



**City of Busselton**  
*Geographe Bay*

## **Council Agenda**

***28 March 2018***

ALL INFORMATION AVAILABLE IN VARIOUS FORMATS ON REQUEST

[city@busselton.wa.gov.au](mailto:city@busselton.wa.gov.au)

**CITY OF BUSSELTON**

**MEETING NOTICE AND AGENDA – 28 MARCH 2018**

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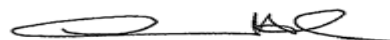
**TO: THE MAYOR AND COUNCILLORS**

**NOTICE** is given that a meeting of the Council will be held in the Council Chambers, Administration Building, Southern Drive, Busselton on Wednesday, 28 March 2018, commencing at 5.30pm.

Your attendance is respectfully requested.

**Disclaimer**

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



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**MIKE ARCHER**

**CHIEF EXECUTIVE OFFICER**

16 March 2018



**CITY OF BUSSELTON**

**AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 28 MARCH 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 14 March 2018**

**RECOMMENDATION**

That the Minutes of the Council Meeting held 14 March 2018 be confirmed as a true and correct record.

**Committee Meetings**

9.2 **Minutes of the Audit Committee held 14 March 2018**

**RECOMMENDATION**

That the Minutes of the Audit Committee held 14 March 2018 be confirmed as a true and correct record.

9.3 **Minutes of the Finance Committee Meeting held 15 March 2018**

**RECOMMENDATION**

That the Minutes of the Finance Committee Meeting held 15 March 2018 be confirmed as a true and correct record.

## 10. REPORTS OF COMMITTEE

### 10.1 Audit Committee - 14/03/2018 - COMPLIANCE AUDIT RETURN 2017

<b>SUBJECT INDEX:</b>	Reporting and Compliance
<b>STRATEGIC OBJECTIVE:</b>	Governance systems, process and practices are responsible, ethical and transparent.
<b>BUSINESS UNIT:</b>	Finance and Corporate Services
<b>ACTIVITY UNIT:</b>	Governance Services
<b>REPORTING OFFICER:</b>	Manager Financial Services - Kim Dolzadelli
<b>AUTHORISING OFFICER:</b>	Director Finance and Corporate Services - Tony Nottle
<b>VOTING REQUIREMENT:</b>	Absolute Majority
<b>ATTACHMENTS:</b>	Attachment A Compliance Audit Return 2017 <a href="#">↓</a>

**This item was considered by the Audit Committee at its meeting on 14 March 2018, the recommendations from which have been included in this report.**

#### **PRÉCIS**

The Compliance Audit Return (CAR) relating to the activities of the City of Busselton during 2017 has been completed. The return is a statutory obligation and covers a range of requirements under the *Local Government Act 1995* and various Regulations.

The completed Compliance Audit Return is attached to this report (*refer Attachment A*) for the consideration of the Council. The return is recommended for adoption, after which it will be forwarded to the Department of Local Government, Sport and Cultural Industries as required by 31 March 2018.

#### **BACKGROUND**

The Department of Local Government, Sport and Cultural Industries has made available the 2017 Compliance Audit Return (CAR) for completion.

The Local Government Act 1995 Section 7.13 requires a Local Government to complete the Compliance Audit Return in the form specified by the Department of Local Government, Sport and Cultural Industries. The Local Government Audit Regulations require the Return to be considered by the Audit Committee and submitted to the Department by 31 March.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

Local Government (Audit) Regulations 1996 Regulations 13, 14 and 15.

#### **14. *Compliance audits by local governments***

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*

(3) *After the audit committee has reported to the council under sub regulation (3A), the compliance audit return is to be —*

- (a) presented to the council at a meeting of the council; and*
- (b) adopted by the council; and*
- (c) recorded in the minutes of the meeting at which it is adopted.*

15. *Compliance audit return, certified copy of etc. to be given to Executive Director*

(1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*

- (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
- (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.*

(2) *In this regulation — **certified** in relation to a compliance audit return means signed by —*

- (a) the mayor or president; and*
- (b) the CEO.*

#### **RELEVANT PLANS AND POLICIES**

Not applicable

#### **FINANCIAL IMPLICATIONS**

Nil

#### **Long-term Financial Plan Implications**

Nil

#### **STRATEGIC COMMUNITY OBJECTIVES**

The completed Compliance Audit Return 2017 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'.

The compliance assessment is one of the mechanisms that enable the organisation to ensure that it has governance systems that deliver responsible, ethical and accountable decision-making.

## RISK ASSESSMENT

The whole process of the compliance assessment is about identifying risks to the organisation where non-compliant activities have potentially occurred.

## CONSULTATION

The questions listed in the compliance return provided by the Department of Local Government, Sport and Cultural Industries have been responded to by designated council staff responsible for the actions required to comply with the appropriate legislation.

## OFFICER COMMENT

The attached Compliance Audit Return demonstrates that the organisation has a good understanding of statutory requirements and has applied the correct interpretation to these requirements. The return covered the organisation's processes and records relating to:

Area of Compliance	# Questions
Commercial Enterprises by Local Governments	5
Delegation of Power / Duty	13
Disclosure of Interest	16
Disposal of Property	2
Elections	1
Finance	14
Integrated Planning & Reporting	7
Local Government Employees	5
Official Conduct	6
Tenders for Providing Goods and Services	25
<b>Total</b>	<b>94</b>

The Authorising Officer notes 100% compliance with respect to the Compliance Audit Return 2017 which is similar to previous years where compliance returns have had a high degree of compliance.

However, it is noted that having analysed the City's supplier payments for the relevant period it appears that, in respect of two suppliers (both expert consultants), tenders had not been invited where the combined consideration under their contract(s) exceeded the consideration stated in Regulation 11(1) of the Local Government (Functions and General) Regulations. However, at the time of entering into the separate contracts with these consultants, the consideration under their contract was not expected to be worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions and General) Regulations.

For various unexpected (mainly operational) reasons the City had to extend the scope of the projects for which these two consultants had been engaged for. The City had good reason to believe that, due to the nature and extent of these projects, the complexities which eventuated since engaging these consultants and these consultant's intimate involvement with these projects to date, it was in the City's best interest to extend these consultants contracts pursuant to Regulation 11(2) (f) of the Local Government (Functions and General) Regulations.

**CONCLUSION**

It is recommended that the Council adopt the return for submission to the Department of Local Government, Sport and Cultural Industries.

**OPTIONS**

Other than to provide a different response to those provided in the Return, there are no options available as it is a statutory requirement to complete and lodge the Return with the Department.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

The certified return must be lodged with the Department of Local Government, Sport and Cultural Industries by 31 March 2018.

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

That the Audit Committee:

1. Having reviewed the 2017 Compliance Audit Return, noting a high degree of compliance, recommends to Council that it adopts the Compliance Audit Return 2017 and authorises the Mayor and Chief Executive Officer to sign the joint certificate; and
2. That a report be prepared for Council consideration in relation to response 1 – ‘Tenders for Providing Goods and Services’ contained in the Compliance Audit Return 2017.

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return

Department of  
Local Government, Sport  
and Cultural Industries**Busselton - Compliance Audit Return 2017****Certified Copy of Return**

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of section of relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2017.	N/A		Cliff Frewing
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2017.	N/A		Cliff Frewing
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2017.	N/A		Cliff Frewing
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2017.	N/A		Cliff Frewing
5	s3.59(5)	Did the Council, during 2017, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Cliff Frewing

Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	Yes		Christine Garratt
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	Yes		Christine Garratt
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	Yes		Christine Garratt
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	Yes		Christine Garratt
5	s5.18	Has Council reviewed delegations to its committees in the 2016/2017 financial year.	Yes	Delegations were reviewed in June 2017	Christine Garratt
6	s5.42(1), 5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Christine Garratt
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Cliff Frewing
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Cliff Frewing
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Cliff Frewing
10	s5.45(1)(b)	Were all decisions by the Council to	Yes		Cliff Frewing



Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of  
Local Government, Sport  
and Cultural Industries

			amend or revoke a delegation made by absolute majority.		
11	s5.46(1)		Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes	Christine Garratt
12	s5.46(2)		Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2016/2017 financial year.	Yes	Christine Garratt
13	s5.46(3) Admin Reg 19		Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes	Christine Garratt

**Disclosure of Interest**

No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes		Kate Dudley
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes		Kate Dudley
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Kate Dudley
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	Yes		Christine Garratt
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		Christine Garratt
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2017.	Yes		Christine Garratt
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2017.	Yes		Cliff Frewing
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes		Cliff Frewing
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes		Cliff Frewing

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of  
**Local Government, Sport  
and Cultural Industries**

10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Kate Dudley
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		Christine Garratt
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Christine Garratt
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes		Kate Dudley
14	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	N/A	This has not occurred in the last period	Kate Dudley
15	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	N/A	This has not occurred in the last period	Kate Dudley
16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		Christine Garratt

**Disposal of Property**

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	Yes		Cliff Frewing
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	Yes		Cliff Frewing

**Elections**

No	Reference	Question	Response	Comments	Respondent
1	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly	Yes		Christine Garratt

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of  
Local Government, Sport  
and Cultural Industries

identifies and distinguishes the  
candidates.

Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Kim Dolzadelli
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	Yes		Kim Dolzadelli
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Kim Dolzadelli
4	s7.3, 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Kim Dolzadelli
5	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2017 received by the local government within 30 days of completion of the audit.	Yes		Cliff Frewing
6	s7.9(1)	Was the Auditor's report for the financial year ended 30 June 2017 received by the local government by 31 December 2017.	Yes		Cliff Frewing
7	S7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9(1) of the Act required action to be taken by the local government, was that action undertaken.	N/A		Kim Dolzadelli
8	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A		Kim Dolzadelli
9	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A		Kim Dolzadelli
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Kim Dolzadelli
11	Audit Reg 7	Did the agreement between the local government and its auditor include the	Yes		Kim Dolzadelli

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of  
**Local Government, Sport  
and Cultural Industries**

		scope of the audit.		
12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes	Kim Dolzadelli
13	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes	Kim Dolzadelli
14	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes	Kim Dolzadelli

Integrated Planning and Reporting					
No	Reference	Question	Response	Comments	Respondent
1	s5.56 Admin Reg 19DA (6)	Has the local government adopted a Corporate Business Plan. If Yes, please provide adoption date of the most recent Plan in Comments. This question is optional, answer N/A if you choose not to respond.	Yes	26 July 2017	Sarah Pierson
2	s5.56 Admin Reg 19DA (6)	Has the local government adopted a modification to the most recent Corporate Business Plan. If Yes, please provide adoption date in Comments. This question is optional, answer N/A if you choose not to respond.	No		Sarah Pierson
3	s5.56 Admin Reg 19C (7)	Has the local government adopted a Strategic Community Plan. If Yes, please provide adoption date of the most recent Plan in Comments. This question is optional, answer N/A if you choose not to respond.	Yes	12 April 2017	Sarah Pierson
4	s5.56 Admin Reg 19C (7)	Has the local government adopted a modification to the most recent Strategic Community Plan. If Yes, please provide adoption date in Comments. This question is optional, answer N/A if you choose not to respond.	No	Not since plan was adopted in April 2017	Sarah Pierson
5	S5.56	Has the local government adopted an Asset Management Plan. If Yes, in Comments please provide date of the most recent Plan, plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	No		Sarah Pierson
6	S5.56	Has the local government adopted a Long Term Financial Plan. If Yes, in Comments please provide date of the most recent Plan, plus if adopted or	Yes	26 April 2017	Sarah Pierson

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of  
**Local Government, Sport  
and Cultural Industries**

		endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.			
7	S5.56	Has the local government adopted a Workforce Plan. If Yes, in Comments please provide date of the most recent Plan plus if adopted or endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	Yes	8 November 2017	Sarah Pierson

**Local Government Employees**

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	N/A		Sarah Pierson
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A.	Yes		Sarah Pierson
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	N/A		Sarah Pierson
4	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	N/A		Sarah Pierson
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	Yes		Sarah Pierson

**Official Conduct**

No	Reference	Question	Response	Comments	Respondent
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	Yes		Tony Nottle
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes		Tony Nottle
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		Tony Nottle
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the	Yes		Tony Nottle

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of  
**Local Government, Sport  
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		name of the person who makes the complaint.		
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	N/A	Tony Nottle
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) or (c).	N/A	Tony Nottle

**Tenders for Providing Goods and Services**

No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes	Having analysed the City's supplier payments for the relevant period it appears that, in respect of two suppliers (both expert consultants), tenders had been not invited where the combined consideration under their contract(s) exceeded the consideration stated F&G Reg 11(1). However at the time of entering into the separate contracts with these consultants, the consideration under their contract was not expected to be worth more than the consideration stated in F&G Reg 11(1). For various unexpected (mainly operational) reasons the City had to extend the scope of the projects for which these two consultants had been engaged for. The City had good reason to believe that, due to the nature and extent of these projects, the complexities which eventuated since engaging these consultants and these consultant's intimate involvement with these projects to date, it was in the City's best interest to extend these consultants contracts pursuant to F&G Reg 11(2)(f).	Cobus Botha
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	Yes	The City did not enter into two or more contracts for purposes of avoiding the requirements under F&G Reg 11(1).	Cobus Botha
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice.	Yes	A copy of the Statewide public notice for each	Cobus Botha



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				invitation to tender is included in the City's Tender Register.	
4	F&G Reg 14 & 15	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	Yes	See copies of the Statewide public notices for each invitation to tender in the City's Tender Register.	Cobus Botha
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes	The City has kept record of each person requesting tender documents and each such person (or each acceptable tenderer, as the case may be) had been notified in writing of any variation and where practicable, requested to formally acknowledge receipt of such notice.	Cobus Botha
6	F&G Reg 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Reg 16.	Yes	During the year the City changed from a manual tender submission process to an online submission process. In respect of both these processes all tenders received remained sealed until the tender closing time. Members of the public were at all times allowed to attend tender openings. At all relevant times at least two City employees attended opening of tenders. The names of tenderers were immediately recorded in the City's Tender Register.	Cobus Botha
7	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes	All tenders not submitted at the place and within the time specified in the invitation for tenders, were marked as such and rejected by the City.	Cobus Botha
8	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes	All tenders not rejected were assessed by an evaluation panel by means of a written evaluation of the extent to which it satisfied the criteria for deciding which tender would be the most advantageous to accept.	Cobus Botha
9	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes	See the City's Tender Register	Cobus Botha
10	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes	Except for tenders which are still under evaluation, notices advising particulars of the successful tenders or advising that no tender	Cobus Botha

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				was accepted were sent to each tenderer.	
11	F&G Reg 21 & 22	Did the local governments's advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	Yes	The only preliminary selection process under Reg 21 & 22 for this year was EOI 01-17 Manufacture and Installation of Busselton Foreshore Playspace	Cobus Botha
12	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	Yes	Under EOI 01-17 Manufacture and Installation of Busselton Foreshore Playspace the City rejected two expressions of interest that were not submitted at the place and within the time specified in the notice.	Cobus Botha
13	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	Yes		Cobus Botha
14	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	Yes		Cobus Botha
15	F&G Reg 24AD(2)	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice.	Yes	A copy of the Statewide public notice of each invitation to tender is included in the City's Tender Register.	Cobus Botha
16	F&G Reg 24AD(4) & 24AE	Did the local government's advertising and panel documentation comply with F&G Regs 24AD(4) & 24AE.	Yes	See copies of the Statewide public notices for each invitation to tender in the City's Tender Register.	Cobus Botha
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16 as if the reference in that regulation to a tender were a reference to a panel application.	Yes	All applications to join a panel of pre-qualified suppliers remained sealed until the closing time. Members of the public were at all times allowed to attend openings. At all relevant times at least two City employees attended opening of applications. The names of all applicants who lodged submissions were immediately recorded in the City's Tender Register.	Cobus Botha
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application, notice of the variation.	N/A	The City has not sought to vary any information supplied to the panel.	Cobus Botha
19	F&G Reg 24AH(1)	Did the local government reject the applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time specified in the invitation for	N/A	The City has not received any applications that were not submitted at the place, and within the	Cobus Botha



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		applications.		time specified in the invitation for applications.	
20	F&G Reg 24AH(3)	In relation to the applications that were not rejected, did the local government assess which application(s) to accept and which application(s) were most advantageous to the local government to accept, by means of written evaluation criteria.	Yes	All applications were assessed by means of pre-determined written evaluation criteria	Cobus Botha
21	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers, comply with the requirements of F&G Reg 24AG.	Yes	See the City's Tender Register.	Cobus Botha
22	F&G Reg 24AI	Did the local government send each person who submitted an application, written notice advising if the person's application was accepted and they are to be part of a panel of pre-qualified suppliers, or, that the application was not accepted.	Yes	These notices are recorded in the City's records management system.	Cobus Botha
23	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	N/A	The City has given a regional price preference in relation to a number of tenders in accordance with its existing (previously adopted) Regional Price Preference Policy	Cobus Botha
24	F&G Reg 24F	Did the local government comply with the requirements of F&G Reg 24F in relation to an adopted regional price preference policy.	Yes	The City's existing Regional Price Preference Policy was adopted in accordance with F&G Regs 24E & 24F.	Cobus Botha
25	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150,000 or less.	Yes	The City's Purchasing Policy has been reviewed and up-dated in 2016 in accordance with the changes to the F&G Regs which came into effect on 1 October 2015.	Cobus Botha

I certify this Compliance Audit return has been adopted by Council at its meeting on \_\_\_\_\_

\_\_\_\_\_  
Signed Mayor / President, Busselton\_\_\_\_\_  
Signed CEO, Busselton

10.2 Finance Committee - 15/03/2018 - FINANCIAL ACTIVITY STATEMENTS INCORPORATING BUDGET REVIEW - PERIOD ENDING 28 FEBRUARY 2018

<b>SUBJECT INDEX:</b>	Budget Planning and Reporting
<b>STRATEGIC OBJECTIVE:</b>	Governance systems, process and practices are responsible, ethical and transparent.
<b>BUSINESS UNIT:</b>	Finance and Corporate Services
<b>ACTIVITY UNIT:</b>	Financial Services
<b>REPORTING OFFICER:</b>	Manager Financial Services - Kim Dolzadelli
<b>AUTHORISING OFFICER:</b>	Director Finance and Corporate Services - Tony Nottle
<b>VOTING REQUIREMENT:</b>	Absolute Majority
<b>ATTACHMENTS:</b>	Attachment A <a href="#">FINANCIAL ACTIVITY STATEMENTS INCORPORATING</a> Attachment B <a href="#">INVESTMENT REPORT PERIOD ENDING 28 FEBRUARY 2018</a>

**This item was considered by the Finance Committee at its meeting on 15 March 2018, the recommendations from which have been included in this report.**

**PRÉCIS**

**Financial Activity Statements**

Pursuant to Section 6.4 of the Local Government Act ('the Act') and Regulation 34(4) of the Local Government (Financial Management) Regulations ('the Regulations'), a local government is to prepare, on a monthly basis, a statement of financial activity that reports on the City's financial performance in relation to its adopted/ amended budget.

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the City's financial performance on a year to date basis for the period ending 28 February 2018.

**Review of Budget**

Between January and March in each financial year, a local government is to carry out a review of its annual budget for that year. The Council is required to consider the review submitted to it and determine (by absolute majority) whether or not to adopt the review, any parts of the review or any recommendations made in the review.

**BACKGROUND**

**Financial Activity Statements**

The Regulations detail the form and manner in which financial activity statements are to be presented to the Council on a monthly basis; and are to include the following:

- Annual budget estimates
- Budget estimates to the end of the month in which the statement relates
- Actual amounts of revenue and expenditure to the end of the month in which the statement relates
- Material variances between budget estimates and actual revenue/ expenditure/ (including an explanation of any material variances)
- The net current assets at the end of the month to which the statement relates (including an explanation of the composition of the net current position)

Additionally, and pursuant to Regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year. At its meeting of 26 July 2017, the Council adopted (C1707/163) the following material variance reporting threshold for the 2017/18 financial year:

*“That pursuant to Regulation 34(5) of the Local Government (Financial Management) Regulations, the Council adopts a material variance reporting threshold with respect to financial activity statement reporting for the 2017/18 financial year as follows:*

- *Variances equal to or greater than 10% of the year to date budget amount as detailed in the Income Statement by Nature and Type/ Statement of Financial Activity report, however variances due to timing differences and/or seasonal adjustments are to be reported on a quarterly basis; and*
- *Reporting of variances only applies for amounts greater than \$25,000.”*

### **Review of Budget**

The requirement for a local government to carry out an annual budget review is prescribed via Regulation 33A of the Local Government (Financial Management) Regulations.

Essentially, the purpose of an annual budget review is to ensure that a local government conducts a review of its financial performance at an appropriate time in the financial year such that any significant budget variances can be identified and remedial action instigated as necessary; prior to financial year end.

This report, based on the City’s financial performance for the period ending 28 February 2018, has been compiled to fulfil the statutory reporting requirements of the Local Government Act and associated Regulations in respect of the annual budget review process.

## **STATUTORY ENVIRONMENT**

### **Financial Activity Statements**

Section 6.4 of the Local Government Act and Regulation 34 of the Local Government (Financial Management) Regulations detail the form and manner in which a local government is to prepare financial activity statements.

### **Review of Budget**

#### **33A. Review of budget**

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
  - (a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
  - (b) consider the local government’s financial position as at the date of the review; and
  - (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

\*Absolute majority required.

- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

## **RELEVANT PLANS AND POLICIES**

Not applicable.

## **FINANCIAL IMPLICATIONS**

Any financial implications are detailed within the context of this report.

### **Long-term Financial Plan Implications**

Any financial implications are detailed within the context of this report.

## **STRATEGIC COMMUNITY OBJECTIVES**

This matter principally aligns with Key Goal Area 6 – ‘Open and Collaborative Leadership’ and more specifically Community Objective 6.1 - ‘Governance systems, process and practices are responsible, ethical and transparent’. The achievement of the above is underpinned by the Council strategy to ‘ensure the long term financial sustainability of Council through effective financial management’.

## **RISK ASSESSMENT**

Risk assessments have been previously completed in relation to a number of ‘higher level’ financial matters, including timely and accurate financial reporting to enable the Council to make fully informed financial decisions. The completion of the monthly Financial Activity Statement report is a control that assists in addressing this risk.

## **CONSULTATION**

Not applicable

## **OFFICER COMMENT**

In order to fulfil statutory reporting requirements, and to provide the Council with a synopsis of the City’s overall financial performance on a full year basis, the following financial reports are attached hereto:

- Statement of Financial Activity

This report provides details of the City’s operating revenues and expenditures on a year to date basis, by nature and type (i.e. description). The report has been further extrapolated to include details of non-cash adjustments and capital revenues and expenditures, to identify the City’s net current position; which reconciles with that reflected in the associated Net Current Position report.

- Net Current Position

This report provides details of the composition of the net current asset position on a full year basis, and reconciles with the net current position as per the Statement of Financial Activity.

- Capital Acquisition Report

This report provides full year budget performance (by line item) in respect of the following capital expenditure activities:

- Land and Buildings
- Plant and Equipment

- Furniture and Equipment
- Infrastructure

▪ Reserve Movements Report

This report provides summary details of transfers to and from reserve funds, and also associated interest earnings on reserve funds, on a full year basis.

Additional reports and/or charts are also provided as required to further supplement the information comprised within the statutory financial reports.

### COMMENTS ON FINANCIAL ACTIVITY TO 28 February 2018

The Statement of Financial Activity for the period ending 28 February 2018 shows a better than expected Net Current Position (Surplus) of \$12.43M being \$12.14M more than Year to Date Budget.

The following summarises the major variances in accordance with *Council's adopted material variance reporting threshold* that collectively make up the above difference:

Description	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Amended Budget	2017/18 YTD Bud Variance	2017/18 YTD Bud Variance
	\$	\$	\$	%	\$
<b>Revenue from Ordinary Activities</b>	61,839,705	61,166,898	66,421,049	1.10%	672,807
<b>Expenses from Ordinary Activities</b>	(44,408,843)	(46,664,069)	(68,754,825)	4.83%	2,255,226
<b>Non-Operating Grants, Subsidies and Contributions</b>	8,054,150	17,527,484	43,655,339	-54.05%	(9,473,334)
<b>Profit on Asset Disposals</b>	48,793	16,100	22,400	203.06%	32,693
<b>Loss on Asset Disposals</b>	(491,549)	(5,250)	(6,252)	-9262.84%	(486,299)
<b>Capital Revenue &amp; (Expenditure)</b>					
Land & Buildings	(3,569,057)	(12,945,284)	(16,556,693)	72.43%	9,376,227
Plant & Equipment	(1,141,827)	(2,758,236)	(4,279,400)	58.60%	1,616,409
Furniture & Equipment	(381,959)	(665,982)	(830,212)	42.65%	284,023
Infrastructure	(25,242,797)	(38,233,968)	(60,684,321)	33.98%	12,991,171
Proceeds from Sale of Assets	283,593	372,850	635,150	-23.94%	(89,257)
Proceeds from New Loans	110,000	10,110,000	10,110,000	-98.91%	(10,000,000)
Advances to Community Groups	(110,000)	(260,000)	(260,000)	57.69%	150,000
Transfer to Restricted Assets	(1,850,761)	(411,501)	(625,751)	-349.76%	(1,439,260)
Transfer from Restricted Assets	13,199,259	11,354,556	27,808,739	16.25%	1,844,703
Transfer to Reserves	(9,243,826)	(11,543,652)	(16,285,572)	19.92%	2,299,826
Transfer from Reserves	2,055,406	1,146,659	19,921,964	79.25%	908,747

**Operating Revenue:**

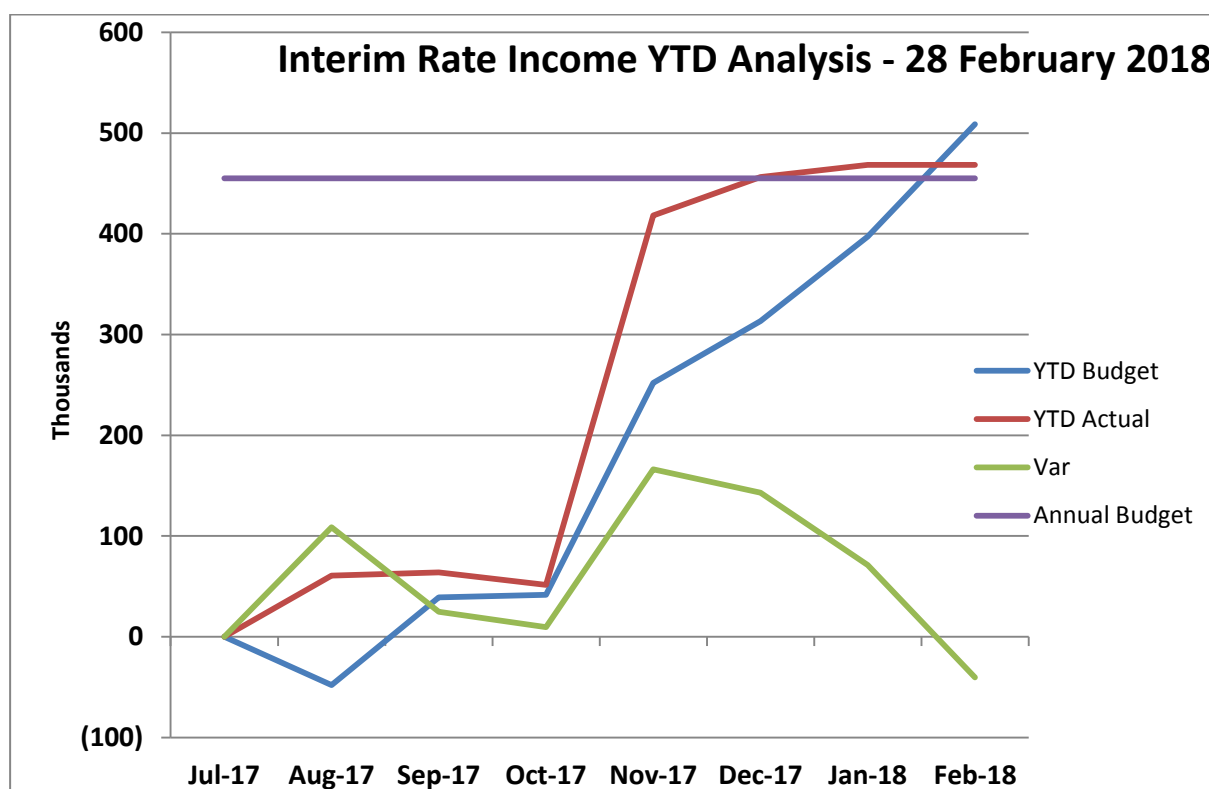
Revenue from ordinary activities is \$672K more than expected when compared to Year to Date (YTD) Budget with the following items meeting the material variance reporting threshold set by Council for the 2017/2018 Financial Year.

Description	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Amended Budget	2017/18 YTD Bud Variance	2017/18 YTD Bud Variance
	\$	\$	\$	%	\$
<b>Revenue from Ordinary Activities</b>					
Other Revenue	342,103	274,573	426,167	24.59%	<b>67,530</b>
Interest Earnings	1,805,563	1,508,664	2,262,996	19.68%	<b>296,899</b>

The items predominately impacting the above "Other Revenue" performance is CLAG (Contiguous Local Authority Group) Funding in the amount of \$48K, this item is to be transferred to Trust and Sale of Scrap Materials \$44K.

Interest earnings on Reserves and Restricted funds are currently ahead of YTD Budget in the amount of \$234k with \$84k in Rate Instalment interest currently ahead of YTD Budget, this second item is a timing difference only and it is also expect that Interest earnings on Reserves and Restricted funds will reduce in the coming months as funds are further drawn down to finance Capital projects contained within the City's 2017/2018 Budget.

The Officer notes that the above positive performance of "Other Revenue" and "Interest Earnings" is added to by a positive collective performance of \$308k for Rates, Operating Grants and Subsidies, and Fees and Charges; these items fall below the Material Variance reporting thresholds. The above variations are considered to be that of a timing difference at this stage of the Budget Year with the exception of Rate Revenue which is expected to be a permanent variation. This permanent variation is expected to be in the vicinity of \$300k.



*In summary, net operating revenue is projected to be slightly higher than the annual budget estimates with a projected favourable variance of approximately \$350K.*

#### Operating Expenditure:

Expenditure from ordinary activities is \$2.25M less than expected when compared to Year to Date (YTD) Budget with the following items meeting the material variance reporting threshold set by Council for the 2017/2018 Financial Year.

Description	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Amended Budget	2017/18 YTD Bud Variance	2017/18 YTD Bud Variance
	\$	\$	\$	%	\$
<b>Expenses from Ordinary Activities</b>					
Materials & Contracts	(9,630,094)	(11,292,985)	(16,914,999)	14.72%	<b>1,662,891</b>
Utilities (Gas, Electricity, Water etc)	(1,595,705)	(1,721,053)	(2,580,822)	7.28%	<b>125,348</b>
Allocations	1,057,434	1,193,962	1,996,270	11.43%	<b>(136,528)</b>

**Materials and Contracts:**

The main items affected are listed below, at this stage the majority of these variances are considered to be that of a timing nature with an expectation that there will be offsets for under and over expenditure items resulting in a better than expected result at year end:

Cost Code	Cost Code Description / GL Activity	YTD Variance
<b><u>Finance and Corporate Services</u></b>		
10251	Business Systems	164,791
<b>Subtotal</b>		<b>164,791</b>
<b><u>Community and Commercial Services</u></b>		
10591	Geographe Leisure Centre	64,189
10600	Busselton Jetty Tourist Park	59,421
10635	Regional Centres Program	80,000
10900	Cultural Planning	30,531
11151	Airport Operations	(35,987)
<b>Subtotal</b>		<b>198,153</b>
<b><u>Planning and Development Services</u></b>		
10820	Strategic Planning	122,224
10830	Environmental Management Administration	59,007
10850	Implement Management Plans Other	31,222
10925	Preventative Services - CLAG	63,996
11170	Meelup Regional Park	72,530
<b>Subtotal</b>		<b>348,979</b>
<b><u>Engineering and Works Services</u></b>		
11101	Engineering Services Administration	78,727
11106	Street Lighting Installations	94,826
11108	Rural Intersection (Lighting) Compliance	30,000
11160	Busselton Jetty	372,101
12600	Street & Drain Cleaning	27,419
A6004	Pedestrian Bridge (Port Geographe)	60,000
A9999	Miscellaneous Bridge Maintenance	85,615
B1000	Administration Building- 2-16 Southern Drive	(46,861)
B1450	Depot Building-Busselton	(33,035)
B1514	Asbestos Removal & Replacement	50,000
C8500	Cycleways Maintenance Busselton	(29,192)
G0010	Domestic Recycling Collections	117,984
G0030	Busselton Transfer Station	62,102
G0031	Dunsborough Waste Facility	25,266
G0032	Rubbish Sites Development	62,534
G0042	BTS External Restoration Works	148,474
M9999	Road Maintenance - consolidated	(148,219)
R0004	Bsn Foreshore Precinct (not including Skate Park)	(117,972)
R0008	Dunn Bay Road-Surrounds	(26,633)
R0269	Seymour Park (Dunn Bay/Lorna St Pos)	(28,877)
R0700	Dunsborough Oval and Skate Park	(49,268)
R0850	Streetscape Medians & Trees (Kealy)	(40,261)
<b>Subtotal</b>		<b>694,731</b>



5280	Transport - Fleet Management	121,790
<b>Subtotal</b>		<b>121,790</b>

399 Cost Codes under Reporting Threshold	134,446
<b>Subtotal</b>	<b>134,446</b>

<b>Total</b>	<b>1,662,891</b>
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**Utilities:**

With over 364 individual accounts at a better than expected result of \$1.59M, a favourable position of \$125K is considered likely to be a timing difference at this stage of the reporting year with the one exception being the City's Administration Building which is currently tracking \$37k below YTD Budget; the officer further notes that no account has yet been received for the month of February which for this facility which would see this variance reduced to \$29k. The officer further notes that whilst utilities for the City Administration Building are tracking below expectation savings on this cost will be need to offset other costs related to the facility, specifically contract cleaning.

**Allocations:**

Allocations are running \$136k under YTD Budget; these items are an internal allocation of administrative costs from the Finance and Corporate Services division and will not impact on the City's final surplus/deficit position.

The Officer notes that the above positive performance of "Materials and Contracts" and "Utilities" is added to by a positive collective performance of "Employee Costs" and "Insurance Expenses"; these items fall below the Material Variance reporting thresholds.

***In summary, net operating expenditure is projected to be slightly lower than the annual budget estimates with a projected favourable variance of approximately \$400K.***

**Non-Operating Grants, Subsidies and Contributions:**

Non-Operating Grants, Subsidies and Contributions are less than YTD Budget by \$9.47M with the main item impacting on the above result is the timing of the receipt of "Airport Development - Project Grant" with a current negative result of \$8.44M with the remainder being represented by Road Project Grants; this is a timing difference in nature only and is offset with the level of current expenditure for these projects.

**Capital Expenditure**

As at 28 February 2018, there is a variance of -44.44% or -\$24.27M in total capital expenditure with YTD Actual at -\$30.35M against a YTD Budget of -\$54.6M; with the table below showing those categories exceeding the 10% material variance threshold. The Airport Development makes up for \$11.31M or 46.6% of the overall variance which also assists in explaining the above current YTD shortfall in Non-Operating Grants.

Description	2017/18 Budget YTD Variance
	\$
<b>Land</b>	
Property Services Administration	(50,000)
Parking Control	(1,525,000)
Dunsborough - Commonage Road Oval	(1,600,000)
<b>Total</b>	<b>(3,175,000)</b>
<b>Buildings</b>	
<b>Major Project - Administration Building</b>	
Civic and Administration Centre Construction	(159,783)
<b>Total</b>	<b>(159,783)</b>
<b>Buildings (Other)</b>	
Ambergate Bushfire Brigade Shed	(82,208)
Aged Housing Capital Improvements - Winderlup Court (City)	(26,664)
GLC - Pool Relining	(159,785)
GLC - Plant Room	(70,915)
Performing Arts Convention Centre	(50,000)
Vasse Community Recreation Precinct	31,451
Airport Terminal Stage 2	(5,550,501)
Bsn Jetty Tourist Park Home	(127,186)
<b>Total</b>	<b>(6,035,807)</b>
<b>Plant &amp; Equipment</b>	
Finance & Corporate Services Support	49,161
Community & Commercial Services Support	(50,000)
Geographe Leisure Centre	36,308
Property Services Administration	(35,000)
Animal Control	(60,872)
Engineering Services Design	(35,000)
Transport - Workshop	(43,278)
Plant Purchases (P10)	(1,313,344)
Plant Purchases (P11)	(73,812)
Plant Purchases (P12)	(89,497)
<b>Total</b>	<b>(1,615,334)</b>
<b>Furniture &amp; Office Equipment</b>	
Information & Communication Technology Services	35,203
Business Systems	(98,262)
Administration Building- 2-16 Southern Drive	(83,250)
YCAB (Youth Precinct Foreshore)	(37,909)
<b>Total</b>	<b>(184,218)</b>

Description	2017/18 Budget YTD Variance
	\$
<b>Major Project - Busselton Foreshore</b>	
Busselton Foreshore - Stage 3	826,186
Busselton Tennis Club - Infrastructure	(1,717,841)
Busselton Foreshore Stage 3: Toddler's Playground	(96,899)
Busselton Foreshore Jetty Precinct	(301,471)
Barnard Park Pavillion Landscaping	60,235
<b>Total</b>	<b>(1,229,790)</b>
<b>Major Project - Administration Building</b>	
Administration Building Carpark	(100,995)
<b>Total</b>	<b>(100,995)</b>
<b>Footpaths Construction</b>	
Bussell Highway Footpath Sections	(259,880)
Milward Street – Ford Road to Cookworthy Street	(37,023)
Armitage Drive Footpath - Navigation Way to Avocet Boulevard	(30,083)
Vasse Bypass Road Footpath	(41,564)
<b>Total</b>	<b>(368,550)</b>
<b>Drainage Construction - Street</b>	
Vasse Highway Drainage Works	25,593
Chain Avenue - Drainage Works	(35,703)
Johnston Avenue Drainage Upgrade - Stage 2	(44,000)
<b>Total</b>	<b>(54,110)</b>
<b>Bridges Construction</b>	
Queen Street Bridge 0240A	96,000
<b>Total</b>	<b>96,000</b>
<b>Cycleways Construction</b>	
Busselton Bypass - Country Road Footpath	(144,170)
College Avenue Shared Path	(65,800)
<b>Total</b>	<b>(209,970)</b>
<b>Townscape Construction</b>	
Queen Street Upgrade - Duchess to Kent Street	(81,114)
Dunsborough Road Access Improvements Stage 1	(384,602)
<b>Total</b>	<b>(465,716)</b>
<b>Boat Ramps Construction</b>	
Port Geographe Boat Trailer Parking Layout Redevelopment	(96,551)
<b>Total</b>	<b>(96,551)</b>

Description	2017/18 Budget YTD Variance
	\$
<b><u>Beach Restoration</u></b>	
Sand Re-Nourishment	41,776
<b>Total</b>	<b>41,776</b>
<b><u>Parks, Gardens &amp; Reserves</u></b>	
Rails to Trails	(93,760)
Elijah Circle POS	(26,644)
Vasse Community & Recreation Precinct - AFL Oval Stage 1	(29,285)
Dunsborough Town Centre	(59,149)
Administration Building Landscaping Works	224,235
Port Geographe - Burgee Close (Western Side of Bridge)	(62,971)
Port Geographe - Reticulated POS at Layman Rd R/About	(166,229)
Port Geographe - Reticulation Upgrade Scheme to Bore Water	(223,908)
Foreshore - Irrigation Renewal	(40,292)
Vasse River Foreshore - Bridge to Bridge project Stage 1	(48,034)
Advanced Bore Monitoring Equipment	(66,664)
Vasse Newtown - AFL Oval Stage 2	64,108
<b>Total</b>	<b>(528,592)</b>
<b><u>Sanitation Infrastructure</u></b>	
New Cell Development	(345,815)
Transfer Station Development	(32,504)
Site Rehabilitation - Busselton	(452,141)
<b>Total</b>	<b>(830,460)</b>
<b><u>Airport Development</u></b>	
Airport Construction Stage 2, Landside Civils & Services Inf	(4,184,987)
Airport Construction Stage 2, Noise Management Plan	(220,395)
Airport Construction Stage 2, Airfield	308,870
Airport Construction Stage 2, External Services	(1,576,566)
Airport Construction Stage 1B, Jet Fuel	(410,000)
Airport Development - Project Expenses	(205,865)
<b>Total</b>	<b>(6,288,943)</b>
<b><u>Main Roads</u></b>	
Strelly Street	(334,154)
Layman Road	84,968
Peel Terrace	(688,566)
Queen Street	(141,236)
Layman Road - Reconstruction Between 3250 and 6190	(341,549)
Georgiana Molloy Bus Bay Facilities	(199,610)
Koorabin Drive - Reseal	(166,839)
<b>Total</b>	<b>(1,786,984)</b>

Description	2017/18 Budget YTD Variance
	\$
<b><u>Roads to Recovery</u></b>	
Patton Terrace - Asphalt Overlay	(167,988)
Craig Street - Asphalt Overlay	80,351
<b>Total</b>	<b>(87,637)</b>
<b><u>Council Roads Initiative</u></b>	
Marine Terrace	(325,985)
Yelverton Road	(364,697)
Edwards Road	(102,562)
Signage (Alternate CBD Entry)	(37,605)
Strelly Street	(39,789)
Valley Road	(31,224)
Greenfield Road (Loop) - One way layout	(36,436)
<b>Total</b>	<b>(938,298)</b>

The attachments to this report include detailed listings of the following capital expenditure (project) items, to assist in reviewing specific variances.

The majority of capital expenditure variances are considered to be timing at this time, with no impact expected against the net current position.

***In summary, net Capital Expenditure is not projected to have any material impact on the City's project surplus/deficit position when Carryover of projects occurs at year end if/where required.***

#### **Investment Report**

*Pursuant to the Council's Investment Policy, a report is to be provided to the Council on a monthly basis, detailing the investment portfolio in terms of performance and counterparty percentage exposure of total portfolio. The report is also to provide details of investment income earned against budget, whilst confirming compliance of the portfolio with legislative and policy limits.*

As at 28 February 2018, the value of the City's invested funds totalled \$82.99M, down from \$83.69M as at 31<sup>st</sup> January.

During the month of February seven term deposits held with 5 different institutions totalling \$20.5M matured, with \$7.00M relating to the Airport Redevelopment Project and \$13.5M being general City funds.

Of the \$13.5M of general City funds, \$13.5M was rolled for a further 96 days at 2.39% (on average).

Of the \$7.00M of Airport Redevelopment Project funds, \$7.00M was rolled for a further 59 days at 2.06% (on average). The need to keep the term of the deposit to only 2 months to meet expected expenditure timelines affected the rate of return able to be achieved.

The balance of the 11am account (an intermediary account which offers immediate access to the funds compared to the term deposits and a higher rate of return compared to the cheque account) increased by \$0.75M due to the inflow of rate and grant funding. The balance of the Airport Development ANZ cash account decreased by \$1.45M, with funds being drawn down to meet ongoing expenditure.

The RBA left official rates on hold during January and February with projections for Rates to remain steady for some months before beginning to rise possibly at some stage late in 2018.

#### **Chief Executive Officer – Corporate Credit Card**

Details of monthly (February) transactions made on the Chief Executive Officer's corporate credit card are provided below to ensure there is appropriate oversight and awareness of credit card transactions made.

Date	Amount	Payee	Description
02-Feb-18	\$583.62	Travel Insurance	* Travel Insurance (M Archer & K Sullivan)
06-Feb-18	\$143.30	Trybooking	* LGCOG Dinner
10-Feb-18	\$87.00	Newtown Lodge Vasse	Sugito Dinner
15-Feb-18	\$11.00	Dradgin Pty Ltd Perth	Parking - Airport Meeting

*\*Funds debited against CEO Annual Professional Development Allowance as per employment Contract Agreement*

*+ Allocated against CEO Hospitality Expenses Allowance*

#### **CONCLUSION**

As detailed within this report, it is considered that the City's overall financial performance to 28 February 2018 is satisfactory. Current projections indicate a potential surplus closing position as at 30 June 2018, in the order of approximately +\$750k (exclusive of carry forwards). The Annual Budget Review has not identified any specific adverse financial trends, for which remedial action is required to be instigated prior to financial year end. The projected surplus closing position is primarily due to operating expenditure savings.

As this report also identifies, it is projected that overall capital expenditure will fall well short of annual budget estimates, with this primarily attributable to the Airport Development project. However, as individual projects are essentially fully funded in one form or another, a corresponding short fall in capital revenue will also be evident as at 30 June 2018.

Whilst components of the unspent capital and operating expenditure budgets may need to be considered for re-listing in the Council's 2018/19 draft budget, the current projected surplus closing position of \$750K represents net underspends directly associated with the current financial year's financial performance.

It is noted that the potential surplus closing position at financial year end, including consideration of utilisation, or quarantining of these funds, be will be fully considered as part of the Council's 2018/19 draft budget deliberations.

#### **OPTIONS**

The Finance Committee/ Council may determine that additional recommendations are required to be made, or alternatively that the Annual Budget Review not be adopted by the Council at this time, pending clarification of any further matters.

**COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION 1**

That the Council receives the statutory financial activity statement reports for the period ending 28 February 2018, pursuant to Regulation 34(4) of the Local Government (Financial Management) Regulations.

**COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION 2****ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED**

That, pursuant to Regulation 33A of the Local Government (Financial Management) Regulations, the Council adopts the 2017/18 Annual Budget Review as presented within this report.

**City of Busselton****Statement of Financial Activity****For The Period Ending 28 February 2018**

	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Original Budget YTD	2017/2018 Amended Budget	2017/2018 Original Budget	2017/18 YTD Bud (A) Variance
	\$	\$	\$	\$	\$	%
<b>Revenue from Ordinary Activities</b>						
Rates	44,923,117	44,934,242	44,875,732	44,919,351	44,860,841	-0.02%
Operating Grants, Subsidies and Contributions	2,269,441	2,248,479	2,094,128	3,637,258	3,454,904	0.93%
Fees & Charges	12,499,481	12,200,940	12,200,940	15,175,277	15,175,277	2.45%
Other Revenue	342,103	274,573	252,244	426,167	403,838	24.59%
Interest Earnings	1,805,563	1,508,664	1,508,664	2,262,996	2,262,996	19.68%
	<b>61,839,705</b>	<b>61,166,898</b>	<b>60,931,708</b>	<b>66,421,049</b>	<b>66,157,856</b>	<b>1.10%</b>
<b>Expenses from Ordinary Activities</b>						
Employee Costs	(19,403,837)	(20,282,323)	(20,223,177)	(29,324,525)	(29,186,308)	4.33%
Materials & Contracts	(9,630,094)	(11,292,985)	(11,180,389)	(16,914,999)	(16,639,971)	14.72%
Utilities (Gas, Electricity, Water etc)	(1,595,705)	(1,721,053)	(1,721,053)	(2,580,822)	(2,580,822)	7.28%
Depreciation on non current assets	(12,308,826)	(12,041,260)	(12,041,260)	(18,003,380)	(18,003,380)	-2.22%
Insurance Expenses	(651,943)	(654,393)	(654,393)	(655,677)	(655,677)	0.37%
Other Expenditure	(1,875,872)	(1,866,017)	(1,879,024)	(3,271,692)	(3,464,535)	-0.53%
Allocations	1,057,434	1,193,962	1,193,962	1,996,270	1,996,270	11.43%
	<b>(44,408,843)</b>	<b>(46,664,069)</b>	<b>(46,505,334)</b>	<b>(68,754,825)</b>	<b>(68,534,423)</b>	<b>4.83%</b>
<b>Borrowings Cost Expense</b>						
Interest Expenses	(634,398)	(622,399)	(622,399)	(1,410,971)	(1,410,971)	-1.93%
	<b>(634,398)</b>	<b>(622,399)</b>	<b>(622,399)</b>	<b>(1,410,971)</b>	<b>(1,410,971)</b>	<b>-1.93%</b>
Non-Operating Grants, Subsidies and Contributions	8,054,150	17,527,484	17,571,408	43,655,339	42,079,630	-54.05%
Profit on Asset Disposals	48,793	16,100	16,100	22,400	22,400	203.06%
Loss on Asset Disposals	(491,549)	(5,250)	(5,250)	(6,252)	(6,252)	-9262.84%
	<b>7,611,394</b>	<b>17,538,334</b>	<b>17,582,258</b>	<b>43,671,487</b>	<b>42,095,778</b>	<b>-56.60%</b>
<b>Net Result</b>	<b>24,407,858</b>	<b>31,418,764</b>	<b>31,386,233</b>	<b>39,926,740</b>	<b>38,308,240</b>	<b>-22.31%</b>
<b>Adjustments for Non-cash Revenue &amp; Expenditure</b>						
Depreciation	12,308,826	12,041,260	12,041,260	18,003,380	18,003,380	
Donated Assets	(807,007)	0	0	(16,000,000)	(16,000,000)	
(Profit)/Loss on Sale of Assets	442,756	(10,850)	(10,850)	(16,148)	(16,148)	
Allocations & Other Adjustments	19	0	0	0	0	
Deferred Pensioner Movements	(18,441)	0	0	0	0	
Recording of Employee Entitlements (Provisions)	0	0	0	0	0	
Deposit & Bonds Movements (cash backed)	1,371,445	0	0	0	0	
<b>Capital Revenue &amp; (Expenditure)</b>						
Land & Buildings	(3,569,057)	(12,945,284)	(12,920,284)	(16,556,693)	(16,531,693)	72.43%
Plant & Equipment	(1,141,827)	(2,758,236)	(2,758,236)	(4,279,400)	(4,029,400)	58.60%
Furniture & Equipment	(381,959)	(665,982)	(665,982)	(830,212)	(830,212)	42.65%
Infrastructure	(25,242,797)	(38,233,968)	(38,401,026)	(60,684,321)	(59,905,821)	33.98%
Proceeds from Sale of Assets	283,593	372,850	372,850	635,150	635,150	-23.94%
Proceeds from New Loans	110,000	10,110,000	11,110,000	10,110,000	11,110,000	-98.91%
Self Supporting Loans - Repayment of Principal	29,872	29,113	29,113	73,466	73,466	2.61%
Total Loan Repayments - Principal	(1,251,796)	(1,194,084)	(1,194,084)	(2,780,982)	(2,780,982)	-4.83%
Advances to Community Groups	(110,000)	(260,000)	(260,000)	(260,000)	(260,000)	57.69%
Transfer to Restricted Assets	(1,850,761)	(411,501)	(411,501)	(625,751)	(625,751)	-349.76%
Transfer from Restricted Assets	13,199,259	11,354,556	11,354,556	27,808,739	27,808,739	16.25%
Transfer to Reserves	(9,243,826)	(11,543,652)	(11,543,652)	(16,285,572)	(16,285,572)	19.92%
Transfer from Reserves	2,055,406	1,146,659	1,146,659	19,921,964	19,486,964	79.25%
Opening Funds Surplus/ (Deficit)	1,839,640	1,839,640	1,839,640	1,839,640	1,839,640	
<b>Net Current Position - Surplus / (Deficit)</b>	<b>12,431,204</b>	<b>289,285</b>	<b>1,114,696</b>	<b>0.00</b>	<b>0.00</b>	



**City of Busselton**

**Net Current Position**

**For The Period Ending 28 February 2018**

	2017/18 Actual	2017/18 Amended Budget	2017/18 Original Budget	2016/17 Actual
	\$	\$	\$	\$
<b><u>NET CURRENT ASSETS</u></b>				
<b><u>CURRENT ASSETS</u></b>				
Cash - Unrestricted	6,415,422	1,025,543	1,025,543	4,815,096
Cash - Restricted	80,491,203	53,828,018	54,263,018	81,774,380
Sundry Debtors	846,027	1,500,000	1,500,000	2,872,111
Rates Outstanding - General	7,818,736	950,000	950,000	950,768
Stock on Hand	16,543	24,457	24,457	24,457
	<u>95,587,931</u>	<u>57,328,018</u>	<u>57,763,018</u>	<u>90,436,812</u>
<b><u>LESS: CURRENT LIABILITIES</u></b>				
Bank Overdraft	0	0	0	0
Sundry Creditors	2,665,524	3,500,000	3,500,000	6,822,792
Performance Bonds	3,585,625	2,214,179	2,214,179	2,214,179
	<u>6,251,149</u>	<u>5,714,179</u>	<u>5,714,179</u>	<u>9,036,971</u>
Current Position (inclusive of Restricted Funds)	89,336,782	51,613,839	52,048,839	81,399,841
Add: Cash Backed Liabilities (Deposits & Bonds)	3,585,625	2,214,179	2,214,179	2,214,179
Less: Cash - Restricted Funds	(80,491,203 )	(53,828,018 )	(54,263,018 )	(81,774,380 )
<b>NET CURRENT ASSET POSITION</b>	<u><b>12,431,204</b></u>	<u><b>0</b></u>	<u><b>0</b></u>	<u><b>1,839,640</b></u>

City of BusseltonCapital Acquisition ReportProperty, Plant & Equipment, InfrastructureFor the Period Ended 28 February 2018

Description	2017/18 Actual	2017/18 Amended Budget YTD	2017/18 Original Budget YTD	2017/18 Amended Budget	2017/18 Original Budget	2017/18 Budget YTD Variance
	\$	\$	\$	\$	\$	%
<b>&gt;&gt; Property, Plant &amp; Equipment</b>						
<b>Land</b>						
10610 Property Services Administration	0	50,000	50,000	100,000	100,000	-100.00%
10970 Parking Control	0	1,525,000	1,525,000	1,525,000	1,525,000	-100.00%
11156 Airport Development	112,540	100,000	100,000	100,000	100,000	12.54%
R0780 Dunsborough - Commonage Road Oval	0	1,600,000	1,600,000	1,600,000	1,600,000	-100.00%
	112,540	3,275,000	3,275,000	3,325,000	3,325,000	-96.56%
<b>Buildings</b>						
<b>Major Projects</b>						
<b>Major Project - Busselton Foreshore</b>						
B9570 Foreshore East-Youth Precinct Community Youth Building/SLSC	1,336,531	1,351,078	1,351,078	1,351,078	1,351,078	-1.08%
B9583 Railway House	692	13,336	13,336	20,000	20,000	-94.81%
B9593 Barnard Park Pavilion	348,899	350,969	350,969	350,969	350,969	-0.59%
B9600 Old Busselton Lighthouse	0	0	0	80,000	80,000	0.00%
B9603 Community Youth Building (Non-grant Funded)	13,784	0	0	0	0	0.00%
	1,699,907	1,715,383	1,715,383	1,802,047	1,802,047	-0.90%
<b>Major Project - Administration Building</b>						
B9010 Civic and Administration Centre Construction	947,474	1,107,257	1,107,257	1,140,537	1,140,537	-14.43%
	947,474	1,107,257	1,107,257	1,140,537	1,140,537	-14.43%
<b>Buildings (Other)</b>						
B9112 Ambergate Bushfire Brigade Shed	0	82,208	82,208	123,307	123,307	-100.00%
B9300 Aged Housing Capital Improvements - Winderup	0	22,000	22,000	33,000	33,000	-100.00%
B9301 Aged Housing Capital Improvements - Harris Road	43,565	36,000	11,000	47,000	22,000	21.01%
B9302 Aged Housing Capital Improvements - Winderup Court (City)	0	26,664	26,664	40,000	40,000	-100.00%
B9517 GLC - Pool Relining	220,309	380,094	380,094	570,000	570,000	-42.04%
B9528 GLC - Plant Room	15,891	86,806	86,806	130,000	130,000	-81.69%
B9591 Performing Arts Convention Centre	0	50,000	50,000	100,000	100,000	-100.00%
B9594 Vasse Community Recreation Precinct	64,787	33,336	33,336	50,000	50,000	94.35%
B9602 Point Piquet Toilet Block	4,390	0	0	0	0	0.00%
B9716 Airport Terminal Stage 2	449,499	6,000,000	6,000,000	9,000,000	9,000,000	-92.51%
B9804 Bsn Jetty Tourist Park Home	3,350	130,536	130,536	195,802	195,802	-97.43%
B9807 Bsn Jetty Tourist Park Building Air Conditioners	7,345	0	0	0	0	0.00%
	809,137	6,847,644	6,822,644	10,289,109	10,264,109	-88.18%
<b>Total Buildings</b>	<b>3,456,517</b>	<b>9,670,284</b>	<b>9,645,284</b>	<b>13,231,693</b>	<b>13,206,693</b>	<b>-64.26%</b>
<b>Plant &amp; Equipment</b>						
10100 Finance & Corporate Services Support	49,161	0	0	0	0	0.00%
10502 Community & Commercial Services Support	0	50,000	50,000	50,000	50,000	-100.00%
10591 Geopraphe Leisure Centre	36,308	0	0	0	0	0.00%
10600 Busselton Jetty Tourist Park	10,970	0	0	0	0	0.00%
10610 Property Services Administration	0	35,000	35,000	35,000	35,000	-100.00%
10630 Property and Business Development	38,724	40,000	40,000	40,000	40,000	-3.19%
10810 Statutory Planning	65,113	70,000	70,000	70,000	70,000	-6.98%
10850 Implement Management Plans Other	935	0	0	0	0	0.00%
10920 Environmental Health Services Administration	32,133	35,000	35,000	37,000	37,000	-8.19%
10922 Preventative Services - Mosquitoes	40,188	39,336	39,336	39,500	39,500	2.16%
10950 Animal Control	18,728	79,600	79,600	79,600	79,600	-76.47%
11107 Engineering Services Design	0	35,000	35,000	35,000	35,000	-100.00%
11170 Meelup Regional Park	1,981	0	0	0	0	0.00%
11401 Transport - Workshop	4,722	48,000	48,000	53,000	53,000	-90.16%
11402 Plant Purchases (P10)	531,956	1,845,300	1,845,300	2,095,300	1,845,300	-71.17%
11403 Plant Purchases (P11)	111,188	185,000	185,000	328,000	328,000	-39.90%
11404 Plant Purchases (P12)	196,503	286,000	286,000	1,402,000	1,402,000	-31.29%
B1023 Vasse Bushfire Brigade	0	0	0	0	0	0.00%
B1029 Busselton Branch SES	0	0	0	0	0	0.00%
G0030 Busselton Transfer Station	0	3,336	3,336	5,000	5,000	-100.00%
G0031 Dunsborough Waste Facility	3,218	6,664	6,664	10,000	10,000	-51.71%
	1,141,827	2,758,236	2,758,236	4,279,400	4,029,400	-58.60%

City of BusseltonCapital Acquisition ReportProperty, Plant & Equipment, InfrastructureFor the Period Ended 28 February 2018

Description	2017/18 Actual	2017/18 Amended Budget YTD	2017/18 Original Budget YTD	2017/18 Amended Budget	2017/18 Original Budget	2017/18 Budget YTD Variance
<b>Furniture &amp; Office Equipment</b>						
10250 Information & Communication Technology Services	104,059	68,856	68,856	103,276	103,276	51.13%
10251 Business Systems	80,666	178,928	178,928	268,400	268,400	-54.92%
10380 Busselton Library	0	5,000	5,000	5,000	5,000	-100.00%
10381 Dunsborough Library	0	16,088	16,088	24,130	24,130	-100.00%
10530 Community Services Administration	6,276	0	0	0	0	0.00%
10590 Naturaliste Community Centre	0	15,720	15,720	15,720	15,720	-100.00%
10591 Geopraphe Leisure Centre	6,169	28,360	28,360	42,540	42,540	-78.25%
10616 Winderup Villas Aged Housing	0	3,000	3,000	6,000	6,000	-100.00%
10617 Harris Road Aged Housing	850	1,750	1,750	3,500	3,500	-51.45%
10625 Art Geo Administration	13,676	12,000	12,000	12,000	12,000	13.97%
10900 Cultural Planning	65,000	67,000	67,000	77,030	77,030	-2.99%
10920 Environmental Health Services Administration	6,574	6,664	6,664	10,000	10,000	-1.36%
10930 Fire Prevention Council	2,332	0	0	0	0	0.00%
11500 Operations Services Administration	3,187	0	0	0	0	0.00%
B1000 Administration Building- 2-16 Southern Drive	27,750	111,000	111,000	111,000	111,000	-75.00%
B1010 Ambergate Bushfire Brigade	0	2,464	2,464	2,464	2,464	-100.00%
B1013 Dunsborough Bushfire Brigade	0	4,833	4,833	4,833	4,833	-100.00%
B1014 Eagle Bay Bushfire Brigade	0	4,833	4,833	4,833	4,833	-100.00%
B1015 Hithergreen District Bushfire Brigade	0	4,833	4,833	4,833	4,833	-100.00%
B1018 Kaloorup Bushfire Brigade	0	2,464	2,464	2,464	2,464	-100.00%
B1019 Metricup Bushfire Brigade	0	2,464	2,464	2,464	2,464	-100.00%
B1022 Sussex Bushfire Brigade	0	2,464	2,464	2,464	2,464	-100.00%
B1023 Vasse Bushfire Brigade	0	2,464	2,464	2,464	2,464	-100.00%
B1024 Wilyabrup Bushfire Brigade	0	2,464	2,464	2,464	2,464	-100.00%
B1025 Yallingup Coastal Bushfire Brigade	0	4,833	4,833	4,833	4,833	-100.00%
B1026 Yallingup Rural Bushfire Brigade	0	2,464	2,464	2,464	2,464	-100.00%
B1028 Yoongarillup Bushfire Brigade	0	2,464	2,464	2,464	2,464	-100.00%
B1029 Busselton Branch SES	0	12,572	12,572	12,572	12,572	-100.00%
B1357 Railway House	3,330	0	0	0	0	0.00%
B1361 YCAB (Youth Precinct Foreshore)	62,091	100,000	100,000	100,000	100,000	-37.91%
	381,959	665,982	665,982	830,212	830,212	-42.65%
<b>Sub-Total Property, Plant &amp; Equipment</b>	<b>5,092,843</b>	<b>16,369,502</b>	<b>16,344,502</b>	<b>21,666,305</b>	<b>21,391,305</b>	<b>-68.89%</b>
<b>&gt;&gt; Infrastructure</b>						
<b>Major Project - Busselton Foreshore</b>						
C0016 Barnard Park Carpark	40,826	40,000	40,000	40,000	40,000	2.07%
C3094 Busselton Foreshore - Stage 3	3,119,770	2,293,584	2,293,584	3,440,383	3,440,383	36.02%
C3113 Busselton Tennis Club - Infrastructure	115,495	1,833,336	1,833,336	2,750,000	2,750,000	-93.70%
C3150 Busselton Foreshore Stage 3: Toddler's Playground	30,437	127,336	127,336	191,000	191,000	-76.10%
C3168 Busselton Foreshore Jetty Precinct	2,365,193	2,666,664	2,666,664	4,500,000	4,000,000	-11.31%
C3173 Barnard Park Pavilion Landscaping	60,235	0	0	0	0	0.00%
	5,731,956	6,960,920	6,960,920	10,921,383	10,421,383	-17.66%
<b>Major Project - Administration Building</b>						
C0043 Administration Building Carpark	149,005	250,000	250,000	250,000	250,000	-40.40%
	149,005	250,000	250,000	250,000	250,000	-40.40%
<b>Footpaths Construction</b>						
F0035 Dunsborough Lakes Drive to N.C.C.	62	4,600	103,086	7,000	152,000	-98.65%
F0063 Yallingup Footpath	0	0	20,928	200	31,395	0.00%
F0066 Bussell Highway Footpath Sections	0	259,880	259,880	389,820	389,820	-100.00%
F0073 Bussell H/way Footpath - Opp Corner Store to Warden Crossing	141	16,964	16,964	25,000	25,000	-99.17%
F0074 Milward Street - Ford Road to Cookworthy Street	281	37,304	37,304	55,000	55,000	-99.25%
F0075 Armitage Drive Footpath - Navigation Way to Avocet Boulevard	1,413	31,496	40,696	46,195	60,000	-95.51%
F0076 Vasse Bypass Road Footpath	23,436	65,000	65,000	65,000	65,000	-63.94%
	25,332	415,244	543,858	588,215	778,215	-93.90%
<b>Drainage Construction - Street</b>						
D0009 Busselton LIA - Geocatch Drain Partnership	1,508	0	0	30,000	30,000	0.00%
D0010 Dunsborough / Busselton Drainage Upgrades	62,482	46,814	46,814	69,000	69,000	33.47%
D0015 Valley Road Drainage Upgrade	7,490	5,336	175,002	8,010	258,010	40.36%
D0016 Vasse Highway Drainage Works	55,616	30,023	22,523	52,523	22,523	85.25%
D0017 Chain Avenue - Drainage Works	4,297	40,000	40,000	60,000	60,000	-89.26%
D0018 Centurion Way - Drainage Works	0	0	0	21,500	0	0.00%
D0019 Johnston Avenue Drainage Upgrade - Stage 2	0	44,000	0	220,000	0	-100.00%

City of BusseltonCapital Acquisition ReportProperty, Plant & Equipment, InfrastructureFor the Period Ended 28 February 2018

Description	2017/18 Actual	2017/18 Amended Budget YTD	2017/18 Original Budget YTD	2017/18 Amended Budget	2017/18 Original Budget	2017/18 Budget YTD Variance
	131,393	166,173	284,339	461,033	439,533	-20.93%
<b>Car Parking Construction</b>						
C0044 Meelup Coastal Nodes - Carpark upgrade	139,241	158,512	158,512	237,764	237,764	-12.16%
	139,241	158,512	158,512	237,764	237,764	-12.16%
<b>Bridges Construction</b>						
A0010 Queen Street Bridge 0240A	288,000	192,000	192,000	288,000	288,000	50.00%
A0021 Ambergate Bridge - 3393	0	0	0	90,000	90,000	0.00%
A0022 Yallingup Beach Road Bridge - 3347	0	0	0	222,000	222,000	0.00%
	288,000	192,000	192,000	600,000	600,000	50.00%
<b>Cycleways Construction</b>						
F1019 Busselton Bypass - Country Road Footpath	5,632	149,802	149,802	222,000	222,000	-96.24%
F1020 College Avenue Shared Path	10,200	76,000	0	380,000	0	-86.58%
	15,832	225,802	149,802	602,000	222,000	-92.99%
<b>Townscape Construction</b>						
C1001 Queen Street Upgrade - Duchess to Kent Street	1,550	82,664	82,664	124,000	124,000	-98.12%
C1024 Dunsborough Road Access Improvements Stage 1	9,502	394,104	394,104	591,155	591,155	-97.57%
	11,052	476,768	476,768	715,155	715,155	-97.68%
<b>Boat Ramps Construction</b>						
C1513 Port Geographe Boat Trailer Parking Layout Redevelopment	15,859	112,410	112,410	224,819	224,819	-85.89%
	15,859	112,410	112,410	224,819	224,819	-85.89%
<b>Beach Restoration</b>						
C2504 Groyne Construction	0	20,020	20,020	40,040	40,040	-100.00%
C2512 Sand Re-Nourishment	115,112	73,336	73,336	110,000	110,000	56.97%
C2520 Coastal Protection Works	18,812	30,000	30,000	45,000	45,000	-37.29%
C2524 Wonnerup Coastal Defence (Groyne)	77,380	73,335	73,335	73,335	73,335	5.52%
	211,305	196,691	196,691	268,375	268,375	7.43%
<b>Parks, Gardens &amp; Reserves</b>						
C3006 Playgrounds General - Replacement of playground equipment	6,717	13,512	13,512	20,000	20,000	-50.29%
C3007 Park Furniture Replacement - Replace aged & unsafe Equip	23,382	10,000	10,000	15,000	15,000	133.82%
C3014 Meelup Park - Fire Access Trail	0	13,336	13,336	20,000	20,000	-100.00%
C3122 Rails to Trails	5,567	99,327	99,327	165,310	165,310	-94.40%
C3131 Elijah Circle POS	80	26,724	26,724	40,000	40,000	-99.70%
C3134 Vasse Community & Recreation Precinct - AFL Oval Stage 1	4,051	33,336	33,336	50,000	50,000	-87.85%
C3145 Churchill Park	50,748	60,000	0	150,000	0	-15.42%
C3146 Dunsborough Town Centre	1,203	60,352	60,352	90,000	90,000	-98.01%
C3154 Administration Building Landscaping Works	408,143	183,908	183,908	250,000	250,000	121.93%
C3157 Port Geographe - Layman Road Native Tree Planting	0	23,328	23,328	35,000	35,000	-100.00%
C3158 Port Geographe - Casurina Replacements on Layman Road	18,900	26,724	26,724	40,000	40,000	-29.28%
C3159 Port Geographe - Burgee Close (Western Side of Bridge)	358	63,328	63,328	95,000	95,000	-99.44%
C3160 Port Geographe - Reticulated POS at Layman Rd R/About	1,008	167,236	167,236	250,000	250,000	-99.40%
C3161 Port Geographe-Layman Road to Lanyard Boulevard (Planting)	65	13,336	13,336	20,000	20,000	-99.51%
C3163 Port Geographe - Outstanding Minor Repairs	0	20,184	20,184	30,000	30,000	-100.00%
C3164 Port Geographe - Reticulation Upgrade Scheme to Bore Water	0	223,908	223,908	335,000	335,000	-100.00%
C3165 Foreshore - Irrigation Renewal	0	40,292	40,292	60,000	60,000	-100.00%
C3166 Vasse River Foreshore - Bridge to Bridge project Stage 1	1,966	50,000	50,000	75,000	75,000	-96.07%
C3167 Advanced Bore Monitoring Equipment	0	66,664	66,664	100,000	100,000	-100.00%
C3169 Relocatable Bike Racks	9,926	7,336	7,336	11,000	11,000	35.30%
C3170 Yallingup Beach Showers	27,638	26,664	26,664	40,000	40,000	3.65%
C3171 Dunsborough Foreshore Beach Showers	0	3,336	3,336	5,000	5,000	-100.00%
C3172 Vasse Newtown - AFL Oval Stage 2	285,628	221,520	221,520	332,275	332,275	28.94%
	845,379	1,454,351	1,394,351	2,228,585	2,078,585	-41.87%
<b>Cemetery Capital Works</b>						
C1609 Pioneer Cemetery - Implement Conservation Plan	0	13,388	13,388	20,000	20,000	-100.00%

City of BusseltonCapital Acquisition ReportProperty, Plant & Equipment, InfrastructureFor the Period Ended 28 February 2018

Description	2017/18 Actual	2017/18 Amended Budget YTD	2017/18 Original Budget YTD	2017/18 Amended Budget	2017/18 Original Budget	2017/18 Budget YTD Variance
	0	13,388	13,388	20,000	20,000	-100.00%
<b>Aged Housing - Infrastructure Works</b>						
C3451 Aged Housing Infrastructure (Upgrade)	13,656	0	0	13,000	13,000	0.00%
	13,656	0	0	13,000	13,000	0.00%
<b>Sanitation Infrastructure</b>						
C3479 New Cell Development	237,513	583,328	583,328	875,000	875,000	-59.28%
C3481 Transfer Station Development	38,496	71,000	71,000	106,500	106,500	-45.78%
C3485 Site Rehabilitation - Busselton	264,523	716,664	716,664	1,075,000	1,075,000	-63.09%
C3487 Site Rehabilitation - Dunsborough	182	0	0	0	0	0.00%
	540,714	1,370,992	1,370,992	2,056,500	2,056,500	-60.56%
<b>Airport Development</b>						
C6087 Airport Construction Stage 2, Landside Civils & Services Inf	1,548,341	5,733,328	0	8,600,000	0	-72.99%
C6090 Parks & Gardens Airport Stage 2	0	0	400,000	0	600,000	0.00%
C6091 Airport Construction Stage 2, Noise Management Plan	112,941	333,336	333,336	500,000	500,000	-66.12%
C6092 Airport Construction Stage 2, Airfield	11,975,534	11,666,664	11,666,664	17,500,000	17,500,000	2.65%
C6093 Airport Construction Stage 2, Car Park & Access Roads	0	0	4,000,000	0	6,000,000	0.00%
C6095 Airport Construction Stage 2, External Services	156,770	1,733,336	3,066,664	2,600,000	4,600,000	-90.96%
C6097 Airport Construction Stage 1B, Jet Fuel	0	410,000	410,000	615,000	615,000	-100.00%
C6099 Airport Development - Project Expenses	937,384	1,143,249	1,143,249	1,701,890	1,701,890	-18.01%
	14,730,970	21,019,913	21,019,913	31,516,890	31,516,890	-29.92%
<b>Main Roads</b>						
S0035 Strelly Street	36,314	370,468	370,468	549,859	549,859	-90.20%
S0049 Layman Road	533,432	448,464	448,464	672,701	672,701	18.95%
S0051 Causeway Road	68,634	92,688	92,688	139,032	139,032	-25.95%
S0064 Peel Terrace	53,422	741,988	741,988	1,102,549	1,102,549	-92.80%
S0066 Queen Street	28,372	169,608	169,608	254,412	254,412	-83.27%
S0067 Layman Road - Reconstruction Between 3250 and 6190	66,103	407,652	407,652	600,000	600,000	-83.78%
S0068 Georgiana Molloy Bus Bay Facilities	390	200,000	200,000	200,000	200,000	-99.81%
S0314 Koorabin Drive - Reseal	1,415	168,254	168,254	250,000	250,000	-99.16%
S0315 Guerin Street - Asphalt Overlay	52,967	57,924	57,924	85,907	85,907	-8.56%
	841,050	2,657,046	2,657,046	3,854,460	3,854,460	-68.35%
<b>Roads to Recovery</b>						
T0004 Chapman Hill Road	80,531	62,080	62,080	92,000	92,000	29.72%
T0016 Puzey Road	121,041	103,442	103,442	155,000	155,000	17.01%
T0026 Kaloourp Road	34,682	29,056	29,056	43,000	43,000	19.36%
T0061 Jindong Treeton Road	13,616	16,684	16,684	25,000	25,000	-18.39%
T0077 Florence Rd Gravel Resheet Slik 0.30 - 1.00	6,282	23,618	23,618	35,000	35,000	-73.40%
T0078 Taylor Rd Gravel Resheet Slik 0.00 - 1.14	49,988	32,398	32,398	48,000	48,000	54.29%
T0079 Patton Terrace - Asphalt Overlay	13,218	181,206	181,206	269,000	269,000	-92.71%
T0080 Craig Street - Asphalt Overlay	182,747	102,396	102,396	152,000	152,000	78.47%
T0082 Hakea Way - Asphalt Overlay	0	6	6	0	0	-100.00%
T0083 Pinnock Place - Asphalt Overlay	37,330	26,808	26,808	40,000	40,000	39.25%
T0084 Yelverton Road- Rural reconstruction & widening	372,553	393,080	393,080	589,624	589,624	-5.22%
	911,989	970,774	970,774	1,448,624	1,448,624	-6.06%
<b>Black Spot</b>						
V0002 Busselton/Dunsborough Traffic Implementation Works	0	0	0	2,325,000	2,325,000	0.00%
	0	0	0	2,325,000	2,325,000	0.00%
<b>Council Roads Initiative</b>						
W0019 Marine Terrace	10,815	336,800	336,800	500,000	500,000	-96.79%
W0066 Court Street	14,405	15,000	15,000	22,500	22,500	-3.97%
W0108 Yelverton Road	370,069	734,766	734,766	1,080,376	1,080,376	-49.63%
W0136 DAIP Issues District ACROD Bays, ramps, signs etc	9,489	24,528	24,528	36,792	36,792	-61.31%
W0137 Edwards Road	0	102,562	102,562	152,000	152,000	-100.00%
W0150 Roe Terrace Busselton	0	13,336	13,336	20,000	20,000	-100.00%
W0176 Signage (Alternate CBD Entry)	2,395	40,000	40,000	60,000	60,000	-94.01%
W0177 Strelly Street	211	40,000	40,000	60,000	60,000	-99.47%

FINANCIAL ACTIVITY STATEMENTS INCORPORATING

City of Busselton

Capital Acquisition Report

Property, Plant & Equipment, Infrastructure

For the Period Ended 28 February 2018

Description	2017/18 Actual	2017/18 Amended Budget YTD	2017/18 Original Budget YTD	2017/18 Amended Budget	2017/18 Original Budget	2017/18 Budget YTD Variance
W0192 Valley Road	0	31,224	31,224	46,840	46,840	-100.00%
W0198 Senior Citizens Access Road (Peel Tee)	52,636	31,000	31,000	46,500	46,500	69.79%
W0200 Farquhar Rd Gravel Resheet Silx 0.60 - 2.10	35,014	35,770	35,770	53,000	53,000	-2.11%
W0201 McDonald Rd Gravel Resheet Silx 1.40 - 2.49	28,388	33,740	33,740	50,010	50,010	-15.86%
W0202 Costello Road - Asphalt Overlay	69,060	47,826	47,826	71,000	71,000	44.40%
W0203 Coates Street - Asphalt Overlay	45,540	37,052	37,052	55,000	55,000	22.91%
W0204 Greenfield Road (Loop) - One way layout	1,280	37,716	37,716	56,000	56,000	-96.61%
W0205 Churchill Park New Entry Road to Croquet Club	0	0	50,278	0	74,000	0.00%
W0206 Churchill Park Fire Hydrant Relocation	0	0	6,000	0	9,000	0.00%
W0207 Busselton Highway Pavement Deformation	0	10,000	10,000	10,000	10,000	-100.00%
W0208 Plover Court	761	21,664	21,664	32,500	32,500	-96.49%
	640,064	1,592,984	1,649,262	2,352,518	2,435,518	-59.82%
Sub-Total Infrastructure	25,242,797	38,233,968	38,401,026	60,684,321	59,905,821	-33.98%
						0.00%
Grand Total - Capital Acquisitions	30,335,639	54,603,470	54,745,528	82,350,626	81,297,126	-44.44%



## FINANCIAL ACTIVITY STATEMENTS INCORPORATING

City of BusseltonReserves Movement Report

For The Period Ending 28 February 2018

	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Original Budget YTD	2017/2018 Amended Budget	2017/2018 Original Budget	2016/2017 Actual
	\$	\$	\$	\$	\$	\$
Accumulated Reserves at Start of Year	0.00	0.00	0.00	0.00	0.00	328,823.05
Transfer to Muni	0.00	0.00	0.00	0.00	0.00	(328,823.05)
	0.00	0.00	0.00	0.00	0.00	0.00
<b>119 Sick Pay Incentive Reserve</b>						
Accumulated Reserves at Start of Year	0.00	0.00	0.00	0.00	0.00	144,552.59
Transfer to Muni	0.00	0.00	0.00	0.00	0.00	(144,552.59)
	0.00	0.00	0.00	0.00	0.00	0.00
<b>120 Strategic Projects Reserve</b>						
Accumulated Reserves at Start of Year	230,336.88	230,336.88	230,336.88	230,336.88	230,336.88	216,612.01
Interest transfer to Reserves	3,846.94	3,560.00	3,560.00	5,340.00	5,340.00	6,271.87
Transfer from Muni	16,664.00	16,664.00	16,664.00	25,000.00	25,000.00	25,000.00
Transfer to Muni	0.00	0.00	0.00	(100,000.00)	(25,000.00)	(17,547.00)
	250,847.82	250,560.88	250,560.88	160,676.88	235,676.88	230,336.88
<b>121 Waste Management Facility and Plant Reserve</b>						
Accumulated Reserves at Start of Year	7,578,591.65	7,578,591.65	7,578,591.65	7,578,591.65	7,578,591.65	7,613,254.10
Interest transfer to Reserves	136,213.28	117,240.00	117,240.00	175,861.00	175,861.00	215,633.80
Transfer from Muni	1,270,944.00	1,270,944.00	1,270,944.00	1,906,419.00	1,906,419.00	2,487,565.49
Transfer to Muni	0.00	0.00	0.00	(4,252,300.00)	(4,002,300.00)	(2,737,861.74)
	8,985,748.93	8,966,775.65	8,966,775.65	5,408,571.65	5,658,571.65	7,578,591.65
<b>122 Port Geographe Development Reserve</b>						
Accumulated Reserves at Start of Year	1,534,670.81	1,534,670.81	1,534,670.81	1,534,670.81	1,534,670.81	1,654,121.43
Interest transfer to Reserves	23,974.31	23,744.00	23,744.00	35,616.00	35,616.00	44,374.96
Transfer to Muni	0.00	0.00	0.00	(989,718.00)	(989,718.00)	(163,825.58)
	1,558,645.12	1,558,414.81	1,558,414.81	580,568.81	580,568.81	1,534,670.81
<b>123 Port Geographe Waterways Management Reserve (SAR)</b>						
Accumulated Reserves at Start of Year	3,422,821.20	3,422,821.20	3,422,821.20	3,422,821.20	3,422,821.20	3,454,443.12
Interest transfer to Reserves	55,352.68	52,952.00	52,952.00	79,428.00	79,428.00	95,828.22
Transfer from Muni	120,080.00	120,080.00	120,080.00	180,120.00	180,120.00	172,549.86
Transfer to Muni	0.00	0.00	0.00	(310,000.00)	(310,000.00)	(300,000.00)
	3,598,253.88	3,595,853.20	3,595,853.20	3,372,369.20	3,372,369.20	3,422,821.20
<b>124 Workers Compensation Contingency Reserve</b>						
Accumulated Reserves at Start of Year	322,008.37	322,008.37	322,008.37	322,008.37	322,008.37	273,142.25
Interest transfer to Reserves	5,646.76	4,984.00	4,984.00	7,476.00	7,476.00	8,066.12
Transfer from Muni	33,832.00	33,832.00	33,832.00	50,750.00	50,750.00	40,800.00
Transfer to Muni	0.00	0.00	0.00	(25,000.00)	(25,000.00)	0.00
	361,487.13	360,824.37	360,824.37	355,234.37	355,234.37	322,008.37
<b>126 Provence Landscape Maintenance Reserve (SAR)</b>						
Accumulated Reserves at Start of Year	1,001,808.42	1,001,808.42	1,001,808.42	1,001,808.42	1,001,808.42	835,855.66
Interest transfer to Reserves	17,537.55	15,496.00	15,496.00	23,244.00	23,244.00	25,127.34
Transfer from Muni	104,080.00	104,080.00	104,080.00	156,115.00	156,115.00	149,378.15
Transfer to Muni	0.00	0.00	0.00	(162,369.00)	(162,369.00)	(8,552.73)
	1,123,425.97	1,121,384.42	1,121,384.42	1,018,798.42	1,018,798.42	1,001,808.42
<b>127 New Infrastructure Development Reserve</b>						
Accumulated Reserves at Start of Year	2,033,639.44	2,033,639.44	2,033,639.44	2,033,639.44	2,033,639.44	2,007,644.66
Interest transfer to Reserves	36,236.06	31,464.00	31,464.00	47,196.00	47,196.00	58,245.99
Transfer from Muni	435,400.00	435,400.00	435,400.00	653,105.00	653,105.00	548,628.60
Transfer to Muni	(50,000.00)	0.00	0.00	(1,195,674.00)	(1,195,674.00)	(580,879.81)
	2,455,275.50	2,500,503.44	2,500,503.44	1,538,266.44	1,538,266.44	2,033,639.44
<b>128 Vasse Newtown Landscape Maintenance Reserve (SAR)</b>						
Accumulated Reserves at Start of Year	485,466.16	485,466.16	485,466.16	485,466.16	485,466.16	470,759.51
Interest transfer to Reserves	8,340.41	7,512.00	7,512.00	11,268.00	11,268.00	15,192.21
Transfer from Muni	111,696.00	111,696.00	111,696.00	167,547.00	167,547.00	161,862.78
Transfer to Muni	0.00	0.00	0.00	(207,566.00)	(207,566.00)	(162,348.34)
	605,502.57	604,674.16	604,674.16	456,715.16	456,715.16	485,466.16

City of Busselton

### Reserves Movement Report

**For The Period Ending 28 February 2018**

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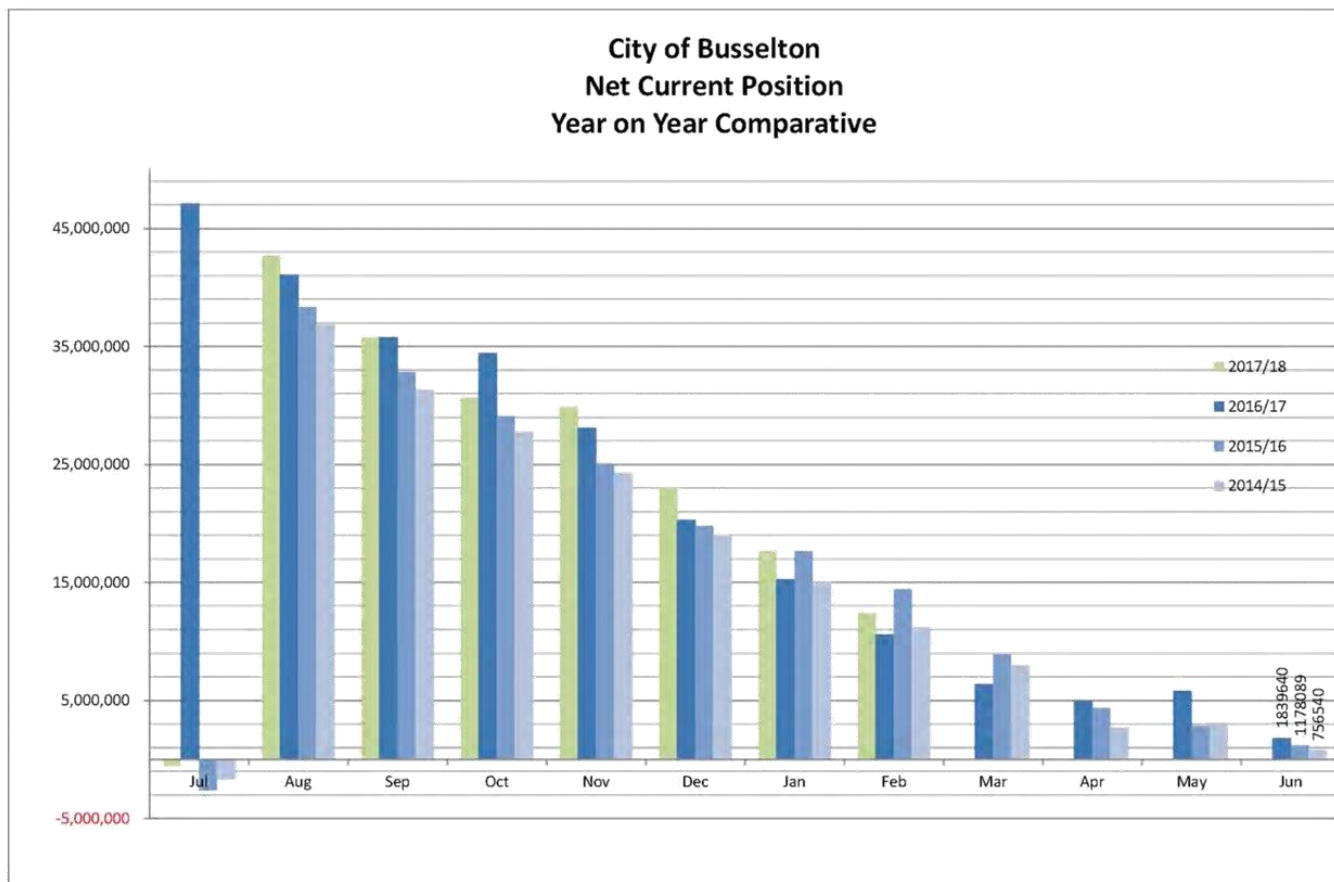
City of BusseltonReserves Movement ReportFor The Period Ending 28 February 2018

	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Original Budget YTD	2017/2018 Amended Budget	2017/2018 Original Budget	2016/2017 Actual
	\$	\$	\$	\$	\$	\$
<b>130 Locke Estate Reserve</b>						
Accumulated Reserves at Start of Year	129,971.14	129,971.14	129,971.14	129,971.14	129,971.14	64,000.00
Interest transfer to Reserves	2,481.97	2,008.00	2,008.00	3,012.00	3,012.00	1,971.14
Transfer from Muni	0.00	0.00	0.00	64,000.00	64,000.00	64,000.00
Transfer to Muni	0.00	0.00	0.00	(196,983.14)	(196,983.14)	0.00
	<u>132,453.11</u>	<u>131,979.14</u>	<u>131,979.14</u>	<u>0.00</u>	<u>0.00</u>	<u>129,971.14</u>
<b>131 Busselton Community Resource Centre</b>						
Accumulated Reserves at Start of Year	123,721.93	123,721.93	123,721.93	123,721.93	123,721.93	92,178.36
Interest transfer to Reserves	2,197.70	1,912.00	1,912.00	2,868.00	2,868.00	2,973.75
Transfer from Muni	13,790.00	13,790.00	13,790.00	27,580.00	27,580.00	28,569.82
	<u>139,709.63</u>	<u>139,423.93</u>	<u>139,423.93</u>	<u>154,169.93</u>	<u>154,169.93</u>	<u>123,721.93</u>
<b>132 CBD Enhancement Reserve</b>						
Accumulated Reserves at Start of Year	84,897.67	84,897.67	84,897.67	84,897.67	84,897.67	50,404.28
Interest transfer to Reserves	1,593.33	1,312.00	1,312.00	1,968.00	1,968.00	1,993.39
Transfer from Muni	17,500.00	17,500.00	17,500.00	35,000.00	35,000.00	32,500.00
Transfer to Muni	0.00	0.00	0.00	(120,000.00)	(120,000.00)	0.00
	<u>103,991.00</u>	<u>103,709.67</u>	<u>103,709.67</u>	<u>1,865.67</u>	<u>1,865.67</u>	<u>84,897.67</u>
<b>133 Election, Valuation and Corporate Expenses Reserve</b>						
Accumulated Reserves at Start of Year	331,552.54	331,552.54	331,552.54	331,552.54	331,552.54	174,169.07
Interest transfer to Reserves	6,717.45	5,128.00	5,128.00	7,692.00	7,692.00	7,896.56
Transfer from Muni	118,600.00	118,600.00	118,600.00	177,904.00	177,904.00	174,420.00
Transfer to Muni	0.00	0.00	0.00	(395,300.00)	(395,300.00)	(24,933.09)
	<u>456,869.99</u>	<u>455,280.54</u>	<u>455,280.54</u>	<u>121,848.54</u>	<u>121,848.54</u>	<u>331,552.54</u>
<b>134 Civic and Administration Centre Construction Reserve</b>						
Accumulated Reserves at Start of Year	444,863.46	444,863.46	444,863.46	444,863.46	444,863.46	12,782,915.12
Interest transfer to Reserves	0.00	0.00	0.00	0.00	0.00	161,948.34
Transfer to Muni	(444,863.46)	0.00	0.00	(444,863.46)	(444,863.46)	(12,500,000.00)
	<u>0.00</u>	<u>444,863.46</u>	<u>444,863.46</u>	<u>0.00</u>	<u>0.00</u>	<u>444,863.46</u>
<b>136 Airport Marketing Reserve</b>						
Accumulated Reserves at Start of Year	912,986.35	912,986.35	912,986.35	912,986.35	912,986.35	196,000.00
Interest transfer to Reserves	25,766.88	14,120.00	14,120.00	21,181.00	21,181.00	6,036.59
Transfer from Muni	570,550.06	200,000.00	200,000.00	300,000.00	300,000.00	710,949.76
	<u>1,509,303.29</u>	<u>1,127,106.35</u>	<u>1,127,106.35</u>	<u>1,234,167.35</u>	<u>1,234,167.35</u>	<u>912,986.35</u>
<b>137 Busselton Traffic Study Implementation Reserve</b>						
Interest transfer to Reserves	3,928.93	17,752.00	17,752.00	26,626.00	26,626.00	0.00
Transfer from Muni	334,632.00	2,834,632.00	2,834,632.00	3,001,952.00	3,001,952.00	0.00
Transfer to Muni	0.00	0.00	0.00	(2,660,917.00)	(2,660,917.00)	0.00
	<u>338,560.93</u>	<u>2,852,384.00</u>	<u>2,852,384.00</u>	<u>367,661.00</u>	<u>367,661.00</u>	<u>0.00</u>
<b>138 CPA Bushfire Facilities Reserve</b>						
Interest transfer to Reserves	766.87	0.00	0.00	0.00	0.00	0.00
Transfer from Muni	54,671.80	54,671.80	54,671.80	54,671.80	54,671.80	0.00
	<u>55,438.67</u>	<u>54,671.80</u>	<u>54,671.80</u>	<u>54,671.80</u>	<u>54,671.80</u>	<u>0.00</u>
<b>139 CPA Community Facilities Dunsborough Lakes South Reserve</b>						
Interest transfer to Reserves	972.59	0.00	0.00	0.00	0.00	0.00
Transfer from Muni	69,339.20	69,339.20	69,339.20	69,339.20	69,339.20	0.00
	<u>70,311.79</u>	<u>69,339.20</u>	<u>69,339.20</u>	<u>69,339.20</u>	<u>69,339.20</u>	<u>0.00</u>
<b>140 CPA Community Facilities South Biddle Precinct Reserve</b>						
Interest transfer to Reserves	18,743.95	0.00	0.00	0.00	0.00	0.00
Transfer from Muni	1,003,824.14	1,015,609.29	1,015,609.29	1,020,273.29	1,020,273.29	0.00
Transfer to Muni	0.00	0.00	0.00	(175,000.00)	(175,000.00)	0.00
	<u>1,022,568.09</u>	<u>1,015,609.29</u>	<u>1,015,609.29</u>	<u>845,273.29</u>	<u>845,273.29</u>	<u>0.00</u>
<b>141 CPA Infrastructure Road Upgrades Reserve</b>						

## FINANCIAL ACTIVITY STATEMENTS INCORPORATING

City of BusseltonReserves Movement ReportFor The Period Ending 28 February 2018

	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Original Budget YTD	2017/2018 Amended Budget	2017/2018 Original Budget	2016/2017 Actual
	\$	\$	\$	\$	\$	\$
Interest transfer to Reserves	3,096.73	0.00	0.00	0.00	0.00	0.00
Transfer from Muni	220,770.23	220,770.23	220,770.23	220,770.23	220,770.23	0.00
	<u>223,866.96</u>	<u>220,770.23</u>	<u>220,770.23</u>	<u>220,770.23</u>	<u>220,770.23</u>	<u>0.00</u>
<b>Various Building Asset Renewal Reserve</b>						
Accumulated Reserves at Start of Year	1,335,118.59	1,335,118.59	1,335,118.59	1,335,118.59	1,335,118.59	1,493,038.06
Interest transfer to Reserves	21,929.93	20,656.00	20,656.00	30,984.00	30,984.00	37,832.12
Transfer from Muni	28,616.00	28,616.00	28,616.00	42,943.00	42,943.00	172,270.41
Transfer to Muni	0.00	0.00	0.00	(40,000.00)	(40,000.00)	(368,022.00)
	<u>1,385,664.52</u>	<u>1,384,390.59</u>	<u>1,384,390.59</u>	<u>1,369,045.59</u>	<u>1,369,045.59</u>	<u>1,335,118.59</u>
<b>Various Community Development Contribution Reserve</b>						
Accumulated Reserves at Start of Year	6,650,294.50	6,650,294.50	6,650,294.50	6,650,294.50	6,650,294.50	0.00
Interest transfer to Reserves	106,553.55	102,872.00	102,872.00	154,310.00	154,310.00	197,085.92
Transfer from Muni	395,134.91	732,528.00	732,528.00	1,098,790.00	1,098,790.00	8,366,380.90
Transfer to Muni	(81,070.00)	0.00	0.00	(844,145.00)	(844,145.00)	(1,913,172.32)
	<u>7,070,912.96</u>	<u>7,485,694.50</u>	<u>7,485,694.50</u>	<u>7,059,249.50</u>	<u>7,059,249.50</u>	<u>6,650,294.50</u>
<b>Various Busselton Area Drainage and Waterways Improvement Reserve</b>						
Accumulated Reserves at Start of Year	609,789.27	609,789.27	609,789.27	609,789.27	609,789.27	0.00
Interest transfer to Reserves	9,903.50	9,432.00	9,432.00	14,148.00	14,148.00	15,225.22
Transfer from Muni	0.00	0.00	0.00	0.00	0.00	594,564.05
Transfer to Muni	0.00	0.00	0.00	(120,000.00)	(120,000.00)	0.00
	<u>619,692.77</u>	<u>619,221.27</u>	<u>619,221.27</u>	<u>503,937.27</u>	<u>503,937.27</u>	<u>609,789.27</u>
<b>Various Employee Entitlement Reserve</b>						
Accumulated Reserves at Start of Year	3,005,076.86	3,005,076.86	3,005,076.86	3,005,076.86	3,005,076.86	0.00
Interest transfer to Reserves	50,045.86	46,488.00	46,488.00	69,732.00	69,732.00	80,277.69
Transfer from Muni	137,656.00	137,656.00	137,656.00	206,480.00	206,480.00	3,474,974.54
Transfer to Muni	0.00	0.00	0.00	(404,840.00)	(404,840.00)	(550,175.37)
	<u>3,192,778.72</u>	<u>3,189,220.86</u>	<u>3,189,220.86</u>	<u>2,876,448.86</u>	<u>2,876,448.86</u>	<u>3,005,076.86</u>
<b>Various Infrastructure Asset Renewal Reserve</b>						
Accumulated Reserves at Start of Year	1,076,330.48	1,076,330.48	1,076,330.48	1,076,330.48	1,076,330.48	0.00
Interest transfer to Reserves	30,807.80	16,648.00	16,648.00	24,972.00	24,972.00	55,440.66
Transfer from Muni	1,466,848.00	1,466,848.00	1,466,848.00	2,200,270.00	2,200,270.00	4,445,284.93
Transfer to Muni	(135,000.00)	0.00	0.00	(2,142,278.00)	(2,142,278.00)	(3,424,395.11)
	<u>2,438,986.28</u>	<u>2,559,826.48</u>	<u>2,559,826.48</u>	<u>1,159,294.48</u>	<u>1,159,294.48</u>	<u>1,076,330.48</u>
<b>Various Joint Venture Aged Housing Reserve</b>						
Accumulated Reserves at Start of Year	874,987.03	874,987.03	874,987.03	874,987.03	874,987.03	0.00
Interest transfer to Reserves	15,903.24	13,536.00	13,536.00	20,304.00	20,304.00	18,602.71
Transfer from Muni	80,000.00	80,000.00	80,000.00	120,000.00	120,000.00	856,384.32
Transfer to Muni	0.00	0.00	0.00	(25,000.00)	0.00	0.00
	<u>970,890.27</u>	<u>968,523.03</u>	<u>968,523.03</u>	<u>990,291.03</u>	<u>1,015,291.03</u>	<u>874,987.03</u>
<b>Various Public Art Reserve</b>						
Accumulated Reserves at Start of Year	94,836.29	94,836.29	94,836.29	94,836.29	94,836.29	0.00
Interest transfer to Reserves	3,522.60	1,464.00	1,464.00	2,196.00	2,196.00	1,776.29
Transfer from Muni	143,481.50	34,664.00	34,664.00	52,000.00	52,000.00	93,060.00
Transfer to Muni	0.00	0.00	0.00	(137,000.00)	(52,000.00)	0.00
	<u>241,840.39</u>	<u>130,964.29</u>	<u>130,964.29</u>	<u>12,032.29</u>	<u>97,032.29</u>	<u>94,836.29</u>
<b>Total Cash Back Reserves</b>	<u>50,727,475.62</u>	<u>53,936,048.42</u>	<u>53,936,048.42</u>	<u>39,902,663.96</u>	<u>40,337,663.96</u>	<u>43,539,055.90</u>
<b>Summary Reserves</b>						
Accumulated Reserves at Start of Year	43,539,055.90	43,539,055.90	43,539,055.90	43,539,055.90	43,539,055.90	46,024,063.38
Interest transfer to Reserves	766,322.38	666,664.00	666,664.00	1,000,000.00	1,000,000.00	1,334,027.08
Transfer from Muni	8,477,503.97	10,876,987.52	10,876,987.52	15,285,571.66	15,285,571.66	26,832,924.34
Transfer to Muni	(2,055,406.63)	(1,146,659.00)	(1,146,659.00)	(19,921,963.60)	(19,486,963.60)	(30,651,958.90)
<b>Closing Balance</b>	<u>50,727,475.62</u>	<u>53,936,048.42</u>	<u>53,936,048.42</u>	<u>39,902,663.96</u>	<u>40,337,663.96</u>	<u>43,539,055.90</u>





# CITY OF BUSSETON - INVESTMENT PERFORMANCE REPORT For the month of February 2018


**11am Bank Account** As at 28 February 2018

INSTITUTION	RATE	AMOUNT
ANZ 11am At Call Deposit	1.45%	\$ 8,750,000

**Term Deposits - Miscellaneous Funds** As at 28 February 2018

INSTITUTION	RATING	DAYS	MATURITY	RATE	AMOUNT
Westpac	AA	181	06-Mar-18	2.55%	\$5,000,000
Westpac	AA	181	12-Mar-18	2.55%	\$4,000,000
NAB	AA	181	12-Mar-18	2.55%	\$2,000,000
Westpac	AA	181	22-Mar-18	2.56%	\$1,500,000
NAB	AA	148	29-Mar-18	2.47%	\$3,000,000
ANZ	AA	182	03-Apr-18	2.40%	\$3,000,000
Westpac	AA	90	06-Apr-18	2.55%	\$3,000,000
NAB	AA	90	12-Apr-18	2.53%	\$4,000,000
ANZ	AA	121	15-Apr-18	2.30%	\$3,500,000
NAB	AA	151	23-Apr-18	2.41%	\$2,500,000
Rural Bank	BBB	88	04-May-18	2.30%	\$1,500,000
Bankwest	AA	91	14-May-18	2.45%	\$4,000,000
NAB	AA	91	14-May-18	2.45%	\$2,000,000
Westpac	AA	120	17-May-18	2.55%	\$1,500,000
NAB	AA	120	17-May-18	2.46%	\$2,000,000
ANZ	AA	89	25-May-18	2.30%	\$3,000,000
Bendigo	BBB	272	05-Jun-18	2.50%	\$3,000,000
Bendigo	BBB	271	12-Jun-18	2.50%	\$1,000,000
NAB	AA	120	14-Jun-18	2.44%	\$3,000,000

**Total of Term Deposits** \$ 52,500,000

**Foreshore Development Funds** As at 28 February 2018

WA Treasury Corp. - Overnight Cash Deposit Facility	1.45%	\$ 37,984
Please note an additional \$661,874.16 is being held within the pool of term deposit funds		
		\$ 37,984

**Airport Redevelopment Funds** As at 28 February 2018

WA Treasury Corp. - Overnight Cash Deposit Facility	1.45%	\$ 2,506
WA Treasury Corp. - State Bonds 59 Days	1.68%	\$ 6,224,557

**Total of Airport Redevelopment Funds - WATC** 6,227,063

Westpac	AA	59	05-Apr-18	1.86%	\$4,000,000
NAB	AA	59	06-Apr-18	2.25%	\$3,000,000

**Total of Airport Redevelopment Funds - Bank Term Deposits** \$ 7,000,000

ANZ Cash Account	AA	NA	NA	1.50%	\$ 8,481,207
<b>Total of Airport Redevelopment Funds - Other</b>					\$ 8,481,207

**Total of Airport Redevelopment Funds** \$ 21,708,270

Interest Received 2015/16	\$ 609,666
Interest Received 2016/17	\$ 1,158,623
Interest Received 2017/18	\$ 451,179
Interest Accrued but not yet Received	\$ 41,701
<b>Total Interest Airport Funds (Non-Reserve) at month's end</b>	<b>\$ 2,261,170</b>
Interest Transferred out and held in City Reserve Account 136	\$ 925,500
Interest Earned (incl. Accrued) on Funds Held in City Reserve A/c 136	\$ 16,699

(Note: Funds held with the WATC are in accordance with the Airport Redevelopment Funding Contract and are not held within the requirements of the City's Investment Policy 218)

**SUMMARY OF ALL INVESTMENTS HELD** As at 1 year ago As at 30 June 2017 As at 28 February 2018

11am Bank Account	\$ 7,500,000	\$ 4,000,000	\$ 8,750,000
Term Deposits - Misc. Funds	\$ 62,000,000	\$ 50,000,000	\$ 52,500,000
Foreshore Development Funds - WATC	\$ 1,519,677	\$ 1,526,935	\$ 37,984
Airport Redevelopment - WATC Deposits	\$ 6,089,362	\$ 6,146,434	\$ 6,227,063
Airport Redevelopment - Bank Term Deposit	\$ 29,000,000	\$ 17,000,000	\$ 7,000,000
Airport Redevelopment - ANZ Cash A/c	\$ 11,303,196	\$ 7,101,339	\$ 8,481,207
<b>Total of all Investments Held</b>	<b>\$ 117,412,235</b>	<b>\$ 85,774,708</b>	<b>\$ 82,996,254</b>

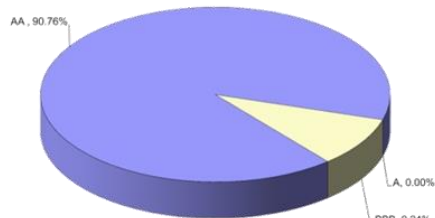
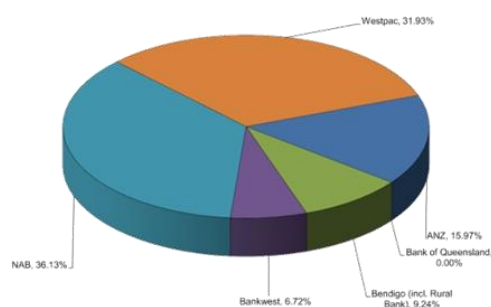
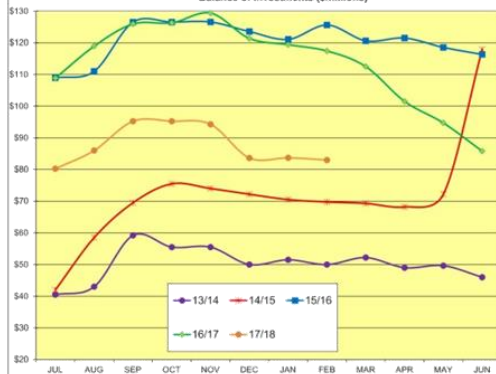
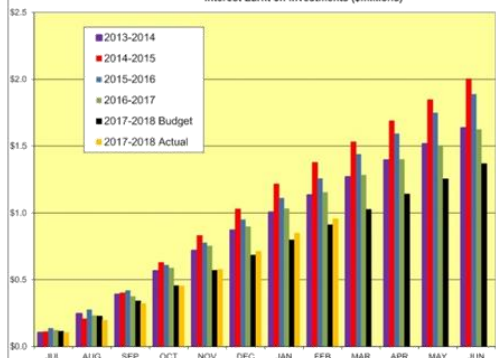
**TOTAL INTEREST RECEIVED AND ACCRUED** \$ 1,154,682 \$ 1,625,936 \$ 955,944

**INTEREST BUDGET** \$ 1,034,850 \$ 1,454,850 \$ 912,664

(Note: Interest figures relate to City general funds only and does not include interest allocated to specific areas such as the Airport Redevelopment)

**Statement of Compliance with Council's Investment Policy 218**

1. All funds are to be invested within legislative limits.	Fully Compliant
2. All individual funds held within the portfolio are not to exceed a set percentage of the total portfolio value.	Fully Compliant
3. The amount invested based upon the Fund's Rating is not to exceed the set percentages of the total portfolio.	Fully Compliant
4. The amount invested based upon the Investment Horizon is not to exceed the set percentages of the total portfolio.	Fully Compliant

**Investment Graphs**
**Summary of Term Deposits by S & P Rating**  
(Excludes WATC and 11am Cash Account Funds)

**Summary of Term Deposits by Institution**  
(Excludes WATC and 11am Cash Account Funds)

**Balance of Investments (\$millions)**

**Interest Earned on Investments (\$millions)**


## 11. PLANNING AND DEVELOPMENT SERVICES REPORT

### 11.1 APPLICATION FOR DEVELOPMENT APPROVAL - DA17/0651- RECEPTION CENTRE, LOT 30 (70) MILLBROOK ROAD, YALLINGUP

<b>SUBJECT INDEX:</b>	Development Applications
<b>STRATEGIC OBJECTIVE:</b>	Planning strategies that foster the development of healthy neighbourhoods that meet our needs as we grow.
<b>BUSINESS UNIT:</b>	Development Services & Policy
<b>ACTIVITY UNIT:</b>	Statutory Planning
<b>REPORTING OFFICER:</b>	Planning Officer - James Fletcher
<b>AUTHORISING OFFICER:</b>	Director, Planning and Development Services - Paul Needham
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Location Plan <a href="#">↓</a> Attachment B Development Plan <a href="#">↓</a> Attachment C State Heritage Listing <a href="#">↓</a> Attachment D Schedule of Submissions <a href="#">↓</a> Attachment E Addendum to Original Acoustic Report <a href="#">↓</a> Attachment F Updated Acoustic Report <a href="#">↓</a> Attachment G DWER Comments on noise/acoustic assessment <a href="#">↓</a> Attachment H Development Guide Plan 50 - Millbrook <a href="#">↓</a>

## PRÉCIS

The Council is asked to consider a development application for a Reception Centre at #70 Millbrook Road, Yallingup. The proposal is placed before the Council due to the level of community interest and the nature of the issues requiring consideration.

Whilst it is clear that there is potential for some non-residential development to occur on the site, potentially including a reception centre, it is not considered that the proposal, as originally submitted, would be appropriate in the location. The applicants have, however, agreed to modify the proposal and/or have agreed to conditions of approval that would, amongst other things, restrict operations to 7am-7pm only.

With those changes/conditions in place, officers are of the view that the proposal is appropriate and accordingly are recommending approval. The rationale for that recommendation, as well as some of the options that could be considered by the Council and/or the applicant, are set out in the body of the report.

## BACKGROUND

Lot 30 (70) Millbrook Road, Yallingup is a Rural Residential zoned property listed on the City's Municipal Heritage Inventory and Heritage List as well as the State Heritage Register. A location plan is provided as **Attachment A**. The subject lot is a remaining large landholding (24.3 ha) surrounded by rural residential properties ranging in size between 1-4 hectares.

Plans of the proposal are provided as **Attachment B**, which can be briefly summarised as follows-

- A reception centre to be provided as a marquee. It is indicated that the functions are to be largely contained within the marquee and furniture, decorations, etc. will be hired and brought to the site for each function.

- The number of patrons expected is within the range of 100-150 persons. The proposed hours of operation would be during the day with a noise reduction to 80dB(A) from 7pm and a total shutdown of operation at 11pm (midnight was originally proposed). As already indicated modifications/conditions are now proposed that would restrict events operating after 7pm, although clean up and similar could still occur after that time.
- A number of gravel car parking bays are to be provided on-site, though the applicant proposes that the primary form of transport to and from the site will be via bus.

A Reception Centre in the Rural Residential Zone is an 'X' use, meaning that it would not normally be permissible under Local Planning Scheme No. 21 ('the Scheme'). Since 1999 and now reflected in cl.4.5.2 of the Scheme, however, land-use controls for lots greater than 20 hectares in area in the Rural Residential Zone are the same that would apply as if the land was instead located in the Agriculture Zone. The purpose of these provisions is to recognise that it is desirable to retain some larger lots within rural residential areas to maintain some rural character and amenity, but also recognise that such large lots do need some broader economic potential and impetus.

The property does have the potential to be subdivided in the future (see **Attachment H**). If subdivided the result of this would render the lot size less than 20ha. Should that potential be realised, and if the proposed development were approved and operating, it would have what is known as 'non-conforming use rights'.

In the Agriculture Zone, a Reception Centre is an 'A' use (i.e. a use approval of which is subject to the reasonable discretion of the City, following a period of consultation and consideration of the outcomes of the consultation process). Also contemplated in the Agriculture zone, amongst others, are the following other non-residential land-uses: Brewery; Tavern; Restaurant; Private Recreation; and Place of Assembly. The site is also subject to what is known as 'Additional Use 52' for a range of other uses not otherwise permissible.

High levels of community interest have resulted in a significant number of submissions being received by the City. In response, the applicant has modified elements of the proposal concerning the hours of operation. The original application proposed midnight; this was initially reduced to 11pm and, more recently, to 7pm.

In assessing the application, the City experienced delays in receiving comments, feedback and recommendations from government agencies. As a result it has taken longer than 90 days for the City to determine the application. Clause 75(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* states that: 'If the local government has not made a determination in the time referred to in subclause (1) (i.e. 90 Days) the local government is to be taken to have refused to grant the development approval'. As a result the applicant had the ability to lodge an application for review (appeal) with the State Administrative Tribunal (SAT). To preserve that right, which must be exercised within 28 days of the 90 day threshold, the applicant has lodged an application for review.

At present, the parties and the SAT have agreed that the Council will first be given an opportunity to determine the application by 28 March. After 28 March, there will be a further SAT 'Directions Hearing', at which time the parties will determine what, if any, further action should occur from a SAT process perspective.

## STATUTORY ENVIRONMENT

Key elements of the statutory environment that relate to the proposal are established in the Scheme.

The site is zoned Rural Residential. The objectives of the Rural Residential Zone relevant to the proposal are:

- b) To ensure that development maintains the rural character of the locality, maintains a high level of residential amenity and minimises disturbance to the landscape through construction of buildings and structures, clearing, earthworks and access roads.*
- c) To enable a range of activities and land uses associated with the residential occupation of land.*
- d) To discourage or prohibit development not compatible with the predominantly rural nature and residential amenity of the zone.*
- e) To enable the development of land for other purposes where it can be demonstrated by the applicant that suitable land or buildings for the proposed purposes are not available elsewhere, and where such purposes would not detrimentally affect the rural residential character of nearby land.*

The policies of the Rural Residential Zone relevant to the application are:

- f) To adequately protect any areas or sites of conservation value within the design of any subdivision and development.*
- g) To provide flexibility for the development of appropriately located and scaled tourist facilities consistent with preservation of residential amenity.*

The subject site also has an additional use designation as prescribed under Schedule 2 of the Scheme 'Additional Uses'. The additional uses are identified in A52 as follows:

NO.	PARTICULARS OF LAND	LAND USE PERMITTED/ SPECIFIED	CONDITIONS
A52	Portions Lots 1 and 110, being Lot 9000, Millbrook Road, Yallingup (proposed Lots 30 and 43)	The Additional Uses permitted on the specified land are – <ol style="list-style-type: none"> <li>1. Chalets &amp; Holiday Cabins</li> <li>2. Guesthouse</li> <li>3. Restaurant</li> <li>4. Public Amusement</li> <li>5. Private Recreation</li> <li>6. Art &amp; Craft Studio</li> <li>7. Workshop and Sales</li> <li>8. Boutique Brewery</li> <li>9. Winery</li> <li>10. Museum</li> <li>11. Club</li> <li>12. Rural Holiday Resort</li> <li>13. Mangers Dwelling</li> </ol>	<ol style="list-style-type: none"> <li>1. The Additional Uses specified shall be deemed to be "D" uses for the purpose of Part 4 of the Scheme.</li> <li>2. The additional uses, where permitted, shall be developed in a manner that is considered by Council to be consistent with the endorsed DGP and maintenance of the rural and historic amenity of the locality.</li> </ol>

In considering the application the Council must also consider the 'Matters to be considered' established in Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and in particular the following considerations relevant to this application:

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) the amenity of the locality including the following —*
  - (i) environmental impacts of the development;*
  - (ii) the character of the locality;*
  - (iii) social impacts of the development;*
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) any submissions received on the application;*
- (zb) any other planning consideration the local government considers appropriate.*

## **RELEVANT PLANS AND POLICIES**

### ***Local Planning Policy 8A - General Development and Process Standards***

Local Planning Policy 8 provides car parking criteria for proposed development and is intended to provide a practical guide to aid in assessment of an application.

There is no minimum car parking requirement specifically listed in LPP8 for the reception centre land use. Internal practice has been for the City to assess such uses against the nearest analogous use, typically 'Place of Assembly', which has a minimum car parking requirement of one car parking bay per four patrons.

The development plan provided as **Attachment B** identified existing gravel car parking areas. Although it could be argued that there is adequate space on-site to accommodate car parking, the plan does not indicate the number of bays available (inclusive of bus bays) or any over-flow areas.

Should approval be granted, it is recommended that gravel car parking areas are to be formalised to ensure that sufficient spaces are provided (inclusive of the provision for disabled access). In addition to this parking, turn-around areas and manoeuvring space is required for buses.

### ***State Planning Policy 3.7: Planning in Bushfire Prone Areas and Guidelines for Planning in Bush Fire Prone Areas 2017***

SPP 3.7 directs how development should address bushfire risk management in Western Australia. It applies to all land that 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 SPP3.7, 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 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 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 risk. The bush fire management plan provided in support of the proposal suggests that the bush fire risk to the development can be managed to an acceptable level.

A Bush Fire Management Plan (BMP) was provided with the development application. The development is classified as a 'vulnerable' use which also requires a Bushfire Emergency Evacuation Plan (BEEP).

The BMP and BEEP were submitted to the Department of Fire and Emergency Services (DFES) for review and comment. DFES found the BMP and BEEP to be acceptable and in accordance with the guidelines, subject to some minor alterations on formatting and vegetation classification.

### ***Local Rural Planning Strategy***

The subject land is located within Precinct 6 'Commonage' of the *Local Rural Planning Strategy*. The strategy describes the precinct as "*Comprises the existing Commonage Rural Residential Policy Area south of Dunsborough and north of Wildwood Road*" and "*Comprises extensive rural residential development with a variety of lot sizes. Some agricultural land uses continue in the areas (viticulture, grazing and agroforestry) with a number of small scale tourism and cottage industry land uses*".

Major indicated issues identified within the Commonage precinct include the "*Incremental impact of ongoing development on the character and landscape values of the area*", the "*potential impact of larger scale tourist development on residential amenity and the character of the area*" and the "*maintenance of appropriately scaled rural land uses and activities to maintain the rural sense of place*". The major issues indicated provide a prelude for land use allocation which is to give "*Consideration of additional small-scale tourist precincts to be subject to Scheme amendment where necessary and subject to appropriate locational, environmental, landscape and servicing considerations*".

### ***Commonage Consolidated Structure Plan***

The proposed development falls within the parameters of the Commonage Consolidated Structure Plan. Other than the restrictions for building height and future subdivision, the Commonage Consolidated Structure Plan does not provide any relevant development controls or measures.

### ***Development Guide Plan 50- Millbrook Road, Yallingup***

Development Guide Plan (DGP) 50 provides overarching development controls applicable to the lot relating to subdivision, heritage and portions of shared access. The DGP does not provide any development controls or measures specifically applicable to the proposed development. A copy is provided in Attachment I.

## **FINANCIAL IMPLICATIONS**

The recommendation of this report is a planning determination. It does not impose any direct financial implications upon the City.

### **Long-term Financial Plan Implications**

Nil.

### **STRATEGIC COMMUNITY OBJECTIVES**

The Officer Recommendation is consistent with community objective 2.2 of the City's Strategic Community Plan 2017, which is – 'Planning strategies that foster the development of healthy 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 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**

The proposal was referred to adjoining landowners, relevant government agencies, and the City's heritage adviser, as well as being advertised on the City's website and in a local newspaper. The proposal was formally advertised for 28 days. Submissions were received from 70 individuals and interested parties regarding the application, many of whom submitted further information to the City to supplement their original submissions. Of the submissions received 41 (58%) raised concerns about the proposal, 19 submissions (27%) supported the application and 10 submissions (14%) supported the proposal subject to conditions, modifications or certain measures being achieved.

For a summary of the submissions see **Attachment D**. The applicant was given the opportunity to address and respond to points raised in the submissions period and subsequently modified elements of the proposal. The concerns raised can be summarised into the following categories:

- Noise;
- Loss of Amenity;
- Traffic;
- Anti-social behaviour;
- Hours of operation & the number of events; and
- Fire Risk.

The supporting submissions can be summarised into the following categories:

- Opportunity for heritage conservation;
- Opportunity for surrounding local and small businesses; and
- Economic support and opportunities for tourism.

Key suggestions to improve the application are summarised as:

- Reduction in the hours of operation; and/or
- Reduction/limitation in the number of events.

The acoustic assessments were referred to the Department of Water and Environmental Regulation (DWER), specifically their noise assessment division. Refer to **Attachments E, F and G**.

It should be noted that the purpose of consultation on development applications is to identify issues that may need to be considered in the assessment of the application. The development assessment process is often described as being a 'quasi-judicial' process. The fact that a majority of submitters are opposed to a proposal does not make the proposal inappropriate, and nor would majority support necessarily make it appropriate.

A number of submitters have raised concerns about the potential inconsistency of the proposal with covenants that apply to land in the area. Covenants do not form part of the planning framework and are not considered relevant planning considerations. Covenants apply a 'burden' over one lot, and a 'benefit' to the owners of other, specified lots. The power and responsibility to enforce covenants falls on the owners of the benefitting lots, not on the local government. Further, the City understands that the covenants in question do not burden the subject lot.

#### **OFFICER COMMENT**

The key issues are considered to be –

- Traffic
- Bushfire risk; and
- Amenity, especially noise.

Each is briefly outlined and discussed below.

#### **Traffic**

Planning consideration of the potential impacts of traffic, other than where linked to amenity, is related to assessing whether the traffic impacts would result in the safe and efficient capacity of the road network being exceeded, when measured against accepted traffic engineering/planning standards. Although the proposed development will increase traffic numbers, the proposal is not expected to exceed the capacity of the road network.

#### **Bushfire risk**

A BMP and BEEP was provided with the application and referred to DFES. DFES have concluded that the provided BMP and BEEP satisfy State requirements and have raised no concerns. Minor amendments to the BMP requiring further classification of vegetation have been completed by the applicant. There is not seen to be a basis to require further changes or assessment in relation to bushfire risk.

#### **Amenity, especially noise**

The critical issue is considered to be whether the proposal will have an unacceptable impact on the amenity of the locality. The *Planning and Development (Local Planning Schemes) Regulations 2015* provide a definition of amenity, as follows -

*"amenity means all those factors which combine to form the character of an area and include the present and likely future amenity".*

The main potential amenity impact in this case is considered to be in the form of noise.

The applicants have submitted noise/acoustic assessment information provided by professional acoustic consultants, and that information has been critiqued by other acoustic professionals, i.e. the DWER Noise Branch. The assessment undertaken and subsequent critique indicate that, provided that a range of conditions are met, the development could theoretically be managed in a manner that ensures compliance with the *Environmental Protection (Noise) Regulations 1997* ('Noise Regulations'). DWER, however, has outlined concerns with the practicability of meeting those conditions at all times. City officers, including City officers with considerable expertise and experience with noise management and monitoring, share the DWER concerns.

Further, consideration of noise as an element of amenity as part of planning assessment is not limited to technical assessment of the proposal against the Noise Regulations. The consideration is broader and more nuanced. It is conceivable that an applicant may be able to demonstrate compliance with the Noise Regulations and a proposal may nevertheless be considered to have an unacceptable amenity impact. Similarly, it is conceivable that a proposal may not be able to demonstrate compliance, but be considered to not have an unacceptable amenity impact. The context and character of the proposal and the locality are important to the planning assessment in a fashion that is not entirely reflected in the Noise Regulations. In summary, technical assessment against the Noise Regulations should be given considerable weight in planning decision-making, but does not in and of itself determine the outcome.

The context of the site is an area where many people who have chosen to live and/or purchase property there have done so because of the relatively peaceful and quiet ambience, and an expectation that will continue. Especially in the evening and night, the actual and expected level of environmental noise is very low. Given that, officers are of the view that the application, as originally submitted, with operations proposed until midnight, would have an unacceptable impact on the amenity of the locality. The subsequent adjustment of the application to continue operations through until only 11pm was also not considered by officers to be sufficient to address the concerns.

The applicants have, more recently, however, agreed to adjust the application, and to related conditions of approval, that would not allow operations, other than set-down / clean-up type operations, to extend beyond 7pm. That would effectively constitute a 'daytime-only' facility, and would limit noise impacts to less sensitive times, when expectations in terms of noise, especially in a broadly 'rural' context, should be higher (i.e. more noise should be expected, whereas in the evening and night, very little noise should be expected). That is considered to be a much more substantial change and is considered sufficient, subject to other detailed conditions and requirements, to result in a proposal that does not have an unacceptable impact on the amenity of the locality.

In closing, it is worth noting that, should a subsequent application be lodged which proposes a more substantial reception centre building, with much greater noise amelioration capacity, it is considered likely that noise could be managed in a manner more likely to be consistent with the amenity of the locality, and without such tight restrictions on operating hours. Neither officers nor Council, however, can bind a future Council with respect to its assessment of a future application.

## **CONCLUSION**

With the reduction in permissible hours of operation from midnight (or 11pm) back to 7pm, as well as associated detailed conditions, it is considered that the proposal is appropriate and it is accordingly recommended for approval.

## **OPTIONS**

The Council could consider refusal of the application, or grant approval subject to different and/or additional conditions. Should any Councillor require assistance in drafting an alternative motion, officers can provide assistance if requested to do so.

## **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

The applicant will be notified of the Council's decision within two days and prior to the scheduled SAT directions hearing.

**OFFICER RECOMMENDATION**

That the Council, having considered application DA17/0651, for the development of a Reception Centre at Lot 30 (70), Millbrook Road, Yallingup, considers that the application is consistent with Local Planning Scheme 21, and resolves that development approval is granted, subject to the following conditions -

**GENERAL CONDITIONS:**

1. The development hereby approved shall be substantially commenced within two years of the date of the decision notice.
2. The development hereby approved shall be undertaken in accordance with the signed and stamped, Approved Development Plan(s) (to be enclosed with the notice), including any notes placed thereon in red by the City, and except as may be modified by the following conditions.

**PRIOR TO THE COMMENCEMENT OF ANY WORKS CONDITIONS:**

3. The development hereby approved, or any works required to implement the development, shall not commence until the following plans or details have been submitted to the City and have been approved in writing:
  - 3.1 Details of sewage and / or on-site effluent works;
  - 3.2 Details of the means and method of providing adequate potable water supply;
  - 3.3 Details of the location and layout of proposed car parking, bus parking and vehicle access arrangements, sufficient to accommodate a minimum of 25 light vehicles and two buses;
  - 3.4 A Noise Management Plan that is consistent with the Environmental Noise Assessment (dated 22 January 2018), and which will meet the following requirements:
    - 3.4.1 Potential venue hirers are to be notified of the sensitive surrounding land uses and noise limitations prior to booking;
    - 3.4.2 Sound levels will be monitored on-site using a sound meter at all times;
    - 3.4.3 A duty manager shall be on-site at all times when music is being played, either playing of recorded music or live performance;
    - 3.4.4 A contact number for the duty manager shall be made available to nearby residents whenever the development is in use;
    - 3.4.5 Live music shall be restricted to acoustic type only, with no electronic amplification; and
    - 3.4.6 For events where a marquee is to be erected:
      - (a) The speakers shall face in a westerly direction; and
      - (b) The acoustic equipment/speakers must be configured to have a noise level limiting system to ensure compliance with the following levels:
        - (i) Between 7am and 7pm Monday to Saturday, 82dB(A) at 4m from speakers;

- (ii) Between 7am and 7pm Sundays or Public Holidays, 77dB(A) at 4m from speakers;
- (iii) The acoustic equipment/speakers shall not contain separate 'subwoofer' boxes; and
- (iv) The sides of the marquee shall remain down/enclosed at all times when music is being played, with the exception of an opening in a westerly direction to allow access and egress to the marquee.

3.4.7 For events where a marquee is not to be erected:

- (a) Noise levels to be identified and implemented such that the City can be confident that the requirements of the *Environmental Protection (Noise) Regulations 1997* will be complied with at all times.

#### **PRIOR TO USE/OCCUPATION CONDITIONS**

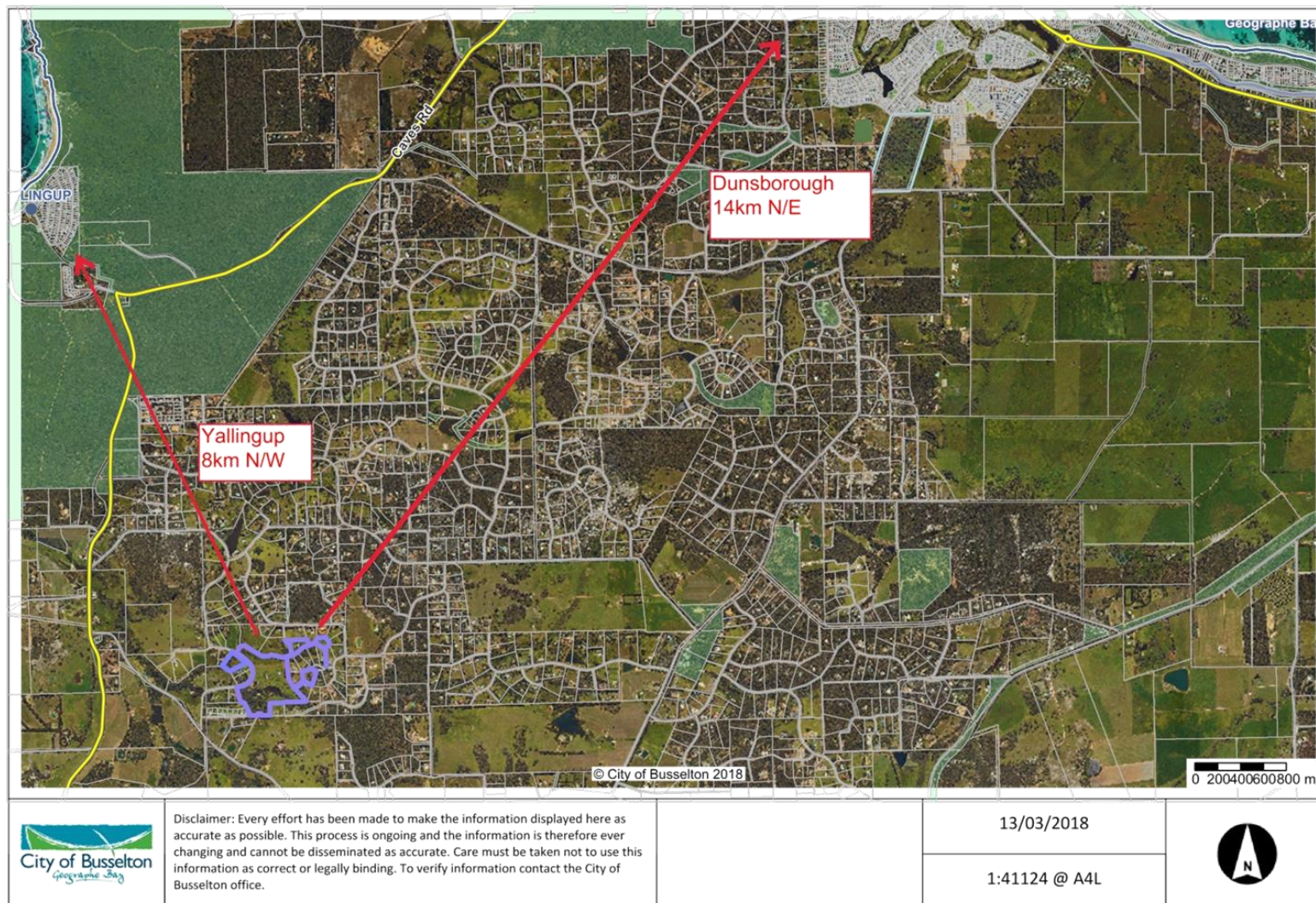
- 4. The development hereby approved shall not be occupied, or used, until all plans, details or works required by Condition(s) 2 and 3 have been implemented, and the following conditions have been complied with:

- 4.1 The development hereby approved shall be undertaken in accordance with the signed and stamped, Bushfire Management Plan and Bushfire Emergency Evacuation Plan (to be enclosed with this notice) and any works therein required.

#### **ONGOING CONDITIONS**

- 5. The works to satisfy Condition(s) 3.1, 3.2, 3.3 and 3.4 shall be subsequently maintained for the life of the development.
- 6. Hours of operation are restricted to between 7:00am and 7:00pm on any day.
- 7. The number of guests/occupants of the hereby approved Reception Centre shall be limited in number to not more than 150 persons at any time.

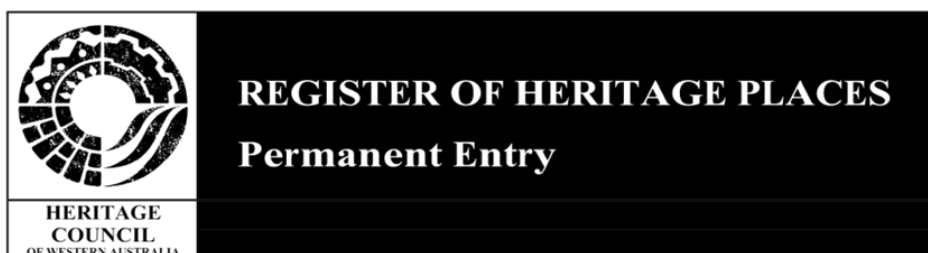












1. **DATA BASE No.** 0429
2. **NAME** *Millbrook Farm* (1920s, 1978, 1980)
3. **LOCATION** Millbrook Road, Yallingup
4. **DESCRIPTION OF PLACE INCLUDED IN THIS ENTRY**  
Those parts of Sussex Locations 461 and 474, being part of the land comprised in Certificates of Title Volume 1037 Folio 996 and Volume 1502 Folio 518 as together are defined in Heritage Council of Western Australia survey drawing No. 0429 prepared by Steffanoni Ewing and Cruickshank Pty. Ltd.
5. **LOCAL GOVERNMENT AREA** Shire of Busselton
6. **OWNER** Kevin Dale Merifield.
7. **HERITAGE LISTINGS**

• Register of Heritage Places:	Interim Entry	08/01/1999
	Permanent Entry	23/04/1999
• National Trust Classification:	Classified	05/06/1984
• Town Planning Scheme:	Adopted	1983
• Municipal Inventory:	Adopted	20/06/1996
• Register of the National Estate:	Permanent	18/04/1989
8. **CONSERVATION ORDER**  
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9. **HERITAGE AGREEMENT**  
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10. **STATEMENT OF SIGNIFICANCE**  
*Millbrook Farm*, comprising timber and wattle and daub barn (1924), dairy (1930s), Robert Donald's House (1929) and Jack Donald's House (1927) in the vernacular style, as well as a water wheel, mill race and dam wall (1922), saw pit (c. 1922) and lime kiln (c. 1920s), is considered to have cultural heritage significance for the following reasons:  

the use of a water wheel to drive a saw mill is unique in Western Australia;

the complex to displays a rich and diverse range of activities that date from the 1920s. These include timber milling, lime burning and farming;

the complex has historical and social links with the development of Yallingup as a tourist destination;

the place forms a cultural environment that is enhanced by its setting near a creek and the surrounding cleared pasture;

the place is closely associated with Robert Donald who constructed numerous buildings in the Busselton and Yallingup areas, including the first Caves House and the second Caves House;

the place has historical importance due to the construction methods used by Robert and Jack Donald in the construction of the water wheel; and,

the place has a strong potential to contain important archaeological deposits.

The buildings constructed during the 1970s and 1980s are considered to have low significance. They include the stables, blacksmithy, reconstructed Donald house, bandstand, toilets, workshop and gift shop.

No.	NAME & ADDRESS	NATURE OF SUBMISSION	OFFICER COMMENT
<b>Agency Submissions</b>			
1.	Department of Fire and Emergency Service	<p>Advice – support subject to modifications</p> <p>The development application and the BMP have adequately identified issues arising from the bushfire risk assessment and considered how compliance with the bushfire protection criteria can be achieved. However, modifications are necessary to ensure it accurately identifies the bushfire risk and necessary site-specific mitigation measures.</p> <p>As these modifications will not affect the development design, these modifications can be undertaken without further referral to DFES.</p>	Noted.
2.	Department of Environment – Now Department of Water, Environment and Regulation (DWER)	<p>Lloyd George Acoustics (LGA) was engaged to undertake further assessment of likely noise impacts to neighbouring residences as a result of a wedding event held in the marquee and to provide advice on suitable noise management for the venue.</p> <p>Acknowledging the limitations of modelling the venue noise emissions, LGA has undertaken measurements of the venue PA under simulated operating conditions. The PA noise level was set at 4 metres in front of the speaker inside a marquee and the receiver noise levels were measured at the six closest neighbouring residents.</p> <p>The measured noise levels are significantly higher than those predicted by the previous modelling. For the 80 dB(A) at 4 metres scenario, the measured levels are more than 10 dB higher than the predicted levels. The report notes that the measured levels are "unadjusted and inclusive of background noise". The assessment may have benefited from pre- and post- background noise measurements at each location in order to quantify the contribution of background noise. However, presumably if background noise was considered to</p>	Noted. Refer to Officer comment section of report for further discussion on noise and amenity.

	<p>be significantly affecting the measured levels at the time of measurement, then the results would not have been reported. On this basis the measured levels are accepted as a reliable indication of the received levels from the venue's operations as simulated.</p> <p>Section 5 of the LGA report provides a summary of the levels not to be exceeded at 4 metres from the speakers in order to comply with the Environmental Protection (Noise) Regulations 1997, based upon the noise levels measured at the receivers. The levels set for 7am to 7pm Monday to Saturday, 7pm to 10pm Monday to Saturday, and Sundays or public holidays before 10pm are 2 dB(A) higher than those that were tested. For the 7am to 7pm Monday to Saturday period this is understandable as the received levels were never more than 2 dB(A) below the assigned noise level and it is accepted that a 2 dB(A) increase from the tested 80 dB(A) level to 82 dB(A) should not result in an exceedance of the assigned levels at the receivers. For the other two periods a test level of 75 dB A resulted in a received level equal to the assigned level [40 dB(A)], so any increase in the level at 4 metres from the speakers is likely to result in an exceedance of the assigned level at receivers. Consequently, to meet the assigned level at the receivers, the speaker level would need to be set at 75 dB(A) instead of 77 dB(A) for those periods. If the LGA summary (p. 10) was revised as follows, the assigned levels would be met at the receivers:</p> <p>LGA has made a range of recommendations for the management of noise from the venue (section 6) and these generally appear to be suitable to adequately control the noise from the venue with the exception of those relating to bands/live music. Even with acoustic instruments only, a live band is likely to exceed 70 dB(A) and even 82 dB(A) inside the marquee. Live bands may not be suitable for this venue given the proximity of neighbouring residents.</p>	
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		It is noted that levels as low as 70 dB(A) are much lower than would typically be experienced at an event such as a wedding. Similarly, some of the other management measures would appear to significantly intrude on the typical functioning of a venue of this nature, however it is beyond the scope of this advice to consider the practicability of the limitations or viability of the venue with such controls.	
3.	Heritage Advisor	<p>Millbrook Farm, Yallingup is entered on the State Register of Heritage Places. The place consists of a complex of farm buildings, original and relocated to the site, and has the following statement of significance:</p> <p><i>Millbrook Farm</i>, comprising timber and wattle and daub barn (1924), dairy (1930s), Robert Donald's House (1929) and Jack Donald's House (1927) in the vernacular style, as well as a water wheel, mill race and dam wall (1922), saw pit (c. 1922) and lime kiln (c. 1920s), is considered to have cultural heritage significance.</p> <p>Access to the grassed area is via an informal track way. The proponent states that any vehicles brought by wedding guests will be left at the top of the site at the existing gravelled area just off the main driveway. However, it is assumed that some direct vehicle access to the site of the marquee will be required for the mobile kitchen and any disabled guests. No information on this access has been provided.</p> <p>Although the proposal does not directly impact any of the buildings identified as being of significance, the site is within a heritage listed curtilage and the impacts on the heritage significance of the place must be considered as a whole.</p> <p>The statement of significance mentions archaeological deposits on the site: will the proposal impact on any area of archaeological significance?</p>	Noted, further information would be required.

		<p>According to inherit, a conservation plan has been prepared in 2002 which may provide information on zones and elements of significance. No information has been provided as to whether the proposed wedding venue site is located in an area of high significance.</p> <p>Whilst there is no objection to the concept of the wedding venue being established on the site, further information relating to the perceived impacts on the heritage significance of the place should be sought in the form of a formal heritage impact statement. The HIS should be prepared following State Heritage Office guidance with specific reference to access, management of the heritage buildings around the site eg. Seymour's Cottages and the Water Wheel and Barn and whether guests will have access to these aspects of the site and whether the site is in an area of high significance and/or high potential for archaeology.</p>	
4.	Department of Planning, Lands and Heritage	The proposed development, in accordance with the plans submitted, is supported.	Noted.
<b>Community Submissions</b>			
1.	M Nelson	<p>Objection</p> <ul style="list-style-type: none"> <li>Noise concerns</li> <li>Proximity of dwellings</li> <li>Loss of amenity</li> <li>Possible reduction of noise to 65dbs</li> <li>Reduction of hours of operation</li> </ul>	Refer to Officer comment section of report for further discussion on noise and amenity.
2.	CR & SG Blair	<p>Objection</p> <ul style="list-style-type: none"> <li>Car parking</li> <li>Numbers of guests</li> <li>Loss of amenity</li> <li>Traffic concerns</li> <li>Risks of anti-social behaviour</li> <li>Noise concerns</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.

3.	I Chiswell	<p>Objection</p> <ul style="list-style-type: none"> <li>• Loss of amenity</li> <li>• Noise concerns</li> <li>• Traffic concerns</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.
4.	N. Wake	<p>Objection</p> <ul style="list-style-type: none"> <li>• Loss of amenity</li> <li>• Noise concerns</li> <li>• Traffic concerns</li> <li>• Inconsistent with LPS. 21</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.
5.	D & B Muzaferovic	<p>Objection</p> <ul style="list-style-type: none"> <li>• Noise concerns</li> <li>• Traffic concerns</li> </ul>	Refer to Officer comment section of report for further discussion on traffic and noise.
6.	K & B Chute	<p>Objection</p> <ul style="list-style-type: none"> <li>• Noise concerns</li> </ul>	Refer to Officer comment section of report for further discussion on noise.
7.	S. Papadopoulos	<p>Objection</p> <ul style="list-style-type: none"> <li>• Noise concerns</li> <li>• Loss of amenity</li> <li>• Concerns over proposals consistency with restrictive covenants between neighbours</li> </ul>	Refer to Officer comment section of report for further discussion on noise and amenity.
8.	J & N Trendos	<p>Objection</p> <ul style="list-style-type: none"> <li>• Noise concerns</li> <li>• Traffic concerns</li> <li>• Anti-social behaviour</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.
9.	M & T. Wilding	<p>Objection</p> <ul style="list-style-type: none"> <li>• Traffic concerns</li> <li>• Noise concerns</li> <li>• Concerns over proposals consistency with restrictive covenants between neighbours</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.
10.	B. Cameron	<p>Objection</p> <ul style="list-style-type: none"> <li>• Noise concerns</li> <li>• Traffic concerns</li> <li>• Bush fire risk</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.

11.	S & A Judge	<p>Objection</p> <ul style="list-style-type: none"> <li>• Loss of amenity</li> <li>• Traffic concerns</li> <li>• Noise concerns</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.
12.	C & M Frei	<p>Objection</p> <ul style="list-style-type: none"> <li>• Loss of amenity</li> <li>• Noise concerns</li> </ul>	Refer to Officer comment section of report for further discussion on noise and amenity.
13.	N & R Tandy	<p>Objection</p> <ul style="list-style-type: none"> <li>• Loss of amenity</li> <li>• Fire risk</li> <li>• Noise concerns</li> <li>• Suggests venue is fitted with noise limiting switch</li> <li>• Clarification of house events are to be controlled in relation to marquees remaining closed in summer months</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise, amenity and bushfire.
14.	L & B Mumme	<p>Objection</p> <ul style="list-style-type: none"> <li>• Noise concerns</li> <li>• Traffic concerns</li> <li>• Loss of amenity</li> <li>• Impact on wildlife within the area</li> <li>• Increased bush fire risk</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise, amenity and bushfire.
15.	B & A Moyle	<p>Objection</p> <ul style="list-style-type: none"> <li>• Noise concerns</li> <li>• Frequency of weddings</li> <li>• Time curfew for events</li> </ul>	Refer to Officer comment section of report for further discussion on noise and amenity.
16.	F. Frost & G. Sterrett	<p>Objection</p> <ul style="list-style-type: none"> <li>• Noise concerns</li> <li>• Loss of amenity</li> </ul>	Refer to Officer comment section of report for further discussion on noise and amenity.
17.	D & S Visser	<p>Objection</p> <ul style="list-style-type: none"> <li>• Noise concerns</li> <li>• Loss of amenity</li> </ul>	Refer to Officer comment section of report for further discussion on noise and amenity.
18.	D & B Jasper	<p>Objection</p> <ul style="list-style-type: none"> <li>• Noise concerns</li> </ul>	Refer to Officer comment section of report for further discussion on noise and amenity.
19.	Gemelli Nominees Pty Ltd	<p>Objection</p> <ul style="list-style-type: none"> <li>• Noise concerns</li> </ul>	Refer to Officer comment section of report for further



		<ul style="list-style-type: none"> <li>• Risk of trespass</li> <li>• Anti-social behaviour</li> <li>• Fire management</li> </ul>	discussion on traffic, noise, amenity and bushfire.
20.	J White & N Smith	Objection <ul style="list-style-type: none"> <li>• Loss of amenity</li> <li>• Inconsistent with objectives of zoning</li> </ul>	Refer to Officer comment section of report for further discussion on zoning, noise and amenity.
21.	J & R Comes	Objection <ul style="list-style-type: none"> <li>• Noise concerns</li> <li>• Fire risk</li> <li>• Loss of amenity</li> </ul>	Refer to Officer comment section of report for further discussion on noise, amenity and bushfire.
22.	B. Lang	Objection <ul style="list-style-type: none"> <li>• Noise concerns</li> <li>• Concerns over proposals consistency with restrictive covenants between neighbours</li> </ul>	Refer to Officer comment section of report for further discussion on noise and amenity.
23.	C. Sackville	Objection <ul style="list-style-type: none"> <li>• Loss of amenity</li> <li>• Traffic concerns</li> <li>• Noise concerns</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.
24.	J & S Launder	Objection <ul style="list-style-type: none"> <li>• Noise concerns</li> <li>• Traffic concerns</li> <li>• Loss of amenity</li> <li>• Anti-social behaviour</li> <li>• Impact on wildlife</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.
25.	D. Lipscombe	Objection <ul style="list-style-type: none"> <li>• Noise concerns</li> </ul>	Refer to Officer comment section of report for further discussion on noise and amenity.
26.	L & L McGown	Objection <ul style="list-style-type: none"> <li>• Noise concerns</li> <li>• Fire risk</li> <li>• Traffic concerns</li> <li>• Loss of amenity</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise, amenity and bushfire.
27.	D & B Kirsop	Objection <ul style="list-style-type: none"> <li>• Loss of amenity</li> <li>• Inconsistent with LPS. 21</li> <li>• Noise concerns</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.

		<ul style="list-style-type: none"> <li>Traffic concerns</li> </ul>	
28.	K. Cribb	Objection <ul style="list-style-type: none"> <li>Noise concerns</li> <li>Concerns over proposals consistency with restrictive covenants between neighbours</li> <li>Loss of amenity</li> <li>Bush fire risk</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.
29.	J & C Matthys	Objection <ul style="list-style-type: none"> <li>Noise concerns</li> <li>Loss of amenity</li> <li>Traffic concerns</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.
30.	A & P Isbister	Objection <ul style="list-style-type: none"> <li>Noise concerns</li> <li>Loss of amenity</li> </ul>	Refer to Officer comment section of report for further discussion on noise and amenity.
31.	R. Andrew	Objection <ul style="list-style-type: none"> <li>Loss of amenity</li> <li>Fire risk</li> </ul>	Refer to Officer comment section of report for further discussion on noise, amenity and bushfire.
32.	M. Brown	Objection <ul style="list-style-type: none"> <li>Loss of amenity</li> <li>Noise concerns</li> </ul>	Refer to Officer comment section of report for further discussion on noise and amenity.
33.	D & A Rowe	Objection <ul style="list-style-type: none"> <li>Noise concerns</li> <li>Anti-social behaviour</li> <li>Loss of amenity</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.
34.	G & A Pinakis	Objection <ul style="list-style-type: none"> <li>Noise concerns</li> </ul>	Refer to Officer comment section of report for further discussion on noise and amenity.
35.	M. Nelson	Objection <ul style="list-style-type: none"> <li>Noise Concerns</li> <li>Loss of amenity</li> </ul>	Refer to Officer comment section of report for further discussion on noise and amenity.
36.	C. Davies	Objection <ul style="list-style-type: none"> <li>Noise concerns</li> <li>Traffic concerns</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.
37.	D. Camm	Objection <ul style="list-style-type: none"> <li>Loss of amenity</li> </ul>	Refer to Officer comment section of report for further discussion on noise and amenity.
38.	H. & L. Karelis	Objection	

		<ul style="list-style-type: none"> <li>Noise concerns</li> <li>Anti-social behaviour</li> <li>Fire risk</li> </ul>	Refer to Officer comment section of report for further discussion on noise, amenity and bushfire.
39.	C. Avis	Objection <ul style="list-style-type: none"> <li>Traffic concerns</li> <li>Noise concerns</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.
40.	A. May	Objection <ul style="list-style-type: none"> <li>Noise concerns</li> <li>Traffic concerns</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.
41.	J. Saggars	Objection <ul style="list-style-type: none"> <li>Noise concerns</li> <li>Traffic Concerns</li> </ul>	Refer to Officer comment section of report for further discussion on traffic, noise and amenity.
42.	G & P Hutton	Support subject to alterations <ul style="list-style-type: none"> <li>Suitable location for a wedding reception venue</li> <li>Concern over noise</li> <li>Suggests curfew of 11PM</li> <li>Suggests possible restriction of PA/amplified volume</li> </ul>	Noted.
43.	L & W Pill	Support <ul style="list-style-type: none"> <li>Consider location as appropriate and complimentary to unique heritage features</li> </ul>	Noted.
44.	K. Edwards	Support subject to alterations <ul style="list-style-type: none"> <li>Noise concerns</li> <li>Traffic concerns</li> <li>Suggests limitation on noise levels</li> <li>Suggests curfews for events</li> <li>Suggests limitation on the number of events</li> </ul>	Noted.
45.	B. House	Support <ul style="list-style-type: none"> <li>Support on grounds of heritage conservation</li> <li>Support on grounds of positive impact on tourism industry</li> </ul>	Noted.
46.	J. McKay	Support <ul style="list-style-type: none"> <li>Support on grounds of tourism potential and small business</li> </ul>	Noted.
47.	M & M Hartfield	Support subject to alterations	

		<ul style="list-style-type: none"> <li>Noise concerns</li> <li>Suggests contact number of on-site management presence regarding noise</li> </ul>	Noted.
48.	C. Beek	Support <ul style="list-style-type: none"> <li>Support on grounds of tourism potential</li> </ul>	Noted.
49.	M. Hendriks	Support <ul style="list-style-type: none"> <li>Support on ground of tourism potential</li> <li>Support on grounds of heritage maintenance</li> </ul>	Noted.
50.	M & M Zed	Support subject to alterations <ul style="list-style-type: none"> <li>Noise concerns</li> <li>Suggests restriction on amplified music</li> </ul>	Noted.
51.	WM. Butterly	Support <ul style="list-style-type: none"> <li>Support on grounds of tourism potential</li> </ul>	Noted.
52.	D & L Ocello	Support subject to alterations <ul style="list-style-type: none"> <li>Heritage maintenance concerns</li> <li>Noise concerns</li> </ul> Suggests limitation on; <ul style="list-style-type: none"> <li>Number of guests/size of events</li> <li>Number of events per day (1 per day)</li> <li>Days for operation</li> <li>Times of operation</li> <li>Types of events</li> <li>Alcohol consumption</li> <li>Noise</li> </ul>	Noted.
53.	P. Battye	Support <ul style="list-style-type: none"> <li>Support on grounds of tourism potential</li> </ul>	Noted.
54.	S & E Butterly	Support <ul style="list-style-type: none"> <li>Support on grounds of tourism potential</li> </ul>	Noted.
55.	Whaleback Timbercraft Pty Ltd	Support <ul style="list-style-type: none"> <li>Support on grounds of tourism potential</li> <li>Support on grounds of heritage maintenance</li> </ul>	Noted.
56.	Windance Estate Pty Ltd	Support	Noted.

		<ul style="list-style-type: none"> <li>Support on grounds of tourism potential</li> </ul>	
57.	F. de Vroet	Support subject to alterations <ul style="list-style-type: none"> <li>Suggests noise levels kept to acoustics report</li> <li>Suggests restriction on hours of operation (10pm)</li> <li>Suggests limitation of number of events (1 per week)</li> <li>Suggests limit on guests numbers</li> </ul>	Noted.
58.	J. Parry & G. Howells	Support <ul style="list-style-type: none"> <li>Support on grounds of heritage maintenance</li> <li>Support on grounds of tourism potential</li> </ul>	Noted.
59.	D. Hunt	Support <ul style="list-style-type: none"> <li>Support on grounds of heritage maintenance</li> </ul>	Noted.
60.	S & S Barratt	Support <ul style="list-style-type: none"> <li>Ideal location for proposed use</li> </ul>	Noted.
61.	M & J Watts	Support <ul style="list-style-type: none"> <li>Support on grounds of tourism potential</li> </ul>	Noted.
62.	N. Williams	Support <ul style="list-style-type: none"> <li>Support on grounds of tourism potential</li> </ul>	Noted.
63.	P & K Bradley	Support subject to alterations <ul style="list-style-type: none"> <li>Suggests the secondary access is restricted to emergency access only and not advertised as a thoroughfare to guests</li> <li>Use is restricted to weddings with noise curfew times</li> </ul>	Noted.
64.	A & S Jones	Support <ul style="list-style-type: none"> <li>Support on grounds of tourism potential</li> <li>Support on grounds of heritage maintenance</li> </ul>	Noted.
65.	L. Nelmes	Support <ul style="list-style-type: none"> <li>Support on grounds of tourism potential</li> </ul>	Noted.
66.	B. Scully	Support subject to alteration <ul style="list-style-type: none"> <li>Noise concerns</li> <li>Suggests curfew time of 11pm</li> </ul>	Noted.
67.	Margaret Busselton Association	Support <ul style="list-style-type: none"> <li>Support on grounds of tourism potential</li> </ul>	Noted.
68.	J & M Hancock	Support subject to alteration	

		<ul style="list-style-type: none"> <li>Noise concerns</li> <li>Suggests curfew time of 11pm</li> </ul>	Noted.
69.	G & V Schultz	Support <ul style="list-style-type: none"> <li>No concerns</li> </ul>	Noted.
70.	K & S Smorthwaite	Support subject to alteration <ul style="list-style-type: none"> <li>Noise concerns</li> <li>Loss of amenity</li> <li>Suggest restriction of hours of operation (10pm)</li> </ul>	Noted.



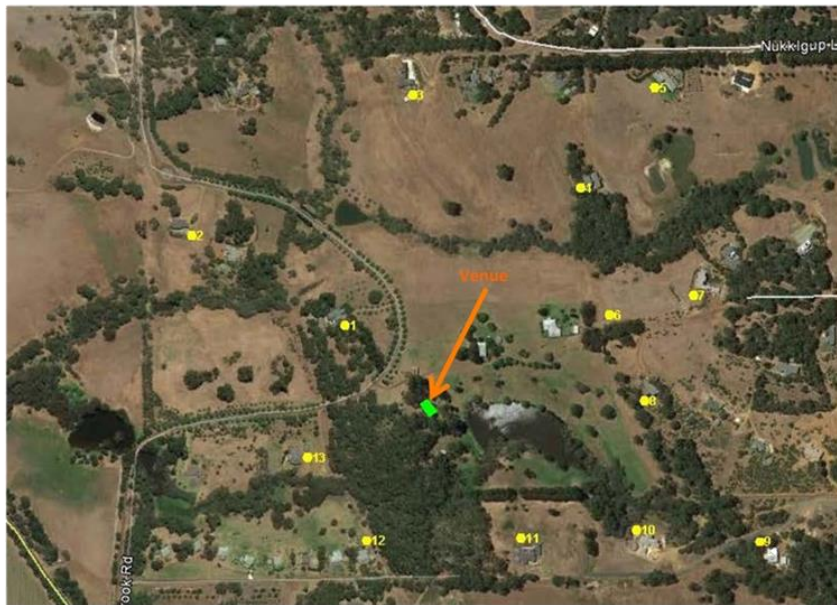
## Lloyd George Acoustics

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<b>To:</b>	City of Busselton	<b>From:</b>	Daniel Lloyd
<b>Attention:</b>	Paul Needham, Director Planning & Development Services	<b>Date:</b>	17 October 2017
<b>Email:</b>	Aaron@ableplanning.com.au	<b>Pages:</b>	3
<b>Our Ref:</b>	17074047-02		
<b>Re:</b>	Non-technical description of predicted noise levels from Proposed Reception Centre on 70 Millbrook Rd		

As requested, Lloyd George Acoustics have predicted noise levels resulting from the proposed wedding reception centre at 70 Millbrook Road, Yallingup, to residential premises surrounding the venue. To provide some clarity on the expected impacts from the noise to these residential premises, a non-technical description of the predicted noise level has also been included for each receiver.

The noise from the proposed venue has been predicted to 13 residences surrounding the venue. The location of these receivers is shown in *Figure 1*.



*Figure 1* Location of Nearby Residential Premises.

The predicted noise level assuming a sound limit of 85 dB(A) and 80 dB(A) at 4m from the stage respectively, together with a no-technical description of the noise is provided in *Tables 1 and 2* respectively. As a note: It has been recommended that the music level be reduced to 80 dB(A) at 4m from the stage after 7.00 pm.

*Lloyd George Acoustics**Table 1 Predicted Noise Levels Assuming 85 dB(A) at 4m from the Stage*

Receiver ID	Predicted Noise Level dB(A)	Description
1	30	Music likely to be audible outside during favorable (from the venue towards the residence) wind conditions. Unlikely to be audible inside even with windows open. Would not be audible during downwind conditions.
2	24	Music could be just audible outside during very still days with wind from the venue towards the residence. Unlikely to be audible inside even with windows open. Would not be audible during downwind conditions.
3	23	Music could be just audible outside during still days with light wind from the venue towards the residence. Unlikely to be audible inside even with windows open. Would not be audible during downwind conditions.
4	27	Music likely to be just audible outside during favorable (from the venue towards the residence) wind conditions. Unlikely to be audible inside even with windows open. Would not be audible during downwind conditions.
5	23	Music could be just audible outside during still days with light wind from the venue towards the residence. Unlikely to be audible inside even with windows open. Would not be audible during downwind conditions.
6	24	Music could be just audible outside during still days with light wind from the venue towards the residence. Unlikely to be audible inside even with windows open. Would not be audible during downwind conditions.
7	17	Music unlikely to be audible at all, even during favourable wind conditions.
8	19	Music unlikely to be audible at all, even during favourable wind conditions.
9	9	Music unlikely to be audible at all, even during favourable wind conditions.
10	12	Music unlikely to be audible at all, even during favourable wind conditions.
11	14	Music unlikely to be audible at all, even during favourable wind conditions.
12	21	Music may be just audible outside on occasions during favourable wind conditions. Unlikely to be audible inside even with windows open. Would not be audible during downwind conditions.
13	34	Music likely to be easily audible outside during favorable (from the venue towards the residence) wind conditions. May be just audible inside with windows open, but not with windows shut. Unlikely to be audible during downwind conditions.



*Lloyd George Acoustics**Table 2 Predicted Noise Levels Assuming 80 dB(A) at 4m from the Stage*

Receiver ID	Predicted Noise Level dB(A)	Description
1	25	Music may be audible outside with wind from the venue towards the residence. Unlikely to be audible inside even with windows open. Would not be audible during downwind conditions.
2	19	Music unlikely to be audible at all, even during favourable wind conditions.
3	18	Music unlikely to be audible at all, even during favourable wind conditions.
4	22	Music may be just audible on occasions during favourable wind conditions.
5	18	Music unlikely to be audible at all, even during favourable wind conditions.
6	19	Music unlikely to be audible at all, even during favourable wind conditions.
7	12	Music unlikely to be audible at all, even during favourable wind conditions.
8	14	Music unlikely to be audible at all, even during favourable wind conditions.
9	4	Music would not be audible at all, even during favourable wind conditions.
10	7	Music would not be audible at all, even during favourable wind conditions.
11	9	Music would not be audible at all, even during favourable wind conditions.
12	16	Music unlikely to be audible at all, even during favourable wind conditions.
13	29	Music likely to be easily audible outside during favorable (from the venue towards the residence) wind conditions. Unlikely to be just audible inside with windows open, but not with windows shut. Unlikely to be audible during downwind conditions.

We trust this information provides a better understanding of the noise impacts associated with the proposed venue. Should you require further information, please do not hesitate to contact me.

Regards,



Daniel Lloyd



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# Environmental Noise Assessment

**Proposed Wedding Reception  
70 Millbrook Road, Yallingup**

**Reference: 17074047-03**

**Prepared for:**  
Kevin Merifield

**Report: 17074047-03**

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This report has been prepared in accordance with the scope of services described in the contract or agreement between Lloyd George Acoustics Pty Ltd and the Client. The report relies upon data, surveys, measurements and results taken at or under the particular times and conditions specified herein. Any findings, conclusions or recommendations only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the Client. Furthermore, the report has been prepared solely for use by the Client, and Lloyd George Acoustics Pty Ltd accepts no responsibility for its use by other parties.

Date:	Rev	Description	Prepared By	Verified
22/01/18	0	Issued to Client	Matt Moyle	Daniel Lloyd

*Lloyd George Acoustics*

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## Appendices

A	Terminology
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## 1 INTRODUCTION

It is proposed to develop an outdoor/marquee wedding reception area on Lot 30 (Deposited Plan 41565), 70 Millbrook Road, Yallingup, WA, 6282. The general locality is shown in *Figure 1-1*. The property has a large level area adjacent to the lake and it is proposed to use this area for weddings with receptions to be held in a temporary marquee.

Lloyd George Acoustics have been engaged to assess the likely noise impacts to neighbouring residences as a result of a wedding event held in the marquee and to provide advice on suitable noise management for the venue. A previous assessment was carried out in August 2017 LGA Ref (17074047-01) which utilised noise modelling to predict noise levels from a function.

This report supplements the previous by assessing onsite noise measurements of a simulated function with PA speakers.

*Appendix A* contains a description of some of the terminology used throughout this report.



*Figure 1-1 General Locality and Sensitive Receivers*

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## 2 CRITERIA

Environmental noise in Western Australia is governed by the *Environmental Protection Act 1986*, through the *Environmental Protection (Noise) Regulations 1997* (the Regulations).

Regulation 7 defines the prescribed standard for noise emissions as follows:

“7. (1) Noise emitted from any premises or public place when received at other premises –

- (a) Must not cause or significantly contribute to, a level of noise which exceeds the assigned level in respect of noise received at premises of that kind; and
- (b) Must be free of –
  - i. Tonality;
  - ii. Impulsiveness; and
  - iii. Modulation”.

A “...noise emission is taken to *significantly contribute* to a level of noise if the noise emission exceeds a value which is 5 dB below the assigned level...”

Tonality, impulsiveness and modulation are defined in Regulation 9. Noise is to be taken to be free of these characteristics if:

- (a) The characteristics cannot be reasonably and practicably removed by techniques other than attenuating the overall level of noise emission; and
- (b) The noise emission complies with the standard after the adjustments of *Table 2-1* are made to the noise emission as measured at the point of reception.

*Table 2-1 Adjustments for Intrusive Characteristics*

Tonality	Modulation	Impulsiveness	Music Where impulsiveness is not present	Where impulsiveness is present
+ 5dB	+ 5dB	+ 10dB	+10 dB	+15 dB

Note: The above are cumulative to a maximum of 15dB.

The baseline assigned levels (prescribed standards) are specified in Regulation 8 and are shown in *Table 2-2*.

*Lloyd George Acoustics**Table 2-2 Baseline Assigned Noise Levels*

Premises Receiving Noise	Time Of Day	Assigned Level (dB)		
		L <sub>A10</sub>	L <sub>A1</sub>	L <sub>Amax</sub>
Noise sensitive premises: highly sensitive area <sup>1</sup>	0700 to 1900 hours Monday to Saturday (Day)	45 + influencing factor	55 + influencing factor	65 + influencing factor
	0900 to 1900 hours Sunday and public holidays (Sunday)	40 + influencing factor	50 + influencing factor	65 + influencing factor
	1900 to 2200 hours all days (Evening)	40 + influencing factor	50 + influencing factor	55 + influencing factor
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	35 + influencing factor	45 + influencing factor	55 + influencing factor
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80

1. *highly sensitive area* means that area (if any) of noise sensitive premises comprising —
- (a) a building, or a part of a building, on the premises that is used for a noise sensitive purpose; and
  - (b) any other part of the premises within 15 metres of that building or that part of the building;

As the area is predominantly rural residential, the influencing factor applicable at the noise sensitive premises is 0 dB. Therefore it is the baseline assigned levels in *Table 2-2* that will apply.

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### 3 METHODOLOGY

The noise model constructed in the report 17074047-01 (August 2017) was valuable in determining far field noise propagation and expected levels from music noise for a variety of wind conditions. However, terrain limitations and assumptions made within the model can often cause results that do not always correlate with measurements. Furthermore, noise modelling does not represent the effect of background noise for a given location. As such, follow up site measurements provide a holistic assessment of a proposal such as this, having both future and pre-existing noise components.

Noise measurements were conducted on site during the evening and night period of 11 January 2018. The purpose of these follow-up measurements was to verify predictions of the noise model and to obtain real-world results at sensitive receivers under likely wind conditions for a given function.

#### 3.1 Testing Marquee Setup

A simulated marquee was deployed on site, in the configuration expected to be most common for functions. This configuration involved a large marquee with canvas walls on all sides and an opening (2m wide) to the toilet block due west. Twin party speakers were placed at the east end and pointed south-westward. The configuration is illustrated simply in *Figure 3-1*.

The layout differs somewhat from the modelled scenario, however it was deemed to be a more likely configuration for functions and a worst-case orientation for testing purposes. As such, the resulting measured levels should be observed for the purposes of the assessment.

A tripod mounted sound level meter was positioned 4 metres in front of the speakers to provide a volume calibration point for the tests. A single song with a characteristic dance beat and melody was chosen and played on repeat for the duration of all tests.

The tests were conducted between the time period of 7pm to 10pm and generally consisted of determining the worst case receiver for a given noise level inside the marquee. Wind conditions during the test were generally prevailing south westerlies with the wind speed decreasing close to negligible after 9pm. Nearest sensitive receivers are identified as shown in *Figure 3-2*.



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*Figure 3-1 Test Marquee Configuration*



*Figure 3-2 Receiver Locations*

*Lloyd George Acoustics*

## 4 RESULTS

### 4.1 Noise Measurements

The results of the noise measurements are displayed in *Tables 4-1 to 4-3* for a marquee music level of 80 dB(A), 75 dB(A) and 70 dB(A) when measured at 4 metres from the PA speakers. All the results obtained herein were taken during a worst case weather period of calm/light south westerly winds. It was observed that prior to 8pm, background noise is high due to wind noise through trees. Note that the noise levels reported in the tables are unadjusted and inclusive of background noise. As such, they are conservatively higher than that of music levels alone (such as would be possible via noise modelling).

A background noise measurement was taken at Location **13** with the resulting level for 6pm to 8am shown in *Figure 4-1*.

*Table 4-1 Measurement Results – Music Level: 80 dB(A) @4m*

Receiver ID	Measured Noise Level dB(A)	Comments
R1	28-31	Music was inaudible at all times. Line of sight is interrupted by terrain.
R6	30-33	Music was faintly audible during periods of low wind.
R8	30-33	Music was faintly audible during periods of low wind.
R11	30-33	Music was audible during periods of very low wind. Has line of sight.
R12	28-30	Music was faintly audible during periods of very low wind.
R13	30-33	Music was inaudible at all times. Line of sight is interrupted by terrain.

*Lloyd George Acoustics**Table 4-2 Measurement Results – Music Level: 75 dB(A) @4m*

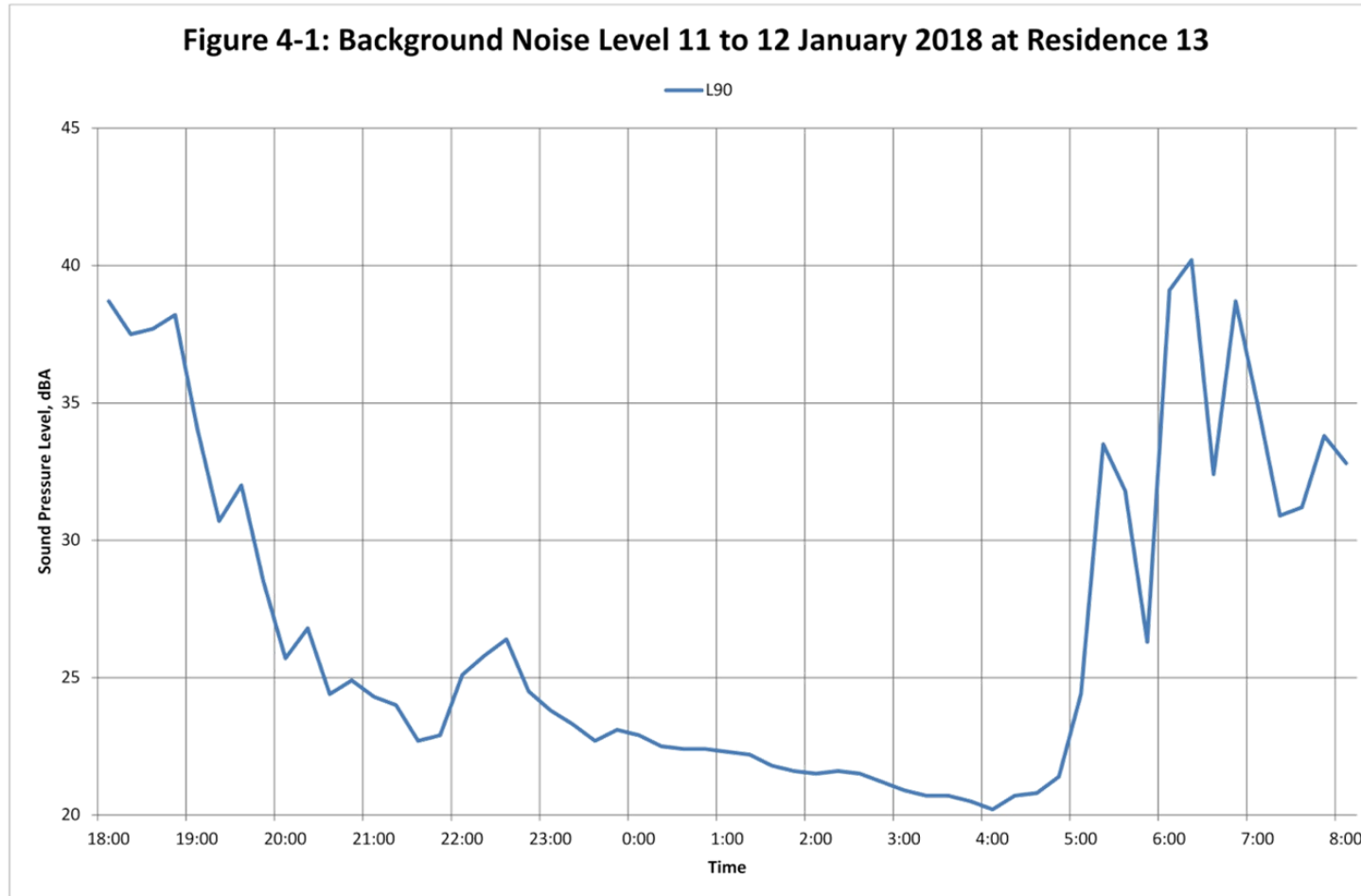
Receiver ID	Measured Noise Level dB(A)	Comments
R1	28	Music was inaudible at all times. Line of sight is interrupted by terrain.
R6	28-30	Music was faintly audible during periods of low wind.
R8	28-30	Music was faintly audible during periods of low wind.
R11	28-30	Music was audible during periods of very low wind. Has line of sight.
R12	27-28	Music was faintly audible during periods of very low wind.
R13	28	Music was inaudible at all times. Line of sight is interrupted by terrain.

*Table 4-3 Measurement Results – Music Level: 70 dB(A) @4m*

Receiver ID	Measured Noise Level dB(A)	Comments
R1	<26	Music was inaudible above background at all times.
R6	<26	Music was inaudible above background at all times.
R8	<26	Music was inaudible above background at all times.
R11	<26	Music was inaudible above background at all times.
R12	<26	Music was inaudible above background at all times.
R13	<26	Music was inaudible above background at all times.

The results demonstrate that in order for music to be inaudible at all times, a marquee level of 70 dB(A) should be maintained at 4m from the speakers. This level was determined by gradually reducing music volume until music was no longer deemed perceptible at Receiver 11, being the worst case receiver. Note that the receivers listed in the tables represent the worst case noise sensitive premises, and at all other receivers not listed music was inaudible during the tests.

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17074047

*Lloyd George Acoustics*

## 5 ASSESSMENT

The assessment of measured levels demonstrates the proposed wedding reception area would result in the noise levels at most affected neighbouring residences to be 30 to 33 dB(A), with a sound limit of 80 dB(A) inside the marquee (4m from the PA) and inaudible at all residences with a sound limit of 70 dB(A).

The Regulations apply a penalty of +10 dB when a sound is recognisable as music (*Table 2-1*). While the application of this penalty is dependent upon the background noise level, we have assumed that where the music level at the residence is 30 dB(A) a penalty will apply [adjusted noise level of 40 dB(A)]. Background noise levels are demonstrated to be approximately 26 L<sub>A90</sub> dB(A) between 8pm and 11pm. Prior to 8pm, wind, traffic and insect noise is more apparent and background levels range from 35 to 30 L<sub>A90</sub> dB(A). During the Day, ie. prior to 7pm, the background levels are generally above 35 L<sub>A90</sub> dB(A).

Based on the observed and measured music levels at residences, *Table 5-1* summarises the assessment of each time period as prescribed in the Regulations. Note that the adjustment of +10 dB is only applied where music was observed to be audible. Note that during the day period, background levels are demonstrated to be higher than 35 dB(A), therefore music would not be considered audible

*Table 5-1 Assessment against Assigned Levels*

Receiver ID	80 dB(A)	75 dB(A)	70 dB(A)
R1	31 (inaudible)	28 (inaudible)	<26 (inaudible)
R6	33 + 10	30 + 10	<26 (inaudible)
R8	33 + 10	30 + 10	<26 (inaudible)
R11	33 + 10	30 + 10	<26 (inaudible)
R12	30 + 10	28 + 10	<26 (inaudible)
R13	33 (inaudible)	28 (inaudible)	<26 (inaudible)
Legend	Complies for all Time Periods 35 dB(A)	Complies for Evening and Day 40 dB(A)	Complies for Day only 45 dB(A)

Note that in *Table 5-1* background noise levels are not taken into account when determining compliance. During the day in particular, the background noise is measured at over 35 dB(A) due to wind and nearby traffic noise. Therefore prior to 7pm, the +10 dB adjustment would not apply to music levels below 35 dB(A) as the music component would be indistinguishable above background noise.

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The assessment shows that the assigned levels would be met at all sensitive premises between 7 am and 7 pm Monday to Saturday assuming a sound level inside of the marquee of 82 dB(A). Between 7pm and 10pm on any day, the sound level inside of the marquee would need to be reduced to 77 dB(A) to achieve compliance based on measurements. From 10pm on any day, music needs to be inaudible above background to avoid the +10 adjustment. Therefore, a level of 70 dB(A) should be maintained from this time (as was determined by the field trials).

It should be noted that this assessment assumes a standard PA system of loudspeaker boxes located either side of the stage area, approximately 1.8m above the ground, facing towards the rear of the marquee. This would be considered a basic setup.

In summary, to achieve compliance the following levels must be adhered to:

Between 7am and 7pm Monday to Saturday:	82 dB(A) at 4m from speakers
Between 7pm and 10pm Monday to Saturday:	77 dB(A) at 4m from speakers
On Sundays or Public Holidays before 10pm:	77 dB(A) at 4m from speakers
After 10pm on any day:	70 dB(A) at 4m from speakers



*Lloyd George Acoustics*

## 6 RECOMMENDATIONS

To ensure that any noise impacts associated with an event are minimised, the following management measures are recommended:

- The marquee should be set up to ensure the PA is facing West (as shown in *Figure 3-1*);
- The PA system should be provided by the venue to ensure management of levels is not the responsibility of venue hirers. The following PA specifications would be considered suitable:
  - The PA must be configured to have a noise level limiting system in line with the levels. This can be done using a manual system or with an automatic limiter device. It is understood that the proponent has investigated the purchase of an LRF-04 system from CESVA<sup>1</sup> which also has a logging capability.
  - The PA volume control limits should be made “tamperproof” by all except the venue management.
  - The system should not contain any separate subwoofer boxes.
- In addition to above controls, sound levels will be monitored onsite using a sound meter. This testing will be done by onsite duty manager.
- Duty Manager will be on site from 7pm until close.
- Any live music to be acoustic type only, with no additional instrument amplifiers.
- The sides of the marquee should remain down at all times when a band or DJ are playing, except for in the west direction to allow access to toilets;
- It is understood that there will be curfew time for all events of 11pm; and
- Potential venue hirers should be notified of the sensitive surrounding land use and the prescribed noise management requirements prior to booking.

---

<sup>1</sup> <https://www.cesva.com/en/products/logger-limiters/lrf-04/>

**Appendix A**  
**Terminology**



*Lloyd George Acoustics*

The following is an explanation of the terminology used throughout this report.

***Decibel (dB)***

The decibel is the unit that describes the sound pressure and sound power levels of a noise source. It is a logarithmic scale referenced to the threshold of hearing.

***A-Weighting***

An A-weighted noise level has been filtered in such a way as to represent the way in which the human ear perceives sound. This weighting reflects the fact that the human ear is not as sensitive to lower frequencies as it is to higher frequencies. An A-weighted sound level is described as  $L_A$  dB.

***Sound Power Level ( $L_w$ )***

Under normal conditions, a given sound source will radiate the same amount of energy, irrespective of its surroundings, being the sound power level. This is similar to a 1kW electric heater always radiating 1kW of heat. The sound power level of a noise source cannot be directly measured using a sound level meter but is calculated based on measured sound pressure levels at known distances. Noise modelling incorporates source sound power levels as part of the input data.

***Sound Pressure Level ( $L_p$ )***

The sound pressure level of a noise source is dependent upon its surroundings, being influenced by distance, ground absorption, topography, meteorological conditions etc and is what the human ear actually hears. Using the electric heater analogy above, the heat will vary depending upon where the heater is located, just as the sound pressure level will vary depending on the surroundings. Noise modelling predicts the sound pressure level from the sound power levels taking into account ground absorption, barrier effects, distance etc.

***$L_{ASlow}$***

This is the noise level in decibels, obtained using the A frequency weighting and the S time weighting as specified in AS1259.1-1990. Unless assessing modulation, all measurements use the slow time weighting characteristic.

***$L_{AFast}$***

This is the noise level in decibels, obtained using the A frequency weighting and the F time weighting as specified in AS1259.1-1990. This is used when assessing the presence of modulation only.

***$L_{APeak}$***

This is the maximum reading in decibels using the A frequency weighting and P time weighting AS1259.1-1990.

***$L_{Amax}$***

An  $L_{Amax}$  level is the maximum A-weighted noise level during a particular measurement.

***$L_{A1}$***

An  $L_{A1}$  level is the A-weighted noise level which is exceeded for one percent of the measurement period and is considered to represent the average of the maximum noise levels measured.

***$L_{A10}$***

An  $L_{A10}$  level is the A-weighted noise level which is exceeded for 10 percent of the measurement period and is considered to represent the "intrusive" noise level.

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**$L_{Aeq}$**

The equivalent steady state A-weighted sound level ("equal energy") in decibels which, in a specified time period, contains the same acoustic energy as the time-varying level during the same period. It is considered to represent the "average" noise level.

**$L_{A90}$**

An  $L_{A90}$  level is the A-weighted noise level which is exceeded for 90 percent of the measurement period and is considered to represent the "background" noise level.

**One-Third-Octave Band**

Means a band of frequencies spanning one-third of an octave and having a centre frequency between 25 Hz and 20 000 Hz inclusive.

**$L_{Amax}$  assigned level**

Means an assigned level which, measured as a  $L_{A\ Slow}$  value, is not to be exceeded at any time.

**$L_{A1}$  assigned level**

Means an assigned level which, measured as a  $L_{A\ Slow}$  value, is not to be exceeded for more than 1% of the representative assessment period.

**$L_{A10}$  assigned level**

Means an assigned level which, measured as a  $L_{A\ Slow}$  value, is not to be exceeded for more than 10% of the representative assessment period.

**Tonal Noise**

A tonal noise source can be described as a source that has a distinctive noise emission in one or more frequencies. An example would be whining or droning. The quantitative definition of tonality is:

the presence in the noise emission of tonal characteristics where the difference between -

- (a) the A-weighted sound pressure level in any one-third octave band; and
- (b) the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands,

is greater than 3 dB when the sound pressure levels are determined as  $L_{Aeq,T}$  levels where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as  $L_{A\ Slow}$  levels.

This is relatively common in most noise sources.

**Modulating Noise**

A modulating source is regular, cyclic and audible and is present for at least 10% of the measurement period. The quantitative definition of modulation is:

a variation in the emission of noise that —

- (a) is more than 3 dB  $L_{A\ Fast}$  or is more than 3 dB  $L_{A\ Fast}$  in any one-third octave band;
- (b) is present for at least 10% of the representative.

*Lloyd George Acoustics***Impulsive Noise**

An impulsive noise source has a short-term banging, clunking or explosive sound. The quantitative definition of impulsiveness is:

a variation in the emission of a noise where the difference between  $L_{A \text{ peak}}$  and  $L_{A \text{ Max slow}}$  is more than 15 dB when determined for a single representative event;

**Major Road**

Is a road with an estimated average daily traffic count of more than 15,000 vehicles.

**Secondary / Minor Road**

Is a road with an estimated average daily traffic count of between 6,000 and 15,000 vehicles.

**Influencing Factor (IF)**

$$= \frac{1}{10} (\% \text{ Type A}_{100} + \% \text{ Type A}_{450}) + \frac{1}{20} (\% \text{ Type B}_{100} + \% \text{ Type B}_{450})$$

where:

% Type A<sub>100</sub> = the percentage of industrial land within  
a 100m radius of the premises receiving the noise

% Type A<sub>450</sub> = the percentage of industrial land within  
a 450m radius of the premises receiving the noise

% Type B<sub>100</sub> = the percentage of commercial land within  
a 100m radius of the premises receiving the noise

% Type B<sub>450</sub> = the percentage of commercial land within  
a 450m radius of the premises receiving the noise

+ Traffic Factor (maximum of 6 dB)

= 2 for each secondary road within 100m

= 2 for each major road within 450m

= 6 for each major road within 100m

**Representative Assessment Period**

Means a period of time not less than 15 minutes, and not exceeding four hours, determined by an inspector or authorised person to be appropriate for the assessment of a noise emission, having regard to the type and nature of the noise emission.

**Background Noise**

Background noise or residual noise is the noise level from sources other than the source of concern. When measuring environmental noise, residual sound is often a problem. One reason is that regulations often require that the noise from different types of sources be dealt with separately. This separation, e.g. of traffic noise from industrial noise, is often difficult to accomplish in practice. Another reason is that the measurements are normally carried out outdoors. Wind-induced noise, directly on the microphone and indirectly on trees, buildings, etc., may also affect the result. The character of these noise sources can make it difficult or even impossible to carry out any corrections.

**Ambient Noise**

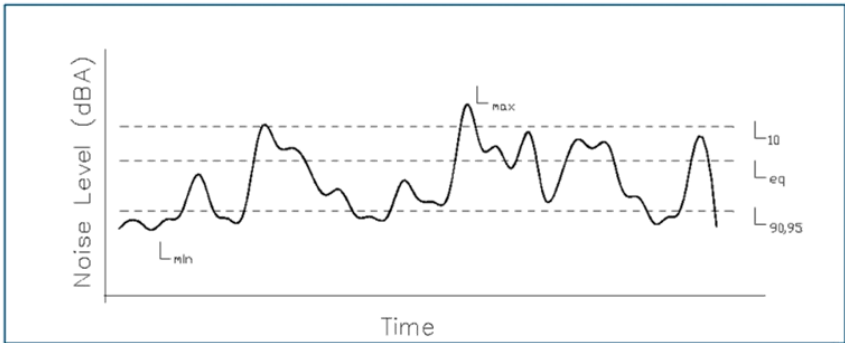
Means the level of noise from all sources, including background noise from near and far and the source of interest.

**Specific Noise**

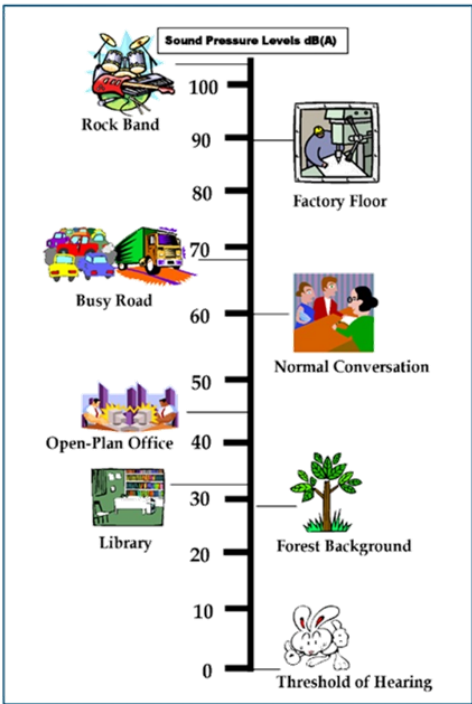
Relates to the component of the ambient noise that is of interest. This can be referred to as the noise of concern or the noise of interest.

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Chart of Noise Level Descriptors



Typical Noise Levels





Government of Western Australia  
Department of Water and Environmental Regulation

Your ref: DA17-0651  
Our ref: CEO176/18  
Enquiries: Teresa Gepp  
Phone: 6364 6989  
Email: [teresa.gepp@dwer.wa.gov.au](mailto:teresa.gepp@dwer.wa.gov.au)

Mr Mike Archer  
Chief Executive Officer  
City of Busselton  
*Via email [city@busselton.wa.gov.au](mailto:city@busselton.wa.gov.au)*

*Attention: Mr James Fletcher*

Dear Mr Archer

**DEVELOPMENT APPLICATION – PROPOSED RECEPTION CENTRE – LOT 30 (NO. 70)  
MILLBROOK ROAD, YALLINGUP**

I refer to the email dated 16 February 2018 seeking further technical advice from the Department of Water and Environmental Regulation (DWER) on the above development application.

A review of the acoustic assessment provided has been undertaken by DWER experts and an addendum to DWER's previous advice in relation to the *Environmental Protection (Noise) Regulations 1997* is attached. The interpretation of this technical expert advice, and decisions about how the advice it contains should be considered in undertaking regulatory functions, are matters for the recipient organisation to determine.

Should you wish to discuss any aspects of this correspondence please contact Planning and Advice Coordinator, Teresa Gepp, on 6364 6989.

Yours sincerely

Kerry Laszig  
DIRECTOR  
SCIENCE AND PLANNING (ENVIRONMENT)

23 February 2018

Att

168 St Georges Terrace Western Australia 6000  
Locked Bag 33 Cloisters Square Perth WA 6850  
Telephone: 08 6364 7000 Facsimile: 08 6364 7001  
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Government of Western Australia  
Department of Water and Environmental Regulation

## Technical Expert Advice—Addendum

Details About Addendum	
Full title of expert report	Environmental Noise Assessment Review - Proposed Reception Centre, 70 Millbrook Road, Yallingup – prepared for the City of Busselton
Advice requested by	City of Busselton
Description	Review of Lloyd George Acoustics Environmental Noise Assessment - Prepared for the City of Busselton
DWER reference	CEO 0176/18
Previous DER reference	CEO 2709/17

Additional Advice
Please write below if there is any additional advice.
<p>Lloyd George Acoustics (LGA) was engaged to undertake further assessment of likely noise impacts to neighbouring residences as a result of a wedding event held in the marquee and to provide advice on suitable noise management for the venue.</p> <p>Acknowledging the limitations of modelling the venue noise emissions, LGA has undertaken measurements of the venue PA under simulated operating conditions. The PA noise level was set at 4 metres in front of the speaker inside a marquee and the receiver noise levels were measured at the six closest neighbouring residents.</p> <p>The measured noise levels are significantly higher than those predicted by the previous modelling. For the 80 dB(A) at 4 metres scenario, the measured levels are more than 10 dB higher than the predicted levels. The report notes that the measured levels are "unadjusted and inclusive of background noise". The assessment may have benefited from pre- and post- background noise measurements at each location in order to quantify the contribution of background noise. However, presumably if background noise was considered to be significantly affecting the measured levels at the time of measurement, then the results would not have been reported. On this basis the measured levels are accepted as a reliable indication of the received levels from the venue's operations as simulated.</p> <p>Section 5 of the LGA report provides a summary of the levels not to be exceeded at 4 metres from the speakers in order to comply with the <i>Environmental Protection (Noise) Regulations 1997</i>, based upon the noise levels measured at the receivers. The levels set for 7am to 7pm Monday to Saturday, 7pm to 10pm Monday to Saturday, and Sundays or public holidays before 10pm are 2 dB(A) higher than those that were tested. For the 7am to 7pm Monday to Saturday period this is understandable as the received levels were never more than 2 dB(A) below the assigned noise level and it is accepted that a 2 dB(A) increase from the tested 80 dB(A) level to 82 dB(A) should not result in an exceedance of the assigned levels at the receivers. For the other two periods a test level of 75 dB(A) resulted in a</p>

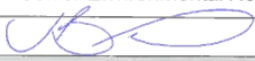
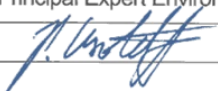
received level equal to the assigned level [40 dB(A)], so any increase in the level at 4 metres from the speakers is likely to result in an exceedance of the assigned level at receivers. Consequently, to meet the assigned level at the receivers, the speaker level would need to be set at 75 dB(A) instead of 77 dB(A) for those periods. If the LGA summary (p. 10) was revised as follows, the assigned levels would be met at the receivers:

*In summary, to achieve compliance the following levels must be adhered to:*

<i>Between 7am and 7pm Monday to Saturday:</i>	<i>82 dB(A) at 4m from speakers</i>
<i>Between 7pm and 10pm Monday to Saturday:</i>	<i>75 dB(A) at 4m from speakers</i>
<i>On Sundays or Public Holidays before 10pm:</i>	<i>75 dB(A) at 4m from speakers</i>
<i>After 10pm on any day:</i>	<i>70 dB(A) at 4m from speakers</i>

LGA has made a range of recommendations for the management of noise from the venue (section 6) and these generally appear to be suitable to adequately control the noise from the venue with the exception of those relating to bands/live music. Even with acoustic instruments only, a live band is likely to exceed 70 dB(A) and even 82 dB(A) inside the marquee. Live bands may not be suitable for this venue given the proximity of neighbouring residents.

It is noted that levels as low as 70 dB(A) are much lower than would typically be experienced at an event such as a wedding. Similarly, some of the other management measures would appear to significantly intrude on the typical functioning of a venue of this nature, however it is beyond the scope of this advice to consider the practicability of the limitations or viability of the venue with such controls.

Signatures	
Author	
Name	Jon Button
Position title	Senior Environmental Noise Officer
Signature	 Date 23.2.18
Reviewer	
Name	Peter Popoff-Asotoff
Position title	Principal Expert Environmental Noise
Signature	 Date 23/2/2018



Government of **Western Australia**  
Department of **Water and Environmental Regulation**

## Technical Expert Report

Environmental Noise Assessment Review - Proposed  
Reception Centre, 70 Millbrook Road, Yallingup – prepared  
for the City of Busselton

Department of Water and Environmental Regulation

Version: Final

November 2017



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November 2017

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#### **Acknowledgements**

For more information about this report, contact  
Environmental Noise, Department of Water and Environmental Regulation.

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## 1. Expert's details

### Personal details: Author

Name	Christine Ng
Employer	Department of Water and Environmental Regulation
Position title	Environmental Noise Officer
Field of expertise	Environmental Noise

### **Qualifications and experience**

The qualifications and experience and technical capability relevant to the provision of this advice is as follows:

#### Qualification

Qualification	Year Obtained	Additional Comments
Graduate Diploma	2015	Occupational Safety and Health
Bachelor of Science	2006	Environmental Health

#### Professional experience

Employer	Position	Tenure
Department of Water and Environmental Regulation	Environmental Noise Officer	2017 - present
Department of Environmental Regulation	Noise Regulation Officer	2015 - 2017
Town of Cambridge	Acting Coordinator Compliance	2015
Town of Cambridge	Environmental Health Officer	2014 - 2015
City of Vincent	Environmental Health Officer	2011 - 2014
Town of Vincent	Acting Senior Environmental Health Officer	2011
Town of Vincent	Environmental Health Officer	2007 - 2011

## 2. Purpose of this report, limitations and disclaimer

This is technical expert advice prepared by experts employed within the Department of Water and Environmental Regulation for the purposes set out in the “Advice summary details” and should not be used for any other purpose.

The State of Western Australia and Department of Water and Environmental Regulation and their servants and agents expressly disclaim liability, in negligence or otherwise, for any act or omission occurring in reliance on the information contained in this document, or for any incident or consequential loss or damage of such act or omission.

In preparing this report the technical experts have considered the request made, the information and materials provided in support of the request, literature relevant to the field, and other evidence the expert is aware of and can access through their expert capacity.

The report is based on the information provided to the experts, which is summarised in the “Advice summary details”. Relevant materials that were not provided could materially change the advice. The requesting organisation needs to use appropriate judgment about the information that is relevant to the request, and the possible implications of any information that was not provided.

Where requests made require input from more than one area of technical expertise, the advice will be provided separately. Each advice will consider technical issues relevant to the specific field of expertise. No effort is made to integrate the issues raised by different technical fields. It is the responsibility of the regulatory organisation requesting the advice to determine how to weight the various matters they need to consider, and the relevance of the advice on any particular matter to making their decisions.

The interpretation of this technical expert report, and decisions about how the advice it contains should be considered in undertaking regulatory functions are matters for the recipient organisation to determine. The Department of Water and Environmental Regulation accepts no responsibility for the use or misuse of the advice, or the consequences of decisions made in reference to it.

The advice provided is limited to technical expert advice, and author(s) **have not** considered any aspect of regulatory matters that could come within the scope of legislation administered by the Department of Water and Environmental Regulation, either currently or at some time in the future. As such, the report does not purport to represent the Department of Water and Environmental Regulation’s views on how such matters may be considered by the Department of Water and Environmental Regulation in its regulatory capacity. If advice is required on the Department of Water and Environmental Regulation’s position on how it would consider matters relevant to its regulatory functions, a separate request for advice must be made.

### 3. Advice summary details

TO:	CITY OF BUSSELTON
PREPARED BY:	CHRISTINE NG
REVIEWED BY:	JON BUTTON
SUBJECT	REVIEW OF LLOYD GEORGE ACOUSTICS ENVIRONMENTAL NOISE ASSESSMENT - PREPARED FOR THE CITY OF BUSSELTON

The details of these experts is summarised under Expert's details.

This advice was prepared for the City of Busselton in response to the request dated 2 October 2017. On 6 November 2017 the City submitted an Addendum to the Noise Management Plan and a submission by a neighbour as part of the overall technical advice request.

Advice has been provided according to the scope below.

#### Scope of advice

This advice consists of a technical review of the Noise Management Plan (Environmental Noise Assessment) and Addendum by Lloyd George Acoustics submitted as a part of a development application. Comment on a submission by a neighbour relating to temperature inversion.

In support of this request, the City of Busselton made the following materials and documents available. These materials form the basis of this technical expert advice.

Material / document name	Type of resource / description	Date supplied (if different from original request)
1 Cover submission	Prepared by Able Planning & Project Management (25 August 2017)	
5 Site Plan	Prepared by Able Planning & Project Management (DP 41565 2567-483)	
9 Noise Management Plan (Environmental Noise Assessment)	Prepared by Lloyd George Acoustics (17074047-01 16 August 2017)	
DA17-0651 – Additional Information Applicants	Additional information provided by the City of Busselton	
Noise Management Plan Addendum - Non-technical description of predicted	Prepared by Lloyd George Acoustics (17074047-02 17 October 2017)	6 November 2017

*Environmental Noise Assessment – 70 Millbrook Road Yallingup*

noise levels from Proposed Reception Centre on 70 Millbrook Road		
Submission DA17-0651	Submission to City of Busselton	6 November 2017

In preparing this advice, consideration has been given to the information provided with the request as well as:

- The *Environmental Protection (Noise) Regulations 1997* [Noise Regulations].

The Environmental Noise Assessment [the Report] prepared by Lloyd George Acoustics (LGA) on 16 August 2017 and Addendum has been reviewed and the expert advice is as follows –

The City has not requested any specific advice in relation to the Report provided but it appears that the Report was submitted to the City of Busselton as part of the consideration of a development application for the purpose of considering noise impacts on surrounding landowners. Hence the comments provided in this advice focus primarily on compliance with the Noise Regulations and the appropriateness of the noise management measures suggested in the Report.

Noise sensitive receivers located within the same lot as the proposed wedding area have not been considered in this advice. The Noise Regulations only apply to noise emissions from one premises to another. If advice regarding the impact on noise sensitive receivers within the same lot as the proposal is required, a separate request should be submitted to the Department of Water and Environmental Regulation (DWER).

### 3.1 Sound levels

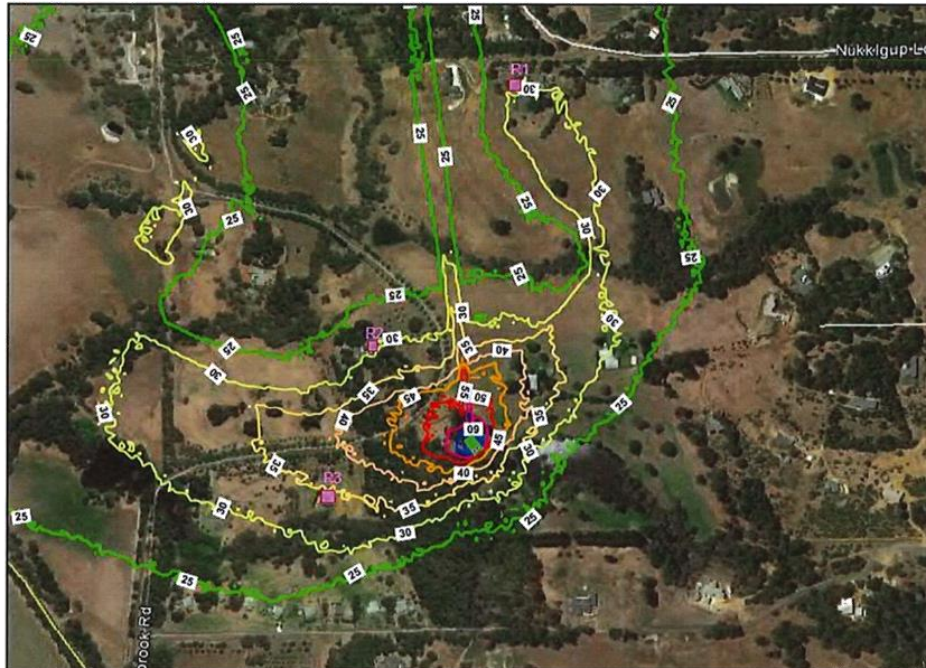
The scenario modelled for the predicted noise levels received at a neighbouring residence assumes that the sound level within the marquee will be maintained at 85 dB(A) during the day and early evening and then drop to 80 dB(A) after that. Typically, music at weddings are turned up towards the end of the night and not down. The scenario modelled seems inconsistent with how a wedding venue would typically operate.

### 3.2 Predicted noise levels

The predicted noise levels presented in Figures 4.1 and 4.2 of the Report derived from the assumption that the sound level limits for music played by a band or DJ at 4m from the PA inside the marquee are 85 dB(A) and 80 dB(A) respectively. Unlike music from a DJ playing, the sound level limit associated with music noise from a live band, especially a band with drums, is more difficult to control due to the wide

variability of band/instruments and song genres. It may not be reasonable to expect the noise from a band can be maintained at or below 80 or 85 dB(A) at 4m from the PA.

The original LGA report does not identify the relevant noise receivers. This review assumes the receivers labelled R1 to R3 in Figures 3.1 and 3.2 below are relevant to this assessment and are the most impacted by the noise emissions.



**Figure 3.1: Predicted noise levels with 85 dB(A) at 4m from stage.**



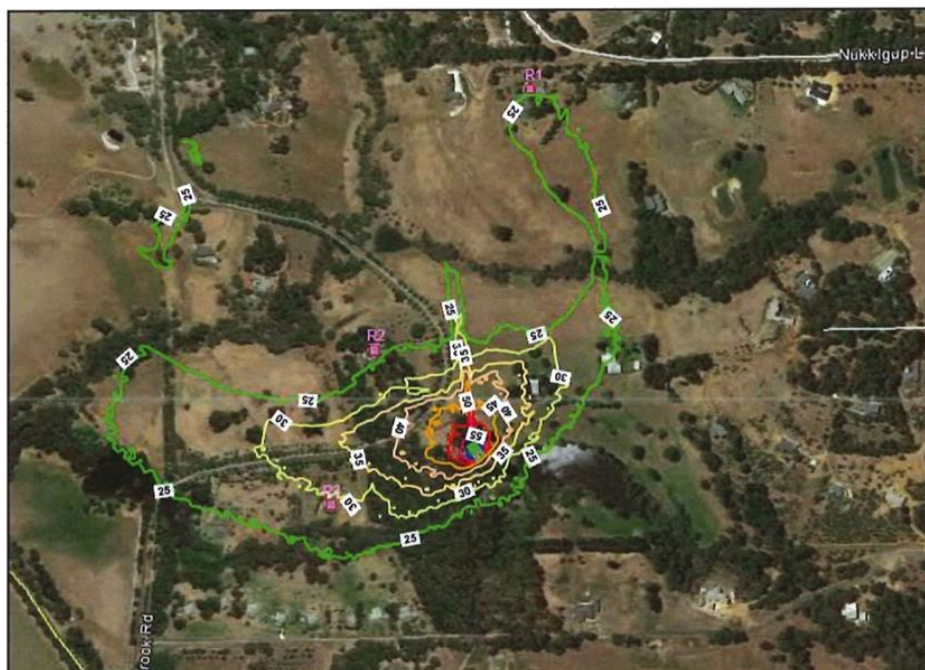


Figure 3.2: Predicted noise levels with 80 dB(A) at 4m from stage.

Tables 3.1 to 3.3 below, assess the predicted noise levels for receivers R1 to R3 against the assigned noise levels.

Table 3.1 Assessment against the 'day time'\* assigned noise levels

Receiver	Predicted level (approx.) dB(A) [85 dB(A) at source]	Predicted level +10 dB adjustment for music dB(A)	Assigned level	Compliance assessment
R1	30	40	45	Complies
R2	30	40	45	Complies
R3	35	45	45	Marginal

\* 'day time' means 0700 to 1900 hours Monday to Saturday

Table 3.2 Assessment against the 'evening time'\* assigned noise levels

Receiver	Predicted level (approx.) dB(A) [80 dB(A) at source]	Predicted level +10 dB adjustment for music dB(A)	Assigned level	Compliance assessment
R1	25	35	40	Complies
R2	25	35	40	Complies
R3	30	40	40	Marginal

\* 'evening time' means 1900 to 2200 hours all days and 0900 to 1900 hours Sunday and public holidays



**Table 3.3 Assessment against the 'night time'\* assigned noise levels**

Receiver	Predicted level (approx.) dB(A) [80 dB(A) at source]	Predicted level +10 dB adjustment for music dB(A)	Assigned level	Compliance assessment
R1	25	35	35	Marginal
R2	25	35	35	Marginal
R3	30	40	35	Exceeds

\* 'night time' means 2200 on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays

The tables above indicate that compliance of predicted noise levels with the assigned noise levels for receiver R3 will be marginal for the day and evening time periods and non-complaint for the night time period. For receivers R1 and R2 compliance will be marginal for the night time period.

The Addendum prepared by LGA has identified 13 residences surrounding the proposed venue and includes a non-technical description of the predicted noise level for each one of these 13 residences. In general, the comments made by LGA are accepted. Note however that R1 (shown in Figure 3.1 above) has not been identified as one of the surrounding residences. No justification has been provided as to why this particular noise sensitive premises has been excluded.

### 3.3 Music penalty

LGA has stated that: "...at the lower level of 30 dB(A), the background noise would mask the musical content and the penalty would not apply." Low level music at a distance from the source is typically characterised by dominate 'base beat' in the low frequencies. Such a 'base beat' at a level of 30 dB(A) is unlikely to be masked by background levels in a rural location. No data has been provided to justify the assertion background noise would mask the musical content at a level of 30 dB(A).

### 3.4 Noise Management Plan (NMP)

LGA has identified a total of six management measures to minimise noise impacts associated with the proposed development in the Report. However, there is no clear indication as to which of these six recommendations the proponent has agreed and/or committed to. These recommended measures have to be considered practical to be implemented for the NMP to be relevant.

For example the recommendation for regular noise monitoring to be undertaken throughout an event and if levels are found to be above the set limit, to turn down the PA volume, may not be a practical noise control option. Typically, the band, DJ and PA are provided by the venue hirer. The ability for the venue operator to exercise control over these aspects once an event is underway is questionable. Attempts to turn down the volume may be resisted by the band/DJ, the hirer and event guests. Noise monitoring at 4m in front of the PA speaker by the venue operator may be seen as an unreasonable intrusion into a private function such as a wedding. No

mention has been made regarding how this could be achieved – for example, frequency of noise measurement, who will be undertaking the noise monitoring and ensuring that the music noise is lowered when the noise levels is found to be over the set limits etc.

### 3.5 Effects of Temperature Inversion

The most significant determinant of the received noise level is the distance from the source to the receiver. Consequently, the noise level received by the closest noise sensitive receiver typically determines whether compliance is achieved. The closest noise sensitive receiver identified is located approximately 170m from the proposed venue. At such distance a temperature inversion will not significantly influence the sound level.

LGA have used the noise modelling program SoundPlan and the CONCAWE algorithm to model the noise emissions from the venue. To model 'night' time conditions LGA have selected a Pasquill stability category F which models inversion conditions and is considered appropriate.

## 4. Conclusion

The Report appears to demonstrate the night time assigned levels will be exceeded at the most impacted neighbouring residence. This has not been addressed by the NMP. The NMP includes a number of recommendations for the management of noise from the venue but no details have been provided as to how they will be practically implemented.

In addition to the information in the "Purpose of this report, limitations and disclaimer" section, important limitations relevant to this specific advice are detailed under "Specific limitations of this advice" below.

## 5. Specific limitations of this advice

Technical expert advice in any field is subject to various limitations. Important limitations to the advice include:

- No attempt has been made to verify the noise modelling or the predicted noise emission levels beyond what is reported.

## 6. Expert's details

### Personal details: Reviewer

Name	Jon Button
Employer	Department of Water and Environmental Regulation
Position title	Senior Environmental Noise Officer
Field of expertise	Environmental Noise

#### **Qualifications and experience**

The qualifications and experience and technical capability relevant to the provision of this advice is as follows:

#### Qualification

Qualification	Year Obtained	Additional Comments
Bachelor of Science	2003	Environmental Health

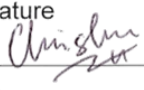

#### Professional experience

Employer	Position	Tenure
Department of Water and Environmental Regulation	Senior Environmental Noise Officer	2017 - present
Department of Environment Regulation	Noise Regulation Officer	2013 - 2017
Department of Environment and Conservation	Environmental Noise Officer	2012 - 2013
Shire of Kalamunda	Senior Environmental Health Officer	2003 - 2012

*Environmental Noise Assessment – 70 Millbrook Road Yallingup*

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## Signatures

Author Name Christine Ng	Signature 
Position Environmental Noise Officer	Date 11 December 2017
Reviewer Name Jon Button	Signature 
Position Senior Environmental Noise Officer	Date 11.12.17



Government of Western Australia  
Department of Water and Environmental Regulation

Your ref: DA17/0651  
Our ref: CEO2709/17  
Enquiries: Christine Ng  
Phone: 6364 7046  
Email: [christine.ng@dwer.wa.gov.au](mailto:christine.ng@dwer.wa.gov.au)

Mr Mike Archer  
Chief Executive Officer  
City of Busselton  
*Via email [city@busselton.wa.gov.au](mailto:city@busselton.wa.gov.au)*

*Attention: Ms Cheryl Toovey*

Dear Mr Archer

**DEVELOPMENT APPLICATION – PROPOSED RECEPTION CENTRE – LOT 30 (NO. 70)  
MILLBROOK ROAD, YALLINGUP**

I refer to the emails dated 2 October and 6 November 2017 from Ms Cheryl Toovey, Planning Administration Officer, requesting advice from the Department of Water and Environmental Regulation (DWER) on the above development application.

A review of the referral information has been undertaken and advice in relation to the *Environmental Protection (Noise) Regulations 1997* prepared by DWER experts is attached. The interpretation of this technical expert advice, and decisions about how the advice it contains should be considered in undertaking regulatory functions, are matters for the recipient organisation to determine.

Should your staff have any queries regarding these comments, please contact DWER Environmental Noise Officer, Ms Christine Ng on 6364 7046 or via email: [christine.ng@dwer.wa.gov.au](mailto:christine.ng@dwer.wa.gov.au)

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Andrew Miller'.

Andrew Miller  
A / DIRECTOR  
SCIENCE AND PLANNING (ENVIRONMENT)

11 December 2017

Att: Technical Expert Report



11.2 PROPOSED MODIFICATION TO MCLACHLAN RIDGE STRUCTURE PLAN FOR LOT 220  
BALMORAL DRIVE AND LOT 300 HEBRIDES CLOSE, QUINDALUP - FINAL ADOPTION

<b>SUBJECT INDEX:</b>	Structure Plans, Local Development Plans and Activity Centre Plans
<b>STRATEGIC OBJECTIVE:</b>	Planning strategies that foster the development of healthy neighbourhoods that meet our needs as we grow.
<b>BUSINESS UNIT:</b>	Strategic Planning and Development Services
<b>ACTIVITY UNIT:</b>	Strategic Planning and Development Services
<b>REPORTING OFFICER:</b>	Strategic Planner - William Hosken
<b>AUTHORISING OFFICER:</b>	Director, Planning and Development Services - Paul Needham
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Location Plan <a href="#">↓</a> Attachment B Aerial Photograph <a href="#">↓</a> Attachment C Commonage Policy Area Consolidated Structure Plan <a href="#">↓</a> Attachment D Endorsed Structure Plan (DGP21) <a href="#">↓</a> Attachment E Proposed Modified Structure Plan <a href="#">↓</a> Attachment F Bushfire Attack Level Contour Plan (Lot 220) <a href="#">↓</a> Attachment G Bushfire Attack Level Contour Plan (Lot 300) <a href="#">↓</a> Attachment H Schedule of Submissions <a href="#">↓</a> Attachment I Draft Conditions <a href="#">↓</a>

## PRÉCIS

The Council is requested to consider proposed modifications to the McLachlan Ridge Structure Plan for Lot 220 Balmoral Drive and Lot 300 Hebrides Close, Quindalup. The purpose of the proposed modifications is to facilitate additional subdivision of these lots further to that approved in a Structure Plan adopted by the City and the WA Planning Commission in 2010.

For reasons outlined in this report, City officers do not support the proposed modifications. The proposal has been advertised, and is now presented to the Council for formal consideration prior to forwarding the application to the WA Planning Commission for determination. This application is being presented to the Council due to the level of interest and nature of the issues requiring consideration.

## BACKGROUND

The proposed Structure Plan modification relates to Lot 220 Balmoral Drive and Lot 300 Hebrides Close, Quindalup within an area commonly referred to as 'McLachlan Ridge' within the Commonage rural residential area. A Location Plan and an Aerial Photograph of the subject site are provided as **Attachments A and B**, respectively.

Lot 220 (11.61ha) and Lot 300 (22.21ha) are both zoned 'Rural Residential' and included within the 'Landscape Value Area' designated in Local Planning Scheme No. 21. Each of the lots is located within the area subject to the Commonage Policy Area Consolidated Structure Plan (provided as **Attachment C**) and a subsequent Development Guide Plan (now referred to as a Structure Plan, provided as **Attachment D**) that was prepared to guide subdivision within the estate. Both of the lots contain significant areas of remnant native vegetation and neither of the lots currently contain any existing development.

The proposed Structure Plan modifications (provided as **Attachment E**) would enable further subdivision as follows:

- Lot 220 into four lots – three additional lots between 2.11ha and 2.43ha and a balance title of 4.9ha;
- Lot 300 into six lots – five additional lots of between 1.02ha and 1.41ha and a balance title of 16.4ha.

Technical reports provided in support of the proposal, discussed in further detail in this report, include:

- Environmental Assessment (2007)
- Flora Survey (2008)
- Local Water Management Strategy (2009)
- Bushfire Management Plans (2017) (extracted Bushfire Attack Level (BAL) Contour Maps provided at **Attachment F** and **Attachment G**)

## STATUTORY ENVIRONMENT

The key elements of the statutory environment with respect to this proposal are set out in the relevant objectives, policies and provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Busselton *Local Planning Scheme No. 21*.

### Planning and Development (Local Planning Schemes) Regulations 2015

The Regulations came into operational effect on 19 October 2015 and introduced deemed provisions for the preparation, advertising and approval of structure plans. The deemed provisions are adopted into Local Planning Scheme No. 21 and define the process for receiving and assessing proposed structure plans and/or modifications to same. Local governments are to have ‘due regard’ to approved structure plans when making decisions relating to subdivision and development.

### Local Planning Scheme No. 21

The subject properties are zoned ‘Rural Residential’, are located within a ‘Landscape Value Area’, and are each subject to the designation of an ‘Additional Use’ right. Each of these considerations are discussed below.

#### *Rural Residential Zoning*

The City’s assessment of the subject proposal against the relevant objectives of the ‘Rural Residential’ Zone is as follows:

- (a) To encourage development for the purpose of closer rural settlement on land which is suitable for such a purpose, and is in reasonable proximity to existing urban areas;*

For reasons further discussed in the ‘Officer Comment’ section of this report, City officers do not believe that issues affecting the potential consolidation of rural residential development in this location have been adequately addressed.

Further, City officers consider that potential consolidation of rural residential development within the Commonage area should not occur on an ad-hoc or piecemeal basis and instead be advanced by the City in order for strategic considerations relating to bushfire risk, infrastructure, servicing, integrated road networks, *et al* to be addressed holistically.

- (b) To ensure that development maintains the rural character of the locality, maintains a high level of residential amenity and minimises disturbance to the landscape through construction of buildings and structures, clearing, earthworks and access roads.*



The subject proposal has not detailed or sought to address potential impacts to character and amenity that may result from additional subdivision occurring. This matter has been raised in public submissions and will be discussed in further detail in the 'Consultation' section of this report.

The City's assessment of the subject proposal against the relevant policies of the 'Rural Residential' Zone is as follows:

*(a) To encourage rural residential subdivision by permitting a range of lot sizes in conventional subdivision subject to a general minimum lot area of 1 hectare with an average minimum lot area of approximately 2 hectares; and providing greater flexibility for lots created within appropriate cluster subdivisions or by strata or survey strata subdivision, dependent upon the special physical characteristics of the land.*

The McLachlan Ridge estate has already been subdivided to the minimum average lot size allowable of 2 hectares. The subject proposal involves additional subdivision at a higher density without sufficient rationale and contrary to the guidance of the Commonage Policy Area Consolidated Structure Plan.

*(e) To encourage generally, and require specifically in rural residential subdivision, the provision of vegetation and fauna corridors and the revegetation of the land.*

*(f) To adequately protect any areas or sites of conservation value within the design of any subdivision and development.*

For the reasons discussed in the 'Officer Comment' section of this report, City officers consider that the subject proposal may compromise the achievement of these policies within the McLachlan Ridge area.

*(g) To provide flexibility for the development of appropriately located and scaled tourist facilities consistent with preservation of residential amenity.*

Lots 220 and 300 are each subject to an 'Additional Use' provision that provides for the development of six and nine chalets (respectively). As discussed below, City officers consider this to be the optimal form of providing for tourist accommodation in this location, and the existing lot sizes as best preserving the opportunity for the development of other types of tourist facilities as well.

*(h) To implement to the adopted recommendations and outcomes of the Local Rural Planning Strategy, adopted by the local government and endorsed by the Commission.*

This is discussed in the 'Relevant Plans and Policies' section of this report.

#### *Landscape Value Area*

The provisions of the Scheme relating to the 'Landscape Value Area' require development to be compatible with the maintenance and enhancement of the existing rural and scenic character and environmental values of the locality.

Potential impacts on character and amenity have been raised in public submissions, and are discussed in further detail in the 'Consultation' section of this report. Outstanding environmental issues identified by City officers are discussed in the 'Officer Comment' section of this report.

### *Additional Uses*

Lot 220 is identified in the Scheme as being subject to 'Additional Use No. 75', and Lot 300 is subject to 'Additional Use No. 76', as follows:

No.	Particulars of Land	Land Use Permitted/ Specified	Conditions
A75	Pt Lot 4208 Biddle Road, Quindalup	Chalet	1. The Additional Use specified shall be deemed to be a "D" use for the purpose of the Scheme. 2. Development is restricted to the Additional Use area depicted on the Scheme map. 3. Chalet development limited to a maximum number of six (6) chalets providing a variety of accommodation options to a maximum combined floor area of 900m <sup>2</sup> and reflect a rural tourist character.
A76	Pt Lot 4208 Biddle Road, Quindalup	Chalet	1. The Additional Use specified shall be deemed to be a "D" use for the purpose of the Scheme. 2. Development is restricted to the Additional Use area depicted on the Scheme map. 3. Chalet development limited to a maximum number of nine (9) chalets providing a variety of accommodation options to a maximum combined floor area of 1350m <sup>2</sup> and reflect a rural tourist character.

The subject proposal is to modify the relevant Structure Plan only and does not discuss how these additional use provisions would subsequently apply. City officers consider that it is in the interests of orderly and proper planning to address whether it is intended to retain these additional use provisions and to initiate action to provide clarity and guidance for subsequent development. This matter is further discussed in the 'Officer Comment' section of this report.

### **RELEVANT PLANS AND POLICIES**

The key policies relevant to the proposal are:

- *State Planning Policy 3.7: Planning in Bushfire Prone Areas* and the Guidelines for Planning in Bushfire Prone Areas;
- *State Planning Policy 6.1: Leeuwin-Naturaliste Ridge Policy*;
- *WA Planning Commission Draft Leeuwin Naturaliste Sub-regional Planning Strategy*;
- *City of Busselton Draft Local Planning Strategy*;
- *City of Busselton Local Rural Planning Strategy*, and;
- *Commonage Policy Area Consolidated Structure Plan*.

Each is addressed below under appropriate subheadings.

#### **State Planning Policy 3.7: Planning in Bushfire Prone Areas (2015) and the Guidelines for Planning in Bushfire Prone Areas (2017)**

*State Planning Policy 3.7 Planning in Bushfire Prone Areas* (SPP 3.7) assists in reducing the risk of bushfire to people, property and infrastructure by encouraging a conservative approach to strategic planning, subdivision, development and other planning proposals in bushfire-prone areas.

SPP 3.7 applies to planning applications located on properties that are designated 'bushfire prone areas'. The SPP identifies information that is required to accompany a strategic planning proposal, being:

- A Bushfire Hazard Level (BHL) assessment determining the applicable hazard level(s) across the subject land;
- A Bushfire Attack Level (BAL) Contour Map where the lot layout of the proposal is known, to determine the indicative acceptable BAL ratings across the site;
- The identification of any bushfire hazard issues arising from the relevant assessment; and
- Clear demonstration that the proposal complies with the bushfire protection criteria of the Guidelines.

The *Guidelines for Planning in Bushfire Prone Areas* (version 1.3) supplement SPP 3.7 to assist with interpretation and provide advice on how bushfire risk is to be addressed when designing or assessing a proposal within a bushfire-prone area.

Further discussion on compliance of the subject proposal with SPP 3.7 and the Guidelines is provided in the 'Officer Comment' section of this report, and in relation to advice provided by the Department of Fire & Emergency Services. City officers do not consider that the subject proposal has adequately addressed bushfire risk management concerns.

#### **State Planning Policy 6.1: Leeuwin-Naturaliste Ridge Policy (2003)**

State Planning Policy 6.1: Leeuwin-Naturaliste Ridge Policy (LNRSP) defines the subject locality of the proposal as 'Rural Residential', and it is referred to as 'The Commonage'. It acknowledges that the locality has environmental features worth preserving despite being zoned and identified for Rural Residential development.

#### **Draft Leeuwin Naturaliste Sub-regional Planning Strategy (2017)**

The draft LNSPS was advertised in late 2017 and outlines the position of the WA Planning Commission in several ways relevant to this proposal:

- No support for the expansion of rural residential zoned areas unless already strategically identified;
- Support only for proposals that improve the management of bushfire risk;
- Concurrent consideration of bushfire risk management with landscape, ecological and biodiversity values and management plans;
- A presumption against further clearing and for the location of new development on cleared land.

City officers do not consider that bushfire and environmental issues have been sufficiently addressed in order that the subject proposal may be considered compliant with the relevant provisions of the draft LNSPS.

#### **Draft City of Busselton Local Planning Strategy (2016)**

The City's Draft Local Planning Strategy includes the provision to:

*"Support and pro-actively plan to identify suitable areas for re-subdivision/consolidation of existing rural-residential development in both the Commonage and Dunbarton rural residential areas."*

Supporting description is as follows:

*“In accordance with the draft South West Planning and Infrastructure Framework no new rural residential areas are proposed and the strategy provides the scope to consider limited further subdivision and consolidation within the existing rural-residential areas of Commonage and Dunbarton, where there is seen to be a demonstrable community benefit and having regard to environmental, landscape/visual amenity and biodiversity values, as well as bushfire risk. This will contribute to the more efficient use of land, services and infrastructure and will maximise the number of rural residential lots without needing to alienate additional areas of rural land.”*

As discussed in the ‘Officer Comment’ section of this report, the subject proposal is not considered by officers to sufficiently demonstrate achievement against the principles outlined, especially in terms of demonstrable community benefit.

Further, the position of City officers is that consolidation within identified rural residential areas should not occur on an ad-hoc or piecemeal basis and instead be advanced by the City in order for strategic considerations relating to bushfire risk, infrastructure, servicing, integrated road networks, *et al* to be addressed holistically, if consolidation is in fact going to occur.

#### **City of Busselton Local Rural Planning Strategy (2006)**

The subject land is located within Precinct 6 ‘Commonage’ of the Local Rural Planning Strategy. The strategy describes the precinct as *“comprising the existing Commonage Rural Residential Policy Area South of Dunsborough and north of Wildwood Road”*.

The vision of the precinct is to:

- *“consolidate rural residential land use and provide for diversification in small-scale and low-key tourist, rural and home based activities in a manner that sustains the existing natural environment, landscape values and residential amenity of the area with well-developed pedestrian and habitat/biodiversity links;”* and
- *“promote the retention of the rural amenity and appropriate scaled rural land uses where compatible with rural residential amenity”*.

Specifically relating to subdivision the strategy states that *“rural residential subdivision is limited to existing Rural Residential Zones and is in accordance with the adopted Structure and Development Guide Plans”*. Subdivision is also to be in accordance with SPP 6.1 and the Commonage Policy Area Consolidated Structure Plan.

#### **Commonage Policy Area Consolidated Structure Plan (2004)**

The Commonage Policy Area Consolidated Structure Plan (CPACSP) was endorsed by the City and the WAPC in 2004 as a guide to planning and development within the 'Commonage' area.

The subject site is identified on the CPACSP as being part of a 'Cluster Precinct', comprised of areas of land identified for closer subdivision as well as for open landscape/ rural production and revegetation corridors (limiting subdivision). The following provisions of the CPACSP are relevant:

- Structure Plan Notation 1 –  
*"Rezoning and subdivision of land within the Cluster Precinct for Rural Residential purposes shall be subject to the provisions of the Shire of Busselton Rural Strategy 1993 (average lot size 3ha). However Council may consider an increase in density (to average lot size 2ha) in respect of the Cluster Precinct provided that the proposed plan of subdivision is consistent with the Statement of Intent, adopts the principles of cluster design and development and the applicant can show to Council a demonstrable benefit to the community in departing from the provisions of the Rural Strategy."*
- Structure Plan Notation 4 –  
*"Additional subdivision of Rural Residential, Open Landscape or Rural Production lots shall not be supported by Council, except where specifically provided for on an endorsed Development Guide Plan."*
- Planning Policy Statement 2 –  
*"Rural residential subdivision of land within the Policy Area shall include a broad range of lot sizes in accordance with the Town Planning Scheme provisions and shall recognise areas of open landscape and remnant vegetation appropriately. Lots ranging upwards from 5,000m<sup>2</sup> may be considered by the Shire in the 'Cluster Precinct' only in subdivision proposals that adopt a clustered approach to design. Smaller lot sizes may also be considered where provided for on an endorsed development guide plan."*

For reasons outlined in the 'Officer Comment' section of this report, the subject proposal is considered inconsistent with these provisions of the CPACSP.

## **FINANCIAL IMPLICATIONS**

There are not considered to be any long term financial implications for the City arising from the proposal.

## **STRATEGIC COMMUNITY OBJECTIVES**

The recommendation of officers provided in this report is consistent with community objective 2.1 of the City's *Strategic Community Plan 2017*, which is – 'Planning strategies that foster the development of neighbourhoods that meet our needs as we grow' and 3.1, being 'Development is managed sustainably and our environment valued'.

## **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. In this regard, there are no significant risks identified.

It is noted that support for this proposal by the City or the WA Planning Commission may result in the establishment of a precedent for re-subdivision occurring within the Commonage rural residential area contrary to the Commonage Consolidated Structure Plan and without sufficient broad scale assessment of whether and where this might be appropriate.

## CONSULTATION

The subject proposal was advertised for public consultation between 12 January 2018 and 1 March 2018.

This was extended beyond the required 28 day advertising period to enable potentially affected landowners to be notified of a modification to the originally advertised proposal. This modification – the relocation of the building envelope on proposed Lot 6, on existing Lot 300 – was requested by the proponent in order to align with the recommendations of the Bushfire Management Plan.

The proposal was also referred to the Department of Fire & Emergency Services and the Department of Biodiversity, Conservation & Attractions for comment. Preliminary advice received from the Department of Water & Environmental Regulation – on the potential need for revisions to the relevant local water management plan – indicated that referral to this agency was not necessary.

13 submissions were received during the advertising period, including 12 submissions from members of the public and 1 submission from the Department of Fire & Emergency Services (DFES).

Advice was received from the DFES indicating that:

- DFES concurs with the assessment of the City regarding compliance with SPP 3.7 and the Planning for Bushfire Protection Guidelines, and notes the deficiencies that are required to be addressed;
- Access arrangements are not clearly substantiated or verified, and;
- The submitted Bushfire Management Plans require significant review before further consideration of the proposal can be undertaken.

A response has not been received from the Department of Biodiversity, Conservation & Attractions. Outstanding environmental considerations that warrant the advice of the Department are discussed in further detail in the 'Officer Comment' section of this report.

Public submissions have been recorded and summarised in the Schedule of Submissions provided as **Attachment H**. Each of these submissions either opposes the subject proposal and/or identifies various concerns, including:

- Impact on views, privacy, visual amenity and character from increased development;
- Impacts on neighbouring property values, and the equity of proposing this change following the development of the estate in accordance with the originally adopted Structure Plan;
- Lack of any tangible community benefit being demonstrated, with a potentially negative impact on neighbouring area;
- Extent of clearing of remnant native bushland and the impacts on the habitat and movement of fauna species;
- Existing bushfire risk and limitations of existing access;
- Operation of commercial holiday homes in the area impacting on traffic, noise and amenity;
- Noise, dust and traffic resulting from development activity.

Although some of the issues raised are not valid planning considerations these submissions have highlighted a number of relevant issues that, in the opinion of City officers, have not been adequately addressed within the proposal at this stage. Responses to these issues by officers are recorded in the Schedule of Submissions, and are further discussed in the 'Officer Comment' section of this report where indicated.

**OFFICER COMMENT**

Officers have undertaken an assessment of the proposal in accordance with the relevant legislative and policy framework and the proposal, as submitted, is not supported for the reasons identified below. The proponent was advised of the position of City officers at both pre- and post-lodgement stages.

**Bushfire Risk Management**

The Bushfire Management Plans (BMPs) submitted in support of this proposal do not meet the requirements of *State Planning Policy 3.7* (SPP 3.7) and the *Guidelines for Planning in Bushfire Prone Areas* ('the Guidelines') for the following reasons:

*Qualification Requirements*

The BMPs have not been prepared by a practitioner/s with the requisite level of qualifications.

The Guidelines, in outlining the accreditation requirements referred to in SPP 3.7, provide that the preparation of a BMP should be undertaken by a Level 2 or Level 3 Accredited Bushfire Planning Practitioner or, where a BMP does not meet the accepted standards outlined in the Guidelines and instead proposes to mitigate bushfire risk via performance-based solutions, by a Level 3 Accredited Practitioner.

The BMPs prepared in support of the subject proposal rely on a performance-based solution with regards to access arrangements (as discussed in further detail below) and have been prepared by a Level 1 BAL Assessor.

The City may currently exercise its discretion (although it is expected that this will change in the near future) in choosing to accept a BMP prepared by an under-qualified or unqualified practitioner. City officers would not recommend that this occurs without, or contrary to, the advice of the DFES (as the peak authority on such matters) as to the appropriateness of doing so in respect to the overall bushfire mitigation measures proposed.

Were the BMPs supporting the subject proposal prepared by a Level 3 Accredited Practitioner, the City could be confident in accepting that professional assessment (supported by requisite indemnity) of the bushfire mitigation measures proposed.

*Currency with Guidelines*

The submitted BMPs have been prepared, and subsequently updated, in accordance with version 1.1 of the Guidelines. However, the BMPs should have been reviewed and updated in accordance with the current version 1.3 of the Guidelines, particularly with regards to mapping standards.

*Asset Protection Zones*

With regards to Asset Protection Zones (APZs) –

- (i) The relocation of the building envelope for proposed Lot 6 (within existing Lot 300) is required in order for the accompanying APZ to be wholly contained within the proposed lot.

- (ii) The BMPs could be improved by more clearly denoting the width of the proposed APZs, which are identified in the table within a diagram only. Proposed at 15 metres width, comment and justification should also be provided, as this represents a variation from the 25 metre standard prescribed in the City's 'Firebreak and Fuel Hazard Reduction Notice' and does not therefore reflect the City's advised position. Notwithstanding this, the Guidelines (Appendix 4, Element 2, A2.1) allow for reduced APZs where a BAL construction rating of no greater than BAL-29 can be provided.
- (iii) Further, the use of *both* building envelopes and building exclusion areas is unnecessary and may result in confusion as to where future development may be allowed.

These three issues are considered to be relatively minor in nature and could potentially be resolved via revisions to the BMP and Structure Plan.

#### *Bushfire Attack Level (BAL) Contours*

With regards to the determination of Bushfire Attack Level (BAL) contours, details of the BAL determining inputs (eg. slope and vegetation clearing) have not been provided. There is a lack of clarity on how the BAL contours have been determined and, in turn, how the BAL levels internal to the boundary of the building envelopes were derived.

Details of the slope under vegetation have not been provided or the adjustment of BAL contours in relation to this clearly demonstrated, particularly as this might be expected to extend the BAL contours for proposed lots within Lot 220.

The BAL contours identified are also not consistent with the existing extent of vegetation, and the BMPs do not identify whether (and the extent to which) clearing is necessary within these areas. This matter requires immediate clarification in order for the environmental impact of this proposal to be considered in detail.

#### *Secondary Access*

The acceptable solutions of the Guidelines indicate (Appendix 4, Element 3, A3.1) that vehicle access is required to be provided via two or more alternate means, in order to allow multiple points of access and escape.

At present the McLachlan Ridge estate is serviced by a single means of vehicle access via the public road system (being via Balmoral Drive to Biddle Road, some 2 kilometres from the furthest of the proposed lots), and instead relies upon the provision of emergency access ways to support an unintegrated cul-de-sac road system. This is a result of this estate having been approved for development prior to more recently introduced bushfire protection requirements.

The Guidelines indicate (Part E3.1) that this can potentially be supported, as follows:

*"Two-way access should be provided as a public road; however, where a public road cannot be provided, (this will need to be demonstrated by the proponent providing justification for why this cannot be achieved) an emergency access way may be considered."*

City officers consider that the intensification of land use within this area should therefore:

- (i) Incorporate means of improving access, where possible, and;
- (ii) Be assessed as a performance-based solution under the Guidelines.



At such time as land to the west (Lot 34 Sheoak Drive) is subdivided in accordance with a recently approved structure plan, a road connection between Sheoak Drive and the current termination of Kinross Loop will be constructed that provides this secondary means of access/ escape. However, this outcome:

- (i) Cannot be automatically required upon approval of the subject proposal;
- (ii) Would have to be negotiated with the owner of adjoining Lot 34, as it is contained within another structure plan area and is not otherwise provided for as part of the CPACSP, and;
- (iii) Will not ultimately occur until subdivision of this adjoining land, including construction of this road connection, is both approved and constructed.

The provision of improved secondary access, therefore, cannot necessarily be guaranteed by this means in order to support the intensification of land use that is currently proposed. This may well occur in the future but, in and of itself, this would not overcome City officers concerns with the subject proposal.

As the provision of secondary access via emergency access ways is considered an alternative and less desirable approach within the Guidelines, City officers consider that the BMPs for the subject proposal should clearly outline and address this issue as an alternative, performance-based solution to the provision of secondary access. This position is supported by the DFES.

Broadly, this issue of bushfire planning supports the position of the City that the piecemeal re-subdivision and consolidation of lots within Commonage is not appropriate or desirable.

#### **Subdivision Opportunity & Flexibility of Lot Sizes**

The 'Cluster Precinct' within the CPACSP allows for an average lot size of 3ha to be reduced to 2ha where this is *"...consistent with the Statement of Intent, adopts the principles of cluster design and development and the applicant can show to Council a demonstrable benefit to the community in departing from the provisions of the Rural Strategy"*.

Across the McLachlan Ridge estate, 71 lots have been subdivided at an overall average lot size of 2ha (over a total area of approximately 142ha). Under the provisions of the CPACSP, the available subdivision opportunity within this area has been already exhausted (including the flexibility to conditionally achieve additional lots at a reduced average lot size) and the re-subdivision of existing lots would therefore further reduce the overall average lot size below that allowed for by the CPACSP.

Officers consider that the existing endorsed McLachlan Ridge Structure Plan incorporating the subject sites appropriately identifies and provides for the retention of the 'Open Landscape/ Rural Production' areas denoted on the CPACSP. Further subdivision of these areas is therefore inconsistent with the intent of the CPACSP and will diminish the environmental values and landscape/ visual amenity as well as compromise available opportunities for small scale rural production. This matter has not been addressed by the proponent to the satisfaction of the City, and is identified as a concern within public submissions.

The Draft LPS adopted by the City similarly identifies that additional subdivision will be considered by the City within the Commonage area *"...where there is seen to be a demonstrable community benefit and having regard to environmental, landscape/visual amenity and biodiversity values, as well as bushfire risk"*. As discussed, the subject proposal has not adequately addressed or demonstrated compliance with any of these principles.

Further, the position of City officers is that consolidation within Commonage (as with other rural residential areas) should not occur on an ad-hoc or piecemeal basis and instead be reviewed and coordinated in a timely and strategic way by the City in order for considerations relating to bushfire risk, infrastructure, servicing, integrated road networks, ecological linkages, landscape values *et al* to be addressed holistically in the interest of orderly and proper planning. Given the breadth of issues concerned and the number of landowners involved in the case of Commonage, it is appropriate that such a review is coordinated by the City.

Were the Council and/or the WA Planning Commission to support this proposal, it would constitute support for ad hoc re-subdivision more or less throughout the Commonage.

### **Community Benefit**

Notwithstanding that conditional subdivision flexibility under the CPACSP has already been exhausted, the subject proposal has not attempted to meet the 'demonstrable community benefit' criteria that would otherwise be applied to consideration of additional subdivision within the Cluster Precinct. In other similar circumstances such community benefit has been demonstrated as a requirement of subdivision approval through the creation of land for the development of community facilities, construction of desirable road connections and integrated networks, and the provision of developer contributions (ie. the South Biddle precinct developer contributions applied an 'above and beyond' community benefit not just 'as required' contributions for community infrastructure and facilities).

The current proposal fails to address this significant matter.

During the public advertising period City officers were approached by the applicant who proposed, as a means of providing community benefit, to improve the gravel accessway contained on Lot 2004 Hebrides Close (currently designated as a Pedestrian Access Way) to a rural road standard. City officers advised in response that this was not supported and would not result in any change to the City's position on the proposed structure plan modifications.

The conversion of this Pedestrian Access Way to a road reserve and its construction to a roadway standard provides for a very insignificant improvement to the access network with regards to bushfire risk mitigation. The effect of this proposal would be the extension of a cul-de-sac and reduction in the length of an emergency accessway, but this does not provide a meaningfully integrated road connection (further construction within, and re-dedication of, the former McLachlan Road reserve would be required) or sufficient secondary access to the McLachlan Ridge estate (due to its location within this area).

City officers consider that it is unlikely that this proposal would be broadly supported by the community as an adequate means of providing a demonstrated community benefit. City officers also consider that it is highly unlikely that landowners within the vicinity would broadly support this action on account of a recent decision by the City to close this portion of the former McLachlan Road reserve.

Any proposed means of demonstrating community benefit that is introduced for consideration should, at this stage, necessitate re-advertising of the subject proposal.

## **Environmental Matters**

Environmental assessment and survey was completed comprehensively for the locality, including the subject sites, in 2007-08 and it is not expected that any significant change has occurred to local conditions to necessitate this work being repeated. While there has been recent changes in the requirements associated with vegetation clearing and impacts on listed fauna species, these obligations (where relevant) must be met by the proponent outside of the planning framework. Details of the extent of clearing required to accommodate proposed additional development and bushfire risk mitigation has not been specifically documented, and the acceptability, or otherwise, of this is therefore difficult to assess.

The proponent has not identified whether any changes to management plans for the Western Ringtail Possum and Western Grey Kangaroo are needed as a result of the modified subdivision layout. This matter was raised in several public submissions; however, advice has not been received from the Department of Biodiversity, Conservation & Attractions to allow for the City to reasonably determine whether it is necessary or not that this occurs. As such, City officers recommend that, should approval of the proposed modified Structure Plan be granted, a relevant condition is added (as a precautionary measure) to the Structure Plan that requires these fauna management plans to be updated to the satisfaction of that Department.

City officers have identified the need to relocate the building envelope on proposed Lot 6 (existing Lot 300) to enable the asset protection zone to be wholly contained within the lot; however, the existence of a building envelope in this general location has received specific comment within public submissions about the potential impacts on the privacy and amenity enjoyed by neighbouring landowners. The location of this building envelope is inappropriately located from this perspective, and City officers consider the deletion of proposed Lot 6 or the relocation of this building envelope would be a reasonable response. Notwithstanding, without resolving the ultimate location of this building envelope, and associated clearing requirements, the environmental impacts cannot be properly quantified.

The proposed modified Structure Plan identifies building envelope locations for each of the proposed lots but, in the absence of guidance on the potential development of chalets on each of the subject sites, it remains unclear how such development might relate to the proposed building envelopes and whether additional clearing may be required for this purpose.

## **Additional Use**

As outlined in the 'Statutory Environment' section of this report, existing Lots 220 and 300 are subject to additional use provisions that permit the development of 6 and 9 chalets, respectively, to identified maximum floor areas.

### *Development Density and Impact*

These provisions are contained in the Scheme and would therefore apply over and above what is foreshadowed in the proposed modified Structure Plan. The proposed modified Structure Plan would, if adopted, result in the potential to develop both 6 houses and 9 chalets on existing Lot 300 and both 4 houses and 6 chalets on existing Lot 220. This is well in excess of the density of development that exists elsewhere in the Commonage, and that could reasonably be expected to occur within a rural residential area under the existing planning framework.

This significant increase in development density has been noted in several submissions, and in the opinion of City officers it is reasonable to expect that this would result in a significant change to the character and amenity of the immediate local area. The effect of this density would be exacerbated by its confinement to those portions of Lots 220 and 300 that are not subject to development exclusion (by conservation covenant).

In the event that approval of the proposed modified Structure Plan was granted by the Council, although this is not the recommendation of City officers, additional measures and controls should be applied to mitigate potential impacts on visual amenity, privacy and landscape character.

#### *Implementation*

The subdivision of Lots 220 and 300 as per the proposed modified Structure Plan would result in a lack of clarity as to how these additional use provisions are applied. In particular, how the opportunity to develop chalets is apportioned between each of the proposed lots. It is also not clear from the subject proposal whether such additional uses are intended to be accommodated within the identified building envelopes or elsewhere, if at all.

In the event that approval of the proposed modified Structure Plan was granted, specific conditions should also be applied to the Structure Plan to guide the application of the additional use provisions (to properly situate and apportion chalet development).

#### *Deletion of Additional Use Provisions*

The potential development of chalets (additional uses) on fragmented rural residential allotments, as is in effect being proposed here, would be an undesirable planning outcome. Any consideration of closer subdivision should require the prior removal of any additional use right from these subject properties. The deletion of these additional uses could occur via a Scheme Amendment, thereby removing the ability to develop chalets; however, City officers consider that the development of rural residential lots instead of chalets might reduce the extent of this deleterious outcome but would still not represent a desirable outcome. The development of additional rural residential lots, as proposed, would result in a high development density and greater impacts on amenity.

#### *Tourism Accommodation*

The impact of holiday homes and tourism accommodation on adjoining landowners has been raised in a number of public submissions.

In considering the management of development density and impacts on amenity, as well as broader objectives supporting the tourism industry, City officers prefer the existing additional use provisions providing for chalet development over the potential for the development of commercial holiday homes on smaller rural residential lots.

The development of chalets on one or both of the existing lots (Lots 220 and 300) would involve common management, which typically supports a more responsive management regime to noise, privacy and other operational issues. The development of chalets also avoids mixing holiday homes and residential properties, and is more likely to be developed with a consistent design theme.

As such, any consideration of deleting the existing additional use provisions could not be assumed to address the concerns outlined by City officers and raised in public submissions where this was predicated on support for additional subdivision.

## CONCLUSION

As a result of the assessment detailed above, City officers recommend that the Council provides a recommendation to the WA Planning Commission not to support the proposed modified Structure Plan. The reasons for this are, in the opinion of City officers, inconsistency with the following planning instruments:

- The objectives and policies of the 'Rural Residential' Zone in *Local Planning Scheme No. 21*, with regards to development density, landscape character, amenity and environmental considerations;
- Inconsistency of the proposal with the aims and objectives of the *Local Rural Planning Strategy* and the *Commonage Policy Area Consolidated Structure Plan*, on the basis that the subdivision potential in this locality has already been exhausted;
- Inconsistency with the principles of the *Draft Leeuwin-Naturaliste Sub-Regional Planning Strategy*, with regards to the inappropriate fragmentation of existing rural residential lots, and in consideration of bushfire risk, landscape/ character protection and environmental matters;
- Inconsistency with the principles of the *Draft Local Planning Strategy*, with regards to the consideration of bushfire risk, landscape/ character protection and environmental matters, and the lack of demonstrable community benefit provided, and;
- Inconsistency with the requirements of *State Planning Policy 3.7* and the *Planning for Bushfire Protection Guidelines* with regards to the mitigation of bushfire risk.

## OPTIONS

The Council may consider alternatives to the 'Officer Recommendation', including supporting the subject proposal, with or without conditions to be specified. Officers do not recommend this option for the reasons outlined in this report.

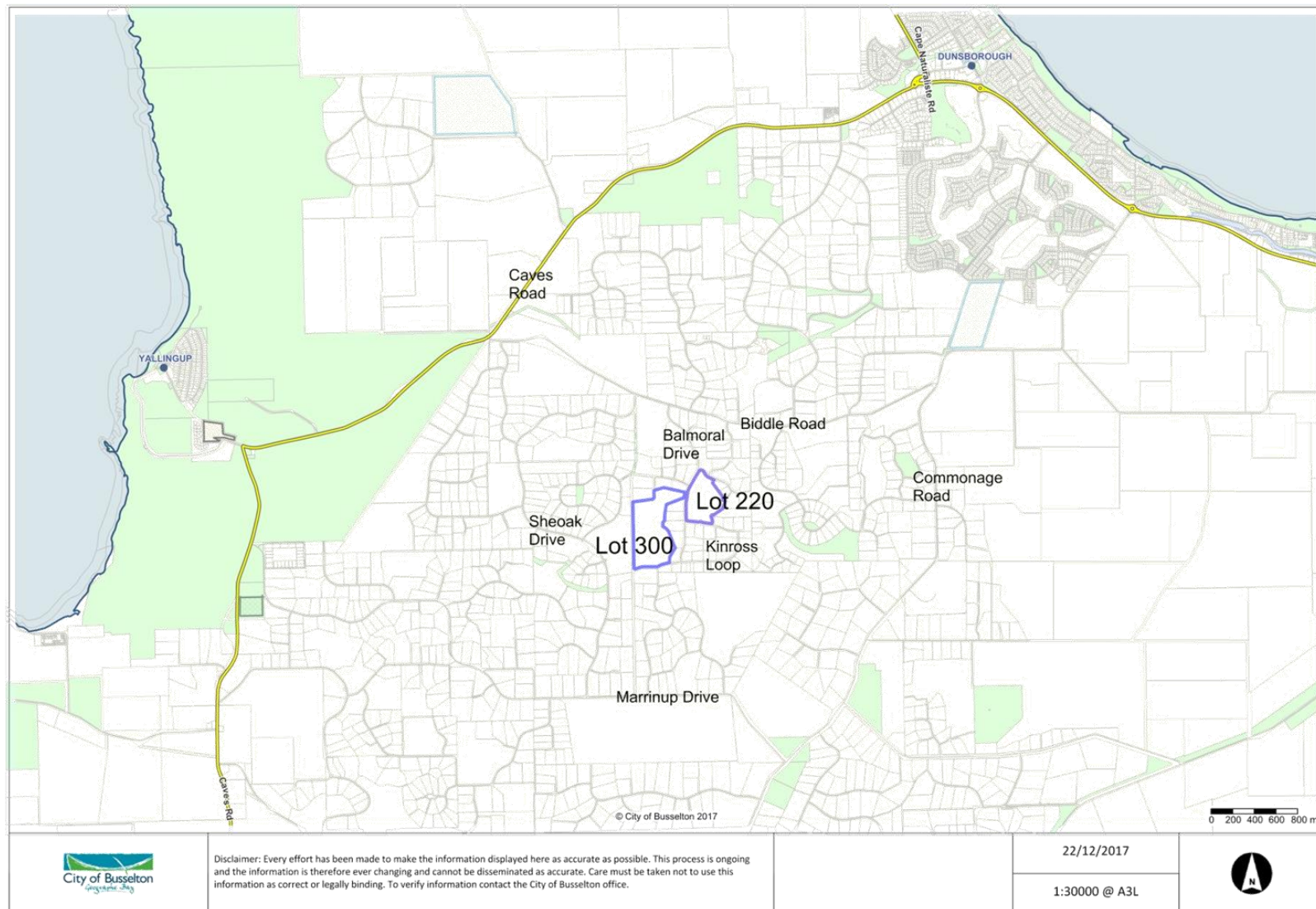
## TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Implementation of the Officer Recommendation would occur within 30 days of the date of the Council's decision.

## OFFICER RECOMMENDATION

That the Council:

1. Pursuant to Part 4 of the Deemed Provisions (Schedule 2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to forward the proposed modified Structure Plan to the WA Planning Commission for determination, inclusive of a recommendation not to support this proposal for the reasons specified in this report.
2. Pursuant to Cl. 19 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, endorses the Schedule of Submissions at **Attachment H** prepared in response to the public consultation undertaken in relation to the proposed modified Structure Plan.







Disclaimer: Every effort has been made to make the information displayed here as accurate as possible. This process is ongoing and the information is therefore ever changing and cannot be disseminated as accurate. Care must be taken not to use this information as correct or legally binding. To verify information contact the City of Busseton office.

22/12/2017

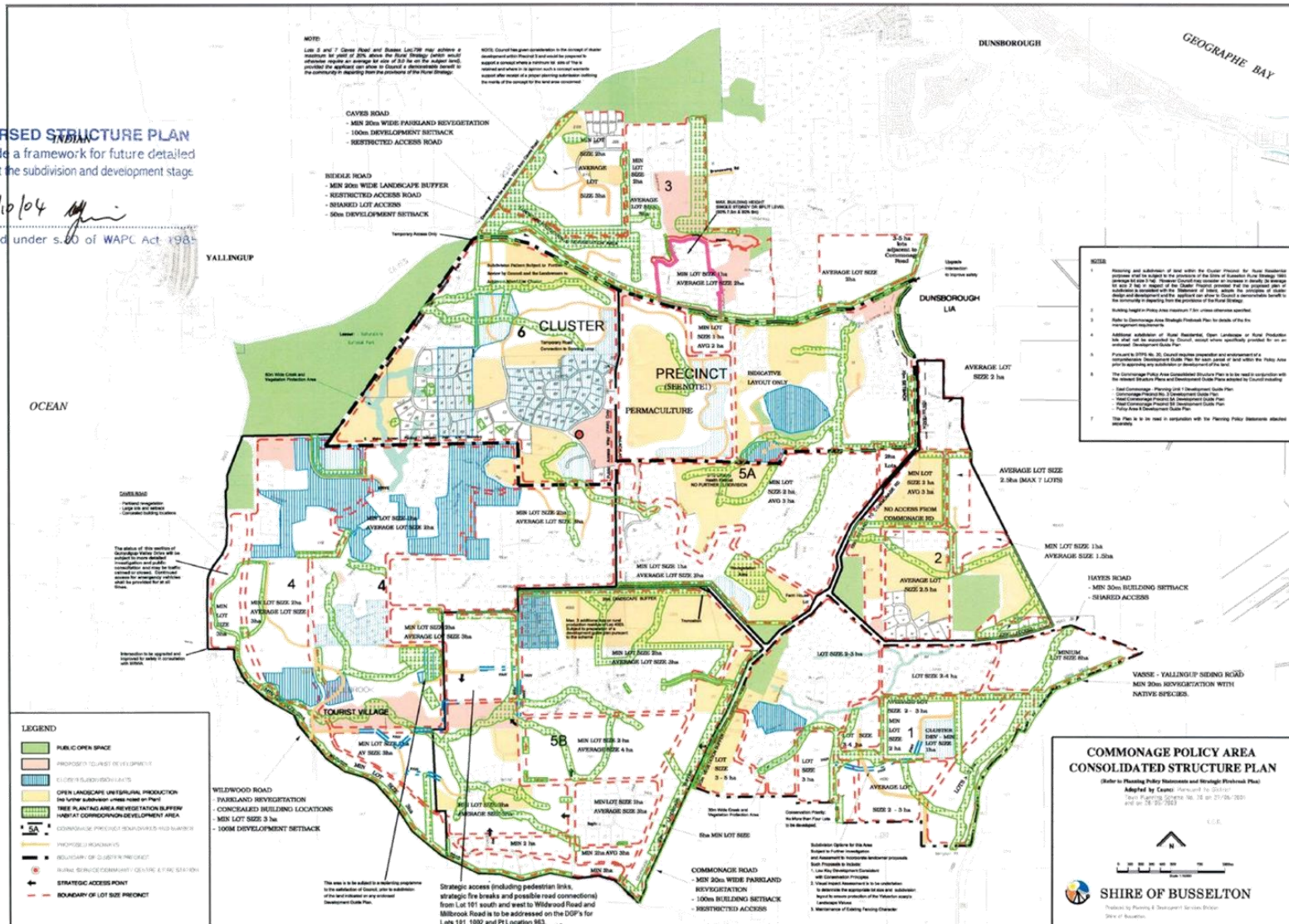
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**ENDORSED STRUCTURE PLAN**  
To provide a framework for future detailed  
planning at the subdivision and development stage

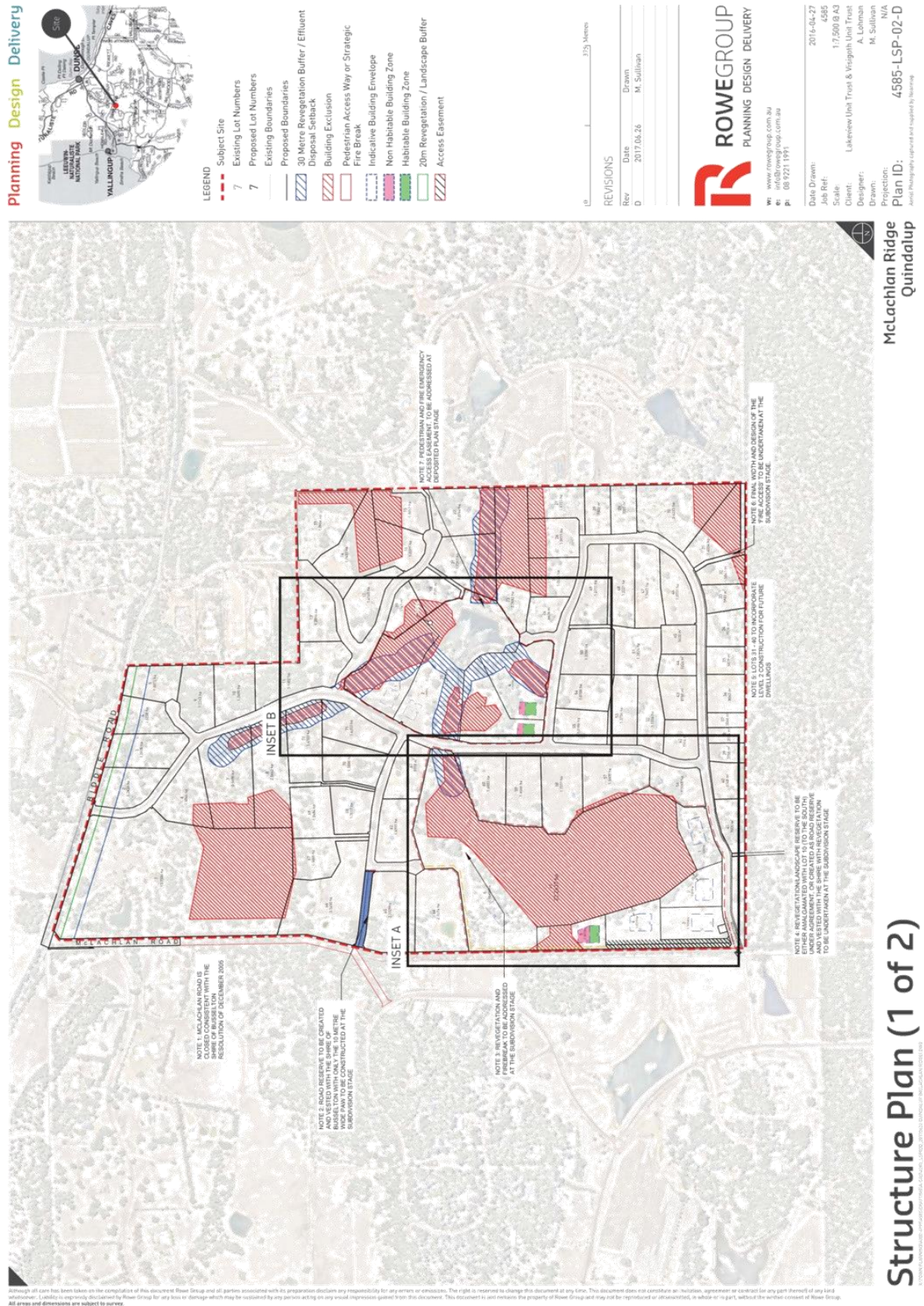
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Delegated under s.60 of WAPC Act 1987



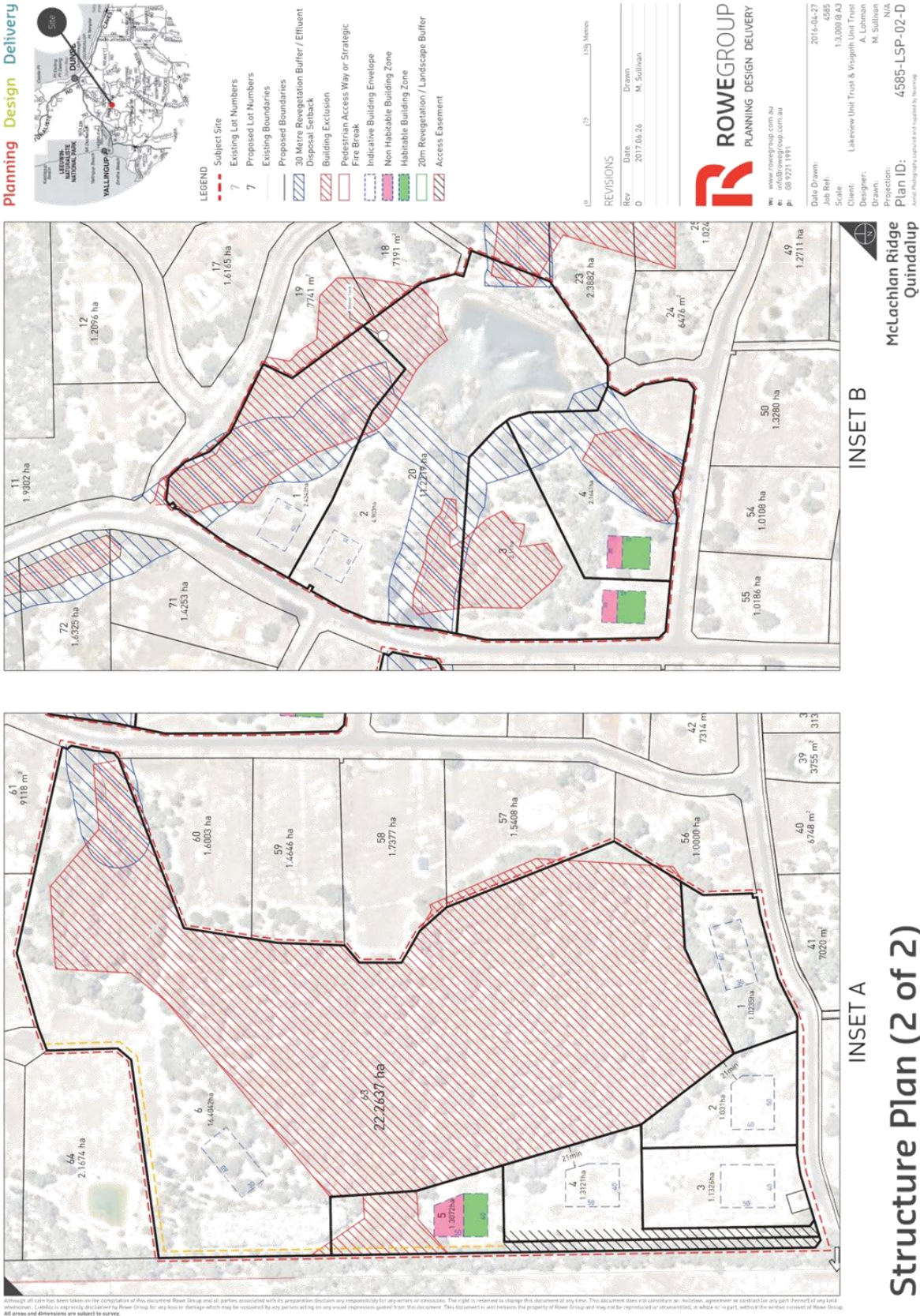






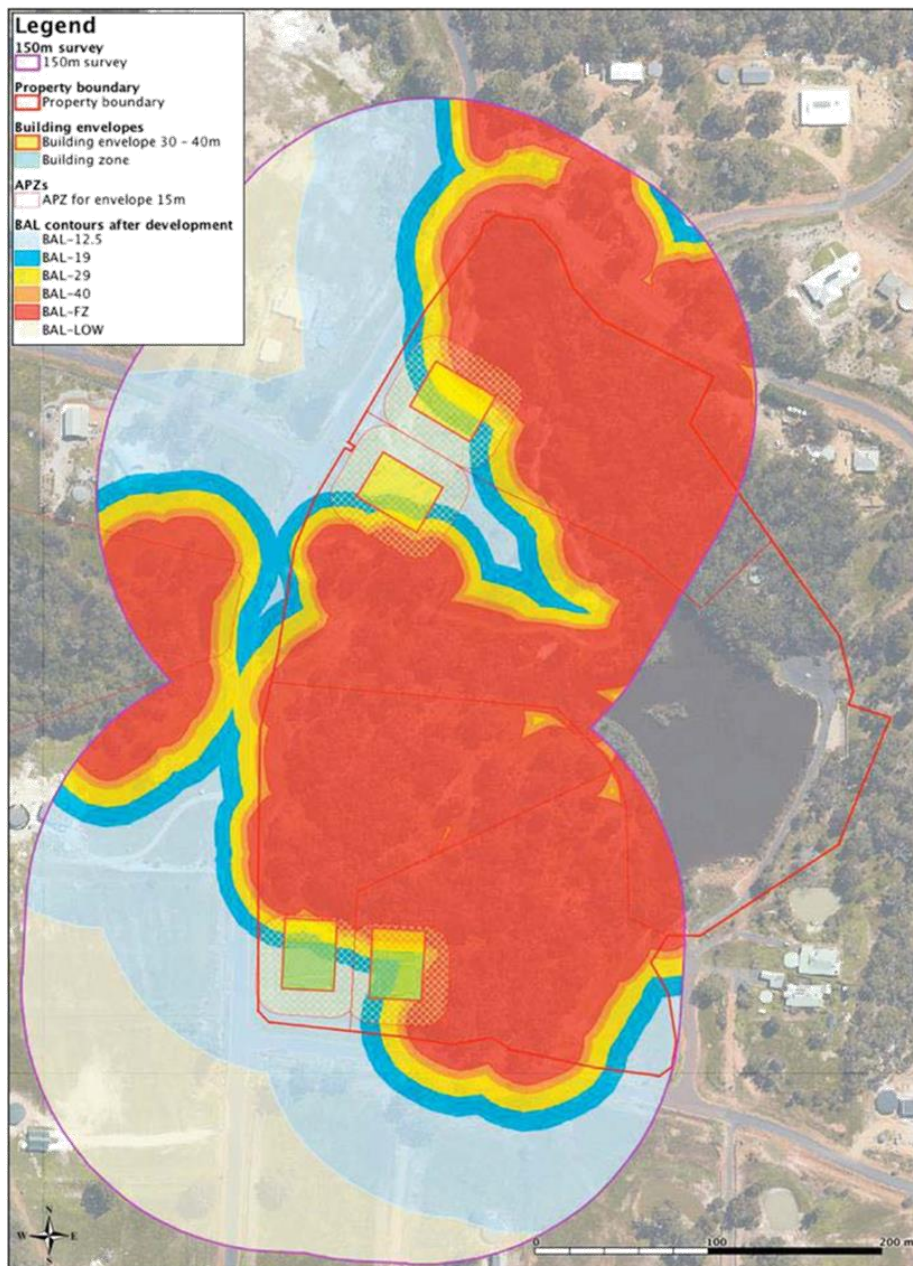






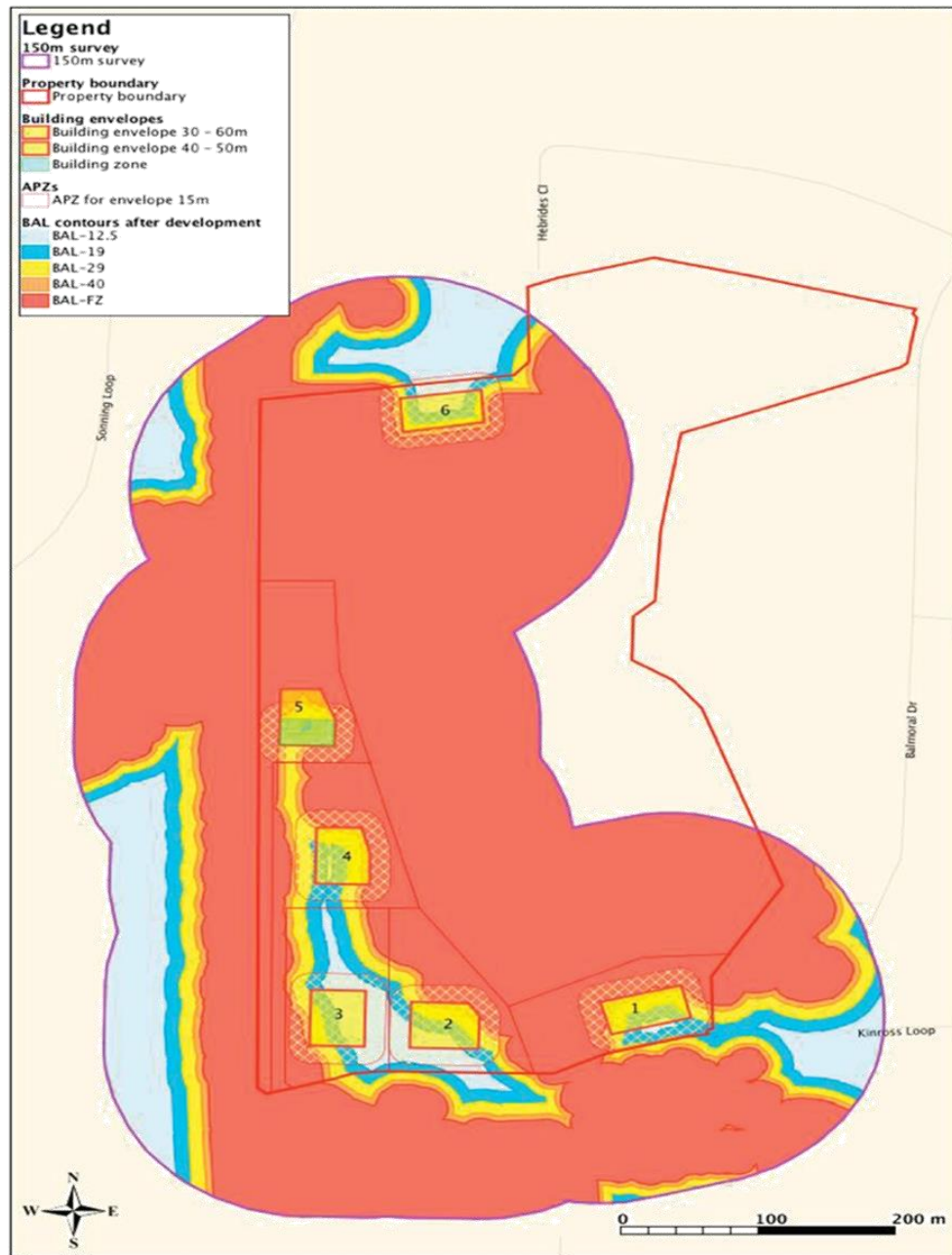


## 7.2. BAL Contour Plan



*It is to be noted that indicative BAL ratings are not the final BAL ratings for the location and an assessment by a suitably qualified consultant **may** need to be undertaken once the final plans are developed for the location, for submission to the City of Busselton with the developments application for a building licence.*

7.1. BAL Contour Plan (After development actions completed – Section 6, page 5)



*It is to be noted that indicative BAL ratings are not the final BAL ratings for the location and an assessment by a suitably qualified consultant **may** need to be undertaken once the final plans are developed for the location, for submission to the City of Busselton with the developments application for a building licence.*

Schedule of Submissions DP17/0001  
**PROPOSAL: Proposed Modified Structure Plan – Lots 220 & 300 Balmoral Drive, Quindalup**  
**SUBMISSIONS CLOSE: 1 Mar 2018**  
**OFFICER: William Hosken**

No	NAME & ADDRESS	NATURE OF SUBMISSION	STAFF COMMENT	STAFF RECOMMENDATION
1.	Department of Fire & Emergency Services	Do not support the subject proposal – <ol style="list-style-type: none"> <li>1. Support the assessment of compliance with SPP 3.7 and the associated Guidelines undertaken by City officers and concur with the findings.</li> <li>2. Access arrangements are not clearly substantiated or verified.</li> <li>3. Bushfire Management Plans require significant review before further consideration can be undertaken, the proposal is premature.</li> </ol>	Noted, the applicant has been advised accordingly.	
2.	John Kirkwood & Sandra Kirkwood	Opposed to proposal.	Noted.	Noting by Council.
3.	Karlene Marzec	Opposed to proposal – <ol style="list-style-type: none"> <li>1. Clearing of native bushland.</li> <li>2. Adjoining landowners purchased property in knowledge of subdivision having been completed (by previous structure plan).</li> <li>3. Potential impact on amenity from increased density of development.</li> </ol>	Noted. <ol style="list-style-type: none"> <li>1. Officers have noted that the extent of expected clearing is not specifically detailed.</li> <li>2. While it is appropriate to submit a modified Structure Plan for consideration, officers have noted that this proposal is inconsistent with the Commonage Consolidated Structure Plan.</li> <li>3. Officers have not undertaken any specific assessment of amenity impacts; however, the proposal does not propose any mitigating measures.</li> </ol>	Noting by Council.
4.	Andrew Peacock & Kelly Peacock	Opposed to proposal – <ol style="list-style-type: none"> <li>1. Clearing of native bushland and impact on views from surrounding properties.</li> <li>2. Adjoining landowners purchased</li> </ol>	Noted. <ol style="list-style-type: none"> <li>1. As per response to pt. 1 of submission 3.</li> <li>2. As per response to pt. 2 of submission 3.</li> <li>3. On the basis of submitted information</li> </ol>	Noting by Council.

Schedule of Submissions DP17/0001  
**PROPOSAL: Proposed Modified Structure Plan – Lots 220 & 300 Balmoral Drive, Quindalup**  
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		<p>property in knowledge of subdivision having been completed (by previous structure plan), concerned about impact on property value.</p> <ol style="list-style-type: none"> <li>Environmental impacts from increased effluent, groundwater usage, movement of Western Ringtail Possum &amp; Western Grey Kangaroos.</li> <li>Concerned about increased bushfire risk given limitations of access.</li> <li>No apparent community benefits, but expect negative impacts on neighbours.</li> </ol>	<p>officers do not expect significant issues as a result of additional on-site effluent disposal systems, and the use of ground water is not directly associated with this proposal.</p> <p>Officers note that advice has been sought from the Department of Biodiversity, Conservation &amp; Attractions with regards to potential fauna impacts.</p> <ol style="list-style-type: none"> <li>Noted, included within the officer report with reference to advice received from the Department of Fire &amp; Emergency Services.</li> <li>Noted, discussed within the officer report.</li> </ol> <p>Officers have not undertaken any specific assessment of amenity impacts; however, the proposal does not propose any mitigating measures.</p>	
5.	Christopher Shaw	<p>Generally support proposal subject to resolution of:</p> <ol style="list-style-type: none"> <li>Addressing movement of kangaroos through the area, and allowing for this to occur on private land not just roads.</li> <li>Deletion of proposed Lot 6 on existing Lot 300 and buildings excluded from this area (environmental impact and kangaroo movement).</li> <li>Deletion of proposed Lot 2 on existing Lot 220 and buildings excluded from this area (environmental impact and kangaroo movement).</li> </ol>	<p>Noted.</p> <ol style="list-style-type: none"> <li>Officers note that advice has been sought from the Department of Biodiversity, Conservation &amp; Attractions with regards to potential fauna impacts.</li> <li>As above.</li> <li>As above.</li> </ol>	Noting by Council.
6.	Peter Colley & Marilyn	Opposed to proposal –	Noted, to be actioned.	Noting by Council. Further discussion

Schedule of Submissions DP17/0001  
**PROPOSAL: Proposed Modified Structure Plan – Lots 220 & 300 Balmoral Drive, Quindalup**  
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	Anderson	<ol style="list-style-type: none"> <li>1. Impact on lifestyle and amenity.</li> <li>2. Development of commercial holiday homes impacting on traffic and amenity.</li> <li>3. Noise, dust and trucks associated with development activity.</li> </ol>	<ol style="list-style-type: none"> <li>1. Refer response to pt. 3 of submission 2.</li> <li>2. A use right exists for chalet development in accordance with the relevant Scheme provisions (AU 75 and 76). This matter is discussed in detail in the officer report.</li> <li>3. Noted, relates only to development phase.</li> </ol>	on chalet development/ holiday homes is provided in the 'Officer Comment' section of the report to Council.
7.	Kevin Smith & Kendall Smith	<p>Opposed to proposal –</p> <ol style="list-style-type: none"> <li>1. Impact on lifestyle and amenity.</li> <li>2. Development of commercial holiday homes impacting on traffic and amenity.</li> <li>3. Noise, dust and trucks associated with development activity.</li> </ol>	<p>Noted.</p> <ol style="list-style-type: none"> <li>1. Refer response to pt. 3 of submission 2.</li> <li>2. Refer response to pt. 2 of submission 6.</li> <li>3. Refer response to pt. 3 of submission 6.</li> </ol>	Noting by Council. Further discussion on chalet development/ holiday homes is provided in the 'Officer Comment' section of the report to Council.
8.	Rennae Whitney & Nathan Whitney	<p>Opposed to proposal –</p> <ol style="list-style-type: none"> <li>1. Impact on lifestyle and amenity.</li> <li>2. Development of commercial holiday homes impacting on traffic and amenity.</li> <li>3. Noise, dust and trucks associated with development activity.</li> </ol>	<p>Noted.</p> <ol style="list-style-type: none"> <li>1. Refer response to pt. 3 of submission 2.</li> <li>2. Refer response to pt. 2 of submission 6.</li> <li>3. Refer response to pt. 3 of submission 6.</li> </ol>	Noting by Council. Further discussion on chalet development/ holiday homes is provided in the 'Officer Comment' section of the report to Council.
9.	Matthew Hodge	<p>Opposed to proposal –</p> <ol style="list-style-type: none"> <li>1. Location of building envelope on proposed lot 6 (existing Lot 300) is too close to boundary and will result in overlooking of adjoining property.</li> <li>2. Adjoining landowners purchased property in knowledge of subdivision having been completed (by previous structure plan), concerned about impact on property value.</li> </ol>	<p>Noted, to be actioned.</p> <ol style="list-style-type: none"> <li>1. The asset protection zone associated with this building envelope overlaps the property boundary – this has been identified by officers as a required modification. Officers have not undertaken any specific assessment of amenity impacts; however, the proposal does not propose any mitigating measures.</li> <li>2. As per response to point 2. of submission 3.</li> </ol>	Noting by Council. The need to relocate this building envelope is discussed in further detail in the 'Officer Comment' section of the report to Council.
10.	Chris Wijns	<p>Opposed to proposal –</p> <ol style="list-style-type: none"> <li>1. Adjoining landowners purchased</li> </ol>	<p>Noted, to be actioned.</p> <ol style="list-style-type: none"> <li>1. As per response to point 2. of submission</li> </ol>	Noting by Council. Further discussion on the matters raised in this



Schedule of Submissions DP17/0001  
**PROPOSAL: Proposed Modified Structure Plan – Lots 220 & 300 Balmoral Drive, Quindalup**  
**SUBMISSIONS CLOSE: 1 Mar 2018**  
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		<p>property in knowledge of subdivision having been completed (by previous structure plan).</p> <p>2. Would subdivision result in the extinguishment of the Additional Use right that provides for chalet development?</p> <p>3. Community benefit could be provided by ceding lake and bushland areas as public reserves.</p>	<p>3.</p> <p>2. Refer response to pt. 2 of submission 6.</p> <p>3. Noted, this has not been put forward by the proponent but could be further discussed with the City if so. The retention of these 'amenities' on private land would also support potential chalet development.</p>	<p>submission (chalet development, community benefit) is provided in the 'Officer Comment' section of the report to Council.</p>
11.	John & Jill Loveday	<p>1. Object to the development of commercial holiday homes.</p>	<p>1. Refer response to pt. 2 of submission 6.</p>	<p>Noting by Council. Further discussion on chalet development/ holiday homes is provided in the 'Officer Comment' section of the report to Council.</p>
12.	Richard Rowell	<p>1. Lack of community benefit relative to developer's benefit.</p> <p>2. Estate does not comply with bushfire regulations – access should be provided through to Sheoak Drive.</p> <p>3. Dam on Lot 220 requires rehabilitation after past subdivisional works. Consider subject proposal does not support rehabilitation of dam or bushland areas.</p> <p>4. Building envelope on proposed Lot 6 (existing Lot 300) should be moved to tree plantation area to avoid clearing remnant vegetation.</p>	<p>Noted.</p> <p>1. Noted, discussed within the officer report.</p> <p>2. Access to Sheoak Drive cannot be provided as a direct result of this proposal – this would be dependent on development by an adjoining landowner. Noted, included within the officer report and advice from the Department of Fire &amp; Emergency Services.</p> <p>3. Bushland areas would be required to be maintained in accordance with the existing restrictive covenant. Rehabilitation of the dam would be the responsibility of the private landowner (proponent of this application).</p> <p>4. Noted, relocation of this building</p>	<p>Noting by Council. Further discussion on location of building envelop on proposed Lot 6 (existing Lot 300) is discussed in the officer report.</p>

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			envelope could be considered depending upon assessment of bushfire risk. Officers have noted that the extent of expected clearing is not specifically detailed.	
13.	Ian Wilson	Opposed to proposal – <ol style="list-style-type: none"><li>1. Additional subdivision would affect the character of the area.</li><li>2. Proposal would result in significant additional clearing of mature trees.</li><li>3. See this as a profit making exercise only that would not benefit the McLachlan Ridge estate.</li></ol>	Noted. <ol style="list-style-type: none"><li>1. Officers have not undertaken any specific assessment of amenity impacts; however, the proposal does not propose any mitigating measures.</li><li>2. Officers have noted that the extent of expected clearing is not specifically detailed.</li><li>3. Noted, discussed within the officer report.</li></ol>	Noting by Council.

## **Attachment I- Recommended Conditions**

### **GRANT DEVELOPMENT APPROVAL**

Subject to the following conditions

#### **GENERAL CONDITIONS:**

1. The development hereby approved shall be substantially commenced within two years of the date of this decision notice.
2. The development hereby approved shall be undertaken in accordance with the signed and stamped, Approved Development Plan(s) (enclosed), including any notes placed thereon in red by the City, and except as may be modified by the following conditions.
3. The development hereby approved shall be undertaken in accordance with the signed and stamped Bush Fire Management Plan and Emergency Evacuation Plan (enclosed), including any notes placed thereon in red by the City and except as may be modified by the following conditions.
4. Hours of operation are restricted to: between 7:00am and 7:00pm Mondays to Sunday. During operating hours all sound amplification devices must be fitted to restrict maximum volume to not exceed 77dB (A) at 4m from the amplifier/speaker.
5. The development hereby approved shall be limited in number to 12 events per year.

#### **PRIOR TO THE COMMENCEMENT OF ANY WORKS CONDITIONS:**

6. The development hereby approved, or any works required to implement the development, shall not commence until the following plans or details have been submitted to the City and have been approved in writing:
  - 6.1 Details of sewage / or on-site effluent works;
  - 6.2 Details of the means and method of providing adequate potable water supply.

#### **PRIOR TO USE/OCCUPATION CONDITIONS**

7. The development hereby approved shall not be occupied, or used, until all plans, details or works required by Condition(s) 6.1 & 6.2 have been implemented; and, the following conditions have been complied with:
  - 7.1 A minimum number of 25 car parking bays shall be provided on site. The parking area(s), driveway(s) and point(s) of ingress and egress [including crossover(s)] shall be designed, delineated and marked.

#### **ONGOING CONDITIONS**

8. The works to satisfy Condition(s) 4, 5.1, 5.2 and 6.1 shall be subsequently maintained for the life of the development.
9. The development hereby approved shall be undertaken in accordance with the signed and stamped Environmental Noise Assessment (enclosed) and the management recommendations therein.

## **12. ENGINEERING AND WORKS SERVICES REPORT**

### **12.1 RFT 05/18 - DELEGATION OF AUTHORITY TO AWARD CONTRACT RFT05/18, CONSTRUCTION OF DUNSBOROUGH TOWNSCAPE STAGE 4**

<b>SUBJECT INDEX:</b>	RFT05/18 - Delegation of Authority to Award Contract RFT05/18, Construction of Dunsborough Townscape Stage 4
<b>STRATEGIC OBJECTIVE:</b>	Creative urban design that produces vibrant, mixed-use town centres and public spaces.
<b>BUSINESS UNIT:</b>	Operation and Works Services
<b>ACTIVITY UNIT:</b>	Construction and Maintenance
<b>REPORTING OFFICER:</b>	Maintenance and Construction Coordinator - Matthew Twyman Legal Services Coordinator - Cobus Botha
<b>AUTHORISING OFFICER:</b>	Director, Engineering and Works Services - Oliver Darby
<b>VOTING REQUIREMENT:</b>	Absolute Majority
<b>ATTACHMENTS:</b>	Attachment A Dunsborough Townscape Stage 4 Extent of Work <a href="#">↓</a>

#### **PRÉCIS**

The Council is requested to delegate authority to the CEO to award a contract in regards to Request for Tender RFT05/18 – Dunsborough Townscape Stage 4.

#### **BACKGROUND**

It is proposed to invite suitably qualified contractors to submit tenders for RFT05/18, Construction of Dunsborough Townscape Stage 4. Tenders are proposed to be called in early April 2018 as soon as tender documents are ready.

The extent of work is shown on Attachment A.

The scope of work includes reconstruction of the existing Dunn Bay Road/Naturaliste Terrace roundabout and the immediately adjacent surrounds including townscape improvement to the adjacent verge areas involving high quality exposed aggregate footpaths, seating and soft landscape treatments.

Delegated authority to award the contract is sought to enable timely award of contract in early May 2018, following a three-week tender period and two weeks anticipated for tender evaluation. Prompt award of the contract in early May 2018 will enable the construction work to be completed in the current financial year, prior to the onset of winter. Pre-winter completion is unlikely to be achievable in absence of the delegated authority now sought.

Delegation LG3J already exists which allows the CEO to determine tender selection criteria regardless of contract value, and also to award contracts to a value not exceeding \$500,000. Existing delegation LG3J(S1) similarly allows the Legal Services Coordinator to determine tender selection criteria regardless of contract value, but provides no authority to award any contract.

The tender selection criteria for RFT05/18 are proposed to be determined by the Legal Services Coordinator under existing delegation LG3J(S1) and so do not form part of this report to the Council.

However, specific Council delegation is sought for the CEO to award the contract for RFT05/18- Construction of Dunsborough Townscape Stage 4 given that the anticipated contract value may exceed the \$500,000 price limit contained in existing delegation LG3J.

The contract will be superintended by the Director of Engineering and Works Services.

## 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 services. 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.

It is anticipated that the contract value under RFT05/18 will exceed \$500,000 and thus exceed the CEO's current delegated power to award the contract under Delegation LG3J. Under Section 5.43(b) of the Act a local government may, by absolute majority, vary the threshold of the value or amount of tenders to be accepted by the CEO's under his delegated power.

## 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 will apply to this tender.

Policy 031 – Tender Selection Criteria:

The procurement process complies with this policy

## FINANCIAL IMPLICATIONS

The annual budget contains anticipated expenditure for the works proposed and it is not expected that there will be any further demand for funding.

### Long-term Financial Plan Implications

Nil

## STRATEGIC COMMUNITY OBJECTIVES

Consideration of this matter is consistent with:

- 2      Places and Spaces Community Objective  
2.3 - Creative Urban design that produces vibrant, mixed-use town centres and public spaces.
- 6      Leadership and Community Objective  
6.4 - Assets are well maintained and responsibly managed.

## RISK ASSESSMENT

An assessment of the potential implications of implementing the Officers Recommendation has been undertaken using the City's risk assessment framework, summarised hereunder;

<i>Risk</i>	<i>Controls</i>	<i>Consequence</i>	<i>Likelihood</i>	<i>Risk Level</i>
The tender procurement timeline may result in failure to complete the project by the 30 June 2018 deadline (the initial risk with no delegation)	Nil.	Moderate (operational)  Minor (reputational)	Almost Certain	Medium (operational)  Medium (reputational)
The tender procurement timeline may result in failure to complete the project by 30 June 2018 deadline (residual risk with delegation in place)	Delegated authority for the CEO to award the contract	Moderate (operational)  Minor (reputational)	Possible	Medium (operational)  Medium (reputational)
Despite timely award of contract, other delays caused by the Contractor or inclement weather may result in failure to complete the project by the 30 June deadline (residual risk with controls applied).	Fortnightly project meetings and more regular inspections to closely monitor and manage progress and program.	Moderate (operational)  Minor (reputational)	Possible	Medium (operational)  Medium (reputational)
Contract scope variations or variation claims causing budget over-run (residual risk with controls applied).	Clear scope definition in well drafted tender documents. Fortnightly project meetings and more regular inspections to monitor potential or current variations.	Minor (financial)	Possible	Medium (financial)

## CONSULTATION

The design for the Dunsborough Stage 4 Townscape project was developed based on input from the Council endorsed Dunsborough Town Centre Conceptual Plan, development of which included extensive consultation. The Plan placed a focus on increasing the amount of high quality footpaths and landscaped areas assigned to pedestrian use and taking priority over the amount of space previously taken up by vehicle hardstands and car parking bays.

Specific consultation on the project proposals more recently occurred with adjacent property owners and tenants. This led to specific feedback associated with the timing of the work, which City officers considered and hence the construction occurring after the Easter holidays. In addition, some concerns were expressed about reduction in the number of car parking bays. In response the design proposal was adjusted to reintroduce two car bays. The final design of the stage 4 project still represents a reduction in the existing number of car bays in the stage 4 area. However, on the completion of stage 4, there will have been a significant increase to the overall number of parking bays in the greater Dunsborough Town Site. This is when you take into account all stages 1 through to 4.

Note, a further stage has been developed to complete the Dunsborough town site upgrade (which will be included in the 2018/19 budget for the council consideration), which will further increase the number parking bays in the area and increase alfresco and footpath widths.

Notwithstanding the concerns expressed about reduced car bays, there has been general support for the increased provision of green space.

#### **OFFICER COMMENT**

Provided that a contract is awarded by mid-May 2018, the Dunsborough Townscape works are anticipated to take approximately 6 weeks to construct with practical completion achievable just prior to 30 June 2018.

#### **CONCLUSION**

This report seeks the Council's endorsement of the officer's recommendation to delegate authority to the CEO to award a contract for RFT05/18 – Construction of Dunsborough Townscape Stage 4, to a value not exceeding the available budget.

#### **OPTIONS**

The Council may consider the following options:

1. The Council choose not to accept the officer's recommendation and instead require that a report be returned to the Council for consideration of the contract award. This would add significant delays to the earliest date that the contract could be awarded and cause corresponding delay to the construction of Dunsborough Townscape Stage 4, resulting in under-delivery of the current financial year works program and possibly greater exposure to winter working conditions causing an extended period of works disruption and higher construction costs.

#### **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

The award of contract for RFT05/18 under delegated authority would be anticipated to occur in mid-May 2018. The successful and unsuccessful Tenderers would all be notified at this time.

#### **OFFICER RECOMMENDATION**

#### **ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED**

That the Council:

1. 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* in relation to RFT05/18, Construction of Dunsborough Townscape Stage 4.
2. The delegation under resolution 1 above 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

The contract value for the accepted tender is not to exceed \$680,000





### **13. COMMUNITY AND COMMERCIAL SERVICES REPORT**

#### **13.1 SEASCAPE AND SCULPTURE WALK**

<b>SUBJECT INDEX:</b>	Arts and Culture
<b>STRATEGIC OBJECTIVE:</b>	A community with access to a range of cultural and art, social and recreational facilities and experiences.
<b>BUSINESS UNIT:</b>	Community Services
<b>ACTIVITY UNIT:</b>	Community Services
<b>REPORTING OFFICER:</b>	Cultural Development Officer - Jacquie Happ
<b>AUTHORISING OFFICER:</b>	Director, Community and Commercial Services - Cliff Frewing
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Nil

#### **PRÉCIS**

This report seeks approval for Officers to progress a proposal for a sculpture walk to be installed on the Busselton Jetty. The report outlines the consultation undertaken, the process to be followed and anticipated timeframe.

#### **BACKGROUND**

Local resident Mrs Dianne Laurance approached the City of Busselton to create a sculpture walk on the Busselton Foreshore and it was recommended that the Busselton Jetty might also be a landscape for the sculptures. Mrs Laurance outlined her idea to Councillors at a lunchtime presentation in June 2017, the concept being she would invite West Australian philanthropists to commission, donate and install sculptures on the Busselton Jetty to create a world class seascape and sculpture walk along its length.

The presentation was received positively by Councillors, and Officers were asked to investigate the feasibility of sculptures being installed on the jetty. Consequently:

- A meeting of Officers, some Busselton Jetty Inc (BJI) staff and Board members was held to identify locations with suitable deck loads and access considering the legal requirements for areas around the Jetty Train operations;
- State Heritage Office provided general approval of the concept with the proviso that they are kept informed of progress as it develops;
- Department of Transport informed the City that no approvals were required;
- Presentations were made to BJI Board and BJI Members;
- Three community surveys were conducted over 3 months; and
- Council was provided with an update on the project during a briefing session.

This report recommends that Council approve the project to proceed, and permit Mrs Laurance to work with Officers to approach philanthropists to commission, donate and install sculptures on the Busselton Jetty with an unveiling or community celebration at completion of the project. The report notes that the project will have a small impact on the Public Artworks Maintenance budget from 2020/2021.

#### **STATUTORY ENVIRONMENT**

##### Jetties Act 1926

The Jetty is located on Crown land (Reserve 46715), which is vested with the City of Busselton for the purposes of 'Tourism, Recreation and Heritage'. Pursuant to Section 7 of the *Jetties Act 1926* the Department of Transport (DoT) granted the City a licence to construct, maintain and use the Busselton Jetty as a private jetty for purposes of recreation, tourism and heritage (DoT Licence).

#### Rail Safety Act 2010

To ensure compliance with the *Rail Safety Act 2010*, the City is obligated to inform the DoT of all additions and alterations to the jetty structure. The Office of Rail Safety can provide guidance on the management of risks associated with railway operations and make special provision for the control of particular risks arising from railway operations.

The DoT has been informed and no approvals are required from them for projects of this nature.

#### Heritage of Western Australia Act 1990

The Act provides for, and encourages, the conservation of places which have significance to the cultural heritage in the State with a range of regulatory orders to provide special protection for a place. The Busselton Jetty was listed on the State Heritage Register on 22 November 2013. Accordingly, Section 78 of the Act requires the State Heritage Office to be kept informed of the project to ensure that it visually integrates with heritage features of the Jetty and any works are fully reversible and do not damage historic fabric.

#### Curatorial Panel

The Curatorial Panel is not a statutory body and primarily provides an advisory role for Council and City Officers. The panel will ensure that the following is taken into consideration when assessing the sculptures and their location:

- Access for the Busselton Jetty Train operations;
- Capacity of the jetty deck loads; and
- themes of the sculptures are appropriate for the community and relate to the Jetty as outlined by the State Heritage Listing.

### **RELEVANT PLANS AND POLICIES**

#### Social Plan 2015-2025

Public Artwork plays a key role in delivering the City's Social Plan 2015 – 2025 in providing a welcoming community with vibrant and attractive places and spaces where local heritage and culture is valued. In particular the Social Plan 2015-2025 identifies the need to facilitate the development of arts and culture by the continued implementation of the Cultural Plan and Local Cultural Planning Strategy (LCPS).

#### Local Cultural Planning Strategy

The City of Busselton adopted the LCPS in August 2011. The aim of the strategy is to conserve the key cultural elements of the City's towns and rural areas and to maintain these elements over time.

#### Cultural Plan

The City's Cultural Plan was adopted in 2005 and provides recommendations on the future directions of arts and culture in the City of Busselton and encourages the development of a collective community cultural vision and plan.

#### Asset Management Plan

The Local Government Act 1995 S5.56 (1) requires the Local Government to develop a "plan for the future" and further detail in relation to this requirement is provided in regulation 19 of the Local Government (Administration) Regulations. The Local Government is required to have a corporate business plan linking to long term financial planning that integrates asset management, workforce planning and specific council plans (informing strategies) with a strategic plan.

City of Busselton Jetties Local Law 2014

Written consent of the City is required under s2.19 (Miscellaneous Provisions) of the Busselton Jetties Local Law (2014) for the sculptures to be installed for the City through S2.19 1(e) place or display any sign, advertisement or fixture of any nature on the Land or on or from the jetties;.

Under s3.1 Application for Consent s3.1 1 where a person is required to obtain the consent of the local government under this law, that the person must apply for the consent in the manner required by the local government, the City may approve its own project.

Busselton Jetty 50-Year Maintenance Plan

The Busselton Jetty 50-Year Maintenance Plan identifies the maintenance, capital replacement and capital upgrade tasks required to maintain the Busselton Jetty, including the exterior and structural maintenance of the Interpretive Centre and the Underwater Observatory, for the 50-year period from 2013 to 2062.

Maintenance will be required on the sculptures over the long term and the additional sculptures may need to be considered when determining the maintenance budget. However this would be a separate budget to the Busselton Jetty 50-Year Maintenance Plan.

Busselton Jetty Licence between the City of Busselton and the Busselton Jetty Inc (BJI) (2017)

The City of Busselton has entered a non-exclusive licence agreement with BJI to operate commercial activities on the Busselton Jetty. This project is expected to enhance the activities of the BJI. The BJI has been part of the consultation process and intimately involved in the projects progression and so are fully informed of and approve of the project.

**FINANCIAL IMPLICATIONS**

The commissioned sculptures and their installation will be funded by philanthropists and then donated to the City. Mrs Laurance has indicated that she would be interested in funding her own sculpture as well as part of the celebration. This should mean there should be limited financial implications for the City.

Long-term Financial Plan Implications

An annual budget of \$4,000 per annum will be required to be added to the maintenance budget for Public Artwork in anticipation of maintenance on artworks from the 2020/21 financial year.

**STRATEGIC COMMUNITY OBJECTIVES**

This policy is consistent with fostering the following strategic objective:

## Key Goal Area 1 Community

- 1.3 A community with access to a range of cultural and art, social and recreational facilities and experiences.

## RISK ASSESSMENT

An assessment of the potential implications of implementing the officer recommendation have been undertaken using the City's risk assessment framework, and no risks were identified where the residual risk, once controls are considered, is medium or greater.

<i>Risk</i>	<i>Controls</i>	<i>Consequence</i>	<i>Likelihood</i>	<i>Risk Level</i>
Vandalism	Public Artwork Guidelines meaning robust artworks; Locating the artworks in places that are obvious	Low impact on reputation; some impact on financial	Is expected to occur	M16
Destruction	Sculptures are registered as assets of the City so are insurance	Low impact on reputation; some impact on financial (excess)	Could occur at some time	M13
Fishing equipment gets wrapped sculptures	None. Can be removed as required if not putting the staff at risk	Low impact on reputation	Is expected to occur	M11

## CONSULTATION

Consultation has been undertaken through presentations and surveys as outlined below:

City of Busselton 21 June 2017	Council presentation
Busselton Jetty Inc 19 November 2017 22 November 2017	BJI Board presentation BJI Members presentation
Community Surveys 25 November 2017 November 31 January 2018	"30 <sup>th</sup> Anniversary Celebrations" Ratepayers Survey (undertaken by BJI) People who fish on the Jetty
City of Busselton 07 March 2018	Council update

Presentations to the BJI Board and then the members, was positively received with good audience interaction. Members of the BJI are very passionate about the jetty, so their positive feedback is valuable approval for the sculpture walk concept.

The results of three surveys showed that over 79% of the respondents support the concept of the sculpture trail. The respondents to the 30<sup>th</sup> Anniversary Celebrations and Fisherman surveys are those that love and feel strongly about any impact that a project may have on the jetty. This support and feedback is highly valued. The Ratepayer survey was across the broader community and the percentage was lowered due to the fact some people didn't know or care about the concept.

**OFFICER COMMENT**

This report recommends that Council approve the project to proceed, and permit Mrs Laurance to work with Officers to approach philanthropists to commission, donate and install sculptures on the Busselton Jetty.

Mrs Dianne Laurance will approach philanthropists to donate sculptures that will be installed along the Busselton Jetty and potentially the Busselton Foreshore. Approximately 10-15 locations have been identified on the Jetty in consultation with the BJI board and City Officers.

State Heritage Office is to be kept informed of the project to ensure that it visually integrates with heritage features of the Jetty and any works are fully reversible and do not damage its historic fabric. The DoT's initial response is that no approvals are required. As the project develops further information will be supplied to the State Heritage Office and DoT.

The anticipated process and timeline is subject to sponsors being interested in the project and the timeframes required for the artists to create their sculptures. Some sculptures may be installed earlier than anticipated.

March to October 2018:

- Mrs Laurance to commence seeking sponsorship
- Agreement for sculptures developed
- Brief sponsors and artists on themes, locations, deck loads and access
- Allocation of locations
- Potential sculpture concepts provided

October 2018 – October 2019:

- Report to State Heritage Office
- Curatorial Panel reviews
- Council approval of sculptures
- Sponsors commission approved sculptures

November 2019 – March 2020

- Sculptures created
- Sculptures installed
- Promotional material on sculptures developed
- Unveiling Event of Sculptures and celebration.

The Curatorial Panel will comprise key stakeholders including:

- Councillor;
- BJI Board member;
- Mrs Laurance;
- Public artwork consultant and
- City Officers.

The role of the Panel will be to assess the public artworks before they are approved, and recommend them to Council. This is a process so that artworks are in keeping with the cultural values and themes of the Jetty and the practicalities for their installation.

**CONCLUSION**

This project is a unique opportunity in that the sculptures are donated to the City to create a seascape and sculpture walk that will be a world class tourist attraction to the City of Busselton, as well as providing increased visitor numbers to the Busselton Jetty. The cost to the City is the increase in maintenance over time and budget that is required to implement the maintenance.

**OPTIONS**

Council may chose not to approve the concept and request further consultation.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

If the Officer Recommendation is approved, Mrs Laurance will be informed immediately whereby she will commence seeking sponsors for sculptures. It will take approximately two (2) years to complete the sculpture walk.

**OFFICER RECOMMENDATION**

That the Council approve to proceed with the seascape and sculpture walk on the Busselton Jetty and Mrs Dianne Laurance be authorised on behalf of Council to approach sponsors to donate sculptures for a sculpture walk on the Busselton Jetty.



13.2 DRAFT GEOGRAPHE LEISURE CENTRE AND NATURALISTE COMMUNITY CENTRE MASTER PLANS

<b>SUBJECT INDEX:</b>	Geographe Leisure Centre Expansion and Naturaliste Community Centre Operations
<b>STRATEGIC OBJECTIVE:</b>	A community with access to a range of cultural and art, social and recreational facilities and experiences.
<b>BUSINESS UNIT:</b>	Community Services
<b>ACTIVITY UNIT:</b>	Recreation Services
<b>REPORTING OFFICER:</b>	Recreation Facilities Coordinator - Dave Goodwin
<b>AUTHORISING OFFICER:</b>	Director, Community and Commercial Services - Cliff Frewing
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A <a href="#">GLC Master Plan</a> Attachment B <a href="#">NCC Master Plan</a>

## PRÉCIS

Masterplans for both the Geographe Leisure Centre (GLC) and the Naturaliste Community Centre (NCC) have been developed. The Plans contain a strategic review of current performance levels and recommend options to improve financial sustainability and developments over time to meet the needs of the growing and changing demographic which the centres service.

The draft Geographe Leisure Centre (GLC) and Naturaliste Community Centre (NCC) Master Plan Key Findings documents (Attachments A & B) were advertised for a period of 42 days for public comment closing on 6<sup>th</sup> February 2018.

This report provides a summary of the feedback received and a recommendation to note the GLC and NCC Masterplans as guides for future planning.

## BACKGROUND

The development of masterplans for both the GLC and NCC has been identified on the City's corporate plan for a number of years

Customer feedback has raised issues with pool overcrowding, inadequate staffing, and lack of ablutions in the gymnasium, insufficient courts for basketball and some comments regarding poor levels of customer service.

A review of membership sales identified that the Centre loses nearly as many members as it attracts each month for a variety of reasons. The need for a review of centre operations and a plan for the future were prioritised in the 2016/2017 budget.

The NCC provides a diverse range of services including sporting, fitness, health, venue hire and Crèche and outside school hours care (Vacation Care) facilities and services. There have been no infrastructure developments or significant changes to operations and resourcing levels since the centre was built in 1996. The Centre is now at capacity particularly in relation to room hire and the community has raised issues around the need for additional court space, room hire and an aquatics facility.

During 2017 master plans were developed for both the GLC and NCC. In November 2017, the key findings and recommendations were presented at a Councillor briefing session. On 13 December 2017, key finding summary documents of the plans were reported to Council who resolved:

*That the Council:*

- 1. Approves the advertising of the draft Geographe Leisure Centre (GLC) Master Plan Key Findings (2017) for a period of 42 days for public comment and subject to feedback received adopts the reports as a guide for future planning.*
- 2. Approves the advertising of the draft Naturaliste Community Centre (NCC) Master Plan Key Findings (2017) for a period of 42 days for public comment and subject to feedback received adopts the reports as a guide for future planning.*

The consultation period was extended to allow an extended opportunity to receive public comment over the festive period.

## **STATUTORY ENVIRONMENT**

Nil.

## **RELEVANT PLANS AND POLICIES**

The Strategic Directions for the Sport and Recreation Industry (SD6) 2016-2020 advocates the need for the industry to optimise the value derived from public and private funding in tight fiscal circumstances.

The City of Busselton 2017/18 Corporate Plan identifies the need to develop master plans for the GLC and NCC to inform future facility planning.

The GLC and NCC support a number of goal areas in the City's Social Plan in recreation and leisure services, community health and wellbeing, seniors/ageing, children and family services and youth.

## **FINANCIAL IMPLICATIONS**

The majority of the major recommendations contained within the Master Plans cannot be achieved through existing resources and will need to be considered in the development of future budgets in conjunction with other priorities.

### **Long-term Financial Plan Implications**

The GLC and NCC Masterplans provide recommendations for whole of centre developments that optimise both centres at their current locations. The Plans propose staging over immediate, medium and longer term time frames with cost estimates totalling around \$27 million for the GLC and between \$8 million and \$10 million for NCC. The consultant has recommended a proposed staging for the GLC which is designed to reduce the impact overtime to the centre's net operating costs, burden on rates and City borrowings. Some but not all of the recommendations contained in the GLC and NCC Master Plans are included in the City's draft Long Term Financial Plan. There are also costing variations.

From the submissions received there is clearly discord between the community's desired timeframes and the priorities suggested in the Plans. The Plans will, therefore, need to be considered against the views expressed by the community, the City's ability to finance, subsidise with external funding and other community priorities when reviewing the Long Term Financial Plan and future GLC/NCC budgets.

## **STRATEGIC COMMUNITY OBJECTIVES**

The GLC and NCC and Masterplans support the vision for a City "where environment, lifestyle and opportunity meet." In particular the GLC and NCC contribute to achieving this vision by supporting the following key goal areas:

**Key Goal Area 1 - COMMUNITY:** Welcoming, friendly and healthy.

**Key Goal Area 2 - PLACE AND SPACES:** Vibrant, attractive and affordable.

**Key Goal Area 4 - ECONOMY:** Diverse, robust and prosperous.

**Key Goal Area 6 - LEADERSHIP:** Visionary, collaborative and accountable.

The GLC and NCC are accessible to everyone and provide services and facilities that connect people to a range of social and recreation facilities and experiences. The facilities support people of all ages and backgrounds with access to affordable life-long health and educational opportunities. With over 100 staff they also provide employment opportunities and career pathways for the City's young people.

## **RISK ASSESSMENT**

Officers did not identify any risks of medium or greater associated with the Recommendation.

## **CONSULTATION**

During early 2017 consultation to develop the Master Plans took place with user groups, other key stakeholders and schools. Two consultation sessions were held, one at GLC and one at NCC.

Between February and April 2017 a public survey was conducted which aimed to attract responses from current users and non-users. The survey was promoted in the media, by advertising, Facebook, City website and displays at NCC and GLC. A total of 206 valid responses were received.

The Master Plans were advertised for a period of 42 days for public comment in the Council for Community page, on Your Say, at the GLC and NCC, and on the City's website and Facebook pages closing on 6<sup>th</sup> February 2018.

In relation to the GLC there were 248 respondents of which 98% of the respondents were users of the facility. For the NCC there were 68 respondents of which 85% stated their primary reason for visiting was to use the recreation centre whilst 15% said that their primary reason for visiting was to use the library.

**OFFICER COMMENT**

The GLC and NCC Masterplans identified a number of critical issues at both Centres as follows:

- Balancing community expectations with financial sustainability,
- Capability and capacity to extend infrastructure compromised by current site design constraints and issues associated with retrofitting;
- An increasing need for additional recreational infrastructure to be provided across all ages with a particular focus on family based activities;
- Role clarity of the GLC and NCC as provider of social benefit to the local community rather than as commercial facilities which will generate a profitable return;
- Funding of the GLC and NCC has not kept up with growth and usage and is now impacting on the service capability of the Centres (particularly in the fitness and aquatics areas of GLC).
- Staffing levels and lack of investment which expose the City to potentially unacceptable risk (particularly in regard to water and personal safety at GLC and after hours usage at the NCC); and
- The shortage of water space for activities such as shallow water swimming lessons exacerbated by the now inappropriate design.(i.e. overall water area may be satisfactory at GLC but the depth and configuration are not).

The GLC was benchmarked against industry standards which showed, in comparison to regional benchmarks, it is an extremely high performing Centre despite its current limitations. The NCC also operates very efficiently but is now unable to expand or develop programs due to staffing and space constraints. Without further investment both Centres will merely 'tick over' and as infrastructure ages will become increasingly costly to subsidise. Population forecasts for both Busselton and Dunsborough demonstrate the need to expand both current facilities in the future to address increased utilisation.

To capitalise on previous investments and to address the needs of the City's growing population; the Master Plans recommend a series of options for the future development and resourcing of the GLC and NCC which can be considered over the next 20- year timeframe. These options are prioritised with the objective of providing the most sustainable solutions for the ongoing financing of the Centres' operations, providing the greatest return on investment to reduce the burden on municipal funding, noting that the Centres will never break even or become profit generating. The order of priority can be changed to recognise specific community group priorities however any change could adversely affect the centres' operating deficit. The options were documented in the key findings documents and released for public comment.

**In relation to the GLC the options as recommended by the consultant were as follows:**

**Immediate term** - focuses on aquatics space which is currently overcrowded not fit for purpose and needs considerably more programmable space to generate revenue and includes:

- Separation and expansion of the indoor pool
- Reconfiguration and construction of more change rooms
- Additional parking of over 150 bays
- Construct Clubrooms
- More storage
- Replacement of Outdoor pool liner (scheduled for April 2018)

**Medium Term** - focuses on realignment of some service areas to enhance customer experience and generate secondary spend and includes:

- Café and retail relocated to front of centre
- Alignment of fitness services
- Ablutions in gymnasium
- Relocation and centralisation of staff room and offices

**Long Term** - focuses on the expansion of the centre outside of the existing building footprint and includes:

- Construction of a 50m pool
- Construction of a Family change room centre
- Construction of an extra 3 courts
- Water slide (s)

The Master Plan key findings and recommendations were advertised for public comment for a period of 42 days. Of the responses received for the GLC 70% supported or somewhat supported the immediate term recommendations, 69% supported or somewhat supported the medium term recommendations and 75% supported or somewhat supported the long term recommendations. The majority of concerns expressed were in relation to the timing of the development rather than the developments themselves with many submissions requesting that developments such as the courts and the 50m pool be brought forwards to the immediate term.

The consultant provided two (2) options for the NCC, one retaining the library on site the other relocating it. The option to relocate the library enabled the development of a swimming pool in the future. Both options include the following developments;

- Additional multipurpose room
- Realign reception to central service hub.
- Re-alignment of staff room and managers/library offices.
- Increased levels of storage across the centre.
- Provision of a new multi-purpose sports court adjacent to existing court infrastructure with shared storage and ablutions (existing).
- Extension to crèche.
- Rationalise current circulation and seating area with potential to include a mobile café /coffee infrastructure.
- Options for an integrated gym /group fitness area
- Provision of an outdoor courtyard and access to grassed area for personal training/recreation.
- Realignment of access road and car parking

63% of the public submissions received for the NCC supported or somewhat supported Option 1 while 65% of the respondents supported or somewhat supported Option 2. Community concerns included opinion that impacts on the Windlemere Reserve, that the NCC didn't need a café or gym due to there being enough in town and some respondents requested a 25 m pool as a priority.

**CONCLUSION**

The public submissions largely support the consultant's development recommendations in the GLC and NCC Masterplans but would prefer developments to occur sooner or in a different sequence to those proposed.

Both development options at the NCC were largely supported with or without the library remaining on site; however a number of the respondents had concerns regarding environmental impacts to Windlemere Reserve.

It is recommended that Council note the recommendations in the GLC and NCC masterplans and consider the proposed developments, the suggested staging, associated costs and resourcing implications with other priorities and the community's feedback in current and future reviews of the Long Term Financial Plan and GLC and NCC budget development processes.

**OPTIONS**

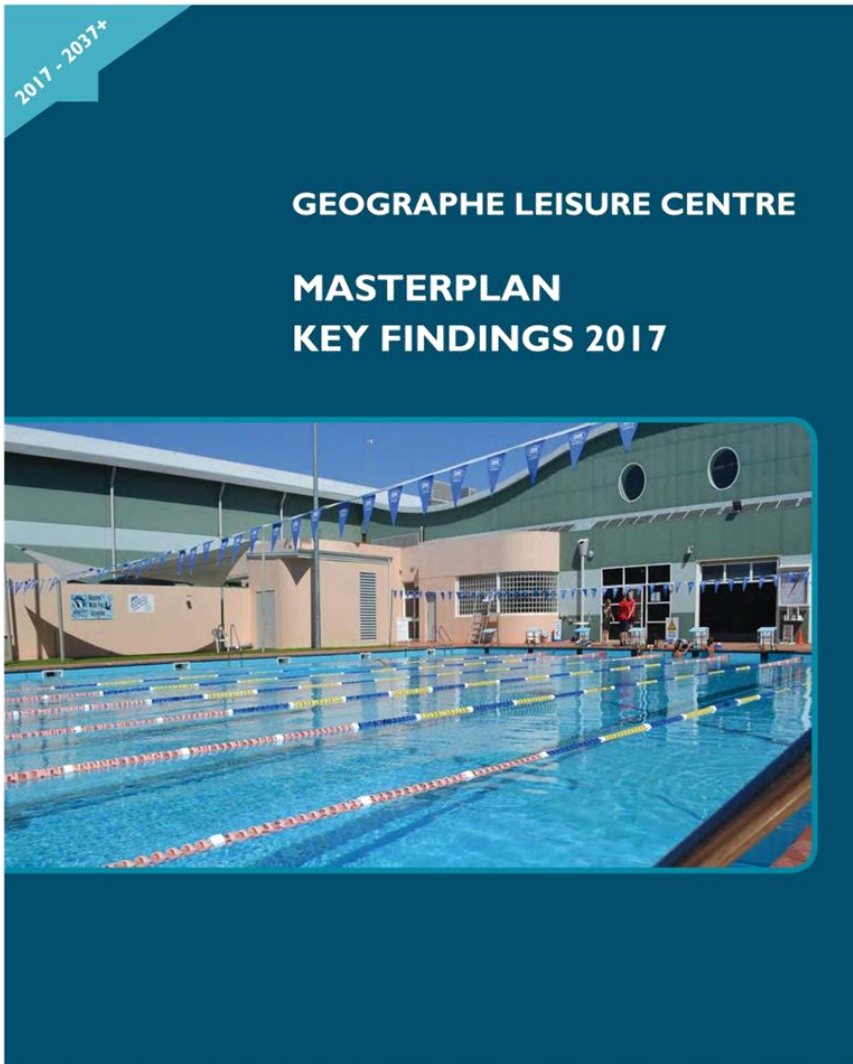
Alternatively Council could seek specific changes to the GLC and NCC Master Plans and/or request further community consultation.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

Timeline is in line with the LTFP and operational budget reviews.

**OFFICER RECOMMENDATION**

That the Council notes the GLC and NCC Masterplans as guides for future planning and considers them and the recommended priorities for staged developments and associated operating resources in current and future reviews of the City's Long Term Financial Plan.





## Introduction



Dave Lanfear Consulting was contracted by the City of Busselton to undertake a review of current operations at Geographe Leisure Centre and develop a Master Plan to provide a long-range vision for the facility. The Master Plan establishes a framework and guides and supports evolving community sport and recreation programs, services and facility developments over the next 20 years plus and makes recommendations having regard to current and potential future use.

The Master Plan has not been developed in isolation, but incorporates and is informed by the input of the broader community, sporting groups and users of the Centre and outlines potential investments to meet a variety of identified needs as the population continues to grow. The Plan is underpinned by a detailed analysis of changing demographics, industry trends, facility benchmarking, facility capacity and design limitations. The Master Plan is intended to guide the design and implementation of projects as well as the day-to-day operations and ongoing maintenance of the facility.

It is important to understand that projects identified within the Master Plan may be re-prioritised over time, but any investment decision taken should have regard to the long term vision for the facility.

This document is therefore provided as a summary document to inform interested parties/users of the current recommended priorities for Council to consider. It is provided as a summary for planning purposes, where priorities may change over time due to financial, operational and user considerations.

## Executive Summary



### Background

The strategic review of the performance of Geographe Leisure Centre (GLC) was undertaken to ascertain options to improve financial performance and ensure the facility could be adapted and developed over time to meet the growing needs of the community. This approach is consistent with the Strategic Directions for the Sport and Recreation Industry (SD6) 2016-2020 which advocates the need for the industry to optimise the value derived from public and private funding in tight fiscal circumstances.

The 2017 City of Busselton Strategic Community Plan seeks to create sport and recreation hubs to service local and regional communities.

- Under 'Community: Welcoming and Friendly Key Goal Area 1' there are a number of key objectives that are relevant to the GLC, including: 1.2 A community with access to life-long health and education opportunities; 1.3 A community with access to a range of cultural and art, social and recreational facilities and experiences and 1.4 Community services and programs that support people of all ages and backgrounds.

The GLC plays a critical role in delivering on this objective and currently performs a significant strategic role in the delivery of a variety of sport, recreation and leisure opportunities for all ages on one site.

Current demographic considerations indicate that the City grew by 3.5% annually between 2010 and 2015; double the increase of comparative local governments. Growth between 2016 to 2026 is anticipated to continue. Long term population forecasts indicate that whilst the age of the population will gradually increase, between 2031 and 2051 over 34,000 people are likely to be added to the City's population across all household unit types. This has a consequential impact on the need to increase accessibility and functionality of social infrastructure necessary to service the growing community. The GLC will ultimately need to plan to accommodate a catchment population within a 5km radii of up to 60,000 (currently it is just over 20,000).



## Executive Summary



### Comparison to other Regional Leisure Centres and Financial Performance

In comparison to other similar regional centres it is to be noted that the GLC:

- Performs exceptionally well, particularly when assessed against the immediate catchment population of the site. The GLC attracts in excess of 3 times the normal visitation per head of population for similar leisure centres (i.e. the equivalent of an industry standard 60,000 catchment);
- Has combined labour costs at 79% of the average labour costs for similar centres. It can therefore be considered as operating very efficiently. Conversely the lower labour costs could indicate that the Centre is under-resourced which could impact on effective programming and servicing;
- Operates a staffing structure which is marginally below the full time equivalent (FTE) staffing structure of similar centres;
- Is a relatively effective user of energy being below industry benchmarks;
- Has 2,500 learn to swim enrolments which is double that of Esperance but approximately 400 to 800 below that of Albany, Kalgoorlie, Leschenault and Bunbury. Only Bunbury and Kalgoorlie have more facility members, indicating that the Centre is highly valued within the local community, but noting the GLC has restrictions for growth;
- Has extremely low corporate overheads and depreciation. Operating costs are relatively low in comparison to other leisure centres which has a consequential impact on relatively static operating revenues;
- Cost recovery in comparison to other regional centres is high;
- Gym income increased by nearly \$100k in the last financial year. However, the retention levels are low and are a significant concern which requires addressing; and
- Is one of the most popular community facilities serving the residents of the City.

The GLC is, in comparison to regional benchmarks, an extremely high performing centre given the current limitations. In 2014/15 a \$1.3m expansion was undertaken to address capacity issues experienced in the fitness areas, cater for increased utilisation, and provide increased revenue opportunities to assist in reducing the burden on rate payers to finance the operations of the Centre. The 160m<sup>2</sup> gym was relocated and more than doubled to 400m<sup>2</sup> in size, the crèche was expanded and relocated, a dedicated cycle room was built, and meeting/training rooms, offices, health suites and café were added, and the reception area was reconfigured. The objectives of this expansion have been achieved within three years with memberships increasing from 800 to over 1800 and revenue generation increasing by over \$280,000.

## Executive Summary



### Infrastructure Development Recommendations

To capitalise on investment and address the needs of the City's growing population this Master Plan recommends a series of options for the future development and resourcing of the GLC which Council may consider over the next 20-year timeframe. These options are prioritised with the objectives of providing the most sustainable solutions for the ongoing financing of the GLC's operations, and providing the greatest return on investment to reduce the burden on ratepayers, noting that the GLC will never break even or become a profit generating centre.

Community and club consultations identified the following requirements:

- Development of a 50m pool;
- Warm water pool;
- A new squash court facility;
- Development of shallow/zero depth play area;
- Swimming club/water polo club rooms;
- 3 additional Basketball Courts; and
- Larger crèche and re-aligned reception area

With the exception of squash infrastructure, which due to the relative inflexibility of space and high cost of development associated with limited financial return, all of the other components were considered to have merit unless the squash infrastructure is funded by the private sector. The relative merits however need to be prioritised in accordance with:

- The current capacity, functionality and potential capital and ongoing operational costs;
- The relative facility development priorities, having regard to increasing income at the GLC; increasing flexibility and capability of the Centre to deliver a wide range of programs and services; and reducing the net subsidy for each user; and
- Needs assessed against current and projected usage; industry trends and the changing demographic implications.



## Executive Summary



A series of design principles have been established which focusses on minimising operational costs and maximising financial return whilst having regard to current capacity issues and immediate to long term needs of the community. An assessment of the GLC facility composition highlighted a number of critical facility components which needed to be addressed through a long-term master planning process in order to improve functionality and financial performance.

These include, in order of general priority

### Immediate: Planning and development:

- Review the current extent and functionality of the indoor water space with a view to provide;
  - Water entry for toddlers - currently substandard and to be addressed as a matter of urgency
  - Re-align the irregular shaped pool to provide more effective programmable space for learn to swim
  - Enclose the 25m indoor water body to create a separate lap pool
- Replace the outdoor pool lining as a short to medium term solution whilst its ultimate replacement is being considered and resourced;
- Upgrade and enhance the existing wet changing facilities to incorporate family changing and the ability to service more effective and functional programmable water space;
- Swimming club/water polo club room and associated storage;
- Improve current air flow functionality on the existing courts;
- Temporary car parking re-alignment; and
- Review existing use of court space throughout the district to maximise usage beyond the GLC.

### Medium Term: Planning and Development:

- Reduce excessive and unnecessary circulation spaces;
- Relocation of group fitness to align with gym activities;
- Re-align spinning room to be adjacent to gym and group fitness activities;
- Enhancing functionality and entrance by the introduction of a crèche and café area to the front of house (prior to entering the centre);
- Extending the entry point for the reception area and provide a secure retail browsing area; and
- Re-align the staff office area and staffroom to improve functionality.

### Long Term: Planning and Development:

- Consideration of the development of a replacement outdoor pool of up to 50m x 20m (8 lane);
- Incorporate new wet changing facilities and convert existing wet changing facilities to service dry-side activities;
- Potential re-alignment of plant/machinery (subject to determination of the extent to which the existing plant has to increase to facilitate expansion of water areas);
- Enhance the outdoor areas for BBQ, casual seating and children's water play;
- Consideration of extended court space with associated storage and dry changing infrastructure to accommodate future growth; and
- Consider the development of water slides as a destination attractor.

## Executive Summary



### Operational recommendations

In addition to the broad development parameters identified above, a series of operationally significant processes and investments have been identified:

- Introduce a customer relationship software system aligned to a financial accounting system and asset management planning to provide greater analysis on programs and users to ascertain whether current services and programming are meeting existing and potential users needs;
- Review and update the current staffing structure at the GLC. As a minimum, there should be:
  - Two lifeguards, as a minimum on duty at peak periods to cover indoor and outdoor water areas (this has currently been allocated within the 17/18 financial year budget). Ideally this should be increased to three to cover supervision to all main water bodies;
  - A program officer to expand group fitness, personal fitness and other service opportunities;
  - The appointment of a gym manager/supervisor to provide direct client and membership relationships in the gym area and provide relief to senior management (this in part has been addressed through the provision of part time hours' in the 17/18 financial year budget);
- Establish a monitoring and evaluation process aligned to both the financial and customer relationship systems;
- Increase staff capability and expand the service and programming offer;
- Upgrade the gym at the GLC to enhance the ambience and improve services;
- Consider the provision of a 24/7 gym entry option by incorporating a secured second after hours entry point to the gym;
- Re-programming of group fitness in response to the needs of the local market (information derived through the customer relationship software program and customer feedback/surveys);
- Explore opportunities to increase alliances or partnerships with local business aligned to healthy workplace initiatives;
- Enhance and upgrade the Website;
- Explore the use of an app associated with gym and fitness use and market the Centre through a dedicated facility app;
- Development of an energy management plan for the site in addition to the following elements:
  - Install sub metering within the Centre including the pumping station;
  - Install a power factor correction unit;
  - Undertake an independent review of the Building Management System (BMS);
  - Upgrade/improve the BMS to provide additional performance information; and
  - Improve water consumption logging and compare against centre use to see if there is a correlation between consumption and centre use.



## Executive Summary



### Where to from here?

An assessment of the potential 10-year financial position following the development of the indoor aquatic infrastructure from year six onwards was undertaken. This indicated a progressive net reduction of deficit following the enhancement to the GLC from year six onwards, therefore ensuring the sustainability of the facility and optimizing the contribution from ratepayers.

The key findings of the GLC Master Plan is to be advertised for Public comment for a period of 21 days and will be subject to a further report to Council should comments be received.

The final report is to be endorsed by Council as a guide for future planning. The contents of the MasterPlan are to be considered in future reviews of the City of Busselton Long Term Financial Plan and yearly Centre operational budgets.

Note: the key findings are subject to future environmental assessments.



For more information contact

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## Subject to Environmental Assessment

ROOM SCHEDULE		ROOM SCHEDULE	
NET CHANGEROOMS	30min	GYN OFFICE 1	11min
PRE- & POST-OPERATIVE	15min	GYN OFFICE 2	13min
PRE- & POST-OUTDOOR PLAY	12min	GYN OFFICE 3	13min
PRE- & POST-OUTDOOR REST	15min	GYN OFFICE 4	24min
CARE OUTDOOR SEATING	5min	GYN NURSING ROOM	24min
REC. OFFICE 1	11min	GYN NURSING CHANGEROOM	5min
REC. OFFICE 2	11min	GYN CLASS ROOM	5min
RECEPTION	15min	GYN CLASS ROOM	5min
COMMS	15min	GYN LOBBY	30min
RECEPTION	15min	DRY CHANGEROOMS	15min
POST-OPERATIVE	15min	STONE ROOM	15min
LAB	5min		

geographie leisure centre

proposed alterations

1 recreation lane  
west busseilton  
wa 6280

PD02 D  
REV.  
17-114  
aug 2017







## Introduction



Dave Lanfear Consulting was contracted by the City of Busselton to undertake a review of current operations at Naturaliste Community Centre and develop a Master Plan to provide a long-range vision for the facility. The Master Plan establishes a framework and guides and supports evolving community sport and recreation programs, services and facility developments over the next 20 years plus and makes recommendations having regard to current and potential future use.

The Master Plan has not been developed in isolation, but incorporates and is informed by the input of the broader community, sporting groups and users of the Centre and outlines potential investments to meet a variety of identified needs as the population continues to grow. The Plan is underpinned by a detailed analysis of changing demographics, industry trends, facility benchmarking, and facility capacity and design limitations.

The Master Plan is intended to guide the design and implementation of projects as well as the day-to-day operation and ongoing maintenance of the facility. It is important to understand that projects identified within the Master Plan may be re-prioritised over time, but any investment decision taken should have regard to the long term vision for the facility.

This document is provided as a summary to inform interested parties/users of the current recommended priorities for Council to consider. It is provided as a summary for planning purposes, where priorities may change over time due to financial, operational and user considerations.



## Executive Summary



### Background

The strategic review of the performance of Naturaliste Community Centre (NCC) was undertaken to ascertain options to improve financial performance and ensure the facility could be adapted and developed over time to meet the growing needs of the community. This approach is consistent with the Strategic Directions for the Sport and Recreation Industry (SD6) 2016-2020 which advocates the need for the industry to optimise the value derived from public and private funding in tight fiscal circumstances.

The 2017 City of Busselton Strategic Community Plan seeks to create sport and recreation hubs to service local and regional communities.

- Under 'Community: Welcoming and Friendly Key Goal Area 1' there are a number of key objectives that are relevant to the NCC, including: 1.2 A community with access to life-long health and education opportunities; 1.3 A community with access to a range of cultural and art, social and recreational facilities and experiences and 1.4 Community services and programs that support people of all ages and backgrounds.

The NCC plays a critical role in delivering on this objective in the provision and delivery of a variety of sport, recreation and leisure opportunities for all ages on one multi-functional site.

Current demographic considerations indicate that the City of Busselton grew by 3.5% annually between 2010 and 2015; double the increase of comparative local governments. Growth between 2016 to 2026 is anticipated to continue. The growth in Dunsborough is anticipated to be relatively modest in comparison to Busselton. 2016 population for Dunsborough is identified as 8,227 and it is anticipated to climb to 12,553 by 2031 and 20,139 by 2051. Population growth for Dunsborough will be centered around an ageing demographic and increase in young family units which is likely to demand increasing flexibility of space and service infrastructure.

## Executive Summary



### Comparison to similar Centres

An assessment of similar community Centres and industry trends indicate:

- Being clear of the vision and the service focus of the community facility is critical;
- The use of facilities as a 'one-stop-shop' for all services associated with the core function of local government is becoming more common;
- Combining infrastructure with information technology and capability is important to sustain an engaged community;
- The development of one additional basketball court based on current population and usage numbers is justified, even having regard to access to local school provision;
- The growth in gym development and the unique social service offered by a local government community gym is valued and the demand for such infrastructure is unlikely to be diminished if the service continues to be of a high quality; and
- It is unlikely, even with the population growth, the development of a significant aquatic facility in Dunsborough could be justified, given the relatively close proximity of Busselton, however learn to swim/hydrotherapy opportunities exist.

### Financial Performance

An analysis of the financial performance of the NCC indicates:

- Salary and on-cost budgets are low for the Centre and reflective of recent decisions taken to minimise costs. This has a direct impact on the ability to drive income as it is directly related to meeting the needs of customers and facilitating the development of appropriate programs and services which will attract existing users more often and attract new members;
- Hire fees and aerobics are consistently high-income drivers. There has been a focus on hiring out the NCC, rather than in developing in-house programs;
- There are opportunities to increase income if greater internal storage were to be incorporated within the building to offset current practices of storing in vacant office space and corridors;
- The need to review what is being offered and focus on those areas customers value;
- There are declining program fees, which may be indicative of an inability of staff to provide adequate servicing;
- At present the service offer is a traditional user pays model based on a simple payment transaction. Greater attention should be placed on customer experience and feedback to continually improve the service offer.



## Executive Summary



### Infrastructure Development Recommendations

Community and club consultations identified the following requirements:

- Swimming Pool/warm water pool;
- Service Centre (For council business and associated local community support);
- Additional Basketball Court;
- Gym;
- Library relocation; and
- Increase the functionality of the outdoor patio area.

With the exception of aquatic infrastructure, which due to the high cost of provision and high levels of subsidy required to sustain the infrastructure, all of the other components were considered to have merit. An option of incorporating a warm water area under a fitness club membership model, was however, considered to be a potential development option which would minimise staffing costs. Generally, a membership model could operate with a staff complement of two with the warm water pool hired out to learn to swim operators and rehabilitation services. A more extensive pool area and/or hydrotherapy would require a minimum staffing complement to service the gym and pool area of four to meet health and safety obligations.

The relocation of the library to an area/site within Dunsborough would provide significant opportunities to re-align activities and multi-functional spaces to secure a greater diversity of activity and financial return. This in turn would potentially result in the relocation of the Dunsborough Child Health Clinic to a centrally located town centre site and provide alternative storage and income generating opportunities for the remaining space.

An assessment of the NCC facility composition highlighted a number of critical facility components which are required to be addressed through a long-term master planning process in order to improve functionality and financial performance. Two facility development options were considered.

**For option 1**, these included:

- Re-alignment of the reception area to provide greater control across the Centre and integrate the library as part of the service hub;
- Re-alignment of staff room and managers/library offices;
- Increased levels of storage across the Centre (through re-purposing existing rooms and expanding the storage area adjacent to the existing sports court);
- Provision of a new multi-purpose sports court adjacent to existing court infrastructure with gym office and use of shared storage and existing ablutions;
- Extension to creche;
- Provision of café/eating area (indoors and outdoors);
- Development of small meeting room adjacent to library space;
- Rationalisation of current circulation and seating area and increase potential to utilise the outdoor area with potential to include a mobile café /coffee infrastructure;
- Provision of minor extension to John Edwards Pavillion (JEP); and
- Re-alignment of car parking and access road – removal of one turning circle and introduction of car parking bays over current landscaped areas (55 bays in total).

## Executive Summary



For option 2, these included:

- Re-alignment of the reception area to provide greater control across the Centre and integrate new group fitness and gym as part of a health, wellbeing and family service hub;
- Re-alignment of staff room and managers/library offices;
- Increased levels of storage across the Centre (through expanding the storage area adjacent to the existing sports court and adjacent to the new gym);
- Provision of an additional new multi-purpose sports court adjacent to existing court infrastructure with shared storage and ablutions (existing);
- Extension to creche;
- Integrate gym and new group fitness area with option for a warm water/learn to swim facility (including associated plant and changing facilities). Potential to consider this as a membership area to reduce health and safety obligations;
- Provision of an outdoor courtyard and access to grassed area for personal training.
- Rationalisation of current circulation and seating area and increase potential to utilise the outdoor area with potential to include a mobile café /coffee infrastructure;
- Demolition of toy library and repurposing John Edwards Pavillion (JEP) (after a 10-year period); and
- Realignment of access road and car parking – removal of one turning circle and introduction of car parking bays over current landscaped areas (48 bays in total).

A consideration of option 2 is the future relocation of the library, toy library and replacement of the JEP in an area which functionally services the two ovals. Approximate replacement costs for these developments will need to be considered. Indicatively these are estimated at:

- Relocated toy library (40m<sup>2</sup>) combined a new library (indicatively 500m<sup>2</sup>) together with ancillary car parking and landscaping of 250m<sup>2</sup>;
- A replacement pavilion of 400m<sup>2</sup>.





## Executive Summary



### Operational recommendations

In addition to the broad development parameters identified above, a series of operationally significant processes and investments have been identified:

- Introduce a customer relationship software system aligned to a financial accounting system and asset management planning to provide greater analysis on programs and users to ascertain whether current services and programming is meeting existing and potential user's needs. This should be linked to the Geographie Leisure Centre;
- Establish a monitoring and evaluation process aligned to both the financial and customer relationship systems.
- Review and update the current staffing structure at the NCC. As a minimum, there should be:
  - Two full time equivalent positions to cater for customer needs and maintain the basic administration function.
  - In the event that a gym is developed at NCC a gym/assistant/personal trainer/program coordinator would be required;
- The programming of group fitness should respond to the needs of the local market (through the customer relationship software program and customer feedback/surveys);
- Explore opportunities to increase alliances or partnerships with local business aligned to healthy workplace initiatives;
- Enhance and upgrade the Website;
- Explore the use of an app associated with gym and fitness use and market the Centre through a dedicated facility app.
- The development of an energy management plan for the site that also considers the following elements:
  - Install sub metering within the Centre;
  - Install a power factor correction unit;
  - Install a building management system (BMS) to centrally control, monitor and manage the HVAC and lighting systems throughout the Centre;
  - Modify HVAC system serving main hall to allow each side to operate independently in accordance with different bookings; and
  - Undertake a solar feasibility study for the Centre to identify whether there is an opportunity to expand the existing 14 panel solar system.



## Executive Summary



### Where to from here?

An assessment of the potential 10-year financial position following the development of the indoor gym, sports court, reception, creche and multi-functional room from year six onwards (excluding the warm water pool) was undertaken. This indicated a progressive net reduction of deficit following the enhancement to the NCC from year six onwards therefore ensuring the sustainability of the facility and optimizing the contribution from ratepayers.

The key findings of the NCC Master Plan is to be advertised for public comment for a period of 21 days and will be subject to a further report to Council should comments be received.

The final report is to be endorsed by Council as a guide for future planning. The contents of the Master Plan will be considered in future reviews of the City of Busselton's Long Term Financial Plan and yearly Centre operational budgets.

Note: the key findings are subject to future environmental assessments.

For more information contact

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PROPOSED ADDITIONS

1000 A m<sup>2</sup>

810 m<sup>2</sup>  
130 m<sup>2</sup>  
230 m<sup>2</sup>  
160 m<sup>2</sup>  
36 m<sup>2</sup>  
64 m<sup>2</sup>  
50 m<sup>2</sup>  
26 m<sup>2</sup>  
26 m<sup>2</sup>  
500 m<sup>2</sup>  
28 m<sup>2</sup>  
43 m<sup>2</sup>  
120 m<sup>2</sup>

### Subject to Environmental Assessment

## OPTION 1

KEY  
EXISTING BUILDINGS  
NEW BUILDINGS

naturaliste community centre

proposed alterations - option 1

21 dunsborough lakes drive  
dunsborough  
western australia 6281

PD01  
REV. A  
07.114  
aug 2017

**PGA**  
PATRICKSON GROUP





naturaliste community centre

proposed alterations - option 2

21 dunsborough lakes drive  
dunsborough  
western australia 6281

PD02 B  
10/14  
residential

PG&A  
PLANNING & ARCHITECTURE

KEY  
EXISTING BUILDINGS  
NEW BUILDINGS

AREA m <sup>2</sup>	30 m <sup>2</sup>	42 m <sup>2</sup>
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PROPOSED ADDITIONS

COURTYARD

PROPOSED EXTENSION TO CRECHE

PROPOSED ADDITIONS	AREA m <sup>2</sup>
NEW MULTIPURPOSE COURT	
STORE ROOM (LARGE)	
GROUP FITNESS	

## Subject to Environmental Assessment

## OPTION 2

GYM OFFICE  
STAFF ROOM  
MANAGERS OFFICE  
STORE ROOM (SMALL)  
NEW LIBRARY OFFICE  
GYM/GROUP FITNESS ENTRY  
INDOOR CAFE EATING AREA  
S.S. 71 ENDOUSE GLENCE

### 13.3 CSRFF APPLICATION SMALL GRANTS ROUND 2 BUSSELTON TENNIS CLUB

<b>SUBJECT INDEX:</b>	CSRFF applications and correspondence 2018
<b>STRATEGIC OBJECTIVE:</b>	A community with access to a range of cultural and art, social and recreational facilities and experiences.
<b>BUSINESS UNIT:</b>	Community Services
<b>ACTIVITY UNIT:</b>	Community Services
<b>REPORTING OFFICER:</b>	Manager, Community Services - Maxine Palmer
<b>AUTHORISING OFFICER:</b>	Director, Community and Commercial Services - Naomi Searle
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A BTC Funding for 6 expansion courts <a href="#">↓</a> Attachment B BTC 19 Courts & Expansion of Courts <a href="#">↓</a>

#### PRÉCIS

Each year Local Government Authorities are required to rate and prioritise the Community Sport and Recreation Facilities Fund (CSRFF) submissions received within their municipality.

The purpose of this report is to meet the CSRFF criteria by outlining the submissions received for projects within the City for the current small grants funding round and request that Council rate each application prior to forwarding to Department of Local Government Sport and Cultural Industries (DLGSCI) for final consideration.

There was one (1) application in the current round of funding from the Busselton Tennis Club to construct six (6) plexi-pave tennis courts two (2) with lights.

#### BACKGROUND

DSR administers the CSRFF program, with the purpose of providing State Government financial assistance to Local Government Authorities and local community groups (up to one third of the total capital cost), to develop well-planned facilities for sport and recreation.

In order to assist with the evaluation of submissions and to ensure projects are viable and appropriate, DLGSCI has developed “Key Principles of Facility Provision”. Accordingly, each submission is to be assessed against those criteria.

Under the provision, Local Government Authorities are required to rate and prioritise local submissions using the following guide;

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

Submissions for the current funding round closed on Wednesday, 28 February 2018. Following this date, each Local Government Authority is required to assess and prioritise applications before forwarding all documentation to the South West Office of DLGSCI no later than 30 March 2018.

Following receipt by DLGSCI, local applications along with others received throughout the State, will be evaluated and ranked by relevant State Sporting Associations and the CSRFF Assessment Panel, prior to the outcome being announced by the Minister for Sport and Recreation in July/August 2018. Funds for successful applications will become available in September / October 2018.

There are two (2) rounds of Small Grants which open annually in July and February. Small Grants are for projects with a total value of \$5,000 – \$200,000 and are allocated to projects with a planning and construction process that will be complete within 12 months. The total grant value is between \$2,500 and \$66,666.

There was one (1) application in the current annual grants round from the Busselton Tennis Club to construct six (6) plexi-pave tennis courts two (2) with lights.

## **STATUTORY ENVIRONMENT**

Nil

## **RELEVANT PLANS AND POLICIES**

Social Plan 2015-2025. A key goal of this plan is to “create needed, quality, sustainable recreation and leisure facilities and services for our community.”

The Busselton Tennis Club relocation project forms part of the Busselton Foreshore Masterplan and is an identified priority within the City’s Corporate Plan.

## **FINANCIAL IMPLICATIONS**

The Tennis Club are seeking CSRFF funding of \$50,000 for a total project cost of \$150,000 which includes \$50,000 cash from the Club and \$50,000 of in kind resourcing. These costs are subject to confirmation by written quotations.

There are no financial implications for the City in considering this application. The City is already contributing to the \$4.5m relocation project to move the Busselton Tennis Club to Lot 507, Geographe Bay Road.

## **Long-term Financial Plan Implications**

Nil

## **STRATEGIC COMMUNITY OBJECTIVES**

Growth of the Tennis Club facility supports the City’s vision for a place "where environment, lifestyle and opportunity meet." In particular the Tennis Club’s plans contribute to achieving the following key goal areas:

**Key Goal Area 1 - COMMUNITY:** Welcoming, friendly and healthy.

**Key Goal Area 2 - PLACE AND SPACES:** Vibrant, attractive and affordable.

## **RISK ASSESSMENT**

An assessment of the potential risks of implementing the Officers recommendation was undertaken, and as a result, no risks were rated as ‘medium’ or above were identified.

## **CONSULTATION**

Consultation has taken place between City Officers, representatives from the Busselton Tennis Club and staff from the South West Office of DLGSCI in regard to the application.

## **OFFICER COMMENT**

The addition of six (6) plexi-pave courts with two (2) under lighting to the new Busselton Tennis Club will enhance the quality of the facility and provide for increased participation in the sport stimulated by Busselton's rapid population growth rate, particularly in young families and seniors. An increased membership base across a younger demographic provides pathways for tennis skills development and supports active, healthy lifestyles.

The new facility is going to have a much larger reach in terms of physical activity opportunities for casual play under lights after school or work, community groups and tourist play. The courts will allow expanded Junior and Open State tournaments as well as attracting Tennis Australia tournaments and an Australian Seniors tournament.

The six (6) additional courts if constructed simultaneously with the six (6) lit plexi-pave courts and thirteen (13) grass courts, which are part of the club relocation project, will deliver economies in construction costs which can be redirected into the club to support increased programming and catering for the growing number of players.

The City of Busselton has been working with the Busselton Tennis Club for over five (5) years on their relocation and expansion plans with representatives from both parties on the Busselton Tennis Club Relocation Working Group. Planning has been collaborative and comprehensive.

It is recommended that it is cost effective and sensible to construct the additional plexi-pave courts and lighting simultaneously with the broader City funded relocation project and this project be assessed as a 'high' priority and that it is a (B) well planned and needed by the applicant

## **CONCLUSION**

The Busselton Tennis Club court expansion application received for the 2018/19 CSRFF Annual Grants funding round shows sound reasoning and justification, as such it is recommended that Council adopts the Officers Recommended rating to allow the projects to proceed should funding from DLGSCI be forthcoming.

## **OPTIONS**

The Council could decide not to support the application received for the 2018/19 CSRFF Annual Grants Round or the Council could decide to rate and rank the application in an alternative manner.

## **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

DLGSCI, South West Office staff will be advised in writing of the Council's decision by 30 March 2018 when the full contents of the application are forwarded to their regional office in Bunbury.

**OFFICER RECOMMENDATION**

That the Council submits the Busselton Tennis Club's Application for court expansion to the Department of Local Government Sport and Cultural Industries Community Sport and Recreation Facilities Fund and rates the Application (B) Well planned and needed by the applicant and number one priority for consideration.









## 14. FINANCE AND CORPORATE SERVICES REPORT

### 14.1 WASTE AMENDMENT LOCAL LAW

<b>SUBJECT INDEX:</b>	Local Laws
<b>STRATEGIC OBJECTIVE:</b>	Governance systems, process and practices are responsible, ethical and transparent.
<b>BUSINESS UNIT:</b>	Corporate Services
<b>ACTIVITY UNIT:</b>	Legal Services
<b>REPORTING OFFICER:</b>	Legal Officer - Briony McGinty
<b>AUTHORISING OFFICER:</b>	Director, Community and Commercial Services - Cliff Frewing
<b>VOTING REQUIREMENT:</b>	Absolute Majority
<b>ATTACHMENTS:</b>	Attachment A Local Law marked-up <a href="#">↓</a> Attachment B Local Law gazettal version <a href="#">↓</a>

### PRÉCIS

Council previously resolved to authorise the preparation and advertising of the proposed *City of Busselton Waste Amendment Local Law 2018 (Amendment Local Law)*. The purpose of this report is for Council to consider submissions received in relation to the Amendment Local Law and to consider whether to make the Amendment Local Law pursuant to Section 3.12 of the *Local Government Act 1995 (the Act)*.

It is recommended that Council resolve to make the Amendment Local Law.

### BACKGROUND

Council resolved at its meeting on 11 October 2017 as follows:

*“That the Council:*

1. *Undertakes to within 6 months, amend the local law to include an express ‘Objection and appeal rights clause’.*
2. *Also undertakes:*
  - a) *That all consequential amendments arising from the undertaking will be made.*
  - b) *That the local law will not be enforced in a manner contrary to the undertaking given,*
  - c) *That the undertaking will be completed within six months of the date of the letter giving the undertaking.*
  - d) *Where the local law is made publicly available, whether in hard copy or electronic form, it be accompanied by a copy of these undertakings.”*

Further, Council resolved at its meeting on 13 December 2017:

- (1) *That the Council commences the law-making process, for the City of Busselton Waste Amendment Local Law 2018, the purpose and effect of the local law being as follows:*

*Purpose: To explicitly include a reference to a person's objection and review rights under the Local Government Act 1995.*

*Effect: To make people aware of their objection and review rights under the Local Government Act 1995 in relation to decisions made under the Waste Local Law.*

- (2) *That the Council authorises the CEO to carry out the law-making procedure under section 3.12(3) of the Local Government Act, by –*
- (i) giving Statewide public notice and local public notice of the Amendment Local Law; and*
  - (ii) giving a copy of the Amendment Local Law and public notice to the Minister for Local Government and the Minister for the Environment.*
- (3) *That the CEO, after the close of the public consultation period, submits a report to the Council on any submissions received on the Amendment Local Law to enable the Council to consider the submissions made and to determine whether to make the local law in accordance with section 3.12(4) of the Act.*

Pursuant to abovementioned Council resolution the Amendment Local Law was published for public comment and a copy given to the Minister for Local Government and the Minister for the Environment. No public submissions have been received. The responses from the Department of Local Government (**DLG**) and the Department of Water and Environmental Regulation (**DWER**) are discussed under the OFFICER COMMENT section of this report.

The advice and comments received resulted in minor changes being made to the original version of the Amendment Local Law which was presented to Council at its 13 December 2017 meeting. These changes do not cause the Amendment Local Law to be significantly different from what was originally proposed. Therefore, the Amendment Local Law is now referred back to Council to consider these minor changes and to resolve whether or not to make the Amendment Local Law at Attachment B.

## **STATUTORY ENVIRONMENT**

Section 3.5 of the Act and section 64 of the *Waste Avoidance and Resource Recovery Act 2007* (**WARR Act**) provide Council with the heads of power for making a waste local law.

The procedure for making local laws is set out in section 3.12 of the Act and Regulation 3 of the *Local Government (Functions and General) Regulations 1996*. Under section 3.12(4) of the Act, Council is to consider any submissions made and may make the local law as proposed or make a local law that is not significantly different from what was originally proposed. A decision to make a local law has to be supported by an absolute majority of Council.

If Council resolves to make the Amendment Local Law then the process required under section 3.12(5) and (6) of the Act needs to be carried out. Section 3.12(5) requires that the local law be published in the *Government Gazette* and a copy be provided to the Minister for Local Government. Section 3.12(6) requires that after the local law has been published in the *Government Gazette*, the City must give local public notice stating the title of the local law, summarising the purpose and effect of the local law and advising that copies of the local law may be inspected or obtained from the City offices.

#### **RELEVANT PLANS AND POLICIES**

Nil.

#### **FINANCIAL IMPLICATIONS**

Costs associated with the advertising and gazettal of the Amendment Local Law will come from the Legal budget. These costs are unlikely to exceed \$2,000 and there are sufficient funds in the legal budget for this purpose.

#### **Long-term Financial Plan Implications**

Nil.

#### **STRATEGIC COMMUNITY OBJECTIVES**

The proposal aligns with Key Goal Area 6 of the *City of Busselton Strategic Community Plan 2017* as follows:

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

#### **RISK ASSESSMENT**

The Amendment Local Law does not involve major departures from current practices and is therefore considered low risk.

#### **CONSULTATION**

The Amendment Local Law was advertised publicly in both local and state-wide newspapers for a minimum of 6 weeks in accordance with the requirements under section 3.12(3)(a) of the Act. No public submissions have been received.

In accordance with section 3.12(3)(b) of the Act a copy of the Amendment Local Law was forwarded for consideration and comment to the Minister for Local Government and the Minister for the Environment.

#### **OFFICER COMMENT**

The DLG and DWER responded on behalf of their respective Ministers and suggested various minor changes to the Amendment Local Law. These changes can be seen in the marked-up version of the Amendment Local Law at Attachment A.

In terms of Section 3.13 of the Act if, during the procedure for making an Amendment Local Law, Council decides to make a local law that would be significantly different to what it first proposed, the law making process has to be recommenced. It is considered that the abovementioned modifications to the original version of the Amendment Local Law do not change the purpose, intent and effect of the original version of the Amendment Local Law. Therefore the Amendment Local Law is not considered to be significantly different from what was first proposed.

The consent of the CEO of DWER is required prior to Council resolving to make the Amendment Local Law. The CEO has provided his consent and accordingly, the City may now make the local law.

## **CONCLUSION**

The Amendment Local Law makes explicit reference to a person's objection and review rights under the Act to decisions made under the Waste Local Law, as per the undertaking given to the Joint Standing Committee on Delegated Legislation (JSC) on 11 October 2017.

## **OPTIONS**

As the City has previously provided an undertaking to the JSC in relation to this matter it is not recommended to pursue other options.

## **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

Should Council resolve to make the Amendment Local Law it will need to be gazetted and will come into operation 14 days after publication. The timeframe for completion of the gazettal process is approximately thirty days from the date of the Council resolution.

## **OFFICER RECOMMENDATION**

### **ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED**

That the Council:

1. Resolves to make the *City of Busselton Waste Amendment Local Law 2018* in accordance with section 3.12(4) of the *Local Government Act 1995*.
2. Authorises the Chief Executive Officer to carry out the processes required to make the *City of Busselton Waste Amendment Local Law 2018* in accordance with section 3.12(5) and section 3.12(6) of the *Local Government Act 1995*.

**WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007  
LOCAL GOVERNMENT ACT 1995**

*City of Busselton*

**Waste Amendment Local Law 2017~~8~~**

Under the powers conferred by the *Local Government Act 1995*, the *Waste Avoidance and Resource Recovery Act 2007* and under all other powers enabling it, the Council of the City of Busselton resolved on **insert date** to make the following local law.

**1. Title**

This is the *City of Busselton Waste Amendment Local Law 2017~~8~~*.

**2. Commencement**

This local law commences on the 14th day after the day on which it is published in the *Government Gazette*.

**3. Principal Local Law**

This local law amends the *City of Busselton Waste Local Law 2016* as published in the *Government Gazette* on ~~1~~ 3 January 2017.

**4. Clause 5.5 added**

After clause 5.4 insert –

**5.5 Objection and appeal rights**

Division 1 of Part 9 of the LG Act applies to a decision under this local law to grant, renew, vary or cancel –

- (a) an approval under clause 2.7(b);
- (b) an exemption under clause 2.8(2);
- (c) an authorisation under clause 2.9-(1)(c);
- (d) an approval under clause 2.10(1);
- (e) an authorisation under clause 3.2(1)(c);
- (f) an approval under clause 3.2(2)(a); and
- (g) an approval under clause 3.3.

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Dated: **insert date**

The Common Seal of the City of Busselton was affixed by authority of a resolution of the Council in the presence of—

\_\_\_\_\_  
GRANT DOUGLAS HENLEY  
Mayor

\_\_\_\_\_  
MICHAEL STEPHEN LEE ARCHER  
Chief Executive Officer

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Consented to:

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Chief Executive Officer  
Department of Water and Environmental Regulation  
Dated this \_\_\_\_\_ of \_\_\_\_\_ 2018.

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**WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007  
LOCAL GOVERNMENT ACT 1995**

*City of Busselton*

**Waste Amendment Local Law 2018**

Under the powers conferred by the *Local Government Act 1995*, the *Waste Avoidance and Resource Recovery Act 2007* and under all other powers enabling it, the Council of the City of Busselton resolved on to make the following local law.

**1. Title**

This is the *City of Busselton Waste Amendment Local Law 2018*.

**2. Commencement**

This local law commences on the 14th day after the day on which it is published in the *Government Gazette*.

**3. Principal Local Law**

This local law amends the *City of Busselton Waste Local Law 2016* as published in the *Government Gazette* on 3 January 2017.

**4. Clause 5.5 added**

After clause 5.4 insert –

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- (c) an authorisation under clause 2.9(1)(c);
- (d) an approval under clause 2.10(1);
- (e) an authorisation under clause 3.2(1)(c);
- (f) an approval under clause 3.2(2)(a); and
- (g) an approval under clause 3.3.

-----  
Dated:

The Common Seal of the City of Busselton was affixed by authority of a resolution of the Council in the presence of—

\_\_\_\_\_  
GRANT DOUGLAS HENLEY  
Mayor

\_\_\_\_\_  
MICHAEL STEPHEN LEE ARCHER  
Chief Executive Officer

-----

Consented to:

Chief Executive Officer  
Department of Water and Environmental Regulation  
Dated this                      of                      2018.

## 14.2 LONG TERM FINANCIAL PLAN 1 JULY 2018 TO 30 JUNE 2028

<b>SUBJECT INDEX:</b>	Financial Plans and Strategies
<b>STRATEGIC OBJECTIVE:</b>	Assets are well maintained and responsibly managed.
<b>BUSINESS UNIT:</b>	Finance and Corporate Services
<b>ACTIVITY UNIT:</b>	Financial Services
<b>REPORTING OFFICER:</b>	Manager Financial Services - Kim Dolzadelli
<b>AUTHORISING OFFICER:</b>	Director Finance and Corporate Services - Tony Nottle
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attached Separately

### PRÉCIS

The draft Long Term Financial Plan ('LTFP') has been subject to workshops with Councillors held in February/March 2018. As a result of the most recent workshop this report now presents the LTFP for formal consideration and endorsement by the Council.

The author also requests that staff and Councillors identify whether they may have any financial or proximity interests with respect to any of the proposed capital works projects being near to or adjacent to properties they might own.

### BACKGROUND

In accordance with Section 5.56 of the Local Government Act (the 'Act'), and regulations 19C and 19DA of the Local Government (Administration) Regulations (the 'Regulations') a local government is to plan for the future of its district. This is achieved by adhering to the Integrated Planning and Reporting Framework (IPRF) developed by the Department of Local Government and Communities which incorporates the development and adoption of a number of key documents, including a Strategic Community Plan (SCP) a Corporate Business Plan (CBP) and a Long Term Financial Plan (LTFP).

Whilst a SCP sets out the community's aspirations, visions and objectives over a ten year period, a more detailed CBP identifies and prioritises the principal strategies and activities required to achieve the higher level SCP outcomes, over a four year time frame.

The LTFP component is required to demonstrate a local government's financial capacity to resource its identified CBP actions, and also its ability to resource its asset management plan obligations and projected workforce growth requirements, as detailed in the relevant plans. The Financial Plan also identifies major areas of income and expenditure anticipated over the balance of the 10 year time frame.

Prior to presentation to Councillors for workshopping, the LTFP was subject to internal scrutiny and input of Senior Management. This was not only to confirm the LTFP's continued alignment with the SCP and CBP, but also to certify that the LTFP continues to reflect sound financial principles.

### STATUTORY ENVIRONMENT

Section 5.56 of the Act requires local governments to plan for the future of their districts. Regulations 19C and 19DA provide specific guidance to local governments in relation to planning for the future. The Department of Local Government and Communities has issued an Integrated Planning & reporting Guideline and the LTFP is consistent with these requirements.

The IPRF looks to integrate matters relating to resources, including asset management, workforce planning and also long-term financial planning.

## **RELEVANT PLANS AND POLICIES**

From an IPRF perspective, the LTFP has a direct relationship with the Council's SCP and more particularly with the CBP 2017/2018 – 2020/2021. The LTFP also reflects the financial implications associated with other key resourcing documents; namely the Workforce Plan and Asset Management Plans.

In addition to the above, the LTFP incorporates the funding requirements associated with a range of other Council endorsed Plans and Policies.

## **FINANCIAL IMPLICATIONS**

The financial implications of adopting the Plan are detailed within the Plan but adopting the Plan does not result in approval being given to implement any actions contained within it. Priorities will be included within the City's annual budget which will be considered in July 2018. The LTFP reflects the Council's broad strategic financial direction over the next ten year period, in line with its SCP and CBP.

## **STRATEGIC COMMUNITY OBJECTIVES**

This matter principally aligns with Key Goal Area 6 – 'Leadership Visionary, collaborative, accountable' and more specifically Community Objective 6.4 - 'Assets are well maintained and responsibly managed'.

## **RISK ASSESSMENT**

The risks associated with the Council endorsing the LTFP are limited. In addition to its being a guiding document only, the LTFP is also a living document which will continue to be formally reviewed and updated on an annual basis. Consequently, the Council has the ability to amend the content of the Plan as and when circumstances necessitate; albeit that material amendments (relating to CBP activities) may be required to be reported as part of the Annual Report.

Notwithstanding the above, a level of risk is always inherent in projecting in to the future. Whilst the extrapolation assumptions, interest rate projections (borrowings) and other variable assumptions are based on historical averages, these are subject to fluctuation and external shocks beyond the control of Council.

The LTFP demonstrates the financial capacity for the Council to deliver on the services as detailed in the higher level strategic plans, consistent with the underpinning assumptions. However in order to minimise or mitigate financial risk, any decisions to enter into financial arrangements in future years must not be undertaken based solely on the prevailing LTFP projections.

## **CONSULTATION**

The LTFP reflects the community's aspirations, vision and objectives as included in the SCP 2017, and is consistent with the principal strategies and activities within the CBP 2017/2018 – 2020/2021. Consequently, no specific (external) consultation has been undertaken in relation to the content of the LTFP, as the projects incorporated will more than likely be the subject of further consultation and review.

Workshops were also held with Councillors and the Senior Management Group on 26 February, 1 March and 14 March 2018.

**OFFICER COMMENT**

The following commentary provides an overview of the LTFP development, the outcomes of the subsequent Councillor workshop and provides an overview of the LTFP as presented for formal consideration.

**LTFP Development**

The LTFP 2018/19 – 2027/28 has been developed in a manner similar to previous years with some notable differences in relation to estimation of extrapolation assumptions. A high level summary of this process is provided as follows:

- The currently adopted budget (2017/18 budget) formed the basis for the operating revenue and expenditure. With non-recurrent and periodic items adjusted/deleted, and stand-alone funding models excluded (eg. Busselton Regional Airport), the remaining operating revenues and expenditures were then projected out via the extrapolation assumptions.
- A conservative approach was taken when estimating the extrapolation assumptions. In preparing this year's LTFP assumptions, significant historical analysis was undertaken. This included a particular focus of the following:
  - o Growth in number of rateable properties.
  - o Analysis of CPI, interest rates and cash deposit rates.
  - o Analysis of electricity price increases
  - o Analysis of wages and salaries increases.
- Following this analysis, historical averages were taken and used in the model on a go forward basis. It is expected through utilisation of historical trends in predicting future outcomes, the model is more likely to better reflect expected outcomes.
- Whilst over the long term the use of historical averages is more likely to be correct, it is also important to acknowledge that through adoption of this approach, in the short term there may be years in which these historical averages are not met. This risk can be mitigated by regularly reviewing the model to reset the baseline as maybe required. For that reason it is recommended the model continue to be reviewed on an annual basis.
- Following the update of the extrapolation assumptions, the capital revenue and expenditure components were moved forward one year, with new Year 10 figures added (either via the provision of specific allocations or ongoing percentage increases as relevant). This process also involved the review of major projects expenditure, and whether any specific adjustments are required to be reflected in the revised LTFP.

Prior to presentation to Councillors, based on the above approach, work had been undertaken in relation to review of the 'base line' LTFP. Part of this process involved the Senior Management Group reviewing the LTFP across a number of areas, including but not limited to:

- Ensuring the LTFP continued to reflect the strategies and activities in the Councils currently adopted SCP and CBP;
- Reprioritisation and update of capital project spend throughout the LTFP based on availability of funding;
- Review of the extrapolation assumptions for reasonableness and ensure the LTFP reflects realistic and supportable projections;
- Revision of the rate increases included in the LTFP including comparison to prior years LTFP rate increases and ensure those increases do not exceed 4.5% in any one year, the proposed rate increase have in effect been reduced in the proposed plan from the last LTFP;

- Ensure the LTFP identifies any potential funding deficits, with a particular focus on the initial years of the plan and identify potential actions to address those deficits.

For comprehensive/detailed information with respect to the LTFP readers are directed to Attachment A “Long Term Financial Plan 2018/2019 – 2027/2028” which comprises of the following statements:

- Statement of Comprehensive Income by Nature and Type,
- Statement of Financial Position,
- Statement of Changes in Equity,
- Statement of Cash Flows,
- Rate Setting Statement,
- Schedule of Capital Works,
- Schedule of Loans and Borrowings ,
- Schedule of Reserve Movements,
- Schedule of Major Building Assets - Asset Renewal Funding going to Reserve,
- Long Term Financial Plan Assumptions, and
- Operational Funding Opportunities and Expenditures (Future) Included in LTFP.

## **CONCLUSION**

The LTFP 2018/19 – 2027/28 has been reviewed and updated cognisant of the Council’s current SCP, its currently adopted CBP, and also the associated informing plans. In addition to amendments and additions ratified by the Council since the endorsement of the current plan in April 2017, this plan has been further updated to reflect the outcomes of recent Councillor Workshops held during February/March 2018.

Subject to endorsement, the LTFP will be utilised to guide the Council’s 2018/19 budget development. With the plan being reviewed and updated annually, it will also be pivotal in informing future annual budget development processes. The Plan will also be invaluable to assisting the Council in deliberating future financial obligations, particularly as they relate to the higher order SCP (and associated CBP) and providing direction to the City’s administration on priority of future projects.

The LTFP 2018/19 – 2027/28 is considered realistic in its assumptions. It is also considered to be achievable, with the City comfortable in its ability to deliver on the Plan’s content. With this in mind, it is recommended that the Council endorses the LTFP 2018/19 – 2027/28 as presented, noting that Officers will then prepare a version of the document including commentary for publication.

## **OPTIONS**

The Council may determine to further amend the content of the LTFP.

## **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

Subject to endorsement, the LTFP will inform the 2018/19 budget process and outcomes, which in turn will form the basis of the following years LTFP. It is intended to place the LTFP report and associated attachments, noting that Officers will then prepare a version of the document including commentary for publication on the City’s website and a professionally printed hard copy will also be provided.



**OFFICER RECOMMENDATION**

That Council endorses the Long Term Financial Plan 2018/19 to 2027/28, comprising of the financial statements and supporting schedules as attached to this report, noting that Officers will then prepare a version of the document including commentary for publication.

## **15. CHIEF EXECUTIVE OFFICER'S REPORT**

### **15.1 COUNCILLORS' INFORMATION BULLETIN**

<b>SUBJECT INDEX:</b>	Councillors Information
<b>STRATEGIC OBJECTIVE:</b>	Governance systems, process and practices are responsible, ethical and transparent.
<b>BUSINESS UNIT:</b>	Governance Services
<b>ACTIVITY UNIT:</b>	Governance Services
<b>REPORTING OFFICER:</b>	Administration Officer - Governance - Katie Dudley
<b>AUTHORISING OFFICER:</b>	Chief Executive Officer - Mike Archer
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Planning Applications received by the City between 16 February, 2018 and 28 February, 2018 <a href="#">↓</a>
	Attachment B Planning Applications determined by the City between 16 February, 2018 and 28 February, 2018 <a href="#">↓</a>
	Attachment C State Administrative Tribunal (SAT) Appeals <a href="#">↓</a>
	Attachment D Meelup Regional Park Informal Meeting Notes <a href="#">↓</a>

### **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**

##### **Planning Applications**

Attachment A is a report detailing all Planning Applications received by the City between 16 February, 2018 and 28 February, 2018. A total of 37 formal applications were received during this period.

Attachment B is a report detailing all Planning Applications determined by the City between 16 February, 2018 and 28 February, 2018. A total of 17 applications (including subdivision referrals) were determined by the City during this period with 17 approved / supported and 0 refused / not supported.

#### **15.1.2 State Administrative Tribunal (SAT) Appeals**

Attachment C is a list showing the current status of State Administrative Tribunal Appeals involving the City of Busselton as at 8 March, 2018.

#### **15.1.3 Meelup Regional Park Informal Meeting Notes**

Attachment D shows the Meelup Regional Park Informal Meeting Notes for the meeting held on 26 February 2018.

**OFFICER RECOMMENDATION**

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

- 15.1.1 Planning and Development Statistics
- 15.1.2 State Administrative Tribunal (SAT) Appeals
- 15.1.3 Meelup Regional Park Informal Meeting Notes

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
<b>Development Applications</b>									
DA18/0132	Single House (Vehicular Access) and Signage (Display Home)	18 Portage Way~GEOGRAPHE WA 6280	Lot 601 PLAN 410845	16/02/2018		0	BGC Residential Pty Ltd	BGC Residential Pty Ltd	0
DA18/0139	Childcare Centre and Educational Establishment	431 Rendezvous Road~VASSE WA 6280	Lot 21 PLAN 223170	19/02/2018	19/02/2018	200000	John Slieker & Judith May Slieker	Darnum Nominees Super Fund	15
DA18/0141	Single House (Landscape Value Area)	14 Egyptian Street~KEALY WA 6280	Lot 1148 PLAN 400047	20/02/2018	20/02/2018	0	Tammie Lee Price & Bradley Wayne Price	Tammie Lee Price, Bradley Wayne Price	1
DA18/0142	Single House (Landscape Value Area)	9 Calamari Street~KEALY WA 6280	Lot 1307 PLAN 407112	20/02/2018	20/02/2018	0	Duncan Henderson & Kara Chey Henderson	Kara Chey Henderson, Duncan Henderson	1
DA18/0144	2 Industrial Units (Workshop)	8 Commerce Road~VASSE WA 6280	Lot 4 PLAN 52479	19/02/2018	20/02/2018	300000	Matthew David Clarke & Peppa Kristie Clarke	Busselton Sheds Plus	15
DA18/0145	4WD Test Track & Associated Fencing	20 Koorden Place~REINSCOURT WA 6280	Lot 13 PLAN 4065	20/02/2018		10000	Mountney Family Nominees Pty Ltd	Mountney Family Nominees Pty Ltd	9
DA18/0146	Single House (Reduced Rear Setback)	7 Tortoise Rise~VASSE WA 6280	Lot 50 PLAN 407511	21/02/2018	21/02/2018	354529	Sterling James Hunter & Genevieve Noelle Blackwell	Tangent Nominees Pty Ltd	14
DA18/0147	Overheight Outbuilding	25 Thomas Street~WEST BUSSELTON WA 6280	Lot 2 DIAGRAM 11281	21/02/2018	21/02/2018	15000	Robert Walter Tannahill Farmer & Amy Claire Farmer	Robert Walter Tannahill Farmer, Amy Claire Farmer	16
DA18/0148	Change of Use - Holiday Home (Grouped Dwelling) 6 people	17/33 Spinnaker Boulevard~GEOGRAPHE WA 6280	Lot 17 SSPLN 55723	21/02/2018	21/02/2018	0	Brian Raymond Johnson & Deborah Lucibel Johnson	Brian Raymond Johnson, Deborah Lucibel Johnson	0
DA18/0149	Display Home with Sign	18 Portage Way~GEOGRAPHE WA 6280	Lot 601 PLAN 410845	21/02/2018	21/02/2018	341818	BGC Residential Pty Ltd	BGC Residential Pty Ltd	9
DA18/0150	Retrospective - Tennis Court	125 Endicott Loop~DUNSBOROUGH WA 6281	Lot 9 PLAN 19482	21/02/2018		3000	Sally Mulhern	Sally Mulhern	9
DA18/0151	Change of Use - Holiday Home (Single House) 6 People	15 David Drive~GEOGRAPHE WA 6280	Lot 93 PLAN 13756	21/02/2018	21/02/2018	0	ACVH Pty Ltd	ACVH Pty Ltd	13

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
<b>Development Applications</b>									
DA18/0152	Post Office, Cafe/Restaurant, Offices and Two Residential Units	214 Naturaliste Terrace~DUNSBOROUGH WA 6281	Lot 13 DIAGRAM 58634	21/02/2018	21/02/2018	950000	Stoneway Enterprises Pty Ltd	Stoneway Enterprises Pty Ltd	8
DA18/0153	Ancillary Accommodation	16 Frigatebird Way~VASSE WA 6280	Lot 62 PLAN 54896	21/02/2018	22/02/2018	70000	Julian Scott Mitchell & Tania Maree Mitchell	Julian Scott Mitchell, Tania Maree Mitchell	14
DA18/0155	Outbuilding & Patio (Reduced Setbacks)	12 Westminster Avenue~WEST BUSSELTON WA 6280	Lot 526 PLAN 23463	22/02/2018	23/02/2018	17340	Jason Paul Brame & Sharyn Louise Brame	CPR Outdoor Centre	1
DA18/0156	Single House (Reduced Front Setback)	104 Clydebank Avenue~WEST BUSSELTON WA 6280	Lot 354 PLAN 402935	22/02/2018	23/02/2018	310870	Jodie Louise Moore & Denver Ernest Moore	Plunkett Homes	10
DA18/0157	Single House (Reduced Side Setbacks)	18 Antibes Way~YALYALUP WA 6280	Lot 1640 PLAN 406716	22/02/2018	23/02/2018	192230	Abby Lorraine Douglas & Scott Castle	Residential Building WA	1
DA18/0158	Single House (Landscape Value Area)	13 Egyptian Street~KEALY WA 6280	Lot 1159 PLAN 400047	23/02/2018	23/02/2018	0	Sarah Lyn de Klerk	Sarah Lyn de Klerk	1
DA18/0159	Single House (Landscape Value Area)	76 Gribble Circuit~KEALY WA 6280	Lot 1387 PLAN 411918	23/02/2018	23/02/2018	0	Leonie Veronica Marshall	Leonie Veronica Marshall	1
DA18/0160	Patio (Reduced Side Setback)	1/3 Wren Court~WEST BUSSELTON WA 6280	Lot 2 STPLN 33412	22/02/2018	23/02/2018	7520	Michelle Margaret Babb	CPR Outdoor Centre	10
DA18/0161	Modified Building Envelope to Accommodate Over Height Outbuilding (Landscape Value Area)	7 Summer Brace~YALLINGUP WA 6282	Lot 116 PLAN 24226	22/02/2018	23/02/2018	33000	Manuel Edward Castillo	Sheds Down South	8
DA18/0162	Bluegum Harvest (9000m <sup>2</sup> )	79 Nuttman Road~WALSALL WA 6280	Lot 3914 PLAN 206830	23/02/2018		2500	Dennis Lindsay Russell & Heather Anne Russell	Dennis Lindsay Russell	10
DA18/0163	Rainwater tank within a Landscape Value Area	117 Kinross Loop~QUINDALUP WA 6281	Lot 238 PLAN 68461	26/02/2018	1/03/2018	11200	Daniel Lindsay Cocker	Daniel Lindsay Cocker	11
DA18/0164	Carport with Reduced Front Setback, Alfresco & Storeroom Addition (Special Control Area)	7 Toby Court~QUINDALUP WA 6281	Lot 9 DIAGRAM 86290	27/02/2018	27/02/2018	60000	Hayley Bangham & Frank Craig Bangham	Frank Craig Bangham, Hayley Bangham	0

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
<b>Development Applications</b>									
DA18/0165	Modified Building Envelope to Accommodate Single House (Landscape Value Area)	Serene Place~QUINDALUP WA 6281	Lot 7 PLAN 76913	23/02/2018	27/02/2018	261421	Caroline Elizabeth Morris & Peter James Morris	WA Country Builders Pty Ltd - Busselton	4
DA18/0166	Single House (Reduction to Front, Rear & Side Setbacks)	12 Newberry Road~DUNSBOROUGH WA 6281	Lot 103 DIAGRAM 91657	25/02/2018	27/02/2018	550000	Brett David Leighton & Trisha Danielle Bird	Drew Szandtner Ambient Building Design	2
DA18/0167	Outbuilding (Landscape Value Area)	51 Caves Road~ABBAY WA 6280	Lot 4 DIAGRAM 46285	26/02/2018	27/02/2018	12000	Michael Andrew St Patrick Stewart & Venetia Ariane Bennett	Michael Andrew St Patrick Stewart, Venetia Ariane Bennett	1
DA18/0168	Single House with Reduced Setbacks (Special Character Area)	166A Geographe Bay Road~QUINDALUP WA 6281	Lot 1 SSPLN 74440	26/02/2018	27/02/2018	600000	Claire Rebecca Thomson & John Graham Batty	Space Light Order	8
DA18/0169	Change of Use - Brewery & Tavern	3314 Caves Road~WILYABRUP WA 6280	Lot 13 PLAN 12089	26/02/2018	1/03/2018	0	Saruman Holdings Pty Ltd	Tim Korovesi (Town Planning Consultant)	3
DA18/0170	Single House (Over Looking, Special Character Area)	30 Hammond Road~YALLINGUP WA 6282	Lot 40 PLAN 8037	26/02/2018	1/03/2018	950000	Keith Philip Watkins & Karen Watkins	Blue Water Building Co (SW) Pty Ltd	4
DA18/0172	Illuminated Signage	90 West Street~WEST BUSSELTON WA 6280	Lot 181 PLAN 408348	26/02/2018	1/03/2018	5000	Realview Holdings Pty Ltd	SignManager	4
DA18/0173	Over-height Outbuilding (Reduced Setbacks)	34 Diamante Boulevard~DUNSBOROUGH WA 6281	Lot 1347 PLAN 62623	26/02/2018	1/03/2018	26645	Amanda Catherine Bate & Warren Daniel Bate	Warren Daniel Bate, Amanda Catherine Bate	4
DA18/0176	Single House (Reduced Front Setback)	38 Martingale Drive~DUNSBOROUGH WA 6281	Lot 554 PLAN 410405	26/02/2018	6/03/2018	239850	Shane Matthew Clune & Leanne Angelka Clune	Dale Alcock Homes South West Pty Ltd	8
DA18/0178	Single House (Reduced Setbacks)	11 Pennant Boulevard~GEOGRAPHE WA 6280	Lot 546 PLAN 410845	27/02/2018	7/03/2018	291496	Aida Embling & Steven Bradley Embling	Dale Alcock Homes South West Pty Ltd	8
DA18/0181	Modified Building Envelope to Accommodate Over Height Outbuilding	6 Kybra Close~YALYALUP WA 6280	Lot 331 PLAN 37205	28/02/2018	8/03/2018	25300	Sean Adam McGann & Bronwyn Jane McGann	Sheds Down South	8
WAPC18/0008	2 Lot Survey-Strata (plus Common Property)	37 Harris Road~BUSSELTON WA 6280	Lot 26 DIAGRAM 23617	19/02/2018	19/02/2018	0	Grace Elizabeth Ey & Jason Reginald Ey	Western Australian Planning Commission (WAPC)	18

Applications Received (Deemed Complete) Report									
<i>Application Number</i>	<i>Description</i>	<i>Primary Property Address</i>	<i>Primary Property Legal Desc</i>	<i>Application Received Date</i>	<i>Date Application Deemed Complete</i>	<i>Estimated Cost</i>	<i>Primary Property Owners</i>	<i>Applicant Name</i>	<i>Clock Days</i>
Development Applications									
WAPC18/0009	Form 24 (Strata Plan 63410) 3 x lots	1/65 Dorset Street~WEST BUSSELTON WA 6280	Lot 1 STPLN 63410	23/02/2018	23/02/2018	0	Deborah Anne McDonna & Andrew Francis McDonna	BSO Development Consultants Pty Ltd	0



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
<b>Development Applications</b>										
DA16/0699	Extractive Industry and Crushing Facility (Limestone)	Ludlow Park Road~LUDLOW WA 6280	Lot 237 PLAN 250375	16/02/2018	Approved	Approved	197	0	John Anthony Forrest	BSO Development Consultants Pty Ltd
DA17/0702	Chalet	613 Abbeys Farm Road~YALLINGUP SIDING WA 6282	Lot 102 PLAN 72645	23/02/2018	Approved	Approved	158	250000	Carleton David Freeman & Alison Belinda Freeman	Chandeliers On Abbey Pty Ltd
DA17/0938	Single House and Overheight Outbuilding (Landscape Value Area)	4 Lomond Court~QUINDALUP WA 6281	Lot 209 PLAN 68461	22/02/2018	Approved	Approved	29	500000	Sten Bradley Campbell & Rita Ann Campbell	Sten Bradley Campbell, Rita Ann Campbell
DA18/0001	Industrial Office, Workshop & Depot	33 Burler Drive~VASSE WA 6280	Lot 34 PLAN 52479	22/02/2018	Approved	Approved	0	521000	ATCO Gas Australia Pty Ltd	Busselton Sheds Plus
DA18/0006	Single House (Reduced Setback)	4 Octopus Lane~KEALY WA 6280	Lot 1376 PLAN 411918	16/02/2018	Approved	Approved	3	179545	Blair Derek Fisher	Dale Alcock Homes South West Pty Ltd
DA18/0028	Sea Container (Storage)	18 Charnu Place~QUINDALUP WA 6281	Lot 25 PLAN 41369	26/02/2018	Approved	Approved	32	0	Terrence Desmond Dovey & Nola Ann Dovey	Nola Ann Dovey, Terrence Desmond Dovey
DA18/0038	Recreation Establishment (Outbuilding for Busselton Croquet Club)	78 Adelaide Street~BUSSELTION WA 6280	Lot 410 PLAN 216960	16/02/2018	Approved	Approved	28	9000	Busselton Bowling Club	Busselton Sheds Plus
DA18/0040	Outbuilding (Overheight and Reduced Rear Setback)	84 Switchback Parade~WEST BUSSELTION WA 6280	Lot 843 PLAN 408159	22/02/2018	Approved	Approved	28	18000	Phillip Charles Quartermaine & Jill Lorraine Quartermaine	Busselton Sheds Plus
DA18/0042	Grouped Dwelling (Patio Addition)	203A Marine Terrace~GEOGRAPHE WA 6280	Lot 1 STPLN 15941	16/02/2018	Approved	Approved	26	11900	James Leslie McHardy	CPR Outdoor Centre
DA18/0059	Grouped Dwelling	2/8 Peake Street~WEST BUSSELTION WA 6280	Lot 2 SSPLN 73509	27/02/2018	Approved	Approved	4	150000	Kimberly Pty Ltd	Big Ben Builders Pty Ltd
DA18/0060	Grouped Dwelling	3/8 Peake Street~WEST BUSSELTION WA 6280	Lot 3 SSPLN 73509	20/02/2018	Approved	Approved	19	150000	Kimberly Pty Ltd	Big Ben Builders Pty Ltd

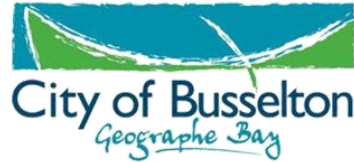
Applications Determined Report										
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Applic Determined Date	Application Determined Result	Decision	Clock Days	Estimated Cost	Primary Property Owners	Applicant Name
Development Applications										
DA18/0076	Carport and Shed (Reduced Setbacks)	12 Adelaide Street~BUSSELTON WA 6280	Lot 6 DIAGRAM 13949	21/02/2018	Approved	Approved	17	26600	Stephenie Barry	Sheds Down South
DA18/0141	Single House (Landscape Value Area)	14 Egyptian Street~KEALY WA 6280	Lot 1148 PLAN 400047	20/02/2018	Approved	Approved	1	0	Tammie Lee Price & Bradley Wayne Price	Tammie Lee Price, Bradley Wayne Price
DA18/0142	Single House (Landscape Value Area)	9 Calamari Street~KEALY WA 6280	Lot 1307 PLAN 407112	20/02/2018	Approved	Approved	1	0	Duncan Henderson & Kara Chey Henderson	Kara Chey Henderson, Duncan Henderson
DA18/0158	Single House (Landscape Value Area)	13 Egyptian Street~KEALY WA 6280	Lot 1159 PLAN 400047	23/02/2018	Approved	Approved	1	0	Sarah Lyn de Klerk	Sarah Lyn de Klerk
DA18/0159	Single House (Landscape Value Area)	76 Gribble Circuit~KEALY WA 6280	Lot 1387 PLAN 411918	23/02/2018	Approved	Approved	1	0	Leonie Veronica Marshall	Leonie Veronica Marshall
WAPC17/0049	2 Lot Survey Strata	572 Geographe Bay Road~ABBEEY WA 6280	Lot 58 DIAGRAM 35654	20/02/2018	Approve	Approved	46	0	Ruth Rae Monica Vakulczyk	BSO Development Consultants Pty Ltd

(Note: All applications (excluding WAPC matters) are managed by the legal services section of Finance and Corporate Services in conjunction with the responsible officer below.)

**As at 6 March 2018**

APPEAL (Name, No. and Shire File Reference)	PROPERTY	DATE COMMENCED	DECISION APPEAL IS AGAINST	RESPONSIBLE OFFICER	STAGE COMPLETED	NEXT ACTION AND DATE OF ACTION AS PER SAT ORDERS	DATE COMPLETED / CLOSED
<b>CITY OF BUSSELTON APPEALS</b>							
<b>Forrest v City of Busselton</b>	Lots 3 and 237 Ludlow Park Road	October, 2017	Appeal against refusal of Development Application for Extractive Industry	Joanna Wilson	<ul style="list-style-type: none"> <li>• Notice of Directions Hearing on 3 November, 2017 against City of Busselton decision to refuse the application, the following orders were made: <ul style="list-style-type: none"> <li>- S.31 Reconsideration of the decision on or before 14 February 2017;</li> <li>- In the event that the parties are unlikely to agree Mediation on 18 December 2017.</li> </ul> </li> <li>• Mediation on 18 December 2017, where it was adjourned to a further Directions Hearing on 23 February 2018 in order to await the outcome of the reconsideration.</li> <li>• The directions hearing vacated on the applicants request and adjourned until 23 March 2018.</li> <li>• The City has been liaising with the applicant and DBCA to finalise arrangements in relation to haulage route across DBCA land.</li> </ul>	Directions Hearing on 23 March, 2018	
<b>Merifield v City of Busselton</b>	Lot 30 No 70 Millbrook Road	1 December 2017	Appeal against deemed refusal (Non-determination of Application)	Joanna Wilson/James Fletcher	<ul style="list-style-type: none"> <li>• Notice of Directions Hearing on 21 December, 2017 against City of Busselton decision to refuse the application, the following orders were made: <ul style="list-style-type: none"> <li>- Applicant is to provide additional information by 31 January 2018;</li> <li>- S.31 Reconsideration of the decision on or before 28 February 2018</li> </ul> </li> <li>• By mutual agreement the Directions Hearing listed for 9 March is vacated. The following orders have been made: <ul style="list-style-type: none"> <li>- Respondent is now invited to reconsider its decision by S.31 Reconsideration by 28 March 2018.</li> </ul> </li> </ul>	Directions Hearing on 5 April, 2018.	
<b>Keay &amp; Anor v City of Busselton</b>	Lot 1 No 73 Adelaide Street	11 January 2018	Appeal against refusal of Development Application for a Holiday Home	James Fletcher	<ul style="list-style-type: none"> <li>• Notice of Directions Hearing on 2 February, 2018 against the City of Busselton decision to refuse the application, the following orders were made: <ul style="list-style-type: none"> <li>- Applicant is to provide additional information by</li> </ul> </li> </ul>	Directions Hearing on 29 March, 2018	

APPEAL (Name, No. and Shire File Reference)	PROPERTY	DATE COMMENCED	DECISION APPEAL IS AGAINST	RESPONSIBLE OFFICER	STAGE COMPLETED	NEXT ACTION AND DATE OF ACTION AS PER SAT ORDERS	DATE COMPLETED / CLOSED
					23 February 2018; - S.31 Reconsideration of the decision on or before 16 March 2018		
<b>JOINT DEVELOPMENT ASSESSMENT PANEL APPEALS</b>							
<b>DCSC vs Southern JDAP</b>	Lot 108 No 57 Dunn Bay Road, Dunsborough	January, 2016	Appeal against refusal of Development application for Service Station	State Solicitors Office / Anthony Rowe / Paul Needham	<ul style="list-style-type: none"> <li>Determination – Appeal upheld</li> <li>JDAP has formally requested a judicial review of the SAT determination at the Supreme Court.</li> </ul>	<ul style="list-style-type: none"> <li>Awaiting Supreme Court Determination</li> </ul>	
<b>WESTERN AUSTRALIAN PLANNING COMMISSION APPEALS</b>							
<b>Rapsey v Western Australian Planning Commission</b>	Lot 7 Caves Road, Quedjinup		Appeal against conditions of subdivision	State Solicitors Office / Justin Biggar	<ul style="list-style-type: none"> <li>Notice of Directions Hearing on 31 March, 2017 against conditions of a subdivision.</li> <li>Mediation hearing 20 April 2017.</li> <li>Directions hearing on 2 June 2017 where it was decided to vacate the appeal for 6 months to provide both parties time to carry out investigations. (This is an appeal on a WAPC decision, the City understands the appeal will progress no further but has not received a formal notification from the WAPC)</li> <li>Application has been withdrawn</li> </ul>	Application Withdrawn	



**Meelup Regional Park Management Committee**

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Web: [www.meeluppark.com](http://www.meeluppark.com)

**Informal Meeting- Notes**

**DATE:** Monday 26 February 2018, 10.00 am  
**VENUE:** Dunsborough District Country Club

**1. ATTENDANCE AND APOLOGIES**

**Attendance Members:** Dr Bob Jarvis (Presiding Member), Mr Peter Randerson (Deputy Presiding Member), Councilor Kelly Hick, Mr Tony Smurthwaite

**Officers:** Mr Greg Simpson (Environmental Planning Coordinator), Ms Kay Lehman (Meelup Environment Officer- EO)

**Apologies:** Mrs Shirley Fisher, Councilor John McCallum and Mr Albert Haak, Mr Bob Ginbey, Mr. Damien Jones

**2. FINANCIAL SUMMARY - Attachment A**

**Proposed Direction:**

1. The Committee noted the February 2018 Financial Statement included with the agenda as attachment A.

**3. MEELUP VOLUNTEER UPDATE**

A planning session was conducted with members of the MRPMC to develop a volunteer calendar of activities in addition to the Parks ongoing maintenance program. Future activities will include monitoring for native fauna and pests, vegetation monitoring plots, weed mapping and volunteer training. The exercise provided a list of potential activities including a program for upcoming events and training.

Volunteer activities commenced on the 30<sup>th</sup> January 2018 and for the month of February to date has involved total of 36 volunteer hours.

- Weed Mapping Training involving a short theory session followed by a practical weed inspection in the Park.
- Trail pruning along the coastal trail from Point Piquet to Eagle Bay.
- In lieu of a normal volunteer activity members attended a BirdLife Western Australia event on Monday 12<sup>th</sup> February, to learn more about Birds in the region and how to participate in

Birdlife's Citizen Science Projects. The event included a visit to the Bird hide at the Vasse River Delta.

Upcoming events:

- Dieback Treatment Demonstration-Tuesday 27 February 2018- 9-11am, Windlemere Reserve, Dunsborough. Meet at the Naturaliste Community Centre Carpark

**Proposed Direction:**

1. EO to discuss with Committee member Mr. Tony Smurthwaite and arrange a trail maintenance reporting training session for the Friends of Meelup.
2. EO to register the Friends of Meelup for the Birdlife Australia's Annual Cocky Count on 8 April 2018.

**4. ACTION SUMMARY PROGRESS UPDATE**

The action summary is appended as **Attachment B**.

The Committee discussed further improvements to the Castle Bay carpark and the installation of bollards around the southernmost BBQ area and installation of an additional picnic table.

**Proposed Direction:**

1. Bollards to be installed at Castle Rock carpark adjacent to the picnic table setting to prevent vehicle access.
2. Install an additional picnic table in the location of the former gas enclosure.

**5. REPORTS**

**5.1 Point Piquet- Overflow carpark**

An onsite meeting was held with Meelup Regional Park Committee members on 13 February 2018 to discuss the draft design of the Point Picquet overflow carpark. Committee feedback on the draft design has been provided to the City's Engineering and Works Services staff.

**Proposed Direction:**

1. Information noted by the Committee.

**5.2 Meelup Regional Park Website – Update**

The update of the Meelup Regional Park website is underway and a viewing of the design and layout was demonstrated at the meeting.

**Proposed Direction:**

1. Committee member, Tony Smurthwaite to provide Geology information to the EO for inclusion on the website.
2. A draft of the website layout and content will be provided to Committee members.

**5.3 Meelup Regional Park Management Plan- Review**

The Meelup Regional Park Management Plan (MRPMP) is to be reviewed. The review will consider the previous work undertaken, and a draft of the revised MRPMP will be presented to the Committee prior to September 2018.

**Proposed Direction:**

1. Information noted by the Committee

#### 5.4 Weed Control Report

The annual Weed Control Report has been prepared for the MRP. The Report includes weed control methods, weed species controlled, GIS mapping and recommendations for future weed management. Weed control undertaken from September 2017 to February 2018 is summarized in **Attachment C**.

**Proposed Direction:**

1. Develop an approach for the engagement of land owners with rural property adjoining the MRP, in weed and feral management on their land.

#### 5.5 Maintenance Works

Maintenance and Park Works undertaken in the last month includes:

- Weekly litter cleanup
- Slashing of the Whale Lookout Trail for firebreak maintenance
- Additional gate installed at the Park entry opposite Endicoot Loop
- New gate installed by Water Corporation on Sheen Road
- Weed control of Stinkwort in the Wildlife Corridor
- Asbestos and rubbish pick up in Zone 6- Mountain Bike Zone
- Installation of the Point Picquet Whale Sign
- Installation of the Gannet Rock carpark sign
- Corflute no dog signage installed around the Park
- Removal of fallen limb on the Meelup Brook trail
- Watering of seedlings at Meelup Beach, Eagle Bay and the Wildlife Corridor
- Signage maintenance and painting

#### 6.0 Distribution of MRPMC Informal Meeting Notes

Committee member, Peter Randerson, requested that the notes of the MRPMC Informal Meeting be sent to the Friends of Meelup.

**Proposed Direction:**

1. EO to send Informal Meeting Notes to the Friends of Meelup volunteer list.

#### 7.0 Friends of Meelup

Draft rules for the proposed Friends of Meelup Incorporated Association were presented at the Friends of Meelup group meeting held on the 1 February 2018. A Memorandum of Understanding is also being developed to outline the working relationship between the City of Busselton and the proposed Friends of Meelup Incorporated Association. Moving forward there is a need to fill the proposed Associations executive positions in order to progress the incorporation process.

**Proposed Direction:**

1. Information noted by the Committee

#### 7.0 NEXT MEETING- 26 March 2018, 10.00am, Dunsborough District Country Club.



**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, 11 April 2018

**21. CLOSURE**