consulting) on behalf of TWA
- In 2021, The results were internally analysis by data obtained through our post event survey to athletes.

THE IRONMAN GROUP OCEANIA

EVENT SCHEDULE

Practice Swim

 Held on the Friday and Saturday mornings of event week, the Practice Swims give participants an opportunity to test the swim course.

Official Merchandise Store & Expo

 The Expo is a popular social event on the IMWA program and not only provides a great place to pick up last minute triathlon supplies but is also a place for athletes and supporters to meet and socialise. The Official IRONMAN Merchandise Store is also open throughout event week and proves very popular with athletes. IRONMAN Finisher Merchandise is an essential purchase after completing an IRONMAN and is available on Monday after the race.

Meet the Pro's O & A and First Timers O & A

 A panel of professional athletes take to the stage in Busselton Foreshore Amphitheatre on Friday to field questions, first from media in the Pro Panel Q and A, and then in the First Timers Q and A.

IRONKIDS Busselton

IRONKIDS Busselton, held on Busselton Foreshore on Saturday, gives children the opportunity to 'try a tri' with short
achievable distances on a safe course. This event is designed for children aged 7 to 13 years and aims to give every
child, regardless of expertise, the chance to experience a triathlon. The event also has a swim/run only category for
those children without bikes.

Transition Tours

• Throughout the day on Saturday, athletes are given tours of transition. With thousands of bikes in transition, it is essential for athletes to know their way around before race day.

IRONMAN 70.3 Western Australia

• It's an early start for IRONMAN 70.3 athletes on Sunday morning, with entrants taking part in the 1.9km swim, 90km bike and 21km run.

IRONMAN Western Australia

• The professional field are the first to start in IMWA on Sunday, followed by the age group athletes on their way to tackle the 3.8km swim, 180km bike and 42km run. The last finisher will take up to 17 hours to complete the course.

IRONMAN 70.3 Presentation Ceremony

 Following the race on Sunday afternoon, winners of each age group in the IRONMAN 70.3 are presented their medals at The Shelter Brewery.

IRONMAN 70.3 Roll Down Ceremony

The IRONMAN 70.3 Roll Down Ceremony is held at The Shelter Brewery on Sunday afternoon. As part of the global qualifying series, this event offers qualifying slots to the IRONMAN 70.3 World Championship.

IRONMAN Roll Down Ceremony

 The IRONMAN Roll Down Ceremony is held at The Shelter Brewery on Monday after the race. As part of the global brand that is IRONMAN, IMWA is able to offer qualifying slots to the IRONMAN World Championship.

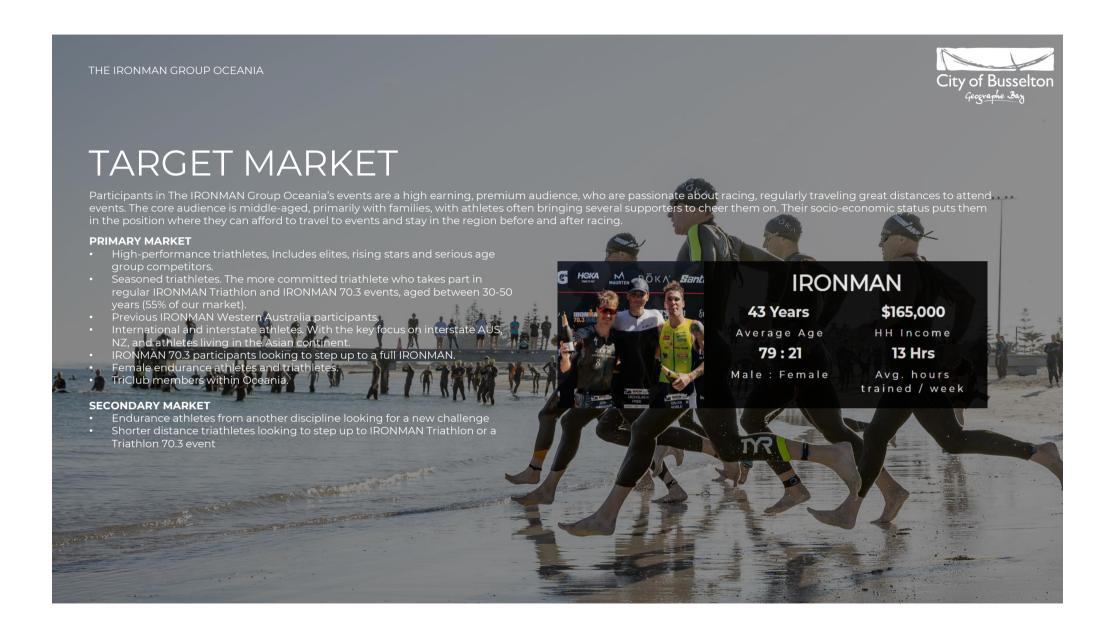
IRONMAN Awards and Official After Party

Held at The Shelter Brewery on the afternoon of Monday after the race, the IRONMAN Athlete Awards Ceremony
and After Party sees hundreds of athletes, their supporters, volunteers and sponsors and attend.





	SUNDAY 4 DECEMBER 20)22	
		77.5	
4:15am – 6:30am 4:15am –	Darn IRONMAN Western Australia Athletes		Transition, Signal Park
6:30am	Australia Athletes	"	Transition, Signal Park
4:15am – 6:30am	Personal Needs Bag Drop Off- GWM IRONMAN Wet Australia Athletes Only	stern	Exit of Transition, Signal Park
4:15am – 11:00pm	Event Information Open		Busselton Jetty Foreshore
6:35am	GWN IRONMAN Western Australia Pro Male Race	Start	Busselton Foreshore
6:37am	GWM IRONMAN Western Australia Pro Female Ra	ice Start	Busselton Foreshore
6:37am	GWM IRONMAN Western Australia Physically Cha Open/Exhibition Division Race Start	allenged	Busselton Foreshore
6:45am	GWM IRONMAN Western Australia Rolling Race S	Start	Busselton Foreshore
9:00am – 5:00pm	Official IRONMAN Merchandise Store Open		Old Tennis Club Precinct, Foreshore Parade
9:00am – 4:00pm	Sport & Lifestyle Expo Open		Old Tennis Club Precinct, Foreshore Parade
9:00am – 12:30am	Street Gear Bag Area Open		Transition, Signal Park
2:30pm* approx.			IRONMAN Finish Line, Foreshore Carpark (West of Equinox)
3:30pm* approx.			IRONMAN Finish Line, Foreshore Carpark (West of Equinox)
6:00pm – 11:15pm	Bike Collection GWM IRONMAN Western Australia A	thletes	Transition, Signal Park
6:00pm – 11:15pm	00pm - Bike & Run Transition Bag Collection GWM IRONMAN		Transition, Signal Park
245	Province and Province Street Const.		IRONMAN Finish Line,
	MONDAY 5 DECEMBER 20	22	Equinox)
Time	Event	Location	
8:00am – 2:00pm	Official IRONMAN Merchandise Store open	Old Tenn Parade	is Club Precinct, Foreshore
8:00am – 11:00am	0am - Bike & Run Transition Bags & Personal Needs Bags		n, Westport Park
8:00am – 11:00am	Bike Collection GWM IRONMAN Western Australia Athletes	Transition	n, Westport Park
8:00am – 12:00pm	am - Supplied of Sept. Old Tenr		is Club Precinct, Foreshore
10:30am	Official Results & 2023 IRONMAN World Championship KONA Qualifying Slots Posting Busselto		n Foreshore Amphitheatre
11:00am – 5:00pm	GWM IRONMAN Western Australia Post Event Celebration	Busselto	on Foreshore Amphitheatre
11:30am – 1:15pm	2023 IRONMAN World Championship Kona Rolldown Ceremony (Female Qualification Only)	Busselto	on Foreshore Amphitheatre
1:30pm – 3:00pm	GWM IRONMAN Western Australia Athlete Presentations	Busselto	on Foreshore Amphitheatre



THE IRONMAN GROUP OCEANIA



COMMUNITY BENEFITS

JOBS GROWTH

IRONMAN Western Australia engages local suppliers and operators where possible in the lead up and during event week.

In 2022 **\$455,958** of the event budget was spent within the local region

Most of the suppliers and casual crew were from the local south-west/Perth area where possible. The Local Organising Committee (LOC) engages 10 local community members to assist in event delivery, with 4 members active year-round.

CULTURAL CONNECTION

Recognising the history, culture and traditional landowners of the area events are held is important to The IRONMAN Group. We were honoured to have a representative of the Wadandi people perform a Welcome To Country ceremony before the swim start on race morning.

Improve accessibility and awareness within local communities in the south-west region to foster a relationship with groups for cultural engagement and event participation.

Continue to build and strengthen indigenous relationships within the community. IRONMAN is exploring opportunities to engage an Indigenous consultant to assist in building stronger relationships.

ECONOMIC GROWTH

IRONMAN Western Australia is held in early December which has traditionally been the offpeak period for Busselton tourism.

As an annual event, it provides a period of certainty for local businesses and tourism operators such as accommodation providers, car hire and local attractions.

The event contributes greatly bringing around **8,500** visitors including athletes' family and spectators, event staff, sponsors, media, exhibitors and volunteers to the area for a week.

Athletes have the chance to select their own pre-race meal and enjoy the wide array of Busselton's local restaurants, enhancing economic benefit to the region.

In 2022, an independent study by Metrix estimated the event delivered a total of 3,659 visitors, 28,128 visitor nights and \$7.3million of direct visitor expenditure to the region.

LOCAL CAPABILITY

IRONMAN Western Australia has a long history of providing a training ground for the local community to develop their event skills. Pathways are provided via volunteering, becoming a member of the Local Organising Committee (LOC) or being a casual staff member.

The event utilises around 800 volunteers annually who receive honorariums for their community groups in return for their time. These roles include course marshaling, pedestrian management, athlete registration, bag packing and coordination of aid stations.

IMWA provides the LOC with an honorarium for their involvement with the event, which for example was \$55,500 in 2022 and in turn the LOC distributes this to local community groups.

IMPROVING SERVICES & SUSTAINABILITY

For event week, the local area is brimming with athletes. By seeing these athletes achieve their fitness goals, members of the local community are often inspired to achieve their own health or fitness goals.

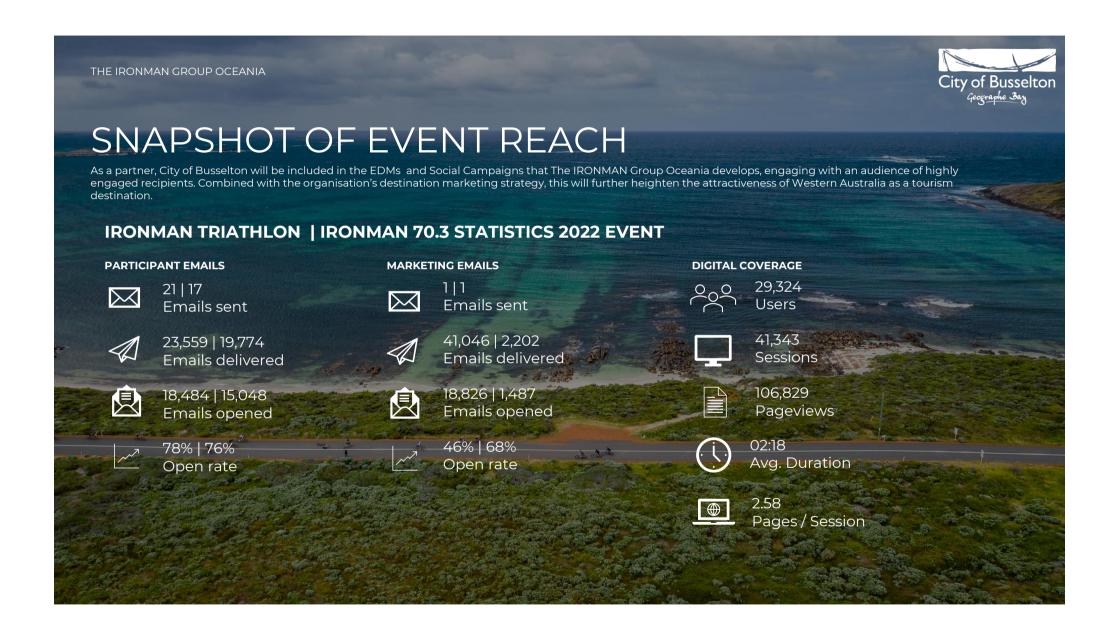
IRONKIDS Busselton, held on Busselton Foreshore on Saturday, gives children aged 7 to 13 years the opportunity to 'try a tri' with short achievable distances on a safe course. This event is designed to give every child, regardless of expertise, the chance to experience triathlon. The event also has a swim/run only category for those children without bikes. Over **250** children participated in the 2022 event.

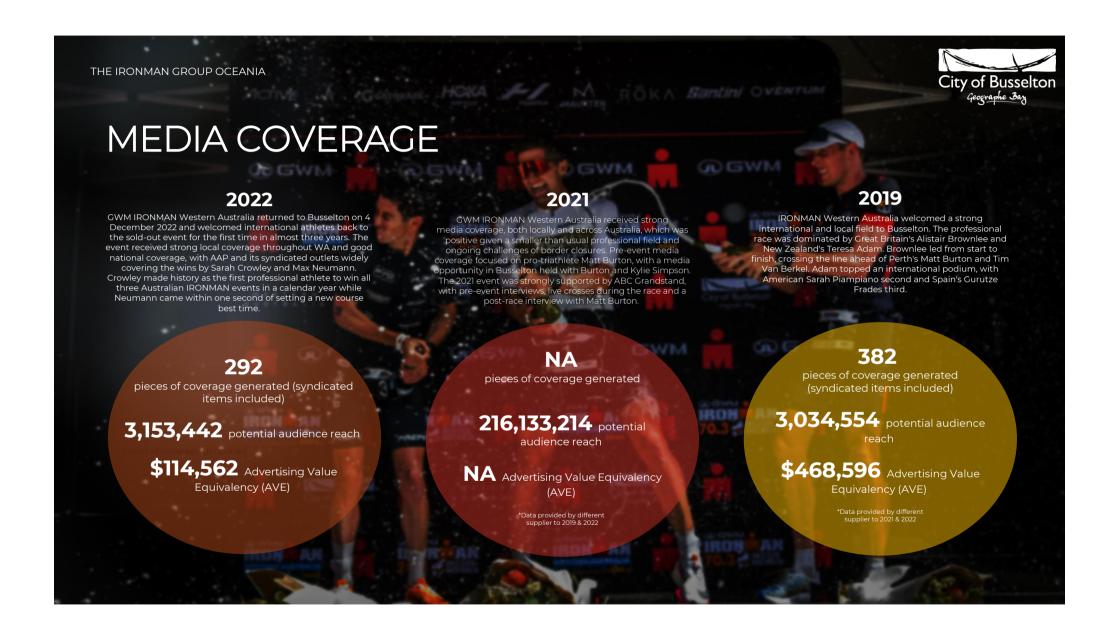
Please see our sustainability slide for further initiatives.

VIBRANCY & COMMUNITY ENGAGEMENT

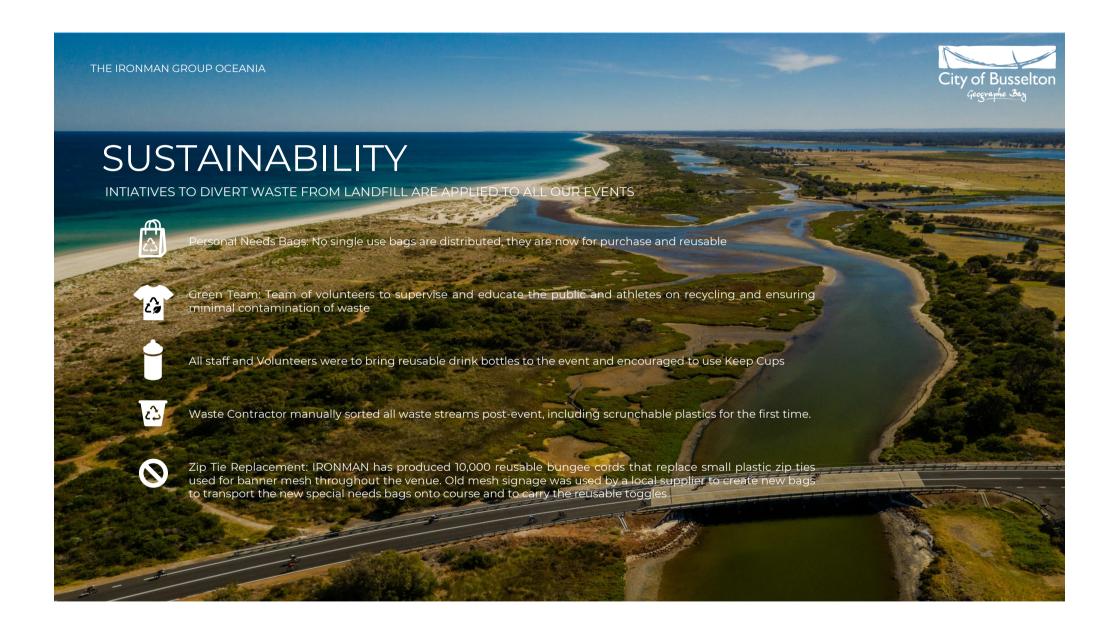
IMWA engaged the local community through use of venues and its course in the City of Busselton and Shire of Capel local area. Accommodation is full with many athletes staying between Dunsborough and Busselton. IRONMAN implements a larger ranging restaurant scheme where athletes were given vouchers to use at local restaurants during their stay in the local area.

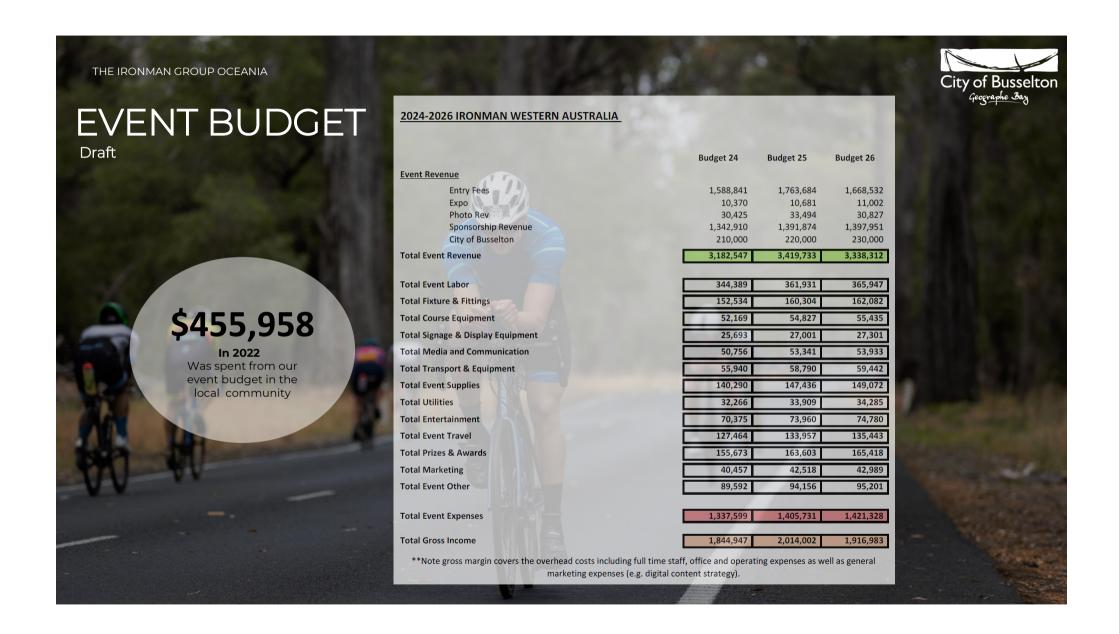
The inclusion of the IRONKIDS event encourages local schools to compete for the most registrations The school with the largest number of kids received a \$1000 cheque and be awarded the Schools Champion. To be in the running schools must register prior to the Friday before the race.



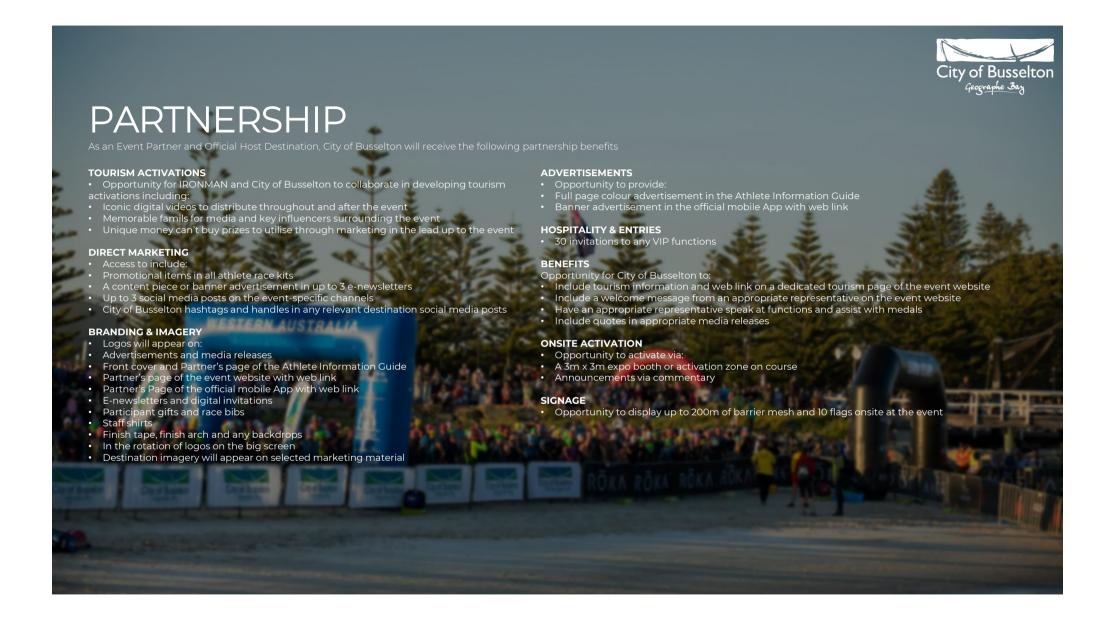














Division:	Chief Executive Officer's	Date From:	1/07/2021
Committee:		Date To:	8/06/2023
Officer:			
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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
25/01/2023	LOCALITY BOUNDARY AMENDMENT - VASSE/KEALY	Lombard, Corné	COUNCIL DECISION C2301/007 Moved Councillor A Ryan, seconded Councillor M Love That the Council, in relation to the proposed locality boundary realignment between Vasse and Kealy as depicted in Attachment A; 1. acknowledge the community consultation process undertaken in accordance with the Policies and Standards for Geographical Naming in Western Australia and the final result of the survey being 82% support of total people surveyed as summarised in Attachment B; and 2. endorse the alignment proposed and request the Chief Executive Officer to provide a submission to the Minister for Lands requesting the amendment. CARRIED 8/0 EN BLOC	Action completed Letter and copies of engagement report and minutes requesting the amendment have been sent to Landgate. Landgate have written to the City confirming the request has been approved – formal letter to follow.

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
	BUSSELTON JETTY VILLAGE PROPOSAL		COUNCIL DECISION AND OFFICER RECOMMENDATION C1912/266 Moved Councillor L Miles, seconded Councillor S Riccelli That the Council resolves to: 1. Support the proposed Busselton Jetty Village project as outlined in this report ("Village Project"); 2. Endorse the Village Project licence fee payable by Busselton Jetty Inc. ("BJI") as follows: 2020/2021 - \$15,000 2021/2022 - \$25,000 2022/2023 - \$30,000 2023/2024 - \$35,000 2024/2025 financial year (and thereafter, on every fifth anniversary of the term to be reviewed and adjusted for the next 5 year period, based on BJI's actual net income from	Action completed BJI advised Jetty Village proposal is on hold and will potentially be incorporated into the Australian Underwater Discovery Centre (AUDC) project.
			 Formalise BJI use of the Busselton Jetty for the Village Project by way of a licence agreement on terms and conditions as outlined in this report; In order to give effect to resolutions (1) – (3) above, authorise the Chief Executive Officer to: negotiate and enter into a licence agreement with BJI for delivery and operation of the Village Project subject to the approval of the Minister for Lands and the Department of Transport; 	
			 b. amend the Busselton Jetty licence agreement between the City of Busselton and BJI to reflect the licence fee arrangement as outlined in the report 5. Authorise the CEO to request and accept a revision to Management Order L223936 from the Minister for Planning, Lands and Heritage in respect to Reserve 46715 as follows: 	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION					COMMENTS
			a) delete the wo	a) delete the words "other than the Main Jetty Area,";				
			I	b) replace the Reserve Purpose with "Recreation, Tourism, Heritage, Education and Marine Research and for purposes ancillary or beneficial to that designated purpose only"; and				
			1	use of the Busselton Jetty and Reserve 46715 for the purposes specified in resolution				
			structures that f	Contribute \$100,000 (exclusive of GST) towards the cost of construction of buildings and structures that form part of the Village Project and endorse the requested budget amendment as outlined below:				
			Cost Code	Description	Current Budget \$	Change \$	Resulting Proposed Amended Budget \$	
			Reserves					
			110-9103	Transfer from Jetty Maintenance Reserve	(2,982,095)	(75,000)	(3,057,095)	
			Expenditure					
			500-11160- 3640-0000	Donations & Contributions – Busselton Jetty Management Agreement	25,000	75,000	100,000	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION						COMMENTS
			TOTALS			(2,957,095)	0 BY ABSO	(2,957,095) CARRIED 8/0 DLUTE MAJORITY	
29/01/2020	RESPONSE TO MOTION - GENERAL MEETING OF ELECTORS 2 DECEMBER 2019 - PERFORMING ARTS CENTRE	Searle, Naomi	C2001/0 That the follow (C1912/243), b 2007 in relation action be taken that the City of the communiconstruction copreference for location option	C2001/001 Moved Councillor P Carter, seconded Deputy Mayor K Hick hat the following Motion carried at the General Meeting of Electors, 2 December 2019 C1912/243), be noted by Council and that, given the extensive consultation undertaken since 007 in relation to the development and location of a performance arts centre, no further ction be taken: That the City of Busselton conduct a thorough survey of the Busselton Community to ascertain the community wants a performing arts centre, whether they are prepared to pay the construction costs for it and pay the costs to operate it, and to decide the community's reference for the location of the proposed new Busselton entertainment centre; and that the coation options include the Brown Street Council owned future parking site near the historic sutter Factory Museum.			Action completed		
29/01/2020	RESPONSE TO MOTION - GENERAL MEETING OF ELECTORS 2 DECEMBER 2019 - BUSSELTON TOURIST BUREAU	Searle, Naomi	C2001/0 1. Tha 201 to r	the follo (C1912/ e-establis	AMENDED RECOMN Moved Councillor G H owing Motion carried (244) be noted by Co hing the Busselton T ncil initiate proceedi initiative comes fron	Henley, seconded d at the General buncil and no furt ourist Bureau:	Meeting of Elect her action be ta	ors, 2 December ken with respect	Action completed

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 That the CEO write to the MRBTA communicating Council's desire to continue to participate in discussions about the region's branding strategy and reiterate its support for the use of location based sub-brand identities within the City of Busselton district, in association with an umbrella brand identity. 	
40/05/0000		Danie	CARRIED 9/0	Astisa samulatad
13/05/2020	COMMUNITY ASSISTANCE PROGRAM 2020/2021	Davey, Naomi	COUNCIL DECISION AND OFFICER RECOMMENDATION C2005/133 Moved Councillor R Paine, seconded Councillor S Riccelli That the Council: 1. Endorses the allocation of \$211,341 in the draft 2020/21 Donations, Contributions and Subsidies budget towards the Community Assistance Program. 2. Delegate authority to the Chief Executive Officer to approve applications for the Community Assistance Program 2020/2021.	Action completed Community Assistance Program under way
			CARRIED 8/0	
			BY ABSOLUTE MAJORITY	
10/06/2020	APPOINTMENT OF ELECTED MEMBER TO BUSSELTON JETTY REFERENCE GROUP	Searle, Naomi	COUNCIL DECISION AND OFFICER RECOMMENDATION C2006/052 Moved Councillor J Barrett-Lennard, seconded Councillor P Carter That the Council: 1. notes the resignation of Cr Riccelli as a member of the Busselton Jetty Reference Group; 2. appoints Cr Grant Henley as Member of the Busselton Jetty Reference Group; and 3. requests the Chief Executive Officer to develop a Terms of Reference for the Busselton Jetty Reference Group. CARRIED 9/0	Action completed Appointment made

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
22/04/2020	BUSSELTON HOCKEY ASSOCIATION INC. SELF- SUPPORTING LOAN AGREEMENT	Glossop, Pam	COUNCIL DECISION AND OFFICER RECOMMENDATION C2004/114 Moved Councillor L Miles, seconded Deputy Mayor K Hick That the Council: 1. Acknowledges Council Resolution C1908/161 approving a self-supporting loan to the Busselton Hockey Association Inc. for the amount of \$80,000 for a term of up to 10 years; 2. Resolves that this will be funded by a loan facility from the Western Australian Treasury Corporation as per the 2019/2020 annual budget; 3. Authorises the CEO to enter into a Loan Repayment Agreement with the Busselton Hockey Association Inc. where: a. the Association acknowledges it is responsible for the reimbursement to the City of Busselton of the full costs associated with the loan, b. the Loan repayment calculations are on the basis of the prevailing Western Australian Treasury Corporation lending rate including Government Guarantee Fee at the time of actual funding of the loan; and 4. Authorises the CEO to enter into a Deed of Amendment providing that default in respect of the Loan Repayment Agreement could result in termination of the Lease. CARRIED 9/0 BY ABSOLUTE MAJORITY	Action completed
24/06/2020	PROGRESSION OF THE BUSSELTON ENTERTAINMENT	Searle, Naomi	COUNCIL DECISION AND OFFICER RECOMMENDATION C2006/066 Moved Councillor L Miles, seconded Councillor R Paine That the Council:	Action completed Sublease finalised, signed by sublessee and ready for execution by the

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
	ARTS AND CREATIVE HUB		1. Confirms its commitment to the Busselton Entertainment Arts and Creative Hub (BEACH) project (the Project), as per the optimised designs developed by Kerry Hill Architects (June 2020) and at a budget of between \$28.5M and \$30.3M, dependent on a final decision with regards to the inclusion of a Creative Industries Hub;	City once the head lease has been entered into.
			2. Will consider the inclusion of a Creative Industries Hub within the Project based on additional external funding being secured and on the outcomes of the tendering process and final pricing;	
			3. Continues to seek additional external funding for the project, to reduce the quantum of loan borrowings required for the Project; and	
			4. Endorses as a funding strategy entering into a loan borrowings / debt financing of up to \$17M over a 20 year term (to be reduced by any additional external funding that is secured and / or the inclusion of the Creative Industries Hub component). CARRIED 8/1	
10/02/2021	PROPOSED AUSTRALIAN UNDERWATER DISCOVERY CENTRE	Goodwin, Dave	COUNCIL DECISION AND OFFICER RECOMMENDATION C2102/018 Moved Councillor P Carter, seconded Councillor P Cronin That the Council: 1. Acknowledges the community consultation undertaken by Busselton Jetty Incorporated (BJI) as required by resolution C2007/078 as part of the Australian Underwater Discovery Centre (AUDC) project. 2. Notes the preferred concept design of the AUDC is the Cetacean concept.	Action completed
			3. Notes the preferred concept design is at preliminary design stage only and will be further refined at detailed design stage.	
			4. Notes that a further report will be presented to Council as required by resolution C1906/118 when BJI is in the position to confirm the project scope, budget, funding contributions and more certainty on the operating financial projections.	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			5. Requests BJI engage an independent tourism specialist to undertake a peer review of the AUDC business case and financial projections, including the consideration of the funding of ongoing asset management requirements of the new structure. CARRIED 9/0	
14/04/2021	BUSSELTON JETTY UNDERSEA SCULPTURES PROJECT	Searle, Naomi	COUNCIL DECISION AND OFFICER RECOMMENDATION C2104/061 Moved Councillor P Carter, seconded Councillor P Cronin That the Council resolves to: 1. Support the proposed Busselton Jetty Undersea Sculptures Project (Project) as outlined in this report. 2. Formalise the use by Busselton Jetty Inc. of the Busselton Jetty and Lot 350 for the Project by way of a licence agreement on the terms and conditions as outlined in this report subject to the approval of the Minister for Lands and Department of Transport. CARRIED 9/0	Action completed Approval received from the Minister for Lands and Department of Transport for sculptures to be installed in May.
28/04/2021	Finance Committee - 14/4/2021 - BUSSELTON GOLF CLUB INC. SELF SUPPORTING LOAN	McNally, Brendan	COUNCIL DECISION AND COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION C2104/071 Moved Councillor L Miles, seconded Councillor J Barrett-Lennard That the Council: 1. Approve a self-supporting loan to the Busselton Golf Club Inc. for the purposes of building a new maintenance shed at the Busselton Golf Club, through the Western Australian Treasury Corporation for the amount of \$110,000 for a term of up to ten (10) years. 2. Authorises the CEO to enter into a Loan Repayment Agreement with the Busselton Golf Club Inc. where: (a) The Busselton Golf Club Inc. acknowledges it is responsible for reimbursement to the City of Busselton of full costs associated with the loan; and	Action completed

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			(b) The loan repayment calculations are on the basis of the prevailing Western Australian Treasury Corporation lending rate Including Government Guarantee Fee at the time of actual funding of the loan.	
			CARRIED 9/0	
28/04/2021	COMMUNITY ASSISTANCE PROGRAM	McNally, Brendan	COUNCIL DECISION AND OFFICER RECOMMENDATION C2104/074 Moved Councillor L Miles, seconded Councillor J Barrett-Lennard	Action completed
	2021/22		 That the Council: Endorse the allocation of 0.5% of rates to be levied, estimated at \$281,800, to the draft 2021/22 Donations, Contributions and Subsidies budget for the Community Assistance Program, with the final allocation to the Community Assistance Program subject to the Council's resolution in relation to a pilot participatory budget program (contained within a separate report). Endorse the 2021/22 Community Assistance Program framework as outlined in this report. Endorse the allocation of \$10,000 per annum over three (3) years towards the South West Academy of Sport commencing 2021/22, with year one (1) to be funded from the draft 2021/22 Donations, Contributions and Subsidies budget. Notes the allocation of \$10,000 towards the Busselton Senior High School – Trade Training Centre, as per Council resolution C1808/151, to be funded from the draft 2021/22 Donations, Contributions and Subsidies budget. Endorse an additional allocation of \$40,000 towards the Youth CARE Chaplaincy Services, to be funded from the draft 2021/22 Donations, Contributions and Subsidies budget. Authorise the Chief Executive Officer to approve applications for the 2021/22 Community Assistance Program. 	All actions communicated and agreements in place

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Council
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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION		COMMENTS
				CARRIED 9/0	
12/05/2021	Airport Advisory Committee - 21/4/2021 - BUSSELTON MARGARET RIVER AIRPORT - GENERAL AVIATION HANGAR PRECINCT PROPOSAL	May, Jennifer	COUNCIL DECISION AND COMMITTEE RECOMMEN C2105/092 Moved Councillor K Hick, see That the Council: 1. Subject to an Expression of Interest proces General Aviation hangars at the Busselton M 2. Endorse the allocation of \$210,000 from the Airport Infrastructure Renewal Reserve to construction of general aviation hangars. 3. Notes that the CEO will under delegatio constructed hangars.	econded Councillor P Carter as, endorse the construction of up to three Margaret River Airport. draft 2021/22 budget to be funded from the a newly created capital account for the	Officers completed an RFT process whereby the quoted cost to construct the hangars exceeded the budget allocated and hence the action did not progress. Since this time the GA precinct has been redesigned and a new RFT process will be carried out in the 2023/24 FY.
26/05/2021	MARKETING AND EVENTS REFERENCE GROUP OUTCOMES	Palmer, Maxine	COUNCIL DECISION AND OFFICER RECOMMENDAT C2105/107 Moved Councillor P Carter, That the Council: 1. As part of the 2021/22 Events Sponsorsh towards the following events, to be funded frevents budgets: Event Dunsborough Songfest World Surf League Cape Naturaliste Pro	seconded Councillor K Cox nip Program, endorses funding allocations	Action completed Funding agreements issued and Events Strategy RFQ awarded to budget

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION		COMMENTS
				2023/24 \$15,000	
			Taj's Small Fries	2021/22 \$10,000	
				2022/23 \$10,000	
				2023/24 \$10,000	
			X-Adventure Dunsborough	2021/22 \$10,000	
				2022/23 \$10,000	
				2023/24 \$10,000	
			Eagle Bay Epic	2021/22 \$10,000	
				2022/23 \$9,500	
				2023/24 \$9,000	
			Fine Vines Festival	2021/22 \$20,000	
			Building Bridges – Harmony Day	2021/22 \$5,000	
				(plus up to \$1,000 in-kind)	
			Down South MTB Festival	2021/22 \$3,000	
				2022/23 \$3,000	
				2023/24 \$3,000	
			Busselton Winter Jumping Festival	2021/22 \$3,000	
				2022/23 \$3,000	
				2023/24 \$3,000	
			Busselton Festival of Triathlon	2021/22 \$60,000	
				2022/23 \$60,000	
				2023/24 \$60,000	
				(Plus up to \$5,000 in-kind per year)	
			Yallingup Malibu Classic	2021/22 \$4,000	
				2022/23 \$4,000	
				2023/24 \$4,000	

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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			Busselton Jetty Swim	2021/22 \$40,000
			(Plus up	to \$5,000 in-kind)
			Busselton Half Marathon & Fun Run	2021/22 \$9,000
				2022/23 \$6,000
				2023/24 \$6,000
			Busselton Fringe Festival	2021/22 \$20,000
				2022/23 \$20,000
			2	2023/2024 \$20,000
			(Plus up to \$2,00	0 in-kind per year)
			Perth International Jazz Festival	2021/22 \$20,000
			Cape to Cape MTB	2021/22 \$10,000
				2022/23 \$10,000
				2023/24 \$10,000
			Five Bays Swim	2021/22 \$9,000
			Busselton LOC – Ironman WA Volunteers	2021/22 \$20,000
			Program	2022/23 \$20,000
				2023/24 \$20,000
			MRBTA – Ironman WA FOC Rooms	2021/22 \$20,000
				2022/23 \$20,000
				2023/24 \$20,000
			Carols by the Jetty	2021/22 \$3,000
				2022/23 \$3,000
				2023/24 \$3,000
			Festival of Busselton	2021/22 \$25,000
				2022/23 \$25,000
				2023/24 \$25,000

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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION		COMMENTS
			Busselton Brass 150 th Celebration	2021/22 \$500	
				Plus up to \$2,000 in-kind	
				traffic management)	
			RAAF Centenary & BMRA Open Day	2021/22 \$20,000	
			Totals	2021/22 \$341,500	
			(PI	us up to \$15,000 in-kind)	
				2022/23 \$223,500	
			(1	Plus up to \$7,000 in-kind)	
				2023/24 \$223,000	
			(1	Plus up to \$7,000 in-kind)	
			Event 2021 Town Team Conference	Funding Allocation 2021/22 \$5,000	
			towards the following events, to be funded from the dra		
			BCCI – Enhancing Community & Business	2021/22 \$5,000	
			Wellbeing Masterclasses	2021/22 38,023	
			Totals	2021/22 \$13,625	
			 3. Endorses the allocation of up to \$110,000 from the dra Winter activation to be held in 2022. 4. Endorses the allocation of up to \$5,000 to be funded from 		
			towards the replacement of event promotional signage (
			5. Endorses the transfer of the remaining balance of the 20 Airport Marketing Reserve.	020/21 marketing budget to the	

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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			6. Endorses the allocation of up to \$40,000 to be funded from the 2021/21 events budget for a full review of the City's Event Strategy. CARRIED 8/0 BY ABSOLUTE MAJORITY	
23/06/2021	DESIGNATED AREA MIGRATION AGREEMENT - SOUTH WEST REGION	May, Jennifer	COUNCIL DECISION AND OFFICER RECOMMENDATION C2106/132 Moved Deputy Mayor K Hick, seconded Councillor L Miles That the Council: 1. Support the establishment of a South West region Designated Area Migration Agreement; 2. Acknowledge the Shire of Dardanup as the Designated Area Representative for the South West region Designated Area Migration Agreement; and 3. Commit to a \$5,000 per annum contribution to the Shire of Dardanup for five years commencing 2021/22 to operate as the Designated Area Representative for the South West region Designated Area Migration Agreement. CARRIED 9/0 BY ABSOLUTE MAJORITY	Action completed Shire of Dardanup have been advised of Council decision to support and funding allocation in 2021/22 budget.

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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
10/11/2021	Airport Advisory Committee - 20/10/2021 - BUSSELTON MARGARET RIVER AIRPORT OPERATIONS UPDATE	Russell, David	COUNCIL DECISION C2111/082 Moved Councillor P Carter, seconded Councillor A Ryan That the Council receives and notes the Airport Operations Report and requests that the Chief Executive Officer investigates the potential for recreational helicopter flights to operate from the Busselton Jetty. CARRIED 8/0	Officers have liaised with a helicopter operator with respect to a helipad adjacent to the Busselton Jetty and the proponent is investigating options and costs.
8/12/2021	Finance Committee - 24/11/2021 - SELF SUPPORTING LOAN APPLICATION - MARGARET RIVER BUSSELTON TOURISM ASSOCIATION	Goodwin, Dave	COUNCIL DECISION C2112/115 Moved Councillor A Ryan, seconded Councillor P Cronin That the Council: 1. Approve a self-supporting loan to the Margaret River Busselton Tourism Association (MRBTA) for the Ancient Lands Discovery Park project at Ngilgi Cave, through the Western Australian Treasury Corporation for the amount of \$1,250,000 for a term of up to ten years; and 2. Authorises the CEO to enter into a Loan Repayment Agreement with MRBTA where: (a) MRBTA acknowledges it is responsible for reimbursement to the City of Busselton of full costs associated with the loan; and (b) The loan repayment calculations are on the basis of the prevailing Western Australian Treasury Corporation lending rate including Government Guarantee Fee at the time of actual funding of the loan. CARRIED 9/0	Complete
8/12/2021	EXPRESSION OF INTEREST - RESERVE 46187 LOT 448 MARINE	May, Jennifer	COUNCIL DECISION C2112/119 Moved Councillor A Ryan, seconded Councillor P Cronin That the Council:	Date has been extended to the 31 December 2023 to allow for negotiations with the preferred

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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
DATE	TERRACE; OLD TENNIS CLUB BUILDING	OFFICER	 Acknowledges the receipt of two responses to a publicly advertised expression of interest process seeking a commercial operator to lease Reserve 46187 – Lot 448 Marine Terrace to operate a business venture consistent with the permissible building uses. Nominates Geographe Bay Brewing Co. as the 'preferred proponent' for a period of 6 months, as potential future lessee of Reserve 46187 – Lot 448 Marine Terrace, Busselton. Authorises the CEO to continue negotiations with the Department of Planning, Lands and Heritage to change the purpose of Lot 448 on Reserve 46187 and agree the terms of head lease with the State Government. Subject to the outcome of recommendation 3 above, authorises the CEO to enter into negotiations for the terms and conditions of a sub-lease with Geographe Bay Brewing Co, including ground test lease term asset management, notatical landscening proposals and 	proponent including Head Lease, Sub- lease and agreement with DPLH.
			including ground rent, lease term, asset management, potential landscaping proposals and any legal considerations to operate a commercial venture and return to Council with recommendations in relation to the heads of terms. CARRIED 9/0	
23/03/2022	APPLICATION CLUB NIGHT LIGHTS PROGRAM - BUSSELTON BOWLING CLUB	Egan, Melissa	COUNCIL DECISION C2203/068 Moved Councillor A Ryan, seconded Councillor K Cox That the Council: 1. Endorses the priority rankings of the applications to the Department of Local Government Sport and Cultural Industries' Club Night Lights Program as ranking 1 of 1, rating A, Busselton Bowling Club Inc. – Bowling Green Lighting. 2. Submits an application on behalf of the Busselton Bowling Club Inc. to the Department of Local Government Sport and Cultural Industries for funding for its Bowling Green Lighting project.	Project is complete, currently acquitting the project to State Gov.

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			 Endorses the allocation of up to \$46,470 (exclusive of GST) towards the Busselton Bowling Club Inc. application for Bowling Green Lighting, to be funded from the 2022/2023 Community Assistance Program Budget, as the City's commitment to one third of the project cost. CARRIED 9/0 BY ABSOLUTE MAJORITY 	
11/05/2022	Airport Advisory Committee - 20/4/2022 - Busselton Margaret River Airport - Commercial Development Opportunities	Goodwin, Dave	COUNCIL DECISION C2205/098 Moved Councillor J Richards, seconded Councillor P Carter That the Council: 1. Supports the engagement of a Business Development resource to pursue commercial opportunities at the Busselton Margaret River Airport, and 2. Endorses the allocation of \$130k in the draft 2022/23 and 2023/24 budgets to engage a Business Development resource acknowledging that these costs will be funded from the net operating surplus of the Busselton Margaret River Airport. CARRIED 9/0 BY ABSOLUTE MAJORITY	Complete Officers were unable to recruit a suitable Business Development Officer and the funding allocation was transferred to consultancy to engage a Project Manager to assist with BMRA Operational improvement projects.
8/06/2022	CITY OF BUSSELTON ECONOMIC DEVELOPMENT STRATEGY 2022-2027	Dowding, Danelle	COUNCIL DECISION C2206/122 Moved Councillor A Ryan, seconded Councillor K Cox That the Council: 1. Endorses the City of Busselton Economic Development Strategy 2022-27 (Attachment A) as a guide; and 2. Notes the Economic Development Strategy 2022-27 - Implementation Plan (Attachment B) as an operational working document; and	Actions completed The TOR for the Economic Development Advisory Group have been implemented and the Economic Development team are working through prioritised actions

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			3. Endorses the amended Terms of Reference for the Economic Development Advisory Group (Attachment C) and nominates Councillors Henley, Carter, Richards and Love as Council Members to the Economic Development Advisory Group.	from the Economic Development Strategy.
			CARRIED 8/0	
17/08/2022	RFT 05/22 BUSSELTON MARGARET RIVER AIRPORT CAR PARK EXPANSION	May, Jennifer Goodwin,	COUNCIL DECISION C2208/207 Moved Councillor S Riccelli, seconded Councillor P Cronin That the Council endorses the outcome of the evaluation panel's assessment of RFT 05/22 Busselton Margaret River Airport Car Park Expansion and accepts the tender from Carbone Bros Pty Ltd (tendered price of \$1,083,076.76) as the most advantageous tenderer. CARRIED 9/0	Complete The public car park extension was completed by Carbone Bros Pty Ltd and operational from December 2022. 1. CSRFF Club
	SPORT AND RECREATION FACILITIES FUND AUGUST 2022 (SMALL GRANT) AND SEPTEMBER 2022(FORWARD PLANNING) ROUNDS	Dave	C2208/213 Moved Councillor P Cronin, seconded Councillor R Paine That the Council endorses: 1. The priority rankings of the City of Busselton's 'Dunsborough Lakes Sporting Precinct Lighting Project' application to the Department of Local Government Sport and Cultural Industries (DLGSCI) Club Night Lights Program (Forward Planning Project) as ranking 1 of 1, priority rating A. 2. An application to the DLGSCI Club Night Lights Program (Forward Planning Project) for a contribution of up to \$239,986 towards the City of Busselton's 'Dunsborough Lakes Sporting Precinct Lighting Project'. 3. The priority rankings of the City of Busselton's 'Construction of Pavilion at Dunsborough Lakes Sporting Precinct Project' application to the DLGSCI Community Sport and Recreation Facilities Fund (Forward Planning Project) as ranking 1 of 1, priority rating A.	Light night's program application was successful. Reduced amount awarded. 2. CSRFF pavilion application was unsuccessful 3. DDCC project was successful and project is now complete. 4. Lou Weston oval shed is underway and acquittal extended to 31st July 23

	Division:	Community and Commercial Services	Date From:	1/07/2021
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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			4. An application to the DLGSCI Community Sport and Recreation Facilities Fund (Forward Planning Project) for a contribution of up to \$681,036 towards the City of Busselton's 'Construction of Pavilion at Dunsborough Lakes Sporting Precinct Project'.	
			5. Endorses the priority rankings of the Dunsborough and Districts Country Club's 'Tennis Courts Lighting Project' application to the DLGSCI Club Night Lights Program (Small Grant Project) as ranking 1 of 1, priority rating A.	
			6. Endorses the allocation of \$21,868 as the City's financial contribution towards the Dunsborough and Districts Country Club's 'Tennis Courts Lighting Project', to be funded from the City's 2022/23 Community Assistance Program	
			7. The priority rankings of the Country's Junior Football Club's 'Construction of Shed at Lou Weston Oval' application to the DLGSCI Community Sport and Recreation Facilities Fund (Small Grant Project) as ranking 1 of 1, priority rating B.	
			8. Notes the allocation of \$10,000 from the City's 2021/22 Community Assistance Program (C2104/074) as the City's financial contribution towards the Country's Junior Football Club's 'Construction of Shed at Lou Weston Oval Project'	
			 Agrees to submit the following applications to the Department of Local Government Sport and Cultural Industries under the Community Sport and Recreation Facilities Fund and the Club Night Lights Program: 	
			(a) City of Busselton 'Construction of Pavilion at Dunsborough Lakes Sporting Precinct Project';	
			(b) City of Busselton 'Dunsborough Lakes Sporting Precinct Lighting Project';	
			(c) Dunsborough & Districts Country Club 'Tennis Courts Lighting Project'; and	
			(d) Country's Junior Football Club 'Construction of Shed at Lou Weston Oval Project'.	
			CARRIED 8/0	

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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION			COMMENTS																	
15/02/2023	RESERVE 46187 LOT 448 MARINE TERRACE: OLD TENNIS CLUB BUILDING PREFERRED PROPONENT EXTENSION	May, Jennifer	COUNCIL DECISION C2302/024 Moved Council That the Council extends the 'preferr potential lessee of Reserve 46187 – Lo	Negotiations continue with the preferred proponent including Head Lease, Sub-lease and agreement with DPLH.																			
17/05/2023	Business Development, Events and Marketing Program (BDEMP)	Pulford, Peta	C2305/091 Moved Councillor J Richards, seconded Councillor S Riccelli That Council: 1. Endorses the following single year funding allocations towards the following economic focused events, to be funded from the 2023/2024 Events Budget:			All outcomes communicated and actioned																	
									1			1								Event Name	Officer Recommendation (cash)	n Officer Recommendation (in kind)	
			Geo Bay Swim - Cool Water Classic	\$15,000	Up to \$5,000																		
			South West Jiu Jitsu Championships	\$4,000	\$680																		
					Out of the Woods Festival	\$20,000	Up to \$20,000																
			TOTALS	\$39,000	Up to \$25,680																		
			2. Endorses the following single year funding allocations towards the following community focused events, to be funded from the 2023/2024 Events Budget:																				
								1				Event Name	0	fficer Recommendation (cash)									
			The Wildflower & Environment Show	2023 \$	5,000																		

Division: Community and Commercial Services Date From: 1/07/2021
Committee: Date To: 8/06/2023
Officer:

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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION		COMMENTS
			Australian Golfing Fellowship of Rotary	\$5,000	
			2023 Busselton Show	\$10,000	
			Building Busselton Town Team - Yoga November & Christmas in Mitchell Park	\$5,610	
			Between The Lines Literature Festival - Family Day	\$2,600	
			Dunsborough Community Expo & Street Party	\$7,500	
			TOTALS	\$36,710	
			3. Endorses the following multi-year funding all economic focused events, to be funded from th Budgets: Event Name		
			Pedal Prix HPV Round 5 Busselton	2023/24 \$25,000 2024/25 \$25,000 2025/26 \$25,000	
			Geographe Bay Race Week	2023/24 \$12,500 2024/25 \$15,000 2025/26 \$17,500	
			TOTALS	2023/24 \$37,500 2024/25 \$40,000 2025/26 \$42,500	

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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS	
			4. Endorses the following funding Marketing and Economic Develop		
			Event Name	Officer Recommendation	
			WA Regional Architecture Symposium 2023	\$2,000	
			TOTALS	\$2,000	
				CARRIED 9/0	
				BY ABSOLUTE MAJORITY	
17/05/2023	Youth Care Grant Agreement	Fisher, Adrian	COUNCIL DECISION		Grant agreement executed and 3 year
	3		C2305/092 Moved Councillor P Cart	ter, seconded Councillor J Richards	term approved
			That the Council enter into a three year fundin providing Chaplaincy services to students, staff 2024/25 and 2025/26 financial years inclusive fannum) excluding GST.		
				CARRIED 9/0	
				BY ABSOLUTE MAJORITY	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
11/12/2019	RFT 23-19 LOU WESTON COURTS CONSTRUCTION & CIVIL WORKS	Shepherd, Eden	COUNCIL DECISION AND OFFICER RECOMMENDATION C1912/264 Moved Councillor L Miles, seconded Councillor S Riccelli That the Council: 1. Pursuant to RFT23-19 Lou Weston Courts Construction & Civil Works, endorse the tender from BCP Contractors Pty Ltd for \$657,691.79 (exclusive of GST) as the preferred tenderer. 2. Delegate power and authority to the Chief Executive Officer to: a) Negotiate and agree with the Preferred Tenderer variations in accordance with Regulations 20 and 21A of the Local Government (Functions and General) Regulations 1996 subject to such variations not to exceed the overall project budget; b) Negotiate and agree with the Preferred Tenderer the final terms and conditions of	Action completed Works completed.
			the respective contracts (including rates/contract prices); and 3. Subject to resolutions 2(a) and 2(b), enter into contracts with the Preferred Tenderer for supply of the relevant goods and services. CARRIED 8/0 BY ABSOLUTE MAJORITY	
11/12/2019	RFT24-19 LOU WESTON PAVILION CONSTRUCTION	Shepherd, Eden	COUNCIL DECISION AND OFFICER RECOMMENDATION C1912/265 Moved Councillor L Miles, seconded Councillor S Riccelli That the Council:	Action completed Works completed.
			 Pursuant to RFT24-19 Lou Weston Pavilion Construction, endorse the tender from Innovest Construction Pty Ltd for \$809,241.85 (exclusive of GST) as the preferred tenderer. 	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			2. In respect to RFT24-19, delegate power and authority to the Chief Executive Officer to:	
			 Negotiate and agree with the Preferred Tenderer variations in accordance with Regulations 20 and 21A of the Local Government (Functions and General) Regulations 1996 subject to such variations not to exceed the overall project budget; 	
			 Negotiate and agree with the Preferred Tenderer the final terms and conditions of the respective contracts (including rates/contract prices); and 	
			c) Subject to resolutions 2(a) and 2(b), enter into contracts with the Preferred Tenderer for supply of the relevant goods and services.	
			CARRIED 8/0	
			BY ABSOLUTE MAJORITY	
29/01/2020	RFT22/19: BUSSELTON COASTAL ADAPTATION WORKS 2019/2020	Abrahamse, Daniell	COUNCIL DECISION AND OFFICER RECOMMENDATION C2001/015 Moved Councillor L Miles, seconded Councillor P Cronin That the Council: 1. Pursuant to RFT22-19 Busselton Coastal Adaptation Works 2019/20, accept the tender from BCP Contractors Pty Ltd as the most advantageous tenderer (Successful Tenderer), subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regs); 2. Delegates power and authority to the Chief Executive Officer to negotiate and agree with the Successful Tenderer minor variations in accordance with Regulation 20 of the FG Regs	Action completed Project completed.
			 Delegates power and authority to the Chief Executive Officer to negotiate and agree with the Successful Tenderer minor variations in accordance with Regulation 20 of the FG Regs, subject to such variations and the final terms not exceeding the overall project budget; 	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION					COMMENTS	
			contract with 4. Endorse the	 3. Subject to resolutions 1 and 2, acknowledges that the CEO is authorised to enter into a contract with the Successful Tenderer for supply of the relevant goods and services; 4. Endorse the requested budget amendment outlined in Table 1 below resulting in no change to the budgeted cash position: 					
l			Cost Code	Description	Current Amended Budget (\$)	Change (\$)	Resulting Proposed Amended Budget (\$)		
			Revenue						
			510-C2523-1215- 0000	Capital Grants – Broadwater Beach Coastal Protection Stage 2 of 4	(150,000)	150,000	0		
			Expenditure						
			510-C2523-3280- 0000	Proposed Contractor Costs – Broadwater Beach Coastal Protection Stage 2 of 4	300,000	(90,000)	210,000		
			Reserve						
			102-9103	Transfer from Climate Adaptation Reserve	(150,000)	(60,000)	(210,000)		
			Net Total		\$0	\$0	\$0		
							CARRIED 9/0		
						ВҮ	ABSOLUTE MAJORITY		

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
29/01/2020	RFQ 72-19 KING STREET ROAD AND FOOTPATH UPGRADE	Twyman, Matthew	COUNCIL DECISION AND OFFICER RECOMMENDATION C2001/018 Moved Councillor P Carter, seconded Councillor R Paine That the Council:	Action completed Tender awarded and contract entered into.
			 Pursuant to RFQ72-19 King Street Road and Footpath Upgrade and, subject to resolution 2, accepts the quotation from Leeuwin Civil Pty Ltd (Successful Respondent) as the most advantageous quotation; Delegate power and authority to the Chief Executive Officer to negotiate and agree with the Successful Respondent minor variations and the final terms and conditions of the contract, subject to such variations not exceeding the overall project budget; 	
			3. Subject to resolutions 1 and 2, authorises the CEO to enter into a contract with the Successful Respondent for supply of the relevant goods and services. CARRIED 9/0	
			BY ABSOLUTE MAJORITY	
29/01/2020	RFT15-19 PROVISION OF SCHEDULED MAINTENANCE TO THE BUSSELTON JETTY	Farrier, John	COUNCIL DECISION AND AMENDED RECOMMENDATION C2001/020 Moved Councillor P Cronin, seconded Councillor S Riccelli That the Council:	Action completed Contract entered into.
	JETTY	1. Pursuant to RFT15-19 Provision of Scheduled Maintena the tender from Shorewater Marine as the most a Tenderer), subject to minor variations to be negotiated in	 Pursuant to RFT15-19 Provision of Scheduled Maintenance to the Busselton Jetty, accept the tender from Shorewater Marine as the most advantageous tenderer (Successful Tenderer), subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regs); 	
			Delegates power and authority to the Chief Executive Officer to negotiate and agree with the Successful Tenderer minor variations in accordance with Regulation 20 of the FG Regs, subject to such variations and the final terms not exceeding the overall project budget; and	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 Subject to resolutions 1 and 2, acknowledges that the CEO is authorised to enter into a contract for a term of 3 years plus two 1-year optional extensions with the Successful Tenderer for supply of the relevant goods and services. 	
			CARRIED 9/0	
			BY ABSOLUTE MAJORITY	
29/01/2020	RFT25-19	Shepherd,	COUNCIL DECISION AND OFFICER RECOMMENDATION	Action completed
	BUSSELTON SENIOR CITIZENS CENTRE UPGRADE AND EXPANSION	Eden	C2001/016 Moved Councillor L Miles, seconded Councillor P Cronin That the Council:	Tender awarded and contract entered into.
			 Pursuant to RFT25-19 Busselton Senior Citizens Centre Upgrade and Expansion, accept the tender from Devlyn Australia Pty Ltd as the most advantageous tenderer (Successful Tenderer), subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regs); 	
			 Delegates power and authority to the Chief Executive Officer to negotiate and agree with the Successful Tenderer minor variations in accordance with Regulation 20 of the FG Regs, subject to such variations and the final terms not exceeding the overall project budget; 	
			3. Subject to resolutions 1 and 2, acknowledges that the CEO is authorised to enter into a contract with the Successful Tenderer for supply of the relevant goods and services.	
			CARRIED 9/0	
			BY ABSOLUTE MAJORITY	
29/01/2020	RFT14-19 DESIGN AND TECHNICAL SERVICES – BUSSELTON ENTERTAINMENT	Shepherd, Eden	COUNCIL DECISION AND OFFICER RECOMMENDATION C2001/017 Moved Councillor L Miles, seconded Councillor P Cronin That the Council:	Action completed Tender awarded and contract entered into.

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
	ARTS AND CULTURAL HUB		 Pursuant to RFT 14-19 Design and Technical Services - Busselton Entertainment, Arts and Cultural Hub, accept the tender from Kerry Hill Architects Pty Ltd as the most advantageous tenderer (Successful Tenderer)), subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regs); 	
			 Delegates power and authority to the Chief Executive Officer to negotiate and agree with the Successful Tenderer minor variations in accordance with Regulation 20 of the FG Regs, subject to such variations and the final terms not exceeding a lump sum contract price of \$1,979,440; 	
			3. Subject to resolutions 1 and 2, acknowledges that the CEO is authorised to enter into a contract with the Successful Tenderer for supply of the relevant goods and services;	
			4. Endorse the removal of Stage 2 from the overall project scope of works to allow further investigation into the viability of other potential sites for the establishment of a creative industries hub component in proximity to the Cultural Precinct; and	
			Endorse the project to progress through to detailed design and contract documentation noting the next hold point will be the recommendation for award of the project builder.	
			CARRIED 9/0	
			BY ABSOLUTE MAJORITY	
12/02/2020	RFT 26-19 BUSSELTON FORESHORE HOTEL SITE 1 PRECINCT CIVIL	O'Neil, Carley	COUNCIL DECISION AND OFFICER RECOMMENDATION C2002/046 Moved Councillor P Carter, seconded Councillor J Barrett-Lennard That the Council:	Action completed Tender awarded and contract entered into.
	AND LANDSCAPING WORKS		1. Pursuant to RFT 26-19 Hotel Site 1 Precinct Civil and Landscaping Works, accept the tender from Industrial Roadpavers (WA) Pty Ltd as the most advantageous tenderer (Successful	

	Division:	Engineering and Works Services	Date From:	21/10/2019
	Committee:	Council	Date To:	30/06/2021
	Officer:			
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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLU	TION					COMMENTS
				Tenderer), subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regs); 2. Delegates power and authority to the Chief Executive Officer to negotiate and agree with the Successful Tenderer minor variations in accordance with Regulation 20 of the FG Regs, subject to such variations and the final terms not exceeding the overall project budget; and 3. Endorse the requested budget amendment outlined in Table 1 below resulting in no change to the budgeted net current position: Table 1:					
				Cost Code	Description	Current Amended Budget \$	Change (\$)	Resulting Proposed Amended Budget (\$)	
				Revenue					
				Expenditure					
				120.C3206.3280.0000	Landscaping Old Tennis club Site	500,000	80,000	580,000	
				120.C0053.3280.0000	Carpark on Hotel Site 1	500,000	366,566	866,566	
				120.C3113.3280.0000	Busselton Tennis Club Infrastructure	868,604	(200,000)	668,604	
				Reserve					
				225.9103	Transfer from Parks and Gardens Reserve	(500,000)	(80,000)	(580,000)	
				114.9103	Transfer from City Car Parking and Access Reserve	0	(166,566)	(166,566)	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLU	TION					COMMENTS
				9000-7054	Unspent Loan Funds for Busselton Tennis Club	(788,604)	200,000	(588,604)	
				9000-7054	Unspent Loan Funds to be utilised for carpark on Hotel Site 1 (BTC Project)	0	(200,000)	(200,000)	
				Net Total		\$580,000	\$0	\$580,000	
								CARRIED 9/0	
							BY ABSO	DLUTE MAJORITY	
10/06/2020	RFQ 22-20 BUSSELTON LIBRARY UPGRADE	Shepherd, Eden	That the	IL DECISION AND OFFICE 2006/051 Moved e Council: Pursuant to RFQ 22-20 Australia Pty Ltd as the value of \$544,700.20 ex Delegates power and a the Successful Contractor exceeding the overall process.	O Busselton Library most advantageous of GST; and uthority to the Chiefor minor variations so	econded Deputy Upgrade, accept quotation (Succes	s the quotati ssful Contract er to negotiate riations and th	or) for a contract	Action completed Tender awarded and contract entered into.

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
29/07/2020	PETITION - OLD DUNSBOROUGH JETTY	Darby, Oliver	COUNCIL DECISION C2007/069 Moved Councillor P Carter, seconded Councillor P Cronin That Council: 1. receive the Petition from Mr Peter Kalbfell; and 2. refer it to the Chief Executive Officer for a report.	Action completed Report was presented which covered off on the petition request.
			CARRIED 9/0	
25/08/2020	PETITION - STREET LIGHTING DIAMANTE BOULEVARD, DUNSBOROUGH	Darby, Oliver	COUNCIL DECISION AND OFFICER RECOMMENDATION C2008/090 Moved Deputy Mayor K Hick, seconded Councillor L Miles That Council: 1. receive the Petition, requesting an amendment to the lighting intensity on Diamante Boulevard and Princeville Avenue, Dunsborough, from Ms Jody Lang; and 2. refer it to the Chief Executive Officer for a report.	Action completed Report presented which covered off on the petition request.
			CARRIED 9/0	
25/08/2020	RESPONSE TO PETITION REQUESTING THE OLD DUNSBOROUGH FINGER JETTY TO BE MODIFIED TO INCREASE CAPACITY AT THE BOATING FACILITY	Abrahamse, Daniell	COUNCIL DECISION AND OFFICER RECOMMENDATION C2008/001 Moved Councillor P Carter, seconded Councillor P Cronin That the Council: 1. Having considered the petition, endorse the modification of the Old Dunsborough Finger Jetty as follows: (a) the handrail on the northern side of the jetty remains in place with gated access points provided along the front 12m length handrail section;	Action completed Modifications completed at the Old Dunsborough Boat Ramp Finger Jetty.

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			(b) fenders installed on the northern side to protect the public jetty (nominally 7 fenders and 2m spacing); and	
			(c) subject to the approval of the Department of Transport, installation of suitable navigation markers to clearly identify shallow rocks along the shore.	
			Endorse the utilisation of up to \$30,000 of funding for the modifications outlined in recommendation 1, to be funded from the 2020/21 FY Budget for Boat Ramps (C1511).	
			CARRIED 9/0	
9/12/2020	CEO DELEGATION	Twyman,	COUNCIL DECISION AND OFFICER RECOMMENDATION	Action completed
	TO AWARD CONTRACT RFQ 68/20 GALE ROAD RECONSTRUCTION AND WIDEN	Matthew	 C2012/158 Moved Councillor P Cronin, seconded Deputy Mayor K Hick That the Council: Delegates to the Chief Executive Officer the power and duty to:	Contract awarded.
			exceeding the lesser of the overall project budget or \$1,500,000. CARRIED 9/0	
			BY ABSOLUTE MAJORITY	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
9/12/2020	RESPONSE TO PETITION FROM RESIDENTS ALONG DIAMANTE BOULEVARD AND PRINCEVILLE AVENUE, DUNSBOROUGH - IN RELATION TO INSTALLED STREET LIGHT	Wildschut, Ronald	COUNCIL DECISION AND AMENDED RECOMMENDATION C2012/162 Moved Councillor P Cronin, seconded Councillor P Carter That the Council, with respect to the petition regarding lighting intensity on Diamante Boulevard and Princeville Avenue within the Dunsborough Lakes Estate: 1. acknowledge that the lighting has been designed and installed to the relevant Australian Standard AS1158-2005; 2. resolve not to amend or treat the lights; 3. requests that the CEO forwards a copy of the petition received from the residents of Diamante Boulevard and surrounds, correspondence from petitioners and a letter from the CEO outlining the concerns of the petitioners to Western Power, asking Western Power to evaluate the current light impact on affected houses, and requests that Western Power responds accordingly; and 4. advise the petitioners of Council's decision accordingly. CARRIED 9/0	Letters sent to Western Power and petitioner in accordance with Council resolution. Western Power confirms the lighting is to Australian Standard and will not take any further action. The petitioners did not take up any of the other options offered.
24/02/2021	AWARD OF TENDER RFT 08/20 WEST BUSSELTON SEAWALL UPGRADE	Abrahamse, Daniell	COUNCIL DECISION AND ALTERNATIVE RECOMMENDATION C2102/034 Moved Councillor P Cronin, seconded Councillor P Carter That the Council: 1. Acknowledge the outcomes of a Peer Review requested by the Chief Executive Officer and undertaken by Mr Allen Cooper JP (confidential report provided under separate cover), which identified no concerns raised with the evaluation panel scoring, ranking, or evaluation process of conclusions. 2. Acknowledge the following additional information and correction of dates contained within the report:	Action completed Tender awarded and contracted entered into.

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 With respect to the financial implication section, the total project amount includes \$50,000 for engineering design and assessment costs, bringing the total budget to \$958,975. 	
			b. On page 477, the date of 29 January 2021 for confirmation should read 27 January 2021 and the date of 5 February 2021 for submission should read 29 January 2021.	
			3. Pursuant to RFT 08/20 West Busselton Seawall Upgrade (RFT 08/20), accept the tender from Leeuwin Civil Pty Ltd for \$908,975 (exclusive of GST) for Stage 1, Option 3 (Re-use existing ironstone, import additional ironstone armour rock and import additional granite armour rock to provide a granite veneer, seawall) as the most advantageous tenderer, (Successful Tenderer) subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regs).	
			4. In accordance with Regulation 18(5) of the FG Regs, decline to accept any tender in respect to RFT 08/20 Stage 1, Option 1 and Option 2 and Stage 2, Options 1 and 2.	
			In respect to RFT 08/20 Stage 1, Option 3, delegate power and authority to the Chief Executive Officer to:	
			 negotiate and agree with the Successful Tenderer minor variations in accordance with Regulation 20 of the FG Regs, subject to such variations and final terms not exceeding the overall project budget; 	
			 subject to and conditional upon all environmental approvals having been obtained, enter into a contract with the Successful Tenderer for supply of the relevant goods and services. 	
			6. Endorse the requested budget amendment outlined in Table 1 below resulting in no change to the budgeted cash position.	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RES	ESOLUTION					COMMENTS
			Tab	ole 1:					
				Cost Code	Description	Current Amended Budget (\$)	Change (\$)	Resulting Proposed Amended Budget (\$)	
				Expenditure					
				510-C2528-3280-0000	Craig Street Groyne and Seawall	660,0000	958,975	298,975	
				Reserve					
				102-9103	Transfer from Climate Adaptation Reserve	(660,000)	(958,975)	(298,975)	
				Net Total		\$0	\$0	\$0	
								CARRIED 9/0	
							BY A	BSOLUTE MAJORITY	
24/03/2021	RFT 01-21	Shepherd,	COI	UNCIL DECISION AND OF	FICER RECOMMENDATIO	<u>N</u>			Action completed
	MITCHELL PARK CIVIL & LANDSCAPING WORKS	Eden	C2103/051 Moved Councillor L Miles, seconded Councillor P Carter That the Council: 1. Pursuant to RFT 01/21 Mitchell Park Civil & Landscaping Works, accept the tender from					nt the tender from	Practical Completion of RFT01-21 on 21/09/21
			Pindan Projects WA Pty Ltd for the Stage 1A works (tendered price \$685,265.04 exclusive of GST) as the most advantageous tender (Successful Tenderer), subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regs).						

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION					COMMENTS
			a. negotia with Re exceedi b. enter in goods a	I authority to the Chief External agree with the Surgulation 20 of the FG Reging the overall project bunto a contract with the and services. The description of the FG Reging the overall project bunto a contract with the and services. The description of the FG Reging the PG Region of the PG Re	ccessful Tender gs, subject to s dget; and Successful Ten	er minor variat uch variations a derer for supp	and final terms not	
			Cost Code	Description	Current Amended Budget (\$)	Change (\$)	Resulting Proposed Amended Budget (\$)	
			Expenditure					
			130-C3226-3280-0000	Mitchell Park Upgrade	820,000	52,704	872,704	
			Reserve					
			132-9103	Transfer from CBD Enhancement Reserve	(90,000)	0	(90,000)	
			132-9103	Transfer from CBD Enhancement Reserve	(350,000)	0	(350,000)	
			225-9103	Transfer from Parks, Gardens & Reserves Reserve	(250,000)	(52,704)	(302,704)	
			130-C3226-1299-9450	CWKS No 2596	(125,000)	0	(125,000)	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION					COMMENTS	
			130-C3226-1299-9450	CWKS No 1360	(5,000)	0	(5,000)		
			Net Total		\$0	\$0	\$0		
							CARRIED 9/0		
12/05/2021	RFT 09-21	Walker, Natalie	COUNCIL DECISION AN	D OFFICER RECOMMENDAT	<u>ION</u>			Action completed	
DUNSBOROUGH LAKES SPORTS PRECINCT - EARTHWORKS			C2105/095 That the Council:	Moved Councillor K Hick, se				Tender awarded and contract entered into.	
			from Leeuwin C Precinct (tender (Successful Tend	Pursuant to RFT 09-21 Dunsborough Lakes Sports Precinct – Earthworks, accept the tender from Leeuwin Civil Pty Ltd for clearing and earthworks for the Dunsborough Lakes Sports Precinct (tendered price \$698,599.50 exclusive of GST) as the most advantageous tender (Successful Tenderer), subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regs).					
			2. Delegate power	and authority to the Chief E	xecutive Office	r to:			
			witl	otiate and agree with the Su Regulation 20 of the FG Re Reding the overall project bu	egs, subject to s				
				er into a contract with the ds and services.	Successful Ter	derer for supp	oly of the relevant		
							CARRIED 8/0		
26/05/2021	RFT 01-21	Walker, Natalie	COUNCIL DECISION AN	D OFFICER RECOMMENDAT	ION			Action completed	
	MITCHELL PARK CIVIL AND LANDSCAPING WORKS		C2105/109 That the Council:	Moved Councillor J Barrett	-Lennard, secon	ded Councillor	S Riccelli	Contract terminated and RFT01/21 awarded with	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 Note that the contract between the City of Busselton and Pindan Projects WA Pty Ltd was terminated by virtue of Pindan Projects WA Pty Ltd having entered into liquidation on 18 May 2021. 	new contract entered into.
			 Pursuant to RFT 01/21 Mitchell Park Civil & Landscaping Works, accept the tender from Busselton Civil Pty Ltd for the Stage 1A works (tendered price \$721,621.22 exclusive of GST) as the most advantageous tender, subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regs). 	
			3. Delegate power and authority to the Chief Executive Officer to:	
			 negotiate and agree with Busselton Civil Pty Ltd minor variations in accordance with Regulation 20 of the FG Regs, subject to such variations and final terms not exceeding the overall project budget; 	
			 enter into a contract with the Busselton Civil Pty Ltd for supply of the relevant goods and services. 	
			CARRIED 9/0	
9/06/2021	LOCAL	Bullimore,	COUNCIL DECISION AND OFFICER RECOMMENDATION	Action completed
	GOVERNMENT WASTE PLAN - PREPARED AT REQUEST OF	Hayley	C2106/114 Moved Councillor J Barrett-Lennard, seconded Councillor P Carter That the Council:	Letter signed by CEO on 17/06/21. Sent to DWER with
	DEPARTMENT OF WATER AND		1. Notes that pursuant to the Waste Avoidance and Resource Recovery Act 2007, the City	accompanying
	ENVIRONMENTAL		of Busselton is required to develop and adopt a waste plan outlining how, in order to protect human health and the environment, waste services provided by the local	Local Government
	REGULATION		government will be managed to achieve consistency with the waste strategy.	Waste Plan and
			2. For purposes of recommendation 1:	self-assessment checklists on 17/06/21

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			(a) Endorses the purpose, intent, principles and strategies outlined in this report and the attached draft Local Government Waste Plan (Waste Plan) (Attachment A);	
			(b) Subject to recommendation 2(c), authorises the Chief Executive Officer to finalise and submit the Waste Plan to the Department of Water and Environmental Regulation (DWER) and from time to time, make such changes that are necessary or appropriate for approval of the final Waste Plan by DWER or for implementation and administration of the Waste Plan; and	
			(c) Council to consider any material changes in relation to the purpose, intent, principles and/or strategies of the final Waste Plan.	
			CARRIED 8/0	
23/06/2021	PROPOSAL TO DEDICATE A PORTION OF PEDESTRIAN ACCESS WAY, LOT 55 ABBEYS FARM ROAD YALLINGUP, AS PUBLIC ROAD	Scott, Andrew	COUNCIL DECISION AND OFFICER RECOMMENDATION C2106/127 Moved Councillor P Carter, seconded Councillor J Barrett-Lennard That Council: 1. Pursuant to the Land Administration Act 1997, supports a proposal to dedicate as public road a portion of a pedestrian access way (PAW) on Lot 55 on Diagram 97485 Abbeys Farm Road, Yallingup, where the PAW adjoins proposed Lots 2 and 3 of Western Australian Planning Commission (WAPC) subdivision application file reference 159651; subject to: a) WAPC endorsement of a deposited plan for the subdivision application, and	Letter sent to the Department of Planning, Lands and Heritage requesting dedication of the PAW as public road.
			b) the proponent (owners of Lots 40 and 41) providing the City with written acknowledgement that:	
			 i) the proponent is liable for all costs associated with the dedication of the PAW as public road, and 	
			ii) the Council's support for the proposal does not constitute approval by the City to construct a crossing (vehicle crossover) pursuant to Local Government (Uniform Local Provisions) Regulations 1996.	

	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
		CARRIED 9/0	
RFT 10/21 DESIGN, SUPPLY OF EQUIPMENT AND UPGRADE OF NINE PUBLIC OPEN SPACE AREAS: APPOINTMENT OF SUCCESSFUL TENDERER	Reynolds, Bradley	COUNCIL DECISION AND OFFICER RECOMMENDATION C2106/128 Moved Councillor P Carter, seconded Councillor J Barrett-Lennard That the Council: 1. Pursuant to RFT 10/21 'Design, Supply of Equipment and Upgrade of Nine Public Open Space (POS) Areas', accept the tender from Sanpoint Pty Ltd as trustee for the Fiore Family Trust trading as LD Total for \$1,047,910.41 excluding GST as being the most advantageous tender (Successful Tenderer) subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regs) and such variations and final terms not exceeding the overall project budget. 2. Delegate power and authority to the Chief Executive Officer to enter into a contract with the Successful Tenderer for the supply of the relevant goods and services.	Action completed Contract awarded and work completed by end of January.
		CARRIED 9/0	
RFT 06/21 CONSTRUCTION OF THE BUSSELTON PERFORMING ARTS AND CONVENTION CENTRE (BPACC)	Farrier, John	COUNCIL DECISION AND ALTERNATIVE RECOMMENDATION C2106/002 Moved Councillor G Henley, seconded Councillor J Barrett-Lennard That the Council: 1. Acknowledges receipt of the tender submissions for RFT 06/21 Construction of the Busselton Performing Arts and Convention Centre; and 2. Declines to accept any tender; and 3. Continues to pursue additional funding from State and Federal Governments; and 4. If a commitment for further funding is not obtained within one month that would maintain	Action completed
	SUPPLY OF EQUIPMENT AND UPGRADE OF NINE PUBLIC OPEN SPACE AREAS: APPOINTMENT OF SUCCESSFUL TENDERER RFT 06/21 CONSTRUCTION OF THE BUSSELTON PERFORMING ARTS AND CONVENTION	SUPPLY OF EQUIPMENT AND UPGRADE OF NINE PUBLIC OPEN SPACE AREAS: APPOINTMENT OF SUCCESSFUL TENDERER RFT 06/21 CONSTRUCTION OF THE BUSSELTON PERFORMING ARTS AND CONVENTION Bradley Farrier, John	RFT 10/21 DESIGN, SUPPLY OF EQUIPMENT AND UPGRADE OF NINE PUBLIC OPEN SPACE AREAS: APPOINTMENT OF SUCCESSFUL TENDERER PENDIA SPACE AREAS: APPOINTMENT OF SUCCESSFUL TENDERER REYNOIDS, Washington, and Supply of Equipment and Upgrade of Nine Public Open Space (POS) Areas', accept the tender from Sanpoint Pty Ltd as trustee for the Fiore Family Trust trading as LD Total for \$1,047,910.41 excluding GST as being the most advantageous tender (Successful Tenderer) subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regs) and such variations and final terms not exceeding the overall project budget. 2. Delegate power and authority to the Chief Executive Officer to enter into a contract with the Successful Tenderer for the supply of the relevant goods and services. CARRIED 9/0 RFT 06/21 CONSTRUCTION OF THE BUSSELTON PERFORMING ARTS AND CONVENTION C2106/002 Moved Councillor G Henley, seconded Councillor J Barrett-Lennard That the Council: 1. Acknowledges receipt of the tender submissions for RFT 06/21 Construction of the Busselton Performing Arts and Convention Centre; and 2. Declines to accept any tender; and 3. Continues to pursue additional funding from State and Federal Governments; and

	Division:	Engineering and Works Services	Date From:	21/10/2019
	Committee:	Council	Date To:	30/06/2021
	Officer:			
Action Sheets Report			Printed: Monday	, 12 June 2023 1:27:22 PM

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			options and associated impacts and undertakes a community survey to help inform decisions on the future of the project.	
			CARRIED 8/1	

Division:	Engineering and Works Services	Date From:	1/07/2021
Committee:		Date To:	8/06/2023
Officer:			
Action Sheets Report		Printed: Thursd	ay, 8 June 2023 4:33:11 PM

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS	
13/10/2021 RFT 04/21 ROAD NETWORK UPGRADE PEEL TERRACE /	UPGRADE PEEL TERRACE /	PEEL /	TWORK PGRADE PEEL RRACE / Daniell COUNCIL DECISION C2110/054 Moved Councillor P Cronin, seconded Councillor J Barrett-Lennard	C2110/054 Moved Councillor P Cronin, seconded Councillor J Barrett-Lennard	Contract awarded and works completed Action Completed.
	CAUSEWAY ROAD INTERSECTION UPGRADE STAGE 1		 Pursuant to RFT 04/21 Road Network Upgrade - Peel Terrace/Causeway Road Intersection Upgrade - Stage 1A - Option 2, accept the tender from BCP Contractors Pty Ltd as being the most advantageous tender. 		
			2. Delegates power and authority to the Chief Executive Officer to negotiate and agree minor variations in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996.		
			3. Agrees to allocate an additional \$87,826 from the Major Traffic Improvements Reserve (Reserve #137) towards the Peel Terrace/Causeway Road Intersection Upgrade – Stage 1A to ensure sufficient funding for the project.		
			CARRIED 9/0		
25/01/2022	AWARD OF TENDER	Daniell /21 WEST ELTON ALL	TENDER Daniell	COUNCIL DECISION	Contract awarded and works completed.
	RFT21/21 WEST BUSSELTON SEAWALL		C2201/010 Moved Councillor P Carter, seconded Councillor K Cox That the Council:	Action completed.	
	UPGRADE - STAGE 2		 Endorses the outcome of the evaluation panel's assessment of the tenders received in response to RFT 21/21 West Busselton Seawall Upgrade – Stage 2 (RFT21/21) and accepts the tender from Leeuwin Civil Pty Ltd (tendered price \$572,979.00 exclusive of GST) as the most advantageous tender. 		
			2. Delegates power and authority to the CEO to negotiate and agree final terms and conditions and enter into a contract with Leeuwin Civil Pty Ltd [including variations in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996].		

Division:	Engineering and Works Services	Date From:	1/07/2021
Committee:		Date To:	8/06/2023
Officer:			
Action Sheets Report		Printed: Thursd	ay, 8 June 2023 4:33:11 PM

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			3. Notes that funding from the Forth Street Coastal Protection – Stage 2 budget (cost code 510 C2533 3280 0000) will be utilised to fund the project. CARRIED 9/0 ABSOLUTE MAJORITY	
25/05/2022	PROPOSAL TO DEDICATE AS PUBLIC ROAD, PORTION OF LOT 4959 OF CROWN RESERVE 42673, CAPE NATURALISTE ROAD, DUNSBOROUGH	Scott, Andrew	COUNCIL DECISION C2205/109 Moved Councillor P Cronin, seconded Councillor S Riccelli That the Council supports a request being made to the Minister for Lands to dedicate as road an approximate 200 square metre portion of Lot 4959 of Crown Reserve 42673, where Lot 4959 lies between Cape Naturaliste Road and Lot 1 of Diagram 85620, 61 Dunn Bay Road, Dunsborough.	Action completed. A request to dedicate as public road a portion of Lot 4959 of R42673 was posted to the Department of Planning, Lands and Heritage on 3 June 2022. DPLH are processing the request.
27/07/2022	NAMING PORT GEOGRAPHE CANALS, COVES AND PARKS	Abrahamse, Daniell	COUNCIL DECISION C2207/001 Moved Councillor M Love, seconded Councillor S Riccelli That the Council: 1. Request that the CEO undertake further consultation with the representatives of the traditional land owners in relation to the proposal to name the various canals, coves and parks in the Port Geographe area; and 2. Subject to the outcomes of that consultation, seek feedback on the proposed list of names from Landgate in accordance with Landgate Policy 1.8.1; and	Representatives of the Traditional Owners contacted through direct mail, email and meetings during August to September 2022. Further consultation with the Port Geographe Landowners as a result of this consultation process has taken place —

Division:	Engineering and Works Services	Date From:	1/07/2021
Committe	e:	Date To:	8/06/2023
Officer:			
Action Sheets Report		Printed: Thursd	lay, 8 June 2023 4:33:11 PM

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			3. Provide a further report to Council by the end of the year on the proposed list of names for the various parks, canals and coves of the Port Geographe Area as per the Plan of Port Geographe Cove and Park Names (Attachment A) CARRIED 9/0	December 2022 – January 2023. 3. Alternative names agreed to. 4. Landgate have been consulted with the alternative names. 5. A report has been written for Council endorsement.
17/05/2023	RFT 07/23 Plumbing Services	Friis, Joshua	COUNCIL DECISION C2305/088 Moved Councillor M Love, seconded Councillor J Richards That the Council endorses the outcome of the evaluation panel's assessment of RFT07/23 Plumbing Services, and accepts the tender from Craneford Plumbing Pty Ltd (ACN 120 701 368) in respect of SP1 - Reactive Plumbing Services to the City of Busselton owned buildings and SP2 - Scheduled Maintenance Services to all City of Busselton owned buildings, as the most advantageous tender. CARRIED 9/0	Action Completed Contract awarded.
17/05/2023	RFT08/23 Irrigation Components	Reynolds, Bradley	COUNCIL DECISION C2305/089 Moved Councillor M Love, seconded Councillor J Richards That the Council endorses the outcome of the evaluation panel's assessment of RFT08/23 Irrigation Components and accept the tender from Te Rawhti Pty Ltd (ACN 632 963 476) as trustee for the Think Water Trust trading as Think Water Capes Region as most advantageous. CARRIED 9/0	Action Completed Contract awarded

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
13/11/2019	Finance Committee - 17/10/2019 - MICROSOFT LICENCE AGREEMENT RENEWAL	Davis, Kris	COUNCIL DECISION AND COMMITTEE RECOMMENDATION C1911/222 Moved Councillor J Barrett-Lennard, seconded Deputy Mayor K Hick That the Council: 1. Accepts Data #3 Ltd Microsoft Enterprise Agreement Renewal (Contract) totaling \$265,749 (excluding GST) annualised over a three (3) year term. The total procurement is estimated to be \$797,248 (excluding GST). 2. Authorise the Chief Executive Officer (CEO) to enter on behalf of the City into the Contract outlined in paragraph (2) above. CARRIED 9/0	Action completed Contract entered into.
11/12/2019	Finance Committee - 21/11/2019 - APPLICATION FOR RATE EXEMPTION - ACCESS HOUSING AUSTRALIA LTD	Nicholson, David	COUNCIL DECISION, COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION C1912/250 Moved Councillor P Carter, seconded Deputy Mayor K Hick That the Council: 1. Approve the rate exemption applications from Access Housing Australia Ltd under section 6.26(2)(g) of the Local Government Act 1995, "land used exclusively for charitable purposes", effective 1 July 2019 on properties at: (a) 1/37 Fairbairn Road Busselton (b) 7/78 Ford Road Busselton (c) 3/41 Harris Road Busselton (d) 7 & 9 & 10/4 Maxted Street West Busselton (e) 4/116 Peel Terrace Busselton (f) 1/129 Peel Terrace Busselton (g) 9/22 Thomas Street Busselton 2. Agree that this rate exemption is to continue where Access Housing Australia Ltd confirms in writing by 30 April annually that they continue to lease the properties and that they continue to be used for the purposes stated in the applications.	Rates adjusted with rate exemption letter with interim notice sent. Action completed

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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			CARRIED 9/0	
11/12/2019	Finance Committee - 21/11/2019 - APPLICATION FOR RATE EXEMPTION - SOUTH WEST COUNSELLING INC	Nicholson, David	COUNCIL DECISION AND COMMITTEE RECOMMENDATION C1912/251 Moved Councillor P Carter, seconded Deputy Mayor K Hick That the Council approves the rate exemption application from South West Counselling Inc. for 122 Adelaide Street Busselton under section 6.26(2)(g) of the Local Government Act 1995, "land used exclusively for charitable purposes". CARRIED 9/0	Rates adjusted with rate exemption letter with interim notice sent. Action completed
11/12/2019	PROPOSED LEASE DUNSBOROUGH AND DISTRICTS PROGRESS ASSOCIATION INC.	Strang, Ann	COUNCIL DECISION AND OFFICER RECOMMENDATION C1912/258 Moved Councillor P Carter, seconded Deputy Mayor K Hick That the Council: 1. Authorises the CEO to enter into a lease with the Dunsborough and Districts Progress Association Incorporated for a portion of Lot 183, Reserve 23854, shown outlined in black bold on Attachment A being the Hall and Store rooms, subject to the following; (a) The term of the lease to be 5 years commencing 1 January 2020, with a further 5 year option; (b) The rent to commence at \$225.00 inclusive of GST per annum and increased by \$5.00 on each anniversary; (c) The lease will be consistent with the City's standard community and sporting group lease altered to reflect the obligation of the City to maintain the structural integrity of the Dunsborough Hall that forms part of the lease; (d) The permitted use will allow the tenant to hire the premises to other community groups and not for profit groups, with the tenants to ensure that their insurance covers such use;	Action completed

[Type here]

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			(e) The inclusion of a licence for non-exclusive use of the shared use areas shown hatched on the Attachment A; and	
			(f) All the costs of the preparation of the lease are to be met by the Tenant.	
			CARRIED 9/0	
29/01/2020	LAND TENURE OF CROWN LAND ASSOCIATED WITH ARTGEO COMPLEX	Strang, Ann	COUNCIL DECISION AND OFFICER RECOMMENDATION C2001/011 Moved Councillor K Cox, seconded Councillor S Riccelli That the Council: 1. authorise the CEO to write to the Department of Planning, Lands and Heritage to request a revision to Management Order J453422 in respect of Reserve 35361 (being part of the ArtGeo Complex) as follows: a) add the words "preservation of historical buildings" to the designated purpose; b) condition the Management Order to provide that the net income generated from commercial leasing of the site and buildings is allocated towards the aim of preservation and maintenance of the heritage buildings on the site; and c) any other terms or conditions reasonably required by the Minister for Lands in	Action completed
			relation to the expenditure of such revenue.	
			CARRIED 9/0	
29/01/2020	RESPONSE TO MOTION -	Pierson, Sarah	COUNCIL DECISION AND AMENDED RECOMMENDATION	Action Complete
	GENERAL MEETING OF ELECTORS 2		C2001/023 Moved Deputy Mayor K Hick, seconded Councillor L Miles That the Council:	Request made to BoM and answer received.
	DECEMBER 2019 - WEATHER STATION		 Note the following Motion carried at the General Meeting of Electors, 2 December 2019 (C1912/245): 	

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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			That the City of Busselton take the necessary steps to request that the WA Bureau of Meteorology establish an office weather station in the Busselton CBD;	
			Request the CEO to write to the Bureau of Meteorology seeking the establishment of a weather station on the City of Busselton Civic and Administration Centre or at another suitable and central location; and	
			Additionally request the CEO to write to the Bureau of Meteorology seeking the establishment of a weather station at a suitable and central location in the Dunsborough town centre.	
			CARRIED 9/0	
12/02/2020	PETITION - DA18/0674 - EXTRACTIVE INDUSTRY - LOT 101, 285 GIBB ROAD, KALOORUP	Pierson, Sarah	COUNCIL DECISION C2002/027 Moved Deputy Mayor K Hick, seconded Councillor J Barrett-Lennard That Council: 1. receive the petition from Deb and Mark Petterrsson with respect to DA18/0674 – Extractive Industry – Lot 101, 285 Gibb Road, Kaloorup asking the Council to not permit any further extractive industries in the particular area; and 2. note that the issues raised in the petition will be considered in item 13.1 of this meeting agenda. CARRIED 9/0	Action completed
26/02/2020	PETITION - WALGA CLIMATE	Pierson, Sarah	COUNCIL DECISION AND AMENDED RECOMMENDATION	Action completed
	CHANGE DECLARATION	HANGE C2002/001 Moved Councillor L Miles, seconded Councillor ECLARATION	C2002/001 Moved Councillor L Miles, seconded Councillor R Paine	Report provided to Council
			That Council, with respect to the petition received from Christian Fletcher regarding the WALGA Climate Change Policy Statement:	
			1. Receive the petition; and	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			Refer the petition to the CEO to prepare a report to Council, to be presented no later than the Ordinary Council Meeting of 22 April 2020.	
			CARRIED 7/0	
26/02/2020	PETITION - FIRE HAZARD REDUCTION	Pierson, Sarah	COUNCIL DECISION AND RECOMMENDATION C2002/066 Moved Councillor L Miles, seconded Councillor K Cox That Council, with respect to the petition received from Mrs Jane Cummins regarding the ground fuel in the reserve on the southern side of the Vasse River diversion drain:	Action completed
			 Receive the petition; and Refer the petition to the CEO for action. CARRIED 7/0	
26/02/2020	BUSSELTON CEMETERY EXPANSION - LAND AMALGAMATION	Woodford- Jones, Sharon	COUNCIL DECISION AND OFFICER RECOMMENDATION C2002/071 Moved Councillor L Miles, seconded Councillor P Carter That the Council: 1. Authorise the CEO to write to the Minister for Local Government, Sports and Cultural Industries requesting that an application be made to the Parliamentary Counsel to draft an order for the Governor declaring Lot 50 on Deposited Plan 416610 Volume LR3171 Folio 367 (Lot 50) for the purpose of a Cemetery. 2. Authorise the CEO to write to the Minister for Lands requesting: (a) incorporation under section 51 of the Land Administration Act 1997 of Lot 50 into Reserve 9298 for the purpose of 'Cemetery Expansion'; and (b) the issue of a Management Order over expanded Reserve 9298 (comprising Lots 50 and 51) to the City of Busselton for the purpose of 'Public Cemetery'.	Action completed Management order issued. Lot amalgamated in reserve. Dedication as cemetery land being progressed by DLG

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			3. Authorise the CEO to accept a Management Order placing care, control and management of Lots 50 and 51 within Reserve 9298 in the City of Busselton for the purpose of 'Public Cemetery'. CARRIED 7/0	
			CARRIED 7/0	
13/05/2020	RFQ 01-20 PROVISION OF	McDonald, Lisa	COUNCIL DECISION AND OFFICER RECOMMENDATION	Action completed
	ELECTRICAL SUPPLY FOR	Lisa	C2005/137 Moved Councillor S Riccelli, seconded Councillor L Miles	
	CITY OF		That the Council endorses the recommendations outlined within the report.	
	BUSSELTON CONTESTABLE SITES		CARRIED 8/0	
22/04/2020	PROPOSED NEW	Nicholson,	COUNCIL DECISION AND OFFICER RECOMMENDATION	Action completed
	RATES PAYMENT OPTIONS	David	C2004/111 Moved Deputy Mayor K Hick, seconded Councillor J Barrett-Lennard	New payment options
			That the Council acknowledge the City of Busselton will now provide an option of weekly, fortnightly and monthly payment options for ratepayers to assist households and business budgets for the payment of rates.	implemented
			CARRIED 9/0	
24/06/2020	GUNYULGUP	Pierson, Sarah	COUNCIL DECISION	Action completed
	VALLEY ACTION GROUP - OBJECTION TO AMENDMENT NO.		C2006/056 Moved Deputy Mayor K Hick, seconded Councillor P Carter That the Council:	Petition received and subject of petition was the
	45 TO LOCAL			subject of a report to Council.
	PLANNING		1. receive the petition from the Gunyulgup Valley Action Group regarding Amendment	report to Council.
	SCHEME 21		45 to Local Planning Scheme No. 21, objecting to the removal of Additional Use 52 from	
			the 'Rural Residential' zoned Lot 30 Millbrook Road, Yallingup, and the introduction of	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
24/06/2020	Finance Committee - 10/06/2020 - APPLICATION FOR RATE	Nicholson, David	Special Provision 71 to a portion of Lot 30 Millbrook Road (proposed Lot 8 Millbrook Road); and 2. notes that the generation of a location (through the online petition platform) as opposed to an address being provided for each signatory has made it difficult to verify that the petition is made (in the majority) by electors of the district; but that the extenuating circumstances pertaining to COVID-19 have been considered and applied in receiving the petition. CARRIED 9/0 COUNCIL DECISION AND COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION C2006/061 Moved Councillor J Barrett-Lennard, seconded Councillor P Carter	Action completed Rate exemption applied to the
	EXEMPTION - THE FREE REFORMED CHURCH OF BUSSELTON	XEMPTION - HE FREE EFORMED HURCH OF	That the Council: 1. Approve the rate exemption application from The Free Reformed Church o Busselton under section 6.26 (2)(d) of the Local Government Act 1995 on 108 Hawker Approach, Yalyalup effective 1 July 2019; and	property.
			 Agree that this rate exemption is to continue where The Free Reformed Church of Busselton confirms in writing by the 30 April annually that they continue to own and use the property for the purposes stated in the application. 	
			CARRIED 9/0	
			BY ABSOLUTE MAJORITY	
24/06/2020	HOTEL DEVELOPMENT AND LEASING ARRANGEMENTS - HOTEL SITE 2,	Cobus Botha	COUNCIL DECISION AND OFFICER RECOMMENDATION C2006/063 Moved Councillor P Carter, seconded Councillor L Miles That the Council:	Action completed Head lease between the State of WA and the City executed
			1. Notes that, in accordance with Section 3.59 of the Local Government Act 1995 (WA):	

(Hotel Site 2) on the terms and conditions outlined in this report; b. Statewide notice, stating that the City proposes to enter into the Sublease, was given; c. A copy of the business plan was made available for public comment and submissions about the Sublease were invited; and d. No submissions have been received. 2. Resolves to enter into a lease with the State of WA in relation to Hotel Site 2 (Head Lease) on the following terms and conditions: a. Term: Up to 65 years b. Rent: \$1,000 + GST per year c. Permitted purpose: Hotel/Short stay accommodation d. Such further terms and conditions as agreed upon pursuant to resolution 4. 3. Resolves to sublease, subject to the Minister for Planning, Lands and Heritage's consent,	MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
following terms and conditions (Sublease): a. Term: 35 Years with an option to extend for a further term of 30 years (at the Sublessee's option) b. Rent: Year 1 - \$100 + GST Year 2 - \$25,000 + GST Year 3 - \$50,000 + GST Year 4 - \$75,000 + GST Year 5 - \$105,000 + GST Year 6 and onwards - Previous year's rent annually reviewed and adjusted in accordance with CPI, with market rent reviews to be undertaken every 5 years	DATE		OFFICER	lease of a portion of Lot 503 Foreshore Parade, located within Reserve 38558 (Hotel Site 2) on the terms and conditions outlined in this report; b. Statewide notice, stating that the City proposes to enter into the Sublease, was given; c. A copy of the business plan was made available for public comment and submissions about the Sublease were invited; and d. No submissions have been received. 2. Resolves to enter into a lease with the State of WA in relation to Hotel Site 2 (Head Lease) on the following terms and conditions: a. Term: Up to 65 years b. Rent: \$1,000 + GST per year c. Permitted purpose: Hotel/Short stay accommodation d. Such further terms and conditions as agreed upon pursuant to resolution 4. 3. Resolves to sublease, subject to the Minister for Planning, Lands and Heritage's consent, Hotel Site 2 to Pacifica Ausglobal Busselton Pty Ltd ACN 637 353 710 (Sublessee) on the following terms and conditions (Sublease): a. Term: 35 Years with an option to extend for a further term of 30 years (at the Sublessee's option) b. Rent: Year 1 - \$100 + GST Year 2 - \$25,000 + GST Year 3 - \$50,000 + GST Year 4 - \$75,000 + GST Year 5 - \$105,000 + GST Year 6 and onwards - Previous year's rent annually reviewed and adjusted in accordance with CPI, with market rent reviews to be undertaken every 5	between the City and Pacifica Ausglobal Busselton Pty Ltd executed and registered with

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
DATE		OFFICER	d. Such further terms and conditions as agreed upon pursuant to resolution 4. 4. In respect to resolutions 2 and 3 delegate power and authority to the Chief Executive Officer to: a. Negotiate and agree with the State of WA the further terms and conditions of the Head Lease as outlined in this report; b. Negotiate and agree with the Sublessee the further terms and conditions of the Sublease as outlined in this report; c. Enter into the Head Lease and Sublease on behalf of the City; and d. Make from time to time such minor variations to the Head Lease and Sublease as may be necessary or appropriate for successfully delivering the proposed hotel project in accordance with this report. CARRIED 9/0 BY ABSOLUTE MAJORITY	
29/07/2020	BUSSELTON COMMUNITY RESOURCE CENTRE REVIEW OF RENT	Woodford- Jones, Sharon	COUNCIL DECISION AND OFFICER RECOMMENDATION C2007/073 Moved Deputy Mayor K Hick, seconded Councillor P Cronin That the Council: 1. Delegates to the CEO the power to, subject to the consent of the Minister for Lands, enter into leases, sub leases or licences with not for profit organisations that meet the eligibility criteria set by Lotterywest from time to time for the occupation of portions of Reserve 41445 Lot 502, Deposited Plan 73254, Volume LR3162 Folio 147, 19 Cammilleri Street, Busselton, known as the Busselton Community Resource Centre; and 2. Endorses the provisions of the lease or licence in accordance with the following: a. Leases or licences will be consistent with the City's community group format prepared specifically for this facility; b. The term of the lease or licence may be for any period up to 10 years;	Action completed Lessees have been made aware of rent reduction

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 c. Annual rents commencing in the 2020/21 financial year will be \$150.00 per square metre, reviewed annually by CPI; d. Rent for short term leases or licences will be calculated on a pro rata basis; e. Tenants will be responsible for a proportion of electricity usage charges based on the percentage of floor space occupied by them; and f. Tenants will be responsible for interior cleaning and maintenance of their leased areas. 	
29/07/2020	BUSSELTON	Woodford-	COUNCIL DECISION AND OFFICER RECOMMENDATION	Action completed
	FITNESS CLUB SURRENDER	Jones, Sharon	C2007/076 Moved Councillor L Miles, seconded Deputy Mayor K Hick	Lease signed
	AND NEW LEASE		That the Council:	
			 Resolves to accept the surrender of the current lease between the City of Busselton and Busselton Fitness Club Incorporated. 	
			2. Resolves to enter into a new lease with the Busselton Fitness Club Incorporated for a portion of Lot 539 on Deposited Plan 404860, Volume LR3167, Folio 873, H2 King Street, Busselton as shown outlined blue on Attachment A on the following terms:	
			(a) The term of the lease be 10 years commencing on the date of surrender, with a further 10 year option;	
			(b) The commencement rent to be \$3,412.00 inclusive of GST, being an amount of 50% of the Council rates that would be applicable calculated on the gross rental value of the expanded premises;	
			(c) The rent to be reviewed by CPI on each anniversary of the term;	
			(d) Conditions preventing BFC from running group fitness class activities and private fitness instructors operating from the venue, unless employed direct by the BFC;	

RUSINESS PLAN COUNCIL DECISION AND AMENDED OFFICER RECOMMENDATION	MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
BUSINESS PLAN 2020 - 2024 C2007/002 Moved Councillor L Miles, seconded Councillor R Paine That the Council adopts the Corporate Business Plan 2020 - 2024 in the form attached to this report (Attachment A) with the following amendments: Adjustment of Dunsborough Country Club Expansion from Capital to Operational; Revision of the action description in relation to the Dunsborough Playground; Adjustment of Busselton Foreshore Hotel Site action to reference hotel site 2; Adjustment in timing for Smart City strategy action to be over 4 years; Adjustment in timing for Australian Underwater Discovery Centre action to be over 2 years; Adjustment of Coastal Protection action from Operational to Capital as the predominant funding;				asset management and capital improvements to the Premises the first payment of \$10,000 being payable from the first anniversary of the lease; and (f) All costs associated with the preparation of the lease are to be met by the BFC. 3. Authorises the CEO to negotiate and finalise the new lease.	
and acknowledging minor editing and formatting corrections throughout. CARRIED 9/0	29/07/2020	BUSINESS PLAN	Pierson, Sarah	That the Council adopts the Corporate Business Plan 2020 - 2024 in the form attached to this report (Attachment A) with the following amendments: • Adjustment of Dunsborough Country Club Expansion from Capital to Operational; • Revision of the action description in relation to the Dunsborough Playground; • Adjustment of Busselton Foreshore Hotel Site action to reference hotel site 2; • Adjustment in timing for Smart City strategy action to be over 4 years; • Adjustment in timing for Australian Underwater Discovery Centre action to be over 2 years; • Adjustment of Coastal Protection action from Operational to Capital as the predominant funding; • Re-inclusion of LTIFR as a measure under CPI 11 – Safety; and acknowledging minor editing and formatting corrections throughout.	Action completed Adopted and published

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
DATE		OFFICER	BY ABSOLUTE MAJORITY	
29/07/2020	BUSSELTON FITNESS CLUB SURRENDER AND NEW LEASE	Strang, Ann	COUNCIL DECISION AND OFFICER RECOMMENDATION C2007/076 Moved Councillor L Miles, seconded Deputy Mayor K Hick That the Council: 1. Resolves to accept the surrender of the current lease between the City of Busselton and Busselton Fitness Club Incorporated. 2. Resolves to enter into a new lease with the Busselton Fitness Club Incorporated for a portion of Lot 539 on Deposited Plan 404860, Volume LR3167, Folio 873, H2 King Street, Busselton as shown outlined blue on Attachment A on the following terms: (a) The term of the lease be 10 years commencing on the date of surrender, with a further 10 year option; (b) The commencement rent to be \$3,412.00 inclusive of GST, being an amount of 50% of the Council rates that would be applicable calculated on the gross rental value of the expanded premises; (c) The rent to be reviewed by CPI on each anniversary of the term; (d) Conditions preventing BFC from running group fitness class activities and private fitness instructors operating from the venue, unless employed direct by the BFC; (e) The requirement to establish and maintain a contingency fund for the purpose of asset management and capital improvements to the Premises the first payment of \$10,000 being payable from the first anniversary of the lease; and (f) All costs associated with the preparation of the lease are to be met by the BFC. 3. Authorises the CEO to negotiate and finalise the new lease.	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
12/08/2020	Policy and Legislation Committee - 29 July 2020 - PARKING LOCAL LAW 2020	McGinty, Briony	COUNCIL DECISION AND COMMITTEE RECOMMENDATION C2008/080 Moved Councillor P Carter, seconded Deputy Mayor K Hick That the Council: 1) Commences the law-making process for the City of Busselton Parking Local Law 2020 inclusive of Committee amendments as per Attachment C, the purpose and effect of the local law being as follows: Purpose: To regulate and control the movement and parking of vehicles throughout the district. Effect: To provide a well-regulated parking environment for all persons in the district. 2) Authorises the CEO to carry out the law-making procedure under section 3.12(3) of the Local Government Act 1995, by: (a) Giving Statewide public notice and local public notice of the Parking Local Law inclusive of Committee amendments as per Attachment C; and (b) Giving a copy of the Parking Local Law inclusive of Committee amendments as per Attachment C and public notice to the Minister for Local Government. 3) Directs the CEO, after the close of the public consultation period, to submit a report to the Council on any submissions received on the Parking Local Law to enable the Council to consider the submissions made and to determine whether to make the local law in accordance with section 3.12(4) of the Local Government Act 1995. CARRIED 9/0	Action completed Local Law advertised locally and sent to Minister as per Act.
14/10/2020	BUSSELTON NETBALL ASSOCIATION SURRENDER AND NEW LEASE	Strang, Ann	COUNCIL DECISION AND OFFICER RECOMMENDATION C2010/107 Moved Councillor R Paine, seconded Councillor P Carter That the Council:	Action completed The lease and surrender was fully executed on the 18 March

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
	LOIS HANNAY PAVILION		Resolves to accept a surrender of the current lease between the City of Busselton and Busselton Netball Association Inc.	2021 in accordance with the resolution of Council.
			2. Resolves to enter into a new lease, subject to the consent of the Minister for Lands, with the Busselton Netball Association Inc. for a portion of Reserve 17319, Lot 539 on Deposited Plan 404860, Volume LR3167, Folio 873, 2 King Street, Busselton, as shown outlined in orange on Attachment A, on the following terms:	
			(a) The term of the lease to be 10 years commencing on the date of surrender, with a further 10 year option;	
			(b) The rent to commence at \$230.00 inclusive of GST per annum and increased by \$5.00 on each anniversary;	
			(c) Ancillary to the permitted use, the lease will require the Tenant to make available for hire the common room, kitchen and ablutions to other sporting and community groups when not being used by the Tenant. The City in consultation with the Tenant will determine the schedule of hire charges;	
			(d) The City may restrict access to the Premises up to 5 days per calendar year during approved City events held at Lou Weston Reserve;	
			(e) A requirement for the Tenant to establish and maintain a contingency fund for the purpose of asset management and capital improvements to the Premises. The Tenant to contribute \$7,000 per annum into the account in the first three years of the Lease, in the fourth year the contribution to increase to \$10,000 per annum and thereafter increased by CPI.	
			(f) A clause stating that should a State of Emergency be declared in Western Australia that prevents the Tenants' use of the Premises, the City will not commence enforcement action against the Tenant for failure to make the contribution amount (referred to in (e) above) in full during that period and	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
DAIL		OTTOLK	will instead negotiate in good faith with the Tenant a variation to the contribution requirement under the lease; and (g) All costs associated with the preparation of the lease are to be met by the Tenant. CARRIED 7/0	
28/10/2020	RESPONSE TO BAY TO BAY ACTION GROUP MOTIONS MOVED 16 SEPTEMBER 2020	Pierson, Sarah	COUNCIL DECISION AND OFFICER RECOMMENDATION C2010/003 Moved Deputy Mayor K Hick, seconded Councillor L Miles That the Council: 1. In relation to motion 1, notes the request to further review the Community Engagement policy, and instead requests that the CEO commence the process of developing a community engagement framework, with the framework to be developed with input from the community, including through community workshops, and presented to Council for adoption by 30 June 2021; 2. In relation to motion 2, rejects the motion on the basis that there are no financial standards set out by the Local Government (Audit) Regulations 1996, and that the Financial Health Indicator score is not reflective of the financial standing of a local government; and instead requests that the CEO develop a financial sustainability plan outlining clear measures and targets which demonstrate the City's financial position and can be reported on to the community; and 3. In relation to motion 3, note but reject the vote of no confidence motion.	Action completed Community Engagement Framework developed and adopted for public advertising Financial Sustainability Plan developed
28/10/2020	LEGAL MATTER	Botha, Cobus	COUNCIL DECISION AND AMENDED OFFICER RECOMMENDATION C2010/004 Moved Deputy Mayor K Hick, seconded Councillor J Barrett-Lennard	Action completed Matter being progressed (confidential)

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			That the Council delegates to the CEO the power and duty to resolve the matter in accordance with the recommendation contained within the Officer Comment section of the report. CARRIED 7/0	
25/11/2020	ST JOHN	Oates, Julie	COUNCIL DECISION AND OFFICER RECOMMENDATION	Action completed
20/11/2020	AMBULANCE OF WESTERN		C2011/141 Moved Councillor J Barrett-Lennard, seconded Councillor S Riccelli	Lease entered
	AUSTRALIA LIMITED LEASE		The Council resolves to enter into a lease, subject to the consent of the Minister for Lands, with St. John Ambulance Western Australia Ltd. for a portion of Lot 502 on Deposited Plan 65896, Volume LR3025, Folio 688, H29 Marri Drive, Dunsborough, as shown hatched on Attachment A on the following terms:	into
			a) The term of the lease to be 21 years;	
			b) The rent to commence at \$230.00 inclusive of GST per annum and increased by \$5.00 on each anniversary but exclusive of outgoings;	
			 The lessee will be fully responsible for the maintenance of the buildings and leased area; 	
			d) All costs associated with the preparation of the lease are to be met by the lessee;	
			e) The lease will contain provisions dealing with the shared access easement between lots 501 and 502; and	
			f) Other terms to be consistent with the City's standard community group lease.	
			CARRIED 9/0	
25/11/2020	PARKING LOCAL	McGinty,	COUNCIL DECISION AND OFFICER RECOMMENDATION	Action completed
	LAW	Briony	C2011/143 Moved Deputy Mayor K Hick, seconded Councillor P Cronin	Local Law has been gazetted,
			That the Council:	given local public
			 Resolves to make the City of Busselton Parking Local Law 2020 in accordance with section 3.12(4) of the Local Government Act 1995. 	notice, and sent to the JSC for scrutiny.

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 Authorises the Chief Executive Officer to carry out the processes required to make the City of Busselton Parking Local Law 2020 in accordance with section 3.12(5) and section 3.12(6) of the Local Government Act 1995. 	
			CARRIED 9/0	
9/12/2020	Finance Committee	Nicholson,	BY ABSOLUTE MAJORITY COUNCIL DECISION AND COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION	Action completed
9/12/2020	- 25/11/2020 - APPLICATION FOR RATE EXEMPTION - RELATIONSHIPS AUSTRALIA WA INC.	David	COUNCIL DECISION AND COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION C2012/157 Moved Councillor K Cox, seconded Councillor J Barrett-Lennard That the Council: 1. Approve the rate exemption application from Relationships Australia WA Inc. under section 6.26(2)(g) of the Local Government Act 1995 on 7 Harris Road, Busselton, effective 1 July 2020; and 2. Agree that this rate exemption is to continue where Relationships Australia WA Inc. confirms in writing by the 30 April annually that they continue to lease and use the property for the purposes stated in the application. CARRIED 8/0	Rate exemption applied to the property
			BY ABSOLUTE MAJORITY	
24/02/2021	CITY MANAGED AUTOMATIC WEATHER STATIONS	Pierson, Sarah	COUNCIL DECISION AND OFFICER RECOMMENDATION C2102/030 Moved Councillor K Hick, seconded Councillor K Cox That the Council:	Action completed Weather stations installed
			 Acknowledge the Bureau of Meteorology's (BOM) response to the City's request for establishment of additional weather stations in Busselton and Dunsborough; Further consider the procurement and installation of two automated weather stations, 	
			one in Busselton and one in Dunsborough, as part of its 2021/2022 budget deliberation process.	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			CARRIED 9/0	
24/02/2021	NEW REQUIREMENTS OF THE LOCAL GOVERNMENT (MODEL CODE OF CONDUCT) REGULATIONS 2021	Heys, Emma	 COUNCIL DECISION AND OFFICER RECOMMENDATION C2102/032	Action completed. Briefing held regarding Code of Conduct behaviours and Code adopted.
			CARRIED 9/0	
			BY ABSOLUTE MAJORITY	
10/03/2021	RESPONSE TO MOTION - GENERAL MEETING OF ELECTORS 8 FEBRUARY 2021 - CALL FOR REFERENDUM	Pierson, Sarah	COUNCIL DECISION C2103/035 Moved Councillor J Barrett-Lennard, seconded Councillor K Hick That the Council: Resolves not to proceed with a referendum in relation to the performing arts and convention centre project, noting the consultation and work undertaken to date in relation to the project; and	Action completed Communication complete

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			Confirms it will further consider and decide whether to proceed with the project on the receipt of construction tenders and in conjunction with considering those tenders. CARRIED 7/1	
10/03/2021	SALE OF LOTS 58	Woodford-	COUNCIL DECISION AND OFFICER RECOMMENDATION	Action completed
10/03/2021	& 59 CHAPMAN HILL ROAD AND LOT 60 QUEEN	Jones, Sharon	C2103/044 Moved Councillor J Barrett-Lennard, seconded Councillor P Cronin That the Council:	EOI process undertaken
	ELIZABETH AVENUE, AMBERGATE		1. Acknowledges that Lots 58 and 59 on Chapman Hill Road and Lot 60 Queen Elizabeth Avenue, Ambergate (the Land) is no longer required to be retained for strategic purposes.	Action completed EOI process undertaken Action completed
			2. Approves the advertising of an Expression of Interest for the disposal of the Land to inform decisions regarding the future use and ownership.	
			3. Be presented with the outcomes and recommendations following the Expression of Interest process on a disposition by way of sale or lease in accordance with the requirements of section 3.58 of the Local Government Act 1995.	
			CARRIED 8/0	
24/03/2021	LONG TERM FINANCIAL PLAN 2021/22 - 2030/31	Robinson, Ben	COUNCIL DECISION AND OFFICER RECOMMENDATION C2103/052 Moved Councillor L Miles, seconded Councillor P Carter	Action completed
			That the Council endorses the Draft Long Term Financial Plan 2021/22 to 2030/31 as provided in Attachment A as its current Long Term Financial Plan to be used as a guiding document for the City of Busselton.	
			CARRIED 9/0	
14/04/2021	ADOPTION OF DRAFT STRATEGIC COMMUNITY	Pierson, Sarah	COUNCIL DECISION AND OFFICER RECOMMENDATION C2104/062 Moved Councillor P Carter, seconded Councillor P Cronin	Draft advertised,

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
	PLAN FOR ADVERTISING		That the Council adopt the draft City of Busselton Strategic Community Plan 2021-2031 (attached) for the purposes of public advertising and further community consultation over a period of 21 days, to inform the completion of the plan. CARRIED 9/0	received and final version adopted by Council
28/04/2021	PILOT PARTICIPATORY BUDGETING BASED PROGRAM	Pierson, Sarah	COUNCIL DECISION AND OFFICER RECOMMENDATION C2104/075 Moved Councillor L Miles, seconded Councillor J Barrett-Lennard That the Council: 1. Endorse the implementation of the proposed pilot participatory budgeting style program as outlined in this report (the Program); and 2. Endorse the allocation of \$100,000 to the Program, to be funded from the draft 2021/2022 Donations, Contributions and Subsidies budget.	Action completed You Choose Program completed
28/04/2021	Finance Committee - 14/4/2021 - APPLICATION FOR RATE EXEMPTION - RELATIONSHIPS AUSTRALIA WA INC	Nicholson, David	COUNCIL DECISION AND COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION C2104/077 Moved Councillor P Carter, seconded Councillor P Cronin That the Council: 1. Grant rate exemption to Relationships Australia WA Inc. on 93 Duchess Street, Busselton, effective 9 November 2020 under section 6.26(2)(g) of the Local Government Act 1995; and 2. Agree that this rate exemption is to continue where Relationships Australia WA Inc. confirm in writing by 30 April annually that they continue to lease and use the property for the purposes stated in the application. CARRIED 7/0	Action completed Rate exemption applied.

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			ABSOLUTE MAJORITY	
28/04/2021	INTRODUCTION OF SERVICE IMPROVEMENT REVIEWS	Pierson, Sarah	COUNCIL DECISION AND OFFICER RECOMMENDATION C2104/079 Moved Councillor P Carter, seconded Councillor S Riccelli That the Council: 1. Adopts the methodology for the implementation of service improvement reviews as per Attachment A. 2. Allocates an additional \$100,000 to the draft 2021/2022 salaries and wages budget for the purposes of resourcing stage 1 of the methodology.	Action completed Resource allocation of \$100,000 was referred to planning and hence progress adjusted to within BAU resourcing.
			CARRIED 9/0 BY ABSOLUTE MAJORITY	
28/04/2021	ADOPTION OF CEO STANDARDS RECRUITMENT, PERFORMANCE REVIEW AND TERMINATION	Pierson, Sarah	COUNCIL DECISION AND AMENDED RECOMMENDATION C2104/083 Moved Councillor S Riccelli, seconded Councillor J Barrett-Lennard That the Council: 1. Adopt the City of Busselton Standards CEO Recruitment, Performance Review and Termination as per Attachment A, subject to drafting amendments to replace the use of the term 'point' with 'clause', remove the use of the term 'sub-point', remove referencing from terms used, and generally review the numbering format of the document. 2. Note that a CEO performance review process will be developed and presented to Council for adoption.	Action completed Performance Review Policy developed.
			CARRIED 9/0 BY ABSOLUTE MAJORITY	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
26/05/2021	Finance Committee - 12/5/2021 - APPLICATION FOR RATE EXEMPTION - WARATAH SUPPORT CENTRE (SOUTH WEST) INC	Nicholson, David	COUNCIL DECISION AND COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION C2105/105 Moved Councillor P Carter, seconded Councillor K Hick That the Council: 1. Grant rate exemption to Waratah Support Centre (South West) Inc. on 24 Kent Street, Busselton, effective 1 July 2020, under section 6.26(2)(g) of the Local Government Act 1995; and 2. Agree that this rate exemption is to continue where Waratah Support Centre (South West) Inc. confirm in writing by 30 April annually that they continue to lease and use the property for the purposes stated in the application. CARRIED 9/0 BY ABSOLUTE MAJORITY	Action completed Rate exemption applied.
9/06/2021	ADOPTION OF STRATEGIC COMMUNITY PLAN 2021 - 2031	Pierson, Sarah	COUNCIL DECISION AND OFFICER RECOMMENDATION C2106/118 Moved Councillor K Hick, seconded Councillor J Barrett-Lennard That the Council adopt the City of Busselton Strategic Community Plan 2021 – 2031 as per Attachment A, in accordance with section 5.56 of the Local Government Act 1995 and regulation 19C of the Local Government (Administration) Regulations 1996. CARRIED 8/0 BY ABSOLUTE MAJORITY	Action completed
23/06/2021	APPLICATION FOR RATE EXEMPTION - SENSES AUSTRALIA	Nicholson, David	COUNCIL DECISION AND OFFICER RECOMMENDATION C2106/133 Moved Councillor P Cronin, seconded Councillor P Carter That the Council:	Action completed Rate Exemption Applied

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 Grant rate exemption to Senses Australia on 2A 9 Harris Road, Busselton, effective 1 February 2021, under section 6.26(2)(g) of the Local Government Act 1995; and Agree that this rate exemption is to continue where Senses Australia confirm in writing by 30 April annually that they continue to lease and use the property for the purposes stated in the application.	
23/06/2021	CITY OF BUSSELTON COMMUNITY ENGAGEMENT FRAMEWORK	Pierson, Sarah	COUNCIL DECISION AND AMENDED OFFICER RECOMMENDATION C2106/137 Moved Councillor L Miles, seconded Councillor P Carter That the Council: 1. Endorse the City of Busselton Community Engagement Framework as per Attachment A (the Framework) for the purposes of advertising for a period of 21 days, with a report outlining submissions and seeking final adoption of the Framework to be returned to Council; 2. Acknowledges that the community engagement toolkit (as per Attachment B to F) is operational in nature and will be reviewed and amended over time by the CEO. CARRIED 9/0	Action completed Framework adopted.

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
28/07/2021	Finance Committee - 21/7/2021 - APPLICATION FOR RATE EXEMPTION - GROUP TRAINING SOUTH WEST INC.	Nicholson, David	COUNCIL DECISION C2107/152 Moved Councillor P Cronin, seconded Councillor P Carter That the Council: 1. Grant rate exemption to Group Training South West Inc. for 1/18 Trumper Drive Busselton, effective 16 December 2020, under section 6.26(2)(g) of the Local	Action completed Rate exemption applied
			 Government Act 1995; and Agree that this rate exemption is to continue where Group Training South West Inc. confirm in writing by 30 April annually that they continue use the property for the purposes stated in the application. CARRIED 7/0 BY ABSOLUTE MAJORITY 	
13/10/2021	COMMERCIAL LEASE - PORTION OF OLD COURTHOUSE ARTGEO COMPLEX	Strang, Ann	 COUNCIL DECISION C2110/055	Action completed Lease Agreement fully executed

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			(a) term of 5 years, commencing within 2 months from the amendment to the Management Order for Reserve 35361;	
			(b) annual rent to commence at \$13,000 exclusive of GST and outgoings;	
			(c) rent to be reviewed by CPI on each anniversary;	
			(d) permitted use to operate a café and small bar subject to all necessary approvals being granted; and	
			(e) other commercial terms which are appropriate to the use of the leased premises.	
			3. Following approval from the Minister for Lands in relation to the proposed amendment to the Management Order over Reserve 35361 (the Reserve), authorise the Chief Executive Officer to enter into a licence with P.B Collett & L SaeNguan (ABN 83 187 584 037) of a further portion of the Reserve on the terms and conditions outlined in this report.	
			CARRIED 9/0	
13/10/2021	Policy and Legislation	McGinty, Briony	COUNCIL DECISION C2110/059 Moved Councillor R Paine, seconded Councillor P Cronin	Action completed
	Committee - 22/9/2021 - LOCAL GOVERNMENT PROPERTY		C2110/059 Moved Councillor R Paine, seconded Councillor P Cronin That the Council:	Local Law Making process commenced
	AMENDMENT LOCAL LAW 2021		 Commences the law-making process for the City of Busselton Local Government Property Amendment Local Law 2021, with clauses 5.1(1)(a)(i)-(ii) amended to refer to being under the age of 12 years and a responsible person over the age of 16 years; the purpose and effect of the local law being as follows: 	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			Purpose: To regulate the care, control and management of local government property (except thoroughfares) by amending sections of the Shire of Busselton Local Government Property Local Law 2010. Effect: To control the use of local government property by updating minimum age requirements for entry to swimming pools, updating penalties, and clarifying other powers.	
			 Authorises the CEO to carry out the law-making procedure under section 3.12(3) of the Local Government Act 1995, by: 	
			(a) Giving local public notice of the Amendment Local Law; and	
			(b) Giving a copy of the Amendment Local Law and public notice to the Minister for Local Government.	
			 Notes that the CEO, after the close of the public consultation period, will submit a report to the Council on any submissions received on the proposed local law to enable the Council to consider the submissions made and to determine whether to make the local law in accordance with section 3.12(4) of the Act. 	
			CARRIED 9/0	
10/11/2021	APPOINTMENT OF ELECTED MEMBERS TO	Heys, Emma	COUNCIL DECISION C2111/088 Moved Councillor P Carter, seconded Councillor A Ryan	Action completed
	EXTERNAL BOARDS		That the Council appoints a member as a delegate to the following external organisations:	Appointment of Councillors advised.
			1. Busselton Senior Citizens Centre Board of Management:	Councillor representative
			Member: Cr Jodie Richards	has been removed from
			2. Busselton Jetty Inc Board of Management:	Snr Citz

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			Member: Cr Grant Henley CARRIED 8/0	Constitution and not required - Cr Richards advised.
24/11/2021	DISPOSITION OF PROPERTY LOTS 58 & 59 CHAPMAN HILL ROAD AND LOT 60 QUEEN ELIZABETH ROAD, AMBERGATE, REPORT ON SUBMISSIONS RECEIVED IN RESPONSE TO LOCAL PUBLIC NOTICE UNDER SECTION 3.58 LOCAL GOVERNMENT ACT 1995	Woodford- Jones, Sharon	COUNCIL DECISION C2111/101 Moved Councillor A Ryan, seconded Councillor S Riccelli That the Council discontinues plans for the sale of Lots 58 and 59 Chapman Hill Road and Lot 60 Queen Elizabeth Road, Ambergate. CARRIED 5/4	Action completed The buyer has been notified
24/11/2021	RFT 04/21 ROAD NETWORK UPGRADE PEEL TERRACE/CAUSE WAY ROAD INTERSECTION UPGRADE STAGE 1	Botha, Cobus	COUNCIL DECISION C2111/103 Moved Councillor R Paine, seconded Councillor M Love That the Council pursuant to RFT 04/21 Road Network Upgrade - Peel Terrace/Causeway Road Intersection Upgrade - Stage 1A: 1. Note that pursuant to Council resolution C2110/054 the tender from BCP Contractors Pty Ltd was accepted as the preferred tender;	Action completed Contract entered into

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			2. Note that BCP Contractors Pty Ltd has since revised its tender by proposing variations to the general conditions of contract, which are unacceptable to the City;	
			 Authorise the CEO not to enter into a contract with BCP Contractors Pty Ltd if agreement cannot be reached on the variations proposed by BCP Contractors Pty Ltd; 	
			 If, pursuant to resolution 3, the City and BCP Contractors Pty Ltd do not reach agreement, resolve to delegate power and authority to the Chief Executive Officer to decline to accept any tender. 	
			CARRIED 9/0	
Comr 18/11 OF B	Audit and Risk Committee - 18/11/2021 - CITY OF BUSSELTON 2020/2021	COUNCIL DECISION C2112/110 Moved Councillor A Ryan, seconded Councillor P Cronin That the Council:	Action completed	
	ANNUAL FINANCIAL REPORT, AUDITORS'		 Accepts the 2020/21 Annual Financial Report including Auditors Report and Audit Management Report as per the attached documentation; 	
REF MAN	REPORT AND MANAGEMENT LETTER		 Notes that it has met the requirements of section 7.12A(2) of the Local Government Act 1995 with the Audit Committee, on behalf of Council, having met with a representative of the Office of the Auditor General on the 18th November 2021; and 	
			3. Acknowledges the significant improvements of the City's Financial Health Indicators score and acknowledges the role of staff in responding to the Council concerns about previous Financial Health Indicators performance.	
			CARRIED 9/0	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
8/12/2021	Audit and Risk Committee - 18/11/2021 - 2021 OFFICE OF AUDITOR GENERAL CYBER SECURITY AND GENERAL COMPUTER CONTROLS AUDIT	Allingham, Tim	COUNCIL DECISION C2112/111 Moved Councillor A Ryan, seconded Councillor P Cronin That the Council: 1. Notes the 2021 Office of Auditor General Information System Audit findings for the Information Systems and Cyber Security audits as per the attached documentation; and 2. Receives an update report on the implementation of Office of Auditor General recommendations as part of the 2022 interim audit report. CARRIED 9/0	An in-depth Auditor General Information Systems audit is underway currently, and will be reported in lieu of performing an interim review of last year's results.
23/03/2022	Policy and Legislation Committee - 2/3/2022 - LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2022	McGinty, Briony	COUNCIL DECISION C2203/057 Moved Councillor A Ryan, seconded Councillor M Love That the Council: 1. Resolves to make the City of Busselton Local Government Property Amendment Local Law 2022 in accordance with section 3.12(4) of the Local Government Act 1995. 2. Authorises the Chief Executive Officer to carry out the processes required to make the City of Busselton Local Government Property Local Law 2022 in accordance with section 3.12(5) and section 3.12(6) of the Local Government Act 1995. CARRIED 9/0	Action Completed Local law gazetted and documents sent to JSC.
23/03/2022	ARTGEO RESIDENT ARTIST STUDIO 2 LEASE	Strang, Ann	COUNCIL DECISION C2203/064 Moved Councillor A Ryan, seconded Councillor M Love	Action completed Section 3.58 advertising

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
		OFFICER	 That the Council authorise the CEO to: give local public notice for a period of 14 days of the proposed disposition of property (by way of lease) as outlined in this report in accordance with Section 3.58 of the Local Government Act 1995. to enter into a lease agreement, subject to there being no material objections as a result of (1) above, with Gerald Ashcroft for the occupation of Studio 2, on a portion of Reserve 35361, being Lot 453, Deposited Plan 194423, Volume LR3115 Folio 243, 4 – 6 Queen Street, Busselton as shown on Attachment A, subject to the terms and conditions of the lease including the following: a) term of 2 years commencing 17 May 2022; b) annual rent to commence at \$3,846.00 inclusive of GST and water and electricity; c) rent to be reviewed on each anniversary by CPI; d) the tenant to be responsible for telephone and internet consumption charges applied to the leased premises; e) the retail sale of items by the tenant to be prohibited from the Studio and the requirement for any sales to be transacted through the ArtGeo Courthouse; and f) other terms and conditions appropriate to the use of the Studio. 	closed and no submissions where received. Lease Agreement fully executed
9/03/2022	RESPONSE TO MOTIONS CARRIED AT SPECIAL ELECTORS MEETING 21 FEBRUARY 2022	Pierson, Sarah	COUNCIL DECISION C2203/001 Moved Councillor S Riccelli, seconded Councillor P Carter That the Council In response to motions 1, 2, 3, 5 and 6 write to the Premier and relevant State Government Ministers and	Action completed

	Division:	Finance and Corporate Services	Date From:	1/07/2021
	Committee:		Date To:	8/06/2023
	Officer:			
Action Sheets Report			Printed: Thursda	y, 8 June 2023 6:29:59 PM

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION		COMMENTS
			• •	t circa 450 business owners and community members within the selton attended a special electors meeting and collectively;	
			• • • • • • • • • • • • • • • • • • • •	ressed strong concern about the impacts that the vaccine mandates naving on business, employees, volunteers, and the community;	
			(ii) requ	ested that the City advocate to the State Government for	
				the removal of volunteers from vaccine mandates; clearer information for businesses in relation to the implementation of vaccine mandates and their obligations and liabilities for employees under Work Health and Safety legislation; and a survey be conducted by the State Government to better understand the impacts of vaccine mandates on small business; and the removal of vaccine mandates and associated restrictions; and at the Premier takes the concerns of the those electors into the reviews the State Government's position on vaccine mandates;	
			-	otion 4, resolves that the City will not conduct its own survey into accine mandates on ratepayers; and	
			3. Acknowledges th	nat the representations made from the electors present at the neeting may not necessarily represent the diversity of views of the	
				CARRIED 8/0	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
9/03/2022	NOTICE OF REVOCATION MOTION - C2111/101 - DISPOSITION OF PROPERTY LOTS 58 & 59 CHAPMAN HILL ROAD AND LOT 60 QUEEN ELIZABETH AVENUE, AMBERGATE	Whitehill, Ben	COUNCIL DECISION C2203/051 Moved Councillor J Richards, seconded Councillor K Cox That the Council: 1. Revokes the following Council resolution C2111/101 made at the Ordinary Council Meeting on 24 November 2021: That the Council discontinues plans for the sale of Lots 58 and 59 Chapman Hill Road and Lot 60 Queen Elizabeth Avenue, Ambergate 2. Agrees to the sale of Lots 58 and 59 Chapman Hill Road and Lot 60 Queen Elizabeth Avenue, Ambergate Farm Property Holdings Pty Ltd for \$2,500,000 exclusive of GST having undertaken the public notice requirements and considered the submissions received; and 3. Authorises the transfer of the net sale proceeds of Lots 58 and 59 Chapman Hill Road and Lot 60 Queen Elizabeth Avenue, Ambergate to the Strategic Projects Reserve, with the intention of using these funds for a strategic land parcel purchase in the future. 4. Agree that the net sale proceeds will not fund the Busselton Performing Arts and Convention Centre Project.	Action completed The Settlement of Sale of Lots 58 & 59 Chapman Hill Road and Lot 60 Queen Elizabeth Avenue Ambergate took effect on 19 May 2022. The proceeds of the sale have been received by the City.
27/04/2022	Finance Committee - 13/4/2022 - RATE EXEMPTION APPLICATION - SOUTH METROPOLITAN YOUTH LINK INC	Nicholson, David	COUNCIL DECISION C2204/086 Moved Councillor P Carter, seconded Councillor M Love That the Council: 1. Grant a rate exemption to South Metropolitan Youth Link Inc. for 1A, 9 Harris Road, Busselton, effective 1st March 2022, under section 6.26(2)(g) of the Local Government Act 1995; and	Action completed Rate exemption applied to property.

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			2. Agree that this rate exemption is to continue where South Metropolitan Youth Link Inc. confirm in writing by 30 April annually that they continue use the property for the purposes stated in the application.	
			CARRIED 9/0	
			BY ABSOLUTE MAJORITY	
11/05/2022	Busselton Jetty Inc. Jetty Village Proposal	Woodford- Jones, Sharon	COUNCIL DECISION C2205/099 Moved Councillor S Riccelli, seconded Councillor A Ryan That the Council resolve to: 1. Support the proposed Busselton Jetty Village project as outlined in this report ("Village Project"); 2. Delegate power and authority to the Chief Executive Officer to negotiate and enter into a legal agreement with Busselton Jetty Inc. to formalize the arrangements for the delivery and operation of the Village Project, in accordance with the terms and conditions outlined in this report and subject to the approval of the Minister for Lands and the Department of Transport;	The Jetty Village concept will be significantly varied, therefore progression of the licence variation – which was agreed between the parties – is on hold.
			CARRIED 9/0 BY ABSOLUTE MAJORITY	
11/05/2022	LEASING ARRANGEMENTS - GOOSE SITE LOT 432 FORESHORE PARADE	Strang, Ann	COUNCIL DECISION C2205/100 Moved Councillor J Richards, seconded Councillor A Ryan That the Council: 1. Resolves to surrender the special lease (I126938) dated 11 February 1993 between the City of Busselton and the State of WA, subject to a new head lease being granted in accordance with recommendation 2 and the Minister of Lands consent to recommendation 3 and 4.	The City has received the draft Head Lease from Department Planning, Lands and Heritage (DPLH). Officers have reviewed and

	Division:	Finance and Corporate Services	Date From:	1/07/2021
	Committee:		Date To:	8/06/2023
	Officer:			
Action Sheets Report			Printed: Thursda	y, 8 June 2023 6:29:59 PM

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION		COMMENTS
				lves to enter into a lease with the State of WA in relation to Lot 432, 15 Foreshore de, Busselton on the following terms and conditions:	returned the draft to DPLH with feedback and request for
			(a)	Term of 50 years;	some minor
			(b)	Rent commence at \$1,000 plus GST per annum;	adjustments. The City is
			(c)	Permitted purpose: Tavern/Restaurant/Café and other incidental uses;	unable to finalise the
			(d)	Such further terms and conditions as agreed upon pursuant to recommendation 5.	Sublease until the Head Lease
			Q & surre	lves to accept the surrender of the sublease (N202152) dated 3 January 2016 by Z Group Pty Ltd (ACN 607 622 695) as trustee for the Qi & Eng Family Trust endering, subject to the Minister for Lands consent and a new Sublease being ted and entered into in accordance with recommendation 4.	is agreed.
			Z Gro whol	lves to enter into a sublease subject to the Minister for Lands consent, with Q & oup Pty Ltd (ACN 607 622 695) as trustee for the Qi & Eng Family Trust for the e of Lot 432, 15 Foreshore Parade, Busselton on the following terms and itions:	
			(a)	Term up to 49 years and 11 months;	
			(b)	Rent \$50,546.02 exclusive of GST with a rent free period of up to 12 months;	
			(c)	rent to be reviewed annually on each anniversary in accordance with CPI, with market rent reviews to be undertaken every 5 years;	
			(d)	Permitted purpose: Tavern/Restaurant/Café and other incidental uses;	
			(e)	Such further terms and conditions as agreed upon pursuant to recommendation 5.	
				spect to recommendations 2 and 4, delegates power and authority to the Chief utive Officer to:	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			(a) Negotiate and agree with the State of WA the further terms and conditions of the Head Lease as outlined in this report; and	
			(b) Negotiate and agree with Q & Z Group Pty Ltd (ACN 607 622 695) as trustee for the Qi & Eng Family Trust the further terms and conditions of the sublease as outlined in this report.	
			6. Resolves to advertise the proposed disposition of property in accordance with section 3.58 of the Local Government Act 1995 for the terms and conditions outlined in this report and, if there are no objections, authorise the CEO to enter into a sublease in accordance with recommendation 4.	
			7. Endorse to waive \$28,969.87 exclusive of GST from existing debt owed by Q & Z Group Pty Ltd (ACN 607 622 695) as trustee for the Qi & Eng Family Trust as rent relief for the period 1 April 2021 to 31 May 2021.	
			8. Grants a discount of 50% rent relief to Q & Z Group Pty Ltd (ACN 607 622 695) as trustee for the Qi & Eng Family Trust as rent relief for the period 1 June 2021 to 30 October 2022.	
			9. Grants Q & Z Group Pty Ltd (ACN 607 622 695) as trustee for the Qi & Eng Family Trust a rent free period commencing 1 November 2022 and expiring the earlier of (i) 30 October 2023 or (ii) the issue of Certificate of Completion.	
			CARRIED 9/0	
			BY ABSOLUTE MAJORITY	
8/06/2022	Policy and Legislation Committee - 25/5/2022 - HOLIDAY HOMES AMENDMENT LOCAL LAW	McGinty, Briony	COUNCIL DECISION C2206/118 Moved Councillor P Cronin, seconded Councillor J Richards That the Council:	Action completed

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION		COMMENTS
			1.	Commences the law-making process for the City of Busselton Holiday Homes Amendment Local Law 2022; the purpose and effect of the local law being as follows:	
				Purpose: To regulate the registration and management of holiday homes within the district.	
				Effect: To control the use of holiday homes by reducing the time within which a manager must respond to issues.	
			2.	Authorises the CEO to carry out the law-making procedure under section 3.12(3) of the Local Government Act 1995, by:	
				(a) Giving local public notice of the Amendment Local Law; and	
				(b) Giving a copy of the Amendment Local Law and public notice to the Minister for Local Government.	
			3.	Notes that the CEO, after the close of the public consultation period, will submit a report to the Council on any submissions received on the proposed local law to enable the Council to consider the submissions made and to determine whether to make the local law in accordance with section 3.12(4) of the Act.	
				CARRIED 8/0	
22/06/2022	PETITION - GEOGRAPHE BAY ROAD DUNSBOROUGH	Pierson, Sarah	That the Co	6/157 Moved Councillor S Riccelli, seconded Councillor J Richards runcil receive the petition from Mr Alan Wilkins in relation to traffic treatments raphe Bay Road, Dunsborough.	Action Completed Petitioner advised that traffic counts will be undertaken.

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
22/06/2022	VASSE COMMUNITY GARDENS AND VASSE AND DISTRICTS COMMUNITY CENTRE APPLICATIONT TO LEASE		COUNCIL DECISION C2206/136 Moved Councillor P Carter, seconded Councillor M Love That the Council: 1. Endorse the excision of Lot 505, Deposited Plan 57391 from Crown Reserve 48251 for the creation of a new reserve designated for the purpose of "Recreation Trail, Recreation and Community" with power to lease or licence for any term not exceeding 21 years subject to consent of the Minister for Lands. 2. Subject to recommendation 1 being implemented, resolves to enter into a lease, subject to the consent of the Minister for Lands, with Vasse Community Garden Inc (ABN 72 744 783 620) for a portion of Lot 505 on Deposited Plan 57391, Volume LR3159 Folio 873, Vasse as shown outlined blue on Attachment B, on the following terms and conditions: (a) The term of the lease to be 5 years with a 5 year option; (b) The rent to commence at \$240.00 inclusive of GST per annum and increased by \$5.00 on each anniversary; (c) A requirement for the Tenant establish and maintain a contingency fund for the purpose of asset management and capital improvements to the Premises; and (d) all costs associated with the preparation of the lease are to be met by the Tenant. 3. Subject to recommendation 1 being implemented, resolves to enter into a lease, subject to the consent of the Minister for Lands, with Vasse and Districts Community Centre Inc (ABN 13 603 005 663) for a portion of Lot 505 on Deposited Plan 57391, Volume LR3159 Folio 873, Vasse as shown outlined red on Attachment C, on the following terms and conditions:	A request was submitted to the Department Planning, Lands and Heritage (DPLH). The new management order was issued by Landgate in April. Both parties have been advised that the lease agreements can now be finalised.
			(a) The term of the lease to be 5 years with a 5 year option;	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			(b) The rent to commence at \$240.00 inclusive of GST per annum and increased by \$5.00 on each anniversary;	
			(c) A requirement for the Tenant establish and maintain a contingency fund for the purpose of asset management and capital improvements to the Premises, and	
			(d) all costs associated with the preparation of the lease are to be met by the Tenant.	
			CARRIED 9/0	
22/06/2022	EXPRESSION OF INTEREST TO LEASE CAMPSITE 7 LOCKE ESTATE	Oates, Julie	COUNCIL DECISION C2206/137 Moved Councillor P Carter, seconded Councillor M Love That the Council:	Action Complete The lease
				agreement has
			 Enter into a lease with the South-West Aboriginal Medical Service Aboriginal Corporation subject to the consent of the Minister for Lands for the occupation of a portion of Reserve 22674, Lot 5303, Deposited Plan 220583; Volume LR3088, Folio 423, Caves Road, Siesta park as indicated in Attachment A, on the following terms and conditions; 	·
			(a) The term of the lease commencing no later than 1 October 2022 and expiring on 30 November 2032;	
			(b) The annual rent to commence at \$2,500.00 plus GST with annual rent increase of CPI or 3% whichever is greater;	
			(c) For up to the first 6 years of the term of the lease the lessee is required to pay Council \$4,000 per annum to be placed in an interest bearing Reserve for future coastal works adjoining the Locke Estate;	
			(d) The lease being consistent with the City's standard Locke Estate Lease Agreement; and	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			(e) All costs for the preparation of the lease to be met by the Lessee.	
			CARRIED 9/0	
22/06/2022	PROSPECTIVE ACQUISITION BY CITY OF BUSSELTON OF LOT 100 SUES ROAD, YALYALUP FOR COMMUNITY PURPOSES	Botha, Cobus	OFFICER RECOMMENDATION That the Council: 1. Delegates power and authority to the Chief Executive officer to negotiate and enter into the following agreements with Cable Sands Pty Ltd in respect of Lot 100 Sues Road, Yalyalup (Property), substantially in accordance with the terms and conditions detailed in this report: (a) A contract of sale for acquisition of the Property by the City of Busselton; and (b) A lease of the Property, allowing Cable Sands Pty Ltd to continue mining operations	Negotiations continuing.
			 on the Property and providing for staged handover of rehabilitated mining areas to the City. In respect of the proposed lease in resolution 1(b), delegates power and authority to the Chief Executive Officer to comply with and complete the public notice process under section 3.58(3) of the Local Government Act 1995. 	
27/07/2022	Finance Committee - 20/7/2022 - SERVICE AND PROCESS IMPROVEMENT REVIEW - ANNUAL REPORT	Pierson, Sarah	COUNCIL DECISION C2207/184 Moved Councillor P Cronin, seconded Councillor A Ryan That the Council: 1. Endorses the Service and Process Improvement Review Annual Report for 2021/2022; and 2. Acknowledges the continuation of the Service and Process Improvement Review (SPIR) program as part of the City's continuous improvement approach to	Action completed

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			CARRIED 9/0	
27/07/2022	LOCKE ESTATE CAMPSITE 16 LEASE	Oates, Julie	COUNCIL DECISION C2207/185 Moved Councillor P Cronin, seconded Councillor A Ryan That the Council 1. Enter into a lease with The Legacy Club of Western Australian Incorporated subject to the consent of the Minister for Lands for the occupation of a portion of Reserve 22674, Lot 5303, Deposited Plan 220583; Volume LR3088, Folio 423, Caves Road, Siesta Park as indicated in Attachment A, on the following terms and conditions (a) The term of the lease commencing no later than 1 October 2022 and expiring on the 30 November 2032; (b) The annual rent to commence at \$2,500.00 plus GST with annual rent increase of CPI or 3% whichever is greater; (c) For up to the first 6 years of the term of the lease the lessee is required to pay Council \$4,000 per annum to be placed in an interest bearing Reserve for future coastal works adjoining the Locke Estate; (d) The lease being consistent with the City's standard Locke Estate lease agreement; and (e) All costs for the preparation of the lease to be met by the lessee.	Action completed Lease entered into and issued to Landgate for registration
17/08/2022	RFQ67/22 - APPOINTMENT OF RECRUITMENT CONSULTANT	Pierson, Sarah	COUNCIL DECISION C2208/208 Moved Councillor S Riccelli, seconded Councillor P Cronin That the Council pursuant to RFQ67/22 CEO Recruitment accepts the quotation from McArthur as the most advantageous quotation and authorises the CEO to enter into a contract for the value of \$22,000 exclusive of GST.	Action completed

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			CARRIED 9/0	
17/08/2022	CEO PERFORMANCE REVIEW 2022	Pierson, Sarah	COUNCIL DECISION C2208/216 Moved Councillor J Richards, seconded Councillor S Riccelli That the Council: 1. Endorses the performance review letter at Attachment A in finalisation of the CEO's Performance Review; and 2. Notes that new CEO KPI's will be set upon commencement of a new Chief Executive Officer; and 3. Acknowledges the areas of continuing focus in the interim, as contained in Attachment A.	Action completed Review Finalised
			CARRIED 9/0	
			BY ABSOLUTE MAJORITY	
17/08/2022	APPLICATION FOR LEGAL REPRESENTATIO N	Whitehill, Ben	COUNCIL DECISION C2208/217 Moved Councillor R Paine, seconded Councillor P Cronin That the Council approves the application for legal representation on the terms set out in this report. CARRIED 8/1	Action completed
16/11/2022	PETITION - RELOCATION OF BUSSELTON WAR MEMORIAL	Pierson, Sarah	COUNCIL DECISION C2211/276 Moved Councillor A Ryan, seconded Councillor J Richards That the Council:	Action completed

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 receive the petition requesting that the Council abandon plans to relocate the Busselton War Memorial (War Memorial) and Memorial Wall to Rotary Park and seeking 	
			(a) that the War Memorial be restored to its original state, and	
			(b) that the City supports the heritage listing of the War Memorial Site.	
			notes that the relocation of the War memorial is the subject of item 14.1 of this meeting agenda.	
			CARRIED 8/0	
16/11/2022	Finance Committee - 2/11/2022 - RATE	2/11/2022 - RATE XEMPTION PPLICATION - AY VILLAGE GED SERVICES NC 1. Grant rate exemption to Ray Village Aged Services Inc. for 171 Naturaliste Ter Dunsborough, effective 1st September 2021, under section 6.26(2)(g) of the I Government Act 1995; 2. Agree that this rate exemption is to continue where Ray Village Aged Services continue to own and use the property as stated in the application in Attachment 3. Continue to advocate, through the South West Zone of WALGA (SWZ), for a recoff Rating Exemptions; and	COUNCIL DECISION	Action completed
	EXEMPTION APPLICATION - RAY VILLAGE			Rate exemption applied to property
	INC		 Grant rate exemption to Ray Village Aged Services Inc. for 171 Naturaliste Terrace Dunsborough, effective 1st September 2021, under section 6.26(2)(g) of the Local Government Act 1995; 	p.opoloy
			Agree that this rate exemption is to continue where Ray Village Aged Services Inc. continue to own and use the property as stated in the application in Attachment A;	
			Continue to advocate, through the South West Zone of WALGA (SWZ), for a review of Rating Exemptions; and	
			 Continue to note in the City's Annual Report the annual total cost to the City of rating exemptions. 	
			CARRIED 8/0	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
16/11/2022	Finance Committee - 2/11/2022 - RATE EXEMPTION APPLICATION - JOBS SOUTH WEST INC	Nicholson, David	COUNCIL DECISION C2211/282 Moved Councillor P Carter, seconded Councillor A Ryan That the Council: 1. Grant rate exemption to Jobs South West Inc. for 1B 9 Harris Road, Busselton, effective 1st April 2022, under section 6.26(2)(g) of the Local Government Act 1995; 2. Agree that this rate exemption is to continue where Jobs South West Inc. confirm in writing by 30 April annually that they continue to occupy and use the property for the purposes stated in the application in Attachment A; 3. Continue to advocate, through the South West Zone of WALGA (SWZ), for a review of Rating Exemptions; and 4. Continue to note in the City's Annual Report, the total annual cost to the City of rating exemptions. CARRIED 8/0	Action completed Rate exemption applied
16/11/2022	CEREMONIAL HOME PORTING AND FREEDOM OF ENTRY TO AUSTRALIAN DEFENCE VESSEL (ADV) CAPE NATURALISTE	Pierson, Sarah	COUNCIL DECISION C2211/291 Moved Councillor G Henley, seconded Councillor P Cronin That Council requests the Chief Executive Officer offer 'Ceremonial Home Porting and Freedom of Entry' to Australian Defence Vessel (ADV) Cape Naturaliste, subject to authorisation by the Royal Australian Navy. CARRIED 8/0	Action completed
21/12/2022	Audit and Risk Committee - 23/11/2022 - CITY OF BUSSELTON 2021/2022 ANNUAL FINANCIAL	Sheridan, Paul	COUNCIL DECISION C2212/304 Moved Councillor P Cronin, seconded Councillor A Ryan That the Council:	Action completed Actions undertaken and

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS		
	REPORT, AUDITORS' REPORT AND MANAGEMENT LETTER		 Accepts the 2021/22 Annual Financial Statements including Auditors Opinion and Audit Management Letter as per the attached documentation; and Notes that it has met the requirements of section 7.12A(2) of the Local Government Act 1995 with the Audit Committee, on behalf of Council, having met with a representative of the Office of the Auditor General on the 23rd November 2022. Notes the actions proposed by staff to address the finding as outlined in the Final Management Letter as per attachment E. 	reported back via ARC.		
21/12/2022	RFT12/22 NORTH JINDONG ROAD CONSTRUCTION	D ,	NDONG ROAD	COUNCIL DECISION C2212/317 Moved Council: 1. Endorse the outcome of the ein response to RFT 12/22 Nor from Leeuwin Civil Pty Ltd for 2 (Straight Line Kilometre 0.42 construction) as the most adv	COUNCIL DECISION C2212/317 Moved Councillor A Ryan, seconded Councillor J Richards That the Council: 1. Endorse the outcome of the evaluation panel's assessment of the tenders received in response to RFT 12/22 North Jindong Road Construction and accepts the tender from Leeuwin Civil Pty Ltd for \$764,933.58 (exclusive of GST) for Separable Portion 2 (Straight Line Kilometre 0.41-2.10) Option 1 (providing for full road closure during construction) as the most advantageous to the City; and 2. Endorse the budget amendment outlined in Table 1 below. Table 1:	Action completed Contract entered into and budget amendments processed
			Project Code Description Current Amende d Budget (\$) Resulting Proposed Amended Budget (\$)			
			Expenditure			

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			12611 North Jindong Road (Capital) 750,000 770,000 20,000	
			Reserve	I
			1058 Road Asset Renewal Reserve (250,000) (270,000) (20,000)	
			Net result: no change to the budgeted cash \$0 \$0 \$0 position	
			CARRIED 9/0	
			BY ABSOLUTE MAJORITY	I
21/12/2022	CERTIFICATE OF COMPLIANCE - CITY OF BUSSELTON STANDARDS FOR CEO RECRUITMENT, PERFORMANCE REVIEW AND TERMINATION	Pierson, Sarah	C2212/318 Moved Councillor P Carter, seconded Councillor S Riccelli That the Council certifies that the Chief Executive Officer (CEO) recruitment process completed on execution of the CEO employment contract dated 24 November 2022 (as approved by Council Resolution C2211/270) was conducted in accordance with the City of Busselton's Standards for CEO Recruitment, Performance Review and Termination. CARRIED 9/0 BY ABSOLUTE MAJORITY	Action completed Department advised of Council certification
25/01/2023	COUNCIL MEMBERSHIP -	Heys, Emma	COUNCIL DECISION	Action completed
	GEO CATCH		C2301/013 Moved Councillor P Carter, seconded Councillor P Cronin	Correspondenc
			That the Council nominates Cr Ross Paine as an ex officio member of the GeoCatch board.	e sent to GeoCatch and
			CARRIED 7/0	Cr Paine

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
15/03/2023	Finance Committee - 8/3/2023 - LOCKE ESTATE COASTAL CONTRIBUTIONS	Oates, Julie	COUNCIL DECISION C2303/028 Moved Councillor A Ryan, seconded Councillor M Love That the Council: 1. transfer \$164,462.56 from the Coastal and Climate Adaptation Reserve 102 to the	Action completed
			Locke Estate Reserve 130; and 2. transfer \$14,000.00 from the Coastal and Climate Adaptation Reserve 102 to the Municipal Account.	
			CARRIED 9/0	
15/03/2023	Finance Committee - 8/3/2023 - 2022/23 MID- YEAR BUDGET REVIEW	Sheridan, Paul	COUNCIL DECISION C2303/032 Moved Councillor J Richards, seconded Councillor S Riccelli That the Council, pursuant to Regulation 33A of the Local Government (Financial Management) Regulations 1996, adopts the 2022/23 Annual Mid-Year Budget Review as presented within this report. CARRIED 9/0 BY ABSOLUTE MAJORITY	Action completed
15/03/2023	CONSIDERATION OF THE CONDUCT OF LOCAL GOVERNMENT ELECTION: 21 OCTOBER 2023	Heys, Emma	COUNCIL DECISION C2303/037 Moved Councillor P Cronin, seconded Councillor M Love That the Council: 1. declares, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2023 ordinary election together with any other elections or polls which may be required; and	Action completed WAEC Advised

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 decides, in accordance with section 4.61(2) of the Local Government Act 1995, that the method for conducting the 2023 ordinary election will be by postal election. 	
			CARRIED 9/0	
			BY ABSOLUTE MAJORITY	
15/03/2023	Busselton War Memorial	James, Kate	COUNCIL DECISION C2303/042 Moved Councillor G Henley, seconded Councillor P Cronin	Action Completed
			That the Council:	
			1. Receives the Community Engagement Report on the Busselton War Memorial	
			2. Receives the Structural Assessment on the existing cenotaph (Victoria Square)	
			3. Endorses 'Concept 2' as the preferred concept design and resolves to proceed with the construction of a new War Memorial at Rotary Park while retaining the existing cenotaph in Victoria Square.	
			CARRIED 8/1	
15/03/2023	Audit and Risk Committee - 8/3/2023 - OAG General Computer Controls Audit 2022	Allingham, Tim	COUNCIL DECISION C2303/046 Moved Councillor P Carter, seconded Councillor P Cronin That the Council: 1. Acknowledge the findings identified in the audit report; 2. Acknowledge the register of actions being undertaken to mitigate the findings; and 3. Acknowledge that the CEO will provide a progress update to the November 2023 Audit and Risk Committee and 6-monthly thereafter.	Focus on the IT audit actions continues with 69 of the 101 tasks identified now complete.

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			CARRIED 8/0	
17/05/2023	PETITION - INSTALLATION OF PUBLIC TOILET FACILITY AT VASSE NATURE PLAYGROUND	Barrett-Lennard, Jo	COUNCIL DECISION C2305/082 Moved Councillor A Ryan, seconded Councillor P Carter That the Council receive the petition and refer it to the CEO for action. CARRIED 9/0	Action completed Has been listed Budget Item 23/24
17/05/2023	PETITION - DEPARTMENT OF COMMUNITIES HOUSING UNITS	Barrett-Lennard, Jo	COUNCIL DECISION C2305/083 Moved Councillor M Love, seconded Councillor J Richards That the Council receive the petition. CARRIED 9/0	Action completed Letter has been sent to Department of Communities (with Libby Mettam copied in).

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
11/12/2019	DRAFT ENERGY STRATEGY	Breton, Mathilde	COUNCIL DECISION AND OFFICER RECOMMENDATION C1912/254 Moved Councillor P Carter, seconded Deputy Mayor K Hick That the Council: 1. Endorse the City of Busselton Energy Strategy (Attachment A); and 2. In accordance with our membership of the Climate Power Partnership (CPP) and as set out in the Energy Strategy, make the following CPP Pledges: (a) Install renewable energy (solar PV and battery storage) on City buildings. (b) Set targets to increase the level of renewable power for City operations over time. (c) Pursue development of a mid-scale solar farm. (d) Identify opportunities to turn waste into energy. (e) Roll out energy efficient lighting for City-owned public lighting.	Action completed Recommended amendments added to final Energy Strategy.
11/12/2019	DRAFT DUNSBOROUGH LAKES STRUCTURE PLAN - LOT 9050 CLUBHOUSE DRIVE, DUNSBOROUGH LAKES - CONSIDERATION FOR FINAL APPROVAL	Koroveshi, Louise	COUNCIL DECISION AND OFFICER RECOMMENDATION C1912/255 Moved Councillor P Carter, seconded Deputy Mayor K Hick That the Council: 1. Pursuant to Schedule 2, Part 4 of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts the draft Dunsborough Lakes Structure Plan for final approval subject to the changes included in the Schedule of Modifications at Attachment F. 2. Pursuant to Schedule 2, regulation 19 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to endorse the Schedule of Submissions at Attachment D prepared in response to the public consultation undertaken in relation to this draft Structure Plan.	Action completed

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			3. Pursuant to Schedule 2, regulation 20 of the Planning and Development (Local Planning Schemes) Regulations 2015 requires that a report on the draft Structure Plan be provided to the Western Australian Planning Commission within the timeframe agreed with the Commission.	
			4. Pursuant to Schedule 2, regulations 22 and 23 of the Planning and Development (Local Planning Schemes) Regulations 2015, should the WAPC require modifications be made to the draft Structure Plan, these modifications are to be undertaken accordingly, on behalf of the Council, unless they are considered by officers to be likely to significantly affect the purpose and intent of the draft Structure Plan, in which case the matter shall be formally referred back to the Council for assessment and determination.	
			CARRIED 9/0	
11/12/2019	CITY OF BUSSELTON BUSHFIRE MANAGEMENT PLAN	Gillett, Tanya	COUNCIL DECISION AND OFFICER RECOMMENDATION C1912/256 Moved Councillor P Carter, seconded Deputy Mayor K Hick That the Council:	Action completed
			1. Endorse the City of Busselton Bushfire Risk Management Plan 2019-2024; and	
			 Supports the development and implementation of a coordinated, comprehensive, multi-agency Treatment Schedule in support of, and to be incorporated into, the Bushfire Risk Management Plan 2019-2024. 	
			CARRIED 9/0	
11/12/2019	PROPOSAL TO INSTALL FOUNTAINS IN THE LOWER VASSE RIVER	Needham, Paul	COUNCIL DECISION C1912/001 Moved Councillor J Barrett-Lennard, seconded Councillor L Miles That the Council requests the Chief Executive Officer brings a report to Council for the purposes of installing four fountains in the Lower Vasse River after the results of the circulation trial currently happening have been received.	Action completed Briefing provided to the Council following up on resolution
			CARRIED 9/0	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
25/03/2020	APPLICATION FOR DEVELOPMENT APPROVAL (DA18/0674) - PROPOSED INDUSTRY - EXTRACTIVE (SAND AND GRAVEL) - LOT 101 (285) GIBB ROAD KALOORUP - SECOND REPORT FOLLOWING DEFERRAL OF DETERMINATION BY COUNCIL	Navarro, Stephanie	COUNCIL DECISION AND AMENDED RECOMMENDATION C2003/002 Moved Councillor P Carter, seconded Councillor J Barrett-Lennard That the Council determines: A. That application DA18/0674 submitted for development of Industry – Extractive (Sand and Gravel) at Lot 101 (285) Gibb Road, Kaloorup, is considered by the Council to be generally consistent with Local Planning Scheme No. 21 and the objectives of the zone within which it is located. B. That Development Approval is granted for the proposal referred to in (A) above subject to the following conditions:- (Information removed for conciseness – for conditions see Council minutes) C. The City approach Main Roads following the upgrades to Gibb Road to apply and post a speed limit to the unsealed portion of Gibb Road. CARRIED 6/3	Action completed
12/02/2020	AMENDMENT 45 TO LOCAL PLANNING SCHEME 21 AND PROPOSED STRUCTURE PLAN AFFECTING LOT 30 (70) MILLBROOK ROAD – CONSIDERATION OF INITIATION	Eriksson, Janine	COUNCIL DECISION AND OFFICER RECOMMENDATION C2002/038 Moved Deputy Mayor K Hick, seconded Councillor P Carter That the Council: 1. In pursuance of the <i>Planning and Development (Local Planning Schemes) Regulations 2015,</i> initiates Amendment No. 45 to the City of Busselton Local Planning Scheme No. 21 for community consultation for the purposes of:	Action completed

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 a) Deleting Additional Use 52 from Schedule 2 Additional Uses b) Amending Schedule 3 – Special Provision Areas as follows: 	
			No. Particulars of Zone Special Provisions	
			SP 71 As shown on Scheme Map Rural Residential Residential Residential 1. The following uses shall deemed to be "A" uses for purposes of Part 4 of Scheme:	the
			 Art Gallery Brewery Chalet Exhibition Centre Hotel Reception Centre Rural Holiday Resort Small Bar Tavern Tourist Accommodation Winery 	
			2. Development within the Sp Provision Area shall be lim to 2,500m² NLA, other than i. Development associated with the (but not expansion existing buildings or	nited for: use n) of

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
DATE		OI FIGER	land (as at 1 January 2019); or ii. Development of a Single House or development ancillary to a Single House; or iii. Use of a Single House or development ancillary to a Single House; or iii. Use of a Single House as a Holiday Home (Single House), Bed and Breakfast, Home Business, Home Occupation or Home Office. c) Amending the Scheme Map accordingly. 2. Notes that, as the Amendment is in the opinion of the Council consistent with Part V of the Act and Regulations made pursuant to the Act, upon preparation of the necessary documentation, the Amendment be referred to the Environmental Protection Authority (EPA) as required by the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not to be subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015. In the event that the EPA determines that the draft Amendment is to be subject to formal environmental assessment, this assessment is to be prepared by the proponent prior to advertising of the draft Amendment.	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
DAIL		OTTIOLIC	 3. Advises the Western Australian Planning Commission that Amendment No. 45 is considered a 'standard' amendment pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reasons: a) It is an amendment relating to a zone or reserve that is consistent with the objectives identified in the Scheme for that zone or reserve. b) It is an amendment that would have minimal impact on land in the Scheme area that is not the subject of the amendment. c) It is an amendment that does not result in significant environmental, social, economic or governance impacts on land in the Scheme area. 4. Adopts the Millbrook Farm Structure Plan, shown at Attachment D for public consultation, pursuant to Part 4 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. 	
11/03/2020	ESTABLISHMENT OF A MANAGEMENT ADVISORY GROUP FOR THE LOWER VASSE RIVER	Breton, Mathilde	COUNCIL DECISION AND AMENDED OFFICER RECOMMENDATION C2003/086 Moved Councillor P Carter, seconded Councillor R Paine That the Council: 1. Supports the establishment of a Management Advisory Group for the Lower Vasse River, to meet the following objectives - (a) identifying practical and implementable actions to sustainably improve the health and amenity of the River; (b) identifying means of funding those actions; (c) assisting the City with implementation of the Lower Vasse River Waterway Management Plan;	Action completed

MEETING DATE	SUBJECT	RESPONSIBLE	RESOLUTION		COMMENTS
MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	(d) (e) (f) 2. Endo report (a) (b) (c) (d) (e) (f)	facilitating information exchange on waterway management, restoration and enhancement; promoting and encouraging collaboration between stakeholders; and having input into the approach and priorities for, and reviewing the outcomes of, trials, research and monitoring; reses the terms of reference for the Group, as per Attachment A of the agendant, with the following amendments: Clause 3.1(e) – replace the word "two" with "four"; Clause 3.1(f) – replace the words "three to four" with "up to four"; Clause 3.4 – add the words "or reason" after the word "notice", and delete the words "or representative of"; Clause 5.1 – replace the word "two" with "four"; Clause 5.2 – delete the words "or the Chief Executive Officer's nominees", replace the word "three" with "five", and replace the word "minutes" with "notes"; Clause 5.3 - delete the words "or the Chief Executive Officer's nominees", delete the words "Management Advisory Group", replace the word "review" with "information", replace the words "fourteen days" with "seven days"; and Clause 6.1 – replace the paragraph to read "The Management Advisory Group has been established by a decision of Council but does not have any delegated powers. Decision-making arising shall generally be on a consensus basis, with all views to be considered before decisions are made. Any recommendations shall not be binding on the City and must be endorsed by Council or implemented by appropriately delegated or authorised City officers to take effect."	COMMENTS
				inates Cr Paul Carter, Cr Ross Paine and Cr Sue Riccelli to be the Councillor esentatives on the Group;	

MEETING SU DATE	UBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
12/08/2020 AM LC SC PF ST AF (70 RC CC	MENDMENT 45 TO OCAL PLANNING SCHEME AND PROPOSED STRUCTURE PLAN AFFECTING LOT 30 70) MILLBROOK ROAD - CONSIDERATION FOR FINAL APPROVAL	Eriksson, Janine	 Nominates Cr Grant Henley and Cr Kate Cox as Deputies; Requests that the CEO seek expressions-of-interest for the community positions on the Group, and fills those positions, following consultation with Councillors; Requests that the CEO invite agencies to nominate appropriately qualified persons to fill the agency positions on the Group; and Identifies that the terms of reference and the membership of the Group will be reviewed by the Council in the lead-up to the 2021 ordinary elections, in parallel with the similar review of other City committees, working groups and similar usually undertaken prior to an ordinary election. COUNCIL DECISION AND AMENDED RECOMMENDATION C2008/003 Moved Deputy Mayor K Hick, seconded Councillor S Riccelli In pursuance of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, adopts Amendment No. 45 to the City of Busselton Local Planning Scheme No. 21 for final approval, in accordance with the modifications proposed in the 'Schedule of Modifications' shown at Attachment E (as modified by point 3 below), for the purposes of:	Action Completed All relevant documents sent to the DPLH

No. Particulars of Land SP As shown on Scheme Map Residential Residential 1. The following uses shall be deemed to be "A" uses for the purposes of Part 4 of the Scheme: Art Gallery Brewery Chalet Exhibition Centre Hotel Reception Centre Reception Centre	MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION				COMMENTS
on Scheme Map on Scheme Map be "A" uses for the purposes of Part 4 of the Scheme: Art Gallery Brewery Chalet Exhibition Centre Hotel Reception Centre Rural Holiday Resort Small Bar Tavern Tourist Accommodation Winery				No.		Zone	Special Provisions	
2. Development within the Special Provision Area shall be limited to 2,500m² NLA, other than for: i. Development associated with the use (but not expansion) of existing buildings on the land (as at 1 January 2019); or ii. Development of a Single House or development ancillary to a Single House; or iii. Use of a Single House or development ancillary to a					on Scheme		be "A" uses for the purposes of Part 4 of the Scheme:	

	Division:	Planning and Development Services	Date From:	21/10/2019
	Committee:	Council	Date To:	30/06/2021
	Officer:			
Action Sheets Report			Printed: Monday	, 12 June 2023 1:41:20 PM

MEETING	SUBJECT	RESPONSIBLE	RESOLUTION					COMMENTS	
DATE		OFFICER					Single House as a Holiday Home (Single House), Bed and Breakfast, Home Business, Home Occupation or Home Office.		
			2. Advises	the ered a	Western Au 'standard' ar	stralian Plann nendment pur	accordingly (as per Attachment B). ing Commission that Amendment No. 45 is suant to the <i>Planning and Development (Local</i> the following reasons:		
				•		_	to a zone or reserve that is consistent with he Scheme for that zone or reserve.		
				•			ald have minimal impact on land in the subject of the amendment.		
							s not result in significant environmental, nce impacts on land in the Scheme area.		
			Scheme approv Modific of the Amend	social, economic or governance impacts on land in the Scheme area. Pursuant to Part 4 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , adopts the Structure Plan shown at Attachment C for final approval, in accordance with the modifications proposed in the Schedule of Modifications shown at Attachment E, also on the basis that support for final adoption of the Structure Plan is contingent on the Hon. Minister for Planning's support for Amendment 45, and also subject to further modifications to SP71, such that SP71 reads as follows –					
				No.	Particulars of Land	Zone	Special Provisions		

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION				COMMENTS
			SP 71	As shown on Scheme Map	Residential	i. Support the development of tourism and visitor oriented land uses on the land; ii. Ensure that such development is of a scope and scale, and is sensitively located, so as to be consistent with the preservation of a high level of amenity for the surrounding rural-residential area; and iii. Through supporting the development of tourism and visitor oriented land uses on the land, assist in the preservation, activation and adaptive re-use of the significant heritage assets and values of the land. 1. The following uses shall be deemed to be "A" uses for the purposes of Part 4 of the Scheme: • Art Gallery • Chalet • Exhibition Centre • Rural Holiday Resort • Tourist Accommodation 2. Development within the Special Provision Area shall be limited to 1,500m² NLA, other than for: i. Development associated with the use (but not expansion) of existing	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
DATE		OFFICER	buildings on the land (as at 1 January 2019); or ii. Development of a Single House or development ancillary to a Single House; or iii. Use of a Single House or development ancillary to a Single House as a Holiday Home (Single House), Bed and Breakfast, Home Business, Home Occupation or Home Office. 3. Any development that would involve any significant presence on site of persons not living or being temporarily accommodated on the site (such as Chalets or a Guesthouse) should be located in the north-western portion of the Special Provision Area, in proximity to the key heritage assets. 4. Pursuant to r.53 and Part 4 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, endorses the Schedule of Submissions at Attachment D, which has been prepared in response to the public consultation process undertaken in relation to Amendment No. 45 and the associated Millbrook Structure Plan. 5. Upon preparation of the necessary documentation, refers Amendment No. 45 and the Structure Plan to the Western Australian Planning Commission and Hon. Minister for Planning for consideration and determination in accordance with the Planning and Development Act 2005.	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 Pursuant to r.56 of the Planning and Development (Local Planning Schemes) Regulations 2015, should directions be given that modifications to Amendment No. 45 and/or the Millbrook Structure Plan are required, direct these modifications to be undertaken accordingly, on behalf of the Council, unless they are considered by Officers likely to significantly affect the purpose and intent of the Amendment, in which case the matter shall be formally referred back to the Council for assessment and determination. Following final decisions by the Western Australian Planning Commission and Hon. Minister for Planning, the City undertakes further community consultation with the aim of identifying means by which pedestrian accessibility and inter-connection in the area may be improved. 	
14/10/2020	TENDER RFT 03-20: CONSTRUCTION OF BORE(S) - DUNSBOROUGH NON-POTABLE WATER NETWORK PROJECT, MEWETT ROAD, QUINDALUP; APPOINTMENT OF SUCCESSFUL TENDERER	Riordan, Matthew	COUNCIL DECISION AND OFFICER RECOMMENDATION C2010/104 Moved Councillor P Carter, seconded Councillor L Miles That the Council: 1. Pursuant to RFT 03-20 'Construction of Bore(s) — Dunsborough Non-Potable Water Network Project', accept the tender from Delmoss Nominees Pty Ltd T/A Welldrill (Welldrill) as being the most advantageous tender to the City (Successful Tenderer), subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regs). 2. Delegates power and authority to the Chief Executive Officer to negotiate and agree with the Successful Tenderer minor variations in accordance with Regulation 20 of the FG Regs, subject to such variations and the final terms not exceeding the overall project budget. CARRIED 8/0	Action completed Contract final price determined and contract awarded.

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
14/10/2020	APPLICATION FOR DEVELOPMENT APPROVAL FOR SERVICE STATION, LOT 100, No. 81-93 WEST STREET, BUSSELTON	Nilsson- Linne, Kelley	COUNCIL DECISION AND OFFICER RECOMMENDATION C2010/105 Moved Councillor P Carter, seconded Councillor L Miles That the Council determines: A. That application DA20/0207 submitted for a 'Service Station' is considered by the Council to be generally consistent with Local Planning Scheme No. 21 and the objectives and policies of the zone within which it is located. B. That Development Approval is issued for the proposal referred to above (A) subject to the following conditions: (Information removed for conciseness – for conditions see Council minutes)	Action completed Application approved and issued to applicant
28/10/2020	SCHEME AMENDMENT NO. 46 (HEAD OF POWER FOR DEVELOPMENT APPLICATIONS AND STRUCTURE PLANS) - CONSIDERATION FOR FINAL APPROVAL	Foulds, Helen	COUNCIL DECISION AND OFFICER RECOMMENDATION C2010/004 Moved Deputy Mayor K Hick, seconded Councillor L Miles That the Council: 1. In pursuance of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts Amendment No. 46 to the City of Busselton Local Planning Scheme No. 21 for final approval, in accordance with the modifications proposed in the 'Schedule of Modifications' shown at Attachment B, for the purposes of: (Information removed for conciseness – for purposes see Council minutes)	Action completed Amendment details forwarded to Western Australian Planning Commission for consideration for final approval.

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			2. Advises the Western Australian Planning Commission that Amendment No. 46 is considered a 'standard' amendment pursuant to the <i>Planning and Development</i> (Local Planning Scheme) Regulations 2015 for the following reasons:	
			 it is an amendment relating to a zone or reserve that is consistent with the objectives identified in the Scheme for that zone or reserve; 	
			(b) it is an amendment that is consistent with a local planning strategy for the Scheme that has been endorsed by the Commission; and	
			(c) it is an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.	
			3. Pursuant to r.53 of the <i>Planning and Development (Local Planning Schemes)</i> Regulations 2015, endorses the Summary of Submissions at Attachment A, which has been prepared in response to the public consultation process undertaken in relation to Amendment No. 46.	
			4. Upon preparation of the necessary documentation, refers the adopted Amendment No. 46 to the Western Australian Planning Commission for consideration and determination in accordance with the <i>Planning and Development Act 2005</i> .	
			5. Pursuant to r.56 of the <i>Planning and Development (Local Planning Schemes)</i> Regulations 2015, should directions be given that modifications to Amendment No. 46 are required, direct these modifications to be undertaken accordingly, on behalf of the Council, unless they are considered by Officers likely to significantly affect the purpose and intent of the Amendment, in which case the matter shall be formally referred back to the Council for assessment and determination.	
			CARRIED 7/0	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
28/10/2020	AMENDMENT 43 TO LOCAL PLANNING SCHEME 21 PART OF LOT 22 BUSSELL HIGHWAY, YALYALUP - CONSIDERATION FOR FINAL APPROVAL	Koroveshi, Louise	COUNCIL DECISION AND OFFICER RECOMMENDATION C2010/005 Moved Deputy Mayor K Hick, seconded Councillor L Miles That the Council: 1. In pursuance of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts Amendment 43 to Local Planning Scheme 21 for final approval for the purposes of:	Action completed
			 a) Rezoning part of Lot 22 Bussell Highway, Yalyalup from 'Tourism', 'Special Use 15 (Road Purposes)' and 'Reserve for Recreation' to 'Special Use 27 (Yalyalup Development)'. 	
			 Rezoning part of Lot 76 Neville Hyder Drive, Yalyalup from 'Special Use 15 (Road Purposes)' to 'Special Use 27 (Yalyalup Development)'. 	
			c) Deleting Special Provision Area 10.	
			d) Amending Schedule 3 – 'Special Provision Areas' by including, under the 'Particulars of Land' column of 'Special Provision Area 23', the following text: "part of Lot 22 Bussell Highway and part of Lot 76 Neville Hyder Drive, Yalyalup" and deleting 'Special Provision Area 10'.	
			e) Amending the boundary of Special Provision Area 23 to include part of Lot 22 Bussell Highway and part of Lot 76 Neville Hyder Drive, Yalyalup.	
			f) Amending the Scheme Map accordingly.	
			2. Advise the Western Australian Planning Commission that Amendment 43 is considered to be a 'standard' amendment pursuant to the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , as it:	
			a) is consistent with the Local Planning Strategy 2019;	
			 would have minimal impact on land in the Scheme area that is not the subject of the Amendment; and 	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 would not result in any significant environmental, social, economic or governance impacts on land in the Scheme area. 	
			3. Pursuant to r.53 of the <i>Planning and Development (Local Planning Schemes)</i> Regulations 2015, endorses the Schedule of Submissions at Attachment I, which has been prepared in response to the public consultation process undertaken in relation to Amendment 43.	
			 Upon preparation of the necessary documentation, refers the adopted Amendment 43 to the Western Australian Planning Commission for consideration and determination in accordance with the <i>Planning and Development Act 2005</i>. 	
			5. Pursuant to r.56 of the <i>Planning and Development (Local Planning Schemes)</i> Regulations 2015, should directions be given that modifications to Amendment 43 are required, direct these modifications to be undertaken accordingly, on behalf of the Council, unless they are considered by Officers likely to significantly affect the purpose and intent of the Amendment, in which case the matter shall be formally referred back to the Council for assessment and determination.	
			CARRIED 7/0	
10/02/2021	AMENDMENT NO. 48 TO LOCAL PLANNING SCHEME NO. 21 (PORTION OF LOT 1 NO. 99 CAUSEWAY ROAD, BUSSELTON) - CONSIDERATION FOR INITIATION FOR ADVERTISING	Wilkinson, Joanna	COUNCIL DECISION AND OFFICER RECOMMENDATION C2102/017 Moved Councillor P Carter, seconded Councillor P Cronin That the Council resolves to: 1. In pursuance of the Planning and Development (Local Planning Schemes) Regulations 2015, initiate Amendment No. 48 to the City of Busselton Local Planning Scheme No. 21 for community consultation, for the purposes of: (Information removed for conciseness – for purposes please see Council minutes)	Action completed Proposal referred to EPA for comment.
			2. Amending the Scheme Map accordingly.	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			3. Pursuant to Regulation 35 (2) of the <i>Planning and Development (Local Planning Schemes) Regulations</i> 2015 (the Regulations), determine that Amendment No. 48 is a 'standard amendment' in accordance with r. 34 of the Regulations as it is:	
			 (a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the Scheme for that zone or reserve; 	
			 (b) an amendment that would have minimal impact on land in the Scheme area that is not the subject of the amendment; 	
			(c) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.	
			4. Note that, as the draft Amendment is in the opinion of the Council consistent with Part V of the <i>Planning and Development Act 2005</i> (Act) and Regulations made pursuant to the Act, upon preparation of necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not to be subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . In the event that the EPA determines that the draft Amendment is to be subject to formal environmental assessment, this assessment is to be prepared prior to advertising of the draft Amendment.	
			CARRIED 9/0	
10/02/2021	APPLICATION FOR DEVELOPMENT APPROVAL (DA 17/0866) - PROPOSED INDUSTRY - EXTRACTIVE (GRAVEL) - LOT 2 NUTTMAN ROAD	Wilson, Joanna	COUNCIL DECISION AND AMENDED RECOMMENDATION C2102/020 Moved Councillor P Cronin, seconded Councillor P Carter That the Council determines: A. That application DA 17/0866 submitted for development of Industry – Extractive (Gravel) at Lot 2 Nuttman Road and Lot 3 Chapman Hill East Road is considered by the Council to be generally consistent with Local Planning	Action completed Decision letter and approved plans sent

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
	AND LOT 3 CHAPMAN HILL EAST ROAD, CHAPMAN		Scheme No. 21 and the objectives and policies of the zone within which it is located.	
	HILL		B. That Development Approval is issued for the proposal referred to in (A) above subject to the following conditions –	
			(Information removed for conciseness – for conditions please see Council minutes)	
			 C. Authorises the Chief Executive Officer to negotiate with the applicants and Mr Vernon Bussell of 225 Nuttman Road, Walsall, with a view to having the 6.2m seal extended approximately 160m further south along Nuttman Road to a point past the second dwelling on Lot 3883 Nuttman Road, with the cost to be shared between the applicants and Mr Bussell (and, potentially, with other landowners to further extend the seal, should those landowners be prepared to make contributions towards such work). D. Note that noise monitoring on the boundaries of the site is required by the Conditional Works Approval issued by DWER, and that either City or DWER may, on request, place noise monitoring equipment on adjoining or nearby 	
			sites.	
10/00/0004			CARRIED 9/0	
10/02/2021	NOTICE OF MOTION - INITIATION OF	Needham, Paul	COUNCIL DECISION	Action completed
	SCHEME AMENDMENT 50	Faui	C2102/021 Moved Councillor S Riccelli, seconded Councillor J Barrett-Lennard	Amendment has been advertised
	, WILLIADIVILIA I OU		That the Council resolves to:	
			 In pursuance of the Planning and Development (Local Planning Schemes) Regulations 2015, initiate Amendment No. 50 to the City of Busselton Local Planning Scheme No. 21 for community consultation, for the purposes of amending the Scheme map by modifying the residential density coding from R80 to R60 over Lot 81 (18), Strata Plan 	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	 RESOLUTION 17588 (20), and Lots 115 to 127 (26-50), Geographe Bay Road, Dunsborough, as set out at Attachment A. Pursuant to Regulation 35 (2) of the <i>Planning and Development (Local Planning Schemes) Regulations</i> 2015 (the Regulations), determine that Amendment No. 50 is a 'standard amendment' in accordance with r. 34 of the Regulations as it is: 	COMMENTS
			3. Note that, as the draft Amendment is in the opinion of the Council consistent with Part V of the Planning and Development Act 2005 (Act) and Regulations made pursuant to the Act, upon preparation of necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not to be subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015. In the event that the EPA determines that the draft Amendment is to be subject to formal environmental assessment, this assessment is to be prepared prior to advertising of the draft Amendment. CARRIED 9/0	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
24/02/2021	COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION	Needham, Paul	COUNCIL DECISION AND AMENDED RECOMMENDATION C2102/033 Moved Councillor R Paine, seconded Councillor S Riccelli	Action completed
	PLAN - PROPOSED ADOPTION AS		That the Council adopt the <i>City of Busselton Coastal Hazard Risk Management and Adaptation Plan</i> (Attachment A) as a draft for consultation, subject to:	CHRMAP out for consultation
	DRAFT FOR CONSULTATION		1. Detailed editing and refinement of presentation of the document;	
			2. Development of artists' impressions and cutaway drawings illustrating existing coastal protection infrastructure in place at the Busselton and Dunsborough town foreshores, as well as for recommended protection approaches;	
			3. Referral to the project steering group (and subject to changes to detailed presentation and wording as a result of steering group feedback, but not in terms of strategic direction); and	
			4. Modifications as follows:	
			 a) In relation to Recommendation 8, amend the recommended minimum finished floor level (FFL) for habitable floorspace from 3.4m AHD to 3.0m AHD for MU17 Port Geographe; and 	
			 Including a written rationale for establishing a minimum habitable FFL of 3.0m AHD (where that is recommended for particular Management Units). 	
			CARRIED 9/0	
10/03/2021	Policy and Legislation Committee 24/2/2021 - REVIEW OF COUNCIL POLICIES:	Gillett, Tanya	COUNCIL DECISION AND COMMITTEE RECOMMENDATION C2103/006 Moved Councillor J Barrett-Lennard, seconded Councillor P Cronin That the Council:	Action completed
	BUSHFIRE POLICIES		Do not adopt the proposed Council Policy (Attachment A) and do not rescind the Council polices listed below and attached (Attachments B-H):	
			a. 32 – Bush Fire Brigade Grievance Process and Disciplinary Action;	
			b. 33 – Meetings of Bush Fire Brigades;	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			c. 34 – Membership of Bush Fire Brigades;	
			d. 35 – Qualifications of Bush Fire Brigade Officers;	
			e. 36 – Roles of Bush Fire Brigade Officers;	
			f. 40 – Bush Fire Brigade Accounting; and	
			g. 41 – Code of Conduct, Bush Fire Brigade Objectives and Values.	
			 Request officers to undertake a detailed review of the Council policies (Attachments B-H) in consultation with the Bush Fire Advisory Committee and return the policies to the Policy and Legislation Committee at a later time. 	
			Acknowledge the current review of the State Government bushfire framework which may have a future impact on Council policies or local laws. CARRIED 8/0	
28/04/2021	AMENDMENT NO. 51	Wilkinson.	COUNCIL DECISION AND OFFICER RECOMMENDATION	Action completed
	TO LOCAL PLANNING SCHEME NO. 21	Joanna	C2104/072 Moved Councillor L Miles, seconded Councillor J Barrett-Lennard	Amendment
	(SCHEDULE 10 DEVELOPMENT		That the Council resolves to:	document has been completed.
	CONTRIBUTION AREA) - CONSIDERATION FOR PREPARATION		1. In pursuance of the Planning and Development (Local Planning Scheme) Regulations 2015 (the Regulations), prepare Amendment 51 to the City of Busselton Local Planning Scheme No. 21, for the purpose of amending Schedule 10 'Development Contribution Area' by modifying 'DCA 1 – Community Infrastructure' as follows:	
			Period of operation 'Until 30 June 2026.'	
			2. Pursuant to regulation 35(2) of the Regulations, determine that Amendment No. 51 is a 'basic amendment' in accordance with regulation 34 of the Regulations as it is an amendment to the Scheme so that it is consistent with the model provisions in Schedule 1 or with another provision in the local planning scheme.	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 Pursuant to section 81 of the <i>Planning and Development Act 2005</i>, refer the Amendment to the Environmental Protection Authority. Pursuant to regulation 58 of the Regulations, provide Amendment No. 51 to the Western Australian Planning Commission. 	
12/05/2021	Policy and Legislation Committee - 28/4/2021 - SOUTH WEST DESIGN REVIEW PANEL AND PROPOSED LOCAL PLANNING POLICY - DESIGN REVIEW	Reddell, Lee	COUNCIL DECISION AND COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION C2105/094 Moved Councillor K Hick, seconded Councillor P Carter That the Council: 1. Resolves to initiate for the purposes of public consultation a new Local Planning Policy 'Design Review' (Attachment A) by advertising the proposed policy in accordance with clause 4 of Part 2 of Schedule 2 - Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015. 2. Authorises the Chief Executive Officer to enter a memorandum of understanding with other participating South West local governments for the operation and management of a South West Joint Design Review Panel. 3. Consider allocating appropriate funding in the 2021/22 financial year budget to enable the establishment and operation of a South West Design Review Panel. CARRIED 8/0	Action complete Action complete following Council report 13/10/2021

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
12/05/2021	DA 20/0916 - MIXED USE DEVELOPMENT (BREWERY, TAVERN, RESTAURANT/CAFE, SHOP AND TOURIST ACCOMMODATION)	Watts, Andrew	COUNCIL DECISION AND ALTERNATIVE RECOMMENDATION C2105/098 Moved Councillor K Hick, seconded Councillor P Carter That the Council determines: A. That application DA20/0916 submitted for a 'Mixed Use Development (Brewery, Tavern, Restaurant/Cafe, Shop and Tourist Accommodation)' is considered by the Council to be generally consistent with Local Planning Scheme No. 21 and the objectives and policies of the zone within which it is located. B. That Development Approval is issued for the proposal referred to above (A) subject to the following conditions: (Information removed for conciseness – for conditions please see Council minutes)	Action completed Notice of decision sent to applicants.
			CARRIED 8/0	
23/06/2021	AMENDMENT NO. 48 TO LOCAL PLANNING SCHEME NO. 21 (PORTION OF LOT 1 NO. 99 CAUSEWAY ROAD, BUSSELTON) - CONSIDERATION FOR ADOPTION FOR FINAL APPROVAL	Wilkinson, Joanna	COUNCIL DECISION AND OFFICER RECOMMENDATION C2106/126 Moved Councillor P Carter, seconded Councillor J Barrett-Lennard That the Council: 1. In pursuance of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts Amendment 48 to Local Planning Scheme No. 21 for final approval, in accordance with the modification proposed in the Schedule of Modifications shown at Attachment F, for the purposes of: (Information removed for conciseness – for purposes please see Council minutes) 2. Amending the Scheme Map accordingly.	Action completed Amendment has been referred to WAPC

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
<u> </u>		ooz.k	3. Advise the Western Australian Planning Commission that Amendment 48 is considered a 'standard' amendment pursuant to the <i>Planning and Development</i> (Local Planning Schemes) Regulations 2015 for the following reasons:	
			 it is an amendment relating to a zone or reserve that is consistent with the objectives identified in the Scheme for that zone or reserve; 	
1			(b) it is an amendment that would have minimal impact on land in the Scheme area that is not the subject of the amendment;	
l			(c) it is an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.	
			4. Pursuant to r. 35A of the <i>Planning and Development (Local Planning Schemes)</i> Regulations 2015 (as amended), advise the Western Australian Planning Commission that Amendment 48 affects the area to which a structure plan approved under Local Planning Scheme No. 21 relates, and when the Amendment 48 takes effect the approval of the structure plan is to be revoked.	
			5. Pursuant to r.53 of the <i>Planning and Development (Local Planning Schemes)</i> Regulations 2015, endorses the Schedule of Submissions at Attachment E, which has been prepared in response to the public consultation process undertaken in relation to Amendment 48.	
			6. Upon preparation of the necessary documentation, refers the adopted Amendment 48 to the Western Australian Planning Commission for consideration and determination in accordance with the <i>Planning and Development Act 2005</i> .	
			7. Pursuant to r.56 of the <i>Planning and Development (Local Planning Schemes)</i> Regulations 2015, should directions be given that modifications to Amendment 48 are required, direct these modifications to be undertaken accordingly, on behalf of the Council, unless they are considered by officers likely to significantly affect the	

Division:	Planning and Development Services	Date From:	21/10/2019
Committee:	Council	Date To:	30/06/2021
Officer:			
Action Sheets Report		Printed: Monda	y, 12 June 2023 1:41:20 PM

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			purpose and intent of the Amendment, in which case the matter shall be formally referred back to the Council for assessment and determination.	
			CARRIED 9/0	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
28/07/2021	APPLICATION FOR DEVELOPMENT APPROVAL DA20/1056 - SERVICE STATION - LOT 9052 (No. 210) NORTHERLY STREET, VASSE	Navarro, Stephanie	COUNCIL DECISION C2107/147 Moved Councillor J Barrett-Lennard, seconded Councillor P Cronin That the Council determines: A. That application DA20/1056 submitted for a 'Service Station' at Lot 9052 (No. 210) Northerly Street, Vasse, is considered by the Council to be generally consistent with Local Planning Scheme No. 21 and the objectives of the zone within which it is located. B. That Development Approval is issued for the proposal referred to above (A) subject to the following conditions: (Information removed for conciseness – for conditions please see Council minutes)	Action completed Approval letter sent to applicant
			CARRIED 7/0	
24/08/2021	BUSHFIRE NOTICE REVIEW - CONSULTATIO N AND NEXT STEPS	Needham Paul	COUNCIL DECISION C2108/187 Moved Councillor K Cox, seconded Councillor P Cronin That the Council, having considered the outcomes of the consultation process undertaken in April and May 2021 regarding a new bushfire notice for the City: 1. Acknowledge the submissions received and thank respondents for their engagement in the process; 2. Defer further work on the bushfire notice review, including further community engagement, until at least 30 March 2022; 3. Acknowledge that the deferral set in point 2 above means that the current notice will remain in place for both 2021/22 and 2022/23;	Action completed

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			4. Request that a further report be brought to the Council by no later than 30 June 2022 seeking direction on whether and how to recommence the review; and	
			5. Endorses advocacy with the State Government to address the following key concerns:	
			(a) Review of the bushfire prone area mapping standard to avoid situations where neighbouring properties are subject to significantly different controls, despite having very similar levels of exposure to bushfire risk;	
			(b) Introduction of simplified and standardised approaches to planning and building regulation in bushfire prone locations within urban areas;	
			(c) Identifying that the 'APZ Standard' set out in current State planning policy documents is not consistent with community values, and needs to be reconsidered; and	
			(d) Identifying that achieving consistency between planning and building control regulation and ongoing compliance through bushfire notices requires proactive State leadership.	
			CARRIED 8/1	
24/08/2021	RECONSIDERA TION - DA 21/0043.01 - 22 MANSON STREET, WEST BUSSELTON	Reddell, Lee	COUNCIL DECISION C2108/188 Moved Councillor P Carter, seconded Councillor K Cox That the Council determines: A. That application DA 21/0043.01 which seeks to delete Condition 3.1 of DA 21/0043 requiring "that the driveway and front fence shall be re-designed and aligned to ensure the retention of all street trees" at Lot 46 (No. 22) Manson Street, West Busselton, is considered by the Council to be consistent with Local Planning Scheme No. 21.	Action completed Modified DA issued in accordance with council decision

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 B. That Development Approval is issued for the proposal referred to in (A) above, subject to Condition 3.1 being replaced with the following: 3.1. Provision of two replacement Agonis Flexuosa (WA Peppermint) trees to be planted in a street verge or within a reserve within the vicinity of the site, to be agreed with the City. 	
			CARRIED 8/1	
8/09/2021	Policy and Legislation Committee - 24/8/2021 - REALIGNMENT OF KING STREET AND BROWN STREET BEACH DOG MANAGEMENT AREAS	McDowell lan	COUNCIL DECISION C2109/001 Moved Councillor L Miles, seconded Councillor R Paine That the Council: 1. Resolves to adopt and implement after the giving of 28 days public notice, the following dog management areas: (a) Pursuant to section 31(3A) of the Dog Act 1976, the beach area from the westernmost beach access steps between West and Gale Streets to the beach access point at the eastern end of the King Street car park (segment 9), as a dog exercise area; and (b) Pursuant to section 31(2B) of the Dog Act 1976, the beach area from the beach access point at the eastern end of the King Street car park to the beach access from the Margaret Street car park (segment 10), as a seasonal dog exercise area. 2. Resolves to adopt the following with regard to the specified dog management areas in recommendation 1: (a) Beach areas, including the beach only (i.e. from the limit of ephemeral vegetation or the toe of the seawall to the low water marks only, and not including vegetated foreshore areas, beach access paths or car parks) to be categorized as 'Dog Exercise' or 'Seasonal Dog Exercise' with those areas being defined as follows: (i) 'Dog Exercise' area pursuant to s.31(2) of the Dog Act 1976 and means that dogs are permitted, including off-leash, at all times except when approved, organised events are taking place, wherein dogs are to be prohibited unless specifically	Action completed Changes implemented, no further action required

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			permitted by the City (except assistance dogs as defined in s.8 of the Dog Act 1976); and	
			(ii) 'Seasonal Dog Exercise' area pursuant to s.31(2B)(b) of the Dog Act 1976 and means dogs are prohibited between 9am and 5pm during the period 1 December to 28 February inclusive (except assistance dogs as defined in s.8 of the Dog Act 1976) but are otherwise permitted as per 'Dog Exercise' area as defined above.	
			3. Notes that, following concerns raised by the Busselton Surf Life Saving Club that the proposed realignment of the boundary between the seasonal dog exercise beach (segment 6) and dog prohibited area (segment 7) approximately 143 metres east of the existing location, would adversely impact club and public events, the boundary between segments 6 and 7 will remain as adopted by the Council on 22 April 2015 (C1504/100).	
ı			CARRIED 9/0	
			BY ABSOLUTE MAJORITY	
13/10/2021	Policy and Legislation Committee - 22/9/2021 - SOUTH WEST DESIGN REVIEW PANEL AND ADOPTION OF PROPOSED LOCAL PLANNING POLICY 4.13 - DESIGN REVIEW	Reddell, Lee	COUNCIL DECISION C2110/053 Moved Councillor P Cronin, seconded Councillor J Barrett-Lennard That the Council: 1. Pursuant to Clause 4 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 adopt as final LPP 4.13: Design Review, as set out at Attachment C. 2. Publish a notice of adoption in a newspaper circulating within the Scheme area in accordance with clause 4 of Part 2 of Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015 of the Policy set out in 1 above.	
ı			CARRIED 9/0	

AMENDMENT NO. 50 TO LOCAL PLANNING SCHEME NO. 21 (LOT 81 (18), STRATA PLAN 17588 (20), AND LOTS 115 TO 127 (26-50) GEOGRAPHE BAY ROAD, DUNSBOROUG H) - CONSIDERATIO N FOR ADOPTION FOR FINAL APPROVAL APPROVAL PROVAL Colument of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts Amendment 50 to Local Planning Scheme No. 21 for final approval, in accordance with the modifications proposed in the Schedule of Modifications shown at Attachment E, for the purposes of amending the Scheme map by modifying the residential density code from R80 to R60 over Lot 81 (18), Strata Plan 17588 (20) and Lots 115 to 127 (26-50) Geographe Bay Road, Dunsborough, subject to deletion of Items 2, 3 and 4 in the Schedule of Modifications. 2. Advise the Western Australian Planning Commission that Amendment 50 is considered a 'standard' amendment pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015 as it is: (a) an amendment that would have minimal impact on land in the Scheme area that is not the subject of the amendment; (b) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area. 3. Pursuant to r.53 of the Planning and Development (Local Planning Schemes) Regulations 2015, endorses the Schedule of Submissions at Attachment D, which has been prepared in response to the public consultation process undertaken in relation to Amendment 50 to the Western Australian Planning Commission for consideration and determination in accordance with the Planning and Development Act 2005.	Action completed

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			5. Pursuant to r.56 of the Planning and Development (Local Planning Schemes) Regulations 2015, should directions be given that further or different modifications to Amendment 50 are required, they shall be formally referred back to the Council for assessment and determination. CARRIED 8/0	
24/11/21	AMENDMENT NO. 40 (MODIFICATION S TO THE ZONING TABLE) - CONSIDERATIO N FOR FINAL ADOPTION	Foulds, Helen	COUNCIL DECISION C2111/003 Moved Councillor M Love, seconded Councillor R Paine That the Council: I. In pursuance of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts Amendment No. 40 to the City of Busselton Local Planning Scheme No.21 for final approval, in accordance with the modifications proposed in the 'Schedule of Modifications' shown at Attachment A, and subject to the inclusion of a further modification in relation to the use class 'Service Station', to replace the symbol 'D' with the symbol 'A' in the 'Local Centre' and 'Service Commercial' zones, for the purposes of: (Information removed for conciseness – for purpose details please see Council minutes) II. Advises the Western Australian Planning Commission that Amendment No. 40 is considered a 'standard' amendment pursuant to the Planning and Development (Local Planning Scheme) Regulations 2015 for the following reasons: 1. An amendment relating to a zone or reserve that is consistent with the objectives identified in the Scheme for that zone or reserve; 2. An amendment that is consistent with a local planning strategy for the Scheme that has been endorsed by the Commission; and	Action completed

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 An amendment that does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area. Pursuant to r.53 of the Planning and Development (Local Planning Schemes) Regulations 2015, endorses the Summary of Submissions at Attachment B, which has been prepared in response to the public consultation process undertaken in relation to Amendment No. 40. Upon preparation of the necessary documentation, refers the adopted Amendment No. 40 to the Western Australian Planning Commission for consideration and determination in accordance with the Planning and Development Act 2005. Pursuant to r.56 of the Planning and Development (Local Planning Schemes) Regulations 2015, should directions be given that modifications to Amendment No. 40 are required, direct these modifications to be undertaken accordingly, on behalf of the Council, unless they are considered by officers likely to significantly affect the purpose and intent of the Amendment, in which case the matter shall be formally referred back to the Council for assessment and determination. 	
27/10/2021	AMENDMENT NO. 50 TO LOCAL PLANNING SCHEME NO. 21 (LOT 81 (18), STRATA PLAN 17588 (20), AND LOTS 115 TO 127 (26-50) GEOGRAPHE BAY ROAD, DUNSBOROUG H) -	Wilkinson, Joanna	COUNCIL DECISION C2110/076 Moved Councillor S Riccelli, seconded Councillor A Ryan That the Council: 1. In pursuance of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts Amendment 50 to Local Planning Scheme No. 21 for final approval, in accordance with the modifications proposed in the Schedule of Modifications shown at Attachment E, for the purposes of amending the Scheme map by modifying the residential density code from R80 to R60 over Lot 81 (18), Strata Plan 17588 (20) and Lots 115 to 127 (26-50) Geographe Bay Road, Dunsborough, subject to deletion of Items 2, 3 and 4 in the Schedule of Modifications.	Action completed Referred to WAPC for final determination

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
	CONSIDERATIO N FOR ADOPTION FOR FINAL		2. Advise the Western Australian Planning Commission that Amendment 50 is considered a 'standard' amendment pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015 as it is:	
	APPROVAL		(a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the Scheme for that zone or reserve;	
			(b) an amendment that would have minimal impact on land in the Scheme area that is not the subject of the amendment;	
			(c) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.	
			3. Pursuant to r.53 of the Planning and Development (Local Planning Schemes) Regulations 2015, endorses the Schedule of Submissions at Attachment D, which has been prepared in response to the public consultation process undertaken in relation to Amendment 50.	
			4. Upon preparation of the necessary documentation, refers the adopted Amendment 50 to the Western Australian Planning Commission for consideration and determination in accordance with the Planning and Development Act 2005.	
			5. Pursuant to r.56 of the Planning and Development (Local Planning Schemes) Regulations 2015, should directions be given that further or different modifications to Amendment 50 are required, they shall be formally referred back to the Council for assessment and determination.	
10/11/2021	WALGA ENERGY SUSTAINABILIT Y AND RENEWABLES PROJECT	Breton, Mathilde	COUNCIL DECISION C2111/085 Moved Councillor P Carter, seconded Councillor A Ryan That the Council: 1. Endorses the City's participation in the Western Australian Local Government Association (WALGA) Energy Sustainability and Renewables Energy project;	Action completed Synergy Electricity Sales Agreement executed.
			2. Accept WALGA's offer and authorise the CEO to enter into an Electricity Supply Agreement with Electricity Generation and Retail Corporation trading as Synergy for the period commencing 1	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			April 2022 and ending 31 March 2025 on the basis of accepting an unbundled price structure and 100% Natural Power.	
			CARRIED 8/0	
10/11/2021	STRATEGIC ENGAGEMENT WITH THE DUNSBOROUG H COMMUNITY - PROPOSED SUPPORT FOR FORMATION OF 'DUNSBOROUG H REFERENCE GROUP'	Needham, Paul	COUNCIL DECISION C2111/089 Moved Councillor J Richards, seconded Councillor S Riccelli That the Council, in line with its adopted Community Engagement Framework, supports engagement with a 'Dunsborough Reference Group' on strategic planning and other issues or proposals of strategic importance to the long term future of the Dunsborough community, generally as described below: 1. Key aims from a City perspective are as follows: a) Provision of greater opportunity for stakeholders to contribute to considered decision making with respect to the future development of Dunsborough; b) Assisting in identifying current and future community needs, and identifying and assessing options to meet those needs; and c) Assisting in building partnerships and two-way communication between the City and the community, and within the community. 2. Formation of a 'Dunsborough Reference Group' led by members of the community, and consistent with the following: a) The Group endeavors to establish and maintain a diverse membership base, broadly representative of the Dunsborough community as a whole, including: • Representatives of the Dunsborough & Districts Progress Association; • Representatives of the Dunsborough-Yallingup Chamber of Commerce & Industry; • Representatives of Dunsborough 2030;	Action completed Reference Group established

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			Persons involved in community and sporting clubs and associations; and	
			 Other residents and ratepayers from Dunsborough and nearby areas; 	
			The Group forms an 'executive' or similar, and adopts terms of reference broadly consistent with this resolution;	
			 The Group's executive is able to provide feedback or other input to the City and other stakeholders on behalf of the Group; 	
			d) When input is sought from the Group by the City or other stakeholders, the individual members of the Group involved identify and declare potential or perceived financial conflicts of interest that may arise, and not involve themselves in the providing of input through the Group in those cases (although they would remain able to provide input through other means, in the same ways as any other citizen);	
			e) In the narrow range of circumstances where input is sought from the Group by the City or other stakeholders on a confidential basis, that confidence is respected; and	
			f) The Group and its members understand and respect the fact that City officers and Councillors may be limited in what they can say with respect to a particular matter due to confidentiality requirements and the need to avoid 'apprehended bias'.	
1			3. Subject to the formation and maintenance of a Group consistent with point 2 above, the City commits to engage with the Group on the following terms:	
l			 The City shall seek the input of the Group, through the Group's executive, prior to making decisions or forming positions on strategic planning and other issues or proposals of strategic importance to the long term future of the Dunsborough community; 	
			 The City shall consider the input provided by the Group, but is not obligated to accept or agree with the views expressed by the Group; 	
			c) Matters about which input shall be sought include:	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 Strategic planning matters, including planning strategies or amendments to such strategies (which includes both City of Busselton and WAPC planning strategies), town planning schemes and amendments, and structure plans (including precinct structure plans); 	
			 Major development proposals that may have strategic implications (with the preference being that input is sought at the pre-application phase, but noting that will only occur with the agreement of the proponent, which the City will actively seek to obtain, and noting that timeframes may mean that input may not be able to sought through a meeting with the Group's executive); 	
			 City plans or projects relating to new or modified community, recreation or other infrastructure or services; and 	
			State-led infrastructure projects;	
			d) Input may be sought either through meetings with the Group's executive, or through written communications, and the City will seek to meet with the Group's executive approximately 4 times per year, or as reasonably required;	
			e) When the City meets with the Group's executive to seek input, the City shall be represented by the following delegates of the City:	
			Cr Kate Cox and Cr Paul Carter;	
			Cr Sue Riccelli and Cr Jodie Richards as deputies; and	
			City staff as determined by the CEO;	
			f) If, during the course of a meeting between the City and the Group's executive, attendees are asked to vote or similar, City delegates shall not participate; and	
			g) The key role of both Councillors and City staff in such meetings shall be to listen to the input provided, respond to and ask questions, and provide information.	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			4. These arrangements will be reviewed and potentially adjusted, in consultation with the Group, in approximately 12 months.	
			5. These arrangements do not preclude other means of engagement with the Dunsborough community.	
			CARRIED 8/0	
24/11/2021	AMENDMENT NO. 40 (MODIFICATION S TO THE ZONING TABLE) - CONSIDERATIO N FOR FINAL ADOPTION	Foulds, Helen	COUNCIL DECISION C2111/100 Moved Councillor M Love, seconded Councillor R Paine That the Council: I. In pursuance of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts Amendment No. 40 to the City of Busselton Local Planning Scheme No.21 for final approval, in accordance with the modifications proposed in the 'Schedule of Modifications' shown at Attachment A, and subject to the inclusion of a further modification in relation to the use class 'Service Station', to replace the symbol 'D' with the symbol 'A' in the 'Local Centre' and 'Service Commercial' zones, for the purposes of: (Information removed for conciseness – for purpose details please see Council minutes) II. Advises the Western Australian Planning Commission that Amendment No. 40 is considered a 'standard' amendment pursuant to the Planning and Development (Local Planning Scheme) Regulations 2015 for the following reasons: 1. An amendment relating to a zone or reserve that is consistent with the objectives identified in the Scheme for that zone or reserve; 2. An amendment that is consistent with a local planning strategy for the Scheme that has been endorsed by the Commission; and	Action completed

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
DATE		OFFICER	 An amendment that does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area. Pursuant to r.53 of the Planning and Development (Local Planning Schemes) Regulations 2015, endorses the Summary of Submissions at Attachment B, which has been prepared in response to the public consultation process undertaken in relation to Amendment No. 40. Upon preparation of the necessary documentation, refers the adopted Amendment No. 40 to the Western Australian Planning Commission for consideration and determination in accordance with the Planning and Development Act 2005. Pursuant to r.56 of the Planning and Development (Local Planning Schemes) Regulations 2015, should directions be given that modifications to Amendment No. 40 are required, direct these modifications to be undertaken accordingly, on behalf of the Council, unless they are considered by officers likely to significantly affect the purpose and intent of the Amendment, in which case the matter shall be formally referred back to the Council for assessment and 	
			determination.	
			CARRIED 8/1	
23/03/2022	Policy and Legislation	Wilkinson, Joanna	COUNCIL DECISION	Action completed
	Committee - 2/3/2022 -		C2203/058 Moved Councillor A Ryan, seconded Councillor M Love	
	HOLIDAY HOME REGULATORY FRAMEWORK		That the Council supports further progressing the review of the City's regulatory framework for holiday homes, as follows:	
	REVIEW		 Note the Consultation Outcomes Report to Inform Changes to the Holiday Home Regulatory Framework (January 2022) provided at Attachment A. 	
			2. Implement changes to the regulatory framework for holiday homes in three stages:	
			(a) Stage one:	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS					
	SUBJECT		Changes to conditions of registration and introduction of a code of conduct as generally described in this report. (b) Stage two: (i) Initiate amendments to the Holiday Homes Local Law 2012, to be presented via a separate report during the first half of 2022. (ii) Concurrently, develop a Council Policy to guide application of the local law. (c) Stage three: Draft and initiate advertising of formal changes relating to holiday home provisions in Local Planning Scheme No. 21 and Local Planning Policy No. 4.1: Holiday Homes, to be presented via a separate report, once uncertainties related to the state level regulatory	COMMENTS					
			framework have been resolved. CARRIED 9/0						
9/03/2022	DA21/0548	Reddell, Lee	CARRIED 9/0	Action completed					
9/03/2022	PROPOSED	Reddell, Lee	COUNCIL DECISION	Action completed DA issued as per					
	CHALET DEVELOPMENT	That						C2203/048 Moved Councillor P Carter, seconded Councillor P Cronin	Council resolution
	- LOT 100							I	
(NO.4259) CAVES ROAD, WILYABRUP	A. That applicate Road, Wilya Scheme No. B. That Develop	Road, Wilyabrup, is considered by the Council to be generally consistent with Local Planning Scheme No. 21 and the objectives of the zone within which it is located. B. That Development Approval is granted for the proposal referred to in (A) above subject to the							
			following conditions:-						
			(Information removed for conciseness – for conditions please see Council minutes)						
			CARRIED 8/0						

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
9/02/2022	City of Busselton response to WAPC Draft Position Statement: Planning for Tourism	Wilkinson, Joanna	COUNCIL DECISION C2202/022 Moved Councillor A Ryan, seconded Councillor P Carter That the Council resolves to: 1. Note the draft Position Statement: Planning for Tourism and associated draft Planning for Tourism Guidelines; and 2. Support the consultation submission to draft Position Statement: Planning for Tourism (Attachment A) for the purpose of providing a formal response advocating the City's position. CARRIED 9/0	Action completed
25/05/2022	SECTION 31 RECONSIDERA TION - PROPOSED RECEPTION CENTRE - LOT 21 (NO.64) ESPINOS ROAD, SABINA RIVER	Wilson, Joanna	COUNCIL DECISION C2205/111 Moved Councillor A Ryan, seconded Councillor S Riccelli That the Council: Notes that the development application for a 'Reception Centre' at Lot 21 (64), Espinos Road, Sabina River (DA21/0742), was deemed to be refused by the City pursuant to section 253 of the Planning and Development Act 2005 on 13 December 2021 ("the decision"). Notes that, pursuant to review proceedings under the State Administrative Tribunal Act 2004, the Tribunal invited the City to reconsider the decision. Pursuant to section 31(2)(a) of the State Administrative Tribunal Act 2004, affirms the decision to refuse the development \(\pm\) as it is inconsistent with Local Planning Scheme No. 21 and the objectives of the zone within which it is located. That the application is refused for the following reasons — REASONS FOR REFUSAL The proposed development is inconsistent with the City of Busselton Local Planning Scheme No.21, objectives of the Rural zone and the Local Rural Planning Strategy in that the proposal:	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION		COMMENTS
			(a)	would result in the introduction of a significant non-Rural use which would undermine the objectives of the Rural zone which include preserving the operation and development of established rural uses and would be inconsistent with the character and amenity of the area, contrary to objective (d) and (e) of the Rural Zone;	
			(b)	is contrary to the objective that non-agricultural uses will be secondary uses and compatible with the primary established agricultural uses and preserve the ongoing use and development of that land for productive agricultural purposes;	
			(c)	the proposal for 12,000 guests is considered to generate an unreasonable and excessive volume of traffic for the area beyond the anticipated traffic volumes considered acceptable in a rural locality;	
			(d)	in the absence of a traffic management plan, the proposal has not adequately demonstrated that the existing road network is capable of accommodating the proposed number of vehicles;	
			(e)	the noise levels generated by the proposal from music, vehicles, patrons, car parking areas and site infrastructure would result in an unacceptable detrimental impact on the amenity of the neighbouring properties and the wider locality;	
			(f)	in the absence of a dust management plan, the proposal has not adequately demonstrated how the amount of dust generated from the use of the access road and internal access road would not result in an unreasonable impact on the amenity of surrounding properties.	
			the p	ity is not satisfied that the bushfire management issues can be satisfactorily addressed by roposed development in accordance with the objectives and intent of State Planning 3.7 - Planning in Bushfire Prone Areas and the Guidelines to Planning in Bushfire Prone ::	
			а)	the proposal is located in an area of high bushfire risk and the risk assessment has not demonstrated that the risk can be managed, to ensure the protection of people, property and infrastructure;	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 b) both access roads to the site traverse an Extreme Bushfire Hazard Level in excess of the length requirements specified in the Guidelines; 	
			c) the proposal has not adequately demonstrated the safe and efficient evacuation of patrons, whilst simultaneously providing a safe operational environment for emergency services, can be achieved resulting in placing life at an unacceptable level of risk; and	
			 d) inadequate provision of a suitable location for sheltering on site especially for the number of patrons proposed 	
			CARRIED 8/0	
25/05/2022	Draft Dunsborough Precinct Structure Plan and Associated Amendment 52 to Local Planning Scheme No. 21 - Consideration for Initiation; and Amendment 50 Ministerial Decision	Wilkinson, Joanna	COUNCIL DECISION C2205/112 Moved Councillor K Cox, seconded Councillor S Riccelli That the Council: 1. In pursuance of Part 4 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), adopts the draft Dunsborough Precinct Structure Plan (PSP - Attachment B) for consultation, to be advertised concurrently with Amendment 52, as set out in the points below, and subject to the following modifications – (Information removed for conciseness – for modifications please see Council minutes) 2. In pursuance of Part 5 of the Regulations, prepares Amendment 52 to the City of Busselton Local Planning Scheme No. 21 for consultation, for the purposes of:	
			(Information removed for conciseness – for purposes please see Council minutes)	

SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
		3. Pursuant to Regulation 35 (2) of the Regulations, determine that Amendment 52 is a 'standard amendment' in accordance with r.34 of the Regulations as it is:	
		(a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve; and	
		(b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission.	
		·	
		5. Notes the Ministerial decision and Schedule of Modifications to modify Amendment 50 (Attachment D).	
		CARRIED 6/2	
Policy and Legislation Committee - 22/6/2022 - PROPOSED AMENDMENTS TO THE CONSOLIDATE D PARKING SCHEME (CPS)	McDowell, Ian	COUNCIL DECISION C2207/180 Moved Councillor P Cronin, seconded Councillor A Ryan That Council, pursuant to clause 2.1 of the City of Busselton Parking Local Law 2020, approves the following amendments to the Consolidated Parking Scheme: 1. Designation of two parking bays in Queen Street outside St Mary's Church, as shown in Attachment A, as "No Parking, 9am to 5pm Mon to Fri, Hearses Excepted";	Action completed Parking signage has been ordered to formally designate all of the areas noted in the Council resolution. Consolidated
	Policy and Legislation Committee - 22/6/2022 - PROPOSED AMENDMENTS TO THE CONSOLIDATE D PARKING	Policy and Legislation Committee - 22/6/2022 - PROPOSED AMENDMENTS TO THE CONSOLIDATE D PARKING	3. Pursuant to Regulation 35 (2) of the Regulations, determine that Amendment 52 is a 'standard amendment' in accordance with r.34 of the Regulations as it is: (a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve; and (b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission. 4. Note that, as the draft Amendment is in the opinion of the Council consistent with Part V of the Planning and Development Act 2005 (the Act) and Regulations made pursuant to the Act, upon preparation of necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not to be subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the Regulations. In the event that the EPA determines that the draft Amendment is to subject to formal environmental assessment, this assessment is to be prepared prior to advertising of the draft Amendment. 5. Notes the Ministerial decision and Schedule of Modifications to modify Amendment 50 (Attachment D). CARRIED 6/2 Policy and Legislation Committee - 22/6/2022 - PROPOSED AMENDMENTS TO THE CONSOLIDATE TO THE CONSOLIDATE D PARKING MCDowell, lan Legislation of two parking bays in Queen Street outside St Mary's Church, as shown in Attachment A, as "No Parking, Sam to Spm Mon to Fri, Hearses Excepted";

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			2. Designation of both sides of Castle Rock Road in Meelup Regional Park, as shown in Attachments B, C and D, as "No Parking, Road or Verge";	and maps, including Intramaps GIS,
			3. Designation of an area close to the beach access gate to Smiths Beach, as shown in Attachment E, as "No Parking, 7am to 12pm Sun, Oct to Apr, Surf Life Saving Vehicles Excepted";	have been updated to reflect the amendments.
			4. Designation of one parking bay in the Barnard Park West western car park, as shown in Attachment F, as "No Parking, 6am to 6pm Mon to Fri, Authorised Vehicles Excepted"; and	
			5. Designation of the following special purpose parking bays in the Old Tennis Club car park, as shown in Attachment G, as follows:	
			(a) five new disabled parking bays located within the car park;	
			(b) two loading zones on the northern side of Foreshore Parade; and	
			(c) one bus zone on the northern side of Foreshore Parade.	
			6. Amending the designation of both sides of Smiths Beach Road, as shown in Attachment J, inclusive of the Committee Amendments, removing "No Stopping" on Eastern side, and amending Western side to "No Stopping, Road or Verge".	
			CARRIED 9/0	
27/07/2022	Policy and Legislation	McDowell, Ian	COUNCIL DECISION	Action completed
	Committee -		C2207/188 Moved Councillor A Ryan, seconded Councillor S Riccelli	
	22/6/2022 - DOG EXERCISE		That the Council:	
	AREA - YALLINGUP BEACH NORTH OF THE DAWSON DRIVE ACCESS PATH		1. After the giving of 28 days public notice, pursuant to section 31(3C) of the <i>Dog Act 1976</i> , resolves to adopt and implement, pursuant to section 31(3A) of the <i>Dog Act 1976</i> , a one kilometre length of Yallingup Beach north of the Dawson Drive access path , bounded by Leeuwin Naturaliste National Park in the east, Ngari capes marine park in the west as a dog exercise area; and	
			2. Resolves to adopt the following with regard to the specified area in recommendation 1:	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			(a) Beach areas, including the beach only (i.e. from the limit of the ephemeral vegetation or the toe of the seawall to the low water marks only, and not including vegetated foreshore areas, beach access paths or car parks) to be categorised as 'Dog Exercise Area' with that area being defined as follows:	
			(i) Pursuant to s.31(3A) of the Dog Act 1976 dogs are permitted, including off-leash, at all times except when approved organised events are taking place, wherein dogs are to be prohibited (except assistance dogs as defined by s.8 of the Dog Act 1976) unless specifically permitted by the City.	
			CARRIED 9/0	
			BY ABSOLUTE MAJORITY	
27/07/2022	DRAFT COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLAN - CONSIDERATIO N FOR ADOPTION FOR FINAL APPROVAL	Koroveshi, Louise	COUNCIL DECISION C2207/191 Moved Councillor A Ryan, seconded Councillor P Carter That the Council, with respect to the Draft Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) - 1. Adopts the CHRMAP for final approval as a guide for future planning, subject to the following modifications - a) Inclusion of the revised recommendations set out at Attachment B; b) Updating and editing to reflect the revised recommendations set out at Attachment B; and c) Inclusion of information relating to the consultation process, reflecting the information set out in the agenda report; 2. Notes the Schedule of Submissions provided in Attachment E and thanks submitters for their contributions during and after the formal consultation period; 3. Refers the CHRMAP to the Western Australian Planning Commission for its consideration;	Action completed Document referred to WAPC and published on City website

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			4. Notes that the City will prepare an implementation strategy to guide the prioritisation and progression of future work; and	
			5. Amends the revised recommendations set out in Attachment B for MU09(A) Siesta Park Holiday Resort so that the second dot point recommendation under the Planning Response column reads as follows:	
			The strategy may include proposals for maintenance or upgrade of existing coastal protection structures, development and maintenance of new coastal protection structures, including groynes and/or seawalls, action to reinforce the fore dune and/or beach nourishment.	
			CARRIED 9/0	
16/11/2022	DRAFT LOCAL STRUCTURE PLAN, LOTS 176, 201 AND 9000 RENDEZVOUS ROAD, VASSE - REPORT FOR ADOPTION FOR FINAL APPROVAL	Sands, David	C2211/283 Moved Councillor P Carter, seconded Councillor A Ryan That the Council: 1. Approve the proposed Structure Plan for Lots 176, 201 and 9000 Rendezvous Road, Vasse and the associated Schedule of Submissions and Schedule of Modifications at Attachments M and N respectively. 2. Refer the Structure Plan to the Western Australian Planning Commission for final approval, pursuant to Part 4 of the Deemed Provisions (Schedule 2) of the Planning and Development (Local Planning Schemes) Regulations 2015.	Action Completed Advised applicant and submitter of decision; forwarded to WAPC.
			CARRIED 8/0	
<mark>16/11/2022</mark>	PROPOSED ABBEY SOUTH	Scott- McDonald,	COUNCIL DECISION	Point 1 has been completed
	STRUCTURE PLAN AND ASSOCIATED AMENDMENT	Noah Noah	C2211/286 Moved Councillor A Ryan, seconded Councillor P Cronin That Council:	Following liaison with applicant, the SP was revised

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESO	LUTIC	ON			COMMENTS
	NO. 55 TO LOCAL PLANNING SCHEME NO. 21 - CONSIDERATIO N FOR ADOPTION		 Request written consent from the Western Australian Planning Commission that a Structure Plan may be prepared for Abbey South in accordance with Schedule 2, cl.15 of the Regulations. Require the following modifications to Amendment No. 55 of the City of Busselton Local Planning Scheme No. 21 prior to advertising: (a) Inserting 'Special Provision Area No. 76' to read as follows – 				and adopted under delegation and advertised with the Amendment as set out in Points 2-8.	
			No	0	Particulars of Land	Zone	Special Provisions	
			SP	<mark>276</mark>	As identified on the Scheme map	<mark>Urban</mark> Development	1. A single structure plan is to be prepared for the entire Special Provision Area.	
							2. In addition to the information to be included in a structure plan outlined in Clause 16 of the Deemed Provisions, the structure plan is to set out the following:	
							i. A water management report that takes into consideration the land to the south and addresses all water-related matters relevant to the proposal.	
							ii. Measures to manage risk from coastal inundation.	
							iii. Open space requirements.	
							iv. Measures to retain, manage, and enhance environmental values associated with the Special Provision Area including remnant vegetation, potential habitat for Commonwealth and State listed threatened fauna species, ecological linkages and wetlands, within	

	Division:	Planning and Development Services	Date From:	1/07/2021
	Committee:	Council	Date To:	8/06/2023
	Officer:			
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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			'public open space', road reserves, and/or conservation areas (as identified on the Structure Plan). Such measures are required to also address linkages and connectivity with contiguous areas of similarly important remnant vegetation on land adjoining the special provision area as well as management measures to ensure the habitat functions of these areas are maintained and, where possible, enhanced.	
			v. The provision of vegetated buffers to ensure appropriate visual screening and separation of development from main roads adjoining the Special Provision Area.	
			vi. Measures to provide for the safe and efficient movement of pedestrians and cyclists to, from, and within the Special Provision Area, including crossings of main roads adjoining the Special Provision Area.	
			3. A Local Development Plan is to be prepared on Lots 12 and 402 Caves Road and Lots 14 and 15 Bussell Highway to address: i. Location of car parking, pedestrian access and vehicular/service access areas	

	Division:	Planning and Development Services	Date From:	1/07/2021
	Committee:	Council	Date To:	8/06/2023
	Officer:			
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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			for development where adjacent or located on Lot 402;	
			ii. Amenity of the locality and surrounds; and Landscape values and visual management considerations.	
			3. Subject to the modifications detailed in Part 2 above, in accordance with Section 75 of the Planning and Development Act 2005, adopt Amendment No. 55 of the City of Busselton Local Planning Scheme No. 21 (Attachment D) for advertising, for the purposes of amending the Scheme Map (Attachment E) by:	
			 Replacing the 'Rural' and 'Conservation' zones over Lots 4, 12 and 402 Caves Road and Lots 14 and 15 Bussell Highway, Abbey with the 'Urban Development' zone; and 	
			ii. Amending the boundary of the Landscape Value Area to align with the west, south and east boundaries of Lot 4 Caves Road, Abbey.	
			4. In accordance with Regulation 35 (2) of the Planning and Development (Local Planning Schemes) Regulations 2015, determines that Amendment No. 55 of the City of Busselton Local Planning Scheme No. 21 is a 'standard amendment' in accordance with r.34 of the Regulations as it is:	
			 an amendment that is consistent with a Local Planning Strategy for the Scheme that has been endorsed by the Commission; and 	
			ii. an amendment that does not result in any significant environment, social, economic or governance impacts on land in the scheme area.	
			5. Note that, as the Amendment is in the opinion of the Council consistent with Part V of the Planning and Development Act 2005 (Act) and Regulations made pursuant to the Act, upon preparation of necessary documentation, the Amendment be referred to the Environmental Protection Authority (EPA) as required by the Act, and on receipt of a response from the EPA indicating that the Amendment is not to be subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the Regulations. In the event that the	

		EPA determines that the Amendment is to subject to formal environmental assessment, this assessment is to be prepared prior to advertising of the proposal.	
İ		6. Note that the City cannot adopt the Abbey South Structure Plan prior to the receipt of written consent from the Western Australian Planning Commission, as outlined in Part 1 above.	
		7. Note that subject to existing delegation, it is envisaged that the Abbey South Structure Plan will be adopted for advertising, through agreement with the applicant, with the following modifications:	
		 Incorporating vegetated buffers within the Structure Plan area to ensure sufficient screening to Caves Road and Bussell Highway; 	
		 Applying a range of R-Codes to Lots 12 and 402 Caves Road and Lots 14 and 15 Bussell Highway, Abbey, to accommodate an increased diversity of development opportunities; 	
		iii. Improving permeability of Lots 12 and 402 Caves Road and Lots 14 and 15 Bussell Highway, Abbey, through the modification to the proposed network of roads / paths / reserves; and	
		 iv. Identification of a higher order cycle path through the Structure Plan area that connects to the City's existing and planned network. 	
		8. Prior to implementing the above, require the proponent to prepare revised amendment documents consistent with the modifications set out in the Parts above.	
		CARRIED 8/0	
Policy and Legislation Committee - 9/11/2022 - LOCAL EMERGENCY MANAGEMENT ARRANGEMEN	McDowell, Ian	COUNCIL DECISION C2212/300 Moved Councillor P Cronin, seconded Councillor A Ryan That the Council endorses the following emergency management documents: 1. Local Emergency Management Arrangements (LEMA) (November 2022), Attachment A of this report;	Action completed
Legislati Commit 9/11/202 LOCAL EMERG MANAG ARRAN	ion tee - 22 - ENCY EMENT	ency EMENT GEMEN	McDowell, Ian tee - 22 - That the Council endorses the following emergency management documents: ENCY EMENT GEMEN McDowell, Ian COUNCIL DECISION Moved Councillor P Cronin, seconded Councillor A Ryan That the Council endorses the following emergency management documents: 1. Local Emergency Management Arrangements (LEMA) (November 2022), Attachment A of this report;

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			2. LEMA Appendix 4 Contacts, Special Needs Groups, Resources and Critical Infrastructure Directory (September 2022) (redacted copy), Attachment B of this report;	
			3. LEMA Appendix 6 Local Evacuation Plan (November 2022), Attachment C of this report;	
			4. LEMA Appendix 7 Local Recovery Plan (November 2022), Attachment D of this report; and	
			5. LEMA Appendix 8 Animal Welfare Plan (November 2022), Attachment E of this report.	
			CARRIED 9/0	
21/12/2022	Policy and Legislation	McDowell, lan	COUNCIL DECISION	Action completed
	Committee - 9/11/2022 -		C2212/301 Moved Councillor P Cronin, seconded Councillor A Ryan	
	REVIEW OF		That the Council:	
	CONSOLIDATE D PARKING		 Endorse the City of Busselton Consolidated Parking Scheme (CPS) dated November 2022 as attached (Attachment A) to this report; and 	
	SCHEME (CPS)		2. Notes changes to existing, or the introduction of new:	
			 parking restrictions require a resolution of the Council before the CPS can be amended to reflect those changes or additions; and 	
			 b. private parking agreements do not require a resolution of the Council, and should this occur the City will amend the CPS to reflect those changes or additions. 	
			CARRIED 9/0	
21/12/2022	DRAFT COMMUNITY	Sands, David	COUNCIL DECISION	Action completed
	INFRASTRUCT		C2212/307 Moved Councillor P Cronin, seconded Councillor A Ryan	
	URE PLAN 2022-2035 - CONSIDERATIO		That the Council, with respect to the Draft Community Infrastructure Plan (CIP) 2022-2035;	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
	N FOR ADOPTION FOR FINAL APPROVAL		 Adopts the CIP for final approval as a guide for future planning and a review of the Development Contributions Framework; and Refers the CIP to the Western Australian Planning Commission for its consideration. 	
			CARRIED 9/0	
21/12/2022	AMENDMENT No.54 TO LOCAL PLANNING SCHEME No.21 (LOT 2883 PUZEY ROAD, WILYABRUP)	Sands, David	COUNCIL DECISION C2212/308 Moved Councillor P Cronin, seconded Councillor A Ryan That the Council: 1. In pursuance of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) adopts Amendment 54 to the City of Busselton Local Planning Scheme 21 with modification for the purposes of: a) Inserting a new 'Special Provision Area 76' as follows: No. Particulars of Land SP76 Strata Lots 20, 21, 31, 37, 46 and 47, as shown on the current Strata Plan on Survey-Strata Plan 54626 (Lot 2883) Puzey Road, Wilyabrup b) Amending the Scheme Map accordingly. 2. In accordance with Regulation 35 (2) of the Regulations, determines that Amendment No. 55 of the City of Busselton Local Planning Scheme No. 21 is a 'complex amendment' in accordance with r.34 of the Regulations as it is:	WAPC has approved advertising which has commenced.

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	 a) an amendment that is not consistent with a Local Planning Strategy for the Scheme that has been endorsed by the Commission. 3. Note that, as the Amendment is in the opinion of the Council consistent with Part V of the Planning and Development Act 2005 (Act) and Regulations made pursuant to the Act, upon preparation of necessary documentation, the Amendment be referred to the Environmental Protection Authority (EPA) as required by the Act, and on receipt of a response from the EPA indicating that the Amendment is not to be subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the Regulations. In the event that the EPA determines that the Amendment is to subject to formal environmental assessment, this assessment is to be prepared prior to advertising of the proposal. 4. Subject to the Western Australian Planning Commission's advice that it considers the 	COMMENTS
1/12/2022	DUNSBOROUG	Wilkinson,	 Subject to the Western Australian Planning Commission's advice that it considers the amendment suitable for advertising and the EPA determining that an environmental review is not required, resolve in accordance with Regulation 37 of the Regulations to proceed to advertise the amendment with modification in accordance with Regulation 38 of the Regulations. Prior to implementing the above, require the proponent to prepare revised amendment documents consistent with the modifications set out in the Parts above. 	Action completed
	H PRECINCT STRUCTURE PLAN AND ASSOCIATED AMENDMENT 52 TO LOCAL PLANNING SCHEME NO. 21 - CONSIDERATIO	Joanna	C2212/320 Moved Councillor S Riccelli, seconded Councillor K Cox That the Council: 1. Pursuant to Part 4 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), adopts the Dunsborough Precinct Structure Plan shown at Attachment B for final approval, in accordance with the modifications proposed in the Schedule	Proposal submitted to the WAPC

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
	N FOR ADOPTION FOR FINAL APPROVAL		of Modifications shown at Attachment G, subject to the following changes to the Schedule of Modifications –	
			(Information removed for conciseness – for changes to the modifications see Council minutes)	
			2. In pursuance of the Regulations, adopts Amendment 52 to Local Planning Scheme No. 21 for final approval, subject to the removal of the administrative error below, in accordance with the modifications proposed in the Schedule of Modifications shown at Attachment G, for the purposes of:	
			(Information removed for conciseness – for proposed modifications see Council minutes)	
			3. Pursuant to r.53 and Part 4 of Schedule 2 of the Regulations, endorses the Schedules of Agency and Public Submissions at Attachments D and E respectively, which have been prepared in response to the public consultation process undertaken in relation to the Dunsborough Precinct Structure Plan and associated Amendment No. 52, subject to the following changes to the Schedule of Public Submissions:	
			Deletion of a portion of the text in column 3 from submissions no 34 (comment 8), 35 (comment 4), 156 (comment 4), 221 (comment 5), 275, 282, 311, and 313, as follows:	
			"Officers remain supportive of a departure from the blanket R-AC3 coding, but to a more nuanced approach rather than the R-AC4 coding across the whole of the DTC. Vol. 2 of the R-Codes allows for a flexible approach through the R-AC0 density code primary controls can be reflective of detailed context analysis, and provide for specifically tailored and nuanced intensity and scale of development through height and setback controls.	
			A nuanced approach would provide some control over the suitability of proposals within the broader street block context. A blanket coding provides no guidance on preferred locations for	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			reduced height and bulk, or preferred sites for larger scale developmentRelated to this point, it is noted that landowners who have recently chosen to develop their site less intensely, expressed concern over the blanket control, particularly in relation to the lack of consideration for landmark sites in the broader streetscape and activity centre context.	
			Some sections of the streetscape, particularly those with a narrower road reserve, would be less affected by buildings that are restricted to two storeys at the street interface (with setbacks for additional storeys) than the proposed R-AC4 coding potentially resulting in three storeys on all street fronts.	
			A blanket coding that restricts buildings to a three storey height control may also result in a greater proportion of floorspace being allocated to residential development due to the higher rate of car parking required for commercial development, and potential for shorter developer payback periods for residential development."	
			4. Advise the Western Australian Planning Commission that Amendment no. 52 is considered a 'standard' amendment pursuant to r.34 of the Regulations as it is:	
			 (a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the Scheme for that zone or reserve; 	
			(b) an amendment that is consistent with a local planning strategy for the Scheme that has been endorsed by the Commission.	
			5. Upon preparation of the necessary documentation, refers the adopted Amendment no. 52 to the Western Australian Planning Commission for consideration and determination in accordance with the Planning and Development Act 2005.	
			6. Write to the State Government requesting inclusion of Lots 4, 6, 8, 10, 12 and 14 Clark Street, Dunsborough in a future infill sewerage program.	
			7. Note that the City will prepare a strategy to guide staging and implementation of the Dunsborough Precinct Structure Plan output plans.	
			CARRIED 8/1	

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION		COMMENTS
25/01/2023	Policy and Legislation Committee - 9/11/2022 - LOCAL PLANNING POLICY REVIEW : ADOPTION FOLLOWING CONSULTATIO N - LPP 1.5 COASTAL SETBACKS	Wilson, Joanna	the <i>Planning and Development (Local</i> proceed with draft LPP 1.5 Coastal Setb 2. Pursuant to Clause 4, Part 2 of Schedule	2 – Deemed Provisions for Local Planning Schemes of Planning Schemes) Regulations 2015 resolve not to acks, as set out at Attachment A; and 2 – Deemed Provisions for Local Planning Schemes of Planning Schemes) Regulations 2015 adopt draft LPP	Action completed Advertising of the proposed changes to the Local Planning Policy undertaken in the form of letters to affected properties, newspaper and City website.
15/03/2023	Proposed Amendment 59 to Local Planning Scheme 21 Lot 200 (No 1676) Caves Road Dunsborough - Consideration for Initiation for Advertising	Biggar, Justin	That the Council: 1. In pursuance of the Planning and Develop (the Regulations) initiates Amendment N 21 (the Scheme) for community consultations.	e, seconded Councillor G Henley ment Act (Local Planning Schemes) Regulations 2015 o. 59 to the City of Busselton Local Planning Scheme ion for the purposes of: in 'Schedule 3 - Special Provisions Areas' of the Special Provisions 1. Notwithstanding any other provisions of the Scheme, unrestricted length of stay shall be permitted for a 'chalet' on strata	Action completed

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			lots 6-13 and 48-51 as shown on Strata Plan 50936.	
			2. Pursuant to Regulation 35(2) determine that Amendment No. 59 is a 'standard amendment' as it is:	
			(a) An amendment that is consistent with the objectives of the Tourism Zone as set out within Local Planning Scheme 21.	
			(b) An amendment that is consistent with a Local Planning Strategy for the Scheme that has been endorsed by the Commission.	
			3. That as the amendment is in the opinion of Council, consistent with Part V of the Planning and Development Act 2005 (the Act) and the Regulations made pursuant to the Act, that upon preparation of the necessary documentation, refer the amendment to the Environmental Protection Authority (EPA) and upon receipt of a response that the amendment is not subject to formal environmental assessment, advertise the proposal for a period of 42 days. Where the EPA determines the amendment is to be subject to formal environmental assessment, the assessment is to be prepared prior to advertising of the draft amendment.	
15/03/2023	PROPOSED	Koroveshi,	CARRIED 6/3	Action not
. 3/ 33/ 23/23	AMENDMENT 58 TO LOCAL PLANNING SCHEME 21 - LOT 6 COMMONAGE ROAD, QUINDALUP - INITIATION FOR COMMUNITY CONSULTATIO N	Louise	C2303/041 Moved Councillor S Riccelli, seconded Councillor K Cox That the Council: 1. Requires the following modifications to Amendment No. 58 of the City of Busselton Local Planning Scheme No. 21 prior to advertising: (Information removed for conciseness – for modifications see Council minutes)	completed Awaiting submission from applicant prior to EPA referral.

	Division:	Planning and Development Services	Date From:	1/07/2021
	Committee:	Council	Date To:	8/06/2023
	Officer:			
Action Sheets Report			Printed: Thursda	y, 8 June 2023 4:38:27 PM

MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			2. Subject to the modifications detailed in Part 1 above, in accordance with Section 75 of the Planning and Development Act 2005, adopts Amendment No. 58 of the City of Busselton Local Planning Scheme No. 21 for advertising for the purposes of:	
			(a) Rezoning Lot 6 Commonage Road, Quindalup from 'Light Industry' to 'Urban Development';	
			(b) Amending Schedule 3 Special Provision Area 31; and	
			(c) Amending the Scheme map accordingly.	
			3. In accordance with Regulation 35 (2) of the Planning and Development (Local Planning Schemes) Regulations 2015, determines that Amendment No. 58 of the City of Busselton Local Planning Scheme No. 21 is a 'standard amendment' in accordance with r.34 of the Regulations as it is:	
			(a) an amendment that is consistent with a Local Planning Strategy for the Scheme that has been endorsed by the Commission; and	
			(b) an amendment that does not result in any significant environment, social, economic or governance impacts on land in the scheme area.	
			4. That as the amendment is in the opinion of Council, consistent with Part V of the Planning and Development Act 2005 (the Act) and the Regulations made pursuant to the Act, that upon preparation of the necessary documentation, refer the amendment to the Environmental Protection Authority (EPA) and upon receipt of a response that the amendment is not subject to formal environmental assessment, advertise the proposal for a period of 42 days. Where the EPA determines the amendment is to be subject to formal environmental assessment, the assessment is to be prepared prior to advertising of the draft amendment.	
			5. Prior to implementing the above, require the proponent to prepare revised amendment documents consistent with the modifications set out in the Parts above.	
			6. In accordance with Regulation 35A of the Planning and Development (Local Planning Schemes) Regulations 2015, when Amendment No. 58 takes effect, the approval of the Dunsborough	

Division:	Planning and Development Services	Date From:	1/07/2021
Committee:	Council	Date To:	8/06/2023
Officer:			
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MEETING DATE	SUBJECT	RESPONSIBLE OFFICER	RESOLUTION	COMMENTS
			 Industrial Park Structure Plan (2000) is to be revoked. Note that officers will not use delegation to adopt the structure plan and, prior to the item being presented to Council, officers will work through design considerations with the proponent that address: 	
			i. Retention of vegetation;	
			ii. Visual management considerations;	
			iii. Land-use/zoning mix; and	
			iv. Road and lot layout and other urban design elements to reflect the desired future character of the site.	
			CARRIED 9/0	

As at 5 July 2023

TENDER INFORMATION	COUNCIL OR CEO DECISION	STATUS
RFT09/23 GARDEN MAINTENANCE SERVICES Requirements – a Disability Services Enterprise to provide garden maintenance services. An exemption to the public advertising of tenders applies to Disability Services Enterprises under reg 11(2)(i) of the Local Government (Functions and General) Regulations.	Council	Private tender to Activ Foundation Inc, closed 13 June 2023 (one application received). Report to Council for a decision on the tender expected 26 July 2023.
RFT10/23 ARBORICULTURE SERVICES Requirements – suitable contractor(s) to provide the City's ongoing requirements for arboriculture services.	Council	Advertised 14 June 2023, closing 6 July 2023. Report to Council for a decision on the tender expected August 2023.
PQS05/23 PLANT AND EQUIPMENT HIRE Requirements – a panel of suppliers to provide the City's ongoing requirements for plant and equipment	CEO Delegated Authority	Advertised 10 June 2023, closed 4 July 2023 (31 applications received).
RFQ39/23 STORMWATER PIPE RELINING Requirements – a suitable contractor to provide stormwater pipe relining services. An exemption to the public advertising of tenders applies to WALGA preferred suppliers under reg 11(2)(b) of the Local Government (Functions and General) Regulations.	CEO Delegated Authority	WALGA preferred supplier scheme RFQ advertised 15 June 2023, closing 13 July 2023.

As at 7 July 2023

APPLICATION (Name, No. and City File Reference)	PROPERTY	DATE COMMENCED	DECISION BEING REVIEWED	STAGE COMPLETED	NEXT ACTION AND DATE OF ACTION AS PER SAT ORDERS	DATE COMPLETED / CLOSED
CITY OF BUSSELTON						
Amber Cloud Pty Ltd v City of Busselton (DR 231/2021)	Lot 101 Wilyabrup Road, Wilyabrup	November 2021	Review of a decision to refuse or conditionally grant an application under a planning scheme (Single House)	 Directions hearing on the 12 November 2021 against the decision of the City to refuse a development application. The matter is listed for Mediation on 7 February 2022. Mediation on 7 February 2022 where it was resolved that: Additional information would be submitted to the City by 22 March; Mediation listed for 5 April 2022. Mediation on 5 April 2022 where it was resolved that: Applicant to provide amended application on or before 8 July 2022; Mediation scheduled 22 July 2022; Respondent (the City) to reconsider on or before 18 November 2022; Listed for directions hearing 25 November 2022. Mediation on 22 July 2022 where it was resolved that: Applicant to provide an updated suite of documents on or before 12 August 2022; By 16 September 2022 the respondent is to provide to the applicant respondent comments and any referral agency comments; Mediation is adjourned to 20 September 2022; Respondent to reconsider on or before 18 November2022; and Listed for directions hearing 25 November 2022. Mediation on 20 September 2022: Applicant to provide an updated suite of documents on or before 4 October; Mediation adjourned to 20 October 2022; Respondent to reconsider on or before 18 November 2022; Mediation listed for 20 October 2022 is vacated and relisted for 4 November 2022. The time to comply with the orders above to submit updated information is extended to 18 October 2022; Mediation listed for 4 November was vacated and the following orders affirmed: Respondent (the City) to reconsider on or before 18 November 2022. Directions hearing on 25 November was vacated and the following orders affirmed: Respondent (the City) to reconsider on or before 23 December 2022; Listed for directions hearing on 9 December 2022. 	Directions Hearing on 25 August 2023.	

APPLICATION (Name, No. and City File Reference)	PROPERTY	DATE COMMENCED	DECISION BEING REVIEWED	STAGE COMPLETED	NEXT ACTION AND DATE OF ACTION AS PER SAT ORDERS	DATE COMPLETED / CLOSED
Silverlodge Pty Ltd v City of Busselton (CC 1054/2022)	585 Caves Rd Marybrook	August 2022	Review of a decision under the Caravan Parks and Camping Grounds Act 1995.	following orders affirmed: Respondent (the City) to reconsider on or before 23 December 2022; Listed for directions hearing on 3 February 2023. Directions hearing on 3 February 2023 was vacated and relisted for directions hearing on 24 February 2023. Directions hearing on 24 February 2023 was vacated and relisted for directions hearing on 17 March 2023. Directions hearing on 17 March 2023 was vacated and relisted for directions hearing on 5 May 2023. Directions hearing on 5 May 2023. Directions hearing on 5 May 2023 was vacated and the following orders affirmed: Respondent (the City) to reconsider on or before 16 June 2023; Listed for directions hearing on 23 June 2023, it was ordered that: The Applicant file any amended plans by 30 June 2023; The Respondent file a statement of issues, facts and contentions (SIFC); and a statement of the reasons for the decision with supporting documents; The Applicant to file a SIFC by reference to the Respondent's SIFC; and Listed for directions hearing on 25 August 2023. Directions hearing listed for 23 September 2022 against the City reducing the number of licenced sites. Directions hearing on 23 September 2022 was vacated and listed for a mediation on 18 October 2022.	Directions Hearing on 18 July 2023	
				 listed for a mediation on 18 October 2022. Mediation on 18 October 2022: Mediation adjourned to a further mediation on 17 November 2022. Mediation on 17 November 2022 was vacated. Mediation listed for 22 December 2022. Mediation on 22 December 2022: Listed for a directions hearing on 31 January 2023. Directions hearing on 31 January 2023 was vacated. Directions hearing on 3 March 2023 Listed for directions hearing on 2 May 2023 Directions hearing on 2 May 2023 was vacated. Relisted for a further directions hearing on 6 June 2023. Listed for further directions hearing on 18 July 2023. 		

APPLICATION (Name, No. and City File Reference)	PROPERTY	DATE COMMENCED	DECISION BEING REVIEWED	STAGE COMPLETED	NEXT ACTION AND DATE OF ACTION AS PER SAT ORDERS	DATE COMPLETED / CLOSED
Happ & Anor v City of Busselton (DR 159/2022)	575 Commonage Road Quindalup	September 2022	Review of a direction by the City to stop and not recommence a development and to restore land to its state prior to the development	 Directions hearing listed for 14 October 2022. Mediation listed for 1 November 2022 and further directions hearing on 4 November. Mediation on 1 November referred to further mediation on 13 December 2022. Directions Hearing listed for 4 November vacated. Direction hearing on 13 December 2022: Orders that a further directions hearing take place on 20 January 2023. Directions hearing on 20 January 2023 was vacated and relisted for 3 March 2023. Directions hearing on 3 March 2023: By 14 April 2023 the parties have leave to file with the Tribunal and exchange any evidence expert or otherwise. Further Directions hearing to take place on 28 April 2023 Directions hearing on 28 April 2023 was vacated and re-listed for 4 August 2023 (to enable the City to assess a recently received development application) 	Directions Hearing on 4 August 2023	
Happ & Anor v City of Busselton (DR 197/2022)	575 Commonage Road Quindalup	November 2022	Review of direction 214(2) by the City	 Planning (General) Directions hearing listed for 25 November 2022. Directions hearing on 25 November 2022 was vacated and listed for mediation on 13 December 2022. Direction hearing on 13 December 2022: Orders that a further directions hearing take place on 20 January 2023. Directions hearing on 20 January 2023 was vacated and relisted for 3 March 2023. Directions hearing on 3 March 2023: By 14 April 2023 the parties have leave to file with the Tribunal and exchange any evidence expert or otherwise. Further Directions hearing to take place ion 28 April 2023 Directions hearing on 28 April 2023 was vacated and re-listed for 4 August 2023 (to enable the City to assess a recently received development application). 	Directions Hearing on 4 August 2023	
Johnson v City of Busselton (DR 61/2023)	214 Naturaliste Terrace, Dunsborough	April 2023	Review of a decision to refuse or conditionally grant an application under a planning scheme	 Directions hearing listed for 19 May 2023 against the City for failure to determine an application within the statutory timeframes. Listed for mediation on 30 May 2023 Due to no attendance by the Applicant, the matter relisted to 9 June 2023 On 9 June 2023, the SAT ordered that the proceeding is withdrawn 		9 June 2023

APPLICATION (Name, No. and City File Reference)	PROPERTY	DATE COMMENCED	DECISION BEING REVIEWED	STAGE COMPLETED	NEXT ACTION AND DATE OF ACTION AS PER SAT ORDERS	DATE COMPLETED / CLOSED
Forrest v City of Busselton (DR 101/2023)	Ludlow Park Road, Ludlow	June 2023	Review of a decision to refuse or conditionally grant an application under a planning scheme (Industry - Extractive)	 Directions hearing listed for 7 July 2023 Listed for Mediation on 9 August 2023 	Mediation on 9 August 2023	
REGIONAL JOINT DEVELO	PMENT ASSESSME	NT PANEL				
NIL						

13 April 2023

Hon R Saffioti MLA Minister for Planning 9th Floor, Dumas House 2 Havelock Street West Perth WA 6005 Libby Mettam MLA
Member for Vasse

Dear Minister

I am writing on behalf of my community, to express my concern regarding changes to the State planning framework that have occurred over time in Dunsborough, resulting in proposals for buildings of height and scale that were not anticipated when previous changes to the local planning framework occurred.

Following the application for several proposed new developments that far exceed the height of existing structures within the current town centre, the community and other key stakeholders have raised numerous valid concerns about the environmental, social, and cultural impacts that would occur should they proceed. They fear that the proposed high-rise buildings will have a negative effect on the fragile coastal ecosystem, exacerbate traffic and parking issues, and erode public access to facilities. Additionally, there are worries that the proposed developments will change the character of the town and detract from its sense of community.

Following extensive community consultation over a five-year period, the City of Busselton has taken a proactive approach to this issue by lodging the Amendment 52 and Dunsborough Precinct Structure Plan with the WA Planning Commission. The amendment proposes a reduction in the height of developments from a maximum of six-storey to more community-friendly three or four-storey developments. This amendment has strong community support, including from the Margaret River-Busselton Tourism Association and the Dunsborough-Yallingup Chamber of Commerce, who believe that without the endorsement of this Amendment, Dunsborough would lose its village atmosphere.

As the responsible Minister, I ask you favourably consider the City of Busselton's Amendment 52 and Dunsborough Precinct Structure Plan, which reflects the broader community's support for retaining the charm and appeal of this coastal community town.

I look forward to your considered response on this matter.

Kind regards

Libby Mettam MLA Member for Vasse

Leader of the WA Liberal Party

Cc Mayor Grant Henley
Dunsborough Progress Association

Unit 2 16 Prince Street Busselton WA 6280 PO Box 516 Busselton WA 6280

(08) 9752 1949

libby.mettam@mp.wa.gov.au



8 June 2023

Hon J Carey MLA Minister for Planning 11th Floor, Dumas House 2 Havelock Street West Perth WA 6005 Libby Mettam MLA Member for Vasse

Dear Minister

Congratulations on your appointment as Minister for Planning.

I am writing to you in your new role on behalf of my community regarding development concerns in Dunsborough.

I raised this with your predecessor in April 2023 but am yet to receive a response. I enclose a copy of that letter for you to peruse.

Changes to the State planning framework have occurred over time in Dunsborough, resulting in proposals for buildings of height and scale that were not anticipated when previous changes to the local planning framework occurred.

Following the application for several proposed new developments that far exceed the height of existing structures within the current town centre, the community and other key stakeholders have raised numerous valid concerns about the environmental, social, and cultural impacts that would occur should they proceed.

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As the responsible Minister, I ask you favourably consider the City of Busselton's Amendment 52 and Dunsborough Precinct Structure Plan, which reflects the broader community's support for retaining the charm and appeal of this coastal community town.

I look forward to your considered response on this matter.

Kind regards

Libby Mettam MLA Member for Vasse

Leader of the WA Liberal Party

Cc Mayor Grant Henley
Dunsborough Progress Association

Unit 2 16 Prince Street Busselton WA 6280 PO Box 516 Busselton WA 6280

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Minister for Transport; Planning; Ports

Our Ref:

72-43414

Ms Libby Mettam MLA Member for Vasse libby.mettam@mp.wa.gov.au

Dear Ms Mettam

DUNSBOROUGH PRECINCT STRUCTURE PLAN AND CITY OF BUSSELTON AMENDMENT 52

Thank you for your letter of 13 April 2023 regarding the above matter.

I can advise that Amendment 52 to the City of Busselton Local Planning Scheme No. 21 is currently being assessed by the Department of Planning, Lands and Heritage. Their recommendation will be considered by the Western Australian Planning Commission (WAPC) prior to being forwarded to me for final determination. I have been advised that the amendment is likely to be considered by the Statutory Planning Committee (SPC) of the WAPC in either May or June 2023.

My determination will consider both the issues raised in the submissions, and the recommendations of the City of Busselton and the WAPC. Planning controls will also be given detailed consideration including building height and massing (bulk and scale), local character, public amenity, and the planning context applicable to Dunsborough.

In regard to structure planning, the WAPC has sole responsibility for the consideration and approval of the related draft Precinct Structure Plan for the Dunsborough Town Centre. I have been advised the draft structure plan has been submitted to the WAPC and is being assessed concurrently with the amendment. However, the final determination will be withheld until I have finalised determination of Amendment 52.

Thank you for raising this with me.

Yours sincerely

HON RITA SAFFIOTI MLA MINISTER FOR PLANNING

07 JUN 2023

Level 9, Dumas House, 2 Havelock Street, West Perth, Western Australia, 6005 Telephone: +61 8 6552 5500 Facsimile: +61 8 6552 5501 Email: minister.saffioti@dpc.wa.gov.au



Our ref E23073909 Enquiries Julie Craig Phone 9492 9830

Email Julie.craig@dlgsc.wa.gov.au

Mr Tony Nottle Chief Executive Officer City of Busselton 2 Southern Drive BUSSELTON WA 6280

Dear Tony

CITY OF BUSSELTON – REDUCE COUNCILLOR NUMBERS – PUBLICATION IN GOVERNMENT GAZETTE

I am writing to advise that the Governor has made an order on the recommendation of the Minister for Local Government to reduce the City of Busselton's number of offices of councillor from nine to eight.

This follows previous advice from the Minister for Local Government on 16 May 2023 that the electoral reform pathway would apply.

This change will be implemented at the 2023 local government elections.

Notice to this effect was published in **Government Gazette** on 30 June 2023.

Yours sincerely

g. Craig

Julie Craig

STRATEGY AND RESEARCH OFFICER

EXECUTIVE SUPPORT BRANCH

On behalf of the Local Government Advisory Board

30 June 2023

PO Box 8349 Perth Business Centre WA 6849 Telephone (08) 9492 9700 Email info@dlgsc.wa.gov.au Web www.dlgsc.wa.gov.au