City of Busselton

Geographe Bay

Council Agenda

9 September 2020

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CITY OF BUSSELTON

MEETING NOTICE AND AGENDA – 9 SEPTEMBER 2020

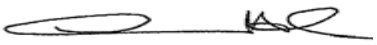
TO: **THE MAYOR AND COUNCILLORS**

NOTICE is given that a meeting of the Council will be held in the Council Chambers, Administration Building, Southern Drive, Busselton on Wednesday, 9 September 2020, commencing at 5.30pm.

Your attendance is respectfully requested.

DISCLAIMER

Statements or decisions made at Council meetings or briefings should not be relied on (or acted upon) by an applicant or any other person or entity until subsequent written notification has been given by or received from the City of Busselton. Without derogating from the generality of the above, approval of planning applications and building permits and acceptance of tenders and quotations will only become effective once written notice to that effect has been given to relevant parties. The City of Busselton expressly disclaims any liability for any loss arising from any person or body relying on any statement or decision made during a Council meeting or briefing.



MIKE ARCHER

CHIEF EXECUTIVE OFFICER

28 August 2020

CITY OF BUSSELTON

AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 9 SEPTEMBER 2020

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1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

2. ATTENDANCE

Apologies

Approved Leave of Absence

Nil

3. PRAYER

4. APPLICATION FOR LEAVE OF ABSENCE

5. DISCLOSURE OF INTERESTS

6. ANNOUNCEMENTS WITHOUT DISCUSSION

Announcements by the Presiding Member

7. QUESTION TIME FOR PUBLIC

Response to Previous Questions Taken on Notice

Public Question Time For Public

8. CONFIRMATION AND RECEIPT OF MINUTES

Previous Council Meetings

8.1 Minutes of the Council Meeting held 25 August 2020

RECOMMENDATION

That the Minutes of the Council Meeting held 25 August 2020 be confirmed as a true and correct record.

Committee Meetings

8.2 Minutes of the Airport Advisory Committee Meeting held 12 August 2020

RECOMMENDATION

That the Minutes of the Airport Advisory Committee Meeting held 12 August 2020 be noted.

8.3 Minutes of the Policy and Legislation Committee Meeting held 25 August 2020

RECOMMENDATION

That the Minutes of the Policy and Legislation Committee Meeting held 25 August 2020 be noted.

9. RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

Petitions

Presentations

Deputations

10. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT DISCUSSION)

11. ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY

12. REPORTS OF COMMITTEE

12.1 Policy and Legislation Committee - 25/8/2020 - LOCAL PLANNING POLICY REVIEW - ADOPTION OF LOCAL PLANNING POLICIES FOLLOWING PUBLIC CONSULTATION : LPP XX : EXEMPT DEVELOPMENT AND LPP XX : OUTBUILDINGS AND OTHER NON-HABITABLE BUILDINGS; AND REVOCATION OF LPP 4.8 : OUTBUILDINGS AND LPP 4.9 : OUTBUILDING ASSESSMENT

STRATEGIC GOAL	2. PLACE AND SPACES Vibrant, attractive, affordable
STRATEGIC OBJECTIVE	2.3 Creative urban design that produces vibrant, mixed-use town centres and public spaces.
SUBJECT INDEX	Development Control Policy
BUSINESS UNIT	Statutory Planning
REPORTING OFFICER	Senior Development Planner – Policy - Stephanie Navarro
AUTHORISING OFFICER	Director, Planning and Development Services - Paul Needham
NATURE OF DECISION	Legislative: to adopt legislative documents e.g. local laws, local planning schemes, local planning policies
VOTING REQUIREMENT	Simple Majority
ATTACHMENTS	Attachment A LPP XX : Exempt Development - Final Version Attachment B LPP XX : Outbuildings and Non-habitable Buildings - Advertised Version Attachment C LPP XX : Outbuildings and other Non-habitable Buildings - Final Version Attachment D Table of Submissions - LPP XX : Outbuildings and Non-habitable Buildings Attachment E LPP 4.8 : Outbuildings Attachment F LPP 4.9 : Outbuilding Assessment

This item was considered by the Policy and Legislation Committee at its meeting on 25 August 2020, the recommendations from which have been included in this report.

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council:

1. **Pursuant to Clause 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* adopt as final –**
   - (a) ***LPP XX : Exempt Development*, as set out at Attachment A; and**
   - (b) ***LPP XX : Outbuildings and other Non-habitable Buildings*, 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 those Policies set out in 1 above.**
3. **Pursuant to Clause 6 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* revoke –**
   - (a) ***LPP 4.8 : Outbuildings* (Attachment D); and**
   - (b) ***LPP 4.9 : Outbuilding Assessment* (Attachment E).**
4. **Publish a notice of revocation in a newspaper circulating within the Scheme area in accordance with clause 6 of Part 2 of Schedule 2 – Deemed Provisions for Local Planning Schemes of the *Planning and Development (Local Planning Schemes) Regulations 2015* of those Policies set out in 2 above.**

EXECUTIVE SUMMARY

Council is asked to consider final adoption of the following local planning policies ('Policies' or 'Policy', as appropriate to the context) which, since being initiated by Council, have been publicly advertised in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* ('Regulations'):

1. *LPP XX : Exempt Development*, as set out in Attachment A; and
2. *LPP XX : Outbuildings and other Non-habitable Buildings*, as set out in Attachment C.

As *LPP XX : Outbuildings and other Non-habitable Buildings* is proposed to consolidate and replace two existing Policies, Council is also asked to revoke the following two Policies:

1. *LPP 4.8 : Outbuildings* ('LPP 4.8'), provided at Attachment D; and
2. *LPP 4.9 : Outbuilding Assessments* ('LPP 4.9'), provided at Attachment E.

BACKGROUND

The Regulations provide that policies may be prepared by a local government in respect of any matter relating to planning and development subject to the *City of Busselton Local Planning Scheme No. 21* ('Scheme').

The intention of a policy is to provide guidance to applicants/developers and the community in regards to the decision-making process, as well as to the local government when exercising discretion under the Scheme. Policies must be consistent with the intent of the relevant Scheme provisions, including *State Planning Policy 7.3 - Residential Design Codes* ('R-Codes'), and cannot vary development standards or requirements set out in a Scheme or impose any mandatory requirements upon development.

Policies are to be given due regard in the assessment of development applications and are listed as a "matter to be considered" when making a determination of a development application under clause 67 of Schedule 2 of the Regulations.

In March 2019, the City commenced the first stage of the policy review. The City has now commenced the second stage of the review process and is currently reviewing the content and relevance of all policies. Due to the number of policies and the complexity of issues which need to be addressed, the review has been broken down into a number of stages.

It is proposed as part of this report that Council adopts as final *LPP XX : Exempt Development* (Attachment A) and *LPP XX : Outbuildings and other Non-habitable Buildings* (Attachment C) which were initiated by Council on 13 May 2020 for the purposes of public consultation. The Policies were advertised, in accordance with the Regulations, for 28 days from 27 May 2020 – 24 June 2020 (note: the Regulations require a minimum public consultation period of 21 days). The Policies were advertised via a notice placed in the local newspaper for four consecutive weeks and a portal was created on the City's *Your Say* platform website for the online lodgement of submissions.

In addition to the above, the City sent emails to all outbuildings companies that had lodged development applications in the past 12 months advising of draft *LPP XX : Outbuildings and other Non-habitable Buildings* and the proposed changes to the current requirements.

As it is proposed that *LPP XX : Outbuildings and other Non-habitable Buildings* will consolidate and replace the City's current two existing Policies, Council is also asked to revoke LPP 4.8 and LPP 4.9.

A description of the Policies being considered is set out in the 'Officer Comment' section of this report.

OFFICER COMMENT

LPP XX : Exempt Development

The purposes of *LPP XX : Exempt Development* is to exempt various kinds of minor development from the requirement to obtain development approval. The exemptions contained within this Policy would be in addition to those types of development already exempt under clause 61 of the Regulations and clause 6.1 of the Scheme.

During the public consultation period, no submissions were received in relation to this Policy. No changes are proposed to the version of the Policy proposed for adoption from what was initiated by Council and advertised.

It is, therefore, recommended that the Policy as set out in Attachment A be adopted as final.

LPP XX : Outbuildings and other Non-habitable Buildings (including revocation of LPP 4.8 and LPP 4.9)

The purposed of *LPP XX : Outbuildings and other Non-habitable Buildings* is to replace two existing Policies, being LPP 4.8 and LPP 4.9. LPP 4.8 relates to outbuildings on Residential zoned lots while LPP 4.9 relates to outbuildings and other non-habitable buildings (as defined by the Policy) in the Rural Residential, Rural, Conservation, Rural Landscape, Viticulture and Tourism, and Bushland Protection zones. It is proposed that the new Policy will consolidate the requirements into a single Policy to improve ease of use. The version of this Policy that was initiated by Council and advertised for public consultation is provided at Attachment B.

During public consultation, two submissions were received. A summary of submissions and comments addressing the comments raised is provided at Attachment F.

Upon completion of the advertising period, further review of the Policy was undertaken at an officer level. As a result of this further consideration a number of modifications are proposed to the version of the Policy that is recommended to be adopted in final form. The modifications do not alter or change the standards or provisions within the Policy and therefore it is considered that re-advertising the amended Policy is not necessary. The changes that are proposed are as follows:

1. Change of title from *LPP XX : Outbuildings and Non-habitable Buildings* to *LPP XX : Outbuildings and other Non-habitable Buildings*. An outbuilding by definition is an enclosed non-habitable building. To clarify that the Policy applies to both outbuildings and other types of non-habitable buildings, such as patios and carports as defined by the Policy, as outbuildings are also non-habitable structures.
2. The maximum wall heights, ridge heights and total areas for outbuildings and other non-habitable buildings in the different zones have been moved into a single table to improve the utilisation of the Policy and simplify the format of the Policy.
3. To facilitate the change above, the individual design principles for each Zone have been removed and incorporated into the Purpose of the Policy.
4. Policy provisions advising when a development application is required for an outbuilding and/or other non-habitable building have been removed, as these are not necessary or appropriate as provisions. These were considered to be information only and therefore it is considered that these would be more suited to a note within the Policy and would be supplemented with a fact sheet that would be prepared if the Policy is adopted.

It is, therefore, recommended that the Policy as set out in Attachment C be adopted as final.

Statutory Environment

The key statutory environment is set out in the *Planning and Development Act 2005* and related subsidiary legislation, including the City of Busselton Local Planning Scheme No. 21 (the Scheme) and the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), especially Schedule 2 (Deemed Provisions) of the Regulations, which form part of the Scheme.

Division 2 — Local planning policies

3. Local planning policies

1. The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

2. A local planning policy —

1. may apply generally or in respect of a particular class or classes of matters specified in the policy; and

2. may apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy.

3. A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies.

4. The local government may amend or repeal a local planning policy.

5. In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

4. Procedure for making local planning policy

1. If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows –

1. publish a notice of the proposed policy in a newspaper circulating in the Scheme area, giving details of —

1. the subject and nature of the proposed policy; and

2. the objectives of the proposed policy; and

3. where the proposed policy may be inspected; and

4. to whom, in what form and during what period submissions in relation to the proposed policy may be made;

5. if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;

6. give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.

7. The period for making submissions in relation to a local planning policy must not be less than a period of 21 days commencing on the day on which the notice of the policy is published under subclause (1)(a).

8. After the expiry of the period within which submissions may be made, the local government must —

1. review the proposed policy in the light of any submissions made; and

2. resolve to —

1. proceed with the policy without modification; or

2. proceed with the policy with modification; or

3. not to proceed with the policy.

4. If the local government resolves to proceed with the policy, the local government must publish notice of the policy in a newspaper circulating in the Scheme area.

5. A policy has effect on publication of a notice under subclause (4).

6. The local government —

1. must ensure that an up-to-date copy of each local planning policy made under this Scheme is kept and made available for public inspection during business hours at the offices of the local government; and

2. may publish a copy of each of those local planning policies on the website of the local government.

6. Revocation of local planning policy

A local planning policy may be revoked —

(a) by a subsequent local planning policy that —

(i) is prepared in accordance with this Part; and

(ii) expressly revokes the local planning policy;

Or

(b) by a notice of revocation —

(i) prepared by the local government; and

(ii) published in a newspaper circulating in the Scheme area.

Relevant Plans and Policies

Local Planning Strategy 2019

The purpose of the LPS is to:

1. set out the long-term (25 years-plus) broad planning direction for the whole of the District of the City of Busselton;
2. provide a strategic rationale for decisions related to the planning and development of the District;
3. apply State and regional planning policies relevant to the strategy; and
4. provide a strategic rationale for decisions related to the planning and development of the District. The LPS consists of five 'planning themes' with Theme 4 : Environment, landscape and heritage relating to the natural, rural and urban landscapes of the District.

Financial Implications

There are no financial implications associated with the Officer Recommendation.

Stakeholder Consultation

In accordance with the Regulations, it is proposed that a notice be placed in the local newspaper advising that *LPP XX : Exempt Development* and *LPP XX : Outbuildings and other Non-habitable Buildings* have been adopted as final and that LPP 4.8 and LPP 4.9 have been revoked.

Risk Assessment

An assessment of the risks associated with the implementation of the Officer Recommendation has been undertaken using the City's risk assessment framework. No risks of a medium or greater level have been identified.

Options

As an alternative to the Officer Recommendation, the Council could:

1. Modify one or more of the Policies recommended to be adopted as final; and/or
2. Not to adopt one or more of the Policies recommended to be adopted as final; and/or
3. Not revoke one of more of the Policies recommended to be revoked.

CONCLUSION

It is recommended that Council support the proposed adoption and revocation of the Policies as described in this report.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Implementation of the Officer Recommendation would involve notification of the adopted and revoked Policies as outlined in the consultation section of this report above. It is expected that this will commence within one month of the Council decision.

Local Planning Policy No. XX
Exempt Development
Version: Proposed

1. HEAD OF POWER AND SCOPE

This Policy has been adopted pursuant to *Planning and Development (Local Planning Schemes) Regulations 2015* (WA), Schedule 2 ('Deemed Provisions'), Clause 4 and applies to development across the whole of the City.

Clause 61 of the Deemed Provisions identifies that development approval is not required for a range of matters, and further allows local governments the ability to further exempt development types by specifying those development types within a local planning policy.

2. PURPOSE

The purpose of this policy is to establish development that is exempt from requiring development approval to:

2.1. Provide certainty about what development is exempt from the need for development approval; and

2.2. Streamline the land use planning regulatory process; and

2.3. Ensure acceptable development outcomes are maintained.

Note 1: These exemptions are in addition to development identified in Clause 61, 'Development for which development approval not required', of the Deemed Provisions and clause 6.1 Permitted Development of the Scheme.

Note 2: It should be noted that whilst this Policy identifies certain development types that do not require development approval, other approvals, including a building permit, may still need to be obtained from the City.

3. INTERPRETATION

Terms should be interpreted in the same way as they would be interpreted if they were contained or within the Scheme, other than those terms defined below:

"BAL" means Bushfire Attack Level as determined in accordance with *Australian Standard AS3959: Construction of buildings in bushfire-prone areas* (as amended).

"Deemed Provisions" means Schedule 2 - Deemed provisions for local planning schemes of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

"Heritage significance" means a place that is —

(i) entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990* (WA);

(ii) the subject of an order under the *Heritage of Western Australia Act 1990* (WA) Part 6;

(iii) included on a heritage list prepared in accordance with this Scheme;

(iv) within an area designated under the Scheme as a heritage area; or

(v) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* (WA) section 29.

Note 3: In relation to point (iv) above, there are currently no 'heritage areas' within the City of Busselton

"Incidental development" means any non-habitable structure associated with a Single House, not considered to be an Outbuilding, that is not located under the main roof of the Single House and/or is not attached to the Single House and includes, but is not limited to, the following:

(a) patio;

(b) pergola;

(c) shade sail;

(d) decking not more than 500mm above natural ground level;

(e) swimming pool where no part of the swimming pool structure is more than 500mm above natural ground level other than an associated safety barriers in accordance with *AS1926.1* & *AS1926.2* (as amended) provided the safety barriers comply with the definition of 'visually permeable' (as defined by *State Planning Policy 7.3: Residential Design Codes Volume 1* (as amended)).

(f) retaining and fill not more than 500mm above natural ground level; and/or

(g) water tank/s.

"Outbuilding" as defined by *State Planning Policy 7.3: Residential Design Codes Volume 1* (as amended) and means 'An enclosed non-habitable structure that is detached from any dwelling.'

"Residential Development" means Single Houses, Ancillary Dwelling, Grouped Dwelling and/or Multiple Dwellings.

"Scheme" means the *City of Busselton Local Planning Scheme No. 21* (as amended).

"Solar Collectors" as defined by *State Planning Policy 7.3: Residential Design Codes Volume 1* (as amended) and means 'Solar collecting components of the following: thermal heating systems, photovoltaic systems (i.e. solar panels) and skylights.'

4. POLICY STATEMENT

Except as otherwise provided in the Deemed Provisions or Scheme, the following development does not require the development approval of the local government –

4.1 The erection or extension of a Single House, Outbuilding and/or Incidental Development in the Rural, Viticultural and Tourism, Rural Residential, Conservation, Rural Landscape and Bushland Protection zone, where-

(a) The development is not located within one of the following Special Control Areas:

(i) Airport Protection; or

(ii) Coastal Management; or

(iii) Development Investigation; or

(iv) Floodway; or

(v) Landscape Value; or

(vi) Special Character; or

(vii) Special Provision; or

(viii) Waste Water Exclusion; or

(ix) Waste Water Buffer; or

(x) Wetland; and

(b) Unless supported by a Local Development Plan, the development does not require the exercise of discretion by the local government under the Scheme including, but not limited to, the following:

(i) Clause 4.8 Height of Buildings; and

(ii) Clause 4.31 Clearing of land in rural areas or land coded R2, R2.5 or R5; and

(iii) Clause 4.33 Building Envelopes in Rural Areas; and

(iv) Clause 4.34 Building Materials and Visual Amenity in the Rural Landscape and Conservation zones; and

(v) Clause 4.36 Setback requirements in the Rural and Viticulture and Tourism zones; or

(vi) Clause 4.37 Special Provisions relating to the Conservation zone; or

(vii) Clause 4.38 Special Provisions relating to the Rural Residential Zone; or

(viii) Clause 4.39 Special Provisions relating to the Rural Landscape Zone; or

(ix) Clause 4.40 Special Provisions relating to the Bushland Protection Zone; and

(c) The development is consistent with any Detailed Area Plan, Development Guide Plan, Structure Plan adopted pursuant to the Scheme; and

(d) The development is consistent with the quantitative standards in any local planning policy; and

(e) The development is not located in a place that is recognised as having Heritage significance; and

(f) Where the development is located within a Bushfire Prone Area, the development has a BAL of BAL-29 or lower or the works are exempt from compliance with State Planning Policy 3.7 – Planning in Bushfire Prone areas including the Guidelines for Planning in Bushfire Prone Areas.

Note 4: The above exemption excludes dwellings which are re-purposed or second-hand dwellings as defined by the Scheme.

Note 5: The above exemption does not apply to an outbuilding on a vacant lot in the Rural Residential, Conservation, Rural Landscape and Bushland Protection zones. An outbuilding on a vacant Rural and/or Viticulture and Tourism zoned lot, that meets the above requirements, is exempt from requiring development approval.

4.2 Solar collectors associated with a development where the Residential Design Codes of WA (R-codes) do not apply and:

(a) Are positioned on the roof of a building; and

(b) Have a maximum projection of 1.5m from the point of the roof where it is attached; and

(c) The building is compliant with the height controls prescribed within clause 4.8 – Height of Buildings of the Scheme; and

(d) The development is located in a place that is not recognised as having Heritage significance.

Note 6: Where the R-codes apply, solar collectors which meet the deemed-to-comply criteria of clause 5.4.4 External fixtures of the R-codes, are exempt as per the Deemed Provisions.

4.3 A flag pole;

(a) That is not an advertisement; and

(b) Does not display offensive material; and

(c) The flag affixed is no larger than $2m^2$ on either side; and

(d) Is located such that the pole, including all supporting structures, and flag at full extension when attached to the pole are contained within the lot boundaries; and

(e) Has a maximum height of 6m above natural ground level and 200mm in diameter; and

(f) Setback a minimum of 1.5m from any lot boundary; and

(g) No more than one flag pole per lot is to be erected.

4.4 An outdoor eating facility located on a public place subject to an outdoor eating permit pursuant to the City of Busselton Activities in Thoroughfares and Public Places and Trading Local Law 2015.

4.5 One outbuilding equal to or less than ten square metres in size per Residential zoned lot that meets the following:

(a) Wall and ridge height are consistent with Appendix 1 of Local Planning Policy X – Outbuildings and other Non-habitable Buildings; and

(b) Not located within the front setback area; and

(c) There is a dwelling on the lot.

5. REVIEW DETAILS

Review Frequency		2 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE		Resolution #	

Local Planning Policy No. XX
OUTBUILDINGS AND NON-HABITABLE BUILDINGS - ADVERTISED

1. HEAD OF POWER AND SCOPE

This Policy has been adopted pursuant to the *Planning and Development (Local Planning Schemes) Regulations 2015* (WA), Schedule 2 (Deemed Provisions), Clause 4 and applies to:

(a) all Outbuildings in the following Zones:
(i) Residential;(ii) Regional Centre; (iii) Centre; and (iv) Local Centre.

(b) all Outbuildings and Non-habitable buildings in the following Zones:
(i) Rural Residential;
(ii) Rural;
(iii) Viticultural and Tourism;
(iv) Rural Landscape;
(v) Conservation; and
(vi) Bushland Protection.

Clause 60 of the Deemed Provisions requires a person to obtain the prior development approval of the local government unless:

(a) that development is of a type referred to in Clause 61 – 'Development for which development approval not required' of the Regulations; or

(b) the carrying out of any other works specified in a Local Planning Policy or Local Development Plan that applies to the development are works that do not require development approval.

Exemptions applicable to Outbuildings and Non-habitable buildings in the different Zones are outlined in the applicable Policy Statement below.

2. PURPOSE

The purpose of this Policy is to ensure:

(a) Outbuildings and Non-habitable buildings do not unreasonably detract from the streetscape and/or the visual amenity of residents or neighbouring properties; and

(b) Outbuildings and Non-habitable buildings are of a form and scale consistent with the Objectives of the Zone in which they are located as well as their intended use and the use of the property; and

(c) Outbuildings are not capable of being utilised for Habitable purposes.

3. INTERPRETATION

3.1 The two terms defined below are critical to interpretation and application of this Policy:

"Acceptable Development" means the provisions of this Policy contained within Table 4.1.2, 4.3.2, 4.4.2 and 4.5.2 which, if satisfied with respect to a development proposal, that proposal is deemed compliant with the purpose of this Policy. The local government should not refuse to grant approval to an application where the application satisfies the relevant Acceptable Development provisions provided all other applicable requirements have been met.

Local Planning Policy No. XX
OUTBUILDINGS AND NON-HABITABLE BUILDINGS - ADVERTISED

"Design Principles" means the provisions of this Policy contained within Table 4.1.2, 4.3.2, 4.4.2 and 4.5.2to be used in the preparation, submission and assessment of development proposals that do not meet the relevant Acceptable Development provisions, and which if satisfied with respect to a development proposal, that proposal is deemed compliant with the purpose of this Policy. The local government should not refuse to grant approval to an application where the application satisfies the relevant Design Principles provisions provided all other applicable requirements have been met.

3.2 Other terms should be interpreted in the same way as they would be interpreted if they were contain or within the Scheme, other than those terms defined below:

"Building Envelope" means an area within which development (other than landscaping or means of access) on a lot should generally be contained and which is identified on a Structure Plan, DGP, Local Development Plan, Building Envelope Plan or similar.

"DGP" means a plan adopted as a Development Guide Plan by the City and WAPC prior to the introduction of the *Planning and Development (Local Planning Schemes) Regulations 2015* (WA).

"Habitable purposes" means intended to be lived in on a permanent or temporary basis.

"Non-habitable building" means any building, not considered to be an Outbuilding (as defined below), that can be attached or detached to a dwelling but is not located under the main roof of a dwelling and includes, but is not limited to:

(a) carports;
(b) patios;
(c) Shade structure/orchard enclosure; and
(d) pergolas/gazebos;

"Outbuilding" means an enclosed non-habitable structure.

but excludes boundary fences, water tanks and swimming pools and decking not more than 500mm above natural ground level.

"R-codes" means *State Planning Policy 7.3: Residential Design Codes Volume 1* (as amended).

"Residential Development" means Single Houses, Ancillary Dwelling, Grouped Dwelling and/or Multiple Dwellings.

"Scheme" means the *City of Busselton Local Planning Scheme No. 21* (as amended).

4. POLICY STATEMENT

This Policy has been separated into the following sections:

4.1 Outbuildings associated with Residential Development in the Residential, Regional Centre, Centre and Local Centre Zones.

4.2 Outbuildings not associated with Residential Development in the Residential, Regional Centre, Centre and Local Centre Zones.

4.3 Outbuildings and Non-habitable buildings in the Rural Residential Zone.

4.4 Outbuildings and Non-habitable buildings in the Rural and Viticulture and Tourism zones.

4.5 Outbuildings and Non-habitable buildings in the Rural Landscape, Conservation and Bushland

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OUTBUILDINGS AND NON-HABITABLE BUILDINGS - ADVERTISED

Protection zones.

Note: Section 4.1 and 4.2 of this Policy do not apply to Non-habitable buildings as they are to be assessed as a 'building' in accordance with the requirements of the Residential Design Codes of WA and Scheme.

4.1 OUTBUILDINGS ASSOCIATED WITH RESIDENTIAL DEVELOPMENT IN THE RESIDENTIAL, REGIONAL CENTRE, CENTRE AND LOCAL CENTRE ZONES.

It is considered that the following Acceptable Development provisions do not amend or replace the 'deemed-to-comply' criteria of the R-codes and therefore where a proposal does not meet those criteria the proposal will require a development application.

The 'deemed-to-comply' criteria of Clause 5.4.3 Outbuildings of the R-codes are provided below. Those in **bold** below are augmented by this Policy -

C3 Outbuildings that:
- *i. are not attached to a dwelling;*
- *ii. are non-habitable;*
- ***iii. collectively do not exceed 60m² in area or 10 per cent in aggregate of the site area, whichever is the lesser;***
- ***iv. do not exceed a wall height of 2.4m;***
- ***v. do not exceed ridge height of 4.2m;***
- *vi. are not within the primary or secondary street setback area;*
- *vii. do not reduce the amount of open space required in Table 1 [of the R-codes]; and*
- *viii. are set back in accordance with Tables 2a and 2b [of the R-codes].*

In assessing an application for development approval, where a discretion is sought to iii, iv and/or v of Clause 5.4.3 of the R-codes (as outline above) and the development meets the applicable Acceptable Development provisions below, the application will be deemed to meet the associated Design Principles of the R-codes and therefore development approval will be granted by the City.

4.1.1 Outbuildings on vacant lots

Up to one Outbuilding on a vacant lot will be supported where:

(a) Construction of a dwelling on the lot has substantially commenced (i.e. foundations completed); and

(b) No bathroom and/or toilet are proposed within the Outbuilding; and

(c) It is not proposed that the Outbuilding will be used for Habitable purposes.

4.1.2 Acceptable Development and Design Principles for Outbuildings

Lots coded R2 - R5 and/or lots 2,000m² and greater	
Acceptable Development	**Design Principles**
Max area of outbuildings : 120m² **Wall Height** : 3.1m	As per the R-codes and provided below: Outbuildings that do not detract from the streetscape or

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Ridge Height : 4.5m **Setbacks :** In accordance with the R--codes.	the visual amenity of residents or neighbouring properties

Lots coded R10 – R25 and/or lots greater than 300m² and 2,000m² or less	
Acceptable Development	**Design Principles**
Max area of outbuildings : 90m² or 10% in aggregate of the site area, whichever is the lesser. **Wall Height** : 3.1m **Ridge Height** : 4.5m **Setbacks :** In accordance with the R-codes.	As per the R-codes and provided below: Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties

Lots coded R30 or above and/or lots 300m² or less	
Acceptable Development	**Design Principles**
Max area of outbuildings : 60m² or 10% in aggregate of the site area, whichever is the lesser. **Wall Height** : 2.7m **Ridge Height** : 4.5m **Setbacks :** In accordance with the R-codes.	As per the R-codes and provided below: Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties

4.2 OUTBUILDINGS NOT ASSOCIATED WITH RESIDENTIAL DEVELOPMENT IN THE RESIDENTIAL, REGIONAL CENTRE, CENTRE AND LOCAL CENTRE ZONES.

While the provisions of the R-codes do not apply to the non-Residential development within the Residential, Regional Centre, Centre and Local Centre Zones it is considered that Outbuildings associated with any non-Residential development within these zones should give due regard to the applicable 'deemed-to-comply' of Clause 5.4.3 Outbuildings of the R-codes and Acceptable Development provisions of this Policy.

4.3 OUTBUILDINGS AND NON-HABITABLE BUILDINGS IN THE RURAL RESIDENTIAL ZONE

Development approval will be required for an Outbuilding and/or Non-habitable building which:

(a) does not meet the Acceptable Development provisions as prescribed below; and/or

(b) is not exempted under Local Planning Policy XX : Exempt Development.

4.3.1 Outbuildings on vacant lots

Up to one Outbuilding on a vacant lot will be supported where:

(a) Construction of a dwelling on the lot has substantially commenced (i.e. foundations completed); and

(b) No bathroom and/or toilet are proposed within the Outbuilding; and

(c) It is not proposed that the Outbuilding will be used for Habitable purposes.

4.3.2 Acceptable Development and Design Principles for Outbuildings and Non-habitable buildings

Lots 5,000m² and less	
Acceptable Development	**Design Principles**
Maximum combined area of all outbuildings and non-habitable building: Max 120m² **Wall Height** : 3.1m **Ridge Height** : 4.5m **Setbacks** : Within a (BE). Where there is no BE, consistent with the Structure Plan, DGP, Local Development Plan or similar, or Scheme.	D1. Outbuildings and Non-habitable buildings that do not detract from the streetscape, the visual amenity of residents or neighbouring properties; and D2. Outbuildings and Non-habitable buildings that are located within a BE (where applicable). Where a lot does not have a designated BE, development should be located in proximity to, or clustered with, other development including the dwelling on the site; and D3. Outbuildings and Non-habitable buildings are located with consideration given to the retention of native vegetation and/or remnant vegetation on site; and D4. Outbuildings and Non-habitable buildings are located such that they do not increase the threat of bushfire to habitable buildings on the site; and D5. Outbuildings and Non-habitable buildings are of a form and scale consistent with the Objectives of the zone in which they are located as well as their intended use and the use of the property.

Lots greater than 5,000m²	
Acceptable Development	**Design Principles**
Maximum combined area of all outbuildings and non-habitable building: Max 200sqm	D1. Outbuildings and Non-habitable buildings that do not detract from the streetscape, the visual amenity of residents or neighbouring properties; and

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Wall Height : 3.6m **Ridge Height** : 5.5m **Setbacks** : Within approved BE. Where there is no BE, Structure Plan, DGP, Local Development Plan or similar, or Scheme.	D2. Outbuildings and Non-habitable buildings that are located within a BE (where applicable). Where a lot does not have a designated BE, development should be located in proximity to, or clustered with other development, including the dwelling, on the site; and D3. Outbuildings and Non-habitable buildings are located with consideration given to the retention of native vegetation and/or remnant vegetation on site; and D4. Outbuildings and Non-habitable buildings are located such that they do not increase the threat of bushfire to habitable buildings on the site; and D5. Outbuildings and Non-habitable buildings are of a form and scale consistent with the objectives of the Zone in which they are located as well as their intended use and the use of the property.

4.4 OUTBUILDINGS AND NON-HABITABLE BUILDINGS IN THE RURAL AND VITICULTURE AND TOURISM ZONES

Development approval will be required for an Outbuilding and/or Non-habitable building which;

(a) is not exempt under Local Planning Policy : Exempt Development; and

(b) is not associated with a Permitted ("P") land use in that zone as designated under Table 1 : The Zoning Table of the Scheme.

4.4.1 Outbuildings on vacant lots

Outbuildings may be located on vacant lots.

4.4.2 Acceptable Development and Design Principles and Non-habitable buildings

Acceptable Development	Design Principles
No maximum area, wall height or ridge height subject to the provisions of the *Building Codes of Australia* (as amended) and subject to satisfying the requirements of Clause 4.8 – Height of Buildings of the Scheme. **Setbacks** : Consistent with the Scheme.	N/A

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City of Busselton
Geographe Bay

4.5 OUTBUILDINGS AND NON-HABITBALE BUILDINGS IN THE RURAL LANDSCAPE, CONSERVATION AND BUSHLAND PROTECTION ZONE

Development approval will be required for an Outbuilding and/or Non-habitable building in the Rural Landscape, Conservation & Bushland Protection zones which;

(a) is not to be used in association with a Single House on the site; and/or

(b) is not exempt under Local Planning Policy: Exempt Development.

4.5.1 Outbuildings on vacant lots

Up to one outbuilding on a vacant lot will be supported where:

(a) Construction of the dwelling on the lot has substantially commenced (i.e. foundation completed); and

(b) No bathroom and/or toilet are proposed within the outbuilding; and

(c) It is not proposed that the outbuilding will be used for Habitable purposes.

4.5.2 Acceptable Development and Design Principles and Non-habitable buildings

Acceptable Development	Design Principles
Maximum combined area of all outbuildings and non-habitable buildings : Max 200m^2 **Wall Height** : 3.6m **Ridge Height** : 5.5m **Setbacks** : Within approved BE. Where there is no BE, consistent with the Structure Plan, DGP, Local Development Plan or similar, or Scheme.	D1. Outbuildings and Non-habitable buildings that do not detract from the streetscape, the visual amenity of residents or neighbouring properties; and D2. Outbuildings and Non-habitable buildings that are located within a BE (where applicable). Where a lot does not have a designated BE, development should be located in proximity to, or clustered with other development, including the dwelling, on the site; and D3. Outbuildings and Non-habitable buildings are located with consideration given to the retention of native vegetation and/or remnant vegetation on site (including any applicable covenants for the retention of vegetation); and D4. Outbuildings and Non-habitable buildings are located such that they do not increase the threat of bushfire to habitable buildings on the site; and D5. Outbuildings and Non-habitable buildings are of a form and scale consistent with the Objectives of the zone in which they are located as well as their intended use and the use of the property.

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Note: In relation to measuring wall and ridge height refer to ***Figures 1 – 5 : Measuring wall and ridge height of an Outbuilding and/or Non-habitable building.***

5. REVIEW DETAILS

Review Frequency		2 yearly		
Council Adoption	**DATE**		**Resolution #**	
Previous Adoption	**DATE**		**Resolution #**	

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OUTBUILDINGS AND NON-HABITABLE BUILDINGS - ADVERTISED

Figures 1 – 5 : Measuring wall and ridge height of an Outbuilding and/or Non-habitable buildings.

Measurements are to be taken from natural ground level. Where fill above natural ground level is proposed or has been previously approved the wall and ridge height are to be taken from the ground levels prior.

Figure 1 : Flat Style Roof

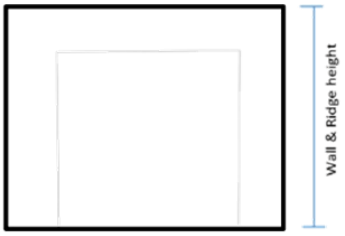


Figure 2 : Skillion Style Roof

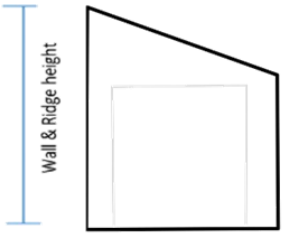


Figure 3 : Pitch Style Roof

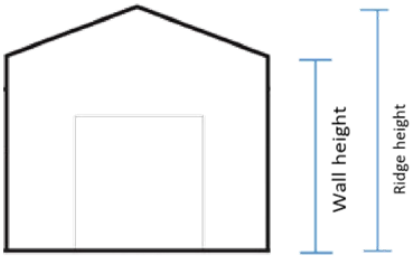


Figure 4 : Outbuilding with lean-to

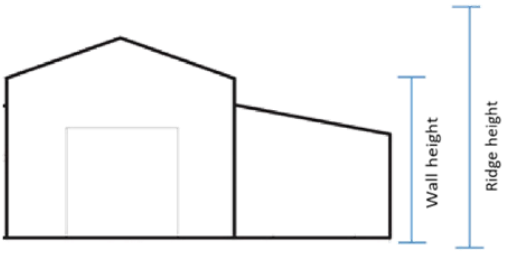
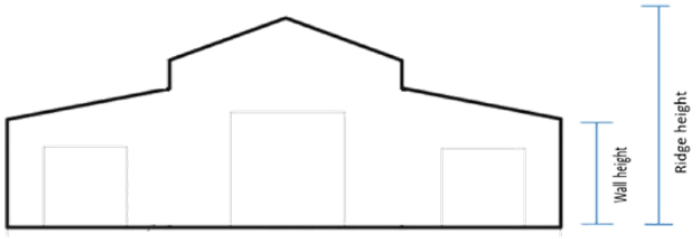


Figure 5 : Barn Style Roof



Local Planning Policy No. XX
Outbuildings and Other Non-Habitable Buildings
Version: Proposed

1. HEAD OF POWER AND SCOPE

This Policy has been adopted pursuant to the *Planning and Development (Local Planning Schemes) Regulations 2015* (WA), Schedule 2 ('Deemed Provisions'), Clause 4 and applies to:

(a) All Outbuildings in the following Zones:
  (i) Residential;
  (ii) Regional Centre;
  (iii) Centre; and
  (iv) Local Centre.

(b) All Outbuildings and other Non-habitable buildings in the following Zones:
  (i) Rural Residential;
  (ii) Rural;
  (iii) Viticulture and Tourism;
  (iv) Rural Landscape;
  (v) Conservation; and
  (vi) Bushland Protection.

Note 1 : See the City's 'Outbuildings and other Non-habitable Buildings Information Sheet' for guidance on exemptions from Development Approval.

2. PURPOSE

The purpose of this Policy is to outline standards and other guidance in relation to development of Outbuildings and other Non-habitable Buildings which are subject to this Policy as outlined in Part 1 above.

3. INTERPRETATION

Terms should be interpreted in the same way as they would be interpreted if they were contained or within the Scheme, other than those terms defined below:

"Building Envelope" means an area within which development (other than landscaping or means of access) on a lot should generally be contained and which is identified on a Structure Plan, DGP, Local Development Plan, Building Envelope Plan or similar.

"Centre Zones" includes land zoned 'Regional Centre', 'Centre' and/or 'Local Centre' under the Scheme.

"DGP" means a plan adopted as a Development Guide Plan by the City and WAPC prior to the introduction of the *Planning and Development (Local Planning Schemes) Regulations 2015* (WA).

"Habitable Purposes" means intended to be lived in on a permanent or temporary basis.

"Heritage significance" means a place that is —

(i) entered in the Register of Heritage Places under the Heritage of Western Australia Act 1990;

(ii) the subject of an order under the Heritage of Western Australia Act 1990 Part 6;

(iii) included on a heritage list prepared in accordance with this Scheme;

(iv) within an area designated under the Scheme as a heritage area; or

(v) the subject of a heritage agreement entered into under the Heritage of Western Australia Act 1990 section 29.

Note 2 : There are currently no 'Heritage Areas' within the City of Busselton.

"Non-habitable Building" means any building, not considered to be an Outbuilding (as defined below), that can be attached or detached to a dwelling but is not located under the main roof of a dwelling and includes, but is not limited to:

(a) carports;

(b) patios;

(c) shade structure/orchard enclosure; and

(d) pergolas/gazebos;

but excludes boundary fences, water tanks and swimming pools and decking not more than 500mm above natural ground level.

"Outbuilding" as defined by the R-codes and provided below:

An enclosed non-habitable structure that is detached from any dwelling. .

"R-codes" means *State Planning Policy 7.3: Residential Design Codes Volume 1* (as amended).

"Residential Development" means Single Houses, Ancillary Dwelling, Grouped Dwelling and/or Multiple Dwellings.

"Scheme" means the *City of Busselton Local Planning Scheme No. 21* (as amended).

4. POLICY STATEMENT

4.1 OUTBUILDINGS IN THE RESIDENTIAL OR CENTRE ZONES

(a) All Outbuildings associated with Residential Development in the Residential or Centre Zones should comply with the deemed-to-comply criteria of Part 5.4.3 Outbuildings of the R-codes as provided below:

C3 Outbuildings that:

i. are not attached to a dwelling;

ii. are non-habitable;

iii. collectively do not exceed 60m² in area or 10 per cent in aggregate of the site area, whichever is the lesser;

iv. do not exceed a wall height of 2.4m;

v. do not exceed ridge height of 4.2m;

vi. are not within the primary or secondary street setback area;

vii. do not reduce the amount of open space required in Table 1 [of the R-codes]; and

viii. are set back in accordance with Tables 2a and 2b [of the R-codes].

(b) Further to 4.1 (a) above, in assessing an application for development approval where a discretion is sought to iii, iv and/or v of Part 5.4.3 of the R-codes (indicated in **bold** above) and the development meets the applicable provisions within Appendix 1 : Outbuilding and

other Non-habitable Building Standards of this Policy, the application will be deemed to meet the associated Design Principles of the R-codes and therefore development approval will be granted by the City.

(c) All Outbuildings not associated with Residential Development in the Residential or Centre Zones should comply with Appendix 1 : Outbuilding and other Non-habitable Building Standards of this Policy.

4.2 OUTBUILDINGS AND OTHER NON-HABITABLE BUILDINGS IN RURAL RESIDENTIAL, RURAL LANDSCAPE, CONSERVATION, BUSHLAND PROTECTION, RURAL AND VITICULTURE AND TOURISM

(a) All Outbuildings and other Non-habitable Buildings in the Rural Residential, Rural Landscape, Conservation, Bushland Protection, Rural and Viticulture and Tourism should comply with Appendix 1 : Outbuilding and other Non-habitable Building Standards of this Policy.

4.3 OUTBUILDINGS AND OTHER NON-HABITABLE BUILDINGS ON VACANT LOTS

(a) Details regarding the circumstances where an Outbuilding and other Non-habitable Building may be supported on a vacant lot (i.e. a lot without a dwelling) are outlined in Appendix 1 : Outbuilding and other Non-habitable Building Standards of this Policy.

4.4 OBJECTIVES FOR THE ASSESSMENT OF APPLICATIONS

An outbuilding and other Non-habitable Building that meets the standards outlined in Appendix 1 is deemed compliant, with respect to the objectives below

Note 3: Development may also require assessment against other planning requirements, not directly identified or addressed in this Policy.

Where development does not meet those standards, it will be considered and required to satisfy the following objectives (in addition to any other relevant 'matters to be considered', as per clause 67 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*);

(a) Outbuildings and other Non-habitable Buildings are to be of a scale that will not unreasonably detract from the streetscape and/or the visual amenity of residents or neighbouring properties.

(b) Outbuildings and other Non-habitable Buildings are to be of a form and scale consistent with the Objectives of the Zone in which they are located.

(c) Outbuildings and other Non-habitable Buildings are to be suitably located on a site with adequate setbacks and located within a Building Envelope (where applicable). Where a lot does not have a designated Building Envelope but one is applicable under the Scheme, Outbuildings and other Non-habitable Buildings should be located in proximity to, or clustered with, other development (including the dwelling) on the site.

(d) Outbuildings and other Non-habitable Buildings are to be located with consideration given to the retention of native vegetation and/or remnant vegetation on site.

(e) Outbuildings and other Non-habitable Buildings are to be located such that they do not increase the threat of bushfire to habitable buildings on the site.

5. RELATED DOCUMENTS

- *State Planning Policy 7.3 Residential Design Codes*

6. REVIEW DETAILS

Review Frequency		2 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE		Resolution #	

APPENDIX 1 : OUTBUILDING AND OTHER NON-HABITABLE BUILDING STANDARDS

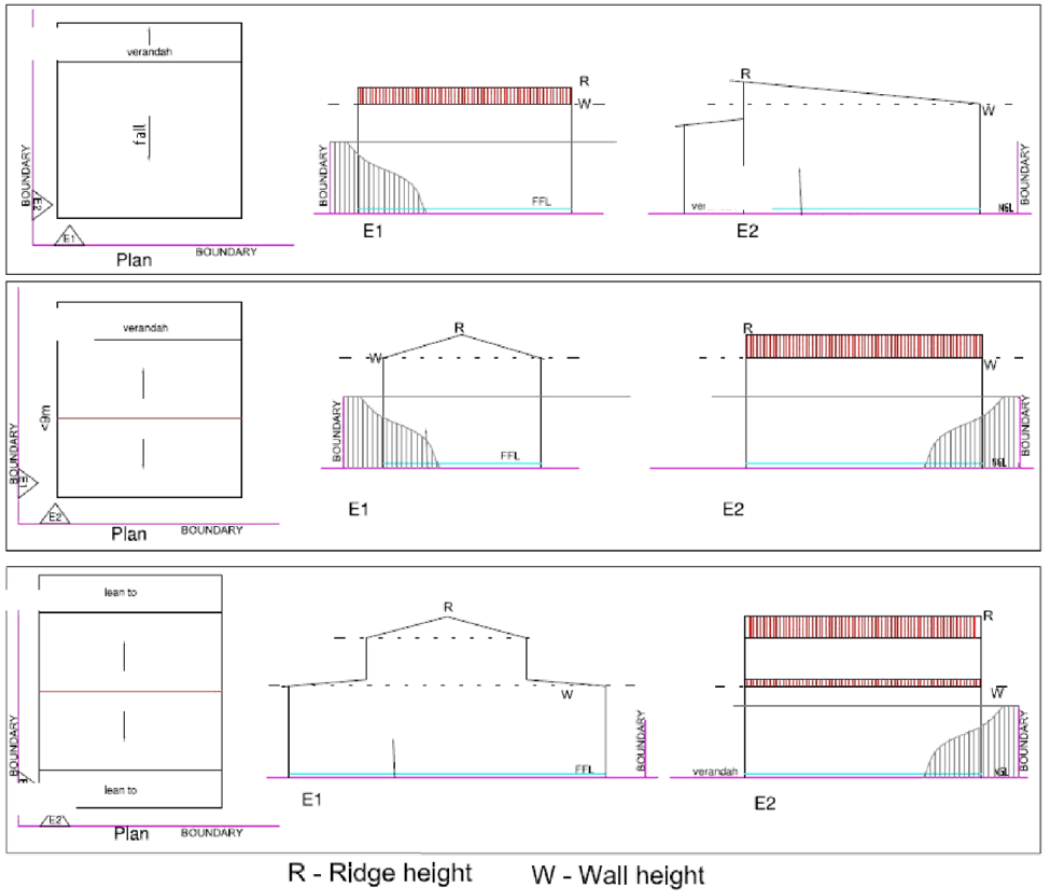
ZONE	DENSITY/LOT SIZE[4]	MAXIMUM WALL HEIGHT[6]	MAXIMUM RIDGE HEIGHT[6]	MAXIMUM TOTAL AREA	VACANT LOTS
• **Residential[5]** • **Centre Zones**	R30 and above (including RAC) and/or lots less than 300m²	2.7m	4.5m	60m² or 10% of the lot (whichever is lesser)	Up to one Outbuilding on a vacant may be supported where: (a) Construction of a dwelling on the lot has substantially commenced (i.e. foundations completed); and (b) No bathroom and/or toilet are proposed within the Outbuilding; and (a) It is not proposed that the Outbuilding will be used for Habitable Purposes.
	R10 – R25 and/or lots 300m² or greater but less than 2,000m²	3.1m	4.5m	90m² or 10% of the lot (whichever is lesser)	
	R2 - R5 and/or lots 2,000m² or greater	3.1m	4.5m	120m²	
• **Rural Residential**	Lots 5000m² or less	3.1m	4.5m	120m²	
	Lots greater than 5000m²	3.6m	5.5m	200m²	
• **Rural Landscape** • **Conservation** • **Bushland Protection**	All	3.6m	5.5m	200m²	
• **Rural** • **Viticulture and Tourism**	All	As per clause 4.8.1 of the Scheme.		No limit	Outbuildings may be located on vacant lots.

Note 4 : Where a lot falls within two categories of the density/lot size within the same zone the lesser/lower wall height, ridge height and total maximum area requirement shall apply.

Note 5: Maximum wall and ridge height and area do not apply to Non-habitable Buildings in the Residential zone as they are to be assessed as a 'building' in accordance with the requirements of the R-codes.

Note 6: In relation to measuring wall and ridge height refer to Appendix 2 : Measuring wall and ridge height of an Outbuilding and/or other Non-habitable building.

APPENDIX 2 : MEASURING WALL AND RIDGE HEIGHT OF AN OUTBUILDING AND/OR OTHER NON-HABITABLE BUILDING



R - Ridge height W - Wall height

SUMMARY OF SUBMISSIONS – FILE No. PO20/01

PROPOSAL: LPP Outbuildings and Non-habitable Buildings

SUBMISSIONS PERIOD : 27 MAY 2020 – 24 JUNE 2020

No	NAME & ADDRESS	Nature of Submission	Comment
1	Douglas Lindberg 4798 Bussell Highway Reinscourt	Comment: • There are a lot of sea containers used as storage. Can provision be made for these ? • Permanent containers should apply for permanent outbuilding permission or a cost difference for permanent or temporary . ?	The City requires all sea contains to obtain development approval. Each application is then required to be assessed on a case by case basis, including the potential impact of the sea containers on the visual amenity of the area. Where considered necessary the City requires upgrades to the external appearance of sea containers via conditions of development approval. The City's above position and expectations are to be set out within a fact sheet.
2	Graham Edwards 14 Averil Street Abbey	Concerns regarding an outbuilding built abutting property's rear boundary including impacts of outbuildings on the amenity of surrounding properties and how the City can ensure that they are used for non-habitable purposes?	The standards set out within the draft LPP are consistent with the standards routinely applied by City Officers when assessing similar applications. By included them within the LPP it will improve consistency with the expectations of applicants and the community. By definition an 'Outbuilding' is a non-habitable structure and as part of the building permit is assessed against the requirements of a class 10A building. If the City becomes aware that an outbuilding is being used for habitable purposes the City is able to undertake compliance action.

Local Planning Policy No. 4.8
OUTBUILDINGS

1. HEAD OF POWER

This Policy has been adopted pursuant to *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2 (Deemed Provisions), Clause 4 and applies to development across the whole of the City.

2. PURPOSE

To provide further interpretation of the Residential Design Codes and the Local Planning Scheme No. 21 in the assessment of applications for residential outbuilding development.

3. INTERPRETATION

N/A

4. POLICY STATEMENT

These provisions apply to all applications for Class 10A, Class 7 or 8 buildings including garages, sheds, carports, patios, pergolas and gazebos, but excluding swimming pools, on lots subject to the provisions of the R Codes.

The following provisions apply:-

4.1 Outbuildings on vacant lots Outbuildings that are proposed for construction on vacant residential lots will be actively discouraged except in the circumstance listed below:

4.2 Construction of a dwelling is imminent on the lot and a Building Licence for a dwelling has been approved by the City. In such circumstances the lodgement of a bond may be required to cover the value of removal of the structure and grading/ stabilising of the site to the satisfaction of the City of Busselton.

Outbuildings with WC and wet area facilities will not be approved until construction of a dwelling has substantially commenced.

4.3 Variation to the R Codes - wall height and size.

Provision 6.10.1 A1 (iv) and (v) of the R Codes shall be taken to read 'do not exceed a wall height of 2.7m' and 'do not exceed a ridge height of 4.5m' respectively.

Outbuildings that collectively do not exceed 90 sqm in area or 10% in aggregate of the site area, whichever is the lesser may be approved without Planning Consent subject to satisfying Performance Criteria of the R Codes.

Consultation with neighbouring and affected landowners

Where a proposed outbuilding is considered to have the potential to adversely impact on neighbouring residents, the City will require applicants to supply written comments from adjoining and affected landowners to assist in determining the application.

Local Planning Policy No. 4.8
OUTBUILDINGS

Where written comments are not able to be obtained by the applicant, staff will provide written advice to affected landowners of the proposed construction and invite them to submit comments to the City. If an affected landowner does not respond within the time provided (generally 14 days), the City will consider the application on the basis that the landowner has not exercised their opportunity to comment.

Where objections are received and the objections are not able to be adequately dealt with through Conditions of approval, the application will generally be refused. An application may be referred to Council for determination or reconsideration.

5. REVIEW DETAILS

Review Frequency		2 yearly		
Council Adoption	**10/3/2010**		**C1003/069**	
Previous Adoption	**DATE**		**Resolution #**	

* Policy number changed from LPP 1J to LPP 4.8 on the 11th May 2020. The change is administrative only, no resolution by Council required.

Local Planning Policy No. 4.9
OUTBUILDING ASSESSMENT

1. HEAD OF POWER

This Policy has been adopted pursuant to *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2 (Deemed Provisions), Clause 4 and applies to development across the whole of the City.

2. PURPOSE

The objective of these provisions is to streamline the approval process and provide further interpretation of the District Town Planning Scheme No. 20 in the assessment of applications for outbuilding development within the City of Busselton outside of the areas covered by the Residential Design Codes. These provisions are intended to guide decision making in respect of building that is defined under the Building Code of Australia as a Class 10A building (outbuilding), or a Class 7 or 8 building.

These provisions apply to all applications for Class 10A, Class 7 or 8 buildings including garages, sheds, carports, patios, pergolas and gazebos, rural sheds but excluding swimming pools, on lots not subject to the provisions of the R Codes. The provisions apply to, but are not limited to, land within the Rural Residential, Agriculture, Conservation, Rural Landscape, Viticulture and Tourism and Bushland Protection zoning. The Industrial, Tourist, Business and Restricted Business zones are excluded from these provisions.

All applications for Outbuildings within those areas defined in Schedule 1 will be assessed against this policy. Where there is an inconsistency between these provisions and the R Codes or another City Policy then these provisions prevails to the extent of such inconsistency. Where there is an inconsistency between these provisions and the Scheme then the Scheme prevails to the extent of such inconsistency.

3. INTERPRETATION

For the purpose of interpretation the 'Scheme' shall be the City of Busselton Local Planning Scheme.

For the purposes of these provisions an outbuilding is defined as a Class 10A or Class 7 or 8 building pursuant to the Building Code of Australia.

4. POLICY STATEMENT

4.1 Outbuildings on vacant lots - Rural Residential Zone

Approval will be granted for a maximum of one outbuilding on a vacant lot that is zoned Rural Residential. Approval for further outbuildings will not be issued until application and approval for a Building Licence for a dwelling has been issued and the dwelling is substantially completed.

Outbuildings are not to be used for cottage industry or other commercial purposes unless Planning Consent for a specific use has been issued. Outbuildings will not be approved which incorporate WC and wet area facilities unless an application for temporary accommodation has been approved or construction of a dwelling has substantially commenced.

Local Planning Policy No. 4.9
OUTBUILDING ASSESSMENT

City of Busselton
Geographe Bay

4.2 Outbuildings on vacant lots - Agriculture, Rural Landscape, Bushland Protection, Viticulture/Tourism, Conservation zones.

Approval can be granted for outbuildings and associated farm buildings on properties zoned as outlined above and on which there is no dwelling. Outbuildings will not be approved with
WC and wet area facilities unless an application for temporary accommodation has been approved, construction of a dwelling has substantially commenced or the applicant demonstrates to the satisfaction of the City of Busselton that the facilities are required for use by persons involved in an agricultural pursuit carried out upon the subject lot.

4.3 Size of outbuildings - outbuilding area and height

The total combined area of outbuildings permitted on a lot without formal planning consent being required is dependant on the scale of the proposal and zoning of the lot as indicated in the following Table 1. An outbuilding that would result in a total combined outbuilding area greater than permitted in the table is defined as an 'oversized' outbuilding for the purposes of these provisions.

Applications which satisfy the Table 1 requirements will normally only require a building licence from the City of Busselton.

Table 1 Outbuilding Assessment and Approval Requirements

Zoning of lot	Permitted total outbuilding area	Special Considerations
Rural Residential	Maximum of 120 sqm or Maximum of 160 sqm subject with the consent of the adjoining land owner(s).	Building envelopes, height restrictions and DGP's may apply to these lots and may impose further restrictions. A maximum wall height of 3.6 metres and a maximum ridge height of 5.5 metres will be accepted without neighbour's comments.
Agriculture zone Viticulture/Tourism zone	No limit subject to the provisions of the BCA and subject to satisfying the requirements of provision 4.4 Height to be determined by reference to the Scheme	Landscape Value Areas may apply (Refer to schedule 1)
Rural Landscape zone Conservation zone	Maximum of 120 sqm or Maximum of 160 sqm subject to satisfying the requirements of provision 4.4 below and with the consent of the adjoining land owner(s). Height to be determined by reference to the Scheme	Water storage tanks which are visible from any area outside the lot shall be painted to match adjacent dwellings or outbuildings and be entirely screened by planted vegetation. *building envelopes, height restrictions, DGP's and Landscape Value Areas may apply Walls and roofing are to be constructed of non reflective

Local Planning Policy No. 4.9
OUTBUILDING ASSESSMENT

		materials and in colours other than white or silver and shall be of colours and textures that are essentially natural and earthy. Clause 5.38
Bushland Protection Zone	Maximum of 120 sqm subject to satisfying the requirements of provision 4.4. Height to be determined by reference to the Scheme	* Building envelopes and DGP's may be applicable to these lots. * Landscape Value Areas may apply (Refer to schedule 1)

* The 'Use of Reflective Materials' Provisions will apply in some instances.
* Outbuildings proposed within the Business zone, Restricted Business, Tourist, Industrial zone or Public Purposes reserve are subject to application for Planning Consent in accordance with the Scheme.

4.4 Consideration of oversized and / or overheight outbuildings

These may require Planning Consent and in most cases will require consultation with adjoining and affected landowners.

An application for an 'oversized' or 'overheight' outbuilding will assessed in accordance with the following:

a. Size of the lot
b. Zoning of the lot
c. Materials of construction
d. Height of the proposed building
e. Visibility from nearby vantage points
f. Effect on adjoining properties and written comments from affected landowners
g. Any other circumstances and factors affecting the application
h. Other Scheme matters including, Structure Plan, DGP, DAP's Policies or State Planning Policies

5. REVIEW DETAILS

Review Frequency		2 yearly		
Council Adoption	**10/3/2010**		**C1003/069**	
Previous Adoption	**DATE**		**Resolution #**	

* Policy number changed from LPP 3H to LPP 4.9 on the 11th May 2020. The change is administrative only, no resolution by Council required.

Local Planning Policy No. 4.9
OUTBUILDING ASSESSMENT

APPENDIX 1

All applications for outbuildings within those areas defined below may require Planning Consent to be issued but in any event will require assessment in accordance with the Scheme to determine whether they require a Planning Consent:

1. Land within 200m, or for land from 200m - 400m where the outbuilding is potentially visible from the carriageway, of any road identified as a 'Travel Route Corridor' pursuant to Statement of Planning Policy No. 6.1 Leeuwin-Naturaliste Ridge Policy, including:

    * Metricup Road
    * Metricup Yelverton Road
    * Wildwood Road
    * Vasse Yallingup Siding Road
    * Commonage Road
    * Chain Avenue
    * Caves Road
    * Cape Naturaliste Road

2. Land within 200m of Bussell Highway, Busselton Bypass or Vasse Highway within the Agriculture, Conservation, Bushland Protection or Rural Landscape zone.

3. All land in a 'Landscape Value' Area outside of an urban area (an urban area is defined as Residential, Tourist, Business, Industrial, Restricted Business, Vasse Development and Special Purposes zones) or Rural Residential zone, pursuant to the City of Busselton District Town Planning 20 ("the Scheme") and any successive town planning scheme.

The inclusion of land within 400m of a road identified as a travel route corridor is based on the scaled width of these corridors on the Landscape Classes Map pursuant to State Planning Policy No. 6.1 – Leeuwin Naturaliste Ridge.

The inclusion of land within 200m of an important regional highway is on the basis that these areas are general rural character areas only.

12.2 Policy and Legislation Committee – 25/08/2020 - LOCAL PLANNING POLICY REVIEW - INITIATION OF NEW LPP XX : ADVERTISEMENTS AND ADVERTISING SIGNS

STRATEGIC GOAL	2. PLACE AND SPACES Vibrant, attractive, affordable
STRATEGIC OBJECTIVE	2.3 Creative urban design that produces vibrant, mixed-use town centres and public spaces.
SUBJECT INDEX	Development Control Policy
BUSINESS UNIT	Statutory Planning
REPORTING OFFICER	Senior Development Planner – Policy - Stephanie Navarro
AUTHORISING OFFICER	Director, Planning and Development Services - Paul Needham
NATURE OF DECISION	Legislative: to adopt legislative documents e.g. local laws, local planning schemes, local planning policies
VOTING REQUIREMENT	Simple Majority
ATTACHMENTS	Attachment A LPP ** : Advertisements and Advertising Signs - proposed

This item was considered by the Policy and Legislation Committee at its meeting on 25 August 2020, the recommendations from which have been included in this report.

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION
That the Council:

1. **Initiates for the purposes of public consultation a new *Local Planning Policy – LPP ** : Advertisements and Advertising Signs* (Attachment A); and**
2. **Advertise the initiated Local Planning Policy in a newspaper circulating within the Scheme area for four weeks 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.***

EXECUTIVE SUMMARY

Council is asked to consider initiation for the purposes of public consultation a new local planning policy ('Policy'), *LPP ** : Advertisements and Advertising Sign*s following Council's decision to defer consideration of any earlier version of the draft Policy at its meeting on 12 August 2020.

BACKGROUND

The *Planning and Development (Local Planning Schemes) Regulations 2015* ('Regulations') provide that policies may be prepared by a local government in respect of any matter relating to planning and development subject to the *City of Busselton Local Planning Scheme No. 21* ('Scheme').

The intention of a policy is to provide guidance to applicants/developers and the community in regards to the decision-making process, as well as to the local government when exercising discretion under the Scheme. Policies must be consistent with the intent of the relevant Scheme provisions, including *State Planning Policy 7.3 - Residential Design Codes* ('R-Codes'), and cannot vary development standards or requirements set out in a Scheme or impose any mandatory requirements upon development.

Policies are to be given due regard in the assessment of development applications and are listed as a "matter to be considered" when making a determination of a development application under clause 67 of Schedule 2 of the Regulations.

In March 2019, the City commenced the first stage of the policy review. The City has now commenced the second stage of the review process and is currently reviewing the content and relevance of all policies. Due to the number of policies and the complexity of issues which need to be addressed, this review has been broken down into a number of stages.

The purpose of this report is to request that Council initiate for the purposes of public consultation a new Policy, *LPP ** : Advertisements and Advertising Signs*, following Council's decision to defer any earlier version of the draft Policy at its meeting on 12 August 2020. A copy of the Policy requested to be initiate for public consultation is provided at Attachment A.

OFFICER COMMENT

An earlier version of the draft *LPP** : Advertisements and Advertising Signs* was considered by Council at its meeting on 12 August 2020 where it was determined to defer consideration to allow further work in relation to advertising signs which incorporate 'animation' to occur.

Policy Rationale (as per previous Council report)

It is proposed that this Policy be applicable to all Advertisements and Advertising Signs within the City not subject to the portable signs requirements under the *Activities in Thoroughfares and Public Places and Trading Local Law 2015* and *Council Policy - Portable Advertising Signs in Public Places*.

Under the proposed Policy an Advertisement is proposed to be defined as follows:

> *Advertisement as defined by the Deemed Provisions and provided below -*
>
> > *means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, that is used wholly or partly for the purposes of advertising, announcing or directing, and includes —*
> >
> > 1. *any hoarding or similar structure used, or adapted for use, for the display of advertisements; and*
> > 2. *any airborne device anchored to any land or building used for the display of advertising; and*
> > 3. *any vehicle or trailer or other similar object placed or located so as to serve the purpose of displaying advertising.*

The distinction is made within the Policy between an Advertisement and an Advertising Sign, which is a type of Advertisement, and is proposed to be defined as follows:

> *Advertising Sign means a permanent structure/s used for the purpose of advertisement, or to draw attention to, a product, business, person or event.*

Currently, the only controls that the City has in place in relation to Advertisements are contained with clauses 4.36.4, 4.41 and Schedule 11 – Exempted Advertising of the Scheme as outlined below:

1. Clause 4.36.4 outlines requirements for entry statements within the Rural and Viticulture and Tourism zones; and
2. Clause 4.41 outlines that Advertisements are prohibited if they advertise goods and services which are not produced, displayed or offered for sale, or which is otherwise not relevant to, the land upon which the advertisement is located; and
3. Schedule 11 includes specific types and requirements for Advertising Signs that if met are exempt under clause 6.1 Permitted Development of the Scheme from requiring development approval.

If an Advertisement does not comply with the requirements of clause 4.36.4 or Schedule 11, the City has not further requirements in place and development applications are required to be assessed on a case by case basis against the "matters to be considered" of the Regulations. A lack of further requirements has resulted in uncertainty regarding what the City considers to be acceptable when determining a development application for an Advertisement which requires approval. Therefore, it is proposed as part of the Policy that provisions relating to the maximum dimension/s and number of signs be introduced. Requirements for different zones are proposed to reflect the different land uses permissible in those areas, as well as the desired amenity of each zone.

As part of the preparation of this Policy, the City has considered the requirements of other local governments within Western Australia, including the City of Bunbury and various Perth Metropolitan local governments. In addition, officers have reviewed the City's former local law relating to signs and other advertising devices (which was repealed in 2015) as well as previous development approvals for various types of signs within the City. It is considered that the provisions proposed within this Policy are consistent with the current requirements that are generally applied by the City when assessing development applications.

Changes to draft Policy relating to animation

In addition to the above, it is proposed as part of the Policy to set requirements for advertisements which incorporates static illumination and/or animation. Currently the City does not have any specific controls around the illumination of advertisements, including the use of animation.

Static Illumination is proposed to be defined within the Policy as follows:

> *Static Illumination means an internal or external light source that lights any type of sign.*

It is proposed under the Policy that Static Illumination of advertising signs would only be permitted where the applicant is able to demonstrate to the satisfaction of the City that there will be unacceptable impact on surrounding residential properties.

Animation is proposed to be defined within the Policy as follows:

> *Animation means the movement or the appearance of movement through the use of patterns of lights, changes in colour or light intensity, computerized special effects, video displays, or through any other method.*

In the earlier draft version of the Policy, consideration of which was deferred by Council at its meeting on 12 August 2020, it was proposed that Advertising Signs that incorporate Animation would not be permissible for any commercial purposes and would only be permitted for not-for-profit organisations, schools and/or other authorities when used to display community messages.

Following further consideration, it was recognised that Advertising Signs which propose to incorporate Animation may be appropriate in 'Local Activity Centres.' The Policy proposes to define a 'Local Activity Centre' as follows:

> *Local Activity Centre means lot(s) which are zoned Local Centre under the Scheme and are identified within Table 3 : Activity Centre Framework of the Local Planning Strategy (LPS) as a 'Local Centre'.*

Currently, the following locations would meet the above definition and are already developed:

1. Lot 1 (170) Bussell Highway (West Busselton);
2. Lot 114 (328) Marine Terrace, Geographe (Bayside Shops);
3. Lots 65 (545) & Lots 1 – 14 (1/539 – 9/539) Bussell Highway (Broadwater);
4. Lots 34 (235) & Lot 58 (231) Bussell Highway (Bower Road);

5. Lot 24 (20) Monaghans Way Abbey (Monaghan's Corner); and
6. Lots 1 – 5 (2) Eagle Bay-Meelup Road, Eagle Bay and Lot 1 -4 (1) Ella Gladstone Drive, Eagle Bay (Eagle Bay).

In addition to the above, the following locations would meet the above definition however are yet to be developed include the following:

1. Lot 1 (1/28) Clydebank Avenue, West Busselton (Clydebank); and
2. Lot 1001 (7) Switchback Parade, West Busselton (Old Broadwater Farm); and
3. Lots 1 – 23 (19) and Lot 584 (5) Spinnakers Boulevard and Lot 585 (2) Port Lane Lot 9501 Port Lane (Port Geographe) (note: pending changes to the planning framework will result in this land being rezoned for residential development only).

The LPS identifies a number of additional Local Centres, being Blum Boulevard, Airport North, Ambergate North West, Dunsborough Lakes, Yallingup and Smiths Beach, however these Local Centres would not meet the definition proposed under the Policy as they are currently not zoned Local Centre under the Scheme. It is noted that when, and if, these Local Centres are rezoned they would meet the definition of a Local Activity Centre (as defined by the Policy) and therefore the provisions relating to Animation would also apply in these locations.

In addition, there are a number of lots which would fall outside the definition of a Local Activity Centre under the Policy but are zoned Local Centre under the Scheme. As per the proposed definition, Advertisements which incorporate Animation would not be supported in these locations.

Under the proposed Policy, one Advertising Sign which incorporates Animation would be permitted per Local Activity Centre (as defined by the Policy). It is proposed that where such signage is proposed other Freestanding Signage (i.e. Pylon signs) within that Local Activity Centre may need to be consolidated. It is considered that this will provide an incentive for lots with multiple tenancies to consolidate signage and therefore reduce clutter and improve the overall amenity of the sites.

The objectives of the Local Centre zone within the Scheme are as follows:

a. To provide for development at a scale sufficient to serve the Centre's catchment, but not detract from the commercial primacy of the Regional Centre and Centre zones.

b. Providing for limited expansion of existing smaller centres to ensure access to services at a local level and building neighbourhood identity.

c. To ensure that development provides for activation of the street and public spaces, high quality design and a variety of land uses.

By nature of the objectives of the zone, as well as their smaller size compared to lots zoned 'Centre' and 'Regional Centre', those locations that would be considered a Local Activity Centres under the Policy are generally occupied by smaller businesses. Signage which incorporates Animation is considered suitable within Local Activity Centres as these do not form part of larger commercial strips and the centres do substantially rely on passing vehicle traffic.

Concerns regarding third party advertising

The requirements under Clause 4.41 of the Scheme prevent the potential for widespread proliferation of third party billboard advertising within the City. It is considered that this type of advertising would significantly detract from the visual amenity of the District, in particular along Bussell Highway and the entrances into the Busselton City Centre and Dunsborough Town Centre, and would be inconsistent with the City's *Local Planning Strategy ('LPS'), Leeuwin Naturaliste Sub-Regional Strategy* ('LNSRS') and associated *State Planning Policy 6.1: Leeuwin-Naturaliste Ridge* (SPP6.1), inter alia. The strategic direction provided within the documents discourage commercialisation along travel route corridors and support the retention of the existing visual and environmental character and amenity of the District.

It is considered, under the current controls, the City has been relatively successfully in maintaining the natural and rural landscapes along these highly visible tourism routes providing a significant 'point of difference' relative to Perth and all other major regional centres in Western Australia. There are considered to be significant benefits that arise from that 'point of difference.'

There are concerns that, if the City were to introduce provisions which allow for the use of Animation in advertising signs in locations other than those defined as Local Activity Centres within the Policy, it would undermine visual amenity and local character. There are also substantial practical difficulties with enforcing controls that relate to dynamic content in signs. Note that the City has been approached on several occasions, including recently, seeking support for LED or similar signage.

It is recommend that the Policy as set out in Attachment A be initiated for the purposes of public consultation.

Statutory Environment

The key statutory environment is set out in the *Planning and Development Act 2005* and related subsidiary legislation, including the Scheme and the Regulations, especially Schedule 2 (Deemed Provisions) of the Regulations, which form part of the Scheme.

Division 2 — Local planning policies

3. Local planning policies

1. The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.

2. A local planning policy —

1. may apply generally or in respect of a particular class or classes of matters specified in the policy; and

2. may apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy.

3. A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies.

4. The local government may amend or repeal a local planning policy.

5. In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

4. Procedure for making local planning policy

1. If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows –

1. publish a notice of the proposed policy in a newspaper circulating in the Scheme area, giving details of —

1. the subject and nature of the proposed policy; and

2. the objectives of the proposed policy; and

3. where the proposed policy may be inspected; and

4. to whom, in what form and during what period submissions in relation to the proposed policy may be made;

5. if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;

6. give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.

7. The period for making submissions in relation to a local planning policy must not be less than a period of 21 days commencing on the day on which the notice of the policy is published under subclause (1)(a).

8. After the expiry of the period within which submissions may be made, the local government must —

1. review the proposed policy in the light of any submissions made; and

2. resolve to —

1. proceed with the policy without modification; or

2. proceed with the policy with modification; or

3. not to proceed with the policy.

4. If the local government resolves to proceed with the policy, the local government must publish notice of the policy in a newspaper circulating in the Scheme area.

5. A policy has effect on publication of a notice under subclause (4).

6. The local government —

1. must ensure that an up-to-date copy of each local planning policy made under this Scheme is kept and made available for public inspection during business hours at the offices of the local government; and

2. may publish a copy of each of those local planning policies on the website of the local government

Relevant Plans and Policies

The policies affecting this proposal include:

- Leeuwin-Naturaliste Sub-regional Strategy (LNSRS) and associated SPP6.1; and
- Local Planning Scheme (LPS).

LNSRS and associated SPP 6.1

The LNSRS is an overarching planning document that guides the future planning and development of all the land within the local government areas of the Shire of Augusta-Margaret River and the City of Busselton. The LNSRS was released in May 2019 with the following vision for the Leeuwin-Naturaliste sub-region:

> *The Leeuwin-Naturaliste sub-region to continue to develop and be managed in a manner consistent with the character, amenity and value of the natural and built environments, and the efficient use and equitable distribution of resources.*

SPP 6.1 includes a statement of intent to conserve the unique landscape values of the Leeuwin-Naturaliste Ridge, including those along travel route corridors. Both documents support the retention of the visual and environmental values along these routes and discourage commercialisation along travel route corridors. The City would consider that third party billboards along these routes would not be in keeping with the intention of LNSRS and SPP 6.1 and that controls regarding advertising signage, including restrictions on animated signage outside the Local Centre zone, proposed in the new Policy will reinforce intent of these documents.

LPS

The purpose of the LPS is to:

1. set out the long-term (25 years-plus) broad planning direction for the whole of the District of the City of Busselton;
2. provide a strategic rationale for decisions related to the planning and development of the District;
3. apply state and regional planning policies relevant to the strategy; and
4. provide a strategic rationale for decisions related to the planning and development of the District. The LPS consists of five 'planning themes' with Theme 4 : Environment, landscape and heritage relating to the natural, rural and urban landscapes of the District.

Strategies j) of Theme 4 states as follows:

> *j) Protect and enhance the visual character of the District by avoiding the further commercialisation of land-use and development visible from: i) key public vantage points (e.g. scenic lookouts, trails) within National Parks and conservation parks; and ii) regional roads, strategic local roads and travel route corridors (as defined in the Leeuwin-Naturaliste Ridge State Planning Policy); as well as providing, wherever possible and consistent with maintaining landscape and visual character values, screening landscaped buffers where development is being undertaken in locations visible from these sites, roads and travel routes.*

It is considered that the controls regarding advertising signage, including restrictions on animated signage outside the Local Centre zone, is in keeping with the intent of the LPS.

Financial Implications

There are no financial implications associated with the officer recommendation.

Stakeholder Consultation

Part 2, Division 2 of the Deemed Provisions requires that a local government undertake consultation before adopting or amending a local planning policy (although a minor amendment can be made without consultation). At least 21 days must be allowed for the making of submissions.

It is proposed that consultation will be for a period of four weeks and will be undertaken as follows:

1. Notices in the local newspaper for four consecutive weeks, as well as on the City's website, including the subject and nature as well as objectives of the proposed Policy; and
2. A portal is to be created using the City's *Your Say* platform for the online lodgment of submissions.

Risk Assessment

An assessment of the risks associated with the implementation of the Officer Recommendation has been undertaken using the City's risk assessment framework. No risks of a medium or greater level have been identified.

Options

As an alternative to the Officer Recommendation, the Council could:

1. Choose not to initiate the Policy recommended to be initiated as part of this report; and/or
2. Modify the Policy before initiation.

CONCLUSION

It is recommended that Council support the proposed initiation of the Policy as described in this report.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Implementation of the Officer Recommendation would involve public consultation of the initiated Policy as outlined in the consultation section of this report above. It is expected that this will commence within one month of the Council decision. A subsequent report will be presented to the Council following public consultation outlining the nature of any submissions received in relation to the Policy and any necessary modifications to the Policy (where applicable).

Local Planning Policy No. XX
ADVERTISEMENTS AND ADVERTISING SIGNS
Version: Proposed

1. HEAD OF POWER AND SCOPE

This Policy has been adopted pursuant to *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2 (Deemed Provisions) and applies to all Advertisements and Advertising Signs not defined as a Portable Signs located across the whole of the City.

Note 1: This Policy does not apply to Portable Signs, refer to Council Policy 'Portable Advertising Signs in Public Places' for provisions relating to Portable Signs.

2. PURPOSE

The purpose of this Policy is to:

2.1 Set standards relating to the design and placement of Advertisements and Advertising Signs within the City. Where Advertisements and Advertising Signs do not meet these standards they are to be:

(a) Designed, constructed and maintained to a high aesthetic standard and quality of presentation; and

(b) Integrated within the design of the development and are consistent with the character of the local area; and

(c) Designed such that they do not result in visual clutter and/or have a detrimental impact on the streetscape or visual amenity of the surrounding area and present a visually attractive appearance to public areas; and

(d) Consistent with the heritage values of a place (where applicable); and

(e) Integrated and rationalised where a site contains multiple tenancies; and

(f) Designed, constructed, secured and maintained so that they do not pose a hazard to motorists, pedestrians, cyclists and the public at large; and

2.2 In addition to the above, where Static Illumination and/or Animation are proposed, help ensure that illumination levels do not have an adverse impact on the amenity of the area or cause a nuisance to occupiers of surrounding residential premises.

3. INTERPRETATION

Other than those terms defined below, and types of signs defined in Appendix 1 : 'Types of Advertising Signage' of this Policy, terms should be interpreted in the same way as they would be interpreted if they were contained or within the Scheme, including those terms defined in the deemed provisions and Schedule 11 of the Scheme -

"Advertisement" as defined by the Deemed Provisions and provided below -

means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, that is used wholly or partly for the purposes of advertising, announcing or directing, and includes —

a) any hoarding or similar structure used, or adapted for use, for the display of advertisements; and

b) *any airborne device anchored to any land or building used for the display of advertising; and*

c) *any vehicle or trailer or other similar object placed or located so as to serve the purpose* of displaying advertising.

"Advertising Sign" means a permanent structure used for the purpose of Advertisement, or to draw attention to, a product, business, person or event.

"Animation" means the movement or the appearance of movement through the use of patterns of lights, changes in color or light intensity, computerized special effects, video displays, or through any other method.

"Local Activity Centre" means lot(s) which are zoned Local Centre under the Scheme and are identified within Table 3 : Activity Centre Framework of the City's Local Planning Strategy as a Local Centre.

"Main Roads WA Roads" means any road which is under the care and control of Main Roads WA, including Primary Distributor & Regional Distributor Roads, and includes the following roads within the City;

(a) Caves Road;

(b) Bussell Highway from the southern boundary of the Shire of Capel to Causeway Road;

(c) Bussell Highway from the intersection with Caves Road to the northern boundary of the Shire of Augusta Margaret River;

(d) Busselton Bypass;

(e) Vasse Highway; and

(f) Sues Road.

"Portable Sign" means an Advertising Sign that is made from lightweight materials which can be easily moved and includes but is not limited to:

(a) 'A' frame of 'T' frame sign;

(b) Garage Sale Sign;

(c) Home Open Sign;

(d) Horizontal banner sign;

(e) City project sign;

(f) Vertical banner sign; and

(g) Variable message sign.

"Scheme" means the *City of Busselton Local Planning Scheme No. 21* (as amended).

"**Static Illumination"** means an internal or external light source that lights any type of sign.

4. POLICY STATEMENT

4.1 BACKGROUND

Clause 6.1 'Permitted Development' of the Scheme outlines development which is exempt from requiring development approval. Clause 6.1.1(d) of the Scheme exempts; "the erection, placement or display of any advertisement and the use of land or buildings for that purpose as exempted by Schedule 11, except in respect of a place included in the Heritage List or in a heritage area."

In addition to Clause 6.1.1(d) of the Scheme, the following Scheme provisions are also relevant to Advertising Signage within the City:

(a) Clause 4.36.4 of the Scheme outlines requirements for entry statements within the Rural and Viticulture and Tourism zones;

(b) Clause 4.41 'Prohibited Advertisements' states; "Advertisements that advertise goods and services which are not produced, displayed or offered for sale, or which is otherwise not relevant to, the land upon which the advertisement is located, are prohibited".

Where not exempted by Schedule 11 of the Scheme, Advertising Signage requires a development approval and an assessment against the Scheme and this Policy.

4.2 SIGN TYPE AND ZONE SPECIFIC REQUIREMENTS

Advertisements should comply with 'Appendix 2: Zoning Specific Provisions - Free Standing Signs' or 'Appendix 3: Zoning Specific Provisions - Signs Attached to a Building'.

4.3 GENERAL REQUIREMENTS

In addition to the requirements above, the following considerations are relevant to applications for all Advertisements:

(a) Advertisements should generally be integrated into the architectural design of all new development; and

(b) All Advertisements should be contained wholly within the lot to which it relates with the exception of Cantilever and Verandah/Awning Signs which may project into the adjoining road reserve or other public land (with the appropriate consent of the agency responsible for managing that land); and

(c) A minimum clearance of 2.75m (in accordance with the *Building Code of Australia*) should be provided underneath Pylon Sign - Large, Cantilever and Verandah/Awning signs unless it can be demonstrated that 2.75m clearance cannot reasonably be achieved and a lower clearance, should that be proposed, is unlikely to have any significant impact on pedestrian amenity or safety; and

(d) The City does not support more than one "Pylon Sign – Large", "Pylon Sign – Small' or "Commercial Flag Sign" per road frontage.

4.4 STATIC ILLUMINATION OF ADVERTISEMENTS AND ANIMATION

(a) Advertisements that incorporate Animation will only be considered for not-for-profit organisation, school and/or other authority where used to display community messages.

(b) Notwithstanding the above, the City may approve up to one Advertisement that incorporates Animation for commercial purposes per Local Activity Centre where the City is satisfied of the following:

  (i) There is no more than one Free Standing Signs (i.e. Pylon – Large or Pylon – Small sign) per Local Activity Centre. Where there is more than one Free Standing Sign, the City will require that they be consolidated into a single sign; and

  (ii) All other signage on the lot is consolidated to the satisfaction of the City; and

  (iii) Where a Local Activity Centre is in multiple ownership, a signage strategy for all lots within that Local Activity Centre has been prepared and approved by the City.

(c) Where Advertisements proposes Static Illumination and/or Animation, as part of the development application, the applicant will be required to demonstrate to the satisfaction of the City that the proposal will not have an unacceptable impact on occupiers of surrounding residential premises, cause a traffic hazard or distraction to drivers on the adjacent public road or be confused with traffic signals.

(d) Static Illumination and Animation shall only be permitted to be in use when the business is operating and shall not be operated between the hours of 9pm and 7am.

(e) Animation shall be required to comply with the following:

(i) Amination cannot chase, flash or have any moving features or animations effects such as 'fade', 'zoom' or 'fly-in' for the change of messages or images; and

(ii) The minimum dwell time of each message or image shall not be less than 45 seconds.

Note 2: In addition to the City's requirements, approval from Main Roads WA is required for all advertisements on, in the vicinity of, or visible from a Main Road WA Road. In addition, all illuminated signs within 50m of traffic signals require approval from Main Roads WA.

Note 3: Some Advertising Signs may require a Building Permit in addition to Development Approval.

5. RELATED DOCUMENTATION/ LEGISLATION

5.1 Activities in Thoroughfares and Public Places and Trading Local Law 2015.

5.2 Council Policy - Portable Advertising Signs in Public Places.

6. REVIEW DETAILS

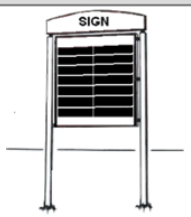
Review Frequency		**2 yearly**		
Council Adoption	**DATE**		**Resolution #**	
Previous Adoption	**DATE**		**Resolution #**	

City of Busselton
Geographe Bay

APPENDIX 1 - TYPES OF ADVERTISING SIGNS

Freestanding signs

"Pylon Sign – Large" means an Advertising Sign supported by one or more pole that is not attached to a building and is greater than 1.2m in overall height.



"Pylon Sign – Small' means an Advertising Sign supported by one or more poles and not attached to a building and is no greater than 1.2m in overall height.



"Entry Statement Sign" as defined by the Scheme and provided below:

"a structure placed at, and denoting, the entry point to a defined area or site and includes associated landscaping and structures."



"Commercial Flag Sign" means a piece of cloth, or other flexible material, which is used to advertise a business and is attached to a pole that is permanently installed into the ground.



Signs attached to building

"Cantilever Sign" means an Advertising Sign that is affixed to a building or structure at or by one of its ends.



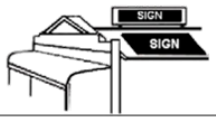
"Verandah/Awning Sign" means an Advertising Sign affixed on, above or under a verandah and includes a sign that is affixed to cantilevered awnings and balconies.



"Window Sign" means an Advertising Sign painted or affixed to either the interior or exterior surface of the glazed area of a window.



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"Wall Sign" as defined in Schedule 11 of the Scheme and provided below: *"a sign attached to or otherwise displayed on a building or a structure no part of which projects further than 0.3m from that building or structure other than an advertisement that is displayed on, above or below a verandah or a verandah facia."*	
"Roof Sign" means an Advertising Sign that is erected or painted directly on the roof of a building.	

12.3 Policy and Legislation Committee - 25/8/2020 - AMENDMENT TO DELEGATION 'DA7 - 01 DEVELOPMENT CONTROL'

STRATEGIC GOAL	6. LEADERSHIP Visionary, collaborative, accountable
STRATEGIC OBJECTIVE	6.1 Governance systems, process and practices are responsible, ethical and transparent.
SUBJECT INDEX	Delegations
BUSINESS UNIT	Governance Services
REPORTING OFFICER	Governance Coordinator - Emma Heys
AUTHORISING OFFICER	Director, Planning and Development Services - Paul Needham
NATURE OF DECISION	Executive: substantial direction setting, including adopting strategies, plans and policies (excluding local planning policies), tenders, setting and amending budgets, funding, donations and sponsorships, reviewing committee recommendations
VOTING REQUIREMENT	Simple Majority
ATTACHMENTS	Attachment A DA7-01 Development Control (Amended)

This item was considered by the Policy and Legislation Committee at its meeting on 25 August 2020, the recommendations from which have been included in this report.

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council adopts Delegation DA7 – 01 'Development Control' (Attachment A), having been amended to include a definition of the term 'Reconsideration'.

EXECUTIVE SUMMARY

Upon the review of Council delegation DA7 – 01 'Development Control' (DA7 - 01), it has been identified a need to provide a definition of the term 'Reconsideration', to assist officers in providing information to applicants in relation to the reconsideration process for a development application.

BACKGROUND

The term 'Reconsideration' has been included in the Development Control Council delegation since its initial adoption (previously PDR1). A reconsideration process for a development application is intended to provide applicants a recourse to a decision, prior to a matter going before SAT.

Officers are seeking to include more clarity of the term 'Reconsideration' within DA7 – 01 in order to assist officers in providing improved information to applicants in relation to the reconsideration process for a development application.

OFFICER COMMENT

The term 'Reconsideration' is not a defined term under the *Planning and Development Act 2005* or the *Planning and Development (Local Planning Scheme) Regulations 2015*. Officers are proposing to amend Condition 2 of DA7 – 01 to include the following:

> *"Reconsideration" is a not a defined term in the City of Busselton Local Planning Scheme No. 21 or the Planning and Development (Local Planning Scheme) Regulations 2015, however for the purposes of this delegation, the term relates to applications to: a) a request to amend or delete conditions of a development approval, where City officers are not supportive of that request and informal discussion with the applicant has not resolved the issue; and b) to new development applications which are substantially the same as an earlier application refused under delegation.*

This condition relates to applications to amend an approval where reconsideration of conditions is being requested, and also to new applications which are substantially the same as an earlier application refused under delegation (where the request is made within 60 days of the original determination date).

Statutory Environment

Clause 82 of Schedule 2 the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the deemed provisions') sets out that the Council may delegate powers under the City's town planning scheme to the CEO.

Relevant Plans and Policies

There are no relevant plans or policies to consider in relation to this matter.

Financial Implications

There are no financial implications associated with the Officer Recommendation.

Stakeholder Consultation

No external stakeholder consultation was required or undertaken in relation to this matter.

Risk Assessment

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. No risks of a medium or greater level have been identified.

Options

As an alternative to the proposed recommendation, the Council could choose not to amend delegation DA7 – 01 'Development Control'.

CONCLUSION

Officers have identified a need to provide clarity of the term 'Reconsideration' in delegation DA7 – 01 'Development Control' to assist officers when dealing with requests from applicants of development applications.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The amended delegation DA7-01 'Development Control' will be included within Council's Delegation of Authority Register within one week of Council 's endorsement.

PLANNING AND DEVELOPMENT ACT 2005	
DA 7 – 01	**Development Control**

POWER / DUTY ASSIGNED TO	Local Government
POWER TO DELEGATE	*Planning and Development Act 2005* s.162 *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 *Local Government Act 1995* s.5.42 Delegation of some powers or duties to CEO s.5.43 Limitations on delegations to CEO
DELEGATED TO	Chief Executive Officer
POWER / DUTY DELEGATED	The *Planning and Development (Local Planning Schemes) Regulations 2015*
FUNCTION	**The powers and duties of the local government able to be delegated under clause 82, Schedule 2 – *Deemed Provisions for local planning schemes.***
CONDITIONS	**1. 'Call-in' provisions** Any two or more Councillors may consider an application or proposal to be of strategic significance and/or high community interest and *request* the CEO in writing, to present the application or proposal to the Council for consideration. If the request is supported, the application shall be presented to the first practicable Council meeting for consideration. *Note: Any Councillor may also submit a notice of motion in relation to the withdrawal of delegation in relation to a particular application, but it would generally be expected that they would first seek to exercise the call-in provision outlined above.* **2. Reconsideration of applications for development approval** Prior to the determination of an application for reconsideration of an application for development approval (other than where a reconsideration is occurring pursuant to section 31 of the State Administrative Tribunal Act 2004 – see below), the CEO shall ensure that a copy of the reconsideration request, together with a report assessing the application, is circulated to all Councillors, giving a period of not less than 14 days before a delegated decision is made. "Reconsideration" is a not a defined term in the City of Busselton Local Planning Scheme No. 21 or the Planning and Development (Local Planning Scheme) Regulations 2015, however for the purposes of this delegation, the term relates to the following types of applications: a) a request to amend or delete conditions of a development approval, where City officers are not supportive of that request and informal discussion with the applicant has not resolved the issue; and

	b) new development applications which are substantially the same as an earlier application refused under delegation This condition relates to applications to amend an approval where reconsideration of conditions is being requested, and also to new applications which are substantially the same as an earlier application refused under delegation (where the request is made within 60 days of the original determination date). **3. Structure Plans, Activity Centre Plans, Local Development Plans, Developer Contribution Plans** Prior to making a recommendation to the Western Australian Planning Commission regarding adoption or amendment of a Structure Plan, Activity Centre plan and/or Local Development Plan, the CEO shall ensure that a copy of the respective plan, together with a report, setting out and explaining the recommendation proposed to be made under delegation, is circulated to all Councillors, giving a period of not less than 14 days before a delegated decision is made. These delegations do not extend to the making of recommendations to the Western Australian Planning Commission regarding adoption or amendment to the Developer Contribution Plans. **4. Local Planning Policies, Local Heritage List, Heritage Precincts** Decisions relating to adoption, revocation or amendment of local Planning Policies, the Local Heritage List and/or Heritage Precincts are not delegated. **5. Applications for review by the State Administrative Tribunal (SAT)** Where the original decision was made under delegation, a reconsideration decision pursuant to section 31 of the State Administrative Tribunal Act 2004 may also be made under delegation. Where the original decision was made by the Council, a reconsideration decision pursuant to section 31 of the State Administrative Tribunal Act 2004 shall be presented to the Council for consideration, unless officers have briefed Councillors and Councillors have indicated a general willingness to allow the decision to be made under delegation, in which case a decision may be made under delegation, provided that the 'call-in' provisions set out at Condition 1 above have not been exercised before the decision in made, and that Councillors have also been briefed on the matter as per Condition 6 below, to provide an opportunity for Councillors to exercise the 'call-in' provisions. **6. Briefing and Reporting** Generally on a monthly basis (as agreed/determined by the Mayor and CEO), officers shall provide Councillors with an informal briefing on planning matters of strategic significant and/or high community interest, and on issues raised by Councillors. Each Friday, or in the case of Fridays which are public holidays, the next working day, a summary of applications received and

	determined in the preceding period (usually the preceding Friday to Thursday) shall be published on the City's website. Generally on a monthly basis, and generally as part of the agenda for every second ordinary Council meeting in any given month, a summary and update of planning and development-related State Administrative Tribunal matters involving the City shall be presented to Councillors as part of the 'Councillors Information Bulletin'.
POLICY	Nil
REFERENCE DOCUMENTS	Nil
SUB DELEGATION	S7 – 01A PDR1 Planning and Development (Local Planning Schemes) Regulations 2015 S7 – 01B PDR2 Planning and Development (Local Planning Schemes) Regulations 2015 S7 – 01C PDR3 Planning and Development (Local Planning Schemes) Regulations 2015 S7 – 01D PDR4 Planning and Development (Local Planning Schemes) Regulations 2015 S7 – 01E PDR5 Planning and Development (Local Planning Schemes) Regulations 2015

RECORD KEEPING	ECM – GOVN001 'Authorised Delegation of Power/Authority'	
VERIFICATION	Initial Council Resolution C1703/042	Recent Council Resolution C1808/150
RECENT ALTERATIONS	November 2018	
PREVIOUS DELEGATION REFERENCE	PDR1 – Development Control	

12.4 Policy and Legislation Committee - 25/8/2020 - REVIEW OF COUNCIL POLICY: COMMUNITY ENGAGEMENT

STRATEGIC GOAL	6. LEADERSHIP Visionary, collaborative, accountable
STRATEGIC OBJECTIVE	6.2 Council engages broadly and proactively with the community.
SUBJECT INDEX	Governance
BUSINESS UNIT	Corporate Services
REPORTING OFFICER	Manager Governance and Corporate Services - Sarah Pierson Public Relations Coordinator - Meredith Dixon
AUTHORISING OFFICER	Director Finance and Corporate Services - Tony Nottle
NATURE OF DECISION	Executive: substantial direction setting, including adopting strategies, plans and policies (excluding local planning policies), tenders, setting and amending budgets, funding, donations and sponsorships, reviewing committee recommendations
VOTING REQUIREMENT	Simple Majority
ATTACHMENTS	Attachment A Council policy: Community Engagement (Proposed) Attachment B Council policy: Community Engagement and Consultation (Current) Attachment C Council policy: Community Engagement (Proposed) inclusive of Committee amendments (tracked changes)

This item was considered by the Policy and Legislation Committee at its meeting on 25 August 2020, the recommendations from which have been included in this report.

OFFICER RECOMMENDATION

That the Council adopts the revised Council policy 'Community Engagement' at Attachment A to replace the existing Council policy '023: Community Engagement and Consultation' at Attachment B.

COMMITTEE RECOMMENDATION

That the Council adopts the revised Council policy 'Community Engagement', inclusive of Committee amendments as per Attachment C, to replace the existing Council policy '023: Community Engagement and Consultation' at Attachment B.

Reasons: The Committee requested minor amendments to improve readability and provide clarity on the definition of Stakeholder and the engagement responsibilities of Councillors.

EXECUTIVE SUMMARY

This report presents a revised Council policy: Community Engagement (Attachment A) (the Policy). Officers recommend it replace the existing Council policy 023: Community Engagement and Consultation (Attachment B).

BACKGROUND

Council policy 023: Community Engagement and Consultation was implemented on 22 September 2010 (C1009/318) following a request from Council for a high level policy document detailing engagement principles, roles and responsibilities of Councillors and officers. A draft policy was advertised for community consultation in June / July 2010. No feedback was received and the policy was subsequently adopted. The policy was reviewed in August 2017 (C1708/186) as part of Council's regular review of policies, with only minor changes made.

OFFICER COMMENT

The Policy has been transferred into the new Council policy template and reviewed by officers in accordance with the recommendations of the 2017 Governance Service Review (GSR). The Policy has been retitled 'Community Engagement' and terminology within the policy has been amended from engagement and consultation to just engagement. This change reflects the IAP2 (International Association for Public Participation) approach which is widely referenced across the Australian Local Government sector and is referenced in the Integrated Planning and Reporting Framework and Guidelines produced by the Department of Local Government, Sport and Cultural Industries (DLGSC). In the IAP2 model, the term 'Engagement' refers to a range of objectives one of which is consultation.

The Policy reflects the City's strategic intent and approach to community engagement and provides guiding principles for ensuring that stakeholders are informed of matters that affect them, have the opportunity to make informed comment and are advised of the outcomes and how their feedback helped to inform the decision. The guiding principles are similar in intent to those contained in the current policy.

The Policy also sets out when the City will undertake engagement and when it may not be appropriate to engage. As opposed to the current policy, which identifies more specific routine or established issues for engagement, the Policy is designed to provide broader guidance (e.g. informing future strategic and community planning as opposed to sports, recreation and cultural plans), and to be reflective of the increasing community expectations for engagement.

Operational details such as the mechanisms for engagement have been removed from the Policy, with a Community Engagement Framework to be developed, setting out in more detail how the City will engage with stakeholders.

Statutory Environment

In accordance with section 2.7(2(b) of the *Local Government Act 1995* (the Act), it is the role of the Council to determine the local government policies. The Council does this on recommendation of a Committee it has established in accordance with section 5.8 of the Act.

Relevant Plans and Policies

The City has a policy framework which was developed and endorsed by Council in response to the recommendations of the GSR. The framework sets out the intent of Council policies, as opposed to operational documents such as operational practices and work procedures.

Financial Implications

There are no financial implications associated with the Officer Recommendation.

Stakeholder Consultation

No external stakeholder consultation was required in relation to this matter. Stakeholder engagement was identified as a priority in the 2020 Community Satisfaction Survey.

Risk Assessment

An assessment of the potential implications of implementing the Officer Recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. No risks of a medium or greater level have been identified.

Options

As an alternative to the proposed recommendation the Council could require further amendments to the Policy.

CONCLUSION

The Policy has been transferred into the new Council policy template and reviewed by officers to ensure that the Policy objectives are clear and that it provides appropriate guidance for Councillors and employees in relation to community engagement.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The Policy will be placed on the City's website within one week of adoption.

COUNCIL POLICY

City of Busselton
Geographe Bay

Council Policy Name: Community Engagement

Responsible Directorate: Finance and Corporate Services Version: Draft

1. PURPOSE

1.1. The purpose of this Policy is to provide guiding principles for Engagement to ensure Stakeholders are informed of matters that affect them and have the opportunity to make informed comment.

2. SCOPE

2.1. This Policy applies to City Councillors, employees and contractors who engage with Stakeholders in relation to the delivery of services, projects or the implementation of policies.

3. DEFINITIONS

Term	Meaning
Policy	This City of Busselton Council policy titled "Community Engagement".
Engagement	Connecting with community groups, organisations and individuals for the purpose of informed decision making. This may include some or all of the following objectives: • Informing Stakeholders • Consulting with Stakeholders • Involving Stakeholders in decision making • Collaborating with Stakeholders about decisions • Empowering Stakeholders to make a final decision
Stakeholders	Community members, groups or individuals that have an interest in the business of the Council and the governance of the City.

4. STRATEGIC CONTEXT

4.1. This Policy links to Key Goal Area 6 of the City's Strategic Community Plan 2017 and specifically the Community Objective 6.2 - Council engages broadly and proactively with the community.

5. POLICY STATEMENT

5.1. The City places high priority on Engagement which provides Stakeholders with the opportunity to participate in decision making processes at the appropriate level. Different levels of Engagement will be appropriate depending on the issue, Stakeholder objectives and characteristics, and the sort of information to be relayed or obtained.

5.2. The City's Engagement objectives are to ensure that:

a. Stakeholders are informed of matters that affect them;
b. Stakeholders are provided with sufficient information to make informed comment on matters affecting them;
c. it is easy for Stakeholders to comment;

d. all comments received are given due consideration by decision makers; and
e. Stakeholders who provide comment are informed of the outcome.

5.3. The following principles guide the City in achieving its Engagement objectives:
a. encourage broad Stakeholder representation;
b. minimise barriers to participation by considering people's different needs;
c. clearly state the purpose of the Engagement initiative and any associated limitations or constraints;
d. ensure relevant information is readily available, accurate and easy to understand;
e. allow sufficient time and opportunity for Stakeholders to participate;
f. listen to Stakeholders and provide feedback about how the information gathered was used to inform the outcome; and
g. allocate appropriate resourcing for the development and implementation of effective and efficient Stakeholder Engagement.

5.4. The City will undertake Engagement when:
a. a decision is likely to have significant impact on a particular individual or group in the community;
b. a decision is likely to have a significant impact on the broad economy, lifestyle, or environment of the City and its residents;
c. there is, or is likely to be, strong community concern or interest in the issue;
d. the resolution of an issue or implementation of a proposal is likely to require a substantial redirection of ratepayer funds;
e. the future use of a significant area of land within the City is being decided;
f. information is needed to inform future strategic and community planning;
g. the City has statutory obligations to consult; or
h. Council otherwise determines it to be appropriate.

5.5. Engagement may not be undertaken where:
a. a decision must be made quickly in the interests of the City;
b. the City is bound by legal, commercial or legislative constraints;
c. the City is unable to influence a decision being made by another agency or party; or
d. the decisions concern 'day to day' operational matters.

5.6. It is important that Councillors are made aware of Engagement occurring within the City. Councillor feedback shall be sought prior to Engagement commencing on projects that set a direction or define a position for the City, have a high level of media interest, or are considered high risk under the City's Risk Management Framework.

5.7. In support of this Policy, the CEO will develop a Community Engagement Framework.

6. RELATED DOCUMENTATION / LEGISLATION

6.1. Council policy: Media and Public Statements.

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	**DATE**		**Resolution #**	

Last updated 9 August 2017

023	Community Engagement and Consultation	V2 Current

STATEMENT

Council places high priority on engaging with the community and encouraging community participation in decision-making processes.

The purpose of this policy is to outline the framework Council and the City will use to engage with the community and key stakeholders.

PURPOSE / RATIONALE

This policy guides the Council and City Officers on community engagement and consultation objectives. The policy takes into account key factors impacting community consultation and engagement activities such as statutory obligations, stakeholder expectations, risk management issues, budget and time constraints and appropriate consultation and engagement mechanisms (ortools).

SCOPE

The Policy will inform the engagement and consultation activities undertaken by Busselton City Councillors, City Officers, and Contractors of the City of Busselton. Its application is suitable for large and small-scale projects and policy decision-making processes across all areas of City business. It should be noted that different levels of consultation will be appropriate depending on the issue to be addressed; stakeholder objectives and characteristics; and the sort of information needed to be relayed or obtained.

DEFINITIONS

Engagement means connecting with community groups, organisations and individuals for the purpose of:

- communicating information to stakeholders;
- ensuring transparency in the decision-making process; and
- building permanent relationships.

Consultation. involves two-way information exchange and its primary purpose is to obtain public feedback to inform decision-making on a particular issue(s).

Stakeholders – Groups or individuals that have an interest in the business of the Council and its governance of the City. These include residents and business operators (rate paying and non-rate paying); people who work in the district, visitors and tourists; statutory and government agencies; service providers (profit and non-profit); sporting and cultural groups; associations and organisations based in the City of Busselton.

Last updated 9 August 2017

POLICY CONTENT

The City of Busselton Community Engagement and Consultation Policy outlines the organisation's commitment to:

- the principles of open and accountable decision-making;
- identifying engagement and consultation opportunities;
- formalising engagement and consultation mechanisms; and
- outlining community engagement and consultation responsibilities across the organisation.

The Policy is supported byprocedural documents including media guidelines and social media policy..

Principles of openness and accountability in decision-making processes
Council will be guided by the following principles:

-);
- informing the community of decisions made and actions taken in relation to Council activity;
- being open and transparent about the purpose of consultation activity;
- listening to and acknowledging community concerns;
- providing feedback on how public input has influenced decision making;
- allowing sufficient consultation time;
- striving to develop new and enhanced engagement opportunities and consultation methods, and
- meeting the statutory requirements for community engagement and consultation outlined in the Local Government Act (1995.

Identifying engagement and consultation opportunities
Particular areas of routine or established consultation include (but are not limited to) issues such as development of or amendment to:

- strategic planning documents;
- sports, recreation and cultural plans;
- town plans;
- development applications;
- specific works and services;
- master plans and conceptual designs for areas designated to community use.

Consultation and Engagement mechanisms s include but are not limited to:

- the Your Say Busselton online engagement portal via the City's website which offers discussion forums, surveys, quick polls, Q&A, guest books
- social media including Facebook, Instagram and Twitter;
- access to Council meetings and briefings for presentations;
- planned stakeholder information sessions;
- school /community group visits;
- electors meetings;
- informal meet and greet sessions with elected members;
- expos, public displays, open days and community events;
- formal advertising in print, broadcast and TV;

- public meetings or community forums held to address specific issues;
- market research projects carried out using proven sampling processes and market analysis;

Any combination of the above mechanisms may be used.

Responsibilities

Elected Members: Will ensure principles outlined in this Policy are included in the decision-making processes of Council.

- **City Officers:** Will ensure principles outlined in this Policy are included in project planning. This requires Officers to: identify consultation opportunities;
- recommendappropriate mechanism(s) and budget requirements;
- ensure that the community has adequate opportunity to make its view known to the Council; and
- report to Council on the Engagement/consultation outcomes (if required).

Policy Background

Policy Reference No. - 020
Owner Unit – Public Relations
Policy approved by – Council on 9 August 2017
Review Frequency – As Required

History

Council Resolution	Date	Information
C1708/186	9 August, 2017	General Update
C1009/318	22 September, 2010	Date of implementation

COUNCIL POLICY

City of Busselton
Geographe Bay

Council Policy Name: Community Engagement

Responsible Directorate: Finance and Corporate Services Version: Draft

1. PURPOSE

1.1. The purpose of this Policy is to provide guiding principles for Engagement to ~~ensure~~ enable Stakeholders ~~are~~ to stay informed of matters that affect them and have the opportunity to make informed comment.

2. SCOPE

2.1. This Policy applies, where relevant, to City Councillors, employees and contractors who engage with Stakeholders in relation to the delivery of services, projects or the implementation of policies.

3. DEFINITIONS

Term	Meaning
Policy	This City of Busselton Council policy is titled "Community Engagement".
Engagement	Connecting with community groups, organisations and individuals for the purpose of informed decision making. This may include some or all of the following objectives: • Informing Stakeholders • Consulting with Stakeholders • Involving Stakeholders in decision making • Collaborating with Stakeholders about decisions • Empowering Stakeholders to make a final decision
Stakeholders	Community members, groups or individuals that have an interest in the business of the ~~Council and the governance of the~~ City of Busselton.

4. STRATEGIC CONTEXT

4.1. This Policy links to Key Goal Area 6 of the City's Strategic Community Plan 2017 and specifically the Community Objective 6.2 - Council engages broadly and proactively with the community.

5. POLICY STATEMENT

5.1. The City places high priority on Engagement which provides Stakeholders with the opportunity to participate in decision making processes at the appropriate level. Different levels of Engagement will be appropriate depending on the issue, Stakeholder objectives and characteristics, and the ~~sort of~~ information to be relayed or obtained.

5.2. The City's Engagement objectives are ~~to ensure that~~:

a. Stakeholders are informed of matters that affect them;
b. Stakeholders are provided with sufficient information to make informed comment on matters affecting them;
c. it is easy for Stakeholders to comment and access information at project milestones;

d. all comments received are given due consideration by decision makers; and
e. Stakeholders who provide comment are informed of the outcome.

5.3. The following principles guide the City in achieving its Engagement objectives:
a. encourage broad Stakeholder representation;
b. minimise barriers to participation by considering people's different needs;
c. clearly state the purpose of the Engagement initiative and any associated limitations or constraints;
d. ~~ensure~~ make relevant information ~~is~~ readily available, accurate and easy to understand;
e. allow sufficient time and opportunity for Stakeholders to participate;
f. listen to Stakeholders and provide feedback about how the information gathered ~~was~~ is to be used to inform the outcome; and
g. allocate appropriate resourcing for the development and implementation of effective and efficient Stakeholder Engagement.

5.4. As a general rule, t~~T~~he City will undertake Engagement when:
a. a decision is likely to have significant impact on a particular individual or group in the community;
b. a decision is likely to have a significant impact on the broad economy, lifestyle, or environment of the City and its residents;
c. there is, or is likely to be, strong community concern or interest in the issue;
d. the resolution of an issue or implementation of a proposal is likely to require a substantial redirection of ratepayer funds;
e. the future use of a ~~significant~~ strategic area of land within the City is being decided;
f. information is needed to inform future strategic and community planning;
g. the City has statutory obligations to consult; or
h. Council otherwise determines it to be appropriate.

5.5. Engagement may not be undertaken where:
a. a decision must be made quickly in the interests of the City;
b. the City is bound by legal, commercial or legislative constraints;
c. the City is unable to influence a decision being made by another agency or party;
d. the decisions concern 'day to day' operational matters.

5.6. It is important that Councillors are made aware of Engagement occurring within the City. Councillor feedback ~~shall~~ will be sought prior to engagement commencing on projects that set a direction or define a position for the City, have a high level of media interest, or are considered high risk under the City's Risk Management Framework.

~~5.7. In support of this Policy, the CEO will develop a Community Engagement Framework.~~

6. RELATED DOCUMENTATION / LEGISLATION

6.1. Media and Public Speaking Policy

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	**DATE**		**Resolution #**	

13. PLANNING AND DEVELOPMENT SERVICES REPORT

Nil

14. ENGINEERING AND WORK SERVICES REPORT

Nil

15. COMMUNITY AND COMMERCIAL SERVICES REPORT

15.1 COMMUNITY SPORT AND RECREATION FACILITIES FUND - ANNUAL AND FORWARD PLANNING 2021/22 ROUND

STRATEGIC GOAL	1. COMMUNITY: Welcoming, friendly, healthy
STRATEGIC OBJECTIVE	1.3 A community with access to a range of cultural and art, social and recreational facilities and experiences.
SUBJECT INDEX	CSRFF ANNUAL 2021/22 ROUND
BUSINESS UNIT	Community and Commercial Services
REPORTING OFFICER	Senior Sport and Recreation Project Officer - Brendan McNally
AUTHORISING OFFICER	Director, Community and Commercial Services - Naomi Searle
NATURE OF DECISION	Executive: substantial direction setting, including adopting strategies, plans and policies (excluding local planning policies), tenders, setting and amending budgets, funding, donations and sponsorships, reviewing committee recommendations
VOTING REQUIREMENT	Simple Majority
ATTACHMENTS	Attachment A Attachment A - Dunsborough Lakes Sports Precinct⇩

OFFICER RECOMMENDATION

That the Council endorses:

1. **The priority rankings and ratings of the applications to the Department of Local Government, Sport and Cultural Industries' Community Sport and Recreation Facilities Fund, as ranking 1 of 1, project rating A : City of Busselton, Dunsborough Lakes Sports Precinct, playing fields and multi-purpose courts.**
2. **An application to the Department of Local Government, Sport and Cultural Industries' Community Sport and Recreation Facilities Fund, Annual/Forward Planning 2021/22 Round, for up to a $1.175M contribution towards the Dunsborough Lakes Sports Precinct, playing fields and multi-purpose courts.**

EXECUTIVE SUMMARY

Each year, local government authorities are required to rate and prioritise the Community Sport and Recreation Facilities Fund (CSRFF) submissions received within their municipality.

The CSRFF 2021/22 annual and forward planning grant round applications must be submitted by local government authorities to the Department of Local Government, Sport and Cultural Industries (DLGSC) by 11 September 2020. The purpose of this report is to meet the CSRFF criteria, by outlining the submissions received for projects within the City and request that Council rates and ranks the applications prior to forwarding to DLGSC for final consideration.

With only one application for this CSRFF round, it is recommended that the City of Busselton application, Dunsborough Lakes Sports Precinct - playing fields and multi-purpose courts, is ranked 1 of 1 with a project rating of A.

BACKGROUND

The CSRFF program is administered by DLGSC and provides financial assistance, one third of the total estimated project cost, to well-planned sport and recreation facility projects that will maintain or increase physical activity or result in a more rational use of facilities.

Eligible projects that have a total project value between $300,001 and $500,000 are suitable for the 2021/22 annual round and projects with a total project value exceeding $500,000 are suitable for the forward planning round.

To assist with the evaluation of submissions to ensure projects are viable and appropriate, DLGSC has developed an assessment criteria. Accordingly, each submission is to be assessed against those criteria and local government authorities are required to rate and prioritise local submissions using the following guide:

RATE	DESCRIPTION
A	Well planned and needed by the municipality
B	Well planned and needed by the applicant
C	Needed by the municipality, more planning required
D	Needed by the applicant, more planning required
E	Idea has merit, more preliminary work needed
F	Not recommended

Applications for the current funding round must be assessed and submitted to the South West Office of DLGSC no later than 11 September 2020.

During September to December 2020 the applications, along with others received throughout the State, will be evaluated and ranked by relevant State Sporting Associations and the CSRFF Assessment Panel. Successful applications are announced following this assessment with funding expected to be available around January 2021.

There is one application for this round of funding being the City of Busselton application for the Dunsborough Lakes Sports Precinct (DLSP), playing fields and multi-purpose courts.

OFFICER COMMENT

Owned in freehold by the City of Busselton, Lot 40 Dunsborough Lakes Drive (formerly Lot 10 Commonage Road) is zoned as special use and identified as open space for sport and recreation purposes for the Dunsborough sub-district. The site is strategically positioned, alongside the City managed land for public recreation (Lot 8025 Diamante Boulevard), with a view to value add to the Department of Education WA land and future primary school site (Attachment A).

The Sport and Recreation Facilities Strategy 2020-2030 (SRFS) identifies that developing this site, into DLSP, is a key priority for the City of Busselton and directly aligns with the SRFS guiding principle criteria. This project will ensure that current and future sporting needs of the Dunsborough sub-district are met by initially constructing four rectangle fields, two cricket fields, four multi-purpose outdoor courts, and, in future stages, a pavilion, change rooms, additional playing fields, additional outdoor courts, and the provision for a future indoor court facility.

The Dunsborough sub-district is currently serviced by one sports park, the Dunsborough Playing Fields, and since the upgrade of these fields in 2010-12 the participation in the Dunsborough sub-district for grass based sport and netball has, on average, increased by over 200% in the junior age groups.

The DLSP will not only construct dedicated playing fields for soccer/cricket and multi-use courts but will also benefit the sub-district by facilitating the reconfiguration of the existing Dunsborough Playing Fields, to an Aussie Rules focus, as well as providing future opportunities to focus on other summer based sports e.g. little athletics centre for the district.

Funding for this project has been budgeted in the 2020/21 and 2022/23 financial years, with the construction of playing fields scheduled for 2020/21 and outdoor multipurpose courts, sports lighting, carpark, and pavilion scheduled for construction in the 2022/23 financial year.

The CSRFF application is seeking the funds to bring forward the construction of outdoor multipurpose courts and sports lighting from the 2022/23 financial year and into this first stage of construction commencing in the 2020/21 financial year.

Assessment Summary

As part of the CSRFF process, local governments are required to undertake an internal assessment of projects against CSRFF key principles of facility provision.

The following is a summary of the CSRFF criteria assessed for Dunsborough Lakes Sports Precinct - playing fields and multi-purpose courts:

Assessment criteria	Satisfactory	Unsatisfactory	Not relevant
Project justification	✓		
Planned approach	✓		
Community input	✓		
Management planning	✓		
Access and opportunity	✓		
Design	✓		
Financial viability	✓		
Co-ordination	✓		
Potential to increase Physical activity	✓		
Sustainability	✓		

Recommendation Summary

Ranking 1 of 1: Dunsborough Lakes Sports Precinct - playing fields and multi-purpose courts

Rating: A: Well planned and needed by the municipality

CSRFF request: Up to $1,175,000 (ex GST)

Statutory Environment

The Officer Recommendation supports the general function of a local government under the *Local Government Act 1995* to provide for the good government of persons in its district.

Relevant Plans and Policies

The Officer Recommendation aligns to the following adopted plans and policies:

- City of Busselton Community Strategic Plan 2017 (review 2019).
- Sport and Recreation Facilities Strategy 2020-2030 (SRFS) – provides a long term strategy to inform, guide and underpin the planning and provision of indoor and outdoor community sporting and recreation facilities to meet existing and future needs of the district.
- Social Plan 2015-2025 - a key goal of this Plan is to “create needed, quality, sustainable recreation and leisure facilities and services for our community”.

Financial Implications

The City of Busselton has allocated $2,350,000 in the 2020/21 municipal budget to undertake construction of playing fields at the Dunsborough Lakes Sports Precinct, with the remaining

infrastructure (carpark, courts, pavilion, and lighting) planned to be delivered in 2022/23, with a budget of $2,750,000.

The CSRFF application is seeking the funds to enable the construction of the sports lighting and outdoor multipurpose courts to be included in this initial stage of construction. If successful there is an opportunity to reduce the scope of works and budget in 2022/23 financial year.

The proposed funding breakdown is as follows:

Contribution towards project	Amount (ex GST)
City of Busselton 2020/21 FY	$2,350,000
CSRFF	$1,175,000
Total project cost	$3,525,000

Stakeholder Consultation

Extensive targeted engagement was undertaken as part of the SRFS, with views and data extracted from 501 individual survey responses, 79 local sporting club/association meetings and 168 submissions on the draft SRFS.

This engagement identified that:

- there is a lack of available sport space to participate;
- additional grass sport space should be one of the City's main priorities;
- facilities are ageing and do not meet sport (and safety) guidelines; and
- there are limited facilities that meet current standards for unisex facilities.

This project aligns with the outcomes of this targeted engagement.

Consultation has taken place with DLGSC staff at the South West office in regards to this project.

Risk Assessment

An assessment of the potential implications of implementing the Officer Recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. The following risks have been identified:

The CSRFF is a competitive process and with $12M of funding allocated state wide for similar projects, over 4 different CSRFF grant streams, the City of Busselton is effectively competing with the other 137 LGAs for this funding. There is a risk that the application is not successful or the application is successful but the full amount requested is not received.

Given the financial modelling undertaken as part of the SRSF the construction of playing fields would proceed however the inclusion of additional infrastructure in this stage would have to be scaled back and worst case be included in the 2022/23 financial year.

Risk Category	Risk Consequence	Likelihood of Consequence	Risk Level
Financial	Minor	Possible	Low
Operational	Minor	Possible	Low

Options

Council could decide not to support a submission to the CSRFF 2021/22 annual and forward planning grant round and/or request the ranking and priority of the application be amended.

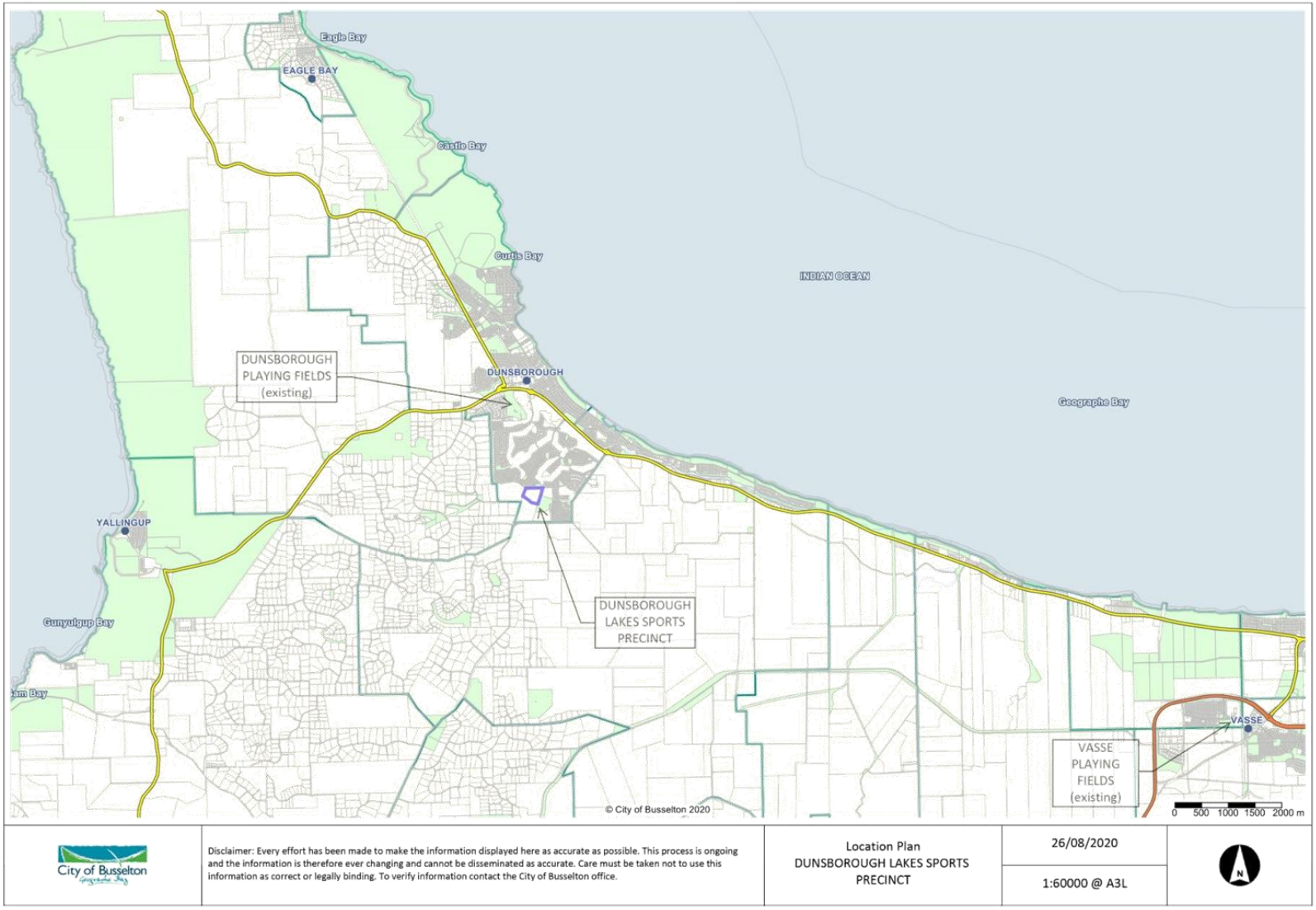
CONCLUSION

The application for the CSRFF 2021/22 annual and forward planning grant round shows sound reasoning and justification. It is recommended that an application is submitted and is assessed and

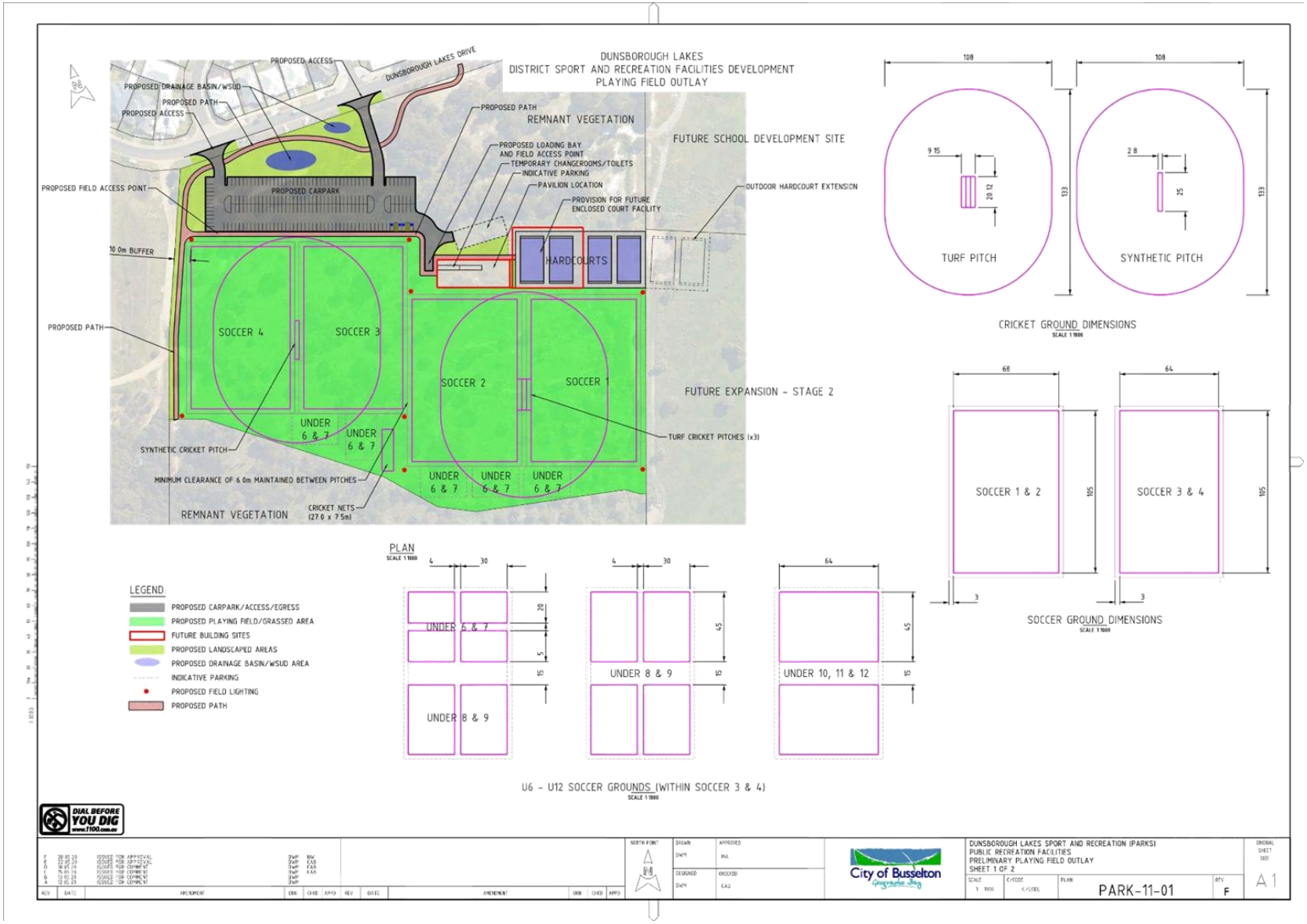
ranked as follows: Ranking 1 of 1, Project Rating A: City of Busselton, Dunsborough Lakes Sports Precinct, playing fields and multi-purpose courts.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

On endorsement, officers will finalise the grant applications and provide the full contents of the applications to the DLGSC South West office before the closing time on 11 September.


Eagle Bay
EAGLE BAY
Castle Bay
Curtis Bay
INDIAN OCEAN
DUNSBOROUGH PLAYING FIELDS (existing)
DUNSBOROUGH
Geographe Bay
YALLINGUP
Gunyulgup Bay
DUNSBOROUGH LAKES SPORTS PRECINCT
VASSE
VASSE PLAYING FIELDS (existing)
© City of Busselton 2020
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City of Busselton
Disclaimer: Every effort has been made to make the information displayed here as accurate as possible. This process is ongoing and the information is therefore ever changing and cannot be disseminated as accurate. Care must be taken not to use this information as correct or legally binding. To verify information contact the City of Busselton office.
Location Plan
DUNSBOROUGH LAKES SPORTS PRECINCT
26/08/2020
1:60000 @ A3L
N


DUNSBOROUGH LAKES
DISTRICT SPORT AND RECREATION FACILITIES DEVELOPMENT
OVERALL LAYOUT
ST MICHAELS PARKWAY
PRESTWICK ROAD
MUIRFIELD ROAD
DUNSBOROUGH LAKES DRIVE
DIAMANTE BOULEVARD
REMNANT VEGETATION
INDOOR/OUTDOOR EXTENSION SUBJECT TO CLEARING PERMITS
CARPARK EXTENSION SUBJECT TO CLEARING PERMITS
FUTURE SCHOOL DEVELOPMENT SITE
EXISTING IRRIGATION TANKS
FUTURE IRRIGATION TANKS
PLAYING FIELD - STAGE 1
FUTURE EXPANSION - STAGE 2
REMNANT VEGETATION
DIAL BEFORE YOU DIG
PLAN
SCALE 1:1000
City of Busselton
DUNSBOROUGH LAKES SPORT AND RECREATION (PARKS)
PUBLIC RECREATION FACILITIES
OVERALL DEVELOPMENT LAYOUT
SHEET 2 OF 2
PARK-11-02
A1


DUNSBOROUGH LAKES
DISTRICT SPORT AND RECREATION FACILITIES DEVELOPMENT
PLAYING FIELD OUTLAY
PROPOSED ACCESS
DUNSBOROUGH LAKES DRIVE
PROPOSED DRAINAGE BASIN/WSUD
PROPOSED PATH
PROPOSED ACCESS
REMNANT VEGETATION
FUTURE SCHOOL DEVELOPMENT SITE
PROPOSED LOADING BAY AND FIELD ACCESS POINT
TEMPORARY CHANGEROOMS/TOILETS
INDICATIVE PARKING
PAVILION LOCATION
PROVISION FOR FUTURE ENCLOSED COURT FACILITY
OUTDOOR HARDCOURT EXTENSION
PROPOSED FIELD ACCESS POINT
PROPOSED CARPARK
10.0m BUFFER
HARDCOURTS
PROPOSED PATH
SOCCER 4
SOCCER 3
SOCCER 2
SOCCER 1
FUTURE EXPANSION - STAGE 2
UNDER 6 & 7
UNDER 6 & 7
SYNTHETIC CRICKET PITCH
TURF CRICKET PITCHES (x3)
MINIMUM CLEARANCE OF 6.0m MAINTAINED BETWEEN PITCHES
UNDER 6 & 7
UNDER 6 & 7
UNDER 6 & 7
REMNANT VEGETATION
CRICKET NETS (27.0 x 7.5m)
108
108
9 15
20 12
2 8
25
133
133
TURF PITCH
SYNTHETIC PITCH
CRICKET GROUND DIMENSIONS
SCALE 1:1000
68
64
SOCCER 1 & 2
SOCCER 3 & 4
105
105
3
3
SOCCER GROUND DIMENSIONS
SCALE 1:1000
PLAN
SCALE 1:1000
4
30
20
5
15
UNDER 6 & 7
UNDER 8 & 9
4
30
45
15
UNDER 8 & 9
64
45
15
UNDER 10, 11 & 12
U6 - U12 SOCCER GROUNDS (WITHIN SOCCER 3 & 4)
SCALE 1:1000
LEGEND:
PROPOSED CARPARK/ACCESS/EGRESS
PROPOSED PLAYING FIELD/GRASSED AREA
FUTURE BUILDING SITES
PROPOSED LANDSCAPED AREAS
PROPOSED DRAINAGE BASIN/WSUD AREA
INDICATIVE PARKING
PROPOSED FIELD LIGHTING
PROPOSED PATH
DIAL BEFORE YOU DIG
City of Busselton
DUNSBOROUGH LAKES SPORT AND RECREATION (PARKS)
PUBLIC RECREATION FACILITIES
PRELIMINARY PLAYING FIELD OUTLAY
SHEET 1 OF 2
PARK-11-01
F
A1

15.2 MARKETING AND EVENTS REFERENCE GROUP OUTCOMES

STRATEGIC GOAL	4. ECONOMY Diverse, resilient, prosperous
STRATEGIC OBJECTIVE	4.3 Events and unique tourism experiences that attract visitors and investment.
SUBJECT INDEX	
BUSINESS UNIT	Commercial Services
REPORTING OFFICER	Events Coordinator - Peta Tuck
AUTHORISING OFFICER	Director, Community and Commercial Services - Naomi Searle
NATURE OF DECISION	Executive: substantial direction setting, including adopting strategies, plans and policies (excluding local planning policies), tenders, setting and amending budgets, funding, donations and sponsorships, reviewing committee recommendations
VOTING REQUIREMENT	Simple Majority
ATTACHMENTS	Nil

OFFICER RECOMMENDATION

That the Council:

1. **Endorses the following events funding strategy to be funded from the adopted 2020/21 marketing and events budgets:**

Events Sponsorship Allocations	$ value
Funding pool Event Sponsorship Program	$410,514
CBD activation events	$15,000
Marketing and Economic Development initiatives	$80,000
City led events	$20,000
COVID-19 recovery events	$20,000

2. **As part of the 2020/21 Events Sponsorship Program endorses funding allocations towards the following events, to be funded from the adopted 2020/21 Events budget:**

Event	Funding Allocation
Margaret River Region Open Studios	$7,000
Yallingup Malibu Classic	$3,000
X Adventure Dunsborough	$9,000
Eagle Bay Epic Adventure Race	$5,000
Jazz by the Bay	$40,000
Busselton Fringe Festival	$20,000
Trans Cape SwimRun	$3,000
Busselton Jetty Swim	$35,000
Busselton Pride	$4,000
Busselton Festival of Triathlon (Ironman 70.3)	$55,000
Forest Rally	$12,500
Busselton Half Marathon & Fun Run	$2,500
Taj's Small Fries	$8,000
Busselton Winter Jumping Festival	$2,500
XCO Vid Cup Dunsborough	$2,500
Ironman LOC – Volunteer Program	*Up to $17,500 (based on required numbers)

Ironman LOC – FOC Rooms	***Up to $9,625 (based on required numbers)**
Busselton Australia Day ceremony	**$3,000**
Carols by the Jetty	**$3,000**
Festival of Vasse	**$4,000**
Festival of Busselton	****Up to $20,000 (if includes a New Years Eve event)**
Totals	**$266,125**

3. **Endorses the allocation of up to $12k towards the update of the City's Events Strategy, to be funded from the adopted 2020/21 marketing budget;**

4. **Endorses the carryover of $38k towards the 2021 CinefestOZ event, to be funded from the adopted 2020/21 events budget; and**

5. **Endorses the waiver of ground hire and event related fees up to the value of $13.5k and a cash contribution of $15k for the 2020 Good Day Sunshine Festival, to be funded from the adopted 2020/21 events budget.**

EXECUTIVE SUMMARY

A meeting of the Marketing and Events Reference Group (MERG) was held on Monday 24 August 2020. This report presents the recommendations from this meeting.

BACKGROUND

At the Ordinary Meeting of Council held 13 April 2011, Council resolved (C1104/114) to endorse the implementation of a differential rating system whereby properties rated industrial and commercial across the City would directly contribute toward the City's continued support of tourism, marketing and event activities. The City also established a key stakeholder reference group, known as the 'Marketing and Events Reference Group' (MERG), to make recommendations to Council with respect to the marketing and events budget allocations.

At its meeting of 22 June 2011, Council resolved (C1106/201) to introduce a 3% Differential Rate on industrial and ccommercial rated properties which has increased over time to 10%. The proceeds from the differential rate are allocated towards the funding of events and marketing.

The 2020/21 adopted budget for marketing and events totals $1,076,414. This excludes budget allocations for Leavers Week, administration, and events staffing.

A MERG meeting was held on Monday 24 August 2020, with the following key matters discussed;

- update on events held since the last meeting on 12 February 2020 and upcoming major events;
- round one of the 2020/21 Event Sponsorship Program and associated funding applications for consideration
- Review of the City's Event Strategy
- Funding strategy of marketing and events budget

OFFICER COMMENT

Supporting the development and attraction of new events throughout the year, the City's Events Sponsorship Program promotes the City of Busselton as an attractive event tourism destination for a range of events. At the MERG meeting held 24 August 2020 a range of requests for marketing and events funding were considered as outlined below.

Twenty-one (21) applications were received through Round 1 of the 2020/21 Events Sponsorship Program totalling $358,662. All applications were evaluated by Officers and presented at the MERG meeting on 24 August with the following recommendations made:

Requests for Funding – 2020/21 Events Budget

Applications for funding through the 2020/21 Events Budget – Economic driver events

Event	**Requested**	**MERG Recommendation**
Margaret River Region Open Studios	$20,000	$7,000
Yallingup Malibu Classic	$4,000	$3,000
X Adventure Dunsborough	$10,000	$9,000
Eagle Bay Epic Adventure Race	$10,000	$5,000
Jazz by the Bay	$50,000	$40,000
Busselton Fringe Festival	$25,000	$20,000
Trans Cape SwimRun	$5,000	$3,000
Busselton Jetty Swim	$50,000	$35,000
Busselton Pride	$4,500	$4,000
Busselton Festival of Triathlon (Ironman 70.3)	$60,000	$55,000
Forest Rally	$17,500	$12,500
Busselton Half Marathon & Fun Run	$9,000	$2,500
Taj's Small Fries	$10,000	$8,000
Busselton Winter Jumping Festival	$5,574	$2,500
XCO Vid Cup Dunsborough	$3,000	$2,500
Ironman LOC – Volunteer Program	$20,000	*Up to $17,500 (based on required numbers)
Ironman LOC – FOC Rooms	$10,588	*Up to $9,625 (based on required numbers)
Totals	**$314,162**	**$236,125**

Applications for funding through the 2020/21 Events Budget – Community events

Event	Requested	MERG Recommendation
Australia Day Ceremony & Breakfast	$6,000	$3,000
Carols by the Jetty	$3,500	$3,000
Festival of Vasse	$15,000	$4,000
Festival of Busselton	$20,000	**Up to $20,000 (if includes a New Years Eve event)
Totals	**$44,500**	**$30,000**

Events Strategy Review

The City's Events Strategy was first produced in 2012. It is now timely to update the document to reflect the progress made and to re-evaluate priorities, particularly in light of COVID-19. A great deal of work has already been undertaken to evaluate the City's performance against the previous strategy, collate information and survey the community, however it is felt that additional assistance is required to undertake a review of how the events industry has been impacted by COVID19, undertake further community consultation, and produce the finalised document. It is recommended that up to $12k be allocated from the adopted 2020/21 marketing budget to fund an external consultant to finalise the update of the Events Strategy.

Request for Funding and Fee Waiver – Good Day Sunshine Festival

The Good Day Sunshine Festival is scheduled to be held at 3 Oceans Winery on Saturday 31 October 2020. This event was originally scheduled for 21 March 2020, however was cancelled due to the COVID-19 pandemic. Due to the delays in Western Australia moving to Phase 5 restrictions, event organisers are seeking to move the event to the larger venue at Barnard Park. To allow for social distancing and to keep within current restrictions, organisers are proposing a 'COVID-Safe Festival' which will consist of the grounds split into four quadrants, each containing 1,250 patrons allowing sufficient space for patrons to maintain the required social distancing. Each quadrant will have its own toilets, bar and food vendors so that interaction within the crowd is limited. Extra staff will be employed to monitor crowd behaviour and the hygiene of the venue.

Due to these measures, there will be additional costs to stage the event. Event organisers have approached the City to request support in the form of fee waivers and a cash contribution of $60k.

MERG recommended to support the waiver of fees up to the value of $13.5k, and a cash contribution of up to $15k. Event organisers will still be required to pay a bond to safeguard against any damages to the venue.

CinefestOz

CinefestOz 2020 will be held from 25-30 August. The event organisers have released a revised program as a result of COVID-19 and events will predominantly be held in Busselton between Orana Cinemas and the Esplanade Hotel, with supporting events at other venues such as the Cheeky Monkey Bar in Vasse, Equinox and Eagle Bay Brewing. Community screenings will be held online, with the Industry program hosted at the Esplanade Hotel.

The current contracted funding for CinefestOZ is $120k per year under a multi-year agreement, expiring in 2021. Due to the revised program in 2020 the City will sponsor the event to the value of $80k. Officers recommend that the remaining $38k cash be rolled over into 2021, in addition to the contracted $120k, to be used to re-launch the festival and undertake additional marketing in the Eastern States to promote direct flights from Melbourne.

Funding Strategy

As part of the 2020/2021 budget preparation, Officers have undertaken a review of the approach previously taken to apportion unallocated funds in the marketing and events budgets and propose a revised strategy. This strategy includes allocating fixed funding amounts towards CBD and community based events, economic development focused initiatives and COVID19 recovery events, focusing on activating the City's town centres through events and economic development initiatives that will attract residents and visitors into the town centres and support our local businesses and stimulate the local economy.

Statutory Environment

The Officer Recommendation supports the general function of a local government under the *Local Government Act 1995* to provide for the good government of persons in its district.

Relevant Plans and Policies

The Officer Recommendation aligns with the City's Events Policy which provides event organisers with information on the event application and approval process and event sponsorship guidelines.

Financial Implications

The total amount raised through the Commercial and Industrial Differential Rate in the City's adopted 2020/21 budget is $1,293,439. At the Special Meeting of Council held 27 July 2020 Council resolved (C2007/070) to include an allocation of $1,076,414 in the 2020/21 marketing and events budgets, with a proposed split as outlined in the table below. Funds currently committed from the 2020/21 Events Sponsorship Program through multi-year agreements totals $360,900. This leaves a balance of $425,514 in the 2020/21 events budget for allocations to Rounds 1 and 2 of the Events Sponsorship Program and any further event attraction.

Of the proposed $250,000 allocated to the marketing budget, $120,000 has been allocated to the Airport Marketing Reserve and $50,000 has been allocated to the Busselton Performing Arts and Convention Centre (BPACC), leaving a balance of $80,000 to be applied to marketing and economic development initiatives in the 2020/21 financial year.

The proposed allocation of the marketing and events budgets 2020/21 is as follows:

Events Sponsorships	**$ value**	**Description**
Previously allocated multi-year agreements	$360,900	Already allocated through existing multiyear agreements
Funding pool - Event Sponsorship Program	$410,514	Rounds 1 and 2 and new event attraction
CBD activation events	$15,000	$5k per town centre (Busselton, Dunsborough, Vasse) to activate and encourage residents/visitors to buy and support local businesses.
	$786,414	

Marketing/Economic Development Initiatives		
Airport Marketing Reserve	$120,000	
BPACC	$50,000	
Marketing and economic development initiatives	$80,000	Available funds to be used for marketing and economic development initiatives for 2020/2021
	$250,000	
City Events		
City led events	$20,000	TBD - Summer sundowners, movie nights, other community events
COVID-19 recovery events	$20,000	$10k Busselton, $5k Dunsborough, $5k Vasse
	$40,000	
TOTAL	**$1,076,414**	

Stakeholder Consultation

Consultation has been undertaken with MERG members with representatives comprising the Busselton and Dunsborough Yallingup Chambers of Commerce and Industry, Margaret River Busselton Tourism Association (MRBTA), Busselton Jetty Inc. and the City of Busselton.

Risk Assessment

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. The officer recommendation does not introduce any risks identified as being of a high or medium level.

Options

Council may choose not to support the recommendations made by MERG and resolve not to endorse part or all of the recommendations.

CONCLUSION

MERG has been assigned by Council to make recommendations on the way in which funds raised through the industrial and commercial differential rate for the purposes of events and marketing are allocated. This report contains the recommendations made at the 24 August 2020 MERG meeting, which if endorsed by Council, will result in the continuation of high quality events being held within the region, supported by successful marketing promotions. All recommendations support Council's vision of being recognised as the 'Events Capital WA.'

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Following Council's decision, the outcomes will be communicated to MERG members and relevant event/marketing bodies for their information and implemented where required.

16. FINANCE AND CORPORATE SERVICES REPORT

Nil

17. CHIEF EXECUTIVE OFFICERS REPORT

17.1 COUNCILLORS' INFORMATION BULLETIN

STRATEGIC GOAL	6. LEADERSHIP Visionary, collaborative, accountable
STRATEGIC OBJECTIVE	6.1 Governance systems, process and practices are responsible, ethical and transparent.
SUBJECT INDEX	Councillors Information Bulletin
BUSINESS UNIT	Executive Services
REPORTING OFFICER	Reporting Officers - Various
AUTHORISING OFFICER	Director Finance and Corporate Services - Tony Nottle
NATURE OF DECISION	Noting: the item does not require a decision of Council and is simply for information purposes and noting
VOTING REQUIREMENT	Simple Majority
ATTACHMENTS	Attachment A Letter from West Australian Football Commission Attachment B Current SAT Reviews Attachment C City of Busselton Reconciliation Action Plan Attachment D Australian Coastal Councils Association Inc. Membership Update

OFFICER RECOMMENDATION

That the items from the Councillors' Information Bulletin be noted:

17.1.1 Letter from West Australian Football Commission

17.1.2 State Administrative Tribunal Reviews

17.1.3 Reconcilitation Action Plan

17.1.4 Austrailan Coastal Councils Association Inc. Membership Update

EXECUTIVE SUMMARY

This report provides an overview of a range of information that is considered appropriate to be formally presented to the Council for its receipt and noting. The information is provided in order to ensure that each Councillor, and the Council, is being kept fully informed, while also acknowledging that these are matters that will also be of interest to the community.

Any matter that is raised in this report as a result of incoming correspondence is to be dealt with as normal business correspondence, but is presented in this bulletin for the information of the Council and the community.

INFORMATION BULLETIN

17.1.1 Letter from West Australian Football Commission

A letter from the Chief Executive Officer of the West Australian Football Commission, acknowledging the importance of local governments in the provision of local facilities for football clubs, is at Attachment A.

17.1.2 State Administrative Tribunal Reviews

A summary of the current State Administrative Tribunal reviews is attached.

17.1.3 Reconciliation Action Plan

The City's Reflect Reconciliation Action Plan (RAP) has been formally endorsed by Reconciliation Australia. There were some minor compliance amendments required which do not change the intent of the plan. A copy of the plan is attached.

17.1.4 Australian Coastal Councils Association Inc. Membership Update

Correspondence regarding the current activities being undertaken by the Australian Coastal Councils Association Inc. has been received and is attached.

WEST AUSTRALIAN FOOTBALL COMMISSION INC.

City of Busselton
Application No | Receipt No
CIO ID
13 AUG 2020
Property ID | Doc ID
Retention
City of Busselton

31st July 2020

City of Busselton
Locked Bag 1
Busselton WA 6280

Attn: CEO – Mike Archer

Dear Mike,

The WAFC would like to recognise the LGA for their support of community football clubs during the COVID-19 period.

As you would be aware, community sport is an integral part of the wider community and delivers many social and health benefits to the participants, and society in general. The support that LGA's provided through this time, no matter how great or small, enabled the majority of our clubs and leagues to financially manage through this period, with the ongoing aim to be sustainable into the future. The WAFC would like to thank the staff within your council, along with the councillors themselves, for their support of football and their local community through COVID-19. Please pass on our sincere thanks to all those involved.

After the period of isolation that WA experienced through COVID-19, for our local communities, football clubs will serve an even greater community purpose. Participants and their families are reconnecting with their community club, keen to re-establish that sense of connection and community that we all know is so important. Football Clubs continue to be the community hub for our families, and pleasingly we are seeing a significant majority of participants connecting back with community football.

The WAFC acknowledges the importance of LGA's in the provision of local sporting facilities for community football clubs, and we look forward to strengthening the positive working relationships that we have in place currently.

Sincerely,

Gavin Taylor
Chief Executive Officer
West Australian Football Commission

105 Banksia St, Tuart Hill WA 6060. PO Box 275, Subiaco WA 6904
Tel 08 9381 5599 **ABN** 51 167 923 136 **www.wafootball.com.au**

WAFL WEST COAST EAGLES FREMANTLE DOCKERS

As at 21 August 2020

APPLICATION (Name, No. and City File Reference)	PROPERTY	DATE COMMENCED	DECISION BEING REVIEWED	RESPONSIBLE OFFICER	STAGE COMPLETED	NEXT ACTION AND DATE OF ACTION AS PER SAT ORDERS	DATE COMPLETED / CLOSED
CITY OF BUSSELTON							
Lindberg v City of Busselton	4822 Bussell Highway, Busselton	October 2019	Review of a decision to give a direction under s.214.	Ben Whitehill / Lee Reddell	● Directions hearing on the 8 November 2019 against the decision of the City to give a direction under s.214. ● The matter was adjourned to a further directions hearing on 29 November 2019 in order to determine whether the application is misconceived or lacking in substance pursuant to s.47 of the *State Administrative Tribunal Act 2004* ● Directions hearing on the 29 November 2019 where it was resolved: - The application is amended by substituting Mr Doug Hugh Lindberg as applicant in place of Mr Johnson. - The matter is listed for an on-site mediation on 6 January 2020. - Mr Michael Johnson is invited to attend and participate in the mediation. ● Mediation on 6 January 2020 where it was resolved that : - the applicant is to provide additional information to the respondent by 3 February 2020; - The matter is listed for mediation on 13 February 2020. ● Mediation on 13 February where, following further discussion with the landowners and Mr Johnson, it was resolved to adjourn the proceeding back to a further directions hearing on 17 April 2020. ● Directions hearing on 17 April was vacated and listed for a directions hearing on 5 June 2020. ● Directions hearing on 5 June was vacated and listed for a directions hearing on 7 August 2020. ● Directions hearing on 7 August 2020 was vacated and listed for a directions hearing on 6 November 2020.	Directions Hearing 6 November 2020	
Bishop v City of Busselton	545 Gale Road, Kaloorup	November 2019 - (DR 227 of 2019) April 2020 – (DR 59 of 2020)	Review of a decision to give a direction under s.214 (concrete batching and dumping rubbish) Review of a decision to refuse to grant develop approval for a 'Research Establishment'	Ben Whitehill / Joanna Wilson	● Directions hearing on the 29 November 2019 against the decision of the City to give a direction under s.214 ● The matter was adjourned to a further directions hearing on 13 December 2019 in order for the applicant to seek legal advice ● Directions hearing listed for 13 December 2019 was vacated ● S 214 direction issued by the City is stayed until further orders are made. ● The matter is listed for a directions hearing on 7 February 2020. ● Directions hearing on 7 February 2020 where it was resolved that :	Directions Hearing 4 September 2020	

APPLICATION (Name, No. and City File Reference)	PROPERTY	DATE COMMENCED	DECISION BEING REVIEWED	RESPONSIBLE OFFICER	STAGE COMPLETED	NEXT ACTION AND DATE OF ACTION AS PER SAT ORDERS	DATE COMPLETED / CLOSED
					- adjourned to a further direction hearing on 4 March 2020; - By 6 March 2020, the respondent must file a statement of issues, facts and contentions and bundle of documents required under s 24 of the State Administrative Tribunal Act 2004. ● Directions on 4 March 2020, where it was discussed that City likely to refuse Application for DA for Research Establishment, that the order for City to file documents be revoked, and adjourned to 3 April 202o ● City refused Application for DA for Research Establishment on 12 March 2020 ● Mr Bishop has applied to the SAT to have refusal reviewed ● Directions hearing on the 3 April 2020 adjourned to 17 April 2020 due to non-appearance of Mr Bishop. ● Directions hearing on the 17 April was vacated and listed for a directions hearing on 24 April 2020. ● Both review applications have now been listed for Mediation on 6 May 2020; ● Directions hearing on 5 May 2020 in order for both parties to agree on vacating the mediation on 6 May 2020 and re-listing for 3 June 2020. ● DR 277 of 2019 (relating to s214 notice for concrete batching) withdrawn and DR 59/2020 (relating to the refusal of the DA for Research Establishment) adjourned to a further mediation on 19 August 2020. ● Mediation on 19 August 2020 where the matter was referred to a directions hearing on 4 September 2020.		
Hotait v City of Busselton	9 Prospect Close, Quindalup	November 2019 and January 2020	Review of a decision to give directions under s.214.	Ben Whitehill / Lee Reddell	● City issued 3 s 214 directions (Planning and Development Act 2005) October 2019; review applications lodged with SAT ● Due to administrative issues, review applications were dismissed. Re-commenced in January 2020 (DR 16/2020). ● Directions hearing held on 31 January 2020, adjourned to 28 February 2020 to enable the parties to confer, with a view to then being directed to mediation. ● Directions hearing on 28 February 2020 where the matter was referred to mediation on 16 March 2020. ● Mediation on 16 March 2020 where it was resolved that: - The parties are to liaise in respect of the additional information required for the determination of the current development applications; - Preparation of a 'livestock management plan' that might form the basis of a development application. - Adjourned to a further mediation on 21 May 2020. ● Adjourned to a Directions Hearing on 24 July 2020, to provide	Directions hearing on 28 August 2020	

APPLICATION (Name, No. and City File Reference)	PROPERTY	DATE COMMENCED	DECISION BEING REVIEWED	RESPONSIBLE OFFICER	STAGE COMPLETED	NEXT ACTION AND DATE OF ACTION AS PER SAT ORDERS	DATE COMPLETED / CLOSED
					time for Applicants to provide documentation and City to consider applications ● Adjourned to a Directions Hearing on 28 August 2020, to provide the City time to determine the development application and consider the s 214 directions.		
Harris v City of Busselton		May 2020	Review of a decision to cancel a registration (*Dog Act 1976*)	Ben Whitehill / Sharon Woodford-Jones	● City cancelled registration of dog on 30 April 2020. ● Applicant lodged application for review 11 May 2020. ● Directions hearing on 16 June 2020 applicant did not attend adjourned to 7 July 2020. ● Dog surrendered to City on 20 July 2020; ● City officers working to have proceeding withdrawn; ● Adjourned to a further directions hearing on 8 September 2020.	Directions Hearing on 8 September 2020	
JOINT DEVELOPMENT ASSESSMENT PANEL							
NIL							
WESTERN AUSTRALIAN PLANNING COMMISSION							
NIL							



Reconciliation Action Plan
REFLECT

July 2020 - December 2021

RECONCILIATION ACTION PLAN
REFLECT

City of Busselton
Geographe Bay

WADANDI ARTWORK

About the artist - Sandra Hill

Elder and Custodian of Wadandi / Pibulmun / Menang Boodja, (Country)
I am a Yorga (woman) of the Bibbulmun (Noongar) people of the South-West of Western Australia.

My journey with art has been the one constant throughout my life.

As a member of the stolen generation, art became a way to immerse my sense of loss, of sadness and grief into something more tangible and concrete. I wanted to expose the segregation, injustice, mental, physical and emotional cruelty meted out to my people since colonisation by visually telling the stories of the injustices suffered by my people in the very recent past.

Making art has been the driving force behind me reclaiming my cultural and personal identity, it gave me a voice, which continues to make me strong and it helped to guide me back home. Back to my family, my culture, my people, my community, my Heritage and my country.

My art symbolises our strength and resilience as a people but most importantly, it celebrates the ongoing survival of the Bibbulmun people and our culture.

About the artwork "Six Seasons"

Traditionally, the Noongar people of the South-West of Western Australia divided the year up into six seasons instead of four.

The painting is sectioned into rectangles, which represents the carving up of the land by the colonisers, turning Bibbulmun country into 'acreage' or estates, a monetary commodity that defines 'ownership' by individuals or families.

However, this can never relinquish the traditional heritage of the original people and their existence throughout this, their country. The Waugul, the creation serpent of the Bibbulmun people, has touched every 'acre' in the painting. It moves across the land showing it's ongoing presence, leaving its cultural track or footprint on all land throughout the southwest of the state, just as we have done as a people. The six ochre dots represent the six seasons and the ongoing custodial responsibility that we have in regard to our traditional lands.

Contact details for public enquiries about our RAP

Name:	Maxine Palmer
Position:	Manager Community Services
Phone:	(08) 9781 0462
Email:	city@busselton.wa.gov.au

An electronic version of the City of Busselton' Reflect RAP 2020-2021 is available at **www.busselton.wa.gov.au**

KAYA
ACKNOWLEDGEMENT OF COUNTRY

The City of Busselton acknowledges the Traditional Custodians, the Wadandi Bibulmun people, on whose land we are living, and pay our respects to Elders, past, present and emerging.

CITY OF BUSSELTON VISION STATEMENT

The City of Busselton acknowledges the Traditional Custodians, recognises our past and seeks to trust and grow together.

We will acknowledge, reconcile and collaborate





City of Busselton
Grant Henley, Mayor

In 2016, Council initiated the process of writing this Reconciliation Action Plan (RAP). Over the course of the last three years, City officers have been consulting with the local Wadandi Bibulmun people in a number of different ways.

From individuals to larger groups, we have recorded the aspirations and opportunities of the Traditional Custodians of this country. The information collected has greatly assisted in drafting this plan and provides a guide to its implementation as part of the City's core business.

We recognise that the relationship with the Wadandi Bibulmun people needs to be nurtured and grown with acknowledgement and respect. Through conversations with City officers, I can assure the community that we are passionate about utilising the RAP as a resource to work with the Traditional Custodians to progress a wide range of cultural and environmental projects for the benefit of our future relationships and generations to come. In fact, many of the initial ideas have already begun.

RAP's are not the end of the conversation, they are the beginning. Reconciliation is a journey which requires us to work together and to talk honestly and openly. I would like to thank the Wadandi Bibulmun people for their contribution to the process thus far which has been both insightful and practical.

I sincerely hope this RAP is way we can learn about each other and move forward together.

Reconciliation Australia
Karen Mundine, CEO

Reconciliation Australia is delighted to welcome the City of Busselton to the Reconciliation Action Plan (RAP) program and to formally endorse its inaugural Reflect RAP.

As a member of the RAP community, City of Busselton joins over 1,000 dedicated corporate, government, and not-for-profit organisations that have formally committed to reconciliation through the RAP program since its inception in 2006. RAP organisations across Australia are turning good intentions into positive actions, helping to build higher trust, lower prejudice, and pride in Aboriginal and Torres Strait Islander cultures. Reconciliation is no one single issue or agenda. Based on international research and benchmarking, Reconciliation Australia defines and measures reconciliation through five critical dimensions: race relations; equality and equity, institutional integrity; unity; and historical acceptance. All sections of the community — governments, civil society, the private sector, and Aboriginal and Torres Strait Islander communities—have a role to play to progress these dimensions.

The RAP program provides a framework for organisations to advance reconciliation within their spheres of influence. This Reflect RAP provides City of Busselton a roadmap to begin its reconciliation journey. Through implementing a Reflect RAP, City of Busselton will lay the foundations for future RAPs and reconciliation initiatives.

We wish City of Busselton well as it takes these first critical steps in its reconciliation journey. We encourage the organisation to embrace this journey with open hearts and minds, to grow from the challenges, and to build on the successes. As the Council for Aboriginal Reconciliation reminded the nation in its final report:

"Reconciliation is hard work—it's a long, winding and corrugated road, not a sections of the community will be essential to make reconciliation a reality."

On behalf of Reconciliation Australia, I commend City of Busselton on its first RAP, and look forward to following its ongoing reconciliation journey.

THANK YOU

Many people and groups have contributed to the development of the City of Busselton Reconciliation Action Plan over the last few years who are too numerous to mention.

The City appreciates the generous contributions by the many Aboriginal organisations and key Aboriginal people in the community who have given so freely of their time and their thoughts, contributions and feedback.

REFLECT RAP

The RAP process is a framework to support organisations in their achievement of their reconciliation aspirations and goals. There are four types of RAP: Reflect, Innovate, Stretch or Elevate. As outcomes are achieved, the organisation shifts between RAP types.

The City of Busselton is working towards a Reflect RAP. This means it is scoping and developing relationships with the Aboriginal community to determine the outcomes it hopes to achieve and focus on. These goals and outcomes have been informed by Aboriginal community feedback and mark the commencement of a formal journey of reconciliation.

This RAP will work to build relationships between the City and the Aboriginal community, and raise awareness of protocols about communicating with the Aboriginal community as contributors to the conversation.

The City will work towards determining actions that will build on growing respect, encouraging positive relationships, and help educate the broader community through cultural interpretation lead by the Cultural Custodians.



OUR BUSINESS

The City of Busselton is located within the South West corner of Western Australia and is part of Noongar country that is called the Wadandi Boodja. The Wadandi Bibulmun people have been living in this area for over 40,000 years. It was and continues to be a place of plenty. The City is bound by the Shires of Augusta-Margaret River, Capel, Donnybrook-Balingup and Nannup.

The population is approximately 39,623. The 2016 Census recorded that 1.6% residents identified as Aboriginal or Torres Strait Islander. By 2030, the total population of the District is expected to grow to 55,000[1]. The City of Busselton is one of the fast-growing local governments in WA, delivering a vast range of facilities and services for the community.

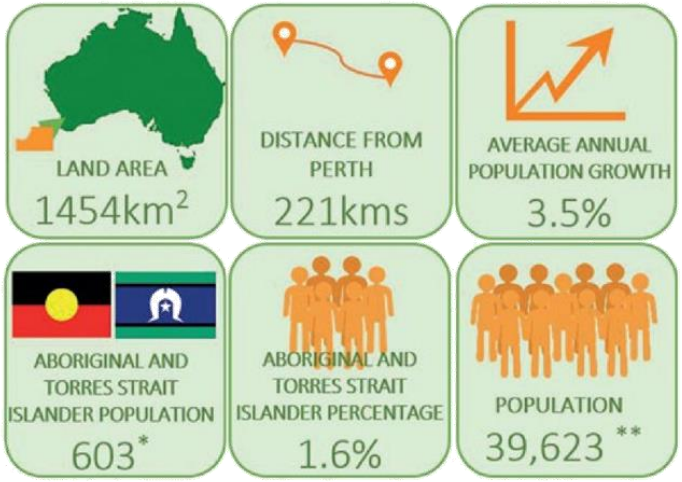
The City has nearly 400 employees and is working towards building an environment where Aboriginal community members will feel comfortable. Currently the City has three school based traineeship students and one employee.

The City Councillors and officers are passionate about growing their relationships with local Aboriginal community members and groups. Through discussing the community's concerns about environmental observations and issues, officers are learning about opportunities for alternative treatment methods, and will investigate the viability of recommendations put forward by the Aboriginal community. These Actions will be integrated into the City's core business where possible.

With regards to practices where developments may impact sites of cultural significance or when possible artifacts are revealed, the City's objective is to always engage with representative Elders to assist in protecting their heritage alongside complying with legal requirements. When the City is intending to undertake works within a known heritage area or an area considered to have a high risk, this advice is provided to the relevant officers well in advance to allow for the proper planning and engagement of Elders to monitor at the location.

The City continues to support Aboriginal organisations through partnerships in managing parks like Merenj Boodja at the ArtGeo Cultural Complex and Walgin Gardens on the northwest side of Causeway Bridge, Busselton. The City has also leased premises to the Undalup Association in which to hold their meetings and activities.

The Councillors and City officers will continue to work with the Aboriginal community, growing in respect for cultural knowledge and awareness of this special country.







[1]*WA Tomorrow Report No. 11, Busselton LGA, Band A and Band forecast.*
**Australian Bureau of Statistics Busselton LGA 2016*
***Australian Bureau of Statistics, 3218.0 – Regional Population Growth, Estimate of 2019 in LGA*

OUR JOURNEY

In November 2007, the then Shire of Busselton held a number of community meetings with Aboriginal community members, various agencies, State departments and the local Police, in writing a Local Aboriginal Justice Agreement (LAJA). The Busselton LAJA was endorsed by Council in May 2009 however due to changes in key stakeholders, it was not progressed.

Over the last ten years, the City has liaised with the Aboriginal community in various ways, and the relationship between the City and Aboriginal community has been cautious.

The many years that have passed constitutes a journey of hills and valleys; learning and more learning, all towards an appreciation and respect of Aboriginal culture and history.

2015 AUGUST - DECEMBER	2016 JANUARY - AUGUST	2016 DECEMBER	2017 MARCH - JULY	2017 AUGUST - NOVEMBER
• In partnership with Rio Tinto and Cinefestoz, the 2015 Colours: Country to Coast was exhibited at ArtGeo Gallery. Local Elder women met with the Yinjaa Barni Art Centre artists for the exhibition and film festival. A number of local Aboriginal artists were invited to loan artworks from private collections. • At the December Council meeting, it was proposed to include an Acknowledgement of Country at the beginning of Council meetings and the motion was not supported. However informally Councillors expressed an interest in investigating a Reconciliation Action Plan in the coming year.	• Findings from investigations were presented to Council in March 2016 and steps towards a RAP were proposed and agreed upon. • Councillors and City officers participated in Cultural Awareness Training facilitated by Dr Robert Isaacs AM OAM, an Elder with family links to Wadandi Boodja. The program discussed the history and impact of the Aborigines Act 1905 and Stolen Generations. The RAP framework was outlined. • Three community meetings were held in June through August and it was noted that as fewer Aboriginal community members were attending it was necessary to reconsider the approach.	• The Deputy Mayor and two City officers met with the South West Boojarah Working Party in Busselton (SWBWP). • At this meeting, there was feedback received about the City's Funeral Practices. As a result, the process which had been in place since 2009, included further traditional funeral customs in consideration of Aboriginal families. • Planning began to develop a process for the City of Busselton RAP. • Aboriginal heritage consultations were undertaken in Busselton. These resulted in footpath realignments. The work was monitored in case any artefacts were unearthed.	• The fifth Settlement Art Project sculpture of an Aboriginal person was agreed upon with Aboriginal Elders and community representatives. Gaywal was an Elder and leader at the time of European settlement in The Vasse. George Layman was speared by Gaywal in retaliation for breaking cultural Lore. • Artwork for Reconciliation Week and NAIDOC Week clothing was created by Busselton Senior High School and Busselton Primary School students and the City participated in the Undalup Association's NAIDOC Week Festival. • The Aboriginal flag was approved to fly permanently outside the new City Administration building.	• Informal conversations with local Aboriginal community members began again in order to understand what was important to them to include in the RAP. • An Aboriginal Work Placement student commenced with the City of Busselton and helped create a NAIDOC Week project and Aboriginal Art Auction event. • Undalup Association coordinated their Kambarang Children's Week activities at ArtGeo Cultural Complex. • The City's Courthouse Interpretation Plan identified a garden in the ArtGeo Cultural Complex as a potential place for a native bush garden. Exploration of this idea commenced with the Undalup Association.

2017 DECEMBER	2018 FEBRUARY - MARCH	2018 APRIL	2018 JULY	2018 SEPTEMBER - OCTOBER	2018 NOVEMBER - DECEMBER	JANUARY 2019 - APRIL 2020
• Councillors were briefed on the progress in developing the RAP including feedback from Aboriginal community consultation. • Officers commenced working with the Undalup Association on concepts for an Aboriginal native bush garden at ArtGeo Cultural Complex. • Aboriginal heritage consultations undertaken on locations in Yallingup, Vasse, Cape Naturaliste, Dunsborough, and Busselton. These resulted in an increase in a buffer zone around a significant site, and changes to carparks, drains, footpaths, roads, and foreshores.	• The Undalup Association signed a lease agreement with the City for rooms at the High Street Hall as a place for an office, to hold meetings and run activities. • RAP consultation intensified with formal meetings and interviews with groups, individuals, families and organisations outlining the aspirations and ideas of the Aboriginal community. • Three local Aboriginal women participated in International Art Space (IAS) workshops and some Aboriginal community members had their interviews recorded by Danish IAS artist, Michelle Eistrup.	• New Council Standing Orders were endorsed with an Acknowledgement of Country included at the opening of Council meetings. • The "Walking on Boodja" Project commenced. Local schools were invited to create feet in black, red or yellow felt and write messages that celebrated Aboriginal women which was in line with the NAIDOC Week theme, "Because of Her, We can." The feet were exhibited at the ArtGeo Cultural Complex during NAIDOC Week. • Aboriginal community members met to discuss the design of a statue at the Busselton Jetty as part of the Sculpture and Seascape Walk. • Local residents met with Aboriginal Cultural Custodians about developing a concept for artwork in Yallingup.	• NAIDOC Week activities included the student led "Walking on Boodja" at ArtGeo Cultural Complex and "Boola Kala, Moodjidtch Exhibition" Aboriginal Art Exhibition in the Ballaarat Room in Railway House. • The Undalup Association unveiled the name of the Merenj Boodja Native Bush Food Garden at the ArtGeo Cultural Complex. • The representative Aboriginal group for the sculpture of Gaywal visited artist Greg James in Fremantle, to view the sculpture as part of the Settlement Art Project in its clay form. • RAP consultation continued.	• A RAP Vision Statement Workshop was conducted with Councillors and City officers and Aboriginal community members. The workshop included videos of community members who shared their aspirations for the RAP. Three options for the Vision Statement were developed. • City officers met with Undalup Association representatives to discuss solutions for environmental issues and concerns through the Association's Ranger Program. • The interpretation for the sculpture of Gaywal was developed as part of the Settlement Art Project.	• The Mayor and City officers attended a South West Boojarah Working Party meeting to present information about the draft RAP and the renaming of a foreshore park. • Consultation with Cultural Custodians for re-landscaping Walgin Garden was undertaken. • Cultural custodians were engaged to name a reserve in Dunsborough. The name selected was Quedjinmia.	• Aboriginal Sculpture of Gaywal was unveiled in the ArtGeo Cultural Precinct as part of the Settlement Art Project. • Aboriginal community consultation to maintain the name of Yoganup Park the Busselton Foreshore Precinct undertaken. • Three Aboriginal school based work trainee placement students commenced with the City. • Draft RAP consultation with Aboriginal community members for 3 months. Final edit with the Undalup Association. • Vasse River revegetation works undertaken by Undalup Association. • RAP endorsed by Council October 2019. • Djiljit Mia Community Gathering Space approved by SWBWP with artwork by Cultural Custodian Josh Whiteland. Undalup Association to work with Dunsborough Coast and Landcare group to work on Dugalup Brook. • Cultural Awareness training undertaken by City staff.

RESPECT

	ACTIONS	DELIVERABLES	RESPONSIBILITY	TIMELINE
1.1	**Demonstrate respect for Aboriginal people by developing cultural protocols**	a. Develop protocols for Welcome to Country and Acknowledgement of Country to ensure Elders are invited to attend civic ceremonies or events where appropriate and ensure respectful treatment of Elders at such events.	**Public Relations Coordinator;** Community Services; Human Resources	December 2020
		b. All Council and staff to be Welcomed on Country.	**Human Resources Coordinator,** Governance Coordinator	July 2020
1.2	**Acknowledge Traditional Custodians**	a. Ensure inclusion of Welcome to Country at major City managed and supported events and significant openings.	**Public Relations Coordinator;** Events Team	July 2020
		b. Ensure continued inclusion of Welcome to Country or Acknowledgement of Country at Council meetings and civic events.	**Governance Coordinator;** Public Relations; Events	July 2020
		c. Ensure all organisations having events in the City have Welcome to Country or Acknowledgement of Country through the Event Package.	**Event Coordinator;** Public Relations	July 2020
		d. Develop a register of Aboriginal community members who may do a Welcome to Country.	**Cultural Development Officer**	December 2020
		e. Ensure the Aboriginal and Torres Strait Islander Flag is raised during NAIDOC and National Reconciliation Weeks.	**Customer Services Coordinator**	July 2020
		f. Encourage inclusion of Acknowledgement of Country in Council's strategic documents and electronic communications.	**Governance Coordinator**	July 2020
1.3	**Create a sense of Aboriginal place**	a. Support the Aboriginal community in the development of artwork and/or interpretation in spaces and places within the City of Busselton that have a strong Aboriginal connection.	**Cultural Development Officer;** Public Relations; Environmental Services; Engineering and Technical Services; Economic Development Services; Strategic Planning	August 2020 - ongoing
1.4	**Encourage Cultural Custodians to share knowledge and stories of Aboriginal history and raise awareness of culture**	a. Seek permission from Cultural Custodians to include cultural information as part of awareness raising activities, e.g. the inclusion of Noongar six seasons information in the City Events Calendar Planning. Work towards the use of Aboriginal language in signage, interpretation and other material where appropriate.	**Cultural Development Officer;** Public Relations; Events Team	December 2020
		b. Promote and identify opportunities for naming of Council owned assets in Aboriginal language.	**Cultural Development Officer;** Engineering and Technical Services; Operational Services; Public Relations	December 2020

	ACTIONS	DELIVERABLES	RESPONSIBILITY	TIMELINE
		c. Promote and identify opportunities for dual-naming. Develop small plaques of stories and names for plants and animals as a first step.	**Cultural Development Officer;** Public Relations	September 2020 - ongoing
		d. Facilitate opportunities for oral histories to be recorded and freely accessible.	**Local History Librarian** Community Development	December 2021
1.5	**Respect Aboriginal cultures and histories by celebrating NAIDOC Week**	a. Raise awareness and share information amongst Officers about the meaning of NAIDOC Week; and support NAIDOC Week events in the region.	**Cultural Development Officer;** Customer Services	July 2020
		b. RAP Working Group to participate in an external NAIDOC Week event.	**Cultural Development Officer;** Customer Services	July 2020
1.6	**We recognise the value of the culture, history, knowledge, Lore and rights of Aboriginal people and work to increase our understanding of this**	Councilors: a. Develop Cultural Awareness information as part of the induction process for new Councillors.	**Governance Coordinator;** Human Resources	November 2020, 2021
		b. Provide updated information on the RAP.	**Cultural Development Officer**	November 2020, 2021
		Staff: c. Inclusion of Cultural Awareness information as part of induction d. Grow Cultural Awareness through information sessions and/or targeted training.	**Human Resources Coordinator;** Governance; Customer Services	July 2021
		e. Encourage Officers in relevant areas to attend cultural awareness training.	**Environmental Services Manager;** Community Development; Engineering & Technical Services; Operational Services; Development Services	September 2020 - ongoing
1.7	**Develop cultural protocols and processes to acknowledge traditional customs and heritage**	a. Provide processes for funeral practices which acknowledges the traditional customs of the City's diverse cultures.	**Customer Services Coordinator**	September 2020 - ongoing
		b. Undertake due diligence investigations and compliance with legislation for Aboriginal Heritage Act 1972. Provide support for sites that require works or protection.	**Engineering and Technical Services;** Operational Services; Environmental Services	September 2020 - ongoing

RELATIONSHIPS

	ACTIONS	DELIVERABLES	RESPONSIBILITY	TIMELINE
2.1	**Recognise Aboriginal history**	a. Develop a project planning process for City projects to include Aboriginal engagement as an early step to recognise Aboriginal culture.	**Designated Project Manager;** all Directorates	December 2021
		b. Continue to ensure identification of potential heritage impacts as part of development assessment processes.	**Manager Development Services**	August 2020
		c. Work with key stakeholders to continue to build a database of culturally significant sites as they are shared.	**Operational Services Coordinator;** Environmental Services	December 2021
		d. Work with Cultural Custodians to develop cultural interpretation and stories for sites as approved by the Aboriginal community.	**Community Development Team;** Environmental Services; Operational Services	August 2020 - ongoing
2.2	**Promote reconciliation through our sphere of influence**	a. Communicate the City's commitment to reconciliation with City staff.	**Cultural Development Officer;** all Directorates	August 2020 - ongoing
		b. Identify other like-minded organisations that the City could approach to collaborate with on the reconciliation journey.	**Cultural Development Officer**	August 2020 - ongoing
2.3	**Build relationships through celebrating National Reconciliation Week**	a. Encourage participation in National Reconciliation Week (NRW) activities and events; work with schools and associations on National Reconciliation Week events and activities.	**Cultural Development Officer**	May 2021
		b. Circulate Reconciliation Australia's NRW resources and reconciliation materials to our staff.	**Cultural Development Officer**	May 2021
		c. RAP Working Group to participate in an external NRW event.	**Cultural Development Officer;** RAP Working Group	May 2021
		d. Encourage and support staff and senior leaders to attend at least one external event to recognise and celebrate NRW.	**Cultural Development Officer;** RAP Working Group	May 2021
2.4	**Establish working relationships with key Aboriginal stakeholders and community members**	a. Establish regular meetings with interested stakeholder groups. E.g. identifying environmental issues with the Undalup Association Ranger Program to work on projects that assist the City in the management and maintenance of drains and reserves.	**Cultural Development Officer;** Operational Services; Environmental Services	May 2021

	ACTIONS	DELIVERABLES	RESPONSIBILITY	TIMELINE
		b. Maintain database of key stakeholders or organisations with Aboriginal focus; provide information that can be distributed to their networks. E.g. schools, health service providers.	**Cultural Development Officer**	July 2020 - ongoing
2.5	**Develop a relationship with the South West Native Title Settlement Group – South West Boojarah Working Party**	a. The City to keep informed of the progress of the Native Title Settlement agreement.	**Legal Services Coordinator;** Strategic Planning	July 2020 - ongoing
		b. Liaise with the SWBWP representatives and seek their involvement in the implementation of the RAP.	**Cultural Development Officer**	July 2020 - ongoing
2.6	**Connect community with services**	a. Support Aboriginal interagency collaboration to promote services and products to the local community.	**Community Development Officer;** Youth Development Officer	July 2020 - ongoing
		b. Promote early years and youth initiatives to the Aboriginal community.	**Community Development Officer**	July 2020 - ongoing
2.7	**Share and promote funding opportunities for Aboriginal groups**	a. Share information about grant opportunities as they arise; promote grant writing workshops.	**Community Development Officer**	July 2020 - ongoing
		b. Allocate resources for Aboriginal projects.	**All Directorates**	July 2020 - ongoing
2.8	**Promote positive relations through anti- discrimination strategies**	a. Research best practice and policies in areas of race relations and anti-discrimination.	**Human Resources Coordinator;** Community Development	December 2021
		b. Conduct a review of the City's Human Resources policies and procedures to identify any anti-discrimination provisions, and future needs.	**Human Resources Coordinator**	December 2021



OPPORTUNITIES

	ACTIONS	DELIVERABLES	RESPONSIBILITY	TIMELINE
3.1	**Improve employment outcomes by increasing Aboriginal Employment at the City**	a. Investigate opportunities for Aboriginal designated positions/ traineeships. b. Explore and promote external funding partnership opportunities. c. Ensure employment opportunities are presented to Aboriginal people.	**Human Resources Coordinator** **Operations Services Manager** **Human Resources Coordinator**	July - ongoing July - ongoing July - ongoing
		d. Support designated Aboriginal work placements through school based traineeships.	**Human Resources Coordinator**	November 2020
		e. Inform and encourage Aboriginal community about employment opportunities in Local Government through key stakeholders and key Aboriginal community contacts.	**Cultural Development Officer**	July 2020 - ongoing
		f. List City job opportunities on Jobs & Skills WA Aboriginal Services Jobs Board.	**Human Resources Coordinator**	July 2020 - ongoing
		g. Seek to encourage Aboriginal students to do work experience at the City. Prioritise to ensure there is one each year.	**Human Resources Coordinator;** Community Development	November 2020
3.2	**Support the Aboriginal community with employment information**	a. Run an annual workshop for Aboriginal people to increase understanding of how to apply for jobs within local government.	**Human Resources Coordinator**	July 2021
		b. Share information about the Public Sector Commission's school based Aboriginal Traineeships available in Federal and State Government.	**Cultural Development Officer**	July 2020
3.3	**Promote Aboriginal art in public spaces to show shared history**	a. Commission or purchase Aboriginal art for exhibition and use in City publications, presentations and RAP material.	**Public Relations Coordinator;** Community Development	December 2021
		b. Develop an approach to incorporate artworks and interpretation in public spaces and places to reflect Aboriginal culture and history within the town centres.	**Designated Project Managers;** all Directorates	July 2020

	ACTIONS	DELIVERABLES	RESPONSIBILITY	TIMELINE
3.4	**Promote Aboriginal Engagement Plans**	a. Increase awareness and consideration of aspirations of Aboriginal organisations that have relevance to the City of Busselton through their Aboriginal Engagement Plans.	**Governance Coordinator;** Community Development; Engineering and Technical Services; Operational Services; Environmental Services	July 2020 - ongoing
3.5	**Encourage Aboriginal Youth Leadership Skills**	a. Inform Aboriginal youth about careers in local government; encourage attendance at and membership of SHIFT Youth Crew.	**Youth Development Officer**	July 2020 - ongoing
3.6	**Support local Aboriginal suppliers to improve economic and social outcomes**	a. Encourage Aboriginal owned businesses to join Vendor Panel.	**Designated Project Managers;** all Directorates	July 2020 - ongoing
		b. Encourage Aboriginal businesses to join Supply Nation and the Aboriginal Business Directory WA.	**Designated Project Managers;** all Directorates	July 2020 - ongoing
		c. Explore opportunities for contractors to report on the number of Aboriginal employees they employ as part of Conditions of Contract.	**Legal Services Coordinator**	July 2021
3.7	**Develop Aboriginal Cultural Tourism**	a. Work with Aboriginal tourism operators and businesses, other Local Governments, agencies and West Australian Indigenous Tourism Operators Council (WAITOC) to develop an Aboriginal Heritage Trail.	**Economic Development Coordinator;** Community Development	December 2021



GOVERNANCE

	ACTIONS	DELIVERABLES	RESPONSIBILITY	TIMELINE
4.1	**Establish an effective relationship with the Aboriginal community to ensure the implementation of the RAP**	a. Establish a relationship with the SWBWP as the representative body of the Aboriginal community, and continue relationships with the broader Aboriginal community.	**Cultural Development Officer;** Council representatives; Governance Services; Public Relations	December 2021
		b. Establish meetings with SWBWP and the Undalup Association and the broader Aboriginal community.	**Cultural Development Officer**	July 2020 - ongoing
4.2	**Establish and maintain an effective RAP Working Group (RWG) to drive governance of the RAP**	a. Form a RAP Working Group (RWG) to govern RAP Implementation. b Draft a Terms of Reference for the RWG c. Establish representation of Aboriginal community and broader Aboriginal Community stakeholders on the RWG. d. Nominate City of Busselton staff to join the RWG.	**Manager Community Services;** Council representatives; Environmental Services; Operations Services and Governance Services	May 2021 May 2021 May 2021 May 2021
4.3	**Establish RAP Champions across four Directorates to assist the RAP Working Group**	a. Call for nominations City of Busselton staff as RAP Champions for each directorate.	**Director Community & Commercial Services**	July 2020
4.4	**Provide appropriate support for effective implementation of RAP commitments**	a. Update briefing to Council on RAP Achievements. b. Engage City of Busselton staff at all levels in the delivery of RAP commitments. c. Define appropriate systems and capability to track, measure and report on RAP commitments. d. Identify resources needed for RAP implementation. E.g. catering; workshops; promotions; printing; sitting fees (if required).	**RAP Champions;** RWG	December 2021 December 2021 December 2021 December 2021
4.5	**Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally**	a. Complete and submit the annual RAP Impact Measurement Questionnaire to Reconciliation Australia.	**Cultural Development Officer;** RAP Champions	September 2021
4.6	**Continue our reconciliation journey by developing our next RAP**	a. Register via Reconciliation Australia's website to begin developing the next RAP 'Innovate.'	**Cultural Development Officer;** RAP Champions	August 2021

Reconciliation Action Plan
REFLECT

Join Our Community

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

2 Southern Drive Busselton
Western Australia

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

City of Busselton
Geographe Bay

RECONCILIATION ACTION PLAN
REFLECT

AUSTRALIAN COASTAL COUNCILS ASSOCIATION INC.
ABN 75 137 814 307
PO Box 550 Williamstown VIC 3016
Tel 03 9399 8558
info@coastalcouncils.org.au
www.coastalcouncils.org.au

20 August 2020

Mr Mike Archer
Chief Executive Officer
City of Busselton
Locked Bag 1
BUSSELTON WA 6280

By email: city@busselton.wa.gov.au

Dear Mike

On behalf of the Committee of Management of the Australian Coastal Councils Association Inc. I would like to take this opportunity to provide an update on current activities being undertaken by the Association and to attach a tax invoice for membership fees for the period from 1 July 2020 to 30 June 2021.

At this difficult time, as the health and economic impacts of the coronavirus pandemic continue to be felt throughout the world, the Association's Committee has decided to freeze membership fees at the same rate as those of the previous financial year to help our member councils.

One other consequence of the coronavirus pandemic which we are concerned about is that some important coastal issues are receiving less attention than they were previously. The shortfall in funding to address coastal hazards is a case in point. Coastal erosion, inundation and more frequent and severe extreme weather events are a significant threat for coastal councils and will present even greater risks in the future. That is why our Association will continue to advocate for additional support and guidance for coastal councils in their ongoing efforts to deal with coastal hazards.

There are a number of initiatives we are currently implementing towards this end. The first is a national Coastal Hazards survey, which was developed in association with the Coastal Hazards Working Group (CHWG). As you may be aware, the CHWG is the group of Commonwealth and State officials set up at the most recent meeting of Federal and State Environment Ministers to provide advice on developing a collaborative approach to dealing with coastal erosion and inundation hazard risk management. We are in the process of conducting the survey by a SurveyMonkey questionnaire, which is being circulated to all Australian coastal councils and hope that your council will participate in the survey. We believe the findings will gain additional support and guidance for coastal councils in their efforts to deal effectively with coastal hazards.

A second current initiative is a National Forum on Coastal Hazards, which was originally scheduled to be held at Fremantle from 20 to 22 May. The forum was being planned, with expert speakers and case studies, to feed into the work being undertaken by the Coastal Hazards Working Group. As a result of the restrictions introduced in response to the coronavirus pandemic, however, the event has been

postponed to a date later in the year. This will be one of the most important events ever staged by the Australian Coastal Councils Association and has the potential to gain additional support and guidance for your council in its efforts to address the impact of coastal hazards in your local area.

Another of our initiatives is a call to the Australian Government to allocate a portion of the coronavirus stimulus package to councils to enable them to proceed with urgently needed coastal protection works. To that end we have written to Prime Minister Scott Morrison, Treasurer Josh Frydenberg and to the State Premiers proposing that the economic stimulus package include an allocation for coastal protection works, noting that most coastal councils have projects that are shovel-ready, requiring only the necessary funding in order to proceed. These works are also labour intensive which means they are eminently suitable for funding under the stimulus package, which will generate much-needed economic stimulus to local communities.

These initiatives highlight the focus of the Association on achieving a sustainable future for Australia's coastal communities. As you are aware, coastal councils are under continuing pressure in terms of responding effectively to challenges, including the shortfall in resources for infrastructure and services, the projected impacts of climate change and the substantial changes occurring in holiday accommodation services in coastal areas. These challenges mean the Association's continuing role in advocating on behalf of coastal councils is vital.

The Australian Coastal Councils Association Inc. is the only body that specifically represents the interests of Australia's coastal councils at a national level. In addition to advocating on behalf of coastal councils, the organization undertakes the following activities in support of member councils:

- Facilitates the exchange of information between coastal councils on issues of mutual concern;
- Monitors developments in coastal planning and management of interest to member councils;
- Commissions research projects of relevance to coastal councils;
- Makes strong representations to Federal and state government inquiries into coastal matters;
- Conducts an annual conference to assist coastal councils keep pace with coastal policy and technical developments and to share the findings of coastal research projects.

Accompanying this letter is a Tax Invoice for membership fees for the year 1 July 2020 to 30 June 2021. As indicated earlier, the membership fees, which normally increase in line with the Consumer Price Index, remain at the same level as for the previous year.

In closing, I would like to thank you and your council on behalf of the Association's Committee of Management for your support as members of our organization, and if there are any other matters you would like to be considered by the Association please let me know.

Yours sincerely,



Sharon Cadwallader
Chair, Australian Coastal Councils Association Inc. and Councillor, Ballina Shire Council

18. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

19. URGENT BUSINESS

20. CONFIDENTIAL MATTERS

Nil

21. CLOSURE