



Council Agenda

14 February 2018

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city@busselton.wa.gov.au

CITY OF BUSSELTON

MEETING NOTICE AND AGENDA – 14 FEBRUARY 2018

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, 14 February 2018, commencing at 5.30pm.

Your attendance is respectfully requested.

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

2 February 2018

CITY OF BUSSELTON

AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 14 FEBRUARY 2018

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1. **DECLARATION OF OPENING/ ACKNOWLEDGEMENT OF COUNTRY AND ANNOUNCEMENT OF VISITORS**

2. **ATTENDANCE**

Apologies

Approved Leave of Absence

3. **PRAYER**

4. **PUBLIC QUESTION TIME**

Response to Previous Questions Taken on Notice

Public Question Time

5. **ANNOUNCEMENTS WITHOUT DISCUSSION**

Announcements by the Presiding Member

Announcements by other Members at the invitation of the Presiding Member

6. **APPLICATION FOR LEAVE OF ABSENCE**

7. **PETITIONS AND PRESENTATIONS**

8. **DISCLOSURE OF INTERESTS**

9. **CONFIRMATION AND RECEIPT OF MINUTES**

Previous Council Meetings

9.1 **Minutes of the Council Meeting held 31 January 2018**

RECOMMENDATION

That the Minutes of the Council Meeting held 31 January 2018 be confirmed as a true and correct record.

Committee Meetings

9.2 **Minutes for the Policy and Legislation Committee Meeting held 1 February 2018**

RECOMMENDATION

That the minutes of the Policy and Legislation Committee meeting held on 1 February 2018 be confirmed as a true and correct record.

10. REPORTS OF COMMITTEE

10.1 Policy and Legislation Committee - 1/02/2018 - PREPARATION OF DUNSBOROUGH TOWN CENTRE ACTIVITY CENTRE PLAN & URBAN DESIGN GUIDELINES

SUBJECT INDEX:	Town & City Centres
STRATEGIC OBJECTIVE:	Creative urban design that produces vibrant, mixed-use town centres and public spaces.
BUSINESS UNIT:	Strategic Planning and Development Services
ACTIVITY UNIT:	Strategic Planning & Development
REPORTING OFFICER:	Strategic Planner - William Hosken
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Dunsborough Town Centre Conceptual Plan Attachment B Extract from proposed Amendment No. 29 to Local Planning Scheme 21 Attachment C Proposed Extent of Dunsborough Activity Centre Plan and Urban Design Guidelines Attachment D Extract of 'Schedule 1 – Design Principles' from Draft State Planning Policy 7 Attachment E Extract from Local Commercial Planning Strategy

This item was considered by the Policy and Legislation Committee at its meeting on 1 February 2018, the recommendations from which have been included in this report.

PRÉCIS

The Council is requested to endorse the proposed preparation of an Activity Centre Plan (ACP) and Urban Design Guidelines (UDG) for the Dunsborough Town Centre as means to provide guidance and direction for future development. This report details the rationale for doing so and proposes a program, including public consultation, for preparing these documents over the coming 12 months.

BACKGROUND

Over the past five years, the City of Busselton has been actively planning to facilitate improvements to the function, attractiveness and vitality of the Dunsborough Town Centre.

The City is working towards formulating a practical and robust local planning framework for the future development of the Dunsborough Town Centre. It is intended that this framework will, by considering the most appropriate planning controls and incentives through which this can be provided, provide guidance and direction for the desired built form and the interface between private development and the public realm.

To date, this has included the following initiatives:

Dunsborough Town Centre Conceptual Plan (DTCCP)

A review of past planning instruments and technical studies, on-ground assessments of parking and access issues, and several occasions and forms of consultation (with landowners, residents and community groups) culminated in the adoption of the DTCCP (**Attachment A**) by Council in January 2014. The DTCCP provided a framework for a range of initiatives (planning and otherwise) to be identified and consulted on, and the City has subsequently progressed various projects adopted therein including streetscape and public open space enhancements.

The DTCCP highlighted the need for further detailed investigation into the design of development within the Dunsborough Town Centre via the identification of 'Development/ Redevelopment Cells' that require site-specific design guidance/ integration. Each of these Cells reflects a generally consistent pattern of existing development such that the likely future development options are similar to, and in some cases dependent upon, other sites within that Cell.

Amendment No. 1 (Omnibus #1)

The DTCCP foreshadowed various changes to the zoning of land that were subsequently progressed as part of Amendment No. 1 to *Local Planning Scheme No. 21* (the Scheme). Amendment No. 1 included a range of significant changes to planning controls for the Busselton and Dunsborough centres, reflecting the implementation of the Conceptual Plans for each (although the pattern of zoning was simplified) as well as a number of the recommendations of the City of Busselton's Local Commercial Planning Strategy and Local Cultural Planning Strategy. These changes included:

- Introduction of an RAC-3 coding to encourage and support residential and mixed use development;
- Introduction of a range of incentives (including increased plot ratio) to encourage and support mixed-use development;
- Extension of the Dunsborough Town Centre via rezoning of the Clark Street industrial area;
- Introduction of Additional Use areas fringing the Town Centre to provide certain low-impact business/commercial opportunities and a legible transition between land uses in the centres and adjoining residential areas;
- Relaxation of building height controls to accommodate 4 to 5 storey developments; and
- Deletion of redundant Additional Uses and Special Provisions.

These new Scheme provisions were adopted by the Minister for Planning in August 2017, and officers consider that these significant changes warrant the preparation of subsequent planning instruments to provide direction and guidance on the desired form of development which may now occur.

Amendment No. 29 (Omnibus #4)

The City is working towards a framework to guide development within the Busselton and Dunsborough City/Town Centres which will ultimately include an ACP and new/ updated UDG for each. However, recent development proposals and the testing of the City's current statutory framework through the State Administrative Tribunal (in relation to some of these proposals) indicated the need for provisions to be included directly within the Scheme to strengthen the City's ability to respond appropriately to matters of good design.

Amendment No. 29, adopted for consultation by the Council on 13 December 2017, includes the proposed introduction of new development controls to be applied within the Dunsborough and Busselton centres. These provisions (refer **Attachment B**) were devised upon review of existing state and local policies and relative to the scope and purpose of the proposed ACP and UDG, which will ultimately serve in support of the Scheme.

Discussion on the proposed ACP and UDG for the Dunsborough Town Centre is provided in the 'Officer Comment' section of this report.

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Schemes) Regulations 2015

The preparation of an ACP is required to occur consistent with Part 5 of Schedule 2 of the Regulations. The Regulations provide (Sch. 2, Part 5, Cl. 31) that an ACP may be prepared if required under a State Planning Policy or where the WA Planning Commission considers that this is necessary for the purposes of orderly and proper planning. In accordance with this requirement, City officers sought the consent of the Commission to prepare an ACP for the Dunsborough Town Centre and received endorsement on 23 September 2016.

As Dunsborough is an already established centre some of the information required under Part 5 Cl. 32 (c) of the Regulations will not be especially relevant, however this has been discussed with officers of the Department of Planning, Lands & Heritage (DPLH) and will be addressed as part of the submission of the ACP by the City.

Local Planning Scheme No. 21 (LPS 21)

As detailed in the 'Background' section of this report, the City is progressing a staged review of LPS 21 that includes significant changes to provisions governing development within town/ city centre areas.

Attachment C includes the area indicatively identified as being included within the proposed ACP and addressed by the UDG, and reflects the current zoning that includes land identified as 'Business' with an RAC-3 coding, 'Residential' with an R80 coding and subject to Additional Use 74, 'Recreation' reserves and no zone (road reserves).

The proposed UDG will be prepared as a local planning policy in accordance with the provisions of the Scheme (as per the deemed provisions at Division 2, Part 2 of the Regulations).

Draft State Planning Policy 7 – Design of the Built Environment (SPP 7)

SPP 7 was published as a draft policy by the WA Planning Commission in October 2016 to provide an overarching requirement for design of the built environment to be considered as part of assessing planning proposals, and will be applied to the preparation of an ACP for the Dunsborough Town Centre.

SPP 7 (and supporting policies) apply to and provide guidance for apartment (multiple dwellings) development and residential components of mixed use development, which is expected to become more likely within the Dunsborough Town Centre following the recent introduction of favourable provisions within the City's Scheme. SPP 7 provides a part of the planning framework applicable to development within the Dunsborough Town Centre but excludes general commercial development, which it is therefore necessary to address within the City's local planning framework.

The provisions of SPP 7 are as follows:

- ***Design Principles***

Design Principles provide a consistent framework to guide the design, review and decision making process for planning proposals. Supporting State Planning Policies are used to provide detailed criteria or guidance relating to specific planning or development proposal types.

WAPC should maintain a set of Design Principles: Context and character; Landscape quality; Built form and scale; Functionality and build quality; Sustainability; Amenity; Legibility; Safety; Community; Aesthetics.

*Schedule 1 includes a full description of each Design Principle. [refer to **Attachment D**]*

- **Design Review**

Design review is an important component of the design process; particularly to negotiate the design elements of complex proposals. The process is scalable and may include design review by one or a number of experts (panel).

State, local government and/or precinct authorities are required to establish and operate design review processes to review applications of certain thresholds set out in the WAPC Design Review Guide.

- **Design Skills**

Using skilled and competent designers for planning proposals is an important component to achieve quality design outcomes.

A statement should be prepared by the proponent of certain development types outlined in the Planning and Development (Local Planning Schemes) Regulations 2015 that:

- a. verifies the person who has designed, or directed the design or development, and*
- b. provides an explanation that verifies how the proposal:*
 - i. addresses how the Design Principles (Schedule 1) are achieved, and*
 - ii. where supporting State Planning Policy relate to that planning proposal or development type, reference how design objectives, criteria and guidelines (if relevant) of that policy have been achieved.*

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP 4.2)

While not directly applicable, SPP 4.2 serves as a useful reference for the preparation of an ACP for the Dunsborough Town Centre as it identifies the range of planning considerations relevant to activity centres and the general policy position of the WA Planning Commission.

SPP 4.2 provides recommendations on such matters as the desirable hierarchy of centres, the integration of infrastructure and services, the concentration of commercial activities, and the assessment of retail needs and sustainability.

The preparation of an ACP and UDG for the Dunsborough Town Centre will occur in general alignment with the principles of SPP 4.2.

RELEVANT PLANS AND POLICIES

Draft Apartment Design Policy (ADP)

The draft ADP was adopted by the WA Planning Commission in October 2016 to accompany SPP 7 and replace the previous version of Volume 2 of the Residential Design Codes (applying to multiple dwellings and development in activity centres).

The ADP provides extensive guidance for the development of apartments (multiple dwellings) and residential components of mixed use development. The ADP includes prescribed standards for such matters as building envelopes, size and scale, setbacks and separation, as well as design objectives and guidance where a performance-based design response is expected to site context and orientation, visual amenity and privacy, landscape design, etc.

As per SPP 7 the ADP does not apply to general commercial development, but nonetheless forms an integral part of the framework of guidance and controls that will apply to future development in the Dunsborough Town Centre.

The provisions of the ADP will be referenced by the proposed ACP and UDG, however the investigation of detailed design matters as part of preparing an ACP and UDG may support the City identifying local variations where a more desirable outcome can be achieved.

Draft Design Review Guide (DRG)

The draft DRG was adopted by the WA Planning Commission in October 2016 to provide guidance on the establishment and operation of design review panels and processes, in support of the requirement to undertake such being identified in SPP 7.

In establishing an ACP and UDG for the Dunsborough Town Centre, the City will consider and provide recommendations for the most appropriate means of providing for professional design assessment of relevant proposals with reference to the DRG. This may include the referral of planning proposals (pre or post lodgement) at identified thresholds to an appointed panel, consultant or internal resource for a review or assessment of proposed design measures.

Draft Leeuwin Naturaliste Sub-Regional Planning Strategy (LSRPS)

The Draft LSRPS was adopted by the WA Planning Commission in 2017, reflecting a partial review of *State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge*. The LSRPS identifies planning strategies and policies for the region generally and for Dunsborough specifically, including:

- Potential future population and urban growth areas for Dunsborough;
- Broadly identifying the opportunity for infill residential development within and adjoining the Dunsborough Town Centre; and
- Identifying the potential expansion of the Dunsborough Town Centre to the south of Caves Road being investigated within an ACP.

These matters will be considered relevantly in the preparation of the proposed ACP. In particular, the ACP area may be extended if there is considered to be the need to consider the expansion of the Dunsborough Town Centre within the expected lifetime of the plan.

City of Busselton Local Commercial Planning Strategy (LCPS)

The City's LCPS contains a summarised assessment of urban design within the Dunsborough Town Centre and recommendations to be considered in subsequent planning (refer to **Attachment E**). Noting that a number of recommendations of the LCPS have already taken place, the proposals identified in this document will be considered as part of the proposed ACP and UDG. The assessment of design qualities and directions is proposed to be reviewed in greater depth but the result of this is not expected to depart substantially from what has been identified in the LCPS.

Local Planning Policy 4B – Busselton Town Centre Urban Design Provisions (LPP 4B)

LPP 4B is an existing policy that provides development standards and design guidelines for the Busselton City Centre, and provides a reference point for the development of such for Dunsborough.

LPP 4B contains a range of principles that reflect good urban design and will be consistent with guidelines for Dunsborough, however it is noted that the general format of the policy requires some clarification and updating.

City of Busselton Economic Development Strategy

The preparation of an ACP and UDG for the Dunsborough Town Centre aligns with the objectives of the Economic Development Strategy (2016), and similarly reflects the City's intent to create vibrant and active public spaces as well as the conditions for successful business development.

FINANCIAL IMPLICATIONS

While the WA Planning Commission formally endorsed the preparation of ACPs for Busselton and Dunsborough in late 2016, these projects were placed on hold pending the potential availability of external funding support via the Regional Centres Development Program (RCDP). As funding options have not been available through the RCDP or other external means, officers now propose to progress the preparation of an ACP and UDG for the Dunsborough Town Centre with the support of existing staffing resources. Dunsborough has been identified as a higher priority than Busselton due to the existence of relevant (though becoming outdated) local planning policy provisions, as well as recent development proposals within the Dunsborough Town Centre.

While the project will be coordinated and substantially delivered in-house, to provide for components requiring detailed technical analysis it is proposed to employ specialist consultants to provide baseline information as follows:

- Retail Economics Assessment & Projections – consistent with the requirements identified in Parts 6.2.2 and 6.5 of SPP 4.2, an assessment of retail needs and sustainability should occur in order to inform any need to expand the commercial footprint of the Dunsborough Town Centre, and the potential timing of this.
- Design/ Architectural Assessment – detailing the current design themes, architectural style and landmark features within the Dunsborough Town Centre, providing the basis for setting a desired direction that is reflected in adopted controls. The involvement of consultancy advice in this regard is considered necessary to produce work that can be adopted by design professionals and meets the expectations of the assessment processes foreshadowed in Draft State Planning Policy 7.

Each of these assessments will be scoped to enable consideration as part of the 2018/19 budget.

Long-term Financial Plan Implications

Nil

STRATEGIC COMMUNITY OBJECTIVES

The recommendations of this report reflects the following Community Objective adopted in the Strategic Community Plan 2017:

2.3 Creative urban design that produces vibrant, mixed-use town centres and public spaces.

e. Continue to revitalise and activate the Busselton and Dunsborough town centres.

Proactively planning for and providing conditions to support the revitalisation of the Dunsborough Town Centre underpins a range of other Council priorities, including with regards to the development of attractive community places and supporting the development of local businesses.

RISK ASSESSMENT

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk assessment framework. The assessment identifies 'downside' risks only, rather than 'upside' risks as well.

No residual risks were identified from implementing the officer recommendation, and it is further considered that implementing the officer recommendation reduces the risk that inappropriately designed development may occur within the Dunsborough Town Centre.

CONSULTATION

The requirement to advertise a proposed ACP is outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* (Schedule 2, Part 5, Cl. 34). Accordingly, the City must advertise an ACP (via one or more of: newspaper advertising, general electronic notification, direct landowner notification, erection of signage on site), refer the proposal to relevant public agencies, and advise the WA Planning Commission. A proposed ACP is to be made available for public submissions for a minimum of 14 days up to a maximum of 28 days.

The requirement to advertise a proposed local planning policy (the City's preferred format for UDG) is outlined in the Regulations (Schedule 2, Part 2, Cl. 4) and includes the requirement for notification within a local newspaper only. A proposed local planning policy is to be made available for public submissions for a minimum of 21 days.

The City has undertaken regular consultation with regard to various changes to the planning framework and streetscape improvements over the past few years. It is also noted that notifications are proposed to occur in the first half of 2018 concerning changes to car parking management and the forthcoming stage of streetscape works.

However, on account of recent development proposals and a demonstrated community desire for involvement with urban design matters, the proposed ACP and UDG is considered to be of significant community interest and a more extensive consultation program is proposed than is required under the Regulations.

City officers propose to undertake preliminary consultation during initial preparation and drafting phases as follows:

- Consult with the CBD Place Management/ Activation sub-committee of the City's Economic Development Taskforce in order to ensure alignment of objectives, identify relevant issues, and potentially to provide ongoing project reference;
- Meet with the Dunsborough-Yallingup Chamber of Commerce & Industry and the Dunsborough & Districts Progress Association to brief these groups on the project and identify initial desires and concerns; and
- Invite expressions of interest from relevantly experienced and/or qualified design practitioners, with a direct interest in Dunsborough, to peer-review the proposed Design/ Architectural Assessment and preview components of the ACP and UDG while in preparation.

Following preliminary consultation and the preparation of technical assessments, a report will be provided to the Council (expected to occur in the third quarter of 2018) to present a draft ACP and UDG prior to formal public consultation being undertaken.

Formal public consultation is proposed to occur inclusive of:

- An open public workshop
- Newspaper advertising
- Website notification and engagement via 'Your Say'
- Notification (via letter) of directly affected land and business owners

Further relevant means of engagement may also be identified as the project is progressed.

Responses received through the public consultation process will be considered in the finalising of the proposed ACP and UDG, which is expected to be submitted to the Council for consideration in late 2018 or early 2019.

OFFICER COMMENT

In support of the recently introduced (via Omnibus 1) and proposed (Omnibus 4) Scheme provisions, the preparation of an ACP and UDG is proposed in order to provide guidance and direction for the future development of the Dunsborough Town Centre. Officers consider this to be both the next logical step and a necessary part of strengthening the local planning framework against inappropriate development. Several recent proposals have demonstrated this need via the contrast in potential development outcomes.

The preparation of an ACP and UDG is proposed to take place concurrently to achieve consistency and to make the most efficient use of officer time and consultation processes.

Proposed Activity Centre Plan

The preparation of an ACP will serve to address urban design matters which are more spatially distinct (relative to the Scheme provisions), including issues relevant to specific sites.

The proposed ACP will effectively supersede the DTCCP (which itself superseded previous documents), however will be prepared with a finer level of detail, be more oriented toward providing guidance for development on private land, and will have a much greater level of statutory weight than the DTCCP. The ACP will also be able to take account of significant recent studies, including the Draft Local Planning Strategy (2013) and Draft Leeuwin-Naturaliste Sub-Regional Strategy (2017), as well as relevant statutory decisions.

The preparation of an ACP will consider the general matters outlined in the Regulations, to the extent that these are relevant for an existing, established centre. Broadly, this will include reporting on the attributes and context of the Dunsborough Town Centre and expectations for its population and commercial growth.

The primary focus of the ACP will be to address the following matters:

1. Providing development standards for building design and servicing:
 - a. Special provisions and/or standards based on the desired streetscape (eg. potentially by streetscape type as per approach for Busselton in LPP 4A). This includes consideration of specified controls for vertical zoning of land use, building setbacks, awnings/verandas, façade/ frontage, crossovers, landmark features, etc.
 - b. Special provisions or standards relating to the transition between land use areas, zones and public reserves (eg. setbacks between land zoned as Business RAC-3, Residential R80/A74 and Residential R15);

- c. Potential identification of specialised precincts:
 - i. By land use types, and means to facilitate their development;
 - ii. By building design, via specific design/ architectural guidance.
2. Outlining future road and streetscape design (at a conceptual/ strategic level) and the integration of transport infrastructure:
 - a. Potential road traffic and parking improvements, including public transport and cycling infrastructure (including the connection of Clark Street to Cape Naturaliste Road);
 - b. Identify crossover restrictions and the preferred provision of parking associated with development (eg. on-site or cash-in-lieu);
 - c. Pedestrian accessibility, network linkages and wayfinding, and means to provide for active and alternative modes of transport.
3. Identifying future community infrastructure and servicing requirements, including the function and utilisation of publicly managed lands:
 - a. Clark Street connection to Cape Naturaliste Rd and other strategic proposals;
 - b. Strategic infrastructure projects, including land acquisitions and divestments;
 - c. Proposed changes to the development and management of public lands, including open space, and place-making opportunities.

To support the vibrancy and vitality of the Dunsborough Town Centre, means to support economic diversity and robustness and to encourage mixed use and residential development (including support for the incentives provided for in LPS 21) will also be considered.

Proposed Urban Design Guidelines

The preparation of UDG for the Dunsborough Town Centre will supplement the controls and standards outlined in LPS 21 and the proposed ACP by providing detailed description and explanation of expected urban design outcomes.

The purpose of the proposed UDG will be to provide greater description and explanation of the adopted provisions, clarify meanings and interpretations, outline the City's assessment process, and identify criteria for demonstrating performance (including acceptable development standards where relevant). This potentially includes:

1. Defining (with reference to SPP 7) and describing the application of the design principles proposed for inclusion in LPS 21 as part of Omnibus 4, which include:
 - a. Context and character
 - b. Landscape quality
 - c. Built form and scale
 - d. Functionality and build quality
 - e. Sustainability
 - f. Amenity
 - g. Legibility
 - h. Safety
 - i. Community
 - j. Aesthetics
2. Provide deemed-to-comply criteria and/or examples of meeting adopted development standards, where relevant and appropriate.
3. Describe performance measures of addressing design qualities that are contextual and are not easily addressed through prescribed standards.

4. Outline the objectives that underpin adopted development standards and provide guidance on preferred development outcomes (eg. where tourist or residential accommodation is not permitted at ground floor level, what land uses are preferred and the desired outcomes – such that other uses and/or variations can be assessed against these objectives).
5. Identifying the information requirements (at appropriate thresholds) associated with development proposals (eg. where an urban design assessment might be necessary) and the design review process that will subsequently take place.

The proposed UDG will be prepared as a Local Planning Policy, somewhat similar to – although updated, improved and made location-specific as necessary – that currently in place for the Busselton City Centre (*Local Planning Policy 4C. Busselton Town Centre Urban Design Provisions*). It is noted that many of the urban design principles guiding contemporary best practice are widely acknowledged, and will be relevant to both the Busselton and Dunsborough centres as well as more broadly.

CONCLUSION

The proposed preparation of an ACP and accompanying UDG for the Dunsborough Town Centre is seen as a logical and necessary step towards providing a local planning framework that provides appropriate guidance and direction for future development. The support of the Council for initiating this process is recommended.

OPTIONS

The Council may consider various other options, including:

1. Not progressing the preparation of an ACP, UDG, or both at this time for reasons to be identified.
2. Providing specific direction on the matters to be considered within the proposed ACP and/or UDG.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

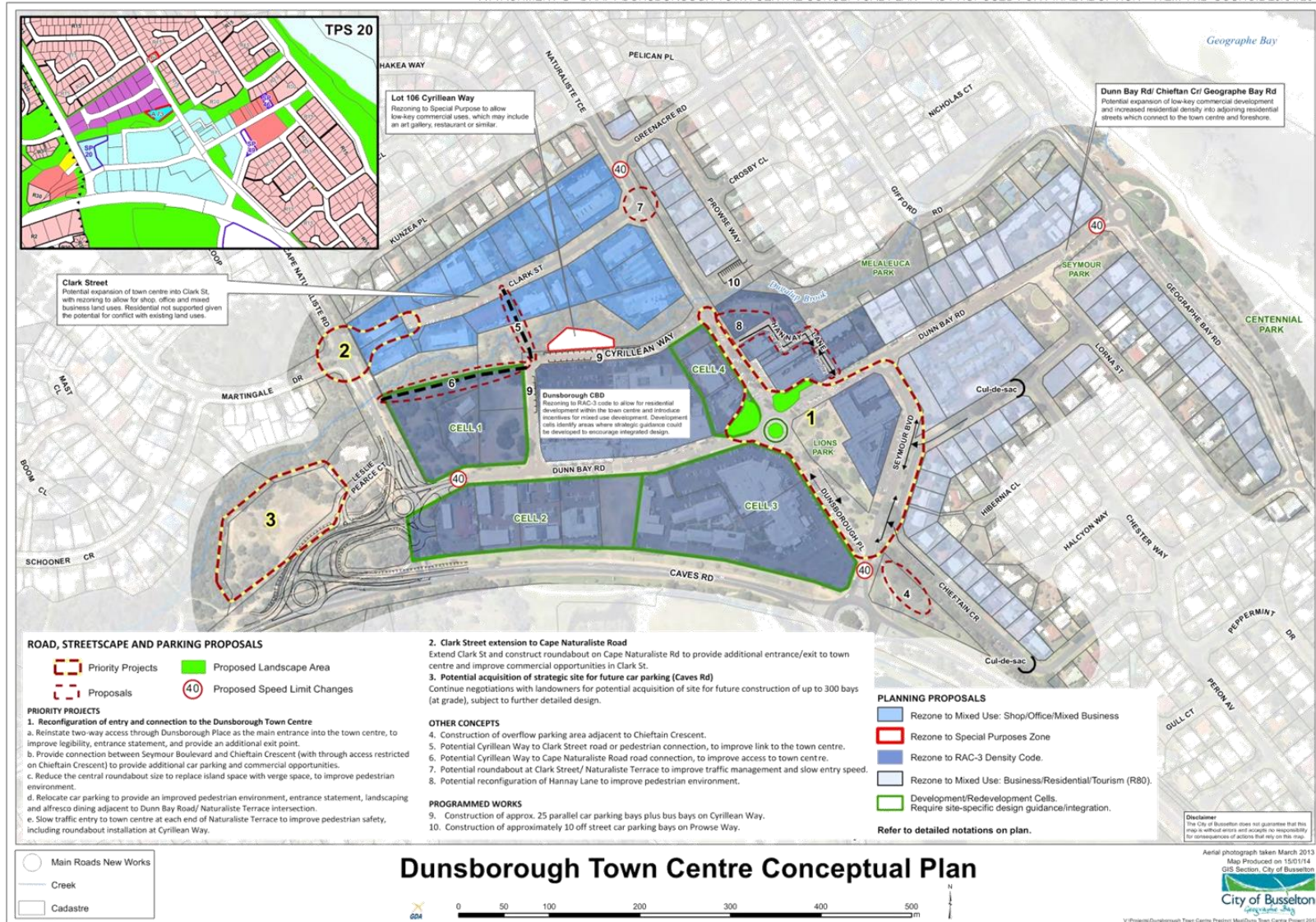
Should the Officer Recommendation be supported by the Council preliminary consultation, scoping of consultancy requirements (for technical assessments) and initial drafting as outlined in this report will commence within one month of the Council's resolution.

It is expected that a subsequent report will be provided to the Council in the third quarter of 2018 prior to formal public consultation, and with the intent of preparing final documents for Council to consider adoption in late 2018 or early 2019.

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council endorses the preparation of an Activity Centre Plan and Urban Design Guidelines (as a Local Planning Policy) for the Dunsborough Town Centre, as proposed in the agenda report.

ATTACHMENT G - DRAFT DUNSBOROUGH TOWN CENTRE CONCEPTUAL PLAN – AS PROPOSED FOR FINAL ADOPTION ITEM 11.2 COUNCIL 29/01/2014



**Extract from proposed Amendment No. 29 to Local Planning Scheme 21 (Omnibus #4),
initiated by Council on 13 December 2017:**

4. City and Town Centre Zone provisions

4.1 Amending clause 5.20 (Development in the Business Zone) to read as follows –

“5.20 DEVELOPMENT IN THE CITY/TOWN CENTRE ZONE

5.20.1 Development within the City/Town Centre zone shall demonstrate adherence to the following design principles –

- (a) Context and character*
- (b) Landscape quality*
- (c) Built form and scale*
- (d) Functionality and build quality*
- (e) Sustainability*
- (f) Amenity*
- (g) Legibility*
- (h) Safety*
- (i) Community*
- (j) Aesthetics*

5.20.2 Development within the City/Town Centre zone shall address the following provisions, unless otherwise identified in an endorsed Activity Centre Plan:

- (a) No residential uses shall be permitted at ground floor fronting Queen Street and Prince Street, Busselton and Dunn Bay Road and Naturaliste Terrace, Dunsborough;*
- (b) A nil front setback is to be provided to the development, unless otherwise designated in an Activity Centre Plan, or the development is providing for an associated alfresco space within the setback;*
- (c) Buildings shall be articulated to break up perceived bulk and provide visual interest, particularly with buildings occupying a large/long site frontage;*
- (d) At the ground floor level, developments shall address the street with a primary business entrance and a shop front façade;*
- (e) Ground floor commercial uses shall incorporate transparent glazing for 70% of all building frontages to adjacent streets;*
- (f) Upper levels shall be designed to promote informal surveillance of the street through the use of balconies and/or large windows;*
- (g) A minimum ceiling height of 3.3 metres shall be achieved for the ground floor level, whilst all other floors shall achieve a minimum ceiling height of 2.7 metres;*

Extract from proposed Amendment No. 29 to Local Planning
Scheme 21

- (h) Roller doors or screens of solid material on shop fronts will not be permitted, security measures should be located and installed internally behind the glazing line;*
- (i) Pedestrian shelter, through the provision of a verandah, awning or the like, shall be provided over the public footpath for the full width of the lot frontage;*
- (j) No vehicle accessways or carparking shall be provided between buildings and the street, or be visible from the street, unless required to provide access to car parking or loading areas behind buildings;*
- (k) No vehicular access to sites shall be taken from Queen Street, Prince Street or Kent Street (between Queen Street and Brown Street), Busselton or Dunn Bay Road or Naturaliste Terrace, Dunsborough, unless no alternative is available, in which case a single crossover width shall be no greater than 5 metres with a cumulative maximum width of 7 metres;*
- (l) Vehicle crossovers and driveways shall be co-located wherever possible with adjoining properties;*
- (m) Vehicle access to developments shall be designed in a way which minimises potential pedestrian/vehicular conflict, clearly recognising the primacy of pedestrian amenity;*
- (n) Multi-storey car parks shall incorporate interactive street frontages, such as shops or other uses that promote activity and where car parking levels (including undercroft levels) are visible from a street or public space, high quality architectural detailing shall be incorporated into the façade of all floors;*
- (o) General plant, such as air-conditioning, television antennas, bins, hot water storage tanks, rain water tanks, satellite dishes and the like are to be adequately concealed and screened from the street or public view;*
- (p) Where land is zoned 'City/Town Centre' and is designated a residential density coding of R-AC3 the maximum plot ratio shall be 1.5, except for where the following incentives for mixed use development apply:*
 - (i) Where residential or short-stay accommodation uses represent more than 25% of the plot ratio area of a proposed mixed use development, the maximum allowable plot ratio area may be 2.0; or*
 - (ii) Where a development incorporates a Restaurant/Café, Tavern or other similar use that will provide for informal social*

Extract from proposed Amendment No. 29 to Local Planning
Scheme 21

interaction the maximum allowable plot ratio area for the remainder of the development may be 2.0; and

(iii) The plot ratio incentives set out in sub-clauses (a) and (b) above may be combined, provided that the total plot ratio area does not exceed 3.0.

(q) Signage and advertising shall not adversely detract from the architectural elements of the building, or visually dominate the building or the streetscape generally;"

- 4.2 Inserting a new clause 5.5.2(b) (Variations to site and development standards and requirements) as follows:

"(b) Drive-through facilities in the Drive-through Facility Exclusion Area, as specified by clause 6.13."

- 4.3 Modifying clause 6.1.1 (Operation of Special Control Areas) by including a new Area - "Drive-through Facility Exclusion" after the Development Contribution Area as listed.

- 4.4 Inserting a new clause 6.13 as follows and renumbering subsequent clauses and clause references accordingly:

"6.13 DRIVE-THROUGH FACILITY EXCLUSION AREA

Drive-through facilities shall not be approved in the Drive-through Facility Exclusion Area."

- 4.5 Amending Schedule 1 (Interpretations) by inserting the following new definition:

"'Drive-through facility' means a facility or development involving vehicles entering a site, such as shop, takeaway food outlet or development with fuel bowsers, whereby a product or service is sold or provided direct to customers or patrons driving or seated in a motor vehicle and also includes the provision of fuel to motor vehicles or a Motor Vehicle Wash."

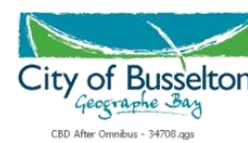
- 4.6 Amending the Scheme map to apply the 'Drive-through Facility Exclusion Area' to the Busselton City Centre as depicted on the Scheme Amendment map, being:

- (a) Land being rezoned to 'City/Town Centre' bound by West Street, Marine Terrace, Brown Street, Harris Road and Albert Street, Busselton; and
- (b) Land bound by Brown Street, Peel Terrace, Cammilleri Street and Harris Road, Busselton;

And subject to the following exclusions:

- (a) Lots 15 (3), 150 (5), 381(7), 110(9), 454 (11), 453 (15), 9 (17), 19 (10), 11 (23), 120 (25), 391 (27), 7 (37), 8 (39), 10 (41) and portion of Lot 26 (45) Albert Street, Busselton;

- (b) Portion of Lot 170 (56) Prince Street, Busselton.
- 4.7 Amending the Scheme map to apply the 'Drive-through Facility Exclusion Area' to the Dunsborough Town Centre as depicted on the Scheme Amendment map, being:
- (a) Land being rezoned to 'City/Town Centre' and bound by Cape Naturaliste Road, Reserve 42673, Reserve 35758, Reserve 26513, Chieftain Crescent, Seymour Boulevard and Caves Road and excluding portion of Lot 1 (No. 61), portion of Lot 1 (No. 64) and Lot 2 (No. 64) Dunn Bay Road, Dunsborough.



Extract of 'Schedule 1 – Design Principles' from Draft State Planning Policy 7- Design of the Built Environment:

1. Context and character

Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.

The distinctive characteristics of a local area include its prominent natural and built features, the overall qualities of its built environment, significant heritage elements, as well as social, economic and environmental conditions.

Good design responds intelligently and sensitively to these factors, interpreting rather than replicating existing features and enhancing the identity of the area, including the adjacent sites, streetscape and neighbourhood.

Good design also responds positively to the intended future character of an area. It delivers appropriate densities that are consistent with projected population growth, and are able to be sustained by existing or proposed transport, green networks and social infrastructure.

Consideration of local context is particularly important for sites in established areas that are undergoing change or identified for change.

2. Landscape quality

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.

Good landscape design protects existing environmental features and ecosystems, enhances the local environmental context and regenerates lost or damaged ecosystem functionality, where possible. It balances consideration of environmental factors such as water and soil management, ground conditions, solar access, microclimate, tree canopy, habitat creation and preservation of green infrastructure with social, cultural and economic conditions.

Good landscape design employs hard and soft landscape and urban design elements to create external environments that interact in a considered manner with built form, resulting in well-integrated, engaging places that contribute to local identity and streetscape character.

Good landscape design provides optimal levels of external amenity, functionality and weather protection while ensuring social inclusion, equitable access and respect for the public and neighbours. Well-designed landscape environments ensure effective establishment and facilitate ease of long term management and maintenance.

3. Built form and scale

Good design provides development with massing and height that is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.

Good design achieves an appropriate built form by responding to its site, as well as surrounding built fabric, in a considered manner, mitigating negative impacts on the amenity of neighbouring properties and public realm.

Good design considers the orientation, proportion, composition, and articulation of built form elements, to deliver an outcome that is suited to the building's purpose, defines the public domain,

respects important views, contributes to the character of adjacent streetscapes and parks, and provides a good pedestrian environment at ground level.

4. Functionality and build quality

Good design meets the needs of users efficiently and effectively, balancing functional requirements to deliver optimum benefit and performing well over the full life-cycle.

Designing functional environments involves ensuring that spaces are suited to their intended purpose and arranged to facilitate ease of use and good relationships to other spaces. Good design provides flexible and adaptable spaces, to maximise utilisation and accommodate appropriate future requirements without the need for major modifications.

Good build quality is achieved by using good quality and robust materials, finishes, elements and systems. Projects should be well-detailed, resilient to the wear and tear expected from its intended use, and easy to upgrade and maintain.

Good design accommodates required services in an integrated manner, without detriment to the overall design outcome.

5. Sustainability

Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.

Sustainable buildings utilise passive environmental design measures that respond to local climate and site conditions by providing optimal orientation, shading, thermal performance and natural ventilation. Reducing reliance on technology for heating and cooling minimises energy use, resource consumption and operating costs over the whole life-cycle of the project.

Other sustainable design measures include the use of sustainable construction materials, recycling, material re-use, harnessing of renewable energy sources, appropriate water management. Good design considers the ease with which sustainability initiatives can be maintained and managed.

Sustainable landscape and urban design adheres to established principles of water-sensitive urban design, and minimises negative impacts on existing natural features and ecological processes, as well as facilitating green infrastructure at all project scales.

6. Amenity

Good design optimises internal and external amenity for occupants, visitors and neighbours, contributing to living and working environments that are comfortable and productive.

Good design provides internal rooms and spaces that are adequately sized, comfortable and easy to use and furnish, with good levels of daylight, natural ventilation and outlook.

Delivering good levels of internal amenity also includes the provision of appropriate levels of acoustic protection and visual privacy, adequate storage space, and ease of access for all.

Well-designed external spaces provide welcoming, comfortable environments that are universally accessible, with effective shade as well as protection from unwanted wind, rain, traffic and noise. Good design mitigates negative impacts on surrounding buildings and places, including overshadowing, overlooking, glare, reflection and noise.

7. Legibility

Good design results in buildings and places that are legible, with clear connections and memorable elements to help people find their way around.

Good urban design makes places easy to navigate, with recognisable routes, intersections and landmarks while being well-connected to existing movement networks. Sightlines are well-considered, with built form responding to important vantage points.

Within buildings, legibility is served by a clear hierarchy of spaces with identifiable entries and clear wayfinding. Externally, buildings and spaces should allow their purpose to be easily understood, and provide clear distinction between public and private spaces.

Good design provides environments that are logical and intuitive, at the scale of building, site and precinct.

8. Safety

Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.

Safety and security is promoted by maximising opportunities for passive surveillance of public and communal areas and providing clearly defined, well-lit, secure access points that are easily maintained and appropriate to the purpose of the development.

Good design provides a positive, clearly defined relationship between public and private spaces and addresses the need to provide optimal safety and security both within a development and to adjacent public realm.

Designing for safety also involves mitigating any potential occupational safety and health hazards that might result from a development during its construction, maintenance and operation.

9. Community

Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.

Good design encourages social engagement and physical activity in an inclusive manner, enabling stronger communities and improved public health outcomes.

In residential developments, good design achieves a mix of dwelling types, providing housing choice for different demographics, living needs and household budgets, and facilitating ageing-in-place.

10. Aesthetics

Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.

Good design resolves the many competing challenges of a project into an elegant and coherent outcome. A well-conceived design concept informs all scales, from the articulation of building form through to materiality and detail, enabling sophisticated, integrated responses to the complexities of local built form and landscape character.

In assessing design quality, consideration of aesthetics should not be limited to style and appearance; it should also account for design integrity, creativity, conceptual coherence and cultural relevance in a proposal.

Extract of Part 5.3 of the Local Commercial Planning Strategy – Urban Design Assessment for the Dunsborough Town Centre:

5.3 Dunsborough

5.3.1 Strengths, Weaknesses, Opportunities, Threats Analysis

Strengths

- Significant investment interest in the town
- Dunn Bay Rd – potential link to the coast
- Tourism influence provides vitality
- Potential expansion areas – down Dunn Bay Rd and into Clarke Street
- Dunsborough foreshore enhancement – a well supported community initiative

Weaknesses

- Traffic circulation is poor, as is the legibility for traffic movement
- Much of the built form is ad hoc
- No cohesive architectural theme
- Congested at certain times
- Pedestrian movement is fragmented
- Some of the new development – Coles – is internalised and poorly designed
- Directional signage is poor
- No obvious entry statement or sense of arrival
- Limited linkage to the ocean

Opportunities

- Possibility for bay views if building height limits are raised
- Adjoining industrial area – Clarke Street – provides opportunity to expand
- Creek system provides potential for open space spine
- The proposed development of the hotel could provide a landmark
- Use of the laneways could create interest.

Threats

- Poor traffic circulation and amenity will discourage people from visitation
- Poorly located parking areas exacerbate congestion problems

5.3.2 The Dunsborough Vision

Key words:

- District centre/village atmosphere
- Coastal, seaside location
- Tourist location
- Vibrant
- Informal, “laid back”
- Seaside design theme
- Improving aesthetics
- A place to shop where diverse and quality products are available
- A green, landscaped streetscape

5.3.3 Urban Design Principles

Land use

- Key Principle: Encourage mixed uses - residential, offices, hospitality, retail and community – in the town, to increase vitality.

The Dunsborough Town Centre displays a reasonable level of mixed use ambience with tourist accommodation, retail, office, commercial and other types of uses all present in the town. The town also shows high levels of vitality at certain times because of the large number of tourists who visit.

However, there are a number of land use changes that could intensify the mixed use nature of the area, as follows:

- A clarification of the term subsidiary in reference to residential uses in the policies for the Business zone (as per the suggested amendment for Busselton).
- The rezoning of the land along Dunn Bay Road (excluding the parkland) to allow higher intensity, mixed use development

A different zoning should not be applied to the rest of the Dunsborough town centre for the land identified on Figure 27 as being within the 'office, administrative and consultative precinct'. The land in this precinct should be retained within the Business zone.

Recommendation

28) Council should consider the preparation of an amendment to the TPS to facilitate the following land use changes in the Dunsborough town centre:

- a. A clarification of the term subsidiary in reference to residential uses in the policies for the Business zone (as per the suggested amendment for Busselton).*
- b. The rezoning of the land along Dunn Bay Road (excluding the parkland) to allow higher intensity, mixed use development.*
- c. The office, administrative and consulting precinct shown on Figure 28 should not have a different zoning to the rest of the Dunsborough town centre.*

Built Form

- Key Principles: Develop a more cohesive, "seaside" based architectural style and control the intrusion of poorer quality and ad hoc building styles.

The built form in Dunsborough is ad hoc with no cohesion or design theme evident. This should be addressed as a priority. There are opportunities to develop a "seaside" theme which would further link the development of the town to its coastal location.

Recommendation

29) Council should commission a study of urban design improvements in the Dunsborough town centre, with particular reference to the development of a design theme for inclusion into the TPS as a policy.

Density and Height

- Key Principles - Consider increasing building height limits to encourage bay views and medium to high density residential uses in and around the town.

Despite its proximity to the coast Dunsborough has little relationship with the foreshore. The increasing of height limits of development in the town centre could result in Bay views and provide further mixed use development.

The residential development on a number of selected sites on the boundary of the town centre is low density R15. Given their location in proximity to the town centre a higher density could be considered.

Recommendation

30) Council consider amending the TPS to lift height limits in the town centre and to rezone the selected sites to an R40-R80 designation.

31) The development of buildings higher than three storeys in Dunsborough town centre should require a careful consideration of design issues and the development of more detailed planning guidelines relating to taller buildings.

Pedestrian Links

- Key Principle: Increase safe and efficient pedestrian movement in the town

A number of actions have been suggested for this key principle:

- Encourage pedestrian movement from the town to the foreshore as a focal point
- Improve the legibility of pedestrian links between sites within the town
- Review the large roundabout at the intersection of Dunn Bay Road and Naturaliste Terrace to prioritise for pedestrian movement or potential removal.
- Undertake a traffic study to resolve pedestrian vehicular conflict in the town centre.

Recommendation

32) In conjunction with the parking study currently being conducted) to incorporate the above suggestions.

Car Parking

- Key Principle: Provide well located car parks to encourage pedestrian movement in the centre of town

Key elements to consider are:

- The potential consolidation of parking facilities in peripheral locations to discourage fragmented and small parking locations.
- Provision of dedicated staff parking facilities to avoid the overlap with users of the town centre
- The delineation of bays at the rear of future development to allow for the provision of a zero setback streetscape.

Recommendation

33) A parking study of Dunsborough is presently being undertaken. This should be urgently completed and its results considered carefully by Council.

Open Space and Parkland

- Key Principle – Improve links between the town centre and nearby parkland

A number of specific actions have been proposed to achieve this key principle, as follows:

- The creek that moves east west from between the Clarke Street Industrial area and the commercial area provides an opportunity to create a natural corridor from the commercial area to the foreshore.
- The Lions Park in the centre of town provides a useful green space – further landscaping of this facility is a possible improvement to townscape amenity.
- The Dunn Bay foreshore is a strategic open space facility that is currently underutilised – implementation of the foreshore and Seymour Park concept plan would improve this situation
- The planting of additional street trees in a landscape theme would soften the ad hoc nature of built form in Dunsborough

Recommendation

34) Council should review the suggestions above and consider funding the development of these open space linkages

A summary of key suggestions for Dunsborough is shown in Figure 27.

Lot 106, Cyrilleen Way, which is privately owned, is currently identified as 'Recreation' reserve in the TPS. It is adjacent to Dugalup Brook, and has previously been subject of a development approval for an art gallery and restaurant. The current identification of the site as 'Recreation' reserve is not necessary or appropriate, and a zoning that would allow development of a similar character to that previously approved for the site would be appropriate. That would be best be achieved by an appropriate 'Special Purpose' zoning.

Recommendation

35) Lot 106 Cyrilleen Way to be included in a Special Purpose zone to allow for development of a similar character to that previously approved for the site (i.e. art gallery, cafe/restaurant uses), with the details to be determined in consultation with the landowners either as part of the preparation of a new town planning scheme, or as part of a future town planning scheme amendment initiated at the request of the landowners.

Planning

While Dunsborough provides the services of a district level centre, it will not reach the intensity of commercial activity of Busselton. However, as has been demonstrated continued growth is forecast for the town which needs to be accommodated. Ultimately though, a high intensity mixed use town centre for Dunsborough which competes with the Busselton CBD, would not be appropriate.

As has been noted in various studies, Dunsborough ought to consolidate its commercial floor space in a "Main Street" format as it will not have the scale to facilitate both a DDS and an effective town centre with retail component. Despite significant changes, the current form of the town centre does not yet wholly reflect a "Main Street" approach to urban design or land use planning.

The particular road network and connectivity issues of central Dunsborough are well documented.

However, many of the solutions have been focussed on attempting to solve perceived and actual transport and access related problems rather than approach the matter from a townscape and land use perspective.

The 1994 Town Centre report prepared by BSD on behalf of the Shire was of the view that there would be insufficient demand to connect the business district with the foreshore. Dunsborough is a growing seaside town yet fails to take any real commercial advantage of that fact. It's commercial

district is focussed ineffectively around transport imperatives rather than maximising its locational advantages.

Transport issues of access, parking and circulation *et al* should not form the basis of land use allocation for the town centre (as has traditionally been the case). “Main Street” development works best where there is a through movement of traffic. That is, Dunsborough should not shy away from permitting controlled through traffic as this will ultimately support the creation of an identifiable centre with a logical transport network.

To this end Figure 27 depicts a strategy aimed at:

- Concentrating future small scale retail, tourism and hospitality uses along Dunn Bay Road east of Naturaliste Terrace toward the foreshore, subject to rezoning of land to facilitate such changes in use;
- Larger format retail and office/consulting uses focussed toward the western end of Dunn Bay Road so as not to dilute the concentration of “Main Street” retail activity to the east;
- Clark Street Industrial area to be retained as a low intensity Industrial precinct with incidental retail permitted to the predominant use. Clarke Street operates as a successful light industrial precinct supporting incidental retail uses and this should be maintained to prevent infiltration by inappropriate pure retail and showroom uses more appropriately located in Busselton or in the main retail part of Dunsborough itself.
- Put in place long term objectives to eliminate onsite parking between buildings and the road reserves along Dunn Bay and Naturalise Terrace (ie require commercial buildings to have a 0m setback to the road reserve);
- Allow residential densities of up to R100 in the Business zone with residential uses permitted only above the ground level in the town centre. A substantial commercial floor space component to be required at the ground level to ensure commercial character is retained (eg vertical zoning concept).
- Building heights to be lifted to 3-4 stories to enable mixed use development potential to be realised and generate a town centre residential community to support business activities.

A recommended non-commercial strategy is to implement medium to high density zoning (R40-R80) within 800m of the boundary of the town centre to provide improved housing choice, decrease car dependency and increase the immediate population supporting the commercial centre of the town.

The above strategies will over time, focus commercial activity toward Dunsborough’s key locational asset which is the foreshore reserve and beach. Currently this area is monopolised by a few low density residential dwellings and some tourism related development. A longer term view is recommended by this above strategy with the aim of extending the town centre in that direction.

10.2 Policy and Legislation Committee - 1/02/2018 - CAR PARKING MANAGEMENT IN THE DUNSBOROUGH TOWN CENTRE

SUBJECT INDEX:	Town & City Centres
STRATEGIC OBJECTIVE:	Road networks that provide for a growing population and the safe movement of all users through the District.
BUSINESS UNIT:	Strategic Planning and Development Services
ACTIVITY UNIT:	Strategic Planning & Development
REPORTING OFFICER:	Strategic Planner - William Hosken
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Current Parking Availability & Restrictions ↓ Attachment B Proposed Parking Availability & Restrictions ↓ Attachment C Current & Proposed Special Purpose Parking ↓

This item was considered by the Policy and Legislation Committee at its meeting on 1 February 2018, the recommendations from which have been included in this report.

PRÉCIS

The Council is requested to consider a number of changes to vehicle parking management in the Dunsborough Town Centre, including the adoption of revised parking designations resulting from recent streetscape works, and the endorsement of proposed changes to special purpose parking and parking time restrictions.

These changes have been proposed in reflection of the need to provide sufficient and appropriately located special purpose parking in accordance with current standards, increase the consistency and legibility of parking controls, improve the efficiency of compliance and monitoring and provide greater availability of parking for visitors and shoppers.

BACKGROUND

In early 2017 City officers provided a briefing to Councillors on parking management within the Dunsborough Town Centre, further to which this report is now presented on the changes to parking controls proposed.

The Dunsborough Town Centre contains approximately 1250-1300 parking bays, with about half of these being managed by the City (located on roads, other reserves, and privately owned property with management delegated to the City via agreement). Car parking under the City's management in the Dunsborough Town Centre, at the completion of the next stage of streetscape improvement works, is identified at **Attachment A**.

This plan identifies 630 parking bays within the City's management, including bays on public lands and on private land managed by the City under agreement, while it is estimated that parking on private property accommodates another 640 vehicles approximately. While it is not possible to accurately report on restrictions that may be applied to car parking on private land where management is not delegated to the City, it is generally noted that such parking does not have formally enforced restrictions in place. It is, however, understood that restrictions have been proposed for the Dunsborough Centrepont Shopping Centre car park, which contains 231 bays.

Further informal parking occurs, particularly during peak periods, on private property, road verges (where no restrictions are in place) and along surrounding streets where no parking bays are marked.

The City continues to pursue the acquisition of land to facilitate the development of a large consolidated parking area in the medium to long term, while it is estimated that further works could potentially provide an additional 45 City-managed parking bays in the vicinity of Chieftain Crescent (39 single bays, but fewer in practice if accommodating long vehicles) and Cyrilleen Way (6 bays) in the short term, subject to funding and prioritisation.

This report proposes to amend the parking management regime within the Dunsborough Town Centre including:

- Adopting changes to the *Consolidated Vehicle Parking Scheme* required to reflect revised special purpose parking designations and time restrictions put in place through recent/current streetscape improvement works;
- Changing the time restriction for visitor/ shopper parking from a three hour maximum stay to a two hour maximum, and provide two additional fifteen minute bays, as shown at **Attachment B**;
- Making a number of changes to special purpose parking designations (including disability (ACROD), motorcycle, bus, taxi, loading and electric vehicle parking bays), as shown at **Attachment C**;
- Undertake improvements to parking signage.

Further discussion on these proposed changes is provided in the 'Officer Comment' section of this report.

These changes have been proposed in reflection of the need to:

- Provide for greater consistency and legibility of designated parking controls to improve user behaviour and compliance outcomes;
- Increase turnover to provide greater availability of parking for shoppers/ customers;
- Provide sufficient and logically located special purpose parking bays to service the Dunsborough Town Centre;
- Allow for the improvement of disabled (ACROD) parking and general parking signage in accordance with the current Australian Standard (1742.11-1999); and
- Improve the efficiency of resources devoted to parking monitoring and compliance.

STATUTORY ENVIRONMENT

Pursuant to the *Road Traffic Code 2000* the City has adopted the *Parking Local Law 2011*, which provides for the City to designate and police parking and traffic restrictions within roadways and vehicle parking areas.

The designation of parking stalls, stations and areas is provided for within Part 2 of the Local Law, pursuant to which the City has adopted the *Consolidated Vehicle Parking Scheme* as a series of plans which identify these designations.

A separate report will be presented to the Council proposing delegation of the power to make changes to the Parking Scheme. The recommendation of this report has been prepared in consideration of this occurring, but relevant options have been detailed should the Council determine otherwise.

Parking designations adopted under the Local Law and shown in the Parking Scheme are given effect through:

- The installation of signage and line marking in accordance with the Code, supplemented by the detailed guidance provided within the relevant Australian Standard (1742.11-1999); and
- The publication of notice of the adopted designations, as required under the Local Law.

In accordance with Clause 1.6(2) of the Local Law, parking designations and compliance may be imposed on parking areas on private land where an agreement has been entered into between the City and that landowner. As the Local Law does not provide explicit direction, the adoption of parking designations on private land may be set by the City or the subject of a negotiated agreement. As detailed in the 'Consultation' section of this report, the City has already achieved agreement for the proposed changes in the majority of such circumstances.

RELEVANT PLANS AND POLICIES

In January 2014 the Council adopted the 'Dunsborough Town Centre Conceptual Plan' to guide streetscape improvements, revisions to planning controls and other various other initiatives supporting the growth and development of the Dunsborough Town Centre. The recommendations of this report reflect the implementation of streetscape works identified in the Conceptual Plan, and further adjustments to parking controls are otherwise consistent.

Local Planning Policy 8A: Car Parking Provisions outlines the requirements for the provision of vehicle parking facilities associated with development, which includes consideration of special purpose parking dependent on the nature of the development and includes minimum provision of taxi pick-up bays, motorcycle bays and bicycle parking facilities. Further commercial developments within the Dunsborough Town Centre will be required to provide parking in association, or otherwise to provide a cash-in-lieu contribution that will enable the City to provide parking on publicly managed land.

The design and construction of vehicle parking bays occurs with reference to the Road Traffic Code and the relevant Australian Standard (1742.11-1999). The Standard details the means of providing disability (ACROD) parking bays with adequate accessibility. A recent change to this Standard resulted in all bays constructed prior to that time being non-compliant. While there is no retrospective application of this Standard and the City is not obliged to make improvements to previously constructed bays, it is desirable that the City plans to progressively do so in order to both improve service delivery for a growing segment of the community and to limit the City's exposure to complaints being made under the Commonwealth *Disability Discrimination Act 1992* (which may then provide for such improvements to be directed).

FINANCIAL IMPLICATIONS

City officers expect that the general changes to signage and line marking that will be required to implement the proposed parking management changes will cost in the order of \$20,000. The most significant component of this cost is the installation of new infrastructure (including traffic control and verge reinstatement, where necessary) to align the City's parking signage with the current Australian Standard. Should the Council endorse the proposed changes to parking management a more detailed costing will be prepared and proposed for funding as a part of the 2018/19 budget.

A detailed costing is also being prepared for the proposed relocation of the electric vehicle charging station, and will be proposed for funding as a part of the 2018/19 budget.

Preferred design approaches for improving disability (ACROD) parking bays have not been identified in several cases, and as such costs have not yet been estimated.

It is therefore expected that these changes will be made incrementally, upon priority and as part of future streetscape improvement works.

Long-term Financial Plan Implications

Nil.

STRATEGIC COMMUNITY OBJECTIVES

The recommendations of this report reflect the following Community Objectives of the Strategic Community Plan 2017:

2.3 Creative urban design that produces vibrant, mixed-use town centres and public spaces.

e. Continue to revitalise and activate the Busselton and Dunsborough town centres.

5.1 Public transport services that meet the needs of the community.

a. Work with key stakeholders to improve the accessibility and promotion of public transport services and facilities.

5.2 Road networks that provide for a growing population and the safe movement of all users through the District.

RISK ASSESSMENT

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk assessment framework. The assessment identifies 'downside' risks only, rather than 'upside' risks as well.

It is the expectation of City officers that a medium-level reputational risk accompanies the implementation of the officer recommendation, reflecting the likelihood of the change in timed parking restrictions (from three hours to two hours maximum stay) generating criticism of this action and broader concerns with the provision of car parking to meet demand during peak periods.

As discussed in the 'Relevant Plans and Policies' section of this report, the City is not obliged to improve previously constructed disability (ACROD) parking but would desirably do so in order to limit exposure to complaints being made under the Commonwealth *Disability Discrimination Act 1992*. The Officer Recommendation of this report provides for this to progressively occur and as such no risks are identified. Similarly, the improvement of parking signage to accord with the Australian Standard will provide for the City to improve compliance enforcement outcomes.

CONSULTATION

While there is no statutory requirement for public consultation to occur, officers have consulted informally on this matter, including with the City's Disability Access & Inclusion Committee and with executive committee members of the Dunsborough-Yallingup Chamber of Commerce and Industry. The Dunsborough-Yallingup Chamber of Commerce and Industry indicated support for the City's initiatives within the centre and did not raise any concerns with the proposed direction of car parking management. Additional disabled (ACROD) parking identified by the Disability Access & Inclusion Committee has been identified within the proposed changes to the parking management regime, subject to the resolution of design.

The City has undertaken comprehensive consultation associated with the Dunsborough Town Centre streetscape improvement program, including associated changes to parking.

The proposed change from a three hour to two hour parking restriction is considered to have generally wide support from businesses and landowners, on account of:

- An existing agreement to manage parking at 42 Dunn Bay Road (Naturaliste Forum – IGA) with a maximum two hour stay;
- A recently adopted agreement to manage parking at 54 Dunn Bay Road (Dunsborough Medical Centre *et al*) with a maximum two hour stay;
- Requests from tenants at 233 Naturaliste Terrace (adjoining Hannay Lane) for a two hour time restriction to be applied, pending endorsement of the strata group;
- The proposed introduction of a two hour time restriction at the Dunsborough Centrepont Shopping Centre (to be enforced privately).

One other private parking area managed by the City under agreement that is not referred to above is on Seymour Boulevard, associated with development at 34 Dunn Bay Road (Dunsborough Park Shopping Centre). The strata company associated with this development will be further consulted with regarding the proposed change to parking time restrictions; however the City is able to implement changes to the majority of this car park regardless as it is largely located within the road reserve.

City officers generally expect varied opinion within the wider community on the proposed changes to timed parking restrictions and that this may attract some criticism (as outlined in the 'Risk Assessment' part of this report). In particular, officers expect that the real estate industry sector is least likely to be satisfied by the proposed changes, on account of a number of relevant businesses in Dunsborough preferring to occupy premises with high levels of passing foot traffic but which are reliant upon public parking areas.

Consultation has taken place with the operator of Dunsborough Taxis who is in support of the designation of a dedicated taxi bay, and expects that this will be recognisable by patrons and therefore well utilised by the company.

Feedback has been received by the City from residents along Chieftain Crescent about informal parking, and the proposed introduction of a 'No Standing' control on the residential side of this street has been proposed in response to these concerns. Matters regarding the connection of access through Chieftain Crescent to surrounding streets will be the subject of a separate report to Council.

In accordance with the *Parking Local Law 2011* the provision of public notice of changes to parking designations is required. This will occur in a local newspaper and on the City's website, in accordance with the resolution of the Council.

City officers propose to provide advance notice of parking changes as part of communications associated with the upcoming stage of streetscape improvement works and, similar to what occurred in late 2016 prior to the introduction of regular parking enforcement in the Dunsborough Town Centre, distribution of information about the proposed changes across the Town Centre by the City's Parking Officers & Rangers.

Should any significant works be required in association with the improvement of parking bays or areas, immediately affected landowners and businesses will be notified and consulted as required. However it is noted that the majority of the infrastructure changes proposed as a direct result of this report are of a very minor nature.

OFFICER COMMENTRecent Parking Improvements

Changes to parking designations as a result of recently completed streetscape improvement works include:

- Addition of 4 motorcycle bays on Seymour Boulevard (off-street);
- Relocation of 2 bus bays on Seymour Boulevard (on-street);
- Addition of 1 disability (ACORD) bay on Prowse Way (off-street);
- Relocation of 1 disability (ACROD) bay from Dunsborough Place to Chieftain Crescent (off-street);
- Adjustment of the time limited parking designation in the vicinity of Dunsborough Place to reflect the arrangement of parking after streetscape works;
- In order to manage parking along Chieftain Crescent following its opening to the town centre, a 'No Standing' restriction is identified on the residential (eastern) side of Chieftain Crescent.

Further, parking at the western end of Dunn Bay Road will be reverted to time restricted parking (2 hours, as proposed). The existing 3 hour restriction in this location had been relaxed in the Consolidated Vehicle Parking Scheme to provide additional unrestricted (all-day) parking during streetscape works, but it is now desirable to restore this restriction as part of the regular pattern of parking controls.

Proposed Signage Improvements

Additional signage is proposed to be installed in various locations across the Dunsborough Town Centre in order to improve the consistency of the City's parking control signage with the relevant Australian Standard (1742.11-1999). The Standard provides for maximum signage distances of 200 metres within an identified parking 'zone' (or 75 metres otherwise), which the City will meet and exceed in circumstances where it is reasonable to do so (eg. separated parking blocks with no visibility of other signage). It is expected that an increase in the visibility of parking signage will reduce the potential for confusion and improve compliance outcomes, noting that the City has recently received a number of complaints and infringement appeals based on the visibility of parking control signage.

These signage improvements will occur in accordance with the parking restrictions adopted by the Council.

Officers will also investigate additional directional signage to support visitors identifying where additional and all-day parking is available, as well as other wayfinding within the Dunsborough Town Centre.

Proposed Special Purpose Parking Improvements

The following discussion is provided further to the proposed improvements to special purpose parking outlined at Attachment D.

Disability (ACROD) Bays

The City of Busselton is committed to the principles of universal access in accordance with the City's Disability Access & Inclusion Plan (DAIP 2014-18), and the demand for parking which supports access for people with limited mobility is generally growing in line with the City's growing and ageing population. Current National Disability Services statistics identify 306 ACROD permit holders residing within the 6281 and 6282 postcode areas (Dunsborough, Yallingup and surrounds), an increase from 223 reported in 2013/14.

Within the Dunsborough Town Centre disability (ACROD) bays are currently provided for as follows:

- 5 bays within reserves managed by the City (3 of which are compliant with the current Australian Standard);
- 6 bays in private parking areas managed by the City under agreement (none compliant);
- 14 bays in private parking areas (none compliant).

A high proportion of bays within private parking areas are poorly maintained, lacking the signage and line marking necessary to be compliant with previous versions of the Australian Standard and in some cases bays have been removed or are entirely ineffective for this purpose. In this regard, officers propose to write to landowners to request that required bays are actively maintained.

Various other accessibility issues within the Town Centre that have been identified both from direct user feedback and in consultation with the Disability Access & Inclusion Committee are considered as part of streetscape upgrade and maintenance works, as appropriate.

Proposed changes include:

- Addition of 1 bay with direct access to Seymour Park, adjacent to public toilet (on-street);
- Addition of 1 bay along the western extent of Dunn Bay Road (southern side), to be provided as a long bay that accommodates rear-loading and other extended vehicles (on-street);
- Reconfiguration of existing bays in identified areas – retaining bays within these general areas but designing and locating them such that the current Australian Standard can be met. These changes have not been specifically identified as further detailed design is required in order to resolve the most appropriate and practical means of making these improvements (for example, addressing difficulties providing these bays within parallel and angled parking areas).

Motorcycle Bays

While motorcycle use is in the minority of transport share, the provision of dedicated motorcycle parking is supported by officers as a means of reducing informal parking on footpaths and road verges, and avoiding the inefficiency of having full-sized car parking bays occupied by motorcycles. The provision of motorcycle parking bays can often be accommodated in spaces where a car parking bay cannot.

There are currently three designated motorcycle bays in the Dunsborough Town Centre within privately managed parking areas and one motorcycle bay at the western end (southern side) of Dunn Bay Road. Four motorcycle bays have been recently constructed within the Seymour Boulevard parking area managed by the City.

The addition of motorcycle bays will generally be considered as part of future streetscape improvements where this can add to, rather than replace, opportunities for full-sized car parking bays to be provided. However as there is currently no dedicated motorcycle parking bays within all-day parking areas, City officers propose the following change:

- Addition of 2 motorcycle bays within the all-day parking area accessed from Chieftain Crescent (off-street).

Bus Bays

No changes to the location of designated bus bays (Seymour Boulevard) are proposed further to that adopted as part of recent streetscape improvement works.

Small bus drop off may be provided for via proposed additional 15 minute (loading) bays and, where relevant, the extra length disability (ACROD) bay.

Taxi Bays

There is currently no dedicated taxi parking bays within the Dunsborough Town Centre.

Taxis provide an important private transport service that supplements the limited availability of public transport, particularly for seniors, persons with limited mobility (and disability) and for the patrons of licensed premises. As a replacement for trips that would most likely be made in other private vehicles, taxis do not generate significant additional traffic and do not occupy car parking spaces for the same length of time as would otherwise be required – providing for increased availability for other users.

Officers propose that a dedicated taxi parking bay will allow for local taxi operators to be stationed in the Dunsborough Town Centre and increase the accessibility of this service to patrons. Noting the service that taxis provide after-hours and to the patrons of licensed premises, the potential for anti-social behaviour is most appropriately addressed through locating taxi bays and ranks in accessible, visible and well-lit locations that are away from residences and entrances to licensed premises.

Proposed changes include:

- Designating one dedicated bay for taxi use on Dunn Bay Road (northern side) adjacent to.

Loading Bays

While the majority of businesses in the Dunsborough Town Centre have access to a rear or common loading area, the delivery of goods to smaller retail and hospitality operators (in particular) is serviced by couriers that typically utilise on street parking bays that provide for the most direct access and egress. Illegal standing and parking regularly occurs, often resulting in the obstruction of paths, verges and occasionally thoroughfares and in several locations damage to infrastructure (kerbing, footpath paving, grass) has resulted. Due to the industry-driven time pressures associated with delivery services, the provision of loading bays close to the point of delivery are important for operators and an even and logical distribution of bays necessary.

Officers have identified locations where additional loading bays might be provided to help alleviate this issue. While it is proposed to designate these as loading bays, which are restricted to commercial vehicles, these bays could alternatively be designated as 15 minute restricted parking bays in order that they might be utilised for other purposes also.

Proposed changes include:

- Addition of 1 loading bay along the western extent of Dunn Bay Road (northern side);
- Addition of 1 loading bay along the northern extent of Seymour Boulevard (western side) – noting that verge re-construction would be required.

The designation of loading bays along Hannay Lane may also be required, but this can only occur as part of a more detailed investigation into the arrangement of traffic in this location.

An option presented for the consideration of the Council is to designate additional 15 minute restricted bays, which may incidentally function as loading bays.

Electric Vehicle Charging Bays

There is currently one designated electric vehicle charging bay in the Dunsborough Town Centre, located on Dunn Bay Road adjoining Lions Park.

Reflecting feedback from Councillors in late 2017, it is proposed to relocate this bay to an alternative site on the periphery of the Dunsborough Town Centre. A detailed costing will be prepared and proposed for funding as a part of the 2018/19 budget.

Proposed changes include:

- Relocation of the electric vehicle charging station (bay and charging unit) to the off-street carpark access from Chieftain Crescent.

Long Vehicle Parking

The majority of parking within the Dunsborough Town Centre is angled or perpendicular and does not suitably accommodate long vehicles without the potential for informal and illegal parking arrangements, blocking of thoroughfares, etc. The availability of parallel parking, that can more suitably accommodate long vehicles, is limited and is located in high traffic/ high turnover locations such as Dunn Bay Road.

It is generally quite difficult and impractical to provide parking specifically for long vehicles, and officers do not propose to do so as this would likely come at the expense of additional car parking bays. Officers consider that the most appropriate means of accommodating long vehicles is to adopt the same approach employed for the Busselton City Centre – directing long vehicles to parallel parking opportunities on the fringe of the Dunsborough Town Centre.

By providing a designated location the City may accommodate these users and avoid criticism to the contrary, and reduce informal/ illegal parking elsewhere and any associated compliance disputes.

Proposed changes include:

- Widening the identified portion of Chieftain Crescent (south) and designating on-street parallel parking on the western side, supported by directional signage indicating that this location provides for parking of long vehicles.

Proposed Changes to Parking Time Restrictions

Within City managed parking areas the predominant time restriction (where applied) permits a maximum stay of 3 hours. Exceptions are bays within the Naturaliste Forum complex (123 bays with a 2 hour limit) and bays servicing the post office (2 bays with a 15 minute limit).

A recommendation of this report is to reduce all existing 3 hour maximum time limits to 2 hours. This proposed change is considered to be necessary on account of the desirability to:

- Achieve greater consistency of parking controls within the Dunsborough Town Centre.
- Achieve greater consistency with the Busselton City Centre, enabling visitors to the district to better understand the pattern of parking controls.
- Support the regular turnover of parking to improve access for visitors and shoppers, and improve compliance amongst all-day parkers (reducing instances of moving between time limited bays).

The result of the proposed changes would be, amongst City managed parking, approximately one-third of bays with no restriction (all day stay permitted), approximately two-thirds with a 2 hour restriction, and the remainder with a 15 minute restriction.

Experience in Busselton and elsewhere (including Bunbury, which has significant areas of parking limited to 2 hours and/or providing the first 2 hours without charge) suggests that a two hour limit provides sufficiently for the parking needs of the vast majority of visitors and shoppers, while balancing the need to ensure turnover and availability of parking bays.

While it is not possible to accurately report on restrictions that may be applied to car parking on private land where management is not delegated to the City, it is generally noted that such parking does not currently have enforced time restrictions in place. The City has, on regular occasions in the past, invited private landowners to enter into agreement with the City to provide for a regular pattern of restrictions and compliance enforcement.

The proposed reduction in parking time limits would also improve the efficiency of parking enforcement resources. The City's Parking Officers, who have been undertaking regular compliance inspections in the Dunsborough Town Centre since November 2016, have identified that a complete circuit can be completed within two hours (including during busy periods). The City could therefore provide monitoring and compliance for the proposed reduction in timed parking limits without the need for any additional resources, and this would in fact make for the most efficient use of existing resources.

It is also proposed to designate a 15 minute maximum length of stay to two bays located on Dunn Bay Road adjoining Lions Park. City officers have received feedback about informal and illegal parking occurring in this vicinity, often associated with accessing post office boxes. It is considered that the provision of additional 15 minute bays may help to address this issue, as well as increasing the turnover of bays in what is seen as a prime location.

CONCLUSION

The proposed changes to parking designations in the Dunsborough Town Centre, including the adoption of revised parking time restrictions and special purpose parking designations, are considered necessary to optimise parking management and provide sufficiently for all user types.

It is recommended that the Council adopt the Officer Recommendation to amend the Consolidated Vehicle Parking Scheme as indicated and endorse the progression of further changes as proposed.

OPTIONS

The Council may consider various other modifications to the Consolidated Vehicle Parking Scheme or the proposed changes detailed in this report to enable an alternative distribution or layout of parking controls. Specifically, options proposed by officers for the Council's consideration include:

1. Designation of proposed new loading bays (commercial vehicles only) on Dunn Bay Road and Seymour Boulevard as 15 minute time restricted parking bays, generally providing for these to be more available for loading purposes but also for other general usage. Officers consider that this concept has merit, subject to ongoing monitoring to ensure that commercial delivery services are adequately provided for.
2. Undertaking a seasonal trial of changes to parking time restrictions, by providing for a maximum of 2 hours parking during a specified peak period only (eg. 1 November to 31 January, and reverting to 3 hours at all other times). This would necessitate the replacement of signage on a seasonal basis.
3. Should the Council not grant delegation to amend the Consolidated Vehicle Parking Scheme to City officers as proposed (in a separate report), the Council may choose to adopt the proposed changes to special purpose parking into the Scheme at this time (to be thereafter implemented via signage and line marking) or subsequently (following implementation).

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Should the Council endorse the proposed reduction of timed parking restrictions from three hours to two hours, the Consolidated Vehicle Parking Scheme will be amended immediately and signage changes put in place as soon as possible, no later than September 2018. Notice of the changes will be published concurrent with the installation of signage.

Should the Council endorse the proposed changes to special purpose parking designations, detailed design will support the provision of a proposed budget allocation for the 2018/19 financial year and improvements will be implemented progressively thereafter, including as part of future streetscape upgrade works where possible. The Consolidated Vehicle Parking Scheme would then be updated under delegation, should the Council determine that this may occur.

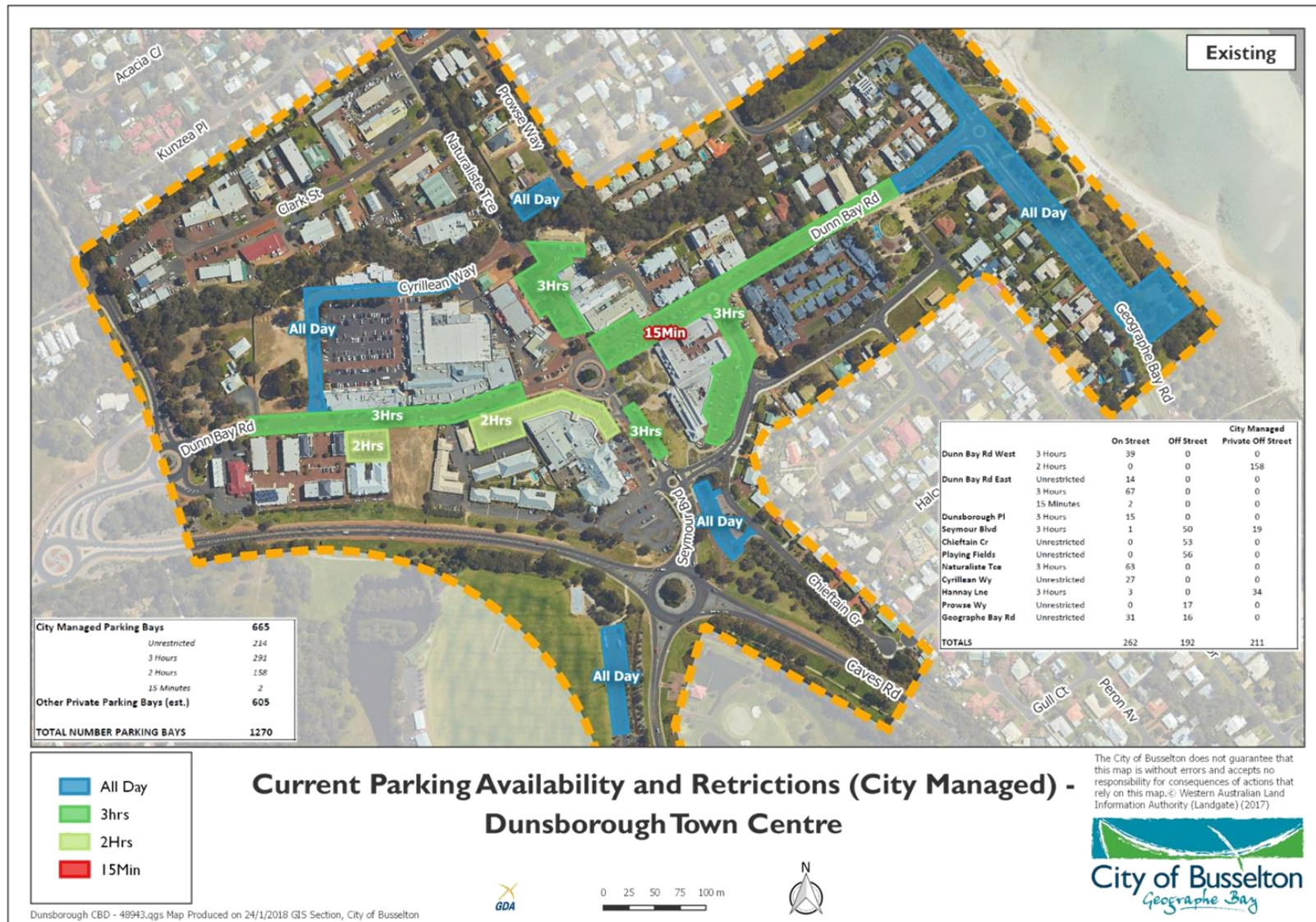
Subject to budget allocation proposed general signage and line marking improvements will be undertaken in the 2018/19 financial year, no later than September 2018.

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council:

1. Pursuant to the *City of Busselton Parking Local Law 2011*, endorse amendments to the Consolidated Vehicle Parking Scheme relating to the Dunsborough Town Centre as follows:
 - a. To reflect recently completed works, the:
 - i. Addition of 4 motorcycle bays on Seymour Boulevard (off-street);
 - ii. Relocation of 2 bus bays on Seymour Boulevard (on-street);
 - iii. Addition of 1 disability (ACORD) bay on Prowse Way (off-street);
 - iv. Relocation of 1 disability (ACROD) bay from Dunsborough Place to Chieftain Crescent (off-street);

- v. Adjustment of the time limited parking designation in the vicinity of Dunsborough Place to reflect the arrangement of parking after streetscape works.
 - b. Change all three hour time restricted parking to a two hour time restriction;
 - c. Change the designation of two bays on Dunn Bay Road adjoining Lions Park to a fifteen minute time restriction;
 - d. Introduce a 'No Standing' control along the residential (eastern) side of Chieftain Crescent.
- 2. Provides public notice of the adoption of an amended Consolidated Vehicle Parking Scheme as per item 1.
- 3. Endorses the proposed approach to improving the arrangement of special purpose parking and general parking signage, noting that this will include the preparation of a budget item/s for the 2018/19 financial year.











10.3 Policy and Legislation Committee - 1/02/2018 - ENDORSEMENT OF THE CONSOLIDATED PARKING SCHEME 2018 AND DELEGATED AUTHORITY TO THE CEO TO AMEND THE SCHEME

SUBJECT INDEX:	Consolidated Parking Scheme
STRATEGIC OBJECTIVE:	Creative urban design that produces vibrant, mixed-use town centres and public spaces.
BUSINESS UNIT:	Environmental Services
ACTIVITY UNIT:	Rangers & Emergency Services
REPORTING OFFICER:	Ranger & Emergency Services Coordinator - Ian McDowell Senior Prosecutions and Policy Officer - Owen Anderton
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Absolute Majority
ATTACHMENTS:	Nil

This item was considered by the Policy and Legislation Committee at its meeting on 1 February 2018, the recommendations from which have been included in this report.

PRÉCIS

The Council is asked to endorse the City's Consolidated Parking Scheme 2018, and to delegate to the Chief Executive Officer the power amend the Parking Scheme in accordance with the requirements of the City of Busselton *Parking Local Law 2011*.

BACKGROUND

The Consolidated Parking Scheme (the Scheme) comprises a document and a series of maps detailing the various car parking restrictions that are in place across the City. These restrictions include: disabled parking, timed parking, no stopping zones, loading zones, bus bays, taxi bays, electric vehicle recharging bays, and motor cycle bays. Car parks include City owned on-street and off-street parking, and privately owned car parks where there is a signed parking agreement between the City and the owner of the car park.

The scheme was last endorsed by the Council in March 2007. Since then there have been a number of minor and major amendments to the Scheme approved by the Council. Major amendments include changes to timed parking limits in the Busselton City Centre in January 2014. In October 2014 changes for special purpose parking including disabled, bus, loading, motor cycle and taxi parking were also made. Minor changes include the provision of no-parking line marking in Yallingup.

Amendments to the Scheme are currently presented to the Council for their endorsement. There is no delegation in place to make such amendments. The effect of this is that even minor changes to a parking zone to move a disabled parking bay, require a Council resolution before the disabled parking bay designation can be enforced.

STATUTORY ENVIRONMENT

Parking Local Law 2011

Section 1.10 Powers of the Council

The Council may, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this local law.

Section 2.1 Determination of parking stalls, parking stations and parking areas

(1) The Council may, constitute, determine or vary:

- a. parking stalls;
- b. parking stations;
- c. parking areas;
- d. no parking areas;
- e. no stopping areas;
- f. permitted time and conditions of parking in parking stalls, parking stations and parking areas which may vary with the locality;
- g. permitted classes of vehicles which may park in parking stalls, parking areas and parking stations;
- h. permitted classes of persons who may park in specified parking stalls, parking areas and parking stations; and
- i. the manner of parking in parking stalls, parking stations and parking areas.

(2) Where the Council makes a determination under sub-clause (1), the CEO must give local public notice of, and erect signs to give effect to, the determination.

Local Government Act 1995

(1) A local government may delegate (by Absolute Majority) to the CEO the exercise of any of its powers or the discharge of any of its duties under:

- a. this Act other than those referred to in Section 5.43; or
- b. the *Planning and Development Act 2005* section 214(2) (3) or (5).

NB: the delegation sought by this report is not referred to in Section 5.43 of the Act.

RELEVANT PLANS AND POLICIES

This report seeks endorsement of the Consolidated Parking Scheme 2018 which in essence is a plan of parking restrictions that are in place within the City.

FINANCIAL IMPLICATIONS

There are no financial implications associated with implementation of the recommendations of this report.

Long-term Financial Plan Implications

There are no long-term financial plan implications associated with the implementation of the officer recommendations of this report.

STRATEGIC COMMUNITY OBJECTIVES

The officer recommendations of this report align with the following Community Objectives of the City of Busselton Strategic Community Plan 2017.

2.3 Creative urban design that produces vibrant, mixed-use town centres and public spaces.

6.1 Governance systems, processes and practices are responsible, ethical and transparent.

RISK ASSESSMENT

An assessment of the risks associated with the implementation of the officer recommendations of this report has been undertaken using the City's risk management framework. No significant risks have been identified.

CONSULTATION

It is not considered necessary to undertake consultation with the preparation of this report nor the implementation of the officer recommendations, as no change to existing controls and/or signage/markings are proposed.

OFFICER COMMENT

The City has recently carried out a complete review of the Scheme. As a result of that review differences were identified between on-ground parking restrictions and those reflected in the Scheme document and maps. The Scheme has subsequently been updated and is attached (Attachments A and B) for endorsement by the Council.

The Scheme may require further updating following consideration by Council at this meeting of a further report with regard to Car Parking Management in the Dunsborough Town Centre.

Amendments to the scheme, including the establishment of new, or changes to existing parking restrictions or special purpose parking, currently require endorsement by the Council before they are implemented. This report seeks Council delegation of powers contained in Section 1.10 of the *Parking Local Law 2011* to the CEO.

The delegation sought by this report includes call-in and referral provisions similar to those previously endorsed by Council when reviewing Planning Delegations in March 2017 (delegation PDR 1 refers).

Under the proposed provisions, prior to exercising this delegation, the CEO shall ensure Councillors are provided with details of proposed amendments to the Scheme and given a period of not less than 14 days to submit a written request to the CEO for the matter to be presented to Council before a delegated decision is made. As for the planning delegation, such a request would need the support of two or more Councillors.

A draft Instrument of Delegation forms part of the officer recommendation of this report.

CONCLUSION

A review of the Consolidated Parking Scheme has identified anomalies between on-ground parking restrictions and those contained in the Scheme. Endorsement of the Consolidated Parking Scheme 2018 corrects those anomalies and provides a baseline for the future.

To simplify the process for establishing and changing parking restrictions, it is recommended that the CEO be given delegated authority from Council to exercise the powers of Council contained in section 1.10 of the *Parking Local Law 2011*. The draft instrument of delegation includes a call-in provision whereby any two or more Councillors may consider an amendment to the Scheme to be of strategic significance and/or high community interest and request the CEO, to present the proposal to Council for consideration.

OPTIONS

The recommendation to endorse the Consolidated Parking Scheme 2018 is a straightforward administrative process that seeks to match the data contained in the Scheme with the physical controls on the ground.

Council may choose not to support the officer recommendation to delegate to the CEO the powers of Council contained in Section 1.10 of the *Parking Local Law 2011*.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Implementation of the officer recommendation for Council to endorse the Consolidated Parking Scheme 2018 will have immediate effect.

Implementation of the officer recommendation to delegate the powers of Council under Section 1.10 of the *Parking Local Law 2011* to the CEO is an administrative process that could be implemented within 14 days of the Council resolution (should the need arise to do so)..

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION**ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED**

That the Council endorse:

1. The City of Busselton Consolidated Parking Scheme 2018 as attached (Attachments A and B) to this report; and
2. Establish a new delegation as follows:

Instrument of Delegation

Reference Number	Local Government Act Reference	Delegate	Delegation Subject
TBA	Section 5.42 (1)	Chief Executive Officer	Amendments to the Consolidated Parking Scheme

Delegator

Council

Power/Duty

Prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region consistently with the provision of the City of Busselton Parking Local Law 2011.

Conditions**“Call-in” and referral provisions**

The CEO shall ensure Councillors are provided with details of all proposed amendments to the Scheme, and given a period of not less than 14 days to submit a written request to the CEO for the matter to be presented to Council before the delegation is exercised.

Any two or more Councillors may consider a proposed amendment to the Consolidated Parking Scheme to be of strategic significance and/or high community interest and request the CEO in writing, to present the proposal to Council for consideration. If the request is supported, the proposed amendment 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 proposal, but it would generally be expected that they would first seek to exercise the call-in provision as outlined above.

Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995* to delegate to the CEO the discharge of its powers pursuant to Section 1.10 of the City of Busselton Parking Local Law 2011 which was made in accordance with Part 3 of the *Local Government Act 1995*.

Verification

Initial Council Resolution
TBA

Review

In accordance with the requirements of Section 5.46(2) of the *Local Government Act 1995*, at least once every financial year.

10.4 Policy and Legislation Committee - 1/02/2018 - REVIEW OF COUNCIL DELEGATION LG6C RATES AND SERVICE CHARGES

SUBJECT INDEX:	Authorised Delegation of Power/Authority
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Finance and Corporate Services
ACTIVITY UNIT:	Governance Services
REPORTING OFFICER:	Executive Assistant - Christine Garratt
AUTHORISING OFFICER:	Director, Community and Commercial Services - Cliff Frewing
VOTING REQUIREMENT:	Absolute Majority
ATTACHMENTS:	Attachment A Revised Council Delegation LG6C Rates and Service Charges showing proposed tracking changes ↓ Attachment B Revised Council Delegation LG6C Rates and Service Charges ↓

This item was considered by the Policy and Legislation Committee at its meeting on 1 February 2018, the recommendations from which have been included in this report.

PRÉCIS

The *Local Government Act 1995* requires delegations made under the Act to be reviewed by the delegator at least once every financial year.

As a result of a recent review of Council Delegation LG6C Rates and Service Charges it is proposed to make minor amendments to the delegation, although it should be noted there is no change to the intent of the delegation.

BACKGROUND

Council has the ability to delegate the exercise of powers and discharge of duties to its Chief Executive Officer. These delegations are required to be reviewed by the delegator (in this case the Council) at least once in every financial year.

Council Delegation LG6C Rates and Service Charges was last before Council on 9 August 2017 as part of the Annual Statutory Review of Delegations. At that time Officers proposed removal of miscellaneous explanatory notes as it was felt that these actions were carried out as part of normal City business practices and processes. Council subsequently adopted the revised delegation (C1708/195).

As an outcome of a more recent review of Council Delegation LG6C Rates and Service Charges, Officers are proposing some further streamlining of the delegation for the reasons outlined in the Officer Comment section of this report.

STATUTORY ENVIRONMENT

Section 5.42 of the *Local Government Act 1995* provides the Council with the ability to delegate powers and duties to its CEO. Some powers and duties cannot be delegated in accordance with Section 5.43 of the Act, such as matters that require an Absolute Majority decision of the Council.

The delegations must be contained in a Register. Wherever a decision has been made under delegated authority, records of the decision must be kept in accordance with the *Local Government (Administration) Regulations 1996*.

RELEVANT PLANS AND POLICIES

The Department of Local Government and Communities Operational Guidelines Number 17 – ‘Delegations’

Local Government (Administration) Regulations 1996

FINANCIAL IMPLICATIONS

There are no financial implications involved in reviewing this delegation, however, utilisation of delegated authority creates organisational efficiencies. Without a system of delegated authority in place, a significant number of day-to-day local government decisions would need to be referred to Council as agenda reports. Having an effective delegated authority system in place reduces the turnaround time for some matters which allows for the Council to use its time to undertake its more strategic role.

Long-term Financial Plan Implications

There are no direct Long-term Financial Plan implications associated with this review.

STRATEGIC COMMUNITY OBJECTIVES

This delegation review aligns with and supports the **Council’s Key Goal Area 6** – ‘Leadership’ and more specifically **Community Objective 6.1** – ‘Governance systems, process and practices are responsible, ethical and transparent’.

RISK ASSESSMENT

Not required for this review.

CONSULTATION

The current delegation was developed with reference to the Department of Local Government and Communities Operational Guidelines Number 17 – ‘Delegations’.

OFFICER COMMENT

There are a range of powers and duties delegated to the CEO in accordance with the powers provided by Sections 5.42(1)(a) and (b) of the *Local Government Act 1995*.

The table below provides an overview of the current Council Delegation LG6C Rates and Service Charges and an explanation of the powers exercised by the CEO. Officers are recommending minor amendments to the delegation, a summary of which is outlined in the Purpose column of the table.

Current delegation (Part)	Summary of proposed amendments	Proposed delegation (Part)
LG6C Rates and Service Charges To exercise the powers and discharge the duties of the local government under Sections 6.49, 6.50(1), 6.60(2), 6.64(1), 6.64(3), 6.71(1), 6.74(1), 6.76(4) and 6.76(5) of the <i>Local Government Act 1995</i> . (Contained in Attachment A)	Removal of Sections 6.64(1), 6.71(1) and 6.74(1) from existing delegation as any decision relating to Leasing, Selling and/or Conveying or Transferring of Land where rates or service charges due to a local government in respect of any rateable land, have been unpaid for at least 3 years, would require a determination from Council.	To exercise the powers and discharge the duties of the local government under Sections 6.49, 6.50(1), 6.60(2), 6.64(3), 6.76(4) and 6.76(5) of the <i>Local Government Act 1995</i> . (Contained in Attachment B)

CONCLUSION

Parts of the existing Council Delegation LG6C Rates and Service Charges has served the organisation well and provides a sufficient level of authority to enable timely consideration of day-to-day local government matters.

The proposed amendments to the delegation do not change the intent of the delegation, rather it is simply being streamlined by way of removal of certain operational aspects as these are considered key processes that would require a decision from Council. As far as is known, the delegation has never been exercised in relation to the sections of the Act proposed to be deleted from the delegation.

OPTIONS

The Council could decide to retain the delegation in its current form, may decide that it requires changes to the powers and discharge of duties to the Chief Executive Officer or choose to place conditions on the delegation.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Any determinations on the delegation will be effective immediately the Council's decision is made.

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED

That the Council adopts the revised Council Delegation LG6C Rates and Service Charges as shown at Attachment B.

Revised Council Delegation LG6C Rates and Service Charges
showing proposed tracking changes



Instrument of Delegation

Reference Number	Local Government Act Reference	Delegate	Delegation Subject
LG6C	6.49 6.50(1) 6.60(2) 6.64(1) 6.64(3) 6.71(1) 6.74(1) 6.76(4) 6.76(5)	Chief Executive Officer	Rates and Service Charges

Delegator

Council

Power/Duty

To exercise the powers and discharge the duties of the local government under Sections 6.49, 6.50(1), 6.60(2), ~~6.64(1)~~, 6.64(3), ~~6.71(1)~~, ~~6.74(1)~~, 6.76(4) and 6.76(5) of the *Local Government Act 1995*.

Conditions

Nil – all actions are administrative in nature only.

Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995* to delegate to the CEO the discharge of its powers and duties provided for in sections 6.49, 6.50(1), 6.60(2), ~~6.64(1)~~, 6.64(3), ~~6.71(1)~~, ~~6.74(1)~~, 6.76(4) and 6.76(5) of the *Local Government Act 1995*.

Section 6.49

A local government may accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.

Section 6.50(1)

Subject to —

- (a) subsections (2) and (3);
 - (b) any concession granted under section 6.47; and
 - (c) the Rates and Charges (Rebates and Deferments) Act 1992,
- a rate or service charge becomes due and payable on such date as is determined by the local government.*

Section 6.60(2)

If payment of a rate or service charge imposed in respect of any land is due and payable, notice may be given to the lessee of the land requiring the lessee to pay to the local government any rent as it falls due in satisfaction of the rate or service charge.

Section 6.64(1)

If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and—

- (a) from time to time lease the land;
- (b) sell the land;
- (c) cause the land to be transferred to the Crown; or
- (d) cause the land to be transferred to itself.

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Section 6.64(3)

Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

Section 6.71(1)

If under this Subdivision land is offered for sale but at the expiration of 12 months a contract for the sale of the land has not been entered into by the local government, it may by transfer, where the land is subject to the provisions of the Transfer of Land Act 1893, and by deed, where the land is not subject to the provisions of that Act, transfer or convey the estate in fee simple in the land to—

- (a) the Crown in right of the State; or
- (b) the local government.

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Section 6.74(1)

If land is—

- (a) rateable land;
 - (b) vacant land; and
 - (c) land in respect of which any rates or service charges have been unpaid for a period of at least 3 years;
- the local government in whose district the land is situated may apply in the form and manner prescribed to the Minister to have the land re-vested in the Crown in right of the State.

Section 6.76(4)

The local government may, on application by a person proposing to make an objection, extend the time for making the objection for such period as it thinks fit.

Section 6.76(5)

The local government is to promptly consider any objection and may either disallow it or allow it, wholly or in part.

Verification

Recent Council Resolution
C1708/195

Initial Council Resolution
C0806/188

Review Requirements

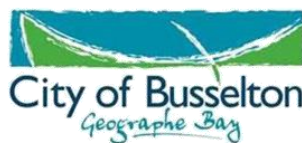
In accordance with the requirements of Section 5.46(2) of the *Local Government Act 1995*, at least once every financial year.

Related Documents

Rates and Charges (Rebates and Deferments) Act 1992

Transfer of Land Act 1893

Notes of recent alterations
Removal of explanatory notes at Sections 6.50(2), 6.50(3), 6.47 and 6.75(1) as these are operational by nature and therefore it is considered not necessary to include <i>(9 August 2017)</i>
Removal of Section 6.50(2) as this is done as part of the Budget Adoption process <i>(9 August 2017)</i>
Removal of Sections 6.56(1), 6.60(3) and 6.64(4) as these are operational by nature and do not require a delegation <i>(9 August 2017)</i>
Removal of Schedule 6.2, Clause 1(1) as any proposal to "Form a Lease" would be put before Council for determination <i>(9 August 2017)</i>
Removal of Schedule 6.3, Clause 1(4) as any proposal for "Sale of Land" would be put before Council for determination <i>(9 August 2017)</i>
Removal of Schedule 6.3, Clause 4(1) as any proposal to "Convey or Transfer" would be put before Council for determination <i>(9 August 2017)</i>



Instrument of Delegation

Reference Number	Local Government Act Reference	Delegate	Delegation Subject
LG6C	6.49 6.50(1) 6.60(2) 6.64(3) 6.76(4) 6.76(5)	Chief Executive Officer	Rates and Service Charges

Delegator

Council

Power/Duty

To exercise the powers and discharge the duties of the local government under Sections 6.49, 6.50(1), 6.60(2), 6.64(3), 6.76(4) and 6.76(5) of the *Local Government Act 1995*.

Conditions

Nil – all actions are administrative in nature only.

Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995* to delegate to the CEO the discharge of its powers and duties provided for in sections 6.49, 6.50(1), 6.60(2), 6.64(3), 6.76(4) and 6.76(5) of the *Local Government Act 1995*.

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A local government may accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.

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- (a) *subsections (2) and (3);*
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- a rate or service charge becomes due and payable on such date as is determined by the local government.*

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Recent Council Resolution
C1708/195

Initial Council Resolution
C0806/188

Review Requirements

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Related Documents

Rates and Charges (Rebates and Deferments) Act 1992

Transfer of Land Act 1893

Notes of recent alterations

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Removal of Section 6.50(2) as this is done as part of the Budget Adoption process (9 August 2017)

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Removal of Schedule 6.3, Clause 1(4) as any proposal for "Sale of Land" would be put before Council for determination (9 August 2017)

Removal of Schedule 6.3, Clause 4(1) as any proposal to "Convey or Transfer" would be put before Council for determination (9 August 2017)

11. PLANNING AND DEVELOPMENT SERVICES REPORT

11.1 APPLICATION FOR DEVELOPMENT APPROVAL FOR AN EXTRACTIVE INDUSTRY (LIMESTONE) AND CRUSHING FACILITY AT LOT 3 (130) & LOT 237 LUDLOW PARK ROAD WONNERUP (RECONSIDERATION PURSUANT TO S31 ORDER FROM THE STATE ADMINISTRATIVE TRIBUNAL)

SUBJECT INDEX:	Development/Planning Applications
STRATEGIC OBJECTIVE:	Development is managed sustainably and our environment valued.
BUSINESS UNIT:	Development Services and Policy
ACTIVITY UNIT:	Statutory Planning
REPORTING OFFICER:	Statutory Planning Coordinator - Joanna Wilson
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Location Plan ↓ Attachment B Revised Plan and Section ↓ Attachment C DWER Advice ↓ Attachment D Road Safety Audit ↓ Attachment E Ludlow Mill Route ↓

PRÉCIS

Following earlier consideration and deferral of the matter at its 28 June 2017 ordinary meeting, the Council, at its 13 September 2017 ordinary meeting, considered and refused an application for development approval for extractive industry (limestone) at Lots 3 and 237 Ludlow Park Road, Wonnerup. The reasons for refusal were fundamentally because it was considered that it had not been demonstrated that the proposal would be appropriate from either a groundwater/water resources or a traffic safety perspective.

Following the Council's decision to refuse the application, the applicant lodged an application for review with the State Administrative Tribunal (SAT). SAT has subsequently issued an order pursuant to s31 of the *State Administrative Tribunal Act 2004*, inviting the City to reconsider the application. If the matter is not resolved by 14 February 2018, there will be a further directions hearing on 23 February to determine the direction of the matter.

Since the Council's 13 September 2017 decision, the City has liaised extensively with the applicant and their representatives, as well as with the Departments of Water & Environmental Regulation (DWER) and Biodiversity, Conservation & Attractions (DBCA), and has also sought independent road safety advice. That has resulted in some changes to the proposal and further assessment of the issues. The most significant changes to the proposal are –

1. A reduction in the maximum depth of excavation, so that the maximum depth of excavation and the post-extraction rehabilitated surface will both be sufficiently clear of groundwater to meet DWER standards (and DWER have confirmed that they are comfortable with the proposal from that perspective); and
2. A reduction in the maximum number of truck movements along Ludlow Park Road (the 'Ludlow Park Road route') allowable without traffic management, down to a maximum of 10 vehicles per day (i.e. 5 loaded trucks out).

The City sought independent advice and DBCA feedback on changes to the design (including signage) and management of the pedestrian crossing associated with the 'Forest Adventures' operation (noting that the operation is on land leased from DBCA and that it is located on both sides of Ludlow Park Road – the main 'high ropes' course on the southern side, and the car park, archery facility and potential further expansion on the northern side).

The City also sought DBCA advice on a potential alternative haul route around the northern side of the Forest Adventures lease area, and through portion of the former Ludlow Mill site ('the Ludlow Mill route', which is a different alternative route to the 'Theresa Road route', which had been identified earlier). That alternative would avoid the need to make those changes, as well as removing the need for such tight controls on the maximum number of truck movements permitted. The feedback from both DBCA and the applicant has been positive with respect to that alternative.

City officers are recommending that the application be approved, subject to appropriate conditions, including conditions reflecting the revised groundwater information and proposed excavation levels, as well as requiring use of the Ludlow Mill route as the haulage route. It is also recommended that the City continue to liaise with DBCA with respect improving the pedestrian crossing of Ludlow Park Road associated with Forest Adventures.

BACKGROUND

The City has received an application for development approval to extract limestone from Lots 3 and 237 Ludlow Park Road, Wonnerup. As noted above, the application has been considered by the Council on two previous occasions, and is now subject of an application for review by SAT.

The application proposes the extraction of limestone from approximately 60 hectares of the site, with the intended post-extraction land-use being intensive agriculture. The application proposes the use of Ludlow Park Road as the haulage route.

There is an existing development approval for extraction of sand from the site. The application proposes that existing approval would lapse should the current application be approved. That earlier approval was issued before the Forest Adventures operation was in place and, as such, did not require consideration of the associated pedestrian safety issues.

The following attachments are provided in support of this report –

1. Attachment A: Location Plan;
2. Attachment B: Revised plan and section illustrating the proposed extraction area, maximum excavation depth and post-extraction level;
3. Attachment C: DWER advice regarding groundwater/water resources issues, in light of the revised plan and section;
4. Attachment D: Road Safety Audit for existing Forest Adventures pedestrian crossing on Ludlow Park Road; and
5. Attachment E: Sketch illustrating 'Ludlow Mill route'.

Further background information is available on request, or can be accessed by viewing the report and attachments associated with earlier Council consideration of the application, at the Councils' 28 June and 13 September 2017 ordinary meetings.

STATUTORY ENVIRONMENT

The key statutory environment is set out in the *City of Busselton Local Planning Scheme No. 21* ('the Scheme'), as modified by the *Deemed provisions for local planning schemes* set out in Schedule 2 of the *Planning and Development Regulations 2015*. The site is zoned "Agriculture" under the Scheme and within this zone "Extractive Industry" is an "A" land use and therefore the use is not permitted unless the City has exercised its discretion by granting planning approval after giving public notice in accordance with clause 10.4 (clause 64 of Part 8 of the regulations).

The City has given public notice and a schedule of submissions was presented to and considered by the Council on the two previous occasions that the application was presented to the Council.

In considering an application for development approval, a local government must consider all of the relevant 'matters to be considered' set out in clause 67 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the Regulations'), with those considered especially relevant to consideration of this application being as follows –

1. *(a) the aims and provisions of (the Scheme)...;*
2. *(f) any policy of the State;*
3. *(g) any local planning policy for the Scheme area;*
4. *(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land...;*
5. *(n) the amenity of the locality including...environmental impacts of the development;*
6. *(o) the likely effect on the natural environment or water resources;*
7. *(s) the adequacy of...the proposed means of access to and egress from the site...;*
8. *(t) the amount of traffic likely to be generated by the development, particularly in relation to...the probable effect on traffic flow and safety;*
9. *(y) any submissions received on the application;*
10. *(za) the comments or submissions received from any (State) authority...*
11. *(zb) any other planning consideration the local government considers appropriate.*

In terms of the aims and provisions of the Scheme, the land is Zoned 'Agriculture'. Within that Zone, 'Extractive Industry' is an 'A' use – i.e. a use approval of which is at the reasonable discretion of the decision-maker, following the completion of consultation as required by the Scheme and the consideration of any submissions received.

The Scheme then sets out 'objectives and policies' of the Agriculture Zone, the most relevant of which are as follows -

Objectives

- (a) To conserve the productive potential of rural land.*
- (b) To provide for new forms of agricultural development (including agro-forestry), and changing patterns of existing agricultural development...*

Within the Agriculture zone "Extractive Industry" is a discretionary land use which requires advertising ("A"). The City is unable to control the location of the resource however it is considered that due to the temporary nature of sand extraction and the fact that the land is to be returned to pasture that the proposal is consistent with the policy and objectives of the zone.

RELEVANT PLANS AND POLICIES

There are several plans and policies relevant to consideration of the application, most notably the *City of Busselton Local Rural Planning Strategy* (LRPS) and the *City of Busselton Local Planning Policy 5A: Extractive Industries* (LPP5A). It is important to note, however, that a local planning policy is not and cannot be binding or determinative, cannot override the Scheme, and is there to guide, but cannot direct, discretionary planning decisions made pursuant to the Scheme. Relevant requirements of LPP5A were outlined and addressed in the earlier reports presented to the Council with respect to this application.

Where guidance in LPP5A is relevant to the key matters requiring resolution (i.e. groundwater/water resources and traffic safety), that guidance is reflected in the substantive discussion on those issues set out in the 'Officer Comment' section of this report.

It is also important to note that, whilst the LRPS has been endorsed by the Western Australian Planning Commission (WAPC or 'the Commission'), clause 67 of Schedule 2 of the Regulations, does not specifically identify an endorsed planning strategy as a relevant 'matter to be considered'. It is therefore not clear what, if any, weight should be given to the LRPS in assessing applications for development approval (planning strategies, however, clearly continue to be relevant considerations in reviewing and amending the Scheme). Even prior to Gazettal of the Regulations, though, it was clear that a planning strategy could not override the Scheme. The LRPS is, in any case, essentially silent on extractive industry (although there is a reference to 'extraction of mineral sand', mineral sands are subject of the *Mining Act 1978*, and would therefore not normally require local government development approval).

FINANCIAL IMPLICATIONS

There are no significant financial implications to the City arising from the staff recommendation in this report.

Long-Term Financial Plan Implications

There are no Long-Term Financial Plan implications of the recommendations of this report.

STRATEGIC COMMUNITY OBJECTIVES

The recommendation of this report reflects Community Objective 5.2 of the Strategic Community Plan 2013, which is; *"Growth is managed sustainably and our environment is protected and enhanced as we develop."*

RISK ASSESSMENT

An assessment of the potential implications of implementing the Officer Recommendation has been undertaken using the City's risk assessment framework. The assessment identifies 'downside' risks only, rather than 'upside' risks as well. Risks are only identified where the individual risk, once controls are identified, is medium or greater. No such risks have been identified.

CONSULTATION

Information regarding consultation undertaken as required by the Scheme was provided in the reports previously presented to the Council. Key issues raised by the community related to –

1. Groundwater/water resources;
2. Traffic safety;
3. Aesthetic impact; and
4. Potential noise and dust emissions.

Those first two issues are obviously the same issues that were considered by the Council and now by officers to have been unresolved when the application was last considered, and they are outlined and discussed in more detail elsewhere in this report. The last two issues, though, are considered to have been adequately addressed previously (and standard and appropriate conditions reflecting assessment of those issues are incorporated into the officer recommendation).

The invitation by the SAT for the Council to reconsider its earlier decision does not allow an additional public consultation period. To resolve the substantive issues, however, it has been necessary to liaise further with DWER and DBCA, and their further advice has been considered and incorporated into this report.

OFFICER COMMENT

The two key issues requiring consideration are considered to be groundwater/water resources and traffic safety. Each of these issues is outlined and discussed below.

Groundwater/water resources

The key groundwater/water resources considerations are ensuring that the extraction activity itself does not impact on the hydrology of the area, or otherwise impact on the hydrology or ecology of the adjoining Wonnerup Estuary, which is part of the Ramsar-listed (i.e. internationally significant habitat for migratory waterbirds) Vasse-Wonnerup Wetlands. Some concerns related to this issue were addressed by reducing the extent of the proposed extraction area further away from the Estuary, to meet DBCA standards in that regard. What had not been resolved when this application was previously considered by the Council, though, were the hydrological issues. Fundamental to addressing the hydrological issues is having an understanding of where the highest winter groundwater levels are likely to be across the site.

DWER have advised that a conservative estimate (i.e. conservatively high) of where the highest winter groundwater level would be in a relatively wet winter is 0.9m AHD. DWER policy then recommends that extraction not occur within 0.3m of that level (i.e. not below 1.2m AHD). DWER policy also recommends that if the post-extraction land-use is intended to be intensive or any form of irrigated agriculture, that the post-extraction land form should be 1.0m above the highest winter groundwater level (i.e. not below 1.9m AHD).

The revised details submitted by the applicant propose that extraction would not occur below 1.25m AHD, and that the post-extraction land surface would be not below 1.95m AHD, in both cases 0.05m (i.e. 5 cm) above the minimum levels recommended by DWER. That is considered to be acceptable, subject to conditions specifying those levels, and subject to otherwise normal conditions relating to extraction levels and management.

Traffic safety

It is first worth setting out the nature of the decision that the Council is required to make in relation to traffic safety. Clause 67 of Schedule 2 of the Regulations sets out that in determining an application for development approval, a decision maker must consider –

(s) the adequacy of...the proposed means of access to and egress from the site...;

(t) the amount of traffic likely to be generated by the development, particularly in relation to...the probable effect on traffic flow and safety;

In doing so, the Council needs to consider the effect of the proposal, given the existing layout, design and use of the road network. That includes consideration of the pedestrian traffic associated with Forest Adventures. The fact that there is an existing approval for sand extraction from the site is not an especially relevant consideration, because that approval was issued before Forest Adventures had been developed.

In doing so, the Council also needs to act reasonably and be informed by appropriate professional advice.

In the case of traffic safety, that includes qualified and experienced experts in the field. One of the issues faced by the City in assessing this matter, though, is that there are no recognised or clear standards designed for assessment of heavy vehicle and pedestrian traffic interaction on an unsealed road. So, whilst a road safety auditor can undertake an audit and recommend improvements, it may not be possible for any traffic safety expert to identify a maximum 'safe' level of traffic. If this matter had to be resolved through formal SAT hearings, it is not very clear what the outcome would be and how the SAT would arrive at a decision.

Fortunately, it appears that the Ludlow Mill route should render that question redundant, as it means that heavy traffic would not be traversing the portion of Ludlow Park Road around the pedestrian crossing at all.

In liaison with DBCA, it also appears clear that future use of the Ludlow Settlement as a whole will not result in any expectation of significant pedestrian traffic along the section of Ludlow North Road between the Ludlow Mill route and Tuart Drive. Should that change, DBCA would need to consult with the City, and the City would need to advise DBCA that, as there would now be an increased expectation in terms of heavy traffic along that section of Ludlow North Road, they should consider traffic safety issues before considering anything that may result in increased pedestrian traffic on or across Ludlow North Road. There are, however, considered two reasons why the City should still pursue upgrades to the pedestrian crossing with DBCA and Forest Adventures.

Firstly, light traffic will continue to use Ludlow Park Road, and some of the safety issues associated with heavy traffic/pedestrian interaction would also apply to light vehicle/pedestrian traffic. Secondly, the Ludlow Mill route will only be able to be required as long as there is an approval in place for extraction from the site (and the requirement will only actually exist once the proposed limestone extraction has substantially commenced, but it is envisaged that will be a relatively short period of time). It would be very difficult to require the route to be maintained over the long-term, as agricultural traffic associated with the land will be substantially lower, and it is unclear what and whether approvals will be required for that agricultural activity. There are also some practical difficulties with requiring all agricultural traffic to use the Ludlow Mill route. As such, beyond the term of the extractive industry approval, there would once again likely be some heavy traffic on Ludlow Park Road, and there will be some agricultural traffic using the route even during that term.

CONCLUSION

City officers are recommending that the application be approved, subject to appropriate conditions, including conditions reflecting the revised groundwater information and proposed excavation levels, as well as requiring use of the Ludlow Mill route as the haulage route. It is also recommended that the City continue to liaise with DBCA with respect improving the pedestrian crossing of Ludlow Park Road associated with Forest Adventures.

OPTIONS

Fundamentally, the alternatives to the officer recommendation are –

1. Refusal of the application;
2. Deferral of consideration pending further information or assessment; or
3. Approval of the application subject to different and/or additional conditions.

Should the Council refuse, defer or approve the application subject to conditions not acceptable to the applicant, it is considered likely that the matter would be determined by the SAT, where the outcome would be determined through expert testimony on the issues in contention.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The decision of Council is to be communicated to the applicant and the SAT on or prior to directions hearing scheduled for 23 February 2018. Given the fact that there is still some remnant uncertainty around the exact conditions that may be associated with the Ludlow Mill route, the applicant may seek

OFFICER RECOMMENDATION

That the Council resolve:

- 1) (a) That application DA16/0699 submitted for Extractive Industry (Limestone) and Crushing Facility at Lot 3 (130) and Lot 237 Ludlow Park Road, Wonnerup, is considered by the Council to be consistent with Local Planning Scheme No. 21 and the objectives and policies of the zone within which it is located.
- (b) That Development Approval is issued for the proposal referred to above subject to the revocation of the Approval granted for the extraction of sand on the 29 October 2014 and the following conditions:

General Conditions

- i. The development hereby approved is permitted to operate for five years from the date of this Decision Notice or until 220,000 cubic metres with a maximum 40,000 cubic metres per annum volume of material has been extracted. The site shall be rehabilitated in accordance with an approved Rehabilitation Plan by the expiry date of this development approval.
- ii. The development hereby approved shall be undertaken in accordance with the Revised Plan and Section and the following conditions.

Prior to Commencement of Any Works Conditions:

3. The development hereby approved, or any works required to implement the development, shall not commence until the owner/applicant has applied for, and obtained, a Permit to Commence certificate from the City. The following plans/details are to be submitted to and approved by the City prior to requesting the issue of a Permit to Commence:
 - 3.1 An agreement to the satisfaction of the City for the creation and use of an access route through the Ludlow Mill;
 - 3.2 Staging plan dividing the approved extractive area into 2 hectare cells and indicating the timeframe each individual cell is to be extracted and rehabilitated;
 - 3.3 A Noise Management Plan;
 - 3.4 A detailed plan showing the haulage route through the Ludlow Mill site and the sealing of the crossover onto Ludlow Road North. The crossover to be sealed and drained 20m in length from the edge of Ludlow Road North;
 - 3.5 All other supporting and management plans modified to be consistent with the other conditions of the notice.

4. The development hereby approved, or any works required to implement the development, are subject to the following bonds (accompanied by an executed legal agreement with the City at the full cost of the owner) which shall be paid to the City prior to commencement of any works:
 - 4.1 A dust bond to the value of \$5,000.00 which shall be held against satisfactory compliance with Condition 5.11 of this approval.
 - 4.2 A rehabilitation bond to the value of \$20,000.00 which shall be held against satisfactory compliance with Condition 5.9 of this approval.
 - 4.3 A road maintenance bond of \$40,000.00 in the form of an unconditional bank guarantee to ensure that the surrounding road network is maintained to the satisfaction of the City for the term of the extractive industry. Those portions of public roads affected by the activities related to the approval shall be maintained to a standard acceptable to the City at cost of the applicant; such bond may be utilised for road maintenance purposes where necessary as a result of the operation. The bond shall be accompanied by an executed legal agreement with the City at the full cost of the owner;
 - 4.4 Further to conditions 4.1 - 4.3, the bonds are to be accompanied by an executed legal agreement with the City at the full cost of the owner. The legal agreement shall include:
 - (i) The ability for the City to be able to use the bond, or part of the bond as appropriate, and any costs to the City including administrative costs of completing or rectifying any outstanding works on site in accordance with the conditions of this development approval and any further costs.
 - (ii) Written authorisation from the owner of the land that the City may enter the site at any time and permit the City to complete or rectify any outstanding work to the satisfaction of the City.

On-Going Conditions:

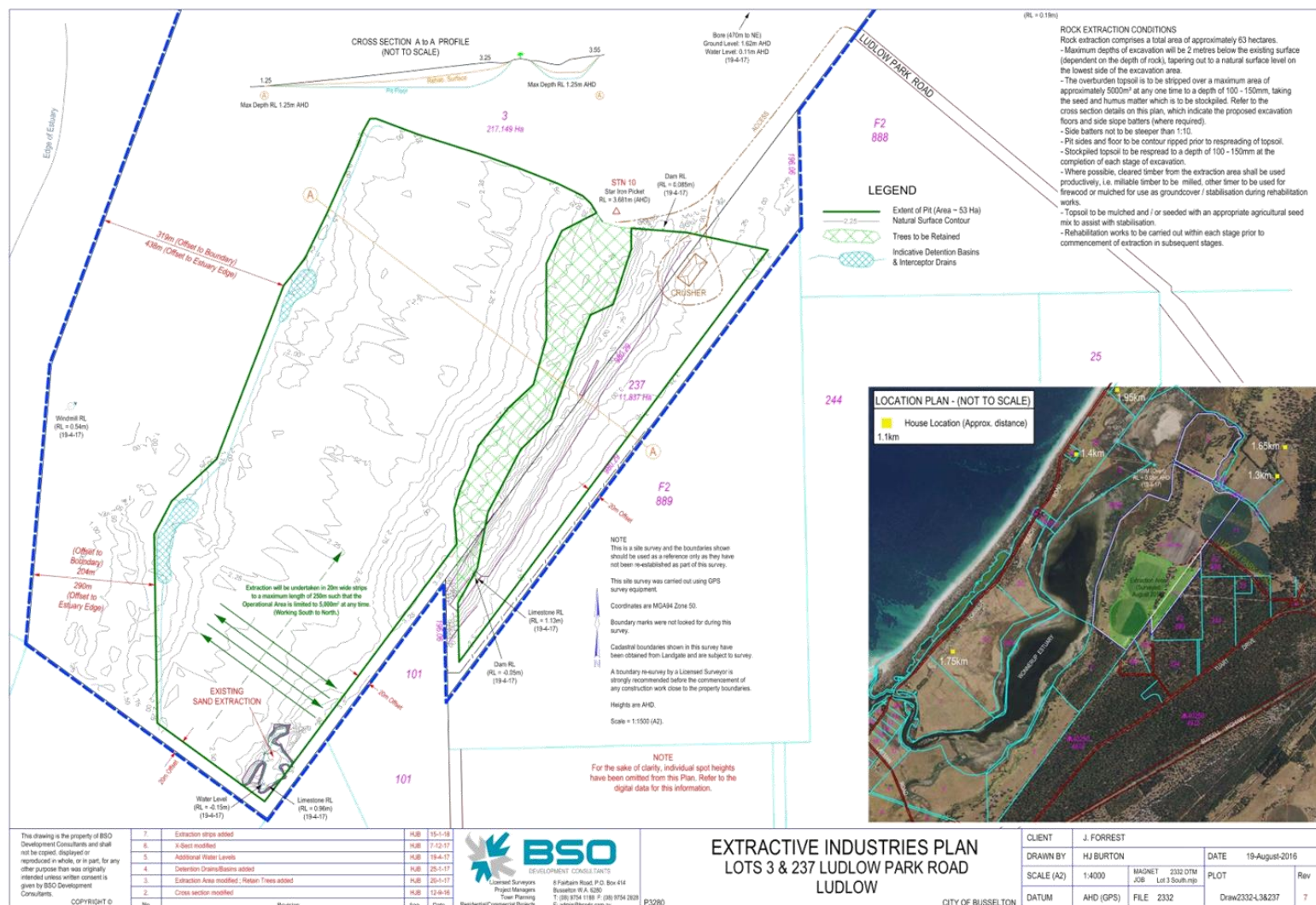
5. The works undertaken to satisfy Conditions 1 - 4 (inclusive) shall be subsequently maintained for the life of the development including, and in addition to, the following conditions:
 - 5.1 The development hereby approved shall be limited to: the extraction of limestone from the site; screening of material; crushing; associated drainage works; and rehabilitation works.
 - 5.2 Notwithstanding Condition 5.1 above, working hours within the pit area, including crushing and transportation of materials shall be restricted to the hours between: 7.00am and 5.00pm Mondays to Fridays; 7.00am and 1.00pm Saturdays for rehabilitation works only; and at no time on Sundays or public holidays.
 - 5.3 (a) The designated haulage route for vehicles associated with extraction activity that exceed 5 tonnes gross vehicle mass is to be through the Ludlow Mill onto Ludlow Road North and then in either

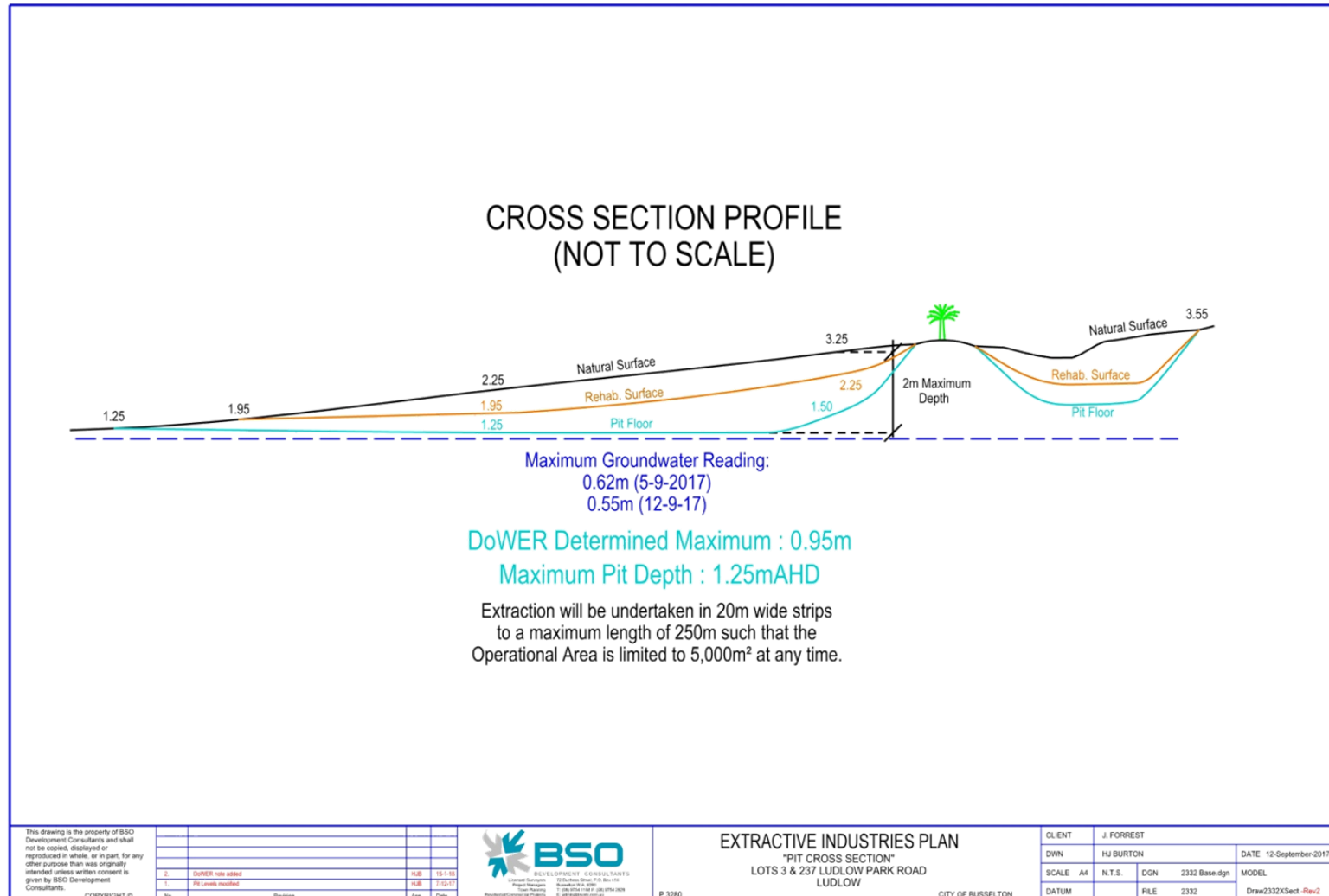
- a westerly or easterly direction along Tuart Drive. At no time shall vehicles of that kind use Ludlow Park Road;
- b) The haulage route described above shall be used for any other traffic exceeding 5 tonnes gross vehicle mass as much as is practicable, and at no time shall traffic of that kind exceed 10 vehicle movements per day (i.e. 5 entering and 5 leaving) along Ludlow Park Road.
- 5.4 Vehicles exceeding 5 tonnes gross vehicle mass associated with extraction activity are not to operate on Monday to Friday between the hours of 7.30am and 9.00am and between 3.00pm and 4.30pm on any given school day on a school bus route (Ludlow Road North and Tuart Drive), or between other times as agreed in writing between the applicant and the local government.
- 5.5 A maximum number of 100 truck movements (i.e. vehicles exceeding 5 tonnes gross vehicle mass) (i.e. 50 trucks entering and 50 trucks exiting the site) shall be permitted on the operating days and times as permitted per Condition 5.2 and 5.4 above.
- 5.6 Further to condition 5.5 above, should more than 100 truck movements per day be proposed in any 24 hour period unless otherwise agreed by the City in writing a Traffic Management Plan is to be submitted to, and approved by the City, at least 7 working days prior.
- 5.7 No more than 2 hectares shall be worked at any one time; this area shall then be rehabilitated in accordance with the approved details pursuant to Condition 3.2 concurrently with the extraction of the following 2 hectare area.
- 5.8 The lowest level of excavation be a minimum of 0.95 AHD or at least 300mm above the water table level whichever is the higher, and no dewatering works are to be undertaken. The City is to be notified within 24 hours if the water table is intercepted.
- 5.9 Further to condition 5.8, the final land surface (after rehabilitation for horticulture) shall be at 1.25 AHD or 1.0m above the water table, whichever is the higher. The pit is to be rehabilitated with clean free draining fill overlain by topsoil.
- 5.10 The following minimum setback from extractive activities shall be achieved at all times:
- > 20 metres to the south-eastern and south-western lot boundaries;
- 5.11 The approved Dust Management Plan shall be implemented and carried out in accordance with the approval details.
- 5.12 The Noise Management Plan required to satisfy condition 3.3 above shall be implemented and carried out in accordance with the approval details.
- 5.13 Extractive within 300m of Quindalup Coast land system soils as depicted in the mapping from the Department of Agriculture, Western Australia's Land Resources Series, report No 5 titled "Busselton, Margaret River, Augusta Land Capability Study" and Figure 6 - Land Systems and Soil Types

from Busselton Wetlands shall not occur during Black Swan nesting peak times and shall only occur during Summer and Autumn (1 December through until 31 May).

- 5.14 No hydrocarbons (fuels, oils, lubricants etc) shall be stored within the pit area. All refuelling and maintenance must be carried outside of the pit area in bunded areas.
 - 5.15 No vegetation is to be removed as part of the extractive activities hereby approved without first obtaining approval from the City.
 - 5.16 No dewatering of the extraction area shall be permitted without prior approval from the City and Department of Water and Environmental Regulation.
 - 5.17 The applicant must submit to the City, annually and within three months of the anniversary of this approval a report detailing the following:
 - (a) Survey conducted by a licensed surveyor certifying;
 - The extent/size and location of the area which has been extracted;
 - The extent/size and location of the areas which has been rehabilitated;
 - The extent/size and location of the area which is currently under operation;
 - (b) Details as to which conditions of this development approval have been complied with and how this has been achieved; and
 - (c) Details as to which conditions of this development approval have not been complied with and the reasons for such non-compliance ("Compliance Report").
 - 5.18 In addition to the above, prior to the applicant commencing construction on a new cell a report is to be submitted to the City detailing the following:
 - (a) Finished ground level in AHD of the cell post extractive activities (Refer to condition 5.8);
 - (b) Finished ground level in AHD of the cell post rehabilitation (Refer to condition 5.9).
- 2) That the City continue to liaise with DBCA and Forest Adventures to implement the recommendations of the road safety audit at Attachment D.







From: Brendan Kelly
To: [Anthony Rowe](#)
Cc: [Paul Needham](#)
Subject: Revised information - Lots 3 and 27 Ludlow Park Road, Ludlow
Date: Monday, 29 January 2018 12:44:21 PM

Date: 29th January 2018

Our Reference: RF14817

To: Anthony Rowe, Manager Development Services and Policy, City of Busselton

From: Department of Water and Environmental Regulation, South West Region

cc: Paul Needham, City of Busselton

Re: Revised information - Lots 3 and 27 Ludlow Park Road, Ludlow

Thank you for your email inquiry of 25th January 2018 with regards to the above matter, including the attachments:

- Drawing: 2332-L3&237 Rev 7, BSO Development Consultants, 19th August 2016 - 'EXTRACTIVE INDUSTRIES PLAN LOTS 3 & 237 LUDLOW PARK ROAD, LUDLOW' (Drawing 1)
- Drawing: 2332XSect Rev 2, BSO Development Consultants, 12th September 2017 - 'EXTRACTIVE INDUSTRIES PLAN "PIT CROSS SECTION" LOTS 3 & 237 LUDLOW PARK ROAD, LUDLOW' (Drawing 2)
- Letter ALTUS PLANNING to City of Busselton, 22nd January 2018: 'SUBMISSION TO SUPPORT RECONSIDERATION OF DEVELOPMENT APPLICATION AT LOTS 3 & 237 LUDLOW PARK ROAD, WONNERUP, DR 337/2017 (ALTUS Submission)

In context of this extractive industry (EI) proposal, the City of Busselton (CoB) has asked the Department of Water and Environmental Regulation (DWER) for advice:

- On whether the margins for ground water and excavation depths is now satisfactory.
- Any protections that you may recommend that the City could apply as conditions.

With respect to ground water and excavation depths, based upon the water table across the site being uniform, DWER previously determined that the maximum pit floor depth for any extraction across the site should be 1.2 metres AHD and as such no excavation can occur below 1.2 metres AHD.

It is however noteworthy that the ALTUS Submission has stated that following a meeting in late October 2017, (between the proponents, the City and DWER) *"it was agreed that the maximum allowable depth of limestone extraction shall not go*

below 1.25 metres (AHD)".

Given that DWER's determination is based on risk mitigation, there is no objection to the more conservative maximum pit floor depth of 1.25 metres AHD being applied.

It should be noted that the figure of 1.25 metres AHD is based upon any EI maintaining a minimum separation distance of 0.3 metres from the maximum seasonal groundwater level (MSGL) across the site (as extrapolated), which has been determined at 0.95 metres AHD.

Based upon the principal that a 1 metre separation from MSGL is desirable for the final landuse of irrigation, it follows that the rehabilitated surface must maintain a minimum 1 metre separation from the MSGL of 0.95 metres AHD and thus the final rehabilitated surface across the site should be 1.95 metres AHD.

Overall, DWER is concerned that the extractive industry shall at no point intercept the groundwater table and that the final rehabilitated landscape for the purpose of irrigation is such that groundwater resources are protected from the impacts of the end land use.

As safeguards against interfering with the groundwater – either during EI operations or in a post EI landscape - DWER strongly recommends that the following conditions be applied to any license for the site.

RECOMMENDATIONS

DWER recommends that:

- At no time shall the EI be permitted to intercept the water table.
- The maximum allowable depth of limestone extraction shall not be permitted below 1.25 metres (AHD).
- The final rehabilitated surface across the site shall be no less than 1.95 metres AHD.
- If interception of groundwater occurs at any time during EI operations, work shall cease immediately and an advice notice provided to the City of Busselton within 48 hours, followed by agreed remedial action and a review of operational integrity.

Finally, it is recommended that if the EI is approved, regulation should be applied to ensure that the proponent and/or his contractors are quarrying in a controlled fashion.

This should involve a GPS system that works to the level set in the CoB EI license conditions.

Please contact this office for inquiries.

Brendan Kelly
Senior Natural Resource Management Officer
Department of Water & Environmental Regulation, South West Region
Telephone: 08 97264194 | Mobile: 0407219515
Email: brendan.kelly@dwer.wa.gov.au

Disclaimer: This e-mail is confidential to the addressee and is the view of the writer, not necessarily that of the Department of Water and Environmental Regulation, which accepts no responsibility for the contents. If you are not the addressee, please notify the Department by return e-mail and delete the message from your system; you must not disclose or use the information contained in this email in any way. No warranty is made that this material is free from computer viruses.

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ROAD SAFETY INSPECTION

Ludlow Park Road, Busselton.

Inspection Ref: TC2017.76

Prepared for:

**Paul Needham - Director Planning and
Development Services – City of Busselton**

By:

Brad Brooksby - Senior Road Safety Auditor

Graeme Jones - Member

Ronald Wildschut - Member

Report Issue Date: 17/01/2018



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Road Safety Inspection Document Control Sheet

Project Location:	Ludlow Park Road, Busselton
Prepared for:	Paul Needham - Director Planning and Development Services – City of Busselton
Inspection Team Leader:	Brad Brooksby
Inspection Team Leader Organisation:	Brad Brooksby Consulting
Inspection Reference:	TC2017.76
Report Issue Date:	17/01/2018

1. INTRODUCTION

1.1 Scope of the Inspection

This Road Safety Inspection has been undertaken in accordance with the requirements contained in the Main Roads Western Australia Policy and Guidelines for Road Safety Audit.

This report results from a request for a Road Safety Inspection to be conducted at Ludlow Park Road, Busselton.

The background and objective of the inspection is the adventure course, which has a high rope activity on the southern side of Ludlow Park Rd, and associated parking on the northern side of the road resulting in patrons crossing Ludlow Park Road.

Ludlow Park Road has very low traffic volumes, servicing several farms and one which has an active sand extraction industry at the southern end of the road.

Concern has been raised by various parties, including City of Busselton staff, regarding the safety of pedestrians crossing the road, particularly with the sand extraction industry looking at expanding, by providing an additional limestone extraction industry.

The Road Safety Inspection was undertaken by Brad Brooksby of Brad Brooksby Consulting with reference to the details provided by the client. The Road Safety Inspection comprised of an examination of the area identified by Paul Needham - Director Planning and Development Services – City of Busselton.

All the findings described in Section 2 of this report are considered by the inspection team to require action in order to improve the safety of the existing road environment and to minimise the risk of crash occurrence and reduce potential crash severity.

In addition, Peter Henderson from Parks and Wildlife has provided information on visitor numbers:

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The hourly pedestrian rate from mid Dec to April is between "100-140 per hour from 9 am - 3 pm"
May - July will decrease to around 30-70 per hour
School groups are busiest Feb - April and Oct - Dec
The quietest time for us is after the Jul holidays until early October
".....the capacity of the ropes facility is 186 customers/day and he expects it to operate at capacity this summer"

The inspection team has examined and reported only on the road safety implications of the road infrastructure as presented.

1.2 The Inspection Team

Auditor No.	Name	Role	Organisation
0158	Brad Brooksby	Inspection Team Leader	Brad Brooksby Consulting
0039	Graeme Jones	Inspection Team Member	City of Busselton
0292	Ronald Wildschut	Inspection Team Member	City of Busselton

The inspection team visited the site on 30th October 2017 at 12:00 – 14:30. At the time of the site visit the weather was fine, and the existing road surface was dry.

A night-time site visit was undertaken on 30th October 2017 at 18:30.

1.3 Specialist Advisors

Others present during the daytime visit were:

Name	Role	Organisation
James Fletcher	Planning Advisor	City of Busselton

1.4 Safe System Findings

The aim of Safe System Findings is to focus the Road Safety Inspection process on considering safe speeds and by providing forgiving roads and roadsides. This is to be delivered through the Road Safety Inspection process by accepting that people will always make mistakes and by considering the known limits to crash forces the human body can tolerate. This is to be achieved by focusing the Road Safety Inspection on particular crash types that are known to result in higher severity outcomes at relatively lower speed environments to reduce the risk of fatal and serious injury crashes.

The additional annotation "**IMPORTANT**" shall be used to provide emphasis to any Road Safety Inspection finding that has the potential to result in fatal or serious injury, or findings that are likely to result in the following crash types above the related

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speed environment: head-on (>70 km/h), right angle (>50 km/h), run off road impact object (>40 km/h), and crashes involving vulnerable road users (>30 km/h), as these crash types are known to result in higher severity outcomes at relatively lower speed environments.

The exposure and likelihood of crash occurrence shall then be considered for all findings deemed **"IMPORTANT"** and evaluated based on an auditor's professional judgement. Auditors should consider factors such as traffic volumes and movements, speed environment, crash history and the road environment, and apply road safety engineering and crash investigation experience to determine the likelihood of crash occurrence. The likelihood of crash occurrence shall be considered either **"VERY HIGH"**, **"HIGH"**, **"MODERATE"** or **"LOW"** and this additional annotation shall be displayed following the **"IMPORTANT"** annotation on applicable findings.

1.5 Previous Road Safety Inspections

Nil.

1.6 Background Data**1.6.1 Crash History**

A study of the recent available crash history has been conducted in the location considered in the inspection for the five-year period to the end of December 2016. This showed that there were no reported crashes within the extracted data.

1.6.2 Road Details

Ludlow Park Road has a gravel surface and meandering alignment through the Tuart forest. The road is level with small table drains in a sandy area. The gravel surface ranges from 5 – 7 m in width and is in poor condition with low cross fall and loose surface material. There are few guideposts and very restricted sight distance forward due to the many large Tuart trees located close to the edge of the pavement. Many sections of the road have very large trees on the edge of the pavement with the road surface narrowing at the location of the tree.

This encourages very low speed. The road is a dead end and services several vegetable farms using centre pivot irrigation and a sand extraction industry.

1.6.3 Traffic and Speed Data

A summary of recent traffic data is provided below: No traffic counts have been undertaken on this road. The following are estimates based on local knowledge.

Location	Vehicles per day (% heavy vehicles)	Date	Source
Ludlow Park Road	50 (20 % when trucks are carting sand)	October 2017	Estimated

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A summary of recent speed data is provided below:

Location	Average Speed (km/h)	85 th Percentile Speed (km/h)	Date	Source
Ludlow Park Road	30 Km/h	NA	October 2017	Estimated

1.6.4 Appendices

Appendix A – Road Safety Inspection Findings Location Plan

Appendix B – Road Safety Inspection Photographs

Appendix C – Corrective Action Report (CAR)

1.6.5 Site Location



Figure 1 - Site Location

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2. ITEMS RAISED IN THIS ROAD SAFETY INSPECTION

2.1 Pedestrian Crossing of Ludlow Park Road

The audit team found that all patrons of the adventure course are required to park on one side of the road and then cross the road to gain entry to the adventure park. Similarly, when completed the course, patrons crossed the road again to the carpark.

Patronage of the adventure course is highest mid-morning to early afternoon and during holiday periods. Patrons could arrive and depart path crossing the road in large groups.

The crossing in its current state is unsafe. The following are the Road Safety Audits findings:

2.1.1 Finding – Path signage is not consistent with road crossing

There is a high risk of pedestrians failing to use the path crossing resulting in large vehicles passing pedestrians on the narrow gravel road which could result in pedestrian injuries.

Justification of the finding:

The walking path is marked by banners to guide patrons from the parking area on the north side of Ludlow Park Road to the activity area on the south side of the road. However, the banners on the south side of the road crossing are not positioned on the road, resulting in some pedestrians not using the crossing and walking along the road back to the car park. The crossing should be perpendicular to the road to make the crossing distance as short as possible. There should be no parking areas or vegetation which would restrict sightlines between the driver of a vehicle and the person crossing. As large groups of pedestrians (bus loads) are expected to cross together, an area adjacent the road should be suitable for a group to wait until it is safe to cross.

The path located at the car park is in the centre of the car park and is not signposted, some patrons may not see the path and walk along the access road. This was observed during the site inspection.

Recommendation

Provide clear signage to show the location of the path in the car park and at the road crossing of Ludlow Park Road.

IMPORTANT | HIGH

2.1.2 Finding – Restricted sight distance at the path crossing could result in a vehicle-pedestrian crash.

The large trees on the side of Ludlow Road at the path crossing restrict sight of pedestrians for drivers approaching the path crossing. The sight distance is also restricted to pedestrians at the path crossing looking for approaching vehicles.

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Justification of the finding:

There is a high risk of drivers failing to see pedestrians crossing the road at the path crossing. There is a high risk of pedestrians failing to see vehicles at the road crossing which could result in a vehicle-pedestrian crash.

The path crossing has been placed with a very large tree on the right side of the path at the road edge. The tree restricts vision for the pedestrian when looking to the right. Similarly, the tree obscures the pedestrians from approaching drivers.

This is a concern particularly for young children that may be eager to cross the road into the activity park and large groups that may talking and be distracted, and not be fully aware of the road crossing.

Recommendation

Relocate the path crossing to provide adequate sight distance for drivers and pedestrians at the crossing location.

IMPORTANT | HIGH

2.1.3 Finding – Advance signage of pedestrian crossing obscured by vegetation

There is vegetation that partially obscures visibility of the southern advance signage for the pedestrian crossing on Ludlow Park Road.

Justification of the finding:

There is a risk of drivers failing to see the advance signage of the path crossing which could result in a pedestrian-vehicle crash.

The vegetation partly obscures the advance signage of the path crossing. This could result in a driver approaching the pedestrian crossing too fast and unaware of its location.

Recommendation

Remove the vegetation that obscures the advance warning signage of the pedestrian crossing.

IMPORTANT | MODERATE

2.1.4 Finding – Additional traffic on Ludlow Park Road will increase the risk to pedestrians crossing the road.

If vehicle volumes using Ludlow Road increase, the conflict between pedestrians and vehicles increases at the path crossing of the road.

Justification of the finding:

There is a risk of a vehicle hitting a pedestrian as the vehicle/pedestrian conflict increases.

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The ropes facility capacity is 186 customers per day and is expected to operate at capacity this summer. This results in 372 patrons crossing the road. Any increase in vehicle movements, such as an intense sand extraction to meet the requirements of a large contract will increase the conflict between vehicles and pedestrians.

The warrants for pedestrian treatments such as crosswalks are very high and are usually only met in Central Business Districts where high volumes of vehicles and pedestrians are using the road. The Main Roads Mid block warrant for Zebra crossings is

The number of pedestrians crossing in close proximity of the site excess 60 per hour,

The number of vehicles exceeds 600 per hour,

The product of the number of pedestrians crossing and vehicles passing the site exceeds 90.000 in the same hour.

As the current low traffic volumes on Ludlow Road (estimated at 50 vehicles per day or 5 per hour) are very low, a Zebra crossing warrant will not be met.

There is a possibility that the sand extraction industry will increase usage and or add limestone extraction on Ludlow Park Road. The City has a guide for extraction industries to determine suitable traffic volumes for various road standards and widths by use of a Traffic Impact Assessment. These can and are usually based on daily totals rather than hourly peaks to determine minimum widths of roads.

Extractive industries are usually demand driven. The quantity and the timing of delivery of the product can alter from site to site and time to time. As an example, the activity can alter from one truck delivering a load each hour, a total of 16 trips (in and out) based on an 8-hour day to 8 trucks delivering one load each in the first hour. The daily totals are the same, but the peak traffic can vary significantly.

Any additional use to either the activity park or the extraction industry should result in a review of the pedestrian-vehicle conflict at the path crossing based on the total traffic volume (existing and proposed) passing the crossing.

The following is suggested as a guide:

Current vehicle usage estimated at 5 vehicles per hour:

As detailed in this report

Place signage at the car park and crossing location to clearly define the path location.

Ensure the path crossing is perpendicular to the road to make the crossing distance as short as possible.

There should be no parking areas or vegetation which would restrict sightlines between the driver of a vehicle and the person crossing at the crossing point.

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An area adjacent the road should be suitable for a group to wait until it is safe to cross. This may need to be have containment fencing to ensure all pedestrians cross at the crossing point.

Relocate the path crossing to provide adequate sight distance for drivers and pedestrians at the crossing location.

Remove the vegetation that obscures the advance warning signage of the pedestrian crossing.

Increase of traffic volume past the crossing by redevelopment or increase to extraction industries to a total up to 10 vehicles per hour:

As above and water the road at the approach to the crossing location to reduce dust if vehicles create dust, and

Locating a person at the crossing to assist pedestrians in crossing safely.

Increase of traffic volume past the crossing by redevelopment or increase to extraction industries to a total up to 20 vehicles per hour:

As above and seal the road pavement at the approach to the crossing to improve skid resistance and improve visibility by reducing dust, and

Widen the road to provide a median refuge so that pedestrians can cross the road in two stages.

Increase of traffic volume past the crossing by redevelopment or increase to extraction industries to above 20 vehicles per hour:

As above and provide traffic management such as a traffic controller to stop vehicles and allow pedestrians to cross the road.

Recommendation

Provide a safe path crossing location allowing for peak pedestrian and vehicle movements.

IMPORTANT | HIGH

2.2 Intersection configuration of Ludlow Park Road and Ludlow Road North.

The intersection of Ludlow Park Road and Ludlow Road North has several issues that should be addressed to make the intersection safer.

2.2.1 Finding – Intersection sweep path of Ludlow Park Road and Ludlow Road North.

The intersection of Ludlow Park Road and Ludlow Road North has vehicles shortcutting through the intersection. This is spreading debris onto the road making a loose surface.

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Justification of the finding:

The configuration of Ludlow Park Road and Ludlow Road North may result in driver's shortcutting through the intersection, spreading loose material resulting in a loss of control crash.

At the site inspection, there is evidence that vehicles are shortcutting or large vehicle being unable to track through the intersection when approaching from Tuart Drive and spreading debris on the road. The gravel shoulder of the road should be protected by guide posts or kerbing to prevent vehicles from shortcutting and the intersection widened if large vehicles cannot track through the intersection correctly.

Recommendation

Prevent drivers from crossing the gravel shoulder at the intersection.

IMPORTANT | LOW

2.2.2 Finding – Intersection configuration of Ludlow Park Road and Ludlow Road North.

The intersection of Ludlow Park Road and Ludlow Road North has two traffic lanes which can confuse vehicles using the intersection.

Justification of the finding:

The intersection has a Y alignment, this can confuse drivers in deciding which path drivers will take. The Y section is a combination of gravel on one side and bitumen on the other. The gravel section should be removed or barricaded to prevent use.

Recommendation

Barricade or remove the gravel Y section of the intersection.

IMPORTANT | LOW

2.2.3 Finding – Intersection signage at Ludlow Park Road and Ludlow Road North.

The intersection of Ludlow Park Road and Ludlow Road North road name signage is past the bitumen traffic lane which could drivers suddenly braking and resulting in rear end crashes.

Justification of the finding:

The street sign post is located too far around the corner, this can result in drivers suddenly braking to turn into Ludlow Park Road. Relocate the street sign so that it can be seen when approaching from Tuart Drive.

Recommendation

Locate the street sign post in a position so drivers can slow and turn without suddenly braking.

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IMPORTANT | LOW

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3. ROAD SAFETY INSPECTION TEAM STATEMENT

I hereby certify that the inspection team have examined the identified location in undertaking this Road Safety Inspection and confirm that this inspection has been conducted in accordance with Main Roads Policy and Guidelines for Road Safety Audit.

Inspection Team Leader

Brad Brooksby

Brad Brooksby Consulting

0435 164 175

Brad.Brooksby@bigpond.com



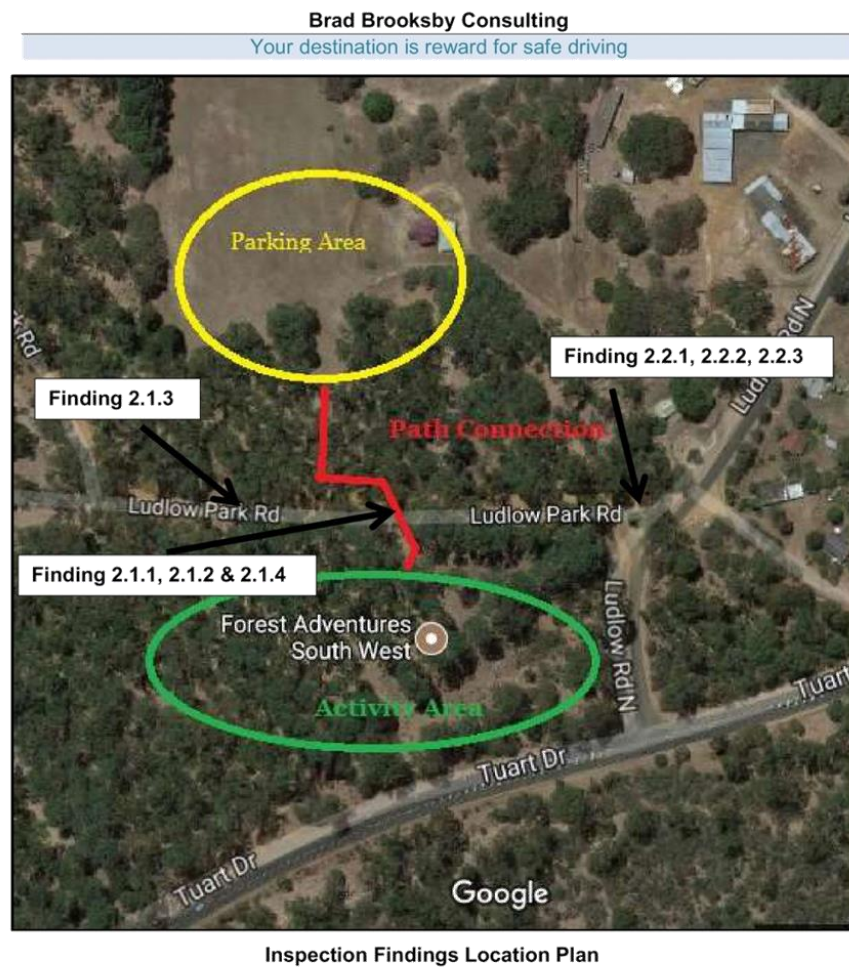
17/01/2018

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APPENDIX A

ROAD SAFETY INSPECTION FINDINGS LOCATION PLAN



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APPENDIX B

ROAD SAFETY INSPECTION PHOTOGRAPHS



Finding 2.1.1 – The banner poles on the south side of the road (highlighted) are away from the path crossing resulting in pedestrians walking along the road to the car access to the car park.



Finding 2.1.2 – The trees on both sides of the path crossing obscure pedestrians from drivers of vehicles. Pedestrians have a very limited sight distance of approaching vehicles.



Finding 2.1.3 – The vegetation partly obscures the advance warning sign of the pedestrian crossing eastbound.



Finding 2.1.4 – A group of pedestrians at the path crossing on Ludlow Park Road.

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Finding 2.2.1 – Drivers are shortcutting onto the gravel edge and spreading loose material onto the intersection.



Finding 2.1.2 – The Ludlow Park Road intersection forms a Y junction. This can lead to confusion among drivers. The gravel section should be removed or barricaded from vehicles.

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Finding 2.1.3 – The street sign is located too far past the intersection, this can result in drivers suddenly braking to take the turn.

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APPENDIX C

CORRECTIVE ACTION REPORT

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Corrective Action Report – Ludlow Park Road, Busselton

Road Safety Inspection

Findings and Recommendations	Project Manager		
	Agree / Disagree	Reason for Disagreeing	Proposed Action and Comments
2.1.1 Finding – Path signage is not consistent with road crossing There is a high risk of pedestrians failing to use the path crossing resulting in large vehicles passing pedestrians on the narrow gravel road which could result in pedestrian injuries.	Choose an item.		
Recommendation Provide clear signage to show the location of the path in the car park and at the road crossing of Ludlow Park Road. IMPORTANT HIGH	Choose an item.		
2.1.2 Finding – Restricted sight distance at the path crossing could result in a vehicle-pedestrian crash. The large trees on the side of Ludlow Road at the path crossing restrict sight of pedestrians for drivers approaching the path crossing. The sight distance is also restricted to pedestrians at the path crossing looking for approaching vehicles.	Choose an item.		

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Findings and Recommendations	Project Manager		
	Agree / Disagree	Reason for Disagreeing	Proposed Action and Comments
Recommendation <i>Relocate the path crossing to provide adequate sight distance for drivers and pedestrians at the crossing location.</i> IMPORTANT HIGH	Choose an item.		
2.1.3 Finding – Advance signage of pedestrian crossing obscured by vegetation There is vegetation that partially obscures visibility of the southern advance signage for the pedestrian crossing on Ludlow Park Road.	Choose an item.		
Recommendation <i>Remove the vegetation that obscures the advance warning signage of the pedestrian crossing.</i> IMPORTANT MODERATE	Choose an item.		
2.1.4 Finding – Additional traffic on Ludlow Park Road will increase the risk to pedestrians crossing the road. If vehicle volumes using Ludlow Road increase, the conflict between pedestrians and vehicles increases at the path crossing of the road.	Choose an item.		

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Findings and Recommendations	Project Manager		
	Agree / Disagree	Reason for Disagreeing	Proposed Action and Comments
Recommendation <i>Provide a safe path crossing location allowing for peak pedestrian and vehicle movements.</i> IMPORTANT HIGH	Choose an item.		
2.2.1 Finding – Intersection sweep path of Ludlow Park Road and Ludlow Road North. The intersection of Ludlow Park Road and Ludlow Road North has vehicles shortcutting through the intersection. This is spreading debris onto the road making a loose surface.	Choose an item.		
Recommendation <i>Prevent drivers from crossing the gravel shoulder at the intersection.</i> IMPORTANT LOW			
2.2.2 Finding – Intersection configuration of Ludlow Park Road and Ludlow Road North. The intersection of Ludlow Park Road and Ludlow Road North has two traffic lanes which can confuse vehicles using the intersection.	Choose an item.		

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Findings and Recommendations	Project Manager		
	Agree / Disagree	Reason for Disagreeing	Proposed Action and Comments
Recommendation <i>Barricade or remove the gravel Y section of the intersection.</i> IMPORTANT LOW			
2.2.3 Finding – Intersection signage at Ludlow Park Road and Ludlow Road North. The intersection of Ludlow Park Road and Ludlow Road North road name signage is past the bitumen traffic lane which could drivers suddenly braking and resulting in rear end crashes.			
Recommendation <i>Locate the street sign post in a position so drivers can slow and turn without suddenly braking.</i> IMPORTANT LOW			

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**Corrective Action Report - Corrective Action Report – Ludlow Park Road, Busselton
Road Safety Inspection**

NOTE:

- This Corrective Action Report is to be read in conjunction with the full Road Safety Inspection Report and its findings and recommendations.
- The asset owners (MRWA and/or LGA) **must** be informed of these findings, recommendations and proposed actions.
- Items not under the responsibility of this project representative must be forwarded to the persons/agencies who are responsible.

These findings and recommendations have been considered, and the actions listed will be taken accordingly.

Responsible Project Representative	Company / Agency / Division	Position	Date

Asset Owner Representative	Company / Agency / Division	Position	Date



11.2 AMENDMENT 27 TO LOCAL PLANNING SCHEME 21 AND ASSOCIATED STRUCTURE PLAN - LOT 10 COMMONAGE ROAD, DUNSBOROUGH - CONSIDERATION FOR FINAL APPROVAL

SUBJECT INDEX:	Town Planning Schemes and Amendments
STRATEGIC OBJECTIVE:	Planning strategies that foster the development of healthy neighbourhoods that meet our needs as we grow.
BUSINESS UNIT:	Strategic Planning and Development Services
ACTIVITY UNIT:	Strategic Planning and Development
REPORTING OFFICER:	Principal Strategic Planner - Louise Korovesi
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Schedule of Modifications ↓
	Attachment B Location Plan ↓
	Attachment C District Open Space Concept Plan ↓
	Attachment D Existing Zoning ↓
	Attachment E Proposed Zoning ↓
	Attachment F Endorsed Dunsborough Lakes Structure Plan ↓
	Attachment G Draft Structure Plan ↓
	Attachment H BAL Contour Plan ↓
	Attachment I Schedule of Submissions ⇒

PRÉCIS

The Council is requested to consider adopting for final approval Amendment 27 to Local Planning Scheme 21 (LPS21). The Amendment seeks to rezone Lot 10 Commonage Road, Dunsborough from 'Reserve for Public Purposes' to 'Special Purpose (Dunsborough Lakes Development Area)' and amend Schedule 3 – 'Special Provision Areas' to include the subject land within Special Provision Area No. 42. Modifications to the endorsed Dunsborough Lakes Structure Plan are also proposed that reflect land use changes sought through the Amendment.

The proposal would allow residential subdivision to occur in the southern part of the site and would also help facilitate the subdivision and acquisition of a 7.56 hectare northern portion of Lot 10 by the City for the future development of district-level sporting and active recreation ovals and associated infrastructure.

Amendment 27 was adopted for public consultation by the Council on 13 September 2017. Advertising of the Amendment resulted in five government agency submissions and one public submission. The public submission raised objection to the proposal however the reasons provided are not considered to be substantive.

Officers are recommending that Amendment 27 be adopted for final approval in accordance with a change proposed in response to matters raised by the EPA (and as set out in the Schedule of Modifications provided at **Attachment A**) and referred to the WAPC/Hon. Minister for Planning for final endorsement.

BACKGROUND

The proposal comprises a Scheme amendment and modifications to the endorsed Dunsborough Lakes Structure Plan. The subject land is approximately 20 hectares in area and is located 2km south of the Dunsborough Town Centre, adjacent to Dunsborough Lakes Estate. A location plan and aerial photograph are provided at **Attachment B**.

Lot 10 is relatively flat and partially cleared. Remnant vegetation exists predominantly through the centre of the land, along Commonage Road and in the northeast corner at Dunsborough Lakes Drive. The remainder of the site is either 'parkland' or wholly cleared.

Lot 10 is reserved in LPS21 for 'Public Purposes (Sewer Treatment Plant)' and is owned in freehold title by the Water Corporation. The southern portion of the site previously accommodated the Dunsborough Waste Water Treatment Plant (DWTP). The DWTP was ultimately considered surplus to operational requirements and was decommissioned in 2001, with the levelling of treatment ponds and removal of storage tanks and sludge completed by 2004. Groundwater monitoring and soil testing was undertaken to assess contamination levels. The subject land was officially reclassified as a 'decontaminated site' by the Department of Environmental Regulation in September 2013 and, consequently, deemed suitable for alternative 'sensitive' land uses such as residential and recreation.

The potential opportunity to utilise the northern 'third' (7.56 hectares) of Lot 10 for the development of two sporting and active recreation ovals and associated infrastructure in a manner that would provide a contiguous, district-level facility with a third, 'shared use' oval (on land to be ceded to, and developed by, the City immediately south of the future Dunsborough Lakes primary school site and east of Lot 10 on abutting Lot 9058) has been previously identified by the City. An acquisition/sale price for the northern third of the subject land has been agreed between the City and the Water Corporation, with the Council formally deciding to proceed with the purchase and finalisation/execution of the Contract of Sale at its meeting of 22 February 2017. This contract was executed on 4 May 2017 (with settlement and transfer of tenure circa June 2018, conditional upon the Gazettal of this Amendment). To assist in meeting this short timeframe this report has been prepared two days before the close of advertising to enable its presentation to the Council on 14 February 2018. Should further submissions be received an updated Schedule of Submissions will be provided.

A conceptual plan showing how a contiguous three oval and active recreational area development could be constructed across the northern third of Lot 10 (and incorporating the 'shared use' oval proposed alongside the future Dunsborough Lakes primary school on the adjoining property) is provided at **Attachment C**.

Each element of the proposal is outlined below under appropriate sub-headings.

Scheme Amendment

The Scheme Amendment proposes to –

1. Rezone Lot 10 Commonage Road, Dunsborough from 'Reserve for Public Purposes' to 'Special Purposes (Dunsborough Lakes Development Area)'.
2. Amend Schedule 3 – 'Special Provision Areas' to include reference to Lot 10 Commonage Road, Dunsborough in Special Provision Area 42.
3. Amend the boundary of Special Provision Area 42 to include the whole of the subject land.

Existing and proposed zoning maps are provided at **Attachments D and E** respectively.

Proposed Modified Dunsborough Lakes Structure Plan

It is proposed to modify the endorsed Dunsborough Lakes Structure Plan to include the whole of Lot 10 Commonage Road. The key elements of the proposed structure plan as it relates to the subject land are summarised below –

- Approximately 12 hectares of public open space for recreation and conservation.
- Approximately 7 hectares of residential land that will yield 102 residential lots ranging in size from 375m² to 737m². The majority of the residential cell is proposed at a density of R20, with R30 towards the western boundary of the subject land.
- A road network that provides for connectivity to adjacent land within the Dunsborough Lakes estate and a single centralised access point to Commonage Road.
- A 20m landscape buffer to Commonage Road.

The endorsed Dunsborough Lakes Structure Plan is provided at **Attachment F** and the draft structure plan is provided at **Attachment G**.

The proposal is supported by the following technical assessments and key findings of each are discussed below under appropriate sub-headings.

- i. Flora, Vegetation and Fauna Assessment
- ii. Bushfire Management Plan
- iii. Local Water Management Strategy

Flora, Vegetation and Fauna Assessment

A Flora, Vegetation and Fauna Assessment undertaken in early spring 2012 identified the ecological values, opportunities and constraints across the subject land. The key findings of the assessment are summarised as follows –

Flora & Vegetation

- 70 flora species from 27 families were recorded on the site, including 32 introduced species.
- No threatened (declared rare) or priority listed flora species were recorded during the survey.
- Six vegetation types were identified broadly representing the Abba vegetation complex of which less than 2% of the pre-European extent remains. Where there is less than 10% of the pre-European extent of a complex remaining, remnants of the vegetation complex are considered to be significant and a priority for conservation. Wetland areas occur in the northern area of the subject land and have been modified with constructed drains and sumps.
- Jarrah/Marri/WA Peppermint occur across drier areas of the site, with Melaleuca species present in wetland areas. The understorey is dominated by introduced species.
- The condition of the vegetation over the majority of the subject land was assessed as being degraded to completely degraded, with some areas either in good condition or cleared.

Fauna

- Eucalyptus (Jarrah/Marri) and WA Peppermint woodland, Melaleuca woodland, artificial ponds and paddock comprise the four fauna habitat types. The majority of fauna habitat was assessed as disturbed or highly degraded, other than the narrow corridor of Eucalyptus and WA Peppermint Tree woodland along Commonage Road which was assessed as being in good condition.
- 40 fauna species were recorded and of those three species are listed as conservation significant (Vulnerable, Endangered or Threatened), being: Baudin's Black Cockatoo; Carnaby's Cockatoo; and Western Ringtail Possum.

- Areas of Black Cockatoo breeding and foraging habitat and Western Ringtail Possum habitat are the primary habitat features of significance within the subject land. These areas include the central vegetation corridor (that links with vegetation on adjoining land), along Commonage Road and a small pocket in the north eastern corner of the subject land.

Key recommendations of the assessment are -

- Consider the rehabilitation of appropriate parts of the site for conservation.
- Retain and manage the vegetation which is in good condition.
- To minimise impacts on fauna, retain and improve remnant vegetation patches that are in good condition, including corridors, such as through the centre of the site and along Commonage Road.
- Retain WA Peppermint trees with a diameter of >100mm and large mature Eucalypt trees, especially those surrounded by remnant vegetation.

An assessment of the environmental significance of vegetation within the proposed future residential portion of the subject land and the requirement for referral to the Department of Environment and Energy has also been provided in support of the Amendment.

The assessment finds that vegetation clearing that would result from the implementation of the residential development area, as shown on the proposed structure plan, is unlikely to have a significant impact on black cockatoo species or the Western Ringtail Possum. This is primarily due to the following factors:

- large areas of reserved potential habitat for all species exist nearby to the subject land;
- the proposed action will not fragment the existing remnant vegetation corridor within the subject land;
- the vegetation that will be cleared within the residential development area of the subject land is of poor quality; and
- the vegetation that will be included in public open space is the best representation of habitat within the subject land.

Bushfire Management Plan

A portion of the subject land is designated bushfire prone on the State Map of Bushfire Prone Areas. In response, a Bushfire Management Plan (BMP) has been prepared in accordance with the WAPC *State Planning Policy 3.7 – Planning in Bushfire Prone Areas 2015/Guidelines for Planning in Bushfire Prone Areas 2017*.

The key findings of the BMP are summarised as follows -

- Pre-development vegetation is assessed as: ‘Class A Forest’ in the south and west of the subject land; ‘Class B Woodland’ in the centre, east and northeast areas of the subject land; and ‘Class G Grassland’ in the northern and southern portions of the subject land.
- Effective slope is assessed as flat ground.
- The vegetation to be retained post-development in the central public open space and landscape buffer along Commonage Road is not considered to present bushfire threat to future development.
- The BMP BAL contour map suggests that four residential lots have a *marginal* intrusion of the BAL-40 contour, however with the proposed internal road network, combined with the building setbacks required by the Residential Planning Codes of WA for R20 and R30, the separation distance between future development (houses) and classified vegetation will achieve BAL-29 or lower. The BAL contour map is provided at **Attachment H**.

- The BMP finds that the southern portion of Lot 10 is suitable for residential subdivision and development as set out by the proposed structure plan.

Local Water Management Strategy

The Local Water Management Strategy (LWMS) for the subject land describes drainage strategies for the management of 1:1, 1:5, 1:10 and 1:100yr stormwater (flood) events using a combined system of on-lot detention, swales, conveyance pipes, bio-retention and detention basins of various sizes. Post-development peak flow rates are estimated to be equal to or less than the estimated pre-development peak flow rates for the 1:5 flood event. The LWMS does not propose off-site treatment/disposal of stormwater.

Services

The Amendment report states that the future development of Lot 10 can be serviced by extending the reticulated water, sewer, power and telecommunications infrastructure located within the adjacent Dunsborough Lakes estate.

Proposed Change to Schedule 3 - Special Provision Areas

The EPA required further information in relation to the protection and ongoing management of the Abba vegetation complex within the amendment site in order to enable the assessment of the Amendment pursuant to s. 48A of the *Environmental Protection Act, 1986*.

The City advised the EPA that it would be prepared to recommend to the Western Australian Planning Commission the incorporation of additional text in SP42 to provide the additional assurance sought for the preservation and protection of significant environmental values on the Amendment site. The recommendation is set out in the Schedule of Modifications provided at **Attachment A**.

STATUTORY ENVIRONMENT

The key elements of the statutory environment with respect to this proposal are set out in the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015*. Each is discussed below under appropriate subheadings.

Planning and Development Act 2005

The *Planning and Development Act 2005* outlines the relevant considerations when preparing and amending local planning schemes. The relevant provisions of the Act have been taken into account in preparing and processing this Amendment.

Planning and Development (Local Planning Schemes) Regulations 2015

The *Planning and Development (Local Planning Schemes) Regulations 2015*, which came into operational effect on 19 October 2015, identifies three different levels of amendments – basic, standard and complex. The resolution of the local government is to specify the level of the amendment and provide an explanation justifying this choice. This Amendment is considered to be a ‘standard’ amendment.

The Regulations provide separate processes for the approval of Scheme amendments and structure plans, adherence to which would advance the proposed Structure Plan ahead of the Amendment. However as the Structure Plan is reliant upon the change in zoning proposed in the Amendment and the nature of the proposal supports their assessment in parallel, the Structure Plan and Amendment are being progressed concurrently. Progression of the proposed Structure Plan will therefore assume the process and timeframes associated with the Amendment.

RELEVANT PLANS AND POLICIES

The key policies relevant to the proposal are:

1. *State Planning Policy 6.1 Leeuwin Naturaliste Ridge Policy.*
2. *State Planning Policy 3.7 Planning for Bush Fire Prone Areas/Guidelines for Planning in Bushfire Prone Areas 2015.*
3. *City of Busselton Draft Local Planning Strategy.*
4. Dunsborough Lakes Structure Plan.

State Planning Policy 6.1 Leeuwin Naturaliste Ridge Policy

State Planning Policy 6.1 Leeuwin Naturaliste Ridge Policy (LNRSP) identifies the subject land as a 'Development Investigation Area'. A Development Investigation Area is a guide to potential development, but requires detailed investigation (structure planning and rezoning) prior to subdivision and development, including form, function and design. In the vicinity of a 'Principal Centre' i.e. Dunsborough, a Development Investigation Area may comprise urban development.

State Planning Policy 3.7 Planning in Bushfire Prone Areas and Guidelines for Planning in Bushfire Prone Areas

SPP 3.7 directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services (FES) Commissioner as highlighted on the Map of Bush Fire Prone Areas. The accompanying *Guidelines for Planning in Bushfire Prone Areas* provide supporting information to assist in the interpretation of the objectives and policy measures outlined in SPP 3.7, providing advice on how bushfire risk is to be addressed when planning, designing or assessing a planning proposal within a designated bushfire prone area.

The key elements of the Guidelines relevant to the proposal are:

- Element 1: Location of Development; and
- Element 2: Siting of Development.

The intent of Element 1 is to ensure that the subdivision, development or land use is located in areas with the least possible risk from bushfire, to help minimise risk to people, property and infrastructure.

Element 2 intends to ensure that the siting of development minimises the level of bushfire impact. The fire management plan provided in support of the proposal demonstrates that bush fire risk to rural residential development can be managed to an acceptable level.

The BMP finds that the southern portion of the subject land is suitable for subdivision and development consistent with Element 1 – Performance Principle 1, Acceptable Solution A1.1 and Element 2 - Acceptable Solution A2.1.

City of Busselton Draft Local Planning Strategy

The draft LPS sets the long term broad planning direction for the whole of the District of the City of Busselton and provides the strategic rationale for decisions related to the progressive review and amendment of LPS21.

The draft LPS identifies Lot 10 Commonage Road as forming part of Current Urban Growth Area 'Dunsborough Lakes 12' and notes that the broader area is already zoned and structure planned for urban development. 'Dunsborough Lakes 12' is also identified as a location for a 'Planned Potential Major Outdoor Recreation Site'.

The draft LPS was adopted for final approval by the Council in September 2016 and is currently pending endorsement by the WAPC.

Dunsborough Lakes Structure Plan

The Dunsborough Lakes Structure Plan has guided the progressive subdivision and development of land within its boundaries for urban development. Whilst not currently included within the structure plan boundary, the subject land carries the notation: *"Potential future urban subject to future scheme amendment"*.

FINANCIAL IMPLICATIONS

There are no direct financial implications arising from the recommendations of this report.

Long-term Financial Plan Implications

Development of this land will support the continued planned growth of Dunsborough, and will ensure continued contributions towards development and upgrading of community facilities to service the Dunsborough Community.

STRATEGIC COMMUNITY OBJECTIVES

The Officer Recommendation is consistent with community objective 2.1 of the *City of Busselton Strategic Community Plan 2017*, which is - *'planning strategies that foster the development of neighbourhoods that meet our needs as we grow'*.

RISK ASSESSMENT

An assessment of the potential implications of implementing the Officer Recommendation has been undertaken using the City's risk assessment framework. The assessment identified 'downside' risks only, rather than upside risks as well. The implementation of the Officer Recommendation will involve referring the proposal to the Western Australian Planning Commission/Minister for Planning for final approval. In this regard, there are no significant risks identified.

CONSULTATION

The Amendment was advertised for 42 days ending 2 February 2018. Five government agency submissions and one public submission were received. A Schedule of Submissions is provided at **Attachment I**. No objections or concerns were raised in government agency submissions. The public submission objected to the proposal however officers are of the view that the reasons provided are not substantive.

OFFICER COMMENT

The City's draft Local Planning Strategy identifies Lot 10 Commonage Road, Dunsborough as forming part of the broader Dunsborough Lakes urban growth area.

The proposal is consistent with *State Planning Policy 6.1 Leeuwin Naturaliste Ridge* which includes the land within a 'Development Investigation Area' for prospective urban development, subject to rezoning and structure planning. The subject land is in proximity to the Dunsborough town centre and its associated commercial and community services and facilities and forms a logical extension to the existing Dunsborough Lakes estate.

The draft structure plan layout over Lot 10 responds to the physical attributes of the site, namely the identification of remnant vegetation and habitat areas occupying the central third and adjacent to Commonage Road. These are seen as warranting environmental preservation and protection, in accordance with the findings of the environmental assessment, with the northern third set aside for the future development of district-level active open space, and the southern third for residential subdivision and development.

The proposal would also assist in facilitating the acquisition of a 7.56 hectare portion of Lot 10 by the City for the future development of district-level sporting and active recreation ovals and associated infrastructure.

CONCLUSION

Officers are recommending that Scheme Amendment 27 to Local Planning Scheme 21 and the draft Structure Plan be adopted for final approval.

OPTIONS

Should the Council not support the Officer Recommendation, the Council could instead resolve –

1. To not adopt the amendment and structure plan for final approval (and provide a reason for such a decision). It should be noted that under the relevant legislation there is no right of appeal against a Council decision not to initiate an amendment.
2. To seek further information before making a decision.

Officer assessment has not revealed any substantive issue or reasonable grounds that would support either of these options.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

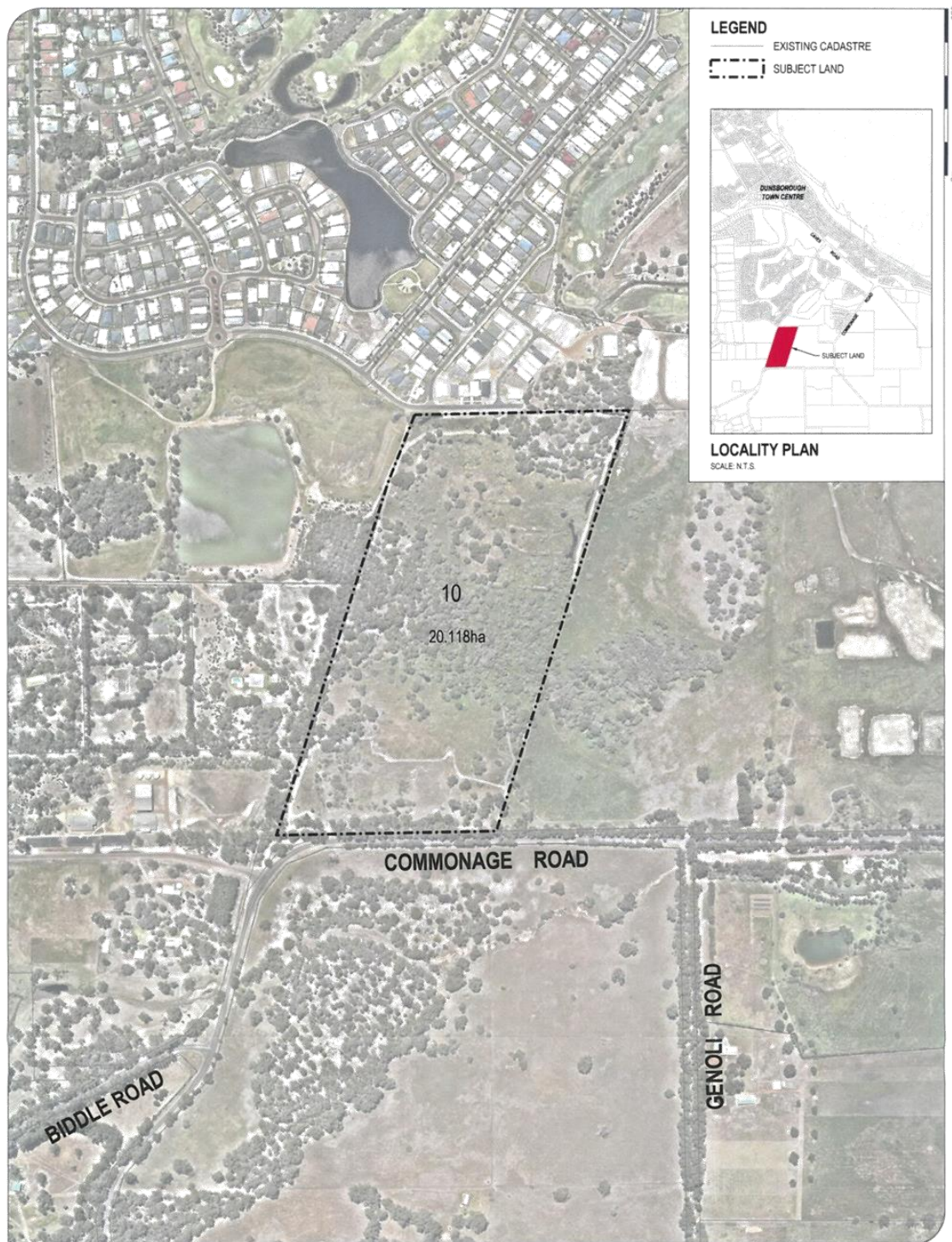
The implementation of the Officer Recommendation will involve the referral of Amendment 27 and the draft structure plan to the WAPC for final approval and this will occur within one month of the resolution.

OFFICER RECOMMENDATION

That the Council:

1. In pursuance of the *Planning and Development (Local Planning Schemes) Regulations 2015*, adopts draft Amendment 27 to the City of Busselton Local Planning Scheme 21 for final approval, in accordance with the modification proposed in the 'Schedule of Modifications' at **Attachment A**, for the purposes of:
 - a) Rezoning Lot 10 Commonage Road, Dunsborough from 'Reserve for Public Purposes' to 'Special Purposes (Dunsborough Lakes Development Area)'.
 - b) Amending Schedule 3 – 'Special Provision Areas' to include Lot 10 Commonage Road, Dunsborough.
 - c) Amending the boundary of Special Provision Area 42.
 - d) Amending the Scheme map accordingly.
2. Advises the Western Australian Planning Commission that Amendment 27 is considered a 'standard' amendment pursuant to the *Planning and Development (Local Planning Scheme) Regulations 2015* for the following reasons:
 - a) The amendment would have minimal impact on land in the Scheme area that is not the subject of the amendment.
 - b) The amendment would not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.
3. Pursuant to r.53 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, endorse the Schedule of Submissions at **Attachment I** prepared in response to the public consultation undertaken in relation to Amendment 27.
4. Upon preparation of the necessary documentation, refers the adopted Amendment 27 to the Western Australian Planning Commission for consideration according to the *Planning and Development Act 2005*.
5. Pursuant to r.56 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, should directions be given that modifications to draft Amendment No. 27 are required, direct these modifications to be undertaken accordingly, on behalf of the Council, unless they are considered by Officers likely to significantly affect the purpose and intent of the draft Amendment, in which case the matter shall be formally referred back to the Council for assessment and determination.
6. Adopts the draft Dunsborough Lakes Structure Plan depicted at **Attachment G** for final approval pursuant to the deemed provisions of Part 7 of the City of Busselton Local Planning Scheme 21.

Issue	Modification Proposed	Reason
<p>Correspondence received from the EPA – further information required on Amendment 27 to LPS21.</p> <p>The EPA requested further information in relation to the protection and ongoing management of the Abba vegetation complex within the amendment site in order to assist assessment of the proposed amendment pursuant to s. 48A of the <i>Environmental Protection Act, 1986</i>.</p> <p>The City of Busselton advised the EPA that it would be prepared to consider incorporating additional and specific text in SP42 to provide the additional assurance sought for the preservation and protection of significant environmental values on the amendment site, as per the modification proposed.</p>	<p>Amend Schedule 3 – ‘Special Provision Areas’ in relation to Special Provision Area 42 to include the following additional and specific text:</p> <p><i>‘With respect to Lot 10 Commonage Road, Dunsborough, approved measures are to be put in place to ensure the retention, protection and ongoing management of those remnant vegetated areas having recognised environmental values within ‘public open space’ areas (as identified on an endorsed structure plan). Such measures are required to also address linkages and connectivity with contiguous areas of similarly important remnant vegetation on land adjoining Lot 10. This would include, as a prospective condition of subdivision, the preparation of a vegetation retention and management plan (e.g.), the primary objective of which would be to ensure the protection and ongoing management of remnant vegetation having significant environmental, biodiversity, habitat and/or cultural values.’</i></p>	<p>The EPA subsequently issued its determination (scheme not assessed – advice given) advising of the acceptability of the City’s approach to managing potential impacts to the environmental values of the amendment site and concluded that the amendment can be managed to meet the EPA’s environmental objectives through the inclusion of additional scheme provisions.</p>



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LOCATION PLAN
Lot 10 Commonage Road, Dunsborough
Figure 1

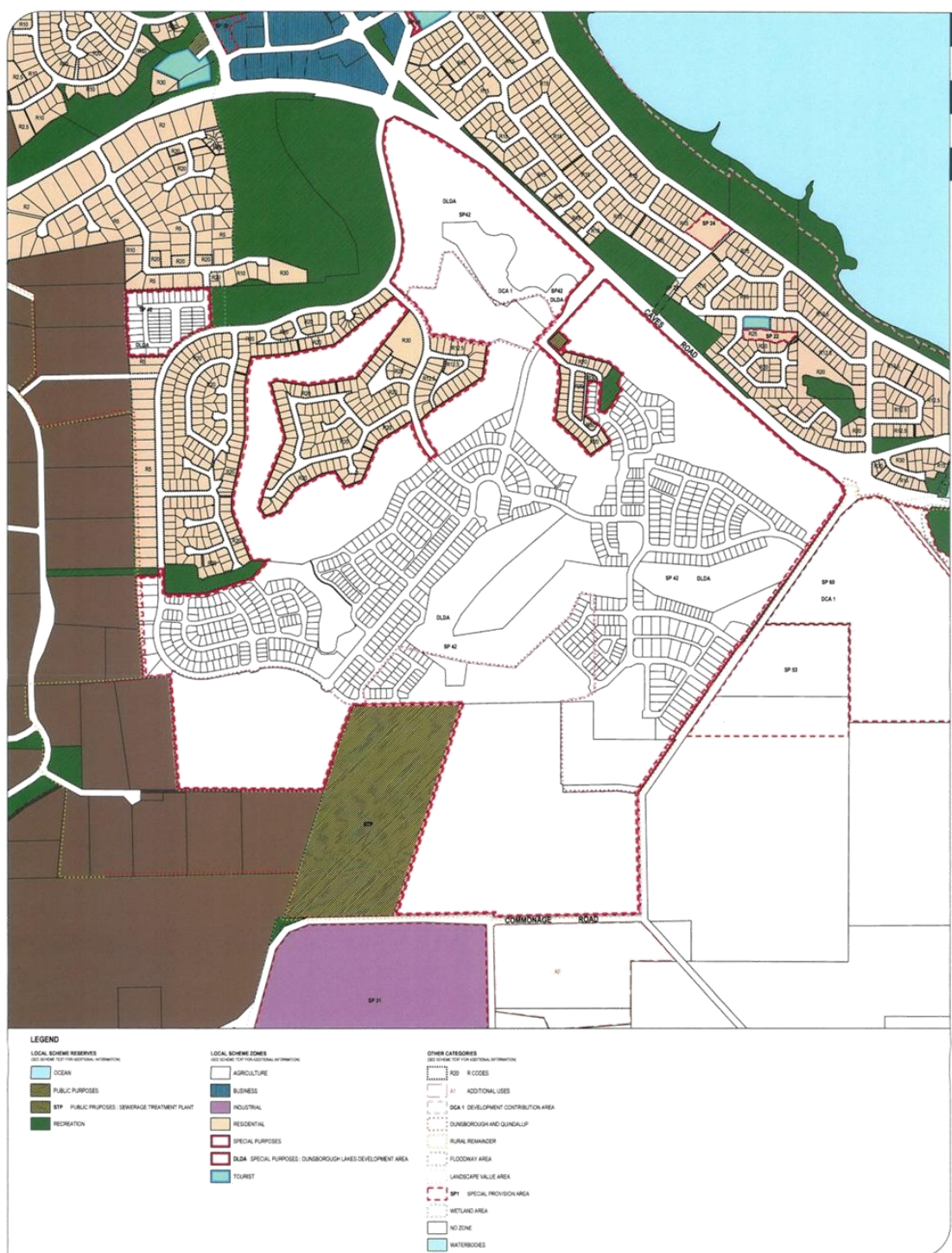


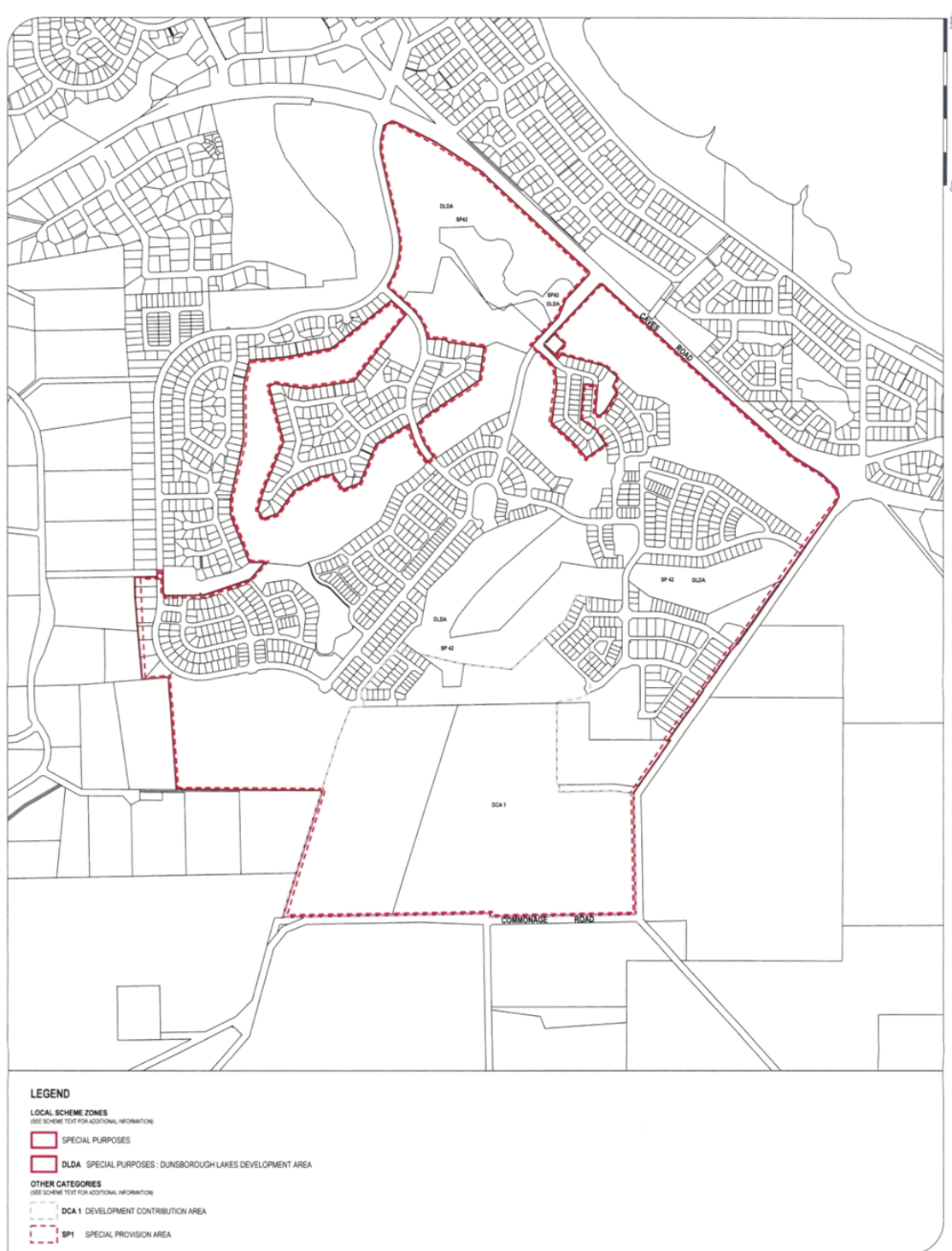
Plan No: 14023P-MP-02

Date: 12.09.2016
Rev: ORIGINAL
Scale: A1 @ 1:2500, A3 @ 1:5000
Co-ords: MGA
Aerial: Nearmap Dec 2016

This plan has been prepared for planning purposes. Areas, contours and dimensions shown are subject to survey.







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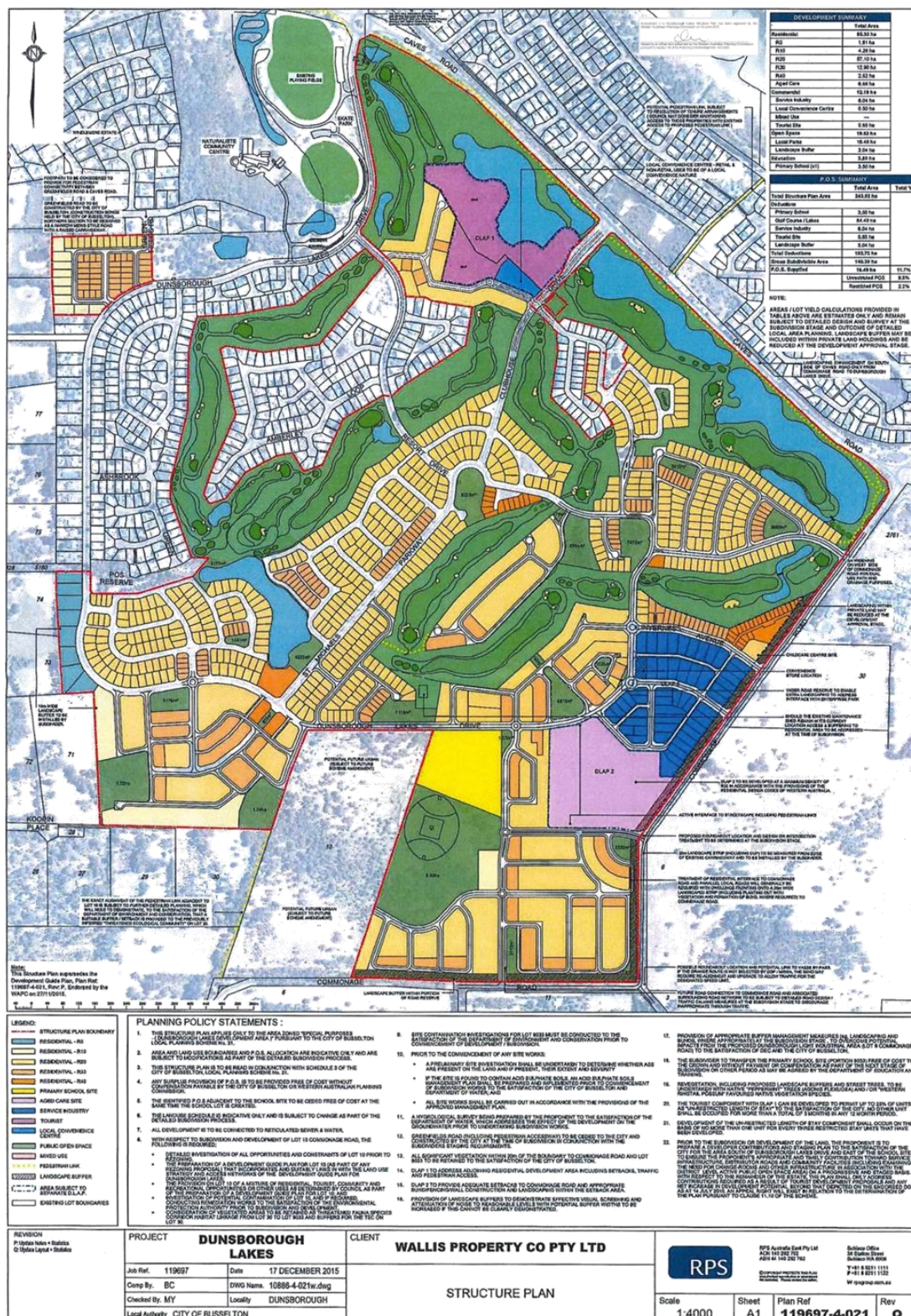
PROPOSED LOCAL PLANNING SCHEME No. 21
Lot 10 Commonage Road, Dunsborough



Plan No: 14023P-AM-02

Date: 13.09.2016
Rev: ORIGINAL
Scale: A1 @ 1:5000, A3 @ 1:10000
Co-ords: MGA
Aerial: N/A

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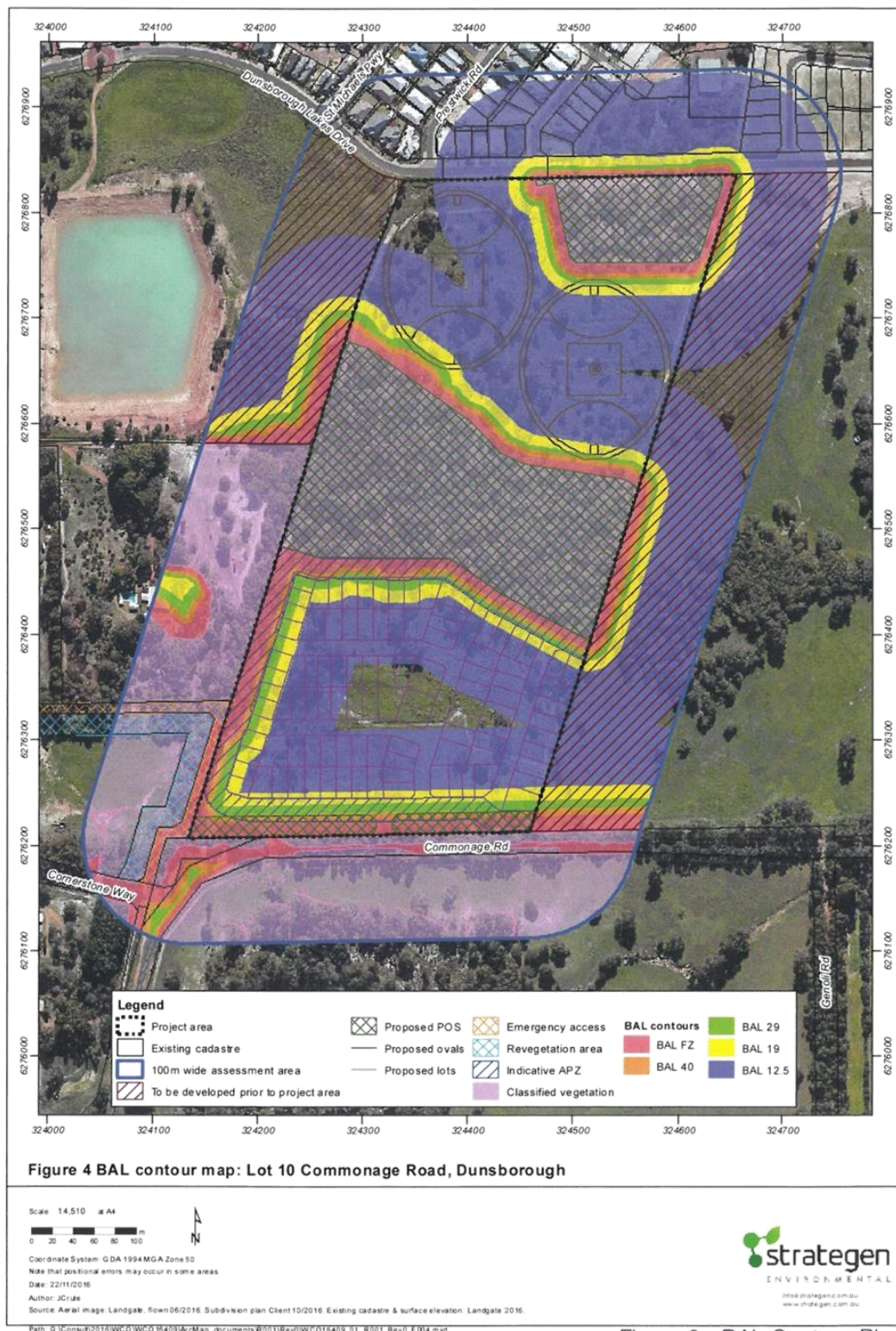


Figure 3 - BAL Contour Plan

SCHEDULE OF SUBMISSIONS

PROPOSAL: AMD21/0027 - Amendment No. 27 - Lot 10 Commonage Road Dunsborough - To rezone from 'Reserve from Public Purposes' to 'Special Purposes (Dunsborough Lakes Development Area)' **OFFICER: Louise Korovesi** **SUBMISSIONS CLOSE: 2nd February 2018**

No.	Submittor	Nature of Submission	Comment	Recommendation
Government Agency Submissions				
1	Department of Water and Environmental Regulation PO Box 261 Bunbury WA 6230	No objection. The Department has approved the Local Water Management Strategy for Lot 10 Commonage Road, Dunsborough and all water related matters have been addressed.	Noted.	That the submission be noted.
2.	ATCO Gas 81 Princep Road Jandakot WA 6164	No objection.	Noted.	That the submission be noted.
3.	Department of Education 151 Royal Street East Perth WA 6004	No objection. The following comments are made; • It is noted that Lot 10 is now proposed to be utilised for public open space and residential development and will be incorporated into a revised Dunsborough Lakes Structure Plan. • As development of the area progresses the Department would wish to liaise with the City so that shared access of the utility road and parking can be utilised between the public open space and the proposed Dunsborough Lakes primary school site. The Department has no objection	Noted.	That the submission be noted.

SCHEDULE OF SUBMISSIONS

PROPOSAL: AMD21/0027 - Amendment No. 27 - Lot 10 Commonage Road Dunsborough - To rezone from 'Reserve from Public Purposes' to 'Special Purposes (Dunsborough Lakes Development Area)' **OFFICER: Louise Korovesi** **SUBMISSIONS CLOSE: 2nd February 2018**

		to the modification to the Dunsborough Lakes Estate Structure Plan.		
4.	Department of Primary Industries and Regional Development PO Box 1231 Bunbury WA 6230	No objection.	Noted.	That the submission be noted.
5.	Department of Jobs, Tourism, Science Innovation 1 Adelaide Terrace East Perth WA 6004	No comment.	Noted.	That the submission be noted.
Public Submissions				
1.	K Douglas 204 Dunsborough Lakes Drive Dunsborough WA 6281	Objection on following grounds – 1. Development of future active open space opposite residence, traffic generation and street car parking; 2. Loss of bushland adjacent to Dunsborough Lakes Drive; 3. Former waste water treatment plant: risk of contamination.	The Council has made a decision to proceed with the purchase of Pt Lot 10 and the Contract of Sale was executed on 4 May 2017 (with settlement and transfer of tenure circa June 2018, conditional upon the Gazettal of this Amendment. The district open space concept plan provides for off-street parking and the retention of the vegetation in the northeast corner of Pt Lot 10, adjacent to Dunsborough Lakes Drive. The subject land was officially	That the submission be dismissed.

SCHEDULE OF SUBMISSIONS

PROPOSAL: AMD21/0027 - Amendment No. 27 - Lot 10 Commonage Road Dunsborough - To rezone from 'Reserve from Public Purposes' to 'Special Purposes (Dunsborough Lakes Development Area)' **OFFICER: Louise Korovesi** **SUBMISSIONS CLOSE: 2nd February 2018**

			reclassified as a 'decontaminated site' by the Department of Water and Environmental Regulation in September 2013 and, consequently, deemed suitable for alternative 'sensitive' land uses such as residential and recreation. Related to the acquisition of Pt Lot 10, the City has engaged a consultant to undertake the sampling, analysis and ongoing monitoring of groundwater for a four year period to ascertain if any residual contamination of the groundwater is present. Should it become evident after 12 months that there is no contamination of groundwater that could be directly attributed to the former operation, decommissioning or site remediation of the Dunsborough Waste Water Treatment Plant by the Water Corporation, then this sampling and monitoring regime will be reconsidered.	
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12. ENGINEERING AND WORKS SERVICES REPORT

Nil

13. COMMUNITY AND COMMERCIAL SERVICES REPORT

Nil

14. FINANCE AND CORPORATE SERVICES REPORT

14.1 RFT23/17 - DESKTOP COMPUTER REPLACEMENT PROGRAM

SUBJECT INDEX:	ICT Infrastructure Services
STRATEGIC OBJECTIVE:	Assets are well maintained and responsibly managed.
BUSINESS UNIT:	Information Services
ACTIVITY UNIT:	ICT Services
REPORTING OFFICER:	Manager, Information Services - Hendrik Boshoff
AUTHORISING OFFICER:	Director Finance and Corporate Services - Tony Nottle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Nil

Attachment A is confidential under Section 5.23 - 2(c) of the Local Government Act 1995 in that it deals with “a contract entered into or which may be entered into, by the local government”. Copies have been provided to Councillors, the Chief Executive Officer and Directors Only

PRÉCIS

The Council is requested to consider the tenders received in response to Request for Tender RFT23/17 – Computer Desktop Replacement Program (RFT). The purpose of this report is to obtain the Council’s consensus to award Tender – RFT23/17 in accordance with the Tender evaluation panel recommendation and to delegate authority to the CEO to procure financing for this project from a suitable financial services supplier.

BACKGROUND

As part of the City’s regular Information and Communications Technology (ICT) equipment replacement cycle, the City’s computer desktop fleet became due for replacement in January 2017. In view of the scheduled occupation of the new Civic and Administration Centre in May 2017 it was decided to delay the desktop replacement project until the relocation was completed. This has led to the current desktop fleet being more than five years old and 12 months beyond the original four year warranty period.

The RFT specified the requirements of the City and invited suitably qualified and experienced respondents to submit bids to enter into a contract for the supply and delivery of computer desktop and peripheral technology devices to the City.

Three submissions were received in response to the RFT. Submissions were received from IT Blackspot, DELL Australia Pty Ltd and Computer West Pty Ltd.

All submissions have been reviewed and ranked by the tender evaluation panel that comprised of the following:

- Helpdesk Officer
- ICT Coordinator
- Legal and Tendering Officer

STATUTORY ENVIRONMENT

In terms of Section 3.57 of the *Local Government Act 1995 (Act)* a local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods and service.

Part 4 of the *Local Government (Functions and General) Regulations 1996* (**Tender Regulations**):

- requires that tenders be publicly invited for such contracts where the estimated cost of providing the required goods and/or service exceeds \$150,000; and
- under Regulations 11, 14, 18, 20 and 21A provides the statutory framework for inviting and assessing tenders and awarding contracts pursuant to this process.

Under Section 5.42(1)(a) of the Act a local government may delegate to the CEO the exercise of any powers and/or the discharge of any of its duties subject to certain limitations/conditions. Under Delegation LG3J Council delegated to the CEO the exercise of any powers and/or the discharge of any of its duties under Regulations 11, 14, 18, 20 and 21A of the Tender Regulations, including acceptance of tenders where the contract value does not exceed \$500,000. This RFT is above that value.

In addition to the RFT (and by way of a separate request for tender/quotation process) the City has to procure funding for the Computer Desktop Replacement project. Further detail of the required funding and associated budget implications are discussed in the FINANCIAL IMPLICATIONS section of this report. It is anticipated that the total value of the proposed funding (an equipment lease) will be in excess of \$500,000 and therefore exceed the CEO's delegated powers under Delegation LG3J. Under Section 5.43(b) of the Act a local government may, in addition to a general delegation, also determine the maximum amount not to be exceeded by the CEO in respect of specific tenders/quotations, which requires a Council resolution by absolute majority.

RELEVANT PLANS AND POLICIES

The following Council policies have relevance to the Tender process.

Policy 239 – Purchasing:

The procurement process complies with this policy.

Policy 049/1 –Regional Price Preference:

The Regional Price Preference Policy was applied to this tender.

Policy 031 – Tender Selection Criteria:

The procurement process complies with this policy

FINANCIAL IMPLICATIONS

Application of appropriate selection criteria to the tender has contributed to ensuring that tenderers are offering the "best value" with respect to the supply of the goods.

In order to evaluate the pricing component of the tender, all price comparisons were assessed by unit rate and also compared with the normal recommended retail price for the items. The pricing was competitive amongst the tenderers and represents a significantly discounted rate from the normal retail price (up to 40%).

The total value of this tender is \$580,488 exclusive of Goods and Services Tax (GST) and comprises 244 standard desktop computers, 92 mobile two-in-one workstations, 608 monitors, \$22,000 worth of peripheral devices and a standard four year, next-business-day replacement manufacturer's warranty.

The equipment purchase will be funded through an operating equipment lease from a suitable financial services provider. These financial services (equipment lease) will be procured under a separate tender or quotations process with the terms and conditions to be negotiated and agreed with the preferred bidder along the following parameters:

- Estimated total funding required: \$670,000 (exclusive of GST)
- Proposed lease term: 4 years
- Estimated annual instalment: \$167,500

These costings have been considered by Council as part of the City's long term financial plan and the equipment lease instalment for the first year has been approved by Council as part of the 2017/18 budget.

Long-term Financial Plan Implications

The costs for the proposed lease equipment are included in the City's current long term financial plan.

STRATEGIC COMMUNITY OBJECTIVES

Consideration of this matter is consistent with Key Goal Area 6 – Leadership and Community Objective 6.4 - Assets are well maintained and responsibly managed.

RISK ASSESSMENT

There are no identified risks of a medium or greater level. The recommended tenderer is assessed as being able to supply and deliver the equipment to meet City expectations and provides a four year manufacturer next-business-day replacement warranty on the standard desktop computers, mobile two-in-one devices and the monitors.

CONSULTATION

Nil

OFFICER COMMENT

1.

The desktop fleet consists of computer workstations, monitors, laptops and peripheral devices (keyboards, sound bar, etc.) for office workstations, meeting rooms and other public access points in the City's various facilities, including:

- Civic and Administration Centre
- Busselton and Dunsborough Depots
- Art Geo
- Busselton and Dunsborough Libraries
- Geographe Leisure Centre
- Naturaliste Community Centre
- Busselton Margaret River Regional Airport
- Busselton and Dunsborough Waste Disposal Facilities
- Animal Care Facility
- Busselton Jetty Tourist Park

Workplace practices have changed significantly since the last replacement cycle five years ago. The modern workplace standard for equipment, includes multi-use solutions such as mobile technology and desk top set ups with dual monitors. In addition to these changes, there is a great onus put on the organisation to provide environmentally responsible solutions.

Officers have been reviewing the current desktop fleet and, over the past six months, tested various options for multi-use devices. The review found that the CEO, Directors, Managers and Coordinators were currently using multiple devices to enable mobile computing. The review determined an appropriate two-in-one mobile device combined with a docking station and dual monitor desktop configuration would allow for a single device per officer in lieu of providing a desktop and laptop.

While mobile computing solutions traditionally cost more than desktop devices, the proposed two-in-one configuration offers a significant cost reduction. I.e. only one device is required to provide both a mobile and desktop computer. With this in mind, the proposal is to purchase 244 standard desktop computers and 92 mobile two-in-one workstations.

Utilising dual monitors has numerous benefits. This includes ease of access to cross reference information from various applications, greater flexibility to multi-task and improved overall productivity. In addition, studies have shown that where dual monitors are in use the amount of hardcopy paperwork is significantly reduced, resulting in an overall benefit to the environment.

The recent review identified a number of monitor issues across the organisation:

- The City utilises a mix of monitors types, sizes and resolutions;
- Various officers across the organisation are already working with dual monitors;
- The fleet's existing monitor stock ranges in age from five to ten plus years.

In order to bring the City up to standard with modern workplace expectations, the review identified that the procurement of 608 monitors would ensure all staff desktop and mobile two-in-one workstations are equipped with dual monitors. Single monitors would be deployed at customer service counters, public computers, meeting rooms and other areas where dual monitors are not practical or required.

In an attempt to determine the best value for money outcome, officers assessed if a lease buy out of the existing 268 monitors would present an opportunity for savings. It is anticipated that approximately 20 to 30 monitors per year will fail, with the number increasing as the equipment ages. As the equipment is already five years old, it is estimated the City would need to maintain and replenish a large pool of backup monitors. This would ensure stock was available to cope with the expected failures and breakages. As the equipment is already out of warranty the City will also bear the full risk of any mass equipment failure. Procurement of this stock would likely be at a price much higher than the heavily discounted bulk pricing achieved through the RFT. (Up to 40% discounted) Therefore, given the cost of the lease buyout, the high level of additional backup stock required, increased replenishment unit price, the risk of mass equipment failure and compromised service levels to the organisation, the lease buy out option is not considered to represent best value for money for the City.

An operational equipment lease over a large capital acquisition of ICT equipment allows the City to receive bulk buy pricing but pay for the equipment over the usable life of the equipment. Other benefits include:

- reduced capital requirements
- the organisation can rapidly replace out of date ICT equipment;
- ensures a manufacturer warranty during the useful life of the equipment; and
- the City does not have the additional responsibility of disposing of the outdated ICT assets at the end of the term.

Procurement of the abovementioned funding (proposed equipment lease) involves to a large extent a relatively straight forward administrative process of inviting and assessing tenders/quotations for funding the contract price of the goods to be procured under the RFT in accordance with abovementioned budget approvals/forecasts. As this part of the Computer Desktop Replacement project provides limited scope for the exercise of discretion, it is recommended that Council delegate to the CEO the power and authority to accept a tender/quotation in accordance with above-mentioned projected terms and value. The statutory requirements in relation to the proposed delegation are discussed under the STATUTORY FRAMEWORK section of this report.

Tender Evaluation

The tender evaluation process complied with all City and statutory requirements. The assessments of the tenders were based on the following Qualitative Criteria:

- (a) Relevant Experience: 10%;
- (b) Key Personnel Skills & Experience: 10%
- (c) Tenderers Resources: 10%
- (d) Demonstrated Understanding: 10%

The Tendered price was given the following weight and has been assessed in conjunction with the Qualitative Criteria.

- Tendered Price: 60%

The City's Regional Price Preference Policy was applicable to the Computer West Pty Ltd tender submission.

An alternative option was submitted by one tenderer. The evaluation panel reviewed the alternative option and found it was not compatible with the City's current desktop deployment and device management infrastructure and was more expensive than the best value for money offer.

The evaluation panel members individually assessed the tenders and then applied an average to provide a final rating. The scores were then added together to indicate the rankings for the tender. The confidential report attached provides further detail in relation to the relative merits of each of the individual tenderers. DELL Australia Pty Ltd, is the preferred tenderer. Their submission represents the best value for money option for the City and demonstrates the company's ability to complete the contract requirements to the standard required and within the appropriate time frames.

CONCLUSION

This report seeks the Council's endorsement of the officer's recommendation to award all requirements of RFT23/17 – Computer Desktop Replacement Program to DELL Australia Pty Ltd. The submission received from DELL Australia Pty Ltd represents the best value for money option for the City.

OPTIONS

The Council may consider the following options:

1. The Council choose not to accept the officer's recommendation and award the Tender to an alternate tenderer. In the view of the officers this could result in a Tender being awarded to a tenderer that has not presented the "best value" for money offer.
2. The Council choose to instruct the CEO to further investigate the risk and cost benefit of retaining out of warranty equipment. In the view of the officers this could result in a reduced ICT service level being delivered to the organisation for limited cost savings and does not represent the "best value" for money offer.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The award of the tender to the successful tenderer can be announced immediately after the Council has endorsed the officer's recommendation. The successful Tenderer will receive formal written notification within seven (7) days of the decision being handed down. The unsuccessful tenderer will also be notified in this time.

OFFICER RECOMMENDATION

That the Council:

1. Endorses the outcomes of the evaluation panel's assessment in relation to Tender RFT23/17 – Computer Desktop Replacement Program which has resulted in the tender submitted by DELL Australia Pty Ltd being recommended as the best value for money.
2. Delegate authority to the CEO to negotiate and agree final terms and conditions with and to award a contract to DELL Australia Pty Ltd for the City of Busselton Computer Desktop Replacement Program, in accordance with the terms and conditions contained within RFT23/17.
3. Authorise the CEO to procure funding for the City of Busselton Computer Desktop Replacement Program on the terms and conditions outlined in this report.
4. For purposes of resolution 3 above delegate to the CEO the power and authority to exercise the powers and discharge the duties of the local government under Regulations 11, 14, 18, 20 and 21A of the *Local Government (Functions and General) Regulations*.

Conditions

The delegation is subject to:

- (a) Utilising the standard selection criteria as per Policy 031;
- (b) Complying with the requirements of the City's Purchasing Policy as it relates to tendering;
- (c) Following the City's operational processes and procedures for tender evaluation; and
- (d) Acceptance of a tender is not to exceed a contract value of \$700,000.

15. CHIEF EXECUTIVE OFFICER'S REPORT

15.1 COUNCILLORS' INFORMATION BULLETIN

SUBJECT INDEX:	Councillors' Information
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Governance Services
ACTIVITY UNIT:	Governance Services
REPORTING OFFICER:	Administration Officer - Governance - Katie Dudley
AUTHORISING OFFICER:	Director, Community and Commercial Services - Cliff Frewing
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Planning Applications received by the City between 1 January, 2018 and 15 January, 2018 ↓ Attachment B Planning Applications determined by the City between 1 January, 2018 and 15 January, 2018 ↓

PRÉCIS

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

15.1.1 Planning and Development Statistics

Attachment A is a report detailing all Planning Applications received by the City between 1 January, 2018 and 15 January, 2018. A total of 16 formal applications were received during this period.

Attachment B is a report detailing all Planning Applications determined by the City between 1 January, 2018 and 15 January, 2018. A total of 16 applications (including subdivision referrals) were determined by the City during this period with 16 approved / supported and 0 refused / not supported.

15.1.2 Current Active Tenders

2017/2018 TENDERS

EOI 01/17 MANUFACTURE AND INSTALLATION OF THE BUSSELTON FORESHORE PLAYSPACE

The City of Busselton invited Expressions of Interest for the construction of a new play space located within the Busselton foreshore precinct. The EOI was advertised on 28 October 2017, with a closing date of 21 November 2017. The closing date was extended to 12 December 2017. A total of 8 submissions were received. The EOI evaluation has been completed. A recommendation report was presented to the CEO (under delegation) in December 2017. The following five (5) respondents were considered to be capable of satisfactorily supplying the goods and services and were advised that they would soon be invited to submit tenders for delivering the project:

Company	Location
Earthcare (Australia) Pty Ltd T/A Earthcare Landscapes	Bibra Lake, Perth
Environmental Industries Pty Ltd	Canning Vale, Perth
Perkins (WA) Pty Ltd T/A Perkins Builders (Corporation)	Bunbury
Phase Three Landscape Constructions Pty Ltd	O'Connor, Perth
Total Eden Pty Ltd T/A Landscape Australia	Bibra Lake, Perth

RFT16/17 PROVISION OF MAINTENANCE & SERVICING – MECHANICAL SERVICES

The City of Busselton invited tenders for the maintenance of the mechanical services (air conditioning) of its buildings and facilities. The tender was advertised on 18 November 2017, with a closing date of 5 December 2017. A total of 4 submissions were received. The value of the contract will not exceed the CEO's delegated authority. The evaluation has been completed and a recommendation report will be presented to the CEO in early February 2018.

RFT17/17 DESIGN, CONSTRUCTION AND INSTALLATION OF TWO HOLIDAYS CABINS FOR BUSSELTON JETTY TOURIST PARK (FORMERLY KOOKABURRA CARAVAN PARK)

The City of Busselton invited tenders for the design, construction and installation of two holiday cabins for the Busselton Jetty Tourist Park (formerly known as Kookaburra Caravan Park). The tender was advertised on 7 October 2017, with a closing date of 27 October 2017. A total of 6 tenders were received. The evaluation has been completed and the contract awarded by the CEO under delegated authority to Modularis Pty Ltd T/A Modular WA.

RFT18/17 SUPPLY AND DELIVERY OF DRAINAGE PRODUCTS

The City of Busselton invited tenders for the manufacture, testing, supply and delivery of drainage products within the City of Busselton. The tender was advertised on 14 October 2017, with a closing date of 31 October 2017. A total of 2 tenders were received. The evaluation has been completed and Council resolved at its 13 December 2017 meeting to award the contract resulting from RFT18/17 to MJB Industries Pty Ltd.

RFT19/17 SUPPLY AND DELIVERY OF CONCRETE SERVICES

The City of Busselton invited tenders for the supply of concrete and ancillary works to the City of Busselton. The tender was advertised on 11 November 2017, with a closing date of 28 November 2017. A total of 2 tenders were received. The value of the contract will exceed the CEO's delegated authority. The evaluation has been completed and it is anticipated that a recommendation report will be presented to Council in February 2018.

RFT20/17 DESIGN AND CONSTRUCTION OF AIRPORT TERMINAL AT BUSSELTON- MARGARET RIVER REGIONAL AIRPORT

The City of Busselton invited tenders for the design and construction of the terminal building at Busselton-Margaret River airport. The tender was advertised on 29 November 2017, with a closing date of 9 January 2018. A total of 4 tenders were received. The value of the contract will exceed the CEO's delegated authority. The evaluation has been completed and Council resolved at its 31 January 2018 meeting to award the contract resulting from RFT20/17 to Pindan Constructions PTY LTD.

RFT21/17 CONSTRUCTION OF WATER DISTRIBUTION MAIN ALONG THE EASTERN PORTION OF RENDEZVOUS ROAD, VASSE

The City of Busselton invited tenders for the construction of the water distribution main along the eastern portion of Rendezvous Road, Vasse. The tender was advertised on 2 December 2017, with a closing date of 19 December 2017. A total of 4 tenders were received and one alternative tender. The value of the contract will not exceed the CEO's delegated authority. It is anticipated that the evaluation will be completed and a recommendation report presented to the CEO in early February 2018. Prices are however well within budget.

RFT23/17 DESKTOP COMPUTER REPLACEMENT PROGRAM

The City of Busselton invited tenders for the replacement of the City of Busselton's desktop computers. The tender was advertised on 9 December 2017, with a closing date of 9 January 2018. A total of 3 tenders were received. The value of the contract will exceed the CEO's delegated authority. The evaluation has been completed and a recommendation report is presented as part of this Council meeting.

RFT24/17 PROVISION OF TRAFFIC MANAGEMENT SERVICES

The City of Busselton invited tenders for the provision of traffic management services within the City of Busselton. The tender was advertised on 16 December 2017, with a closing date of 16 January 2018. A total of 7 tenders were received. The value of the contract will exceed the CEO's delegated authority. It is anticipated that the evaluation will be completed in early February and a recommendation report presented to Council in March 2018.

RFT01/18 MANUFACTURE AND INSTALLATION OF BUSSELTON FORESHORE PLAY SPACE

Following an Expressions of Interest (EOI 01/17) process, the City of Busselton invited tenders for the manufacture, construction and installation of a new play space located within the Busselton foreshore precinct in between the Equinox Restaurant and Bar and Railway House, Busselton. The following five (5) tenderers were invited to submit a tender:

Company	Location
Earthcare (Australia) Pty Ltd T/A Earthcare Landscapes	Bibra Lake, Perth
Environmental Industries Pty Ltd	Canning Vale, Perth
Perkins (WA) Pty Ltd T/A Perkins Builders (Corporation)	Bunbury
Phase Three Landscape Constructions Pty Ltd	O'Connor, Perth
Total Eden Pty Ltd T/A Landscape Australia	Bibra Lake, Perth

The tender closing date was extended from 30 January 2018 to Tuesday, 6 February 2018. The value of the contract will exceed the CEO's delegated authority. It is anticipated a recommendation report will be presented to Council in February 2018.

RFT02/18 CITY OF BUSSELTON COASTAL ADAPTATION STRATEGY

The City of Busselton invited tenders for the City of Busselton Coastal Adaptation Strategy. The tender was advertised on 6 January 2018, with a closing date of 13 February 2018. The value of the contract is not expected to exceed the CEO's delegated authority. It is anticipated the evaluation will be completed and a recommendation report presented to the CEO in March 2018.

RFT03/18 CRUSHING SERVICES FOR CONSTRUCTION AND DEMOLITION MATERIAL WITHIN CITY OF BUSSELTON

The City of Busselton invited tenders for crushing services for construction and demolition material within the City of Busselton. The tender was advertised on 3 February 2018, with a closing date of 27 February 2018. The value of the contract is not expected to exceed the CEO's delegated authority. It is anticipated the evaluation will be completed and a recommendation report presented to the CEO in March 2018.

OFFICER RECOMMENDATION

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

- [15.1.1 Planning and Development Statistics](#)
- [15.1.2 Current Active Tenders](#)

Applications Received (Deemed Complete) Report									
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Application Received Date	Date Application Deemed Complete	Estimated Cost	Primary Property Owners	Applicant Name	Clock Days
Development Applications									
DA17/0992	Ancillary Accommodation	58 Rushleigh Road~REINSCOURT WA 6280	Lot 53 PLAN 223219	2/01/2018	18/01/2018	129246	Susan Michelle Arthur & Stephen Grant Arthur	Dale Alcock Homes South West Pty Ltd	15
DA18/0002	Patio (Reduced Side Setback)	15 Mistral Bend~YALYALUP WA 6280	Lot 153 PLAN 54891	4/01/2018	9/01/2018	4200	Kirsty Ruth Logan-Hynes	Kirsty Ruth Logan-Hynes	14
DA18/0004	Installation of Bi-fold Doors	3/25-27 Dunn Bay Road~DUNSBOROUGH WA 6281	Lot 12 STPLN 50630	4/01/2018	5/01/2018	8000	Michael Gordon Copeland (Bay View Super Fund)	Mealup Dunsborough	1
DA18/0005	Change of Use - Holiday Home (Single House) TBA	2/5 Morrison Street~WEST BUSSELTON WA 6280	Lot 61 PLAN 44474	4/01/2018		0	Paul Anthony Greenwood & Yvette Karen Greenwood	Paul Anthony Greenwood, Yvette Karen Greenwood	4
DA18/0006	Single House (Reduced Setback)	4 Octopus Lane~KEALY WA 6280	Lot 1376 PLAN 411918	5/01/2018	8/01/2018	179545	Perron Developments Pty Ltd & Stawell Pty Ltd	Dale Alcock Homes South West Pty Ltd	3
DA18/0007	Extension to Existing Single House (Reduced Front Setback)	15 Duchess Street~WEST BUSSELTON WA 6280	Lot 4 DIAGRAM 7512	8/01/2018	11/01/2018	120000	James Edward Challenor & Faye Lynett Challenor	James Edward Challenor, Faye Lynett Challenor	2
DA18/0008	Oversized and Overheight Outbuilding	1 Gambetta Road~YALYALUP WA 6280	Lot 930 PLAN 409180	9/01/2018	12/01/2018	45000	William Amos Holloway	Tanya Sammy	11
DA18/0009	Over-Height Outbuilding	3 Harnett Street~BROADWATER WA 6280	Lot 72 DIAGRAM 29769	9/01/2018	9/01/2018	22000	Allan John Kelly	Blue Water Building Co (SW) Pty Ltd	3
DA18/0011	Retaining Wall (Special Character Area)	8 Stone Street~QUINDALUP WA 6281	Lot 25 DIAGRAM 36962	10/01/2018	10/01/2018	5500	Roger Jonathan Dartnall & Elizabeth Mary Dartnall	Roger Jonathan Dartnall	3
DA18/0012	R-Code Variation (Reduced Secondary Street setback for a Pergola)	32 Switchback Parade~WEST BUSSELTON WA 6280	Lot 796 PLAN 400546	10/01/2018	11/01/2018	10000	Sarah Jean Combridge	Sarah Jean Combridge	10
DA18/0013	Signage (2 x Stonebridge Estate Signs)	Busselton Bypass~VASSE WA 6280	Lot 2 DIAGRAM 25825	8/01/2018	16/01/2018	4000	QUBE Property Group Pty Ltd	QUBE Property Group Pty Ltd	5
DA18/0015	Change of Use - Professional Consulting Rooms	1/28 Faure Lane~DUNSBOROUGH WA 6281	Lot 1 STPLN 53299	10/01/2018	12/01/2018	200000	Trueman Pty Ltd	Torquay Health Collective	5
DA18/0016	Single House (Landscape Value Area)	Windmills Close~YALLINGUP WA 6282	Lot 127 PLAN 20174	9/01/2018	12/01/2018	200000	Frank Gaschk	Frank Gaschk	6

Applications Received (Deemed Complete) Report									
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Application Received Date	Date Application Deemed Complete	Estimated Cost	Primary Property Owners	Applicant Name	Clock Days
Development Applications									
DA18/0017	Oversized & Over Height Outbuilding (Special Control Areas)	26 Ballarat Road~WONNERUP WA 6280	Lot 67 PLAN 223219	10/01/2018	12/01/2018	25000	Christine Anne Bleechmore & Gordon Clive Bleechmore	Busselton Sheds Plus	2
DA18/0018	Industrial Building (Mail Sorting)	15 Wright Street~BUSSELTON WA 6280	Lot 88 & 89	10/01/2018	12/01/2018	300000	Peter Anthony Galonski	Peter Anthony Galonski	2
DA18/0026	Sea Container Shelter for Truck Storage	6 Kershaw Street~BUSSELTON WA 6280	Lot 54 PLAN 13808	11/01/2018	18/01/2018	20000	Bradley William Fish & Tamara Jane Fish	Sheds Down South	7

Applications Determined Report										
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Applic Determined Date	Application Determined Result	Decision	Clock Days	Estimated Cost	Primary Property Owners	Applicant Name
DA17/0557	Reception Centre, Chalet and New Water Tank	39 Chapman Hill Road~BOVELL WA 6280	Lot No:801 & 803 & 802 & 11	12/01/2018	Approved	Approved	37	120000	A R W Nominees Pty Ltd	A R W Nominees Pty Ltd
DA17/0712	Over-height Single House (Landscape Value Area)	Gunylgup Valley Drive~YALLINGUP WA 6282	Lot 122 PLAN 47527	4/01/2018	Approved	Approved	0	583000	Deborah Mary Ireson & Stephen James Wright	Deborah Mary Ireson, Stephen James Wright
DA17/0719	Single House (Landscape Value Area)	111 Shallows Loop~YALLINGUP WA 6282	Lot 92 PLAN 37901	5/01/2018	Approved	Approved	29	600000	Brian James Innes	Ventura Home Group Pty Ltd
DA17/0770	1x Grouped Dwelling (Port Geographe Development Area)	31 Capstan Place~GEOGRAPHE WA 6280	Lot 11 SSPLN 74194	12/01/2018	Approved	Approved	7	151193	Jamie Ross Williamson	Summit Homes
DA17/0858	Change of Use - Holiday Home (Single House) 6 people	78 Hester Street~GEOGRAPHE WA 6280	Lot 19 PLAN 10080	4/01/2018	Approved	Approved	45	0	Glenn Marcus McCallum & Lauren Nicole Strachan	Glenn Marcus McCallum, Lauren Nicole Strachan
DA17/0862	Patio with Parapet Wall	20 Chapman Street~DUNSBOROUGH WA 6281	Lot 83 PLAN 47510	2/01/2018	Approved	Approved	49	20000	Peter William Trembath & Vicki Anne Trembath	Peter William Trembath, Vicki Anne Trembath
DA17/0878	Patio (Reduced Setback)	38 David Drive~GEOGRAPHE WA 6280	Lot 121 PLAN 14540	3/01/2018	Approved	Approved	7	18100	Benjamin John Pinkerton	Cape Shades
DA17/0889	Change of Use - Holiday Home (Single House) 10 People	62 Geographe Bay Road~DUNSBOROUGH WA 6281	Lot 196 PLAN 8543	12/01/2018	Approved	Approved	39	0	Anthony Jonathan Priddy & Sonya Maree Priddy	Anthony Jonathan Priddy, Sonya Maree Priddy
DA17/0926	Change of Use - Holiday Home (Single House) 6 People	128 Adelaide Street~BUSSELTON WA 6280	Lot 2 PLAN 3202	9/01/2018	Approved	Approved	23	0	David Harrold Stanley & Julie Elizabeth Stanley	David Harrold Stanley, Julie Elizabeth Stanley
DA17/0927	Single House (Reduced Setbacks)	118 Morrison Street~WEST BUSSELTON WA 6280	Lot 71 PLAN 404359	10/01/2018	Approved	Approved	5	445000	Steven John Murray & Jodie Gai Murray	Jodie Gai Murray, Steven John Murray
DA17/0966	Change of Use - Holiday Home (Single House) 6 People	81 Reynolds Street~WEST BUSSELTON WA 6280	Lot 43 DIAGRAM 19745	9/01/2018	Approved	Approved	30	0	Nicola Louise Hall & Peter David Hall	Nicola Louise Hall, Peter David Hall

Applications Determined Report										
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Applic Determined Date	Application Determined Result	Decision	Clock Days	Estimated Cost	Primary Property Owners	Applicant Name
Development Applications										
DA17/0967	Change of Use - Holiday Home (Single House) 6 People	11 Waterline View~GEOGRAPHE WA 6280	Lot 56 PLAN 57392	11/01/2018	Approved	Approved	25	0	James Tasman Walker	James Tasman Walker
DA17/0968	Grouped Dwelling	5/13 King Street~WEST BUSSELTON WA 6280	Lot 5 SSPLN 68630	12/01/2018	Approved	Approved	30	400000	Andrew Percy & Sandra Michelle Percy	Ustyle Homes
DA17/0987	Masonry Fence (Port Geographe)	4 Windward Green~GEOGRAPHE WA 6280	Lot 95 PLAN 59251	2/01/2018	Approved	Approved	12	18000	Chandan Hassan Visweswar	Chandan Hassan Visweswar
WAPC17/0044	Survey Strata - 6 Lots + Common Property (Conversion of Strata Plan 46422 to Survey Strata)	1/4 Mentor Place~DUNSBOROUGH WA 6281	Lot 1 STPLN 46422	4/01/2018	Approve	Approved	22	0	Marie Anne Fisher	Thompson Surveying Consultants
WAPC17/0048	Two Lot Survey Strata (1030m2 - 1229m2)	182 Geographe Bay Road~QUINDALUP WA 6281	Lot 41 DIAGRAM 23175	4/01/2018	Support	Support	45	0	Chivelle Investments Pty Ltd	Able Planning & Project Management

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

17. CONFIDENTIAL REPORTS

Nil

18. QUESTIONS FROM MEMBERS

19. PUBLIC QUESTION TIME

20. NEXT MEETING DATE

Wednesday, 28 February 2018

21. CLOSURE