

Council Agenda

27 March 2019

ALL INFORMATION AVAILABLE IN VARIOUS FORMATS ON REQUEST

city@busselton.wa.gov.au

CITY OF BUSSELTON

MEETING NOTICE AND AGENDA – 27 MARCH 2019

TO: THE MAYOR AND COUNCILLORS

NOTICE is given that a meeting of the Council will be held in the the Council Chambers, Administration Building, Southern Drive, Busselton on Wednesday, 27 March 2019, commencing at 5.30pm.

Your attendance is respectfully requested.

DISCLAIMER

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

MIKE ARCHER

CHIEF EXECUTIVE OFFICER

15 March 2019

CITY OF BUSSELTON

AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 27 MARCH 2019

TABLE OF CONTENTS

ITEM	NO.	SUBJECT	PAGE NO.	
1.	DECLARA	TION OF OPENING AND ANNOUNCEMENT OF VISITORS	5	
2.	ATTENDANCE			
3.	PRAYER			
4.	APPLICAT	FION FOR LEAVE OF ABSENCE	5	
5.	DISCLOSU	JRE OF INTERESTS	5	
6.	ANNOUN	ICEMENTS WITHOUT DISCUSSION	5	
7.	QUESTIO	N TIME FOR PUBLIC	5	
8.	,	NATION AND RECEIPT OF MINUTES		
	Previous	Council Meetings	5	
	8.1	Minutes of the Council Meeting held 13 March 2019	5	
	Committe	ee Meetings	5	
	8.2	Minutes of the Policy and Legislation Committee held 12 March 2019	5	
	8.3	Minutes of the Audit Committee meeting held 14 March 2019	5	
	8.4	Minutes of the Airport Advisory Committee meeting held 13 March 2019	6	
9.	RECEIVIN	IG OF PETITIONS, PRESENTATIONS AND DEPUTATIONS	6	
10.	-	NS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT ON)	6	
11.	ITEMS BR	ROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY	6	
12.	REPORTS	OF COMMITTEE	7	
	12.1	Policy and Legislation Committee - 12/03/2019 - COUNCIL POLICY: PORTABLE ADVERTISING SIGNS IN PUBLIC PLACES	7	
	12.2	Policy and Legislation Committee - 12/03/2019 - RESCISSION OF COUNCIL POLICY 235 - ACCESS AND INCLUSION	17	
	12.3	Policy and Legislation Committee - 12/03/2019 - PROPOSED POLICY NEUTRAL AMENDMENTS TO THE LOCAL PLANNING POLICY MANUAL	22	
	12.4	Audit Committee - 14/03/2019 - COMPLIANCE AUDIT REPORT 2018	27	
	12.5	Audit Committee - 14/03/2019 - GOVERNANCE SYSTEMS REVIEW - STATUS UPDATE	46	
13.	PLANNIN	G AND DEVELOPMENT SERVICES REPORT	54	
	13.1	BOUNDARY REALIGNMENT AND AMENDED MANAGEMENT ORDER FOR RESERVE 37775 (BUSSELTON KART CLUB LAND)	54	
	13.2	PROPOSED BUSHFIRE LOCAL PLANNING POLICY (AND RELATED REVIEW OF HOLIDAY HOMES LOCAL PLANNING POLICY), AND PROPOSED SUBMISSION ON WAPC DRAFT POSITION STATEMENT: TOURISM LAND USES WITHIN BUSHFIRE		
		PRONE AREAS	60	

14.	ENGINEE	RING AND WORK SERVICES REPORT	91
15.	COMMUI	NITY AND COMMERCIAL SERVICES REPORT	92
	15.1	COMMUNITY SPORT & RECREATION FACILITIES FUND - SMALL GRANTS ROUND APPLICATION FEBRUARY 2019	92
16.	FINANCE	AND CORPORATE SERVICES REPORT	136
17.	CHIEF EXI	CUTIVE OFFICERS REPORT	137
	17.1	COUNCILLORS' INFORMATION BULLETIN	137
18.	MOTIONS	OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	141
19.	URGENT	BUSINESS	141
20.	CONFIDENTIAL MATTERS 1		
21.	CLOSURF		

1. <u>DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS</u>

2. <u>ATTENDANCE</u>

Apologies

Approved Leave of Absence

Cr Rob Bennett

- 3. PRAYER
- 4. <u>APPLICATION FOR LEAVE OF ABSENCE</u>
- 5. <u>DISCLOSURE OF INTERESTS</u>
- 6. ANNOUNCEMENTS WITHOUT DISCUSSION

Announcements by the Presiding Member

7. QUESTION TIME FOR PUBLIC

Response to Previous Questions Taken on Notice

Public Question Time For Public

8. CONFIRMATION AND RECEIPT OF MINUTES

Previous Council Meetings

8.1 Minutes of the Council Meeting held 13 March 2019

RECOMMENDATION

That the Minutes of the Council Meeting held 13 March 2019 be confirmed as a true and correct record.

Committee Meetings

8.2 Minutes of the Policy and Legislation Committee held 12 March 2019

RECOMMENDATION

That the Minutes of the Policy and Legislation Committee held 12 March 2019 be noted.

8.3 <u>Minutes of the Audit Committee meeting held 14 March 2019</u>

RECOMMENDATION

That the Minutes of the Audit Committee meeting held 14 March 2019 be noted.

8.4 <u>Minutes of the Airport Advisory Committee meeting held 13 March 2019</u>

RECOMMENDATION

That the Minutes of the Airport Advisory Committee meeting held 13 March 2019 be noted.

9. RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

Petitions

Presentations

Deputations

- 10. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT DISCUSSION)
- 11. ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY

12. REPORTS OF COMMITTEE

12.1 <u>Policy and Legislation Committee - 12/03/2019 - COUNCIL POLICY: PORTABLE ADVERTISING</u> SIGNS IN PUBLIC PLACES

SUBJECT INDEX: Council Policy

STRATEGIC OBJECTIVE: Development is managed sustainably and our environment valued.

BUSINESS UNIT: Environmental Services

ACTIVITY UNIT: Ranger and Emergency Services

REPORTING OFFICER: Ranger & Emergency Services Coordinator - Ian McDowell **AUTHORISING OFFICER:** Director, Planning and Development Services - Paul Needham

VOTING REQUIREMENT: Simple Majority

ATTACHMENTS: Attachment A Council Policy - Portable Signs in Public Places

This item was considered by the Policy and Legislation Committee at its meeting on 12 March 2019, the recommendations from which have been included in this report.

PRÉCIS

The purpose of this report is to seek the Council's endorsement of a proposed amendment to Council Policy: Portable Advertising Signs in Public Places (the Policy); specifically, clause 5.6 of the Policy that requires businesses or commercial ventures to provide evidence of current public liability insurance to the value of \$10 million and which indemnifies the City against any claims for damages arising from the sign on the public land.

In practice this clause has proven to be unworkable, or at the very least difficult to administer, due to the fact that while most applicants to date provided current Public Liability Insurance Certificates, none specifically indemnified the City as required by the Policy. Further, two of the applicants only had \$2m cover and not the \$10m required by the Policy.

To overcome this, Officers propose to amend this clause so that businesses need only provide evidence of "broad form" cover to the value of at least \$2m with their application for a permit.

BACKGROUND

The Council endorsed the Policy as a new Policy on 9 May 2018 (C1805/090) – see Attachment A.

The new Council Policy was developed as a means of providing a regulatory framework for the design and placement of portable advertising signs within the City of Busselton. The policy, underpinned by the Activities in Thoroughfares and Public Places and Trading Local Law 2015 (the Local Law), is intended to provide clear direction to local business as to where they can display portable advertising signs, the types of signs requiring a permit, and the restrictions with regard to the number of signs and the times they may be displayed

STATUTORY ENVIRONMENT

Pursuant to section 2.7(2)(b) of the *Local Government Act 1995*, a role of the Council is to determine the local government's policies.

Pursuant to clause 3.2 of the *Activities in Thoroughfares and Public Places and Trading Local Law 2015*:

- (1) A person shall not without a permit, erect, place of maintain an advertising sign:
 - a. on or above a thoroughfare;
 - b. on a path;
 - c. over a path where the resulting vertical clearance between the sign and the path is less than 2.5 metres (s.45B of the Building Regulations 2012 requires a vertical clearance of 2.75 metres and supercedes this sub-clause of the Local Law);
 - d. in any location where the sign is likely to obstruct line of sight along a thoroughfare or cause danger to the person using the thoroughfare; or
 - e. on any natural feature including a rock or tree on a thoroughfare, or on any bridge or the structural approaches to a bridge;
- (2) Notwithstanding subclauses (1) and (2), a permit is not required in respect of a home open sign or a garage sale sign provided that:
 - a. the sign neither exceeds 500mm in height or 0.5m² in area;
 - b. the sign is placed or erected on a thoroughfare no more than half an hour prior to the garage sale or home open and is removed within half an hour of the close of the garage sale or home open; and
 - c. there is no more than one garage sale or home open sign at any road intersection and no more than six separate signs which delineate not more than two alternative routes to the home open or garage sale.

RELEVANT PLANS AND POLICIES

There are no other relevant plans or policies relating to this matter.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the officer recommendation of this report.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

There are no Long-term Financial Plan implications associated with the officer recommendation of this report

STRATEGIC COMMUNITY OBJECTIVES

The Policy aligns with and supports Key Goal Area 3 – Environment: valued conserved and enjoyed of the City's Strategic Community Plan 2017; and more specifically Community Objective 3.1 – development is managed sustainably and our environment valued.

The Policy provides a regulatory framework for the design and placement of portable advertising signs within the City of Busselton. In doing so it provides a mechanism for the management of portable advertising signs in the natural and built environment.

RISK ASSESSMENT

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk assessment framework.

Although it is proposed to remove the condition that applicants provide evidence of public liability indemnifying the City against claims for damage as the result of portable advertising signs being displayed in public places, the risk of damage occurring is considered low. Portable advertising signs have been used by businesses across Australia as a means of advertising their business, products or services for decades with no known incidents or claims for damages.

Further, it is more likely that a sign being displayed remotely from the business, which under the Local Law and Policy cannot be displayed in a public place except with some exceptions such as home open and garage sale signs, present a greater risk to public safety than a sign that is displayed immediately outside the business and for which conditions to display the sign apply under the Local Law and Policy. These conditions require the signs to be removed from the public place when the business is not occupied, and when there are severe weather warnings in place. There are also restrictions on the placement of the signs so as to provide clear access for pedestrians.

CONSULTATION

Prior to adopting the Policy in May 2018, the draft policy was available for public comment from the end of January 2018 to 19 March 2017. There were minor changes made to the draft Policy prior to the Council adopting it in May 2018.

Given the nature of the amendment which would make it easier for applicants to be granted a permit, there has been no consultation undertaken with regard to the proposed amendment.

OFFICER COMMENT

As at Friday, 22 February 2019 the City had received 55 applications to display portable advertising signs. Of the applications received, 54 provided evidence of public liability insurance with two of these in the amount of \$2m whilst the rest provide between \$10m and \$20m cover. None of the applicants provided evidence of public liability cover indemnifying the City. Further, their ability to obtain such cover is considered highly unlikely and will only increase the time and administrative burden of processing the applications when the risk to the City is low.

Officers propose to amend clause 5.6 of the Policy from:

"The owner of a portable advertising sign advertising a business or commercial venture will be require to provide evidence of current public liability insurance to the value of \$10,000,000, which indemnifies the City of Busselton against any claims for damages arising from the sign on public land".

to:

"The owner of a portable advertising sign advertising a business or commercial venture will be required to provide evidence of current broad form public liability insurance to the minimum value of \$2,000,000".

CONCLUSION

To simplify the application process for businesses and to reduce the administrative burden on the City, it is proposed to amend the requirements of clause 5.6 of the Policy so as to remove the requirement for cover that indemnifies the City, and reducing the minimum amount from \$10m to \$2m.

OPTIONS

Should the Council not agree with the proposed changes to the Public Liability Insurance requirements of the Policy they may require the Policy to remain as is, or direct officers to amend it further.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

If the officer recommendation is approved by the Council it will take immediate effect.

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council approves changes to clause 5.6 of Council Policy – Portable Advertising Signs in Public Places to read as follows:

"The owner of a portable advertising sign advertising a business or commercial venture will be required to provide evidence of current broad form public liability insurance to the minimum value of \$2,000,000".



1. PURPOSE

1.1. The purpose of this policy is to provide a regulatory framework for the design and placement of portable advertising signs within the City of Busselton. Council supports the need for signage to promote tourism, business, public events and community groups and services but also supports the need for regulation so that signage does not adversely impact the amenity and streetscapes of the City.

2. SCOPE

2.1. This policy will guide the City, local business and the community on circumstances where portable advertising signs may be displayed in public places within the District; and also circumstances where signs may be removed from public places if displayed contrary to this policy and/or our Local Law.

2.2. This policy does not cover:

- a. fixed directional tourism signs or signs promoting public events;
- b. signs and advertising devices on or in the vicinity of highways and main roads that come under the control of the Commissioner of Main Roads; or
- signs, advertising or otherwise, that are covered under separate legislation (including election signage), local planning policies or the town planning scheme.

3. **DEFINITIONS**

General Definitions				
Term	Meaning			
Advertising sign	A sign that is used for the purpose of advertisement or to draw attention to a product, business, person or event and includes a home open sign and garage sale sign. In the case of signs advertising a business or commercial venture they shall only display material which advertises the business or the products available from the business to which the sign relates.			
Busselton City Centre:	The area bounded by the Marine Terrace, the Lower Vasse River Brown Street and West Street.			
Carriageway	A portion of a road that is improved, designed or ordinarily used for vehicular traffic and includes the shoulders, and areas, including embayments, at the side or centre of the carriageway, used for the stopping or parking of vehicles; and, where a road has two or more of these portions divided by a median strip, the expression means each of those portions separately.			

12.1

Council Policy - Portable Signs in Public Places

12

Dunsborough Town	The area bounded by Caves Road, Cape Naturaliste Road, Dugalup Brook,
Centre	and Geographe Bay Road; and the area bounded by Seymour Boulevard, Chieftain Crescent and Seymour Park.
Event	An occurrence proposed to be held within the City of Busselton on private or public land, either indoor or outdoor by a person(s)/group/organisation, where people assemble at a given time for entertainment, recreation, cultural or community purposes. This includes but is not limited to: a. concerts and music festivals;
	 b. motorsport events, motor vehicle rallies and displays; c. sporting events; d. cultural and community events; e. shows and fairs; f. exhibitions, wine and food festivals; and g. surfing events.
Footpath	An area that is open to the public that is designated for, or has as one of its main uses, as use by pedestrians and includes dual use or shared paths.
Local Law	The City of Busselton Activities in Thoroughfares and Public Places and Trading Local Law 2015.
Median strip	Any physical provision, other than lines, dividing a road to separate vehicular traffic proceeding in opposing directions or to separate two one-way carriageways for vehicular traffic proceeding in opposing directions.
Portable sign	Includes 'A' frame or inverted 'T' signs, garage sale signs, home open signs, horizontal and vertical banner signs, and variable message signs (including trailer mounted).
Public place	Any thoroughfare or place the public is allowed to use, whether or not the thoroughfare is on private property, and includes local government land/property but does not include premises on private property from which trading is lawfully conducted.
Sporting and community sign	A portable advertising sign erected by not-for-profit sporting, or community groups or services for the purpose of advertising a sporting or community event (e.g. cultural activities, sporting registration days, arts and craft fairs, market days or other events of public interest).
Thoroughfare	A road or other thoroughfare and includes structures or other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end.
Traffic controlled	An intersection that has traffic control lights, stop signs, or give way signs
Traffic island	directing traffic. Any physical provision, other than lines, marks or other indications on a carriageway, made at or near an intersection to guide vehicular traffic.
Sign Types	
'A' frame or 'T' frame sign	A self-supporting sign of rigid, lightweight material that is capable of being easily moved by hand, in 'A' or 'T' frame configuration.
Garage sale sign	A sign made from cardboard/corflute, paper or other lightweight material that is used to direct persons to a garage sale at residential premises.
Home open sign	A sign made from cardboard/corflute or other lightweight material used to direct persons to a home for sale that is open for inspection and includes display homes.

12.1 Attachment A

Council Policy - Portable Signs in Public Places

Horizontal banner sign	A sign made of lightweight, non-rigid material such as cloth, canvas or similar attached by rope or similar material to poles or other vertical anchoring points.
City project sign	A sign made from cardboard/corflute or other lightweight material used to promote constructions projects being undertaken by the City.
Vertical banner sign	A fabric or similar material sign with a single mast constructed of carbon- fibre or similar flexible material attached to a weighted base or otherwise anchored to the ground. These are typically marketed as 'teardrop', 'feather' or 'blade wing' signs.
Variable message sign	An electronic sign that is capable of displaying a single message, or a series of messages

4. STRATEGIC CONTEXT

- 4.1. This policy links to Key Goal Area 3 of the City's Strategic Community Plan 2017 and specifically the following Community Objective/s:
 - a. 3.1: Development is managed sustainably and our environment valued.

5. POLICY STATEMENT

- 5.1. Portable advertising signs are not to be:
 - a. erected, placed or maintained on roundabouts, traffic islands, median strips, or within 10m of traffic controlled intersections at or around the following locations:
 - i. Bussell Highway;
 - ii. Busselton Bypass;
 - iii. Caves Road:
 - iv. Busselton Central Business District;
 - v. Dunsborough Townsite;

note: Busselton Bypass, Caves Road and a portion of the Bussell Highway come under the control of Main Roads Western Australia (MRWA) and as such, the control and placement of signs at those locations requires MRWA approval. Where there are compliance issues regarding the placement of signs at those locations, the City and MRWA work closely together to resolve those issues; or

- b. attached to existing signs, including other advertising signs, or on any road related infrastructure such as traffic sign supports, bus shelters, or on or between trees or other vegetation; or
- c. electronically illuminated or have an electronic or animated display; or
- d. placed on any footpath where the speed limit on the road abutting the footpath is 60 kilometres per hour or greater; or
- e. mounted to a vehicle and/or trailer.
- 5.2. Portable advertising signs in public places shall:
 - a. have no moving parts once the sign is in place;
 - be placed on the property boundary and provide a minimum of 1.2 metres clearance from the abutting thoroughfare;
 - be weighted or anchored to retain their position in all weather conditions other than the circumstance in (d) below;
 - d. be removed by the owner during periods of severe weather warnings issued by the Bureau of Meteorology;
 - be manufactured from high quality materials (metal, plastic, wood or fabric) and have professional sign writing and/or graphics (including blackboards that are professionally presented);
 - f. be designed and supported in a manner that ensures there is no risk of injury to the public through sharp edges, projections, potential trip hazards or similar and
 - g. in the case of signs that advertise a business or other commercial venture, only be displayed when the business or other commercial venture to which it relates is attended by a representative of the business or commercial venture.

Signs requiring a permit

- 5.3. The City of Busselton Activities in Thoroughfares and Public Places and Trading Local Law 2015 establishes the need for a permit to display certain types of portable advertising signs.
- 5.4. Subject to clause 2.2, permits are required for 'A' or 'T' frame signs, horizontal and vertical banner signs; and variable message signs that:
 - a. promote or advertise a business or any other commercial venture; and
 - b. promote or advertise a sporting event, community event, community group or community service.
- 5.5. A permit application fee will be charged for signs that advertise a business or commercial venture, but will not be charged for signs promoting charitable not-for-profit sporting or community events or services. To not be charged a fee, an organisation or individual is required to be a not-for-profit organisation (with an incorporation certificate) or a charitable organisation. The permit application fee is prescribed in Council's adopted Schedule of Fees and Charges.
- 5.6. The owner of a portable advertising sign advertising a business or commercial venture will be required to provide evidence of current public liability insurance to the value of \$10,000,000, which indemnifies the City of Busselton against any claims for damages arising from the sign on the public land.
- 5.7. Portable advertising signs for which a permit is required and has been issued will be required to indelibly display, the current permit number at the top right hand corner on one external face of the sign. Permits will generally be issued for 3 years, unless the sign is only required for a short duration, or unless this policy requires otherwise; after which the permit holder will be required to apply for a permit renewal.
- 5.8. 'A' or 'T' frame signs shall:
 - a. be limited to a maximum of one sign per business premises and placed directly in front of, or as near as is practically possible to the business to which it relates;
 - b. be placed with a set back from the carriageway of no less than 0.5m, and placed to maintain a clear thoroughfare (footpath) width of no less than 1.8m; and
 - have a maximum vertical or horizontal dimension of 1.2m and have an area allocated for advertising of no more than 0.9m² on either side.
- 5.9. Horizontal banner signs:
 - a. will only be approved when promoting or advertising sporting or community events or services;
 - b. shall have a maximum height of 1.5m;
 - c. shall have a maximum width of 2.5m; and
 - d. may be displayed for a maximum period of 14 days before an event and removed by the owner no later than one day after the event.

5.10. Vertical banner signs shall:

- a. be a fabric sign with a single mast;
- b. have a maximum flag size of 2.8m by 1.0m with a maximum height, including the stand, of 3.5m (when placed on an open verge);
- have a maximum flag size of 2.0m by 1m with a maximum height, including the stand, of 2.5m (when
 placed on a footpath);
- d. be no more than 60cm wide below 2m high; and
- e. have no more than one vertical banner per 4m of street frontage (with a maximum of four banners per business) and excludes the use of an 'A' or 'T' frame sign (where more than one vertical banner is displayed, each banner shall display a different product or message).

- 5.11. The City will not approve the use of variable message signs in a public place for the purpose of advertising a business or commercial venture.
- 5.12.Owners of approved business or commercial ventures that have no fixed business location may apply to use up to two portable advertising signs ('A' or 'T' frame, or other lightweight signs but not including banner or variable message signs) to advertise the location from which the business is currently being undertaken. The first sign to be at the approved trading location, the second is to be located within 500 metres driving distance of that location and shall otherwise comply with the requirements of this policy and the Local Law.

Signs not requiring a permit

- 5.13.Permits are not required for garage sale signs or home open signs. The owner of the signs is responsible for their placement and removal in accordance with this policy and the Local Law. Removal of the signs includes all materials from which the sign is constructed, and all materials used to secure the signs in place.
- 5.14. Garage sale signs are to include the address details, street number and street name, of the premises in which the garage sale is being held.

5.15.Restrictions:

- a. no more than six separate signs shall be used to advertise or promote the same garage sale, or home open;
- b. signs are not to be displayed more than one kilometre from the garage sale or home open, (two kilometres in rural and rural residential areas), within 250m of any other sign advertising or promoting the same garage sale or home open, or within 50m of any other portable advertising sign; and
- c. the signs should not delineate any more than two alternative routes to the garage sale, or home open.

5.16. Garage sale signs, and home open signs shall:

- a. be free standing and not affixed to any sign, post, power or streetlight pole, or similar structure (including trees and other vegetation);
- b. not exceed 500mm in height or 0.5m2 in area;
- c. not obstruct the vision of a driver of a vehicle entering or leaving a street or other public place; and
- d. not interfere with the safe and convenient passage of pedestrians.

City project specific signs

- 5.17.City project specific signs have been developed by the City as a means of promoting public works and projects it is undertaking throughout the District. These signs will only be displayed during construction works when there are workers on site.
- 5.18.As the approving authority for portable advertising signs, the City will be deemed to have approval to display these signs without the need to apply for individual permits.

Refusal of applications

5.19.Applications that do not comply with the requirements of the Local Law and this Policy will be refused by the City.

Removal of unauthorised signs

- 5.20.Portable advertising signs placed contrary to this policy and/or the Local Law may be impounded by the City.
- 5.21.Impounded signs may be claimed by the owner following payment of an impound fee as prescribed in Council's Schedule of Fees and Charges. In addition to the impound fee, owners of impounded signs may also receive a written caution and/or an infringement.

6. RELATED DOCUMENTATION / LEGISLATION

 $6.1. \ \ \text{Activities in Thorough fares and Public Places and Trading Local Law 2015}$

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	9 May, 2018	Resolution #	C1805/090
Previous Adoption	DATE		Resolution #	

Document Set ID: 3312591 Version: 1, Version Date: 08/06/2018

12.2 <u>Policy and Legislation Committee - 12/03/2019 - RESCISSION OF COUNCIL POLICY 235 - ACCESS AND INCLUSION</u>

SUBJECT INDEX: Council Policy

STRATEGIC OBJECTIVE: A friendly safe and inclusive community with a strong community

spirit.

BUSINESS UNIT: Community Services
ACTIVITY UNIT: Community Development

REPORTING OFFICER: Community Development Officer - Naomi Davey

AUTHORISING OFFICER: Director, Community and Commercial Services - Naomi Searle

VOTING REQUIREMENT: Simple Majority

ATTACHMENTS: Attachment A Council Policy 235 - Access and Inclusion ...

This item was considered by the Policy and Legislation Committee at its meeting on 12 March 2019, the recommendations from which have been included in this report.

PRÉCIS

In August 2017 the CEO commissioned a high level independent review of the City's governance systems – the Governance Systems Review (GSR). Included in the scope of the review was the City's policy and procedure framework with recommendations made in relation to the nature and intent of Council policies; namely that Council policies should deal with higher level strategies and objectives.

In accordance with the recommendations of the GSR, the purpose of this report is to recommend that Council Policy 235 – Access and Inclusion (the Policy) be rescinded.

BACKGROUND

The Policy, which was originally adopted in June 2006 and subsequently reviewed in March 2011 and May 2015, outlines the purpose, scope, context, principles and values of creating and encouraging accessibility and social inclusive services, facilities and functions for all people within the community. The purpose of the Policy is to recognise that the whole of community are equally valued members of society and make a unique and valuable contribution to community wellbeing, community vibrancy and way of life. The vision for an accessible and inclusive community concentrates on seven key areas:

- Existing services
- 2. Access to buildings and facilities
- 3. Information and communication
- 4. Advice and services
- 5. Opportunity to make complaints
- 6. Opportunity to participate in any public consultation
- 7. Staff employment and training opportunities

The Policy applies to all activities undertaken within the City of Busselton district and states that its aims and objectives will be realised through the City of Busselton Disability Access and Inclusion Plan.

There is a legislative requirement for all local governments to develop a Disability Access and Inclusion Plan (DAIP) under the *Disability Services Act 1993, Part 5 – Disability Service Plans by Public Authorities,* addressing the same seven outcome areas listed above.

STATUTORY ENVIRONMENT

Part 5 – Disability Service Plans by Public Authorities of the Disability Services Act 1993 requires all local governments to develop a Disability Access and Inclusion Plan. DAIPs assist public authorities to plan and implement improvements to access and inclusion across seven outcome areas, in regards to services and events, buildings and facilities, information, quality of service, complaints, consultation processes and employment.

RELEVANT PLANS AND POLICIES

The GSR was undertaken over a 3 month period by Mr John Woodhouse LLB Juris and made the following recommendations, including but not limited to, the City's policy and procedure framework:

- 1. There should be a review of the Council Policies with the intent that a Council Policy:
 - a. Should deal with higher level objectives and strategies;
 - b. Should not deal with operational matters, employee matters, or other matters which are the responsibility of the CEO; and
 - c. Should, where appropriate provide sufficient direction to the CEO to develop OPPs which deal with the implementation of the Council Policy or other detailed matters.
- 2. As part of that review, any existing Council Policy should be deleted where it could, more sensibly be dealt with by an OPP adopted by the CEO.

In response a Policy Framework has been developed and endorsed by Council, setting out the intent of Council policies, as opposed to operational documents such as Staff Management Practices and operational procedures.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the officer recommendation.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

There are no long term financial plan implications associated with the officer recommendation.

STRATEGIC COMMUNITY OBJECTIVES

The officer recommendation will not impact adversely on the achievement of any of the community objectives contained within the Strategic Community Plan 2017. The City's DAIP will serve to meet the objectives of Key Goal Area 1, Community Objective 1.1 - A friendly safe and inclusive community with a strong community spirit.

RISK ASSESSMENT

There are no identified risks of a medium or greater level associated with the Officer recommendation.

CONSULTATION

The review and relevance of Council Policy 235 -Access and Inclusion was discussed with the Disability Access and Inclusion Reference Group at their meeting held 11 February 2019. The Reference Group supported the view that the policy was a duplication of the City's DAIP and were in favour of recommending its rescission to Council.

OFFICER COMMENT

The purpose of Council Policy 235 -Access and Inclusion is to recognise that the whole of community are equally valued members of society and make a unique and valuable contribution to community wellbeing, community vibrancy and way of life. The Policy states that its aims and objectives will be realised through the City's DAIP, a legislative requirement of the *Disability Services Act 1993*. The Policy lists the same seven key areas as the DAIP in which access and inclusion for the community will be achieved.

The City's DAIP and supporting annual implementation plan contain similar elements of purpose, scope, definitions and strategic context as the Policy. Given the requirement for a DAIP to be adopted by Council under Part 5 – Disability Service Plans by Public Authorities of the Western Australian Disability Services Act (1993), the Policy could be considered a duplication and therefore an unnecessary policy; and, noting the recommendations of the GSR, it is recommended that it be rescinded.

CONCLUSION

It is recommended that the Policy be rescinded, as the City has an existing DAIP (Disability Access and Inclusion Plan 2018-2022) that describes how the City of Busselton will plan and implement improvements to access and inclusion across seven outcome areas, in regards to services and events, buildings and facilities, information, quality of service, complaints, consultation processes and employment.

OPTIONS

Council could instead require that the Policy is maintained and updated to the new template and / or further reviewed.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The Policy will be rescinded immediately upon adoption of the officer recommendation.

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council rescinds Council Policy 235 – Access and Inclusion.

Council Policy 235 - Access and Inclusion

Last updated 13/05/2015

235	Access and Inclusion	V2 Current

20

PURPOSE

The City of Busselton is committed towards creating and encouraging universally accessible and socially inclusive services, facilities and functions for all people within the community.

The purpose of this policy is to recognise that the whole of community are equally valued members of society and make a unique and valuable contribution to community well being, community vibrancy and way of life.

SCOPE

This Policy applies to all activities undertaken within the City of Busselton District, sets the stage for responding to diversity, and looks at ways that the City can ensure that both the disability, indigenous and culturally and linguistically diverse sectors are included in the broader community by increased communication and engagement practices.

POLICY CONTENT

Diversity in this context is characterised by people who either reside or are visiting from ethnic and indigenous backgrounds, from different countries, speak different languages, or who have differing levels of physical and intellectual abilities.

Access in this context refers to an individual's physical ability to get to, into, and around facilities. This access is created by removing structural barriers and including mechanisms to enable structural access.

Inclusion in this context refers to an individual's ability to participate as fully as possible in programs and services provided by organizations in an integrated and holistic manner that does not ostracise, embarrass or humiliate an individual.

This Policy will be realised through the City of Busselton Disability Access and Inclusion Plan, a legislative requirement of the Western Australia Disability Services Act (1994).

The vision for an accessible and inclusive community will concentrate on seven key areas:

- 1. Existing services
- 2. Access to buildings and facilities
- 3. Information and communication
- 4. Advice and services
- 5. Opportunities to make complaints
- 6. Opportunities to participate in any public consultation
- 7. Staff employment and training opportunities

The underpinning principals and values of this policy are:

 A commitment to access and inclusion for all citizens in the delivery of services through leadership by adapting, changing and proactively seeking new opportunities;

Council Policy 235 - Access and Inclusion

Last updated 13/05/2015

* A commitment to the progressive removal of physical and emotional barriers to access and inclusion in the following areas: physical access, communication, service provision and participation achieved through partnerships and communication;

21

* A commitment to being accountable and in touch with relevant community matters by consulting and engaging people with differing physical and intellectual abilities, carers, advocacy groups, culturally and linguistically diverse groups and services providing agencies in the community.

The City of Busselton is committed to working in partnership with local community groups and businesses to facilitate the inclusion of people with a disability by the application of the Disability Access and Inclusion Implementation Plan.

Policy Background

Policy Reference No. 235
Owner Unit – Community Development
Originator – Community Development Officer
Policy approved by – Council
Date Approved – 28/06/2006
Review Frequency – As required
Related Documents – Access and Inclusion Plan
Background/History – Implemented 28 June 2006

History

Council Resolution	Date	Information
C1505/112	13 May, 2015	Version 2
C1103/072	9 March, 2011	Reviewed by Council.
		No changes made.
C0606/211	28 June, 2006	Date of implementation.
		Version 1

12.3 <u>Policy and Legislation Committee - 12/03/2019 - PROPOSED POLICY NEUTRAL</u> AMENDMENTS TO THE LOCAL PLANNING POLICY MANUAL

SUBJECT INDEX: Development Control Policy

STRATEGIC OBJECTIVE: Planning strategies that foster the development of healthy

neighbourhoods that meet our needs as we grow.

BUSINESS UNIT: Development Services **ACTIVITY UNIT:** Development Services

REPORTING OFFICER: Manager Development Services - Lee Reddell

AUTHORISING OFFICER: Director, Planning and Development Services - Paul Needham

VOTING REQUIREMENT: Simple Majority

ATTACHMENTS: Attachment A Published Under Separate Cover Attachments 1 to

39⇒

This item was considered by the Policy and Legislation Committee at its meeting on 12 March 2019, the recommendations from which have been included in this report.

PRÉCIS

Council is asked to consider a policy neutral review of the City's local planning policies as Stage 1 in a larger review of the policies intended to be undertaken in 2019.

BACKGROUND

A need to undertake a review of the existing local planning policies (LPP) has been identified. While a full review of the content and relevance of the City's LPP's is required, this proposal seeks to undertake a preliminary, policy neutral review with the aim of transferring the policies into a new, easier to read template as well as breaking them out of the existing manual structure into individual policies with the aim of making them easier to distribute and read, and to enable them to be amended more easily as required.

A copy of the new template and the proposed policies are attached under separate cover (Attachment A).

STATUTORY ENVIRONMENT

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

The Deemed Provisions specifies that an LPP must be based on sound town planning principles. Policies may address either strategic or operational matters, apply generally or to a particular class of matters, and may apply to the whole of the Scheme area or particular parts of the Scheme area. While due regard to relevant policies is required in decision making it is noted that an LPP does not hold the same weight as a Scheme provision. LPP's act only as guidelines in land use and development considerations and nothing prevents the City from making a decision contrary to a policy based on the merits of a particular proposal.

It is proposed to use the minor amendment provisions of the Regulations (such that public advertising is not required) to process the changes to the LPP's on the basis that while some text has been removed from the introduction and/or background notes for existing Parts 1-9 (which are

considered unnecessary) and the order of some of the policies has been modified to fit the new template, there are no significant or material changes to the policies proposed.

RELEVANT PLANS AND POLICIES

The City's Local Planning Policies No.s 1-9.

FINANCIAL IMPLICATIONS

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

LONG-TERM FINANCIAL PLAN IMPLICATIONS

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

STRATEGIC COMMUNITY OBJECTIVES

The officer recommendation primarily aligns Key Goal Area 2: Places and Spaces of the City's Strategic Community Plan 2017 and Community Objective 2.1 – 'planning strategies that foster the development of healthy neighbourhoods that meet our needs as we grow'.

RISK ASSESSMENT

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

CONSULTATION

Part 2, Division 2 of the Deemed Provisions requires that a local government undertake consultation before adopting or amending an LPP, unless in the opinion of the local government, the amendment is a minor amendment. No definition of minor amendment is provided. The current proposal however seeks generally to undertake a policy neutral conversion of the City's existing LPP's. While some text has been removed from the background notes for Parts 1-9 and some text has been modified to fit within the new template headings, no material changes to the policies are proposed.

Any further stages of review, which propose to revoke or amend or materially alter the text and objectives of the policies will require public advertising in accordance with the Deemed Provisions. It should also be noted if Council resolves to proceed with any policy, including those considered minor amendments as recommended in this report, the local government must publish notice of the amendments to the policy in a newspaper circulating in the area.

OFFICER COMMENT

This report requires the consideration of a proposed policy neutral conversion of the existing local planning policies. There are essentially two components to the proposal, being the use of a new local planning policy template and a change from the current policy manual structure into individual policies.

The proposed changes to the template, formatting and structure of the policies is recommended as the first stage in a wider review of the content and relevance of all of the City's LPP's. While the shuffling of some text within the existing policies is required to suit the proposed template and subheadings, no material changes to the text or objectives of any of the policies is proposed.

Separating the policies out of the existing manual structure, which groups all of the policies into nine categories (see list below) is proposed in order to make them easier to read, distribute and amend as required, forward of a full review being completed. It is proposed to maintain the numbers associated with the current policy sub-sections in order to prevent any confusion prior to there being any significant, and advertised, amendments proposed to the current policies.

Existing grouping of Local Planning Policies:

- 1. Residential Development
- 2. Traffic and Transport
- 3. Special Character Areas and Visual Management
- 4. Urban Centres
- 5. Rural Areas Land Use and Development
- 6. Development Contribution
- 7. Commercial and industrial Development
- 8. General Development and Process Standards
- 9. Environment and Heritage Conservation

List of 38 individual policies as proposed to be broken out of the manual structure (as contained within Attachment A):

Existing No.	Proposed No.	Policy	Attachment
N/A	N/A	NEW TEMPLATE	1
1	1a	Canal Lots	2
1	1b	Coastal Setbacks	3
1	1c	Single Dwelling Design	4
1	1d	Lots Adjoining Public Open Space	5
1	1e	Grouped and Multiple Dwellings	6
1	1f	Rear Loaded Lots	7
1	1g	Kalgaritch Estate	8
1	1h	Abbey Green Estate	9
1	1i	Private Jetties and Boat Lifting Structures	10
1	1j	Outbuildings	11
2	2a	Busselton Bypass Access	12
2	2b	Traffic Assessment	13
3	3a	Yallingup Special Character Area	14
3	3b	Eagle Bay Special Character Area	15
3	3c	Old Dunsborough Special Character Area	16
3	3d	Quindalup Special Character Area	17
3	3e	Adelaide Street Special Character Area	18
3	3f	Reflective Building Materials	19
3	3g	Caves Road Visual Management	20
3	3h	Outbuildings Assessment	21
3	3i	Busselton Bypass/Bussell Highway – Setback and Buffer Provisions	22
4	4a	Port Geographe Village Centre – Design Guidelines and Performance Standards	23
4	4b	Busselton Town Centre Urban Design Provisions	24
5	5a	Extractive Industries	25
5	5b	Rural Tourist Accommodation	26
5	5c	Relative (Ancillary Accommodation)	27
5	5d	Food and Wine Sales	28
6	6a	Percent for Art	29

6	6b	Mosquito Control Contribution 30	
6	6c	Road, Footpath and Cycle Network Upgrade	31
		Contribution	
6	6d	Drainage Infill Contributions	32
7	7a	Childcare Premises	33
7	7b	Industrial Development 34	
7	7c	Holiday Homes	35
8	8a	Car Parking Provisions	36
8	8b	Social Impact Statement Provisions	37
8	8c	Stormwater Management 38	
9	9a	Busselton Heritage Conservation Provisions 39	

Should the policy neutral conversion be supported, the intent is for officers to undertake a review of the currency of all of the LPP's with a view to identifying which policies should be revoked, require minor changes, require significant changes and any new policies that should be considered. How any such changes are progressed will be dependent on the amount of work required to redraft and consult on any relevant policies, as well as internal resourcing, but it is expected that a further item to Council suggesting which policies should be revoked could be presented within three months of any initial Council decision to support the policy neutral conversion. There are a number of policies, such as the Special Character Area Policies, which have not been reviewed in any meaningful way in many years and are no longer contemporary in their structure, style, language or content. It is expected that such policies will require more substantial efforts to re-draft, appropriately consult and update than more technical policies such as Stormwater Management given differing community interest.

CONCLUSION

It is recommended that the Council support the proposed policy neutral amendments as described in this report.

OPTIONS

The Council could decide to not adopt or amend the local planning policies as recommended, or it could choose to require changes to the proposed template and/or change from the existing manual structure for grouping of the local planning policies.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Implementation of the officer recommendation would involve formalising the new policy format and publication of the new look policies on the City's website. It is expected this would occur within one week of the Council decision.

COMMITTEE RECOMMENDATION

1. That the Council adopt the reformatted local planning policies as proposed below and set out in Attachment A (2-39):

Existing No.	Proposed No.	Policy	Attachment
1	1a	Canal Lots	2
1	1b	Coastal Setbacks	3
1	1c	Single Dwelling Design	4
1	1d	Lots Adjoining Public Open Space	5
1	1e	Grouped and Multiple Dwellings	6
1	1f	Rear Loaded Lots	7
1	1g	Kalgaritch Estate	8
1	1h	Abbey Green Estate	9
1	1i	Private Jetties and Boat Lifting Structures	10
1	1j	Outbuildings	11
2	2a	Busselton Bypass Access	12
2	2b	Traffic Assessment	13
3	3a	Yallingup Special Character Area	14
3	3b	Eagle Bay Special Character Area	15
3	3c	Old Dunsborough Special Character Area	16
3	3d	Quindalup Special Character Area	17
3	3e	Adelaide Street Special Character Area	18
3	3f	Reflective Building Materials	19
3	3g	Caves Road Visual Management	20
3	3h	Outbuildings Assessment	21
3	3i	Busselton Bypass/Bussell Highway – Setback and Buffer Provisions	22
4	4a	Port Geographe Village Centre – Design Guidelines and Performance Standards	23
4	4b	Busselton Town Centre Urban Design Provisions	24
5	5a	Extractive Industries	25
5	5b	Rural Tourist Accommodation	26
5	5c	Relative (Ancillary Accommodation)	27
5	5d	Food and Wine Sales	28
6	6a	Percent for Art	29
6	6b	Mosquito Control Contribution	30
6	6c	Road, Footpath and Cycle Network Upgrade Contribution	31
6	6d	Drainage Infill Contributions	32
7	7a	Childcare Premises	33
7	7b	Industrial Development	34
7	7c	Holiday Homes	35
8	8a	Car Parking Provisions	36
8	8b	Social Impact Statement Provisions	37
8	8c	Stormwater Management	38
9	9a	Busselton Heritage Conservation Provisions	39

2. Councilors acknowledge that the reformatting inconsistencies will be addressed in the subsequent review of individual policies.

12.4 Audit Committee - 14/03/2019 - COMPLIANCE AUDIT REPORT 2018

SUBJECT INDEX: Reporting and Compliance

STRATEGIC OBJECTIVE: Governance systems, process and practices are responsible, ethical

and transparent.

BUSINESS UNIT: Governance Services **ACTIVITY UNIT:** Governance Services

REPORTING OFFICER: Governance Coordinator - Emma Heys

Administration Officer - Governance - Kate Dudley

AUTHORISING OFFICER: Director Finance and Corporate Services - Tony Nottle

VOTING REQUIREMENT: Absolute Majority

ATTACHMENTS: Attachment A Compliance Audit Return 2018

This item was considered by the Audit Committee at its meeting on 14 March 2019, the recommendations from which have been included in this report.

PRÉCIS

The Compliance Audit Return (CAR) is a statutory reporting tool that seeks to evaluate the City's compliance with targeted sections of the *Local Government Act 1995* during the period 1 January 2018 to 31 December 2018.

The City has completed the CAR and it is included in this report at Attachment A for consideration by the Audit Committee. The completed CAR is recommended for adoption, after which it will be lodged with the Department of Local Government, Sport and Cultural Industries (the Department) as required by 31 March 2019.

BACKGROUND

The Department has made available the 2018 CAR for completion by local governments.

Section 7.13 of the Act requires a local government to complete the CAR in the form specified by the Department. The *Local Government Audit Regulations* require the CAR to be considered by the Audit Committee and Council prior to being submitted to the Department by 31 March.

STATUTORY ENVIRONMENT

Section 7.13 of the Local Government Act 1995 provides for the making of Regulations as to Audits.

Regulation 13 of the Local Government (Audit) Regulations 1996 sets out the prescribed statutory requirements for which the compliance audit needed. Regulation 14 and 15 state as follows:

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 governments audit committee is to review the compliance audit return and is to report to the council the results of that review.

- (4) After the audit committee has reported to the council under sub regulation (3A), the compliance audit report is to be
 - (a) presented to council at a meeting of the council; and
 - (b) adopted by council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.
- 15. Compliance audit return, certified copies of etc. to be given to Executive Director.
 - (1) After the compliance audit report 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 means signed by
 - (a) the mayor or president; and
 - (b) the CEO.

RELEVANT PLANS AND POLICIES

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

FINANCIAL IMPLICATIONS

There are no budget implications associated with the officer recommendation.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

There are no long term financial plan implications associated with the officer recommendation.

STRATEGIC COMMUNITY OBJECTIVES

The officer recommendation primarily aligns with the following Key Goal Area and Community Objective of the City of Busselton's Strategic Community Plan 2017:

Key Goal Area 6 – Leadership: Visionary, collaborative, accountable 6.1 Governance systems, process and practices are responsible, ethical and transparent.

RISK ASSESSMENT

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework. Risks are only identified where the individual risk, once controls are identified, is medium or greater. No such risks have been identified with the CAR reflecting a high level of compliance.

CONSULTATION

No external consultation was undertaken or considered necessary in relation to this matter.

OFFICER COMMENT

In completing the CAR, relevant officers designated by the Chief Executive Officer have undertaken an audit of the City's activities, practices and procedures in line with the Act and its associated Regulations.

The internal audit is summarised in Table 1 below:

Compliance Area	Compliant
Commercial Enterprises by Local	YES
Government	TES
Delegation of Power and Duty	YES
Disclosure of Interest	NO (minor delays in compliance only)**
Disposal of Property	YES
Finance	YES
Integrated Planning and Reporting	YES
Local Government Employees	YES
Official Conduct	YES
Tenders for Providing Goods and Services	YES

Where required, additional commentary has been provided in response to questions in the CAR, also included in Attachment A.

The CAR represents a high level of compliance by the City.

With regards to disclosures of interest, one annual return was not lodged by a designated employee within the required timeframe. The City took all appropriate and required steps with respect to this matter and considers this a delay in compliance only. Additionally one primary return was not submitted within the required timeframe due to the employee not commencing with the City on a full time basis initially. This is considered a minor delay in compliance only. Additional information regarding the noncompliance has been included in Attachment A.

CONCLUSION

It is recommended that the Council adopts the CAR for submission to the Department prior to 31 March 2019.

OPTIONS

Council may choose to request further information from officers prior to adopting the CAR, however the CAR must be completed endorsed by Council and submitted to the Department prior to 31 March 2019.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The CAR will be lodged with the Department prior to 31 March 2018.

OFFICER RECOMMENDATION

That Council, having reviewed the 2018 Compliance Audit Return, adopt the 2018 Compliance Audit Return and authorises the Mayor and Chief Executive Officer to sign in joint the certificate.

COMMITTEE RECOMMENDATION

ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED

That Council, having reviewed the 2018 Compliance Audit Return, adopt the 2018 Compliance Audit Return, and authorises the Mayor and Chief Executive Officer to sign in joint the certificate, including the below committee amendments:

- Question 5 of the Disclosure of Interest to be amended to no, due to one delay in lodgement as per the explanation under comments
- Questions 5 and 12 of the Delegation of Power / Duty to be amended to include the review date which fell within the 2017/2018 financial year.

Reason: While the delay was minor and is explained in the comments the most accurate response to question 5 under Disclosure of Interest in No - as identified in the Officer's covering report. Questions 5 and 12 refer to the financial year despite the Compliance Audit Return being for the 2018 calendar year.

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



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 2018.	NA	The City has not in 2018 entered into any undertaking of the type contemplated by the section.	Director of Finance and Corporate Services
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 2018.	NA	As above	Director of Finance and Corporate Services
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 2018.	NA	As above	Director of Finance and Corporate Services
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 2018.	NA	As above	Director of Finance and Corporate Services
5	s3.59(5)	Did the Council, during 2018, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	NA	As above	Director of Finance and Corporate Services

Compliance Audit Return 2018

32

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



No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	Yes		Manager of Governance and Corporate Service:
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	Yes		Manager of Governance and Corporate Service
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	Yes		Manager of Governance and Corporate Service
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	Yes		Manager of Governance and Corporate Service
5	s5.18	Has Council reviewed delegations to its committees in the 2017/2018 financial year.	Yes	June 2017	Manager of Governance and Corporate Service
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		Manager of Governance and Corporate Service
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Manager of Governance and Corporate Service
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Manager of Governance and Corporate Service
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Manager of Governance and Corporate Service
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes		Manager of Governance and Corporate Service
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Manager of Governance and Corporate Service
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 2017/2018 financial year.	Yes	June 2017	Manager of Governance and Corporate Service
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		Manager of Governance and Corporate Service

Compliance Audit Return 2018

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



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		Manager of Governance and Corporate Services
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		Manager of Governance and Corporate Services
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		Manager of Governance and Corporate Services
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		Manager of Governance and Corporate Services
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.	No	Employee commenced initial employment with the City of Busselton (CoB) under contract while in the process of finalising work commitments with previous employer. At full employment with CoB, the employee lodged a Primary Return with CoB.	and Corporate Services
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2018.	Yes		Manager of Governance and Corporate Services
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2018.	No (one return was not lodged by 31 August 2018 - refer to attachments for explanation and subsequent actions taken)	Refer to attachments for explanation and subsequent actions taken.	Manager of Governance and Corporate Services
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	Yes		Manager of Governance and Corporate Services

Compliance Audit Return 2018

34

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



WESTER	RN AUSTRALIA			
		acknowledgment of having received the return.		
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	Manager of Governance and Corporate Services
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	Manager of Governance and Corporate Services
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	Manager of Governance and Corporate Services
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	Manager of Governance and Corporate Services
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	Manager of Governance and Corporate Services
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.	Yes	Manager of Governance and Corporate Services
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.	Yes	Manager of Governance and Corporate Services
16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes	Manager of Governance and Corporate Services

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



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		Director of Finance and Corporate Services
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		Director of Financ and Corporate Services

12.4 Attachment A

Compliance Audit Return 2018

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



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		Manager Finance Services
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		Manager Finance Services
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Manager Finance Services
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		Manager Finance Services
5	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2018 received by the local government within 30 days of completion of the audit.	Yes		Manager Finance Services
6	s7.9(1)	Was the Auditor's report for the financial year ended 30 June 2018 received by the local government by 31 December 2018.	Yes		Manager Finance Services
7	S7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under \$7.9(1) of the Act required action to be taken by the local government, was that action undertaken.	N/A		Manager Finance Services
8	S7.12A (4)	Where the local government determined that matters raised in the auditor's report (prepared under \$7.9(1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A		Manager Finance Services
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		Manager Finance Services
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Manager Finance Services
11	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Manager Finance Services

12.4 Attachment A

Compliance Audit Return 2018



12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes	Manager Finance Services
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	Manager Finance Services
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	Manager Finance Services
15	Audit Reg 17	Has the CEO reviewed the appropriateness and effectiveness of the local government's systems and procedures in accordance with regulation 17 of the Local Government (Audit) Regulations 1996.	Yes	Manager Finance Services
16	Audit Reg 17	If the CEO has not undertaken a review in accordance with regulation 17 of the Local Government (Audit) Regulations 1996, is a review proposed and when.	N/A	Manager Finance Services

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



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	25 July 2018	Manager, Governance and Corporate Services
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		Manager, Governance and Corporate Service
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	Manager, Governance and Corporate Service
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	We are currently conducting our 2 year desktop review	Manager, Governance and Corporate Service
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.	Yes	26 June 2013 There have been asset plans adopted since this date, however these have covered individual asset classes and not all assets together	Manager, Governance and Corporate Service
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 endorsed by Council the date of adoption or endorsement. This question is optional, answer N/A if you choose not to respond.	Yes	28 March 2018. Note this plan is currently being reviewed.	Manager, Governance and Corporate Service
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	Endorsed by Council 8 November 2017. Note the full review of this plan was deferred in 2018 pending a staff engagement survey, although the review of projected workforce needs was completed. A full review of the plan is now underway, informed by the staff engagement results.	Manager, Governance and Corporate Service

12.4 Attachment A

Compliance Audit Return 2018

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



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		Manager of Governance and Corporate Services
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		Manager of Governance and Corporate Services
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		Manager of Governance and Corporate Services
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		Manager of Governance and Corporate Services
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	Yes		Manager of Governance and Corporate Services

12.4 Attachment A

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



Offici	al Conduct				
No	Reference	Question	Response	Comments	Respondent
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		Director Finance and Corporate Services	
2	s5.121(1)			None have been received	Director Finance and Corporate Services
3	s5.121(2)(a)	maintained by the complaints officer received and		Director Finance and Corporate Services	
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes	None have been received	Director Finance and Corporate Services
5	s5.121(2)(c)	Does the complaints register Yes None have been maintained by the complaints officer received and		Director Finance and Corporate Services	
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).	Yes	None have been received	Director Finance and Corporate Services

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



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	In the 2017 Report the situation was identified where for various unexpected (mainly operational) reasons the City had to extend the scope of the projects for which two consultants had been engaged. It was in the City's best interest to extend these consultants' contracts pursuant to F&G Reg 11(2)(f). The contractual arrangements for that extended scope carried into 2018 calendar year.	
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).	Manager Legal and Property Services
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice.	Yes	Details of the Statewide public notice for each invitation to tender is included in the City's Tenders Register.	Manager Legal and Property Services
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 Tenders Register, together with the City's records maintained in respect of the operation of the tender process through Tenderlink.	Manager Legal and Property Services
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 a 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	Manager Legal and Property Services

42



WESTERN	AUSTRALIA				
				where practicable, requested to formally acknowledge receipt of such notice.	
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	The City utilised an online submission process. Under this process all tenders received remained sealed (in-accessible) 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 Tenders Register.	Manager Legal and Property Services
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	Any 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.	Manager Legal and Property Services
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.	Manager Legal and Property Services
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 Tenders Register	Manager Legal and Property Services
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	Notices advising particulars of the successful tenders or advising that no tender was accepted were sent to each tenderer.	Manager Legal and Property Services
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 01-18 Construction of the City Centre Eastern Link – Stage 1.	Manager Legal and Property Services

43



WESTERN	AUSTRALIA				
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	Any Expressions of Ineterest not submitted at the place and within the time specified in the invitation for tenders, were marked as such and rejected by the City.	Manager Legal and Property Services
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.	Not finalised in 2018	The process had not reached that point by 31 December 2018. The requirement will be satisfied in 2019.	Manager Legal and Property Services
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.	Not finalised in 2018	The process had not reached that point by 31 December 2018. The requirement will be satisfied in 2019.	Manager Legal and Property Services
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 apply to join a panel is included in the City's Tenders Register.	Manager Legal and Property Services
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 details of the Statewide public notices for each invitation to apply to join a panel in the City's Tenders Register.	Manager Legal and Property Services
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.	
18	F&G Reg 24AD(6)	If the local government to 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.	Yes	The City of Busselton uses the Tenderlink platform to satisfy this requirement.	Manager Legal and Property Services
19	F&G Reg 24AH(1)	Did the local government reject the applications to join a panel of prequalified suppliers that were not	N/A	No Applications were rejected.	Manager Legal and Property Services

Attachment A

Compliance Audit Return 2018

44



MESIERN	AUSTRALIA				
		submitted at the place, and within the 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	Manager Legal and Property Services
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.	Manager Legal and Property Services
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.	Manager Legal and Property Services
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).	Yes	The City reviewed its Regional Price Preference Policy. On 25 July 2018 Council adopted a draft revised Policy for the purposes of giving notice under regulation 24E(1)(b). On 10 October 2018 Council adopted the new Regional Price Preference Policy. The City's Regional Price Preference Policies, as they applied at relevant times, were adopted and applied in accordance with F&G Regs 24E & 24F.	Manager Legal and Property Services
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 and applied in accordance with F&G Reg 24F.	Manager Legal and Property Services
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 had 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. The City reviewed its Purchasing Policy on 25 July 2018 Council adopted a new	Manager Legal and Property Services

12.4 Attachment A

Compliance Audit Return 2018

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



Purchasing Policy as a replacement of the former policy.

12.5 <u>Audit Committee - 14/03/2019 - GOVERNANCE SYSTEMS REVIEW - STATUS UPDATE</u>

SUBJECT INDEX: Governance Systems

STRATEGIC OBJECTIVE: Governance systems, process and practices are responsible, ethical

and transparent.

BUSINESS UNIT: Governance Services **ACTIVITY UNIT:** Governance Services

REPORTING OFFICER: Governance Coordinator - Emma Heys

Manager Governance and Corporate Services - Sarah Pierson

AUTHORISING OFFICER: Director Finance and Corporate Services - Tony Nottle

VOTING REQUIREMENT: Simple Majority

ATTACHMENTS: Attachment A List of Recommendations

This item was considered by the Audit Committee at its meeting on 14 March 2019, the recommendations from which have been included in this report.

PRÉCIS

This report presents an update on the status/progress of the implementation of the recommendations identified in the Governance Systems Review undertaken in August 2017 by Mr John Woodhouse LLB B.Juris.

BACKGROUND

In August 2017, the CEO commissioned a high level independent review of the City's governance systems and processes, the Governance Systems Review (GSR), undertaken over a 3 month period by Mr John Woodhouse LLB B.Juris. As a result of the GSR, Mr Woodhouse identified nine broad topics or areas with opportunities for improvement. The GSR and resulting recommendations for improvement (see Attachment A) were presented to Council at a briefing in October 2017 and as a result of that briefing, it was agreed that staff would commence implementation of the recommendations and would periodically report to Council on the progress of their implementation.

The GSR recommended improvements in the areas of:

- Council;
- Policies and procedures;
- Procurement and tendering;
- Supporting local business;
- Contracts;
- Misconduct prevention;
- Codes of conduct; gifts;
- Local laws; and
- Internal reporting.

A total of 66 recommendation were made across these nine areas of focus.

This report provides an update to the Audit Committee as to the current status of the implementation of the GSR recommendations.

STATUTORY ENVIRONMENT

The GSR reviewed the City's performance against various governance requirements of the *Local Government Act 1995* and associated regulations. Comparisons to 'best practice' local governments (generally larger metropolitan Band 1 Councils) were also made.

RELEVANT PLANS AND POLICIES

As a result of the recommendations of the GSR, the City developed a Policy Framework. This framework has formed the basis of how our subsequent policy and Staff Management Practice (SMP) reviews have taken place.

FINANCIAL IMPLICATIONS

There are no financial implications directly associated with the officer recommendation. Having said that implementation of the recommendations of the GSR has and will continue to require resourcing, with significant staff time being dedicated to progressing the recommendations.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

There are no long term financial plan implications associated with the officer recommendation.

STRATEGIC COMMUNITY OBJECTIVES

The officer recommendation primarily aligns with the following Key Goal Area and Community Objective of the City of Busselton's Strategic Community Plan 2017:

Key Goal Area 6 – LEADERSHIP: Visionary, collaborative, accountable 6.1 Governance systems, processes and practices are responsible, ethical and transparent.

RISK ASSESSMENT

The primary purpose of this report is to provide an update with respect to the progress of the recommendations of the GSR; as such there are no applicable or identified risks associated with the officer recommendation. More broadly there is a risk that, due to levels of resourcing and competing priorities, not all of the recommendations of the GSR will be able to be implemented within an appropriate timeframe (suggested as two years or October 2019). This risk is considered of a medium level, that is, minor in terms of consequence but likely.

CONSULTATION

External consultation of varying types has, and will continue to be, undertaken as required in relation to the GSR recommendations.

OFFICER COMMENT

The GSR resulted in a total of 66 recommendations, spread across nine areas (as per Attachment A). It is important to note however that 4 of the recommendations under policies and procedures (to review all Council policies, delete inappropriate Council policies, review all OPPs and review 3 protocols) require the review of 159 separate documents.

Overall progress to date (of the 66 recommendations) is outlined in Table 1 below and further detailed under each subheading.

Measure	Percentage
Recommendations completed	43.9%
Recommendations partially completed or commenced	1 3.6%
Recommendations not yet commenced	37.9%
Recommendations proposed for non-adoption	4.5%

Council

A total of ten recommendations were made in relation to the Council. In general, these recommendations addressed the ease of access to documents, guidelines, Acts and Regulations, and local laws for Councillors. All ten recommendations were accepted by the CEO and implementation was completed by December 2018.

Policies and procedures

A total of six recommendations were made in relation to Policies and Procedures. The recommendations include a thorough review of all Council policies, OPP's and protocols and the development of a new organisational policy framework. As stated above this area of recommendation requires the review of 159 documents.

Currently, two of the six recommendations have been complete, with the development of a new policy framework setting out the purpose of a Council policy as opposed to a (new) Staff Management Practice document and other operational documents, and four are progressing. Of the 159 documents identified for review, 42 have been completed.

Through use of the new policy framework and the process of review to date of the current council policies, OPP's and protocols, several additional areas of improvement have been identified. Governance are currently re-evaluating the policy framework, with the aim of providing improved clarity and education to staff in policy development and improving the overall review process, particularly in relation to consultation. This may result in the policy review schedule extending beyond October 2019.

Procurement and tendering

The GSR made seven recommendations in relation to procurement and tendering policies, including the amalgamation of several separate policies into one, the development of a new OPP, review and revision of the City's Regional Price Preference policy and the management and availability of evaluation and pricing information for tenders.

Four of the seven recommendations are now complete with a revised Purchasing Policy, Regional Price Preference Policy and a new Procurement Selection Criteria SMP, two are progressing and expected to be completed by 30 April 2019, while the final recommendation, 'to delegate to the CEO the authority to make a Purchasing Policy' is not proposed to be actioned as a decision has been made to leave this as a Council Policy.

Supporting local business

A recommendation to review the City's current approach to supporting local business through policy was implemented by July 2018, along-side the review of Council policies and the implementation of the new Procurement Selection Criteria SMP. A local benefit criteria with a fixed weighting of 5 percent was included in this selection criteria SMP.

Contracts

The GSR made nine recommendations in the area of contracts, covering off issues in relation to variations, appointment of superintendents, management and document control. In addressing these recommendations, officers have progressed the development of a suite of standard contracts to meet new objectives, with these set for completion by the end of April 2019. Officers have also considered the appointment of a panel of superintendents but have determined not to proceed with this. The City would only appoint an external superintendent for very large value projects, and, given the limited number of these, officers do not feel that appointment of a panel is necessary or an efficient use of resourcing. The remaining seven recommendations, relating to the implementation of practices and procedures, are pending a wider review of the current processes and systems.

Misconduct prevention

Eleven recommendations were made in relation to the City's misconduct prevention systems and processes. Staff have now completed three of the recommendations, including the provision made in the workforce plan for the appointment of an internal auditor (currently scheduled for 2021/2022); a review of the credit card policy and testing of the City's key financial controls. A number of the other recommendations align more closely with a review of the codes of conduct and therefore will be considered and implemented under that area. Specifically, the development of a misconduct prevention strategy document will be considered post the review of the codes of conduct.

Codes of conduct

In total, five recommendations were made to realise opportunities for improvement in the City's codes of conduct. A review of the current structure of the codes was undertaken and while it is supported to keep the four codes separate, the format of the codes will be amended to align more closely with a council policy template for increased formality and to ensure they are clearer and more readily understood. Officers are also developing a Councillor Charter, amending the Councillor Code of Conduct and developing a Councillor manual, with expected completion in draft form (for further workshopping with Council) by 31 March 2019. With the exception of a recommendation to delegate to the CEO the authority to prepare an employees' code, which officers don't believe is required, all other recommendations are progressing.

<u>Gifts</u>

The GSR made six recommendations relating to gifts to employees. Of those, two are completed, the development and provision of guidance information on the City's intranet and establishment of a regular review of the gift register by the CEO and Senior Management Group, and three are pending. Officers propose that the final one, to combine the existing gift registers and publish to the City's website, is not progressed at present, noting that there are significant changes pending in relation to gift provisions as part of the Local Government Act review process. There is currently no legislative requirement to publish the notifiable gift register, only to have it available for public viewing on request.

As with the misconduct prevention recommendations, a number of the recommendations in relation to gifts will be included in the review of the codes of conduct and subsequent induction / training of staff and elected members.

The outstanding recommendation are expected to be completed by 30 May 2019.

Local laws

A total of nine recommendations were made for improvements to the City's local laws, of which six are now completed, all in relation to the review of several clauses within the City's Standing Orders Local Law. Officers are continuing to progress the development of two new local laws under the Bush Fires Act 1954 and an Extractive Industries Local Law, with completion targeting 30 June 2019. The recommendation to develop a new Council policy for the Property Local Law is currently pending and is unlikely to be completed until the bulk of the current Council policies are reviewed.

Internal reporting

The GSR made two recommendations in relation to internal reporting – to document the CEO's expectation of Directors and the Directors' expectations for Managers within the organisation. In effect these recommendations require the formalisation of a more structured internal performance reporting system / methodology. Consideration is being given as to what sort of system / methodology might suit the City's needs, with a proposal expected to be presented to the CEO by 30 June 2019.

Other

While there were no recommendations in relation to delegations or employee culture, there is and has been a large amount of work undertaken in these two areas, with both identified internally as areas where improvement was required.

In relation to delegations, a number of gaps have been identified as compared to best practice and in response a number of delegations from Council to the CEO have been reviewed. Additionally delegations from the CEO to officers have also been reviewed and updated. This review process is nearing finalisation, as is development of a new delegations register which combines both levels of delegations. Processes in relation to issuing of delegations have also been reviewed.

With respect to employee culture, the CEO, in 2018, determined that there was a need to better understand the current levels of engagement amongst staff and what impacts the organisational culture has on engagement and ultimately performance. Work has been underway in relation to this since mid-2018.

CONCLUSION

This report presents an update on the status/progress of the implementation of the recommendations identified in the GSR. With a current completion percentage of 43.9% and a number of additional items significantly progressed, progress to date is considered to be satisfactory.

OPTIONS

The Committee / Council could request that additional information is provided.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Not applicable given the nature of this report and the recommendation

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council notes the progress of the implementation of the Governance Systems Review recommendations.

Appendix 1: Recommendations in table form

No.	Report No.	Topic	Recommendation in brief
1.1	4.5 (1)	Council	Resources on Hub to be updated
1.2	4.5 (2) (b)	Council	Link to all relevant LG operational guidelines
1.3	4.5 (2) (a)	Council	Select only relevant guidelines
1.4	4.5 (2) (c)	Council	Link to Local Government Act
1.5	4.5 (2) (d)	Council	Select only relevant Regulations
1.6	4.5 (2) (d)	Council	Link to Regulations
1.7	4.5 (2) (e)	Council	Select and link to all Local Laws
1.8	4.5 (2) (f)	Council	Select and link to all Council policies
1.9	4.5 (3)	Council	Make resources more user friendly
1.10	4.5 (4) (5)	Council	Put resources under appropriate headings
2.1	5.4 (1)	Policies and Procedures	Review all Council policies to meet new objectives
2.2	5.4 (2)	Policies and Procedures	Delete inappropriate Council policies
2.3	5.5 (1)	Policies and Procedures	Review all OPPs to meet new objectives
2.4	5.5 (2) (3)	Policies and Procedures	Develop new OPP with OPP guidelines
2.5	5.5 (4)	Policies and Procedures	Give new name to non OPP documents
2.6	5.5 (5) (6)	Policies and Procedures	Review 3 Protocols
3.1	6.4 (1)(2)(3)	Procurement and Tenders – Policies	Develop single Procurement Council policy
3.2	6.4 (4) (5)	Procurement and Tenders – Policies	Develop new OPP re: evaluation and selection criteria
3.3	6.4 (6)	Procurement and Tenders – Policies	Revise Regional Price Preference Policy to meet new objectives
3.4	6.4 (7)	Procurement and Tenders – Policies	Delegation to CEO to make Purchasing Policy
3.5	6.4 (8)	Procurement and Tenders – Policies	Report new Purchasing Policy to Council and put on website
3.6	6.7 (1)	Procurement and Tenders – Policies	Incorporate evaluation in publicly available report
3.7	6.7 (2)	Procurement and Tenders – Policies	Consider revealing all prices or successful price
4.1	7.3	Supporting Local Business –	City to consider need for review of Policies

		Policies	
5.1	8.4 (1)	Contracts –	Develop new OPP to meet new objectives
512	(2) (3)	Variations for	bevelop new or 1 to meet new objectives
	(4)	Principal's	
	(' '	Convenience	
6.1	9.4	Contracts – Other	Develop new OPP to meet new objectives
	(1)(2)	Variations	
7.1	10.3	Contracts -	Develop new OPP re appointment of superintendents
	(1)(2)	Appointment of	
		Superintendent	
7.2	10.3 (3)	Contracts -	Consider appointment of panel
		Appointment of	
		Superintendent	·
8.1	11.4	Contracts –	Develop new OPP re: contract management plans to meet
	(1)(2)	Contract	new objectives
	(3)(4)	Management	
9.1	12.4 (1)	Contracts -	Adopt suite of standard contracts to meet new objectives
		Contract	
		Documents	
9.2	12.4 (5)	Contracts -	Develop new OPP
		Contract	
~ ~	10.1(0)	Documents	
9.3	12.4 (6)	Contracts –	Provide training
		Contract	
9.4	12 4 (7)	Documents	Dublish standard senturate and second second setup at
9.4	12.4 (7)	Contracts –	Publish standard contracts and resources on intranet
		Documents	
10.1	13.4	Misconduct	Develop Misconduct Prevention Strategy to meet new
10.1	(1)(2)(3)	Prevention	objectives
10.2	13.4 (4)	Misconduct	New Strategy to be considered by Council
	(.,	Prevention	The state of the second state of the state o
10.3	13.4 (5)	Misconduct	Develop new and separate Code for employees
		Prevention	
10.4	13.4 (6)	Misconduct	Review PID Policy
		Prevention	,
10.5	13.4 (7)	Misconduct	Develop new Induction module
		Prevention	
10.6	13.4 (8)	Misconduct	Conduct Training for existing employees
		Prevention	
10.7	13.4 (9)	Misconduct	CEO and SMG to review new register
		Prevention	
10.8	13.4	Misconduct	Consider appointment of Internal Auditor and define role,
	(10)	Prevention	functions and oversight
10.9	13.4	Misconduct	Give Audit Committee new defined role.
	(11)	Prevention	
10.10	13.8	Misconduct	Review credit card policy and segregation
	(1)(a)	Prevention	
10.11	13.8	Misconduct	Testing of key controls
	(1)(b)	Prevention	
11.1	14.4	Code of Conduct	Separate 3 Codes of Conduct to meet new objectives

	(1)(2)(3)		
	(4)		
11.2	14.4 (5)	Code of Conduct	Council to adopt Councillors Code and Committee Code
11.3	14.4 (6)	Code of Conduct	Delegation to CEO to prepare employees Code
11.4	14.4 (7)	Code of Conduct	Make new Code available
11.5	14.5	Code of Conduct	Replace Code for contractors with new Statement of Business
	(1)(2) &		Ethics
	16.4 (6)		
12.1	15.4 (1)	Gifts to	Include new Gift training in Misconduct Prevention module
		Employees	
12.2	16.4 (2)	Gifts to	Training for existing employees
		Employees	
12.3	15.4	Gifts to	Develop new Guidance notes and FAQs on intranet
	(3)(4)	Employees	
12.4	15.4 (5)	Gifts to	CEO and SMG to regularly review register
		Employees	
12.5	15.4 (7)	Gifts to	Combine the 2 existing registers and publish on the website
		Employees	
12.6	15.4	Gifts to	Review content of Employees Code
	(8)(9)	Employees	
13.1	16.2 (1)	Delegations	
14.1	17.2 (1)	Local Laws	Consider including urgent business in Standing Orders
14.2	17.2 (2)	Local Laws	Review suspension Clause in Standing Orders
14.3	17.2 (3)	Local Laws	Review motions with previous notice in Standing Orders
14.4	17.2 (4)	Local Laws	Consider new Revocation motion Clause and Implementation
			Clause in Standing Orders
14.5	17.2 (5)	Local Laws	Consider new Clause re: Questions from Members in Standing
11.6	17.0/6\		Orders
14.6	17.2 (6)	Local Laws	Delete Clauses 20.1, 20.2 and 20.3
14.7	17.3	Local Laws	Develop new Council Policy for Property Local Law
14.8	17.4	Local Laws	Consider need for new Extractive Industries Local Law
14.9	17.5	Local Laws	Consider preparing new Local Laws under Bushfires Act
15.1	18.4	Internal	Document CEO's expectations for Directors
15.2	10.5	Reporting	
15.2	18.5	Internal	Document Director's Expectations for Manager's
16.1	10.2	Reporting	N
16.1	19.2	Employee Culture	No separate recommendation

13. PLANNING AND DEVELOPMENT SERVICES REPORT

13.1 <u>BOUNDARY REALIGNMENT AND AMENDED MANAGEMENT ORDER FOR RESERVE 37775</u> (BUSSELTON KART CLUB LAND)

SUBJECT INDEX: SLAD018 : Strategic Land Acquisition and Disposal : Reserve 48157 -

Lot 500 Gordon Road Kalgup Property

STRATEGIC OBJECTIVE: A community with access to a range of cultural and art, social and

recreational facilities and experiences.

BUSINESS UNIT: Strategic Planning ACTIVITY UNIT: Strategic Planning

REPORTING OFFICER: Senior Strategic Planner - Helen Foulds

AUTHORISING OFFICER: Director, Planning and Development Services - Paul Needham

VOTING REQUIREMENT: Simple Majority

ATTACHMENTS: Attachment A Location Plan

Attachment B Proposed Boundary Realignment U

PRÉCIS

The Council is requested to support the expansion of Reserve 37775, Lot 4747 Vasse Highway, Kalgup and accept the resulting amended Management Order. This will increase the land potentially available for recreational use, including potentially allowing for the expansion of the area available for the Busselton Kart Club (BKC), who are the current users of the existing, somewhat smaller reserve.

BACKGROUND

Reserve 37775 is a 'C' Class Reserve subject to a Management Order in favour of the City for 'Recreation' purposes. The 2.2ha parcel is currently leased to the Busselton Kart Club (BKC), with the current lease extending to June 2022. The site is located near the southern end of the Busselton-Margaret River Airport and is located between the Vasse Diversion Drain and Gordon Road. Land to the west is owned in freehold by the Water Corporation and Reserve 48157, to the east, is a Reserve currently vested in the Water Corporation for drainage purposes. A location plan is provided at Attachment A.

To accommodate their growing activities and provide security for future investment, BKC requested an increase to their lease area for car parking and storage. Given the cooperation provided by the BKC during the negotiations for the Pistol Club co-location, City officers agreed to proceed with facilitating expansion of the Reserve. The proposal under consideration is therefore to increase the size of Reserve 37775 by shifting the eastern boundary further east into Reserve 48157 by approximately 60 metres, increasing the City's land by approximately 0.6ha (Attachment B).

Expansion to the west, into the Water Corporation's freehold land parcel was also considered, but not further pursued for three key reasons. Firstly, the City would most likely need to purchase the land, ultimately at ratepayer's expense. Secondly, that land is currently used to provide access for farm vehicles between agricultural holdings located to the north and south of Reserve 37775, and it is difficult to see how the land could be usefully used without critically compromising that access. Thirdly, there is not now seen to be any clear need to secure that land.

A formal request to modify the reserve boundaries has been lodged with the Department of Planning, Lands and Heritage (DPLH) and the Water Corporation has raised no objection to the proposal. A survey has been commissioned for the proposed boundary adjustment, following which the new area is proposed to be re-vested in the City, resulting in a change to the land description within the Management Order for the subject land.

The current proposal came about when the site was identified for potential co-location of BKC with the Busselton Pistol Club in late 2017. Although that is no longer being pursued, limitations on the BKC lease area were identified. BKC had been using private farmland to the north when major events were held, but this use has discontinued due to a change in use of that land. Additional informal use of a section of the adjacent Reserve 48157 by the club had been taking place for storage of material, which has since been removed following requests from the City.

STATUTORY ENVIRONMENT

There are no provisions under the *Local Government Act 1995* (LGA) that fully address the power/authority requirements for accepting an expanded Management Order over a reserve, nor is there a City of Busselton delegation that deals specifically with this matter.

The Land Administration Act 1997 (LAA), section 46 'Care, control and management of reserves' discusses the powers of the Minister to place the management of a reserve to "one person or jointly with any 2 or more persons". The changes to the boundary will result in the amendment of the Management Order to Reserve 37775, requiring the support of the Council. Pursuant to the LAA, officers request that the Council supports the re-vesting of the portion of the adjacent Reserve 48157 and accepts the amended Management Order.

RELEVANT PLANS AND POLICIES

The proposal is supported by planning directions set out in the City of Busselton *Draft Local Planning Strategy* (2016) that "encourage the development of new and improved community facilities to meet the needs of a growing and increasingly diverse population" (clause 6.2(i)) and "identify locations for noisy sports, e.g. motor sports" (clause 6.2(l)).

FINANCIAL IMPLICATIONS

Costs to the City for the vesting and acceptance of a Management Order over this parcel would be limited to managing bushfire risk (and dependent on the outcomes of future lease or licence matters, those obligations may in practice be borne by BKC in future anyway). There is no City infrastructure currently located within the new area of land proposed to be included into Reserve 37775, nor is there a proposal for this to take place. Minimal maintenance of the land parcel is anticipated.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

There are no long term financial plan implications associated with the officer recommendation.

STRATEGIC COMMUNITY OBJECTIVES

The officer recommendation is consistent with Key Goal Area 1 – 'Community' of the *City of Busselton Strategic Community Plan 2017*, specifically Objective 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 implications of 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 risks identified of a medium or greater level.

CONSULTATION

The City has approached the Water Corporation and DPLH to propose realigning the boundary between Reserve 37775 and Reserve 48157. No objections were raised to the proposal and a formal request was subsequently lodged with DPLH. In accordance with standard practice, DPLH then issued instructions for the necessary survey works to be undertaken. The City is yet to give its final authorisation for commencement of the survey, which will be given should the Council provide support for this proposal.

OFFICER COMMENT

Until recently the BKC have been using part of neighbouring Reserve 48157 for storage of inappropriate material and parking, although use of this land had ceased while investigations were made into the expansion. Given Reserve 48157 is managed for drainage purposes, use of the land for 'Recreation' purposes is precluded and these differing management approaches can therefore create conflict. By shifting the boundary between Reserve 37775 and Reserve 48157 and re-vesting the affected area to the City, this will provide the City with the ability to more effectively ensure the site's use is consistent throughout the actively used areas.

It should be noted that this report and its recommendation relate to the enlargement of Reserve 37775 only, and not to the potential leasing of the additional land to BKC. It is envisaged that consideration of that matter would follow the issuing of the new management order to the City. It is also envisaged that, in looking at future leasing (or licencing), the City would seek to identify what and whether there may be opportunities for future co-location in future, for purposes consistent with or complementary to the BKC and the locality.

CONCLUSION

By supporting the officer recommendation to re-vest part of Reserve 48157 and acceptance of an amended Management Order over Reserve 37775, the land administration of this area will be simplified and there will be options available for the City to negotiate extended use of the land by the BKC and co-location of other groups on the land.

OPTIONS

Should the officer recommendation not be supported, the Council could resolve not to support the boundary realignment and amended Management Order over Reserve 37775.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

There is no prescribed timeline to complete this process although it is anticipated that following the Council Resolution, the amended Management Order would be accepted by the City within 6 months.

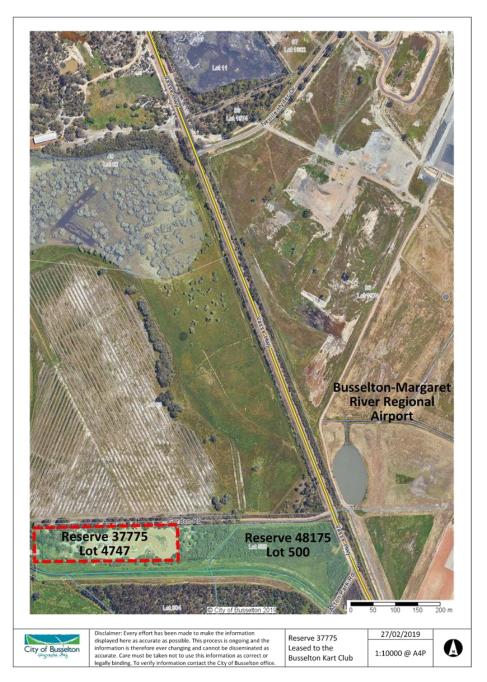
OFFICER RECOMMENDATION

That the Council –

- Pursuant to the Land Administration Act 1997, advise the Department of Planning, Lands and Heritage and the Water Corporation that the City of Busselton supports re-vesting part of Reserve 48157 into Reserve 37775 with an amended Management Order issued in favour of the City of Busselton; and
- 2. Subsequently, considers leasing and licencing options in consultation with Busselton Kart Club, including consideration of potential opportunities for co-location of other group(s).

LOCATION PLAN OF RESERVE 37775 CONTAINING THE BUSSELTON KART CLUB

58



59

PROPOSED BOUNDARY REALIGNMENT



13.2 PROPOSED BUSHFIRE LOCAL PLANNING POLICY (AND RELATED REVIEW OF HOLIDAY HOMES LOCAL PLANNING POLICY), AND PROPOSED SUBMISSION ON WAPC DRAFT POSITION STATEMENT: TOURISM LAND USES WITHIN BUSHFIRE PRONE AREAS

SUBJECT INDEX: Development control policy

STRATEGIC OBJECTIVE: Planning strategies that foster the development of healthy

neighbourhoods that meet our needs as we grow.

BUSINESS UNIT: Planning and Development Services

ACTIVITY UNIT: Statutory Planning

REPORTING OFFICER: Director, Planning and Development Services - Paul Needham **AUTHORISING OFFICER:** Director, Planning and Development Services - Paul Needham

VOTING REQUIREMENT: Simple Majority

ATTACHMENTS: Attachment A Proposed Bushfire Policy

Attachment B Existing Holiday Homes Policy Attachment C Proposed Holiday Home Policy Attachment D Proft Position Statement D

Attachment D Draft Position Statement U

PRÉCIS

Council is asked to consider policy and related matters associated with development in bushfire prone areas. That includes proposed changes to local planning policy and the making of a submission in response to consultation currently being undertaken by the State.

BACKGROUND

Council is asked to consider the introduction of a bushfire related local planning policy (Proposed Bushfire Policy – see Attachment A). The main purpose of the Proposed Bushfire Policy is to clarify the requirements related to the development of (or change of use to) a holiday home, or other vulnerable development, in a bushfire prone area, and to apply the same principles to other kinds of development that already apply to assessment of holiday home applications.

The Council is also asked to consider related changes to the City's existing holiday homes local planning policy (Existing Holiday Homes Policy – see Attachment B). The proposed policy is Attachment C (Proposed Holiday Homes Policy). The proposed changes are limited to removing the substantive bushfire related content, and instead referencing the Proposed Bushfire Policy, as well as reflecting a new template for the format of local planning policies (which has also been followed in the drafting of the Proposed Bushfire Policy).

Note that, for both proposed policies, it is intended that the interpretations sections be converted to a tabular format consistent with recently adopted or reviewed Council Policies. The intent to do so was, however, identified very late in the drafting process and, as such, it is proposed that be done administratively prior to consultation occurring.

In addition, the Council is asked to consider the terms of the City's submission regarding the Western Australian Planning Commission (WAPC) *Draft Position Statement: Tourism land uses within bushfire prone areas* (Draft Position Statement – see Attachment D).

STATUTORY ENVIRONMENT

The key statutory environment is set out in the *Planning and Development Act 2005* (Planning Act), *Building Act 2012* (Building Act) and related subsidiary legislation, including the *City of Busselton Local Planning Scheme No. 21* (Scheme) and the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), especially Schedule 2 (Deemed Provisions) of the Regulations, which form part of the Scheme.

The Planning Act sets out powers of the WAPC to prepare and adopt 'State Planning Policies' (SPPs) which may, inter alia, 'make provision for any matter which may be subject of a local planning scheme' (s26(3)). Clauses 3-6 of the Deemed Provisions sets out that a local government may make, amend or revoke a 'local planning policy'. The Deemed Provisions set out that local planning policies must be consistent with the Scheme. Essentially this means that a local planning policy may only guide an exercise of discretion already allowed under the Scheme, but cannot introduce or remove a discretion that the Scheme does not already provide. Other than a 'minor amendment' (pursuant to clause 5(2) of the Deemed Provisions), any decisions to adopt, amend or revoke a local planning policy involve an adoption of the proposal by the Council, followed by a period of consultation, and subsequent further consideration of the proposal by the Council, including consideration of any submissions received.

Clause 67 of the Deemed Provisions then sets out 'matters to be considered' in the assessment of applications for development approval. Clause 67(c) of the Deemed Provisions identifies 'any approved State planning policy' and clause 67(g) identifies any 'local planning policy for the Scheme area' as matters that must be considered. There are various other requirements to consider SPPs set out in the Act, Regulations and Scheme, and which relate to applications for development approval, as well as the preparation, review and amendment of town planning schemes, Structure Plans, Local Development Plans and Activity Centre Plans. The State Administrative Tribunal (SAT) gives considerable weight to SPPs in their consideration of planning matters; and original decision-makers (including local governments) are also required to give considerable weight to SPPs.

Part 10A of the Deemed Provisions identifies controls related to applications for development approval in 'Bushfire Prone Areas'. Bushfire prone areas for the purpose of planning decisions are identified through orders made under s18P of the *Fire and Emergency Services Act 1998*. Orders under s18P similarly identify areas where consideration of bushfire issues is required pursuant to the Building Act. The Deemed Provisions and the building legislation variously incorporate or reference *Australian Standard AS3959-2009: Construction of buildings in bushfire-prone areas* (AS3959).

RELEVANT PLANS AND POLICIES

Key policy guidance is set out in *State Planning Policy 3.7: Planning in Bushfire Prone Areas* (SPP3.7) and the associated *Guidelines for Planning in Bushfire Prone Areas* (Guidelines). Prior to the introduction of SPP3.7 and related changes to legislation, the City had a bushfire local planning policy. It was considered that the State framework had made that local planning policy redundant and, as a result, that earlier policy was revoked. As set out in this report, there is now seen to be a need for some local planning policy guidance, albeit more limited and different in scope to what was previously in place.

Whilst there are currently some broader, unresolved policy questions related to both holiday home regulation and management of bushfire risk through the planning and development framework, this report and the proposals set out in it do not seek to address those broader questions. The reasons for that are twofold. Firstly, resolution of those policy questions would likely require action at a State level. Secondly, the State has in fact already established mechanisms that may do so.

In particular, the Legislative Assembly's Economics and Industry Standing Committee has established an Inquiry in relation to the regulation of short stay accommodation in Western Australia. The Inquiry is due to report in June. The City made a submission to the Inquiry and has indicated that it would be happy to provide further information as required. The City has also indicated that it would like to see the Inquiry conduct hearings in the region. The City's submission is subject of Parliamentary Privilege, but is available on the State Parliament website.

The approach to regulation of holiday homes in Western Australia recommended in the City's submission may be summarised as follows –

- 1. A system that provides for efficient, robust, consistently enforced and credible regulation, which avoids unfair competition with other forms of accommodation, and ensures the integrity of regulatory and taxation regimes;
- 2. State regulations that allow local governments to 'opt-in' to a registration system that is managed by the local government, or if that is not possible, continued State support for a registration system, applied through local government local laws;
- Deemed planning provisions that allow local governments to identify particular areas where holiday homes are deregulated, regulated or prohibited, or if that is not possible, continued State support for local government planning regulation, either applied through individual local government planning scheme provisions (most likely reflecting model provisions) or optional model provisions;
- 4. Local government decisions (or positions) pursuant to points 2 and 3 above to be reflected in consolidated State-wide map(s);
- 5. A requirement for owners, managers, online short-stay letting platforms and any other entity responsible for booking accommodation to ensure that there is a current 'certificate of local government authority' (there may be a means of avoiding this in cases where local governments have 'opted-out', but there may be a further reason to still require such certificates, linked to State and utility fees and charges, and taxation see 'other key issues' below), which would need to be periodically renewed, and the requirements of that certificate would need to be complied with;
- 6. The State itself to be responsible for monitoring and enforcing point 5 above with respect to the platforms; and
- 7. Penalties under the registration system and the platform regulation to be sufficient to support ongoing and sustainable voluntary compliance.

It is also understood that the State is reviewing its current approach to management of bushfire risk through the planning and development framework. The City has already (and fairly regularly) made the State aware of some of its concerns with that framework. The Draft Position Statement does seem to address some, but not all, of the City's concerns. Submissions are open until 20 March 2019. Whilst the City would not ordinarily require formal Council or Committee consideration to make a submission of this kind, given the relatedness of the issues and the fact that changes to local planning policy require formal consideration, Council is also asked to consider a proposed submission regarding the Draft Position Statement (although the submission is due to be lodged before the Council is able to consider this report, officers intend to lodge an interim submission by the due date, noting that Council consideration will occur shortly after the due date, and that a supplementary submission may follow).

FINANCIAL IMPLICATIONS

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

LONG-TERM FINANCIAL PLAN IMPLICATIONS

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

STRATEGIC COMMUNITY OBJECTIVES

This report reflects Key Goals Area 2 – Places and Spaces and specifically Community Objective 2.1 of the Strategic Community Plan 2017 – 'planning strategies that foster the development of healthy neighbourhoods that meet our needs as we grow'.

RISK ASSESSMENT

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

CONSULTATION

Part 2, Division 2 of the Deemed Provisions requires that a local government undertake consultation before adopting or amending a local planning policy (although a minor amendment can be made without consultation). At least 21 days must be allowed for the making of submissions. In this case, it is anticipated that somewhat longer would be provided, and that there would be a particular focus on consultation with bushfire practitioners, with the WAPC and with the Department of Fire and Emergency Services (DFES).

OFFICER COMMENT

There are two related but somewhat different matters requiring consideration – (1) proposed local planning policy changes and (2) the making of a submission regarding the Draft Position Statement.

Proposed local planning policy changes

The Proposed Holiday Homes Policy entirely reflects the fact that the bushfire related content in the Existing Holiday Homes Policy would be redundant if the Proposed Bushfire Policy is adopted. As such, provided that the Council is supportive of the Proposed Bushfire Policy, there is not seen to be a need to further discuss the Proposed Holiday Homes Policy.

The Proposed Bushfire Policy, to a significant extent, reflects provisions of the Existing Holiday Homes Policy, which itself mostly clarifies the City's application of the relevant State planning framework. The Proposed Bushfire Policy, however, seeks to provide that clarification for all relevant forms of development, rather than being limited to holiday homes.

The Proposed Bushfire Policy also seeks to extend that guidance in one key way, which is by referencing and mapping the State's proposed definition of 'Residential Built Out Area' as per the Draft Position Statement. At present, that term is not defined, but the judgement as to whether development is located in a Residential Built Out Area can have a profound affect on whether the development is approvable.

The proposed definition is set out in the section below, but the Proposed Bushfire Policy includes Appendix One, which is a map applying the proposed definition to land within the City. The affect is that holiday homes and other forms of 'vulnerable development' could not be approved in areas like the Commonage, Mt Duckworth, Cape Clairault, Ambergate or Wonnerup, if a site has a Bushfire Attack Level (BAL) rating of BAL-40 or greater. A significant proportion of sites in those areas would have a BAL rating of BAL-40 or greater. Independent of the merit or otherwise of the State's proposed definition, it is seen as appropriate that a map be included in policy setting out the application of the definition, as it would provide important guidance to landowners, prospective purchasers, bushfire practitioners and City officers.

Draft Position Statement

The Draft Position Statement seeks to address one of the key problems with the current State framework from the City's perspective, which is the undefined nature of the term 'Residential Built Out Area'. The Draft Position Statement proposes the following definition -

Residential built out area: refers to a lot that is within close proximity to emergency services, access to reticulated water and is within, or contiguous with, an urban area or town (or similar).

Prior to the release of the Draft Position Statement, officers had developed an earlier iteration of the Proposed Bushfire Policy and, recognising the fundamental nature of the question, had planned to recommend to the Council that it adopt local planning policy setting out the City's understanding of the term – and what was being considered was, in practical effect, very similar to what the State has now proposed. As such, City officers are broadly supportive of the State's proposed definition. As noted in the section above, however, it would have a significant impact on the approvability of holiday homes especially in areas like the Commonage.

Whilst the State's proposed definition could be criticised for being somewhat vague (for instance, what is 'close proximity to emergency services'?), it is considered that it would not be possible to come up with a specific set of detailed standards that would be appropriate in all cases, and so some scope for discretion is seen as appropriate. What may be useful, however, is a reference in the State framework to local governments preparing and adopting mapping, similar to that included in the Proposed Bushfire Policy.

One element of the Draft Position Statement that officers are quite concerned about is the content related to 'closure of a tourism facility'. That content notes that 'closure of a day use facility on any day where the fire danger exceeds a pre-determined trigger point is another possible contingency measure'. Whilst this may be something a responsible operator may want to consider, it is not clear at all how the content relates to decision-making by planning authorities (i.e. local governments in most instances), and what responsibility there would be to apply or enforce conditions reflecting the content. It is considered that this content should be removed.

There are three other key issues that it is considered the City should raise in a submission, both of which are not solely related to the scope of the Draft Position Statement.

The first issue relates to a change of use of an existing building which cannot reasonably be fully upgraded to meet the applicable BAL, but which could be upgraded to improve the overall bushfire safety outcome. The State planning framework allows for discretion and consideration of that possibility. Where difficulties arise, however, is where the works which it is considered could be done would require a building permit. Once a building permit is required, the Building Act requires the full upgrade of the building. As such, decision-makers essentially have three options – (1) do not require any upgrades, (2) only require upgrades to the extent that a building permit is not required, or (3) require full upgrade, noting the result will probably be the development will not proceed, and no upgrades will be undertaken. This conundrum could be resolved by changes to legislation allowing a planning decision to limit the scope of decision-making required at building permit stage, if the planning process has fully considered bushfire issues.

The second issue relates to new development on 'legacy lots' in urban areas which are relatively small, but adjoin bush reserves or similar. There are a significant number of such lots in the City, many of which are BAL-40 or BAL-FZ ('flame zone') sites, but which may be rendered undevelopable, or very nearly so, by virtue of the current State framework.

In many cases, such sites have access to reticulated water, are within close proximity of emergency services and have multiple means of access and egress. Again, the current State planning framework provides some discretion, but the Building Act does not. Similarly, this conundrum could also be resolved by changes to legislation allowing a planning decision to limit the scope of decision-making required at building permit stage, if the planning process has fully considered bushfire issues. It is considered that the City should raise these issues and the suggested remedy in its submission.

The third issue relates to the recommendation in SPP3.7 that local governments and the WAPC impose conditions of development and subdivision approval on development in bushfire prone areas requiring placement of notifications on title (pursuant to s70a of the Transfer of Land Act 1893 or s165 of the Planning and Development Act 2005) advising prospective future purchasers of the land that the site is in a bushfire prone area. This imposes costs on landowners, often meets resistance for that and other reasons, only provides a means of advising prospective purchasers if the land has actually been subject of an application for subdivision or development approval since bushfire prone areas have been identified, and there is little evidence that prospective purchasers consistently read and understand such notifications. In short, the approach set out in SPP3.7 (and in some other SPPs, for other purposes), is far from satisfactory. In other States, more effective and less expensive means of advising prospective purchasers of matters related to the use and development of land have been developed, with systems developed to provide 'certificates' as part of the settlement process. A lot of WA local governments provide certificates of a similar nature currently, but without a clear framework related to regulatory (as opposed to financial) matters. It is considered that the State should move away from requiring notifications to be applied through planning processes. Further, there has been some recent legal uncertainty around the validity of such conditions. It is considered that the City should raise these issues, and recommend a move towards a coordinated approach to addressing regulatory matters through 'property information certificates', as has been done in some other States.

It is also envisaged that the City's submission would identify any more detailed questions or concerns identified by officers.

CONCLUSION

It is recommended that the Council support the proposed policy changes and submission as described in this report.

OPTIONS

The Council could decide to not adopt or amend local planning policy as recommended, or it could choose to modify the proposals before undertaking consultation. The Council could also choose not to support a submission regarding the Draft Position Statement, or choose to make a submission in different terms.

Given the relationship between the proposed policy content and the Draft Position Statement, there will need to be some judgement made as to whether the City should await a 'Final Position Statement' (which may be in the form of amendments to SPP3.7 or the Guidelines) before adopting the policy changes in final form. Nevertheless, the policy changes would be 'seriously entertained' once adopted as draft by the Council, and should be considered as part of the City's decision-making immediately.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Implementation of the officer recommendation would involve advertising the policy proposals and making a submission regarding the Draft Position Statement. It is expected the first would occur within one month of the Council decision and the second within one week.

OFFICER RECOMMENDATION

That the Council -

- 1. Adopt as drafts for consultation proposed new and amended local planning policies as set out at Attachment A and Attachment C; and
- 2. Support a submission to the WAPC regarding the *Draft Position Statement: Tourism land uses within bushfire prone areas* in the terms described in the agenda report.

Attachment A

BUSHFIRE LOCAL PLANNING POLICY

1.0 **HEAD OF POWER AND SCOPE**

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

This Policy has also been adopted as guidance for assessment of Structure Plans, Local Development Plans, Activity Centre Plans and applications for subdivision approval where bushfire issues require consideration.

2.0 PURPOSE

The purpose of this Policy is to -

- Provide clarity regarding the assessment of applications for development approval on sites located within a Bushfire Prone Area;
- 2. Assist in identifying circumstances in which development will be supported, and circumstances in which development may only be supported after more detailed consideration; and
- 3. Supplement State level guidance in the assessment of Structure Plans, Local Development Plans, Activity Centre Plans and applications for subdivision approval where bushfire issues require consideration.

INTERPRETATION 3.0

The two terms defined below are critical to interpretation of this Policy -

"Deemed-to-Comply" means a provision which, if satisfied, means that an application is deemed compliant with respect to the matters subject of that provision. The local government shall not refuse to grant approval to an application where the application satisfies all of the relevant Deemed-to-Comply provisions.

"Performance Criteria" means provisions to be used in the preparation, submission and assessment of development proposals for the purpose of determining their acceptability, where they do not meet the relevant Deemed-to-Comply provisions.

Note: applications that do not meet all of the 'deemed-to-comply' provisions would be assessed against the relevant 'performance criteria' (i.e. they would only be assessed against the latter in relation to those aspects to which they do not meet the former).

Other terms should be interpreted in the same way as they would be interpreted if they were contained within the City of Busselton Local Planning Scheme No. 21, other than those terms defined below -

"Appropriately Accredited Professional" means a person with a level of accreditation pursuant to the Western Australian Bushfire Accreditation Framework appropriate to the nature of the work being undertaken.

"APZ" means Asset Protection Zone as per the Guidelines.

68 Proposed Bushfire Policy

"AS 3959" means Australian Standard AS 3959 — Construction of buildings in bushfire-prone areas.

"BAL" means the bushfire attack level for the building site for the building or structure determined in accordance with AS 3959.

"BCA" means the *Building Code of Australia* which is volumes 1 and 2, as amended from time to time, of the *National Construction Code* series published by, or on behalf of, the Australian Building Codes Board

"Bushfire Prone Area" means an area designated as being in a bushfire prone area by an order made under section 18P of the *Fire and Emergency Services Act 1998*, and that has been so designated for a period of at least four months.

"Guidelines" means the WAPC Guidelines for Planning in Bushfire Prone Areas associated with SPP3.7;

"Policy" means this Bushfire Local Planning Policy.

"Relevant Buildings" means a building that falls within Class 1, Class 2 or Class 3 of the BCA, or a Class 10a building or deck that is, or is proposed to be, located less than 6.0 metres from a Class 1, Class 2 or Class 3 building.

"Residential Built Out Area" means an area that meets the criteria for a Residential built-out area as per WAPC (whatever it is going to be), and is generally illustrated as such on the map provided as Appendix One to this Policy.

"Scheme" means the City of Busselton Local Planning Scheme No. 21, or any scheme which comes into operation on the revocation of that scheme.

"SPP3.7" means WAPC State Planning Policy 3.7: Planning in Bushfire Prone Areas.

"Vulnerable Land Use" means a land use where persons may be less able to respond in a bushfire emergency. Examples of what constitutes a vulnerable land use are provided in the Guidelines, and include holiday homes and other forms of short term accommodation.

4.0 POLICY STATEMENT

4.1 Applications for development approval

Note: headings in the table below do form part of the policy statement.

Deemed-to-Comply	Performance Criteria	
4.1.1 ALL DEVELOPMENT IN BUSHFIRE PRONE AREA	<i>l</i> S	
An application for development approval satisfies the Deemed-to-Comply provisions if:	An application for development approval satisfies the Performance Criteria provisions if:	
C1.1 All supporting plans and documents relevant to consideration of bushfire risk have been endorsed by an Appropriately Accredited Professional; and	P1.1 All supporting plans and documents relevant to consideration of bushfire risk have been endorsed by an Appropriately Accredited Professional; and	
C1.2 It is consistent with SPP3.7 and the Acceptable Solutions set out in Appendix Four of the Guidelines; and	P1.2 It is consistent with SPP3.7 and either the Acceptable Solutions set out in Appendix Four of the Guidelines or, where that is not	

Performance Criteria

Deemed-to-Comply

C1.3	The	APZ required –		prac	ticable	e, there is a clear demonstration
	(a)	is no greater than 25 metres from the building to a determined hazard; and		that the relevant Performance Principle set out in Appendix Four of the Guidelines has been met; and		
	(b)	can be accommodated entirely within the subject property; and	P1.3	(a)	If C	L.3 (a) has not been complied, a larger APZ may be supported,
	(c)	can be created and maintained without need to obtain a clearing permit under the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and/or approval under the (Commonwealth) Environmental Protection and Biodiversity Conservation Act 1999 and/or approval pursuant to a covenant affecting the land; and		(b)	but allow requ and unac or la	only to the extent necessary to
				(c)	If C1	.3 (c) has not been complied with
					(i)	the necessary permit or approval (including a conditional permit or approval, where the application is consistent with those conditions) has been obtained; or
					(ii)	flora and fauna assessments have been prepared by appropriately qualified and experienced environmental professionals, and the City considers that the clearing is necessary and appropriate to accommodate the proposed development; or
					(iii)	the applicant commits to seeking the necessary permit or approval prior to commencement of

Attachment A

Proposed Bushfire Policy	
---------------------------------	--

Deemed-to-Comply	Performance Criteria		
	development (including a change of use).		
4.1.2 ALL VULNERABLE LAND USES IN BUSHFIRE PR	ONE AREAS		
In addition to meeting the requirements of 4.1.1, an application for development approval satisfies the Deemed-to-Comply provisions if:	Applications must meet the Deemed-to-Comply provisions.		
C2.1 Any relevant buildings have or will be constructed to the determined BAL, given the APZ permitted under 4.1.1; and			
C2.2 In cases where the determined BAL is 12.5 or greater, the application is supported by a Bushfire Management Plan and Bushfire Emergency Evacuation Plan consistent with the Guidelines; and			
C2.3 In cases where the determined BAL is 40 or greater, the development is in a Residential Built Out Area.			
4.1.3 CHANGES OF USE OF EXISTING BUILDINGS TO AREA	A VULNERABLE LAND USE IN A BUSHFIRE PRONE		
An application for development approval satisfies the Deemed-to-Comply provisions if it meets the Deemed-to-Comply provisions set out in 4.1.1 and 4.1.2.	An application for development approval that does not meet the requirements of 4.1.1 and 4.1.2, may be considered to satisfy the Performance Criteria provisions if: P3.1 (a) The Bushfire Management Plan sets out that, and the City considers that, it is not practicable to upgrade the building to the determined BAL, given an APZ consistent with 4.1.1, the City may consider an APZ larger than required to achieve a determined BAL of 29, having considered the application against the other requirements of 4.1.1; and (b) The Bushfire Management Plan sets out that, and the City considers that, it is not practicable to upgrade the building to the determined BAL, even given a larger APZ consistent with P3.1 (a), and the Bushfire Management Plan sets out recommendations as to the minimum works required to upgrade the building(s) to provide for an acceptable bushfire risk outcome, and which do not trigger a requirement to obtain a Building Permit.		

71 **Proposed Bushfire Policy**

Deemed-to-Comply	Performance Criteria
	Note: applications that will require a subsequent change of classification pursuant to the BCA, or involve other works that would require a building permit, must meet the requirements of the determined BAL as a requirement of the building legislation, and should not be considered against P1.2 (b).

Structure Plans, Local Development Plans, Activity Centre Plans and applications for subdivision approval

- 4.2.1 Structure Plans, Local Development Plans, Activity Centre Plans and applications for subdivision approval should ensure that all new lots are capable of meeting the Deemed-to-Comply provisions of this Policy, or clearly demonstrate practicable means by which the Performance Criteria can be
- 4.2.2 With respect to Structure Plans, Local Development Plans, Activity Centre Plans and applications for subdivision approval where creation of an emergency access way or fire service access route as per the Guidelines is provided for, the land on which they are developed shall be ceded to the Crown, rather than being provided for within an easement over land which is to be retained in private ownership.

5.0 RELATED DOCUMENTATION / LEGISLATION

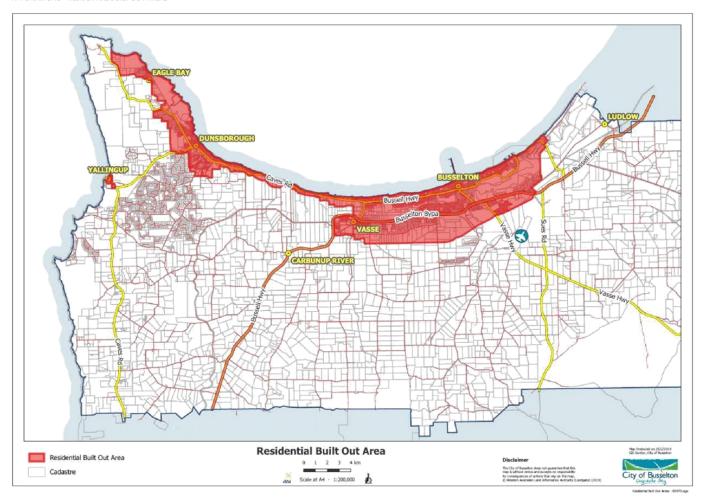
- 5.1 City of Busselton Local Planning Scheme No. 21
- 5.2 State Planning Policy 3.7: Planning in Bushfire Prone Areas
- 5.3 WAPC Guidelines for Planning in Bushfire Prone Areas
- 5.4 Orders made under section 18P of the Fire and Emergency Services Act 1998
- 5.5 Building Code of Australia
- Australian Standard AS 3959 Construction of buildings in bushfire-prone areas

REVIEW DETAILS 6.0

Date	Description

Proposed Bushfire Policy

APPENDIX ONE - RESIDENTIAL BUILT OUT AREAS





7C. HOLIDAY HOMES PROVISIONS

1.0 BACKGROUND

The City of Busselton is a popular destination for tourists and holiday makers and has a large number of Holiday Homes, which are essentially residential houses and units which are utilised to accommodate these visitors. Holiday Home rentals are an important aspect of the tourism industry in the District, and have long been an important part of local and Western Australian lifestyle and culture.

Over time, however, there have been changes in the character of the communities in which Holiday Homes are located, as well as increased commercialisation of Holiday Homes and their use. Amongst other factors, that has led to the development by the City, cognisant of guidance provided at a State level, of a regulatory regime for Holiday Homes.

Holiday Homes which are utilised on a commercial basis (i.e. rented out to paying guests) require a development approval to be issued under the Local Planning Scheme and a registration to be issued under the *Holiday Homes Local Law 2012*. These policy provisions provide guidance to the City, as well as to applicants, landowners and the community, in relation to the City's exercising of discretion in making decisions on Holiday Home applications pursuant to the Local Planning Scheme.

2.0 OBJECTIVES

The objectives of these provisions are to -

- Provide clear guidance regarding the assessment of applications for development approval for Holiday Homes;
- Identify circumstances in which Holiday Homes will be supported, and circumstances in which holiday homes may be supported, given more detailed consideration; and
- 3. Balance the interests of residents, Holiday Home owners and the community as a whole.

3.0 APPLICATION

These policy provisions are adopted pursuant to *Planning and Development (Local Planning Schemes)* Regulations 2015, Schedule 2 (Deemed Provisions) clause 4 and apply to the whole of the City.

This policy only applies to Holiday Homes that are being made available for short stay rental purposes for commercial gain. Holiday Homes utilised only for personal use are excluded from this policy.

These provisions should be read in conjunction with the Local Planning Scheme and the *Holiday Homes Local Law 2012*.



4.0 INTERPRETATION

As per Schedule 1 of the Scheme the following interpretations are relevant:

"Holiday Home (Multiple/Grouped Dwelling)" means a grouped dwelling or multiple dwelling, which may also be used for short stay accommodation for hire or reward for no more than six people (but does not include a bed and breakfast, chalet development, guesthouse, rural tourist accommodation or tourist accommodation).

"Holiday Home (Single House)" means a single house (excluding ancillary accommodation), which may also be used for short stay accommodation for hire or reward for no more than 12 people (but does not include a bed and breakfast, chalet development, guesthouse, rural tourist accommodation or tourist accommodation).

Note: the terms 'multiple dwelling', 'grouped dwelling' and 'single house' are defined in the Residential Design Codes of Western Australia.

The following additional interpretations are relevant to this policy:

"Holiday Home" means both a Holiday Home (Multiple/Grouped Dwelling) and/or a Holiday Home (Single House).

"Deemed-to-comply" means a provision which, if satisfied, means that a Holiday Home is deemed compliant with respect to the matters subject of that provision. The local government shall not refuse to grant approval to an application where the application satisfies all of the relevant deemed-to-comply provisions.

"Performance criteria" means provisions to be used in the preparation, submission and assessment of development proposals for the purpose of determining their acceptability, where they do not meet the relevant deemed-to-comply provisions.

Note: applications that do not meet all of the 'deemed-to-comply' provisions would be assessed against the relevant 'performance criteria' (i.e. they would only be assessed against the latter in relation to those aspects to which they do not meet the former). So if the 'car parking' deemed-to-comply provisions are met, but the 'dwelling design' ones are not, dwelling design related issues would require assessment against the dwelling design performance criteria, but the car parking related issues would not require assessment against the car parking related performance criteria. Similarly, if the potable water elements of the 'utility servicing' deemed-to-comply provisions are met, but the refuse collection ones are not, it is only the refuse collection issues that need to be considered against the directly related performance criteria.

5.0 POLICY STATEMENT

5.1 Location of Holiday Homes

A Holiday Home satisfies the **deemed-to-comply** provisions if:

C1.1 The Holiday Home is located within an existing, lawful dwelling (other than a dwelling approved as a second dwelling or rural worker's dwelling pursuant to clause 4.5 (f) or (g) of the Local Planning

75



- Scheme, or equivalent clause in previous schemes) in the Agriculture or Viticulture and Tourism Zone; or
- C1.2 In all other Zones, the Holiday Home has direct frontage to a public road and/or public open space and has a minimum of 350m² exclusively for the use of the dwelling; or
- C1.3 For a Holiday Home (Grouped/Multiple Dwelling), written support has been received by the local government from the majority of owners of properties in the complex or development within which the Holiday Home is to be located (excluding the owner of the site subject of the application, unless the applicant owns all of the properties in the complex or development).

A Holiday Home satisfies the performance criteria provisions if:

P1.1 The City is satisfied that approval of the Holiday Home is not likely to have a significant impact on the amenity of adjoining and nearby residents and would not constitute the conversion of a second dwelling or rural worker's dwelling to a Holiday Home.

5.2 Utility Servicing

A Holiday Home satisfies the deemed-to-comply provisions if:

- C2.1 The Holiday Home is connected to reticulated water, or provided with a 135,000 litre rainwater tank for the exclusive use of the Holiday Home; and
- C2.2 The Holiday Home is located within the City's kerbside refuse collection area; and
- C2.3 The Holiday Home is connected to reticulated sewerage, or there is an approved on-site effluent disposal system with adequate capacity for the proposed number of occupants.

Note: in areas not serviced by reticulated sewerage, it should not be assumed that an existing on-site effluent disposal system approved for a single house will have sufficient capacity for the proposed number of occupants without the need for upgrading. Advice should be sought from the City's Environmental Health staff prior to lodging an application for development approval.

A Holiday Home satisfies the **performance criteria** provisions if:

- P2.1 The City is satisfied that the Holiday Home will have an adequate supply of potable water; and
- P2.2 The City is satisfied that the Holiday Home will be provided with an adequate refuse collection service; and
- P2.3 The City is satisfied that the Holiday Homes will be provided with an adequate on-site effluent disposal system (and provision of such would be a condition of any approval, to be met prior to the commencement of the use if a suitable system is not already in place and approved).

5.3 Car Parking

A Holiday Home satisfies the **deemed-to-comply** provisions if:



C3.1 The Holiday Home will have constructed on-site car parking bays, consistent with the size and manoeuvrability criteria set out in the *Residential Design Codes of Western Australia*, but with no more than any of two bays arranged one behind the other (i.e. tandem bays are permitted, with two bays one behind another, but not with a third bay behind another two), in accordance with the following rates:

76

Maximum number of occupants	Minimum number of car parking bays required
1-3	1
4-6	2
7-8	3
9-10	4
11-12	5

A Holiday Home satisfies performance criteria provisions if:

- P3.1 The City is satisfied that the Holiday Home has a minimum of two constructed on-site car parking bays and, where additional car parking bays would be required to comply with C3.1 above, at least the equivalent number of cars could park on the site without the need for cars to park on the verge, in adjacent or nearby public car parking, or in visitor car parking bays within a unit complex or similar; or
- P3.2 Where a Holiday Home is located in the 'Business' Zone, the City is satisfied that the Holiday Home will not have a noticeable effect on the availability of public car parking within the locality.

5.4 Dwelling Design

A Holiday Homes satisfies the deemed-to-comply provisions if:

- C4.1 The Holiday Home is an existing, lawful dwelling; or
- C4.2 If the Holiday Home is not an existing, lawful dwelling, the Holiday Home will meet all of the relevant design standards and requirements that would apply to a new dwelling on the land, including the requirements of the Local Planning Scheme (including the *Residential Design Codes of Western Australia*), all relevant Local Planning Policies, and all relevant Structure Plan, Activity Centre Plan and Local Development Plan provisions; and
- C4.3 The maximum number of occupants within a Holiday Home complies with the following standards:
 - (a) There is 5.5 square metres per occupant in each bedroom utilising beds; and
 - (b) There is 3.5 square metres per occupant in each bedroom utilising bunks; and
 - (c) There is sufficient bedroom space to accommodate the maximum number of occupants consistent with (a) and (b) above; and



C4.4 Bedrooms in a Holiday Home are provided in accordance with the following rates:

Maximum number of occupants	Minimum number of bedrooms required
1-2	1, or studio
3-4	2
5-8	3
9-12	4

77

C4.5 Bathrooms and toilets in a Holiday Home are provided in accordance with the following rates:

Maximum number of occupants	Minimum number of bathrooms/toilets required
1-6	1 bathroom and 1 toilet
7-12	1 or 2 bathrooms and 2 toilets

A Holiday Homes satisfies the **performance criteria** provisions if C4.1 or C4.2 is met, and C4.3 and C4.5 are met; and:

P4.1 The City is satisfied that the dwelling design is appropriate to accommodate the proposed maximum number of occupants. In general, if C4.4 is not met, this would only be the case if there are a smaller number of relatively large bedrooms.

Note: the Local Planning Scheme establishes that the maximum number of occupants in a Holiday Home (Single House), regardless of the number or size of bedrooms, is 12, and the maximum number of occupants in a Holiday Home (Grouped/Multiple Dwelling) is six. The City has no discretion to approve Holiday Homes with maximum occupant numbers higher than those limits.

5.5 Bush Fire Management

A Holiday Home satisfies the **deemed-to-comply** provisions if:

- C5.1 The Holiday Home is not on land identified as being in a bushfire prone area by an order made under section 18P of the Fire and Emergency Services Act 1998; or
- C5.2 The Holiday Home will meet all of the relevant design standards and requirements that would apply to a dwelling on land identified as being in a bushfire prone area by an order made under section 18P of the Fire and Emergency Services Act 1998 and will meet all of the relevant design standards and requirements for a minor vulnerable development described in the WAPC Guidelines for Planning in Bushfire Prone Areas, including but not limited to the following -
 - C5.2.1 A Bushfire Management Plan and Bushfire Emergency Evacuation Plan developed consistent with the Guidelines for Planning in Bushfire Prone Areas ('vulnerable land use') has been submitted; and
 - C5.2.2 The building has been constructed to the determined BAL requirement and associated Deemed to Satisfy solution pursuant to AS3959-2009 (Construction of building in bushfireprone areas); and
- C5.3 The Asset Protection Zone (APZ) required -

78

Attachment B



- (a) is no greater than 25 metres from the building to a determined hazard;
- (b) can be accommodated entirely within the subject lot; and
- (c) can be created and maintained without need to obtain a clearing permit under the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and/or approval under the (Commonwealth) Environmental Protection and Biodiversity Conservation Act 1999.-

A Holiday Home satisfies the performance criteria provisions if:

- P5.1 C5.2.1 has been complied with; and
- P5.2 If C5.2.2 has not been complied with, the building has been constructed to the determined BAL requirement by Performance Solution as provided for by part 1.0 in NCC 2016 Building Codes of Australia Volume 2; and
- P5.3 (a) If C5.3 (a) has not been complied with, a larger APZ may be supported, but only to the extent necessary to allow the construction standard to be reduced to BAL29; and
 - (b) If C5.3 (b) has not been complied with -
 - where the APZ extends outside the subject lot, it overlaps substantially with an APZ already on an adjoining lot; or
 - (ii) a perpetual agreement is in place with the owner (in case of freehold land) or manager (in the case of Crown/reserve land) to allow and require the maintenance of the portion of the APZ that extends beyond the subject lot; and
 - (c) If C5.3 (c) has not been complied with, the necessary permit or approval has been obtained, or the applicant commits to seeking the necessary permit or approval prior to commencement of development (including change of use).



ADOPTION NOTICE

ADOPTION OF PLANNING POLICY - Commercial and Industrial Development Policy

In accordance with Clause 103 of District Town Planning Scheme 20, and the City Resolution C1003/069 dated the 10^{th} March 2010, notice is hereby given that the City resolution took effect on the 9^{th} April 2010 to finally adopt the Local Planning Policy - Commercial and Industrial Development Policy.

Proposed Holiday Home Policy

HOLIDAY HOMES LOCAL PLANNING POLICY

1.0 HEAD OF POWER AND SCOPE

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

2.0 PURPOSE

The purpose of this Policy is to -

- Provide clear guidance regarding the assessment of applications for development approval for Holiday Homes; and
- Identify circumstances in which Holiday Homes will be supported, and circumstances in which Holiday Homes may be supported, given more detailed consideration.

3.0 INTERPRETATION

3.1 The two terms defined below are critical to interpretation of this Policy -

"Deemed-to-Comply" means a provision which, if satisfied, means that an application is deemed compliant with respect to the matters subject of that provision. The local government shall not refuse to grant approval to an application where the application satisfies all of the relevant Deemed-to-Comply provisions.

"Performance Criteria" means provisions to be used in the preparation, submission and assessment of development proposals for the purpose of determining their acceptability, where they do not meet the relevant Deemed-to-Comply provisions.

Note: applications that do not meet all of the 'deemed-to-comply' provisions would be assessed against the relevant 'performance criteria' (i.e. they would only be assessed against the latter in relation to those aspects to which they do not meet the former). So if the 'car parking' deemed-to-comply provisions are met, but the 'dwelling design' ones are not, dwelling design related issues would require assessment against the dwelling design performance criteria, but the car parking related issues would not require assessment against the car parking related performance criteria. Similarly, if the potable water elements of the 'utility servicing' deemed-to-comply provisions are met, but the refuse collection ones are not, it is only the refuse collection issues that need to be considered against the directly related performance criteria.

3.2 Other terms should be interpreted in the same way as they would be interpreted if they were contained within the City of Busselton Local Planning Scheme No. 21, other than those terms defined below -

"Bushfire Policy' means the Bushfire Local Planning Policy.

"Deemed-to-Comply" means a provision which, if satisfied, means that a Holiday Home is deemed compliant with respect to the matters subject of that provision. The local government shall not refuse to grant approval to an application where the application satisfies all of the relevant Deemed-to-Comply provisions.

81

"Holiday Home (Multiple/Grouped Dwelling)" means a grouped dwelling or multiple dwelling, which may also be used for short stay accommodation for hire or reward for no more than six people (but does not include a bed and breakfast, chalet development, guesthouse, rural tourist accommodation or tourist accommodation).

"Holiday Home (Single House)" means a single house (excluding ancillary accommodation), which may also be used for short stay accommodation for hire or reward for no more than 12 people (but does not include a bed and breakfast, chalet development, guesthouse, rural tourist accommodation or tourist accommodation).

"Holiday Home" means both a Holiday Home (Multiple/Grouped Dwelling) and/or a Holiday Home (Single House).

"Performance Criteria" means provisions to be used in the preparation, submission and assessment of development proposals for the purpose of determining their acceptability, where they do not meet the relevant Deemed-to-Comply provisions.

"Policy" means this Holiday Homes Local Planning Policy.

4.0 POLICY STATEMENT

Note: headings in the table below do form part of the policy statement.

Deemed-to-Comply	Performance Criteria
4.1 LOCATION	
A Holiday Home satisfies the Deemed-to-Comply provisions if: C1.1 The Holiday Home is located within an existing, lawful dwelling (other than a dwelling approved as a second dwelling or rural worker's dwelling pursuant to clause 4.5 (f) or (g) of the Local Planning Scheme, or equivalent clause in previous schemes) in the Agriculture or Viticulture and Tourism Zone; or C1.2 In all other Zones, the Holiday Home has direct frontage to a public road and/or public open space and has a minimum of 350m²	A Holiday Home satisfies the Performance Criteria provisions if: P1.1 The City is satisfied that approval of the Holiday Home is not likely to have a significant impact on the amenity of adjoining and nearby residents and would not constitute the conversion of a second dwelling or rural worker's dwelling to a Holiday Home.
exclusively for the use of the dwelling; or C1.3 For a Holiday Home (Grouped/Multiple Dwelling), written support has been received by the local government from the majority of owners of properties in the complex or development within which the Holiday Home is to be located (excluding the owner of the site subject of the application, unless the applicant owns all of the properties in the complex or development). 4.2 UTILITY SERVICING	

Proposed Holiday Home Policy

82

A Holiday Home satisfies the Deemed-to-Comply provisions if:

- C2.1 The Holiday Home is connected to reticulated water, or provided with a 135,000 litre rainwater tank for the exclusive use of the Holiday Home; and
- C2.2 The Holiday Home is located within the City's kerbside refuse collection area; and
- C2.3 The Holiday Home is connected to reticulated sewerage, or there is an approved on-site effluent disposal system with adequate capacity for the proposed number of occupants.

Note: in areas not serviced by reticulated sewerage, it should not be assumed that an existing on-site effluent disposal system approved for a single house will have sufficient capacity for the proposed number of occupants without the need for upgrading. Advice should be sought from the City's Environmental Health staff prior to lodging an application for development approval.

A Holiday Home satisfies the Performance Criteria provisions if:

- P2.1 The City is satisfied that the Holiday Home will have an adequate supply of potable water; and
- P2.2 The City is satisfied that the Holiday Home will be provided with an adequate refuse collection service; and
- P2.3 The City is satisfied that the Holiday Homes will be provided with an adequate on-site effluent disposal system (and provision of such would be a condition of any approval, to be met prior to the commencement of the use if a suitable system is not already in place and approved).

4.3 CAR PARKING

A Holiday Home satisfies the Deemed-to-Comply provisions if:

C3.1 The Holiday Home will have constructed onsite car parking bays, consistent with the size and manoeuvrability criteria set out in the Residential Design Codes of Western Australia, but with no more than any of two bays arranged one behind the other (i.e. tandem bays are permitted, with two bays one behind another, but not with a third bay behind another two), in accordance with the following rates:

Maximum	1	Minir	num num	ber of	
number	of	car	parking	bays	
occupants	S	required			
1-3		1			
4-6		2			
7-8		3			
9-10		4			
11-12		5			

A Holiday Home satisfies Performance Criteria provisions if:

- P3.1 The City is satisfied that the Holiday Home has a minimum of two constructed on-site car parking bays and, where additional car parking bays would be required to comply with C3.1 above, at least the equivalent number of cars could park on the site without the need for cars to park on the verge, in adjacent or nearby public car parking, or in visitor car parking bays within a unit complex or similar; or
- P3.2 Where a Holiday Home is located in the 'Business' Zone, the City is satisfied that the Holiday Home will not have a noticeable effect on the availability of public car parking within the locality.

4.4 DWELLING DESIGN

A Holiday Homes satisfies the Deemed-to-Comply provisions if:

- C4.1 The Holiday Home is an existing, lawful dwelling; or
- C4.2 If the Holiday Home is not an existing, lawful dwelling, the Holiday Home will meet all of

A Holiday Homes satisfies the Performance Criteria provisions if C4.1 or C4.2 is met, and C4.3 and C4.5 are met; and:

P4.1 The City is satisfied that the dwelling design is appropriate to accommodate the proposed maximum number of occupants. In general, if C4.4 is not met, this would only

Proposed Holiday Home Policy

83

the relevant design standards and requirements that would apply to a new dwelling on the land, including the requirements of the Local Planning Scheme (including the *Residential Design Codes of Western Australia*), all relevant Local Planning Policies, and all relevant Structure Plan, Activity Centre Plan and Local Development Plan provisions; and

- C4.3 The maximum number of occupants within a Holiday Home complies with the following standards:
 - (a) There is 5.5 square metres per occupant in each bedroom utilising beds; and
 - (b) There is 3.5 square metres per occupant in each bedroom utilising bunks; and
 - (c) There is sufficient bedroom space to accommodate the maximum number of occupants consistent with (a) and (b) above; and
- C4.4 Bedrooms in a Holiday Home are provided in accordance with the following rates:

Maximum		Minimum number	of
number	of	bedrooms required	
occupants			
1-2		1, or studio	
3-4		2	
5-8		3	
9-12		4	

C4.5 Bathrooms and toilets in a Holiday Home are provided in accordance with the following rates:

Maximum		Minimum number of				
number o	f	bathrooms/toilets				
occupants		required				
1-6		1 bathroom and 1 toilet				
7-12	Т	1 or 2 bathrooms and 2				
		toilets				

be the case if there are a smaller number of relatively large bedrooms.

Note: the Local Planning Scheme establishes that the maximum number of occupants in a Holiday Home (Single House), regardless of the number or size of bedrooms, is 12, and the maximum number of occupants in a Holiday Home (Grouped/Multiple Dwelling) is six. The City has no discretion to approve Holiday Homes with maximum occupant numbers higher than those limits.

4.5 BUSHFIRE MANAGEMENT

A Holiday Home satisfies the Deemed-to-Comply provisions if:

C5.1 The Holiday Home satisfies the Deemed-to-Comply provisions of the Bushfire Policy. A Holiday Home satisfies the Performance Criteria provisions if:

P5.1 The Holiday Homes satisfies the Performance Criteria provisions of the Bushfire Policy.

5.0 RELATED DOCUMENTATION / LEGISLATION

13.2 Attachment C

- 5.1 City of Busselton Local Planning Scheme No. 21
- 5.2 City of Busselton Holiday Homes Local Law

REVIEW DETAILS 6.0

Date	Description
12 December 2012	Initial adoption
26 August 2015	Removal of 'preferred area' designations
14 March 2018	Reformatting and inclusion of bushfire related guidance

85









Position Statement:

Tourism land uses within bushfire prone areas

December 2018

Disclaime

This document has been produced by the Department of Planning, Lands and Heritage on behalf of the Western Australian Planning Commission. Any representation, statement, opinion or advice expressed or implied in this publication is made in good faith and on the basis that the Government, its employees and agents are not liable for any damage or loss whatsoever which may occur as a result of action taken or not taken, as the case may be, in respect of any representation, statement, opinion or advice referred to herein. Professional advice should be obtained before applying the information contained in this document to particular circumstances.

© State of Western Australian

Published by the Western Australian Planning Commission Gordon Stephenson House 140 William Street Perth WA 6000

Locked Bag 250 Perth WA 6001

Published December 2018

website: www.dplh.wa.gov.au email: info@dplh.wa.gov.au

tel: 08 6551 8002 fax: 08 6551 9001 National Relay Service: 13 36 77 This document is available in alternative formats on application to the Communications Branch.



2. Tourism land uses in bushfire prone areas in Western Australia

The social and economic importance of tourism is recognised in the State Planning Strategy, and many regional and local planning strategies. This position statement recognises the need to provide a framework to facilitate appropriate tourism opportunities across Western Australia, where they are supported by a regional or local planning strategy.

Many tourism proposals are intrinsically linked to the natural landscape values of an area and often the remoteness of the location. This link to natural amenity and remote locations makes it difficult for many tourism proposals to meet the current provisions of SPP 3.7 Planning in Bushfire Prone Areas (SPP3.7) and the supporting Guidelines for Planning in Bushfire Prone Areas (Guidelines).

In addition no construction requirements for caravans and tents are provided in Australian Standard (AS) 3959 and little can be done to enhance structural resilience. The provision of Asset Protection Zones (APZs) for the purpose of ensuring the structure can withstand the onset of a bushfire is no longer a valid assessment criteria.

3. Application of this policy

27 March 2019

This position statement is to be read in conjunction with SPP 3.7 and the Guidelines. It is to be used to inform and guide decision-makers, referral agencies, landowner/proponents and consultants to help achieve acceptable bushfire protection outcomes specifically for tourism land uses.

All strategic planning proposals, subdivision applications and development applications proposing tourism land uses within a designated bushfire prone area, shall have due regard to SPP 3.7. The preparation of a Bushfire Management Plan (BMP) and an Emergency Evacuation Plan (EEP) shall be undertaken in accordance with the Guidelines for a vulnerable land use. The proposal will be required to demonstrate compliance with the policy objectives and measures of this position statement.

In accordance with the Guidelines, all vulnerable land uses should be referred to the Department of Fire and Emergency Services for assessment.

Draft **Position Statement:** Tourism land uses within bushfire prone areas December 2018

2

87

4. Policy objectives

The policy objectives are to:

- minimise vulnerability of tourism land uses in bushfire prone areas;
- provide bushfire protection relevant to the characteristics of the tourism land use;
- identify and understand the risks in order to anticipate and provide suitable bushfire risk management measures;
- achieve a balance between bushfire risk management measures, environmental protection and biodiversity management and landscape amenity.

5. Policy measures

Applications for tourism land uses should, as far as possible achieve the 'intent' for each element contained within the Guidelines. Specific bushfire policy measures or details on expectations to meet the general policy measures are included in section 5.1.

General policy measures for all tourism land uses are:

- Minimize levels of radiant heat, smoke and ember attack through the provision of APZs for built structures;
- Provision of an appropriate operational environment for emergency service personnel during firefighting and emergency management;
- Provision of two different access routes in two different directions to two different destinations, or provision of a refuge (included below as a land use specific measure); and
- Provision of 10,000 litre minimum static water supply dedicated for firefighting purposes for each habitable building where no reticulated water is available.

5.1 Land use specific bushfire protection measures

Different tourism land uses demonstrate different characteristics and may be considered to require different levels of protection. Reasons for setting bushfire protection measures specific to the type of tourism development include, but are not limited to:

- · Lower occupancy levels,
- The presence of a resident/manager on-site, thereby improving the potential for informed emergency evacuation decisions,
- Construction under AS 3959 may be impractical (ie. tents and caravans) or the dwelling may already exist,
- · Remoteness of the site.

Definitions below are consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015.*

Bed and breakfast and holiday house

A bed and breakfast is a dwelling used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than four adult persons or one family and containing not more than two guest bedrooms.

Holiday house means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.

The decision maker may determine that a bed and breakfast or holiday home that is within (or contiguous with) a residential built out area, satisfies the definition within SPP3.7 of 'minor development'. A BMP

and an EEP should be provided to reflect the minor nature of the development. The Simple Development Application BMP template should be used.

Where a bed and breakfast or holiday home is outside of a residential built out area, the bushfire protection criteria. contained within the Guidelines, should be addressed as far as practical. Where the building is existing, the building should be modified to achieve a BAL-19 construction standard in accordance with AS 3959, regardless of whether an APZ can be provided. Improvements to the site may include provision of an APZ, improved internal vehicular access and provision of 10,000 litres of water designated for fire fighting purposes. Two way vehicular access to two different destinations should be provided. A BMP and a simplified EEP should be provided to suit the residential scale of the vulnerable land use. The Simple Development Application BMP template should be used.

New buildings should comply with the bushfire protection criteria contained within the Guidelines. A BMP and an EEP should be provided.

Attachment D

Draft **Position Statement:**Tourism land uses within bushfire prone areas
December 2018

3

Holiday accommodation

Holiday accommodation means two or more dwellings on one lot used to provide short term accommodation but does not include a bed and breakfast.

An APZ should be established in accordance with acceptable solution A2.1 (element 2 of the Guidelines). Construction is applied in accordance with AS 3959; or where the buildings are existing, the buildings should be modified to achieve a minimum BAL-19 construction standard in accordance with AS 3959, regardless of whether an APZ can be provided.

Where suitable vehicular access to two different destinations cannot be provided, the BMP should identify the risks and propose bushfire mitigation measures to reduce this risk, including a refuge building or open space area. Refer to section 5.2 below.

Caravan parks

Means premises that are a caravan park as defined in the Caravan Parks and Camping Grounds Act 1995 section 5(1). Standard type caravans and motor homes used for short-term tourist accommodation generally cannot achieve any level of construction under AS 3959. Compliance with the general policy measures should be demonstrated including the provision of APZs for habitable buildings such as offices, shops and enclosed

eating areas. The emphasis should also be on emergency management, early evacuation and/or non-operation on days of catastrophic fire danger rating or in high fire risk areas, a fire danger rating of very high, severe or extreme, may be more appropriate.

Where suitable vehicular access to two different destinations cannot be provided, the BMP should identify the risks and propose bushfire mitigation measures to reduce this risk, including a refuge building or open space area. Refer to section 5.2 below.

Camping

Means premises that are a camp or camping ground as defined in the Caravan Parks and Camping Grounds Act 1995 section 5(1). No construction requirements for tents are provided in AS 3959. Due to the nature of materials used in tent construction, little can be done to enhance structural resilience. Generally caravan parks (particularly town based parks) will contain a component of camping sites and compliance with the general policy measures should be demonstrated. The emphasis should also be on emergency management, early evacuation and/or non-operation on days of catastrophic fire danger rating or in high fire risk areas, a fire danger rating of very high, severe or extreme, may be more appropriate. Western Australia contains many camping grounds that are remote

from townsites and emergency services and require special consideration. Some of these camping grounds provide limited facilities and may or may not include an on-site caretaker. There is an inherent risk associated with these areas, bushfire being one of them. It is the responsibility of the owner/operator to provide information on the bushfire risks associated with the area and any emergency management options available. It is also the responsibility of those visiting these areas to understand and prepare for these risks. Vehicular access may be limited to 4-wheel drive; and potable water and water for firefighting may not be available.

The use of remote camping grounds in high risk bushfire prone areas during periods of elevated bushfire danger is discouraged. The BMP should identify the risks and propose bushfire mitigation measures to reduce this risk. This could include improvements to vehicular access, signage and identification of areas of 'least risk' for the camp sites. Refer to section 5.2 below.

The importance of identifying potential risks and options for seeking refuge should be considered through the preparation of the EEP. Where there are no structures provided on-site, a bushfire refuge building may not be deemed appropriate; however consideration could be given to the identification of a refuge open space area, such as the beach.

5.2 Bushfire risk assessment

Developing tourism land uses within remote and/or heavily vegetated areas comes with an inherent risk of bushfire. Risks can be reduced but can never be fully eliminated. These risks must be understood in order to anticipate and manage them and foster a culture of resilience at all levels.

This position statement provides for a risk based assessment and if necessary, the use of contingencies in the assessment of tourism proposals that cannot achieve vehicular access in two different directions to two different destinations. Risk treatment measures may include additional and alternative contingency measures. Closure of a tourism facility when the bushfire risk is elevated, early evacuation in response to a bushfire alert or warning, and/or the provision of a refuge building or open space area as a place of last resort, are contingency options that may be suitable for tourism land uses. The suitability should be evaluated by an accredited level 3 bushfire planning practitioner and detailed within an EEP.

The Australian/New Zealand Standard Risk Management – Principles and Guidelines (ISO31000:2009) sets out the relationship between the principles for managing risk, the framework in which it occurs

Draft **Position Statement:**Tourism land uses within bushfire prone areas December 2018

4

89

and the risk management process. These principles should be applied to assist with demonstration of compliance with this position statement.

Decision makers will need to be satisfied that the BMP:

- 1. identifies the risks:
- proposes risk treatment measures appropriate to the development and the demonstrated risks, consistent with the bushfire protection measures; and
- identifies an appropriate and rigorous process for ongoing monitoring and review of risk management for the life of the development.

5.3 Contingency measures

Refuge buildings and refuge open space areas

The early evacuation of visitors based on an imminent bushfire threat should always be the first consideration, and will form the basis of a successful EEP. Care must be taken to avoid creating a perception that sheltering on site, within a designated refuge, will provide a degree of protection that aligns with it being considered a first resort option.

Sheltering in a refuge must be accepted as being a last resort option when it is no longer safe to evacuate to an area not prone to bushfire risk. It should be

emphasised that a refuge is not a standalone solution to mitigating risk to life and safety.

The refuge should be provided with sufficient space for all employees and the maximum number of visitors that could be on-site at any given time. The refuge should be easily accessible from the tourism development with designated and sign-posted paths.

The proposed refuge building or open space area should be designed to withstand bushfire attack in the form of wind, smoke, embers, radiant heat and flame contact. A refuge building needs to have a sufficient separation distance from the predominant bushfire prone vegetation to avoid exposure to a radiant heat flux exceeding 10kW/m².

Where an open space refuge area with a BAL of 2kW/m² or less, in lieu of a refuge building is contemplated, it is important to recognise that there will be less protection for people and therefore the threshold of acceptable bushfire attack is significantly less. Whilst the separation distances from bushfire prone vegetation to achieve 2kW/m² are likely to be considerable, some coastal tourism land uses may be able to utilise the beach as a refuge open space area. These land uses may include primitive camping sites that offer limited facilities.

Any proposed refuge building or refuge open apace area will be assessed against the "Design and Construction of Community Bushfire Refuges Handbook" (Australian Building Code Board 2014). A construction level of BAL-12.5 is applied to the refuge building in accordance with AS 3959. The refuge building will need to be designed and certified by a suitably qualified engineer.

It is recommended that the following conditions are imposed on a development approval.

- The proposed bushfire refuge shall be designed by a qualified fire engineer in accordance with the ABCB Design and Construction of Community Bushfire Refuges Handbook (2014).
- A final inspection of the proposed bushfire refuge shall be undertaken by a qualified fire engineer. The fire engineer shall provide certification that the works have been completed in accordance with the requirements of the ABCB Design and Construction of Community Bushfire Refuges Handbook (2014).
- A bushfire refuge management plan shall be prepared to detail the maintenance requirements and annual test requirements for operation compliance.
- A bushfire consultant or fire engineer shall undertake annual testing and provide a compliance certificate to the local government, at least one month prior to fire season commencing.

Early evacuation

Consideration should be given to the early evacuation of a facility in response to a pre-determined fire danger rating on any given day. This option would be reliant on a caretaker or staff member residing on-site and in a position to activate the approved EEP.

Early evacuation requires adoption of a trigger point. The trigger point should be conservative due to the vulnerability associated with the likely occupants. The trigger point will be different across the state, and will need to be articulated within the EEP.

An appropriate 'safer place' should be identified in the event of a bushfire or trigger point. A 'safer place' is a place that is not prone to bushfire risk, is generally not on the subject site, is accessible and in reasonable proximity to the tourism facility. Local governments are encouraged to identify suitable buildings or areas for use by the community in the event of a bushfire emergency.

The option to evacuate will be dependent on the remoteness of the tourism facility.

Closure of a tourism facility

Closure of a day use facility on any day where the fire danger rating exceeds a pre-determined trigger point is another possible contingency measure. The trigger point should be conservative due

Draft **Position Statement:**Tourism land uses within bushfire prone areas
December 2018

5

to the vulnerability associated with the likely occupants. As a guide, national parks are closed to the public on days of a catastrophic fire danger rating and for some parks within high bushfire risk areas, closure may occur on days rated extreme, severe and very high. Consideration should also be given to closing during a total fire ban. The trigger point will be different across the state, and will need to be articulated within the EEP.

Consideration could also be given to the closure of a tourism facility during periods of the year where the bushfire risk is elevated. It is likely this would only be realistic for a limited number of tourism facilities, or in limited areas of the state.

5.4 Emergency evacuation plan

It is a requirement for all vulnerable land uses (except a bed and breakfast and a holiday home within residential built out areas) to be accompanied by an EEP. The EEP will be critical in determining the overall suitability of the proposal. Key considerations that should be addressed are outlined in section 5.5.3 of the Guidelines. The EEP should make provision for the specific tourism land use, the number of people, and whether there is a caretaker on-site.

The EEP should be prepared in consultation with the owner/operator, the local government and the local fire brigade; and distributed to visitors through appropriate signage or information sheets.

Where early evacuation is contemplated, visitors should be clear about where to travel to and signage should be provided. The differences in responses by emergency services, including time taken to respond, should be understood and included in the FEP.

The local government is encouraged to require the preparation of a bushfire management plan and EEP by an accredited level 3 bushfire practitioner; and to require as a condition of approval, regular review of the EEP to ensure it remains valid and relevant.

Definitions

Safer place: a public building or land (such as an oval), registered by the local government, for use by the community, in the event of a bushfire (or other) emergency. It provides for improved protection of human life during the onset and passage of a bushfire. It is in a central location where people facing an immediate threat to their personal safety or property can gather and seek shelter from the impact of bushfire.

Bushfire refuge: for the purpose of this position statement is a designated building or open space area that can provide short-term shelter from the immediate life-threatening effects of a bushfire event.

Short term accommodation: means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than three months in any 12 month period.

Residential built out area: refers to a lot that is within close proximity to emergency services, access to reticulated water and is within, or contiguous with, an urban area or town (or similar).

References

COAG 2011, The National Disaster Resilience Strategy, Australia

Emergency Management Victoria 2015, Construction and Project management Guidelines for Community Fire Refuge, Victoria

Emergency Management Victoria 2015, Community Fire Refuges, Victoria

Fire Services Commissioner Victoria 2014, Design and Construction of Community Bushfire Refuges – Handbook. Australian Building Code Board

NSW Rural Fire Service 2018, Planning for Bushfire Protection, NSW

NSW Rural Fire Service 2017, Neighbourhood Safer Places, NSW

NSW Rural Fire Service 2014, Ecotourism factsheet 1/14, NSW

14. ENGINEERING AND WORK SERVICES REPORT

Nil

15. COMMUNITY AND COMMERCIAL SERVICES REPORT

15.1 <u>COMMUNITY SPORT & RECREATION FACILITIES FUND - SMALL GRANTS ROUND</u> APPLICATION FEBRUARY 2019

SUBJECT INDEX: CSRFF 2019

STRATEGIC OBJECTIVE: A community with access to a range of cultural and art, social and

recreational facilities and experiences.

BUSINESS UNIT: Community Development ACTIVITY UNIT: Community Development

REPORTING OFFICER: Club Development Officer - Pam Glossop

AUTHORISING OFFICER: Director, Community and Commercial Services - Naomi Searle

VOTING REQUIREMENT: Absolute Majority

ATTACHMENTS: Attachment A CSRFF Application to Sport and Recreation U.

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.

Small grant applications must be submitted by local government authorities to the Department of Local Government, Sport and Cultural Industries (DLGSC) by 29 March 2019. The purpose of this report is to meet the CSRFF criteria, by outlining the submissions received for projects within the City for the current funding round and request that Council rates and ranks the applications prior to forwarding to DSR for final consideration.

BACKGROUND

Administered by DLGSC, the CSRFF program provides financial assistance of up to one third of the total capital cost for the development of well-planned facilities for sport and recreation.

Local government authorities are required to assess, rate and rank small grant applications received within their municipality and make submission to DLGSC by the end of March and August of each year. In 2019/2020 the total project value for the small grant round is \$5,000 to \$200,000 (excluding GST).

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

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

Applications for the current funding round closed on Monday, 28 February 2019 and must be assessed and submitted to the South West Office of Sport and Recreation no later than 29 March 2019.

During April to June, 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. Funds for successful applications will become available around July 2019.

One (1) application was received for the February small grants round as follows:

1. Dunsborough Lakes Golf Club – Construction of an all-weather training facility (Lot 9050, Plan 401791, Clubhouse Drive, Dunsborough WA 6281)

STATUTORY ENVIRONMENT

There are no key statutory considerations to note in relation to this matter.

RELEVANT PLANS AND POLICIES

A key goal of this City of Busselton's Social Plan 2015-2025 is to 'create needed, quality, sustainable recreation and leisure facilities and services for our community.'

FINANCIAL IMPLICATIONS

The application received from Dunsborough Lakes Golf Club (DLGC) is for the construction of an indoor golf training facility at a total cost of \$54,633 (ex GST), one third of which is requested through CSRFF. As part of the project DLGC have requested a City contribution of \$18,211, one third of the total project cost. DLGC would fund the balance of the project.

Officers recommend that the City's contribution is funded from the City's 2019/20 community bids program. With a proposed budget of approximately \$238k, the next funding round for the program opens in April 2019, however the CSRFF application must be submitted prior to this and total funding contributions must be confirmed at the date of submission. Should CSRFF funding application be unsuccessful, or the full amount of the funding request be reduced, the Club will fund the shortfall. Based on this the proposed funding contribution is as follows:

Contribution towards Project	Cost ex GST
Applicant Cash (including in kind)	18,211
City – Community Bids Budget	18,211
CSRFF grant application	18,211
Total Project Cost	54,633

LONG-TERM FINANCIAL PLAN IMPLICATIONS

The Community Bids Program is included in the long term financial plan.

STRATEGIC COMMUNITY OBJECTIVES

This matter aligns with the City of Busselton Strategic Community Plan 2017 and principally with the following Key Goal Area and community objectives:

Key Goal Area 1: Community – Welcoming, friendly and healthy

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

It further links to Council Strategy: e. Create sport and recreation hubs to service local and regional communities.

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 with the DLGC and DLGSC - South West Office.

OFFICER COMMENT

DLGC has indicated the need of an all-weather training facility to increase participation across user groups with special emphasis on juniors, ladies and all abilities groups, capitalising on the skills of a coach employed to train people with disabilities.

DLGC has grown from 365 members in 2016/17 to a current membership of 465, with a target of 500 by the 2019 season which opens in March 2019. Through their strategic plan, DLGC has set a growth membership target of 15% and a retention target of 90%.

DLGC has a range of clinics and programs proposed to utilise the new training facility targeting existing members, new members, juniors and women. In addition DLGC will introduce community activities such as the Stay on Your Feet program and other low impact activities such as yoga and pilates.

At a total cost of \$54,633 (ex GST), DLGC propose to contribute one third of the cost with the City and CSRFF contributing one third each. Should the CSRFF application not be successful, DLGC will fund the shortfall to ensure the project proceeds.

Officers are confident that DLGC members and broader community will benefit from this facility as it will be available for other user groups. As such officers recommend the project be assessed as a 'high' priority, rated (B) as it is well planned and needed by the applicant, and ranked number one (1) as it is the only application received.

CONCLUSION

The application received for the 2019/20 CSRFF small grants funding round presents sound reasoning and justification. It is recommended that this project be assessed as a 'high' priority and that it is a (B) well planned and needed by the applicant and a number one (1) priority for consideration in this round.

OPTIONS

Council could decide not to support the DLGC's application or determine an alternate rating and rank.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

DLGSC - South West Office staff will be advised in writing of Council's decision prior to the end of March 2019, when the application is submitted.

OFFICER RECOMMENDATION

ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED

That the Council:

- 1. Allocates \$18,211 towards the Dunsborough Lakes Golf Club all weather training facility, to be funded from the 2019/20 community bids budget;
- 2. Submits the Dunsborough Lakes Golf Club all weather training facility funding application to the Department of Local Government, Sport and Cultural Industries Community Sport and Recreation Facilities Fund and rates the application as a priority 'B' project, rank number 1;

96

Project Coordinator._



CSRFF Small Grants Application Form

For projects	up to \$200,00	00 to b	e ac	qui	tte	ed by	15 J	une :	2020		
You MUST discus and Cultural Indu render your proje	s your project with a stries office before co ct ineligible.	n officer fr ompleting	om ye and s	our n	ear ttin	est Depa ig your a	artment ipplicati	of Loca on. Fai	al Govern ilure to do	ment, Sport so will	
All applications I	MUST be submitted to the cut-of								vernment	to determine	
DLGSC Contact: Troy Jones Date: 18/2/19 Office: SouthWest											
Applicant's Detai	ls:										
Organisation Name	Organisation Name: Dunsborough Lakes Golf Club Inc.										
Postal Address:	Clubhouse Drive,	Dunsborou	ugh, V	VA 62	81						
Suburb:	Dunsborough	State:			WA	,		ostcod	de:	6281	
Street Address:	Clubhouse Drive										
Suburb:	Dunsborough	State:		,	WA		1	ostcod	le:	6281	
Preferred Contact Person: All application correspondence will be directed to this person											
Name:	Paul Devaney					Title:	Dr	□Mr x	. ☐ Mrs ☐	Ms	
Position Held:	Club Manager										
Business Phone:	08 9756 8733		Facs	simile:							
Mobile Phone:	0477882486		Ema	iil:		mana	iger@du	ger@dunsboroughlakesgolfclub.com.au			
Organisation Bus	iness Details:										
Does your organisa	tion have an ABN?	Yes [☒	No		ABI	N: 9013	775447	2		
Is your organisation	registered for GST?	Yes 2	☒	No						ling you must	
Is your organisation	not-for-profit?	Yes 🛭	\leq	No		exer		of the Inco	orporation Ce	rtificate. LGA's	
Is your organisation	incorporated?	Yes 🛭	⊴	No		Inco	orporatio	n#: A1	012290N *		
Bank details:		Bank: B	Bendige	o Bank	ζ	BSE	3: 63300	0	A/c: 14	4453719	
_ocal Governmen	t Authority Details:										
LGA:	City of Busselton										
Contact:	Pam Glossop	Pam Glossop Title: Dr ☐Mr ☐Mrs☐ Ms☒					rs□ Ms⊠				
Position Held:	Position Held: Club Development Officer										
Business Phone:	08 9781 1756			Facs	simi	ile:					

Email:

Mobile Phone:

Pam.Glossop@busselton.wa.gov.au

PROJECT DETAILS

Project Title (brief and specific): All weather training facility

Project Description:

To build an all-weather training facility to increase participation across all user groups but with a special emphasis on juniors, ladies and all abilities/special needs groups.

97

How did you establish a need for your project?

In 2016 the club developed its first strategic plan, which was subsequently reviewed in 2018. The strategic plan identified four pillars, one of which was 'participation' and another 'facilities'. The Strategic Plan is attached.

In summary, the club has a growth membership target of 15%. The provision of an all-weather facility will enable clinic participants to be coached during all weather conditions (including during hot weather and inclement weather). Usually coaching clinics run for 6 weeks and should the clinics be cancelled due to weather conditions, the result is a high dropout rate which then inhibits the transition of beginner clinics to the various levels of club membership. This applies to juniors and women especially.

As a part of the growth strategy, there is also a retention target of 90%. Having an indoor training facility will allow the club to conduct more coaching clinics for its members and decrease the numbers of people not renewing membership.

The following is a summary of what is currently being undertaken to increase membership and the Board is tasked to continue to design new membership growth strategies to meet the targets. The availability of a training facility will provide more opportunity for extra clinics.

Under participation, the club set a target of growing membership to 500 by 2019 with a focus on engaging junior members through the creation of junior golfing programs (we have now had the 'MyGolf' junior program running for three years and are experiencing growing numbers in the program) and engagement of local primary schools. We visit the two local primary schools regularly and provide golfing clinics on site as part of their physical education programs. Please note that the above programs are supported by Golf Australia. As a follow on to the 'MyGolf' junior program, we were heavily involved in setting up a SW junior league between 4 clubs in the South West to create a 'team spirit' and to allow our juniors experience golf at other clubs. This was the first such league established in the County and has been used as a model to roll out Nationally.

Subsequent to this, the club identified the importance of women in golf as they are often the key to the whole family getting involved. We have held successful ladies clinics which has resulted in many ladies taking up the game for the first time and many more getting back into golf after many years of inactivity. As a result of this we introduced a special category in our membership system to allow those who have taken part in ladies clinics access to the course for the remainder of the year to encourage ongoing participation in the sport. This has resulted in 14 new members in this category and 3 have now migrated to full club membership. We received funding from the WA Golf Foundation to assist us in running the ladies clinics.

Whilst our junior & ladies programs are certainly a success and are helping to increase participation in the sport of golf, it is often the case that our junior & ladies clinics are cancelled or see a dramatic reduction in participation due to inclement weather. An all-weather training facility would not only mean this reduction in participation wouldn't occur but would allow us to facilitate additional training/development which we currently cannot offer. With juniors & ladies clinics it is imperative that we keep these groups engaging with each other on a regular basis to create a 'team' environment otherwise we see a drop in participation within the groups.

Matthew Criss (Our newly appointed PGA Professional) is one of only 7 qualified special needs golf coaches in WA and the only one in the SW. We have a current partnership with Golf Australia Inclusion programs, which are designed at breaking down the barriers people with disabilities may have when starting golf. An indoor facility will allow a safe and comfortable environment for people of all abilities to participate in golf. We plan on partnering with the disabled surfers association in offering clinics to any participants in the DSA events as well as exploring other activities in the special needs area. As this area will be fully accessible and adjoining the disabled toilets & ablutions it will be the perfect area to utilise in this capacity.

We are planning to commence Stay On Your Feet programs to engage the elderly community around Dunsborough, which this space will allow us to commence. Stay On Your Feet is WA's falls prevention program for older adults living in the community. Stay On Your Feet aims to reduce falls and fall related injuries among older adults living in the community and encourage confidence in independent living. Stay On Your Feet is coordinated by Injury Matters. Injury Matters has been the service provider for the WA Department of Health's Stay On Your Feet program since 2001. It promotes how to keep active and alert through the Move Improve Remove campaigns and evidence informed programs to community members, health professionals and community workers.

There is a significant number of our members who will use the space for yoga/pilates throughout the week, we would expect this to be in the range of 8-10 hours per week. We would market for members of the community (non-members of the Club) to join in as well.

Attachment A

CSRFF Application to Sport and Recreation

98

In addition to this, there are limited spaces available in Dunsborough for community groups to utilise at certain times of the day and at certain times of the year. We will market to allow suitable community groups to utilise this space when not in use by the Club meaning the space would become a community asset. The Board has endorsed the plan to build the training facility which is aimed at increasing participation by providing a facility that can be used extensively in good and inclement weather. Please find attached a copy of the Board minutes dated January 8, 2019.								
What alternatives we	ere considered and why were they rejected (e.	.g cost,	suitabilit	y, feasib	oility)?			
unfeasible. The buildir	ilding an undercover driving range bay but the cong of a new clubhouse which incorporates a train any be only feasible in 10+ years.							
	e costs of the project been considered and cang and replacing the facility? Will a specific a							
	cluded in the Club's asset register and subject to ement costs in the future.	deprec	iation. The	Club wi	ll establish a			
Project location:	Adjoining the club rooms/ablution block - pleas	se see a	attached m	nap of fac	cilities			
Land ownership:	Who owns the land on which your facility will be located? Dunsborough Lakes Golf Club Inc Lease Expiry (if applicable): N/A							
Planning approvals	Development application & Building approval	If no,	provide th	e date it	will be applied for:			
Where applicable, ha	s planning permission been granted? (LGA)	Yes	□No	\boxtimes	15/3/19			
Aboriginal Heritage A	Act?	Yes	□No					
Department of Biodiv (Environmental, Swan	versity, Conservation and Attractions? River)	Yes	□No					
Native Vegetation Cle	earing Permit?	Yes	☐ No	\boxtimes	15/3/19			
Please list any other	approvals that are required?	V			45/0/40			
Building Permti	Building Permti Yes No 🛭 15/3/19							
How will your project increase physical activity? The facility will bring new participants into the sport of golf, it will reduce the need to cancel clinics due to inclement weather & the space will be used by other community groups for physical activities.								
It will also allow programs such as Stay on Your Feet to be held in this space.								
Current members will also benefit by being able to train indoors during inclement weather.								
Do you share your fac	Do you share your facility with other groups? Yes ☐ No ☒ If so, who:							

List the main sport and recreation activities (maximum of 3) which will benefit from your proposal. Please indicate the approximate % usage of the facility (or part of the facility relating to this proposal).

Sport/community organisation	% use of the facility	Hours per week	
Golf	50	15 -18	
Yoga/pilates	40	Up to 16	
Other	10	2	

Activity/sport membership numbers over the past three years relevant to your project. For example, if a bowls project, golf members not relevant; social membership numbers not applicable.

Note: if membership is not applicable, ie recreation facility or aquatic centre, enter the number of users of the facility.

2016/17 360 2017/18 395 2018/19 465

Attachment A CSRFF Application to Sport and Recreation

State Sporting Associations are involved in the assessment of applications and may be able to provide valuable information when planning you project, particularly in relation to technical design issues. They should be consulted as part of the application process. A complete list of State Sporting Associations and their contact details are is available on the department's website: http://www.dsr.wa.gov.au/contact-us/find-a-sport-or-recreation-association

What is the name of the State Sporting Association for your activity/sport?					
Golf WA					
Have you discussed your project with your State Sporting Association? Yes 🛛 No 🗌					
Contact Name: Gary Thomas	Date of contact:	18/2/2019)		

PROJECT DELIVERY

Please indicate key milestones of your project. The key milestones need to be realistic and demonstrate that the project can be delivered in the timeframe.

100

Task	Date
Attainment of Council approvals	August 2019
Preparation of tender/quotes for the major works contract	Complete
Issuing of tender for major works	September 2019
Signing of major works contract	October 2019
Site works commence	November 2019
Construction of project starts	November 2019
Project 50% complete	January 2020
Project Completed	March 2020
Project hand over and acquittal	April 2020

Are there any operational constraints that would impact on the construction phase of your project? (such as your sporting season, major annual event or inclement weather) – provide details. Projects that are delayed due to undeclared known constraints are not eligible for a deferral. Inclement weather during Winter.

None that are know of. The build will be during the summer months.

GST

Grant payments are payable to the applicant/grantee only. This may have taxation implications for grantees. If grantees wish specific advice relating to their grant, this can be obtained from the Australian Taxation Office (ATO). Please note depending upon the value of the project and/or grant, the ATO may require an organisation be registered for GST. If the applicant is registered for GST, the grant is grossed up with the GST amount

PRIVACY STATEMENT AND STATEMENT OF DISCLOSURE

The Organisation acknowledges and agrees that this Application and information regarding it is subject to the *Freedom of Information Act 1992* and that the Grantor may publicly disclose information in relation to this Application, including its terms and the details of the Organisation.

Any information provided by you to DLGSC can be accessed by you during standard office hours and updated by writing to DLGSC or calling (08) 9492 9700. All information provided on this form and gathered throughout the assessment process will be stored on a database that will only be accessed by authorised departmental personnel and is subject to privacy restrictions.

DLGSC may wish to provide certain information to the media for promotional purposes. The information will only include the applicant's club name, sport, location, grant purpose and grant amount.

APPLICANT'S CERTIFICATION

I certify that the information supplied is to the best of my knowledge, true and correct.

	Paul Devaney
Name:	
	Club Manager
Position Held:	
	Paul Devaney
Signature:	
	21/2/2019
Date:	
Our whole Community wins	

LODGEMENT OF YOUR APPLICATION

- Applications including all attachments are to be received electronically and officially submitted to <u>csrff@dlgsc.wa.gov.au</u> by the cut off date. A hard copy can also be provided and should be clipped at the top left-hand corner, please do not bind.
- It is recommended that you retain your completed application form, including attachments for your own records and future audit purposes.
- All attachments and supporting documentation (see next section) should be clearly named and identified and submitted with the application form.
- Applications must be submitted to your Local Government Authority by the Local Government's
 advertised cut-off date to ensure inclusion at the relevant Council Meeting.

The following documentation must be included with your application. Applicants may wish to supply additional RELEVANT information.

Grants up to \$66,666:

\boxtimes	Application form.
\boxtimes	Incorporation Certificate.
\boxtimes	Two written quotes.
\boxtimes	If your project involves the upgrade of an existing facility, include photograph/s of this facility.
\boxtimes	Locality map, site map and building plans (in relevant constructions projects), including where the proposed facility is located in relation to other sport and recreation infrastructure.
\boxtimes	Income and expenditure statements for the current and next financial years. (LGAs exempted).
\boxtimes	Written confirmation of financial commitments from other sources including copies of council minutes. (If a club is contributing financially then evidence of their cash at hand must be provided).
	For resurfacing projects, a written guarantee from the supplier of the product that clearly identifies the product's life expectancy.
\boxtimes	Itemised project cost for components and identified on the relevant quote for each (including cost escalation).
	For floodlighting projects, a lighting plan must be supplied showing lux, configuration and sufficient power supply

Your application will be considered not eligible if:

- You have not discussed your project with the Department of Local Government, Sport and Cultural Industries and your State Sporting Association.
- You do not meet the eligibility criteria for the grant category to which you are applying.
- You have not included with your application all the relevant required supporting documentation. There
 is no onus on Department staff to pursue missing documentation.
- Applicants/projects that have received a CSRFF grant in the past and have not satisfactorily acquitted
 that grant. In some cases this may apply to localities where other significant projects have not been
 progressed or have not completed a previous project in accordance with the conditions of the grant
 provided. An assessment will be made in November and if no physical progress has occurred, new
 applications may not be recommended.
- It is not on the correct application form.
- The project for which application is made is specifically excluded from receiving CSRFF support.

DEVELOPMENT BONUS APPLICANTS ONLY

If you applied for a CSRFF grant for more than one third of the cost of the project, please provide evidence of meeting at least one of the following criteria.

You MUST contact your local DLGSC office to determine eligibility before applying.

Category	Details
Geographical location	Regional/remote location Growth local government
Co-location	New Existing
Sustainability initiative	Water saving Energy reduction Other
Increased participation	New participants Existing participants – higher level Special interest

103

PROJECT BUDGET

ESTIMATED EXPENDITURE

Please itemise the components of your project in the table below, indicating their cost and which quote or part of quote was used to estimate this. Quantity Surveyor costs will be accepted however the responsibility lies with the applicant to ensure the validity of the information. A contingency allowance is considered an acceptable component. PLEASE ITEMISE BY COMPONENT (e.g. changerooms, storage, kitchen) rather than materials (electrician, plumber, finishings).

Project Description (detailed breakdown of project to be supplied	\$ Cost ex GST	\$ Cost inc GST	Quote Used (list company name and quote no)
ie Electrical Works	25,000	27,500	B & S Electrical
Site Works	1500	1650	TBC
Plans & Engineering	2850	3135	Richard Norrish
Materials - Concrete, Timber & decking	8582	9440	Harmans Timber
Roof Sheeting/gutters & Stormwater	4680	5148	Yallingup Roofing
Labour	12050	13255	Byrne Carpentry
Electrical including fixtures	3860	4246	Ballantyne Electrical
Wall & Ceiling liners	3165	3481.5	Yallingup Ceilings
Sliding door	2840	3124	JGS Glass
Blinds	6000	6600	Bay West Blinds & Shutters
Builders margin	9106	10017	MackBuild
Donated materials (Please provide cost breakdown)			
Volunteer labour (Please provide cost breakdown)			
Sub Total	54633	60097	,
Cost escalation			Please explain amount used
a) Total project expenditure	54633	60097	

- At least two written quotes are required for each component.
- If your project is a floodlighting installation or upgrades, please ensure that the power supply is sufficient and no upgrade will be required. If upgrade is required and not budgeted for, the grant will immediately be withdrawn. A **lighting plan** must be supplied showing lux and configuration.
- Projects that do not meet Australian Standards are ineligible for funding.

Our whole Community wins

PROJECT FUNDING

Source of funding	\$Amount ex GST	\$ Amount inc GST		Funding confirmed Y / N	Comments to support claim (please attach relevant support)
Local government	18211	20032	LGA cash and in-kind	У	Contained within council recommendation
Applicant cash	5361	5898	Organisation's cash	У	Bank statements attached
Volunteer labour	12850	14135	Cannot exceed applicant cash and LGA contribution – max \$50,000		\$7,000 volunteer labour with Byrnes carpentry to be carried out by club members – 280 hrs @ \$25 \$1,850 volunteer labour – Richard Norrish \$4,000 volunteer labour – Builders margin - Mackbuild
Donated materials			Cannot exceed applicant cash and LGA contribution		
Other State Government funding					
Federal Government funding			-		
Other funding – to be listed			Loans, sponsorship etc		
CSRFF request (No Development Bonus)	18211	20032	up to 1/3 project cost	N	
or CSRFF request (Development Bonus)			Up to ½ project cost	N	
b) Total project funding	54633	60097	This should equal project	expenditure as list	ted on the previous page

REQUIRED: If the funding approved is less than funding requested for this project, or the project is more expensive than indicated, where would the extra funds be sourced from? Is this funding confirmed? If the project scope would be reduced, which components would be revisited?

Should the CSRFF funding be reduced, the club is prepared to meet the financial shortfall. The project scope is unable to be reduced.

GS1

Grant payments are payable to the applicant/grantee only. This may have taxation implications for grantees. If grantees wish specific advice relating to their grant, this can be obtained from the Australian Taxation Office (ATO). Please note depending upon the value of the project and/or grant, the ATO may require an organisation be registered for GST. If the applicant is registered for GST, the grant is grossed up with the GST amount.

Attachment A

CSRFF Application to Sport and Recreation

PROJECT ASSESSMENT SHEET

This page is for the use of the relevant Local Government Authority to be used for both community and LGA projects. Please **attach copies of council minutes** relevant to the project approval.

105

Name of Local Gove	ernment Authority: City of Busselton
Name of Applicant:	Pam Glossop

Note: The applicant's name cannot be changed once the application is lodged at DLGSC.

Section A

The CSRFF principles have been considered and the following assessment is provided: (Please include below your assessment of how the applicant has addressed the following criteria)

All applications

Satisfactory	Unsatisfactory	Not relevant
		\boxtimes
\boxtimes		
\boxtimes		

Section B

Priority ranking of no of applications received	1 of 1 applications received
Is this project consistent with the	☐ Local Plan ☐ Regional Plan
Have all planning and building approvals been given for this project?	☐ Yes No
If no, what approvals are still outstanding?	Development Application and Building Permit

Project Rating (Please tick the most appropriate box to describe the project)

A	Well planned and needed by municipality	
В	Well planned and needed by applicant	\boxtimes
С	Needed by municipality, more planning required	
D	Needed by applicant, more planning required	
E	Idea has merit, more planning work needed	
F	Not recommended	

Please complete the questions attached. This assessment is an important part of the CSRFF process and your answers to these questions assist the committee make their recommendations, even if you are the applicant. Please provide a summary of any attachments in your assessment, rather than referring to attachments or external documents such as Council Minutes.

1. Please confirm your contribution to the project, whether it has been formally approved (including financial year for which it is approved) and any conditions on the funding. If no funding has been provided, why not?

106

The Club will be applying for a grant through the City's Community Bids Program. Whilst the program opens in March 2019 with the outcome announced in August 2019, the City of Busselton has approved the funding as per the attached council report to support the Dunsborough Lakes Golf Club for \$18,277 (1/3rd of the project cost).

- 2. A) If a community group application: Do you believe the project is financially viable, including the applicant's ability to provide upfront contributions, ongoing payments and contributions to an asset replacement fund. Does council commit to underwriting any shortfalls as the ultimate asset owner?
 - B) If a council application: Is Council fully aware of the ongoing cost of operating and maintaining this facility and does your organisation have the capacity to service it into the future? How are the user groups contributing to the ongoing cost of operating the facility?

The Golf Course & Club is broken up into two lots, lot 9049 (golf course, zoned special purpose) & lot 9050 (clubhouse, pro shop, car park, practice facilities and a portion of the first hole, zoned tourism). Lot 9049 is owned by the club unencumbered whilst lot 9050 is owned by the Club by way of a mortgage to the amount of \$770,000. The club has advised that all mortgage payment requirements are being satisfied. As the land is owned privately, the City is not in a position to underwrite any shortfalls. The land is zoned Special Purpose. The club constitution has the following dissolution clause:

1. Dissolution of the Club

- (a) The Club may cease its activities and have its incorporation cancelled in accordance with the Act if the Members resolve by Special Resolution that The Club will:
 - (i) apply to the Commissioner for cancellation of its incorporation; or
 - (ii) appoint a liquidator to wind up its affairs.
- (b) The Club must be wound up under Section 27(a) and Part 9 of the Act before cancellation can take place if it has outstanding debts or any other outstanding legal obligations, or is a party to any current legal proceedings.
- (c) Upon cancellation of The Club, the Surplus Property must only be distributed to one or more of the following:
 - (i) an incorporated association under the Act;
 - a body corporate that at the time of the distribution is the holder of a licence under the charitable collections legislation in Western Australia;
 - (iii) a company limited by guarantee that is registered as mentioned in section 150 of the Corporations Act 2001 (Cwth);
 - (iv) a company holding a licence that continues in force under section 151 of the Corporations Act 2001(Cwth);
 - (v) a body corporate that:
 - 1. is a member or former member of The Club; and
 - at the time of the Surplus Property is distributed, has rules that prevent the property being distributed to its members;
 - (vi) a trustee for a body corporate referred to in rule Section 27(c)(v); or
 - (vii) a co-operative registered under the Co-operatives Act 2009 that, at the time of the distribution, is a non-distributing co-operative as defined in that Act.

Please provide any additional comments regarding this applications merit against the assessment criteria to support your project rating and ranking.

107

The Club has indicated the need of an all-weather training facility to increase participation across all user groups but with a special emphasis on juniors, ladies and all abilities groups – especially as they have a coach employed who is trained in coaching people with disabilities.

The City is confident that the Club will benefit from this facility and also make it available for other user groups in the locality.

The club has provided the City with all of the necessary documentation and information to support this project.

Signed

Position Club Development

Officer

Date 28 February 2019

Applications for CSRFF funding must be submitted to your Department of Local Government, Sport and Cultural Industries office by **4pm on 29 March 2019**. Late applications cannot be accepted in any circumstances.

DLGSC OFFICES

PERTH OFFICE

246 Vincent Street Leederville WA 6007 GPO Box R1250 Perth WA 6844 Tel: (08) 9492 9700

PEEL

Suite 94 16 Dolphin Drive PO Box 1445 Mandurah WA 6210 Tel: (08) 9550 3100

PILBARA

Karratha Leisureplex Dampier Hwy, Karratha PO Box 941 Karratha WA 6714 Tel: (08) 9182 2100

SOUTH WEST

80A Blair Street PO Box 2662 Bunbury WA 6230 Tel: (08) 9792 6900 **GREAT SOUTHERN**

22 Collie Street Albany WA 6330 Tel: (08) 9892 0100

GASCOYNE

15 Stuart Street PO Box 140 Carnarvon WA 6701 Tel: (08) 9941 0900

GOLDFIELDS

Suite 1, 349-353 Hannan Street PO Box 1036 Kalgoorlie WA 6430 Tel: (08) 9022 5800

KIMBERLEY - Broome

Unit 2, 23 Coghlan Street PO Box 1476 Broome WA 6725 Telephone (08) 9195 5750 WHEATBELT - NORTHAM

298 Fitzgerald Street PO Box 55 Northam WA 6401 Tel: (08) 9690 2400

WHEATBELT - NARROGIN

Narrogin Leisure Centre 50 Clayton Rd Narrogin WA 6312 Telephone 0429 881 369

MID-WEST

Level 1, 268-270 Foreshore Drive PO Box 135 Geraldton WA 6531 Tel: (08) 9956 2100

WESTERN AUSTRALIA

Associations Incorporation Act 2015 (Section 10)

IARN: A1012290N

Replacement Certificate of Incorporation

This is to certify that

DUNSBOROUGH LAKES GOLF CLUB INC

is an association incorporated under the Associations Incorporation Act 2015

The date of incorporation is the twenty eighth day of July 2005

David Hillyard Commissioner for Consumer Protection

This replacement certificate is issued on the 24 January 2018

109

Unit 7,7 Clark street, Dunsborough, WA 6281
P.O. Box 1184, Dunsborough WA 6281

Phone: (08) 9755 3422

Email: info@mackbuild.com.au

Tuesday 19th of February 2019

To: Dunsborough Lakes Golf Course

Attention: Paul

Dear Paul,

Please find our quote to construct the proposed training facility, as per plans supplied by Richard Norrish \$60,099.24 including GST.

Please see below scope of works, cost allocation & Subcontractor details:

Project Breakdown	\$ Cost ex GST	\$ Cost inc GST	Contractor
Site Works	\$1,500.00	\$1,650.00	TBC
Remove & Reinstate Reticulation	-	-	Ground Staff
Plans & Engineering	\$2,850.00	\$3,135.00	Richard Norrish
Materials – Concrete, Timber & Decking	\$8,582.00	\$9,440.20	Harmans Timber
Roof Sheeting/gutters & Stormwater	\$4,680.00	\$5,148.00	Yallingup Roofing
Labour	\$12,050.00	\$13,255.00	Byrne Carpentry
Electrical including fixtures	\$3,860.00	\$4,246.00	Ballantyne Electrical
Wall & Ceiling Linings	\$3,165.00	\$3,481.50	Yallingup Ceilings
Sliding Door	\$2,840.00	\$3,127.00	JGS Glass
Blinds	\$6,000.00	\$6,600.00	Outdoor Blind Design
	5	ub-Total inc. GST	\$50,082.70
		Builders Margin	\$10,016.54
		Total	\$60,099.24

Thank you for the opportunity to quote these works, if you would like to discuss your quote further please do not hesitate to contact me on my mobile.

Best Regards,

Trevor MacKinnon Builder 7916 MACKBUILD 0409553084 trevor@mackbuild.com.au Attachment A

CSRFF Application to Sport and Recreation



Seachange Building and Renovations

BenLouis PTY LTD 35a Turner St Dunsborough WA 6281 Australia Phone: 0409914372 gerard@seachangebuilding.com ABN: 70 604 218 322

Quote: 64 Quot

110

Quote date: 19/02/2019

Dunsborough Lakes Golf Club PO Box 71 Dunsborough WA 6281 Expiry: 17/03/2019

DESCRIPTION	TAX TYPE	AMOUNT (inc GST)
Quote for Dunsborough Lakes Golf Club proposed training facility extension, as per supplied preliminary drawings Quote includes: 1. Delivery and removal of 9m3 site bin (est. \$990 incl- Vasse Bins) 2. Removal and relocating of magnolia trees and numerous shrubs/trees prior to site works proceeding. (est \$550 incl) 3. Earthworks/clearing of remaining garden vegetation to proposed extension site area and removal from site. (est \$1650 incl - Chris Holman) 4. Adjustments to existing storm water to suit new proposed extension (nb additional soak wells may be required). (est \$825 incl - SW Environmental Plumbing) 5. Site set out by Builder and carpentry team as per approved drawings and engineering. 6. Carpentry team to tie proposed extension into existing alfresco structure to match existing (as per approved drawings and Engineering)supply and fix. (est \$28 521 incl- Seachange Building Carpentry team, Garry McSwain, Geographe Timber and Hardware) 7. Roof plumber to tie in colourbond roof and guttering to match existing. Supply and fit (est \$4950 incl- Chris Foley and Jims First) 8. Electrical works, and audio requirements as per approved drawings and electrical plan by designer. supply and fit. (est \$5500 incl-Dave Begley) 9. Painter to oil decking to match existing, and painting as required (est \$3850 incl-Lewis Carroll) 10 Audio Visual technician to set up supply and fit (est \$6600 incl - SW Television and		60,586.00
Audio) Project Delivery: The estimated time schedule for this project I envisage would be 6-8 weeks. Factors that may affect this time lime would be inclement weather during weather, timing	GST	0.00
around restaurant open hours ,and delivery of materials. The area will need to be cordoned off for Occupational, health and Safety reasons.		
ТОТ	GST: AL (inc GST):	\$5,507.82 \$60,586.00

Page 1 of 1 QUOTE NUMBER: 64 TOTAL: \$60,586.00



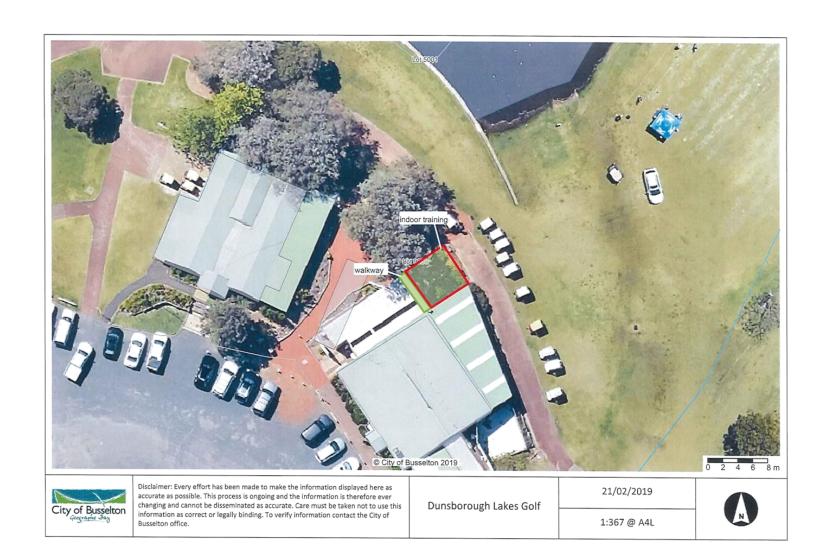
27 March 2019

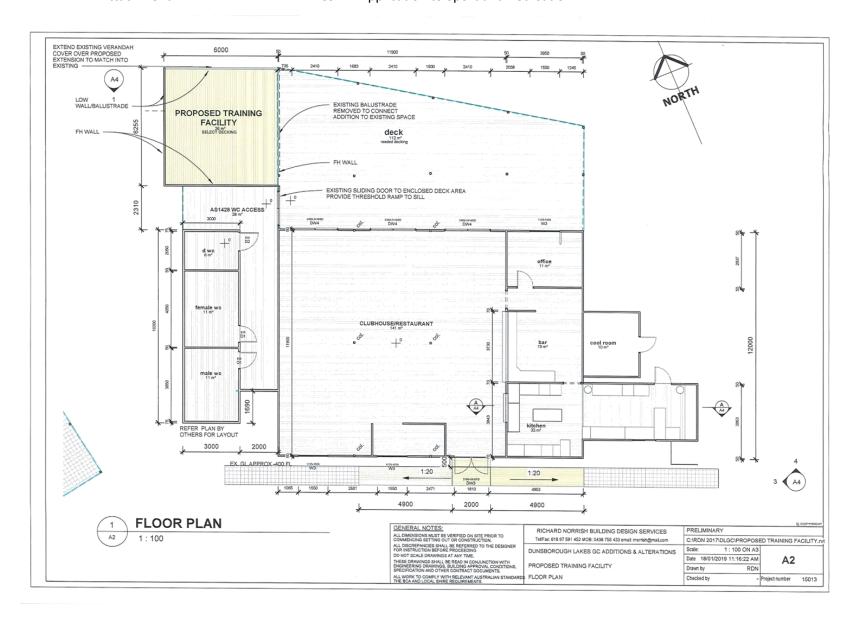
Attachment A

CSRFF Application to Sport and Recreation









Attachment A CSRFF Application to Sport and Recreation



21/02/2019

Accounts - Bendigo e-banking



Accounts	DLEC - BENDE	O BANK DUNSBOROUGH.
Operations Account 633 000 / 144 453 719		\$147,153.82 Available \$147,153.82 Balance
Statement Account 633 000 / 154 599 930		\$121,039.12 Available \$121,039.12 Balance
Savings Account 633 000 / 157 261 074		\$1,147.43 Available \$1,147.43 Balance

DUNSBOROUGH LAKES GOLF CLUB INC

118

PROFIT AND LOSS STATEMENT FOR THE YEAR ENDED 30 JUNE 2018

	2018 \$	2017 \$
SALES		
Pro Shop Income	654,533.72	652,751.46
Tavern Income	446,455.92	468,819.34
	1,100,989.64	1,121,570.80
LESS: COST OF GOODS SOLD	1,100,000.04	1,121,070.00
Opening Stock	29,266.81	20 242 24
Opening Stock	12,956.87	28,342.24
Pro Shop COGS	90,879.80	8,870.22 79,841.70
Tavern COGS	187,479.67	207,977.10
Closing Stock	(30,440.00)	(29,266.81)
Closing Stock	(17,321.00)	(12,956.87)
	272,822.15	282,807.58
GROSS PROFIT FROM TRADING	828,167.49	838,763.22
OTHER INCOME		
Members Income	436,630.78	446 700 42
Sponsorship & prizes	12,573.10	446,799.13 24,750.58
Nominations	12,373.10	535.00
Interest Received	4,556.31	4,393.72
Other Income	22,361.87	24.824.73
Proceeds on Sale of Non-current Assets	1,818.18	3,527.27
	477,940.24	504.830.43
	1,306,107.73	
EXPENSES	1,300,107.73	1,343,593.65
Administration Costs	70 700 50	
Depreciation	70,782.53	66,923.81
Golf Competition	18,832.11	11,679.00
House	63,175.22	47,030.42
Interest Paid	52,154.92	72,030.40
Course	34,656.70	22,418.54
Staff Costs	159,826.40	209,062.81
Travelling & Entertainment	726,612.27 494.58	759,462.12
Utilities	494.58 79,829.51	333.63
	1,206,364.24	79,386.45
Profit before income tax		1,268,327.18
	99,743.49	75,266.47

DUNSBOROUGH LAKES GOLF CLUB INC

INCOME STATEMENT FOR THE YEAR ENDED 30 JUNE 2018

Note	2018 \$	2017 \$
INCOME		
Members Income	436,630.78	446,799.13
Sponsorship & prizes	12,573.10	24,750.58
	449,203.88	471,549.71
OTHER INCOME		,
Nominations		535.00
Interest Received	4,556.31	4,393.72
Other Income	22,361.87	24,824.73
Proceeds on Sale of Non-current Assets	1,818.18	3,527.27
Gross profit from trading	828,167.49	838,763.22
	856,903.85	872,043.94
	1,306,107.73	1,343,593.65
EXPENDITURE		.,,
Administration Costs	70,782.53	66,923.81
Depreciation	18,832.11	11,679.00
Golf Competition	63,175.22	47,030.42
House	52,154.92	72,030,40
Interest Paid	34,656.70	22,418.54
Course	159,826.40	209,062.81
Staff Costs	726,612.27	759,462.12
Travelling & Entertainment	494.58	333.63
Utilities	79,829.51	79,386.45
	1,206,364.24	1,268,327.18
Profit before income tax	99,743.49	75,266.47
Profit for the year	99,743.49	75,266.47
Retained earnings at the beginning of the financial		
year	755,098.72	679,832.25
Retained earnings at the end of the financial year	854,842.21	755,098.72

DUNSBOROUGH LAKES GOLF CLUB INC

120

PROFIT AND LOSS STATEMENT FOR THE YEAR ENDED 30 JUNE 2017

	2017 \$	2016 \$
SALES		
Pro Shop Income	652,751.46	734,114.84
Tavern Income	468,819.34	452,979.65
Taroni moonio	1,121,570.80	1,187,094.49
LESS: COST OF GOODS SOLD	1,121,070.00	1,107,004.40
Opening Stock	28,342.24	34,236.14
Opening Stock	8,870.22	15,018.78
Pro Shop COGS	79,841.70	79,574.96
Tavern COGS	207,977.10	245,236.10
Closing Stock	(29,266.81)	(28,342.24)
Closing Stock	(12,956.87)	(8,870.22)
Closing Stock	282,807.58	336,853.52
OD OOO ODOGIT FROM TRADING	838,763.22	850,240.97
GROSS PROFIT FROM TRADING	838,763.22	050,240.97
OTHER INCOME		
Members Income	446,799.13	566,478.65
Sponsorship & prizes	24,750.58	29,423.64
Nominations	535.00	1,000.00
Interest Received	4,393.72	7,336.88
Other Income	24,824.73	21,396.88
Proceeds on Sale of Non-current Assets	3,527.27	8,500.00
	504,830.43	634,136.05
	1,343,593.65	1,484,377.02
EXPENSES		
Administration Costs	66,923.81	75,052.71
Depreciation	11,679.00	6,418.00
Golf Competition	47,030.42	80,975.46
House	72,030.40	97,896.01
Interest Paid	22,418.54	,
Course	209,062.81	206,756.96
Staff Costs	759,462.12	817,032.67
Travelling & Entertainment	333.63	63.64
Utilities	79,386.45	97,869.39
- miles	1,268,327.18	1,382,064.84
Profit before income tax	75,266.47	102,312.18

The accompanying notes form part of these financial statements.

These statements should be read in conjunction with the attached compilation report of NATURALISTE BUSINESS SERVICES PTY LTD.

Page 2

Attachment A

CSRFF Application to Sport and Recreation

DUNSBOROUGH LAKES GOLF CLUB INC

INCOME STATEMENT FOR THE YEAR ENDED 30 JUNE 2017

Note	2017 \$	2016 \$
INCOME		
Members Income	446,799.13	566,478.65
Sponsorship & prizes	24,750.58	29,423.64
	471,549.71	595,902.29
OTHER INCOME		
Nominations	535.00	1,000.00
Interest Received	4,393.72	7,336.88
Other Income	24,824.73	21,396.88
Proceeds on Sale of Non-current Assets	3,527.27	8,500.00
Gross profit from trading	838,763.22	850,240.97
	872,043.94	888,474.73
	1,343,593.65	1,484,377.02
EXPENDITURE		
Administration Costs	66,923.81	75,052.71
Depreciation	11,679.00	6,418.00
Golf Competition	47,030.42	80,975.46
House	72,030.40	97,896.01
Interest Paid	22,418.54	-
Course	209,062.81	206,756.96
Staff Costs	759,462.12	817,032.67
Travelling & Entertainment	333.63	63.64
Utilities	79,386.45	97,869.39
	1,268,327.18	1,382,064.84
Profit before income tax	75,266.47	102,312.18
Profit for the year	75,266.47	102,312.18
Retained earnings at the beginning of the		
financial year	679,832.25	577,520.07
Retained earnings at the end of the financial year	755,098.72	679,832.25

122



VISION	Provide the best golfing experience in the South West
VALUES	Transparency, Accountability, Integrity, Respect

PILLARS	PARTICIPATION	GOVERNANCE & MANAGEMENT	FACILITIES	MARKETING & COMMUNICATIONS	
---------	---------------	-------------------------	------------	----------------------------	--

Attachment A

CSRFF Application to Sport and Recreation

123



DUNSBOROUGH LAKES GOLF CLUB

PILLARS		PARTICIPATION	GOVERNANCE & MANAGEMENT		FACILITIES		MARKETING & COMMUNICATIONS
	1 1.1 1.2 1.3	Increase membership to a total of 500 by 2019 (421 April 2018) Review existing membership categories offered Set membership growth target (approximately 10% in 2017) Set retention target of 90%	Review Governance Structure by 30 August 2018 & each March thereafter Review Organisational chart annually Review of purpose Review mandate for each committee Investigate potential increase of Board member number	1.1	Review sustainable water options and costings to ensure adequate water supply Continue ongoing consultation with City of Busselton / Busselton Water Formalise agreement for 40,000 KL of water with Urban Quarter	1.1	Develop a twelve (12) month advertising plan including social media strategy / overall marketing plan annually List available advertising and promotional options Establish costs for options
OBJECTIVES	2 2.1 2.2	Increase public rounds by 10% from the 11,325 in 2017 Review peak / off peak pricing Increase income from public rounds by \$10,000	Review Constitution for approval - annually by AGM 2018 & every March thereafter 2.1 Board Review of existing Constitution and By laws annually 2.2 Reassign Club Captain's to Board member (Ex Officio)	2	Monitor reticulation system, lifespan and replacement (repair as required)	2 2.1 2.2 2.3	Develop a corporate sponsorship plan Identify opportunities / packages development Sponsors recruitment - communication to members Sponsors entitlements - care and servicing
PERFORMANCE OF	3.1 3.2	Increase Pro Shop profits – Range Ball buckets 5% and Retail by 10% p.a. Review retail stock offerings and presentation Establish a stock turnover rate average (3 x in 3 years)	3 HR Staff policy & systems review annually a. Conduct permanent staff performance reviews annually b. Review training and development (budget and opportunities) c. Establish succession planning d. Establish an Induction process for new staff (include Strategic Plan) and staff sign off on Induction process	3.1	Continue bunker drainage improvement and develop fairway drainage improvement plan Course committee to Continue program for bunkers to be improved up to June 2020 Continue course drainage review and repair as required	3.1	Develop a Membership engagement plan
	4 4.1 4.2	Increase Tavern revenue by 5% p.a. Continue to support Restaurant promotions and success Increase number of events and functions	Present annual summary of accounts and Strategic plan update to membership	4	Develop a plan for new clubhouse facility renewal by 30 September 2018. Plan of clubhouse to cater for maximum membership numbers & cost required plans.	4 4.1 4.2 4.3	Raise DLGC profile to external community Databases - notifications Develop social media strategy Continue to provide content for Dunsborough and Busselton Mail; Busselton and Margaret River Times

124 Attachment A

CSRFF Application to Sport and Recreation



DUNSBOROUGH LAKES GOLF CLUB

PILLARS		PARTICIPATION		GOVERNANCE & MANAGEMENT		FACILITIES		MARKETING & COMMUNICATIONS
OBJECTIVES	5.1	Hold 3 significant corporate Golf Days p.a. Development of corporate marketing plan	5	Conduct GMAWA benchmarking assessment	5.1	Investigate computer hardware & software upgrade to improve efficiency in member/customer service, offerings & engagement including database creation. Source funding opportunities for clubhouse development & computer/pos systems upgrade—land realisation/CoB/State funding	5.1 5.2	Establish and offer User feedback surveys to random sample, representative users of the facility Capture database for future utilisation Develop a survey on the golfing experience
PERFORMANCE OF	6 6.1 6.2	Conduct 30 Events p.a. by 2021 Marketing committee brainstorm ideas Categorise events into types and set targets: 1- Member venue hire 2- Corporate 3 - Private functions (wakes, weddings etc) Continue to develop accommodation provider relationships	6.1	Continue a DLGC high level land holding Master Plan outlining possible future development opportunities by July 2018 Merge Land development &future course development committees by July 2018 Evaluate Land development Opportunities by July 2018	6.1	Revisit fence screening and tree positioning options to mitigate risks to public and adjacent residents Tree planting/fence screening to be placed at 1 st , 12 th & 13 th holes Tree planting on Dunsborough Lakes Drive	6.1	Engage with and develop relationships with key stakeholders; City of Busselton Councillors and staff, Urban Quarter and adjacent residents Develop stakeholders club representatives to ensure consistency in relationships
PEF	7	Review Membership payment options	7.1 7.2	Volunteer development / appreciation / management program Maintain a volunteer appreciation day Develop a strategy to recruit & retain volunteers				

125



Attachment A

DUNSBOROUGH LAKES GOLF CLUB

STRATEGIC PLAN 2018 - 2021

ACTION PLAN PILLAR - PARTICIPATION **Performance Objectives** Strategies Actions Who When 1 Increase membership to a total of 1.1 Review existing membership M&M committee to review and present to board and then present to 500 by 2019 (21 April 2016) categories offered including M&M July 2018 membership at SGM in July. transitional membership for juniors 1.2 Membership growth target of 15% -M&M and CM to design membership growth strategies & present to board for (10 % in 2017) including 20 under 18 M&M/CM July 2018 members by 2021 1.3 Keep retention target of 90% M&M and CM to monitor reasons for leaving through exit interview feedback M&M/CM Ongoing 2 Increase public rounds by 10% 2.1 Review peak / off peak pricing CM to implement increase of \$4 per round to be put in place after Spring from the 11,375 in 2017 2.2 Increase green fee income by Oct 2018 renovations 2018 \$10,000 3 Increase Pro Shop profits - Ball 3.1 Review retail stock offerings and HC & CM to redesign layout & presentation of shop HC/CM Aug 2018 buckets 5% and Retail by 10% p.a. presentation 3.2 Establish a stock turnover rate HC & CM to investigate sales training & look at incentivising staff HC/CM Aug 2018 average (3 x in 3 years) 4 Increase Tavern revenue by 5% 4.1 Continue to support Restaurant CM to liaise with management staff & M&M re events HC/CM Ongoing promotions and success p.a. 4.2 Increase number of events and CM to liaise with management staff & M&M re events HC/CM Ongoing functions 5 Hold 3 significant Corporate Golf 5.1 Development of corporate CM and M&M to design corporate day offering, identify target market & CM/M&M 1 July 2018 Days p.a. by 2019 marketing plan communicate to identified targets 6 Conduct 30 Events p.a. by 2021 6.1 Marketing committee brainstorm CM and M&M to design offerings, identify target market & communicate to CM/M&M 1 July 2018 identified targets 6.2 Categorise events into types and set targets: 1- Member venue hire 2 -Private functions (wakes, weddings Liaise with Bree & Dale re restaurant offerings eg/ Fri social golf days CM/M&M 1 July 2018 etc) 4 - Calendar based events (piggy back, ie St Pats, Melbourne Cup etc) 6.3 Continue to develop accommodation CM & M&M to remain in contact with operators/influencers to have packaged provider relationships options/discounted rates for customers CM/M&M ongoing



DUNSBOROUGH LAKES GOLF CLUB

ACTION PLAN				
PILLAR - PARTICIPATIO	ON			
Performance Objectives	Strategies	Actions	Who	When
	6.4 Continue to develop tourism provider relationships	CM & M&M to remain in contact with operators/influencers to have packaged options/discounted rates for customers	см/м&м	ongoing
7 Review membership payment options	7.1 Introduce monthly payment options			



Attachment A

DUNSBOROUGH LAKES GOLF CLUB

ACTION PLAN					
PILLAR – GOVERNANCE & MANAGEMENT					
Performance Objectives	Strategies		Actions	Who	When
1 Review Governance Structure by	1.1 Review org	ganisational chart annually	Board & CM to review annually	Board & CM	March
31 August 2018 & every March thereafter	1.2 Review of	purpose	Board & CM to review annually	Board & CM	March
	1.3 Review ma	andate for each committee	Board & CM to review annually	Board & CM	March
		potential increase of mber number	Board & CM to review annually	Board & CM	March
2 Review Constitution for approval -	2.1 Review of	constitution annually	Board & CM to review annually	Board & CM	March
Annually	2.2 Establishm	ent of By laws	GG to establish. Board to review at June 2018 Board meeting & present to membership at July SGM in conjunction with constitution	GG	June 2018
	2.3 Reassign C member (e	lub Captain to board ex officio)	Board to recommend at July 2018 SGM	Board	July 2018
3 HR Staff Workforce Plan establishment review annually a. Conduct permanent staff performance reviews annually b. Review training and development (budget and opportunities) c. Establish succession planning d. Establish an Induction process for new staff include strategic plan and staff to sign off induction process		stems review annually	CM to action in July each year .	СМ	СМ
4 Present biannual summary of accounts and Strategic plan update to membership	4.1 Twice per y March and	year email membership in October	CM to email a snapshot of YTD to March in April each year	СМ	April
5 Conduct GMAWA assessment	5.1 Benchmark	against GMAWA figures	CM to maintain input into GMAWA system & compare	CM	ongoing
6 Continue a DLGC high level land holding Master Plan outlining possible future development opportunities by July 2018	course dev	d development & future elopment committees opment committee ions and scenarios	Land Development committee to report to board as necessary Land development committee to evaluate options by Jul 2018	Land Development committee	ongoing



DUNSBOROUGH LAKES GOLF CLUB

ACTION PLAN						
PILLAR – GOVERNANCE & MANAGEMENT						
Performance Objectives	Strategies	Actions	Who	When		
7 Volunteer development / appreciation / management program	7.1 Maintain a volunteer appreciation day 7.2 Develop a strategy to recruit and retain volunteers	Chairman of Course committee to communicate of volunteer brigade quarterly and recruit new members whilst retaining current	Chairman of course	Jul / Oct / Jan / April		

Attachment A CSRFF Application to Sport and Recreation



DUNSBOROUGH LAKES GOLF CLUB

STRATEGIC PLAN 2018 - 2021

ACTION PLAN PILLAR - FACILITIES **Performance Objectives** Strategies Actions Who When 1. Review sustainable water 1.1 Consult with City of Busselton / CM & Water committee to continue relationship development and consult with WC & CM options and costings to ensure Busselton Water Ongoing adequate water supply 1.2 Formalise agreement with Urban CM to follow up with all parties CM June 2018 Quarter for water rights Monitor reticulation system 2.1 Water committee & superintendent WC& Superintendent to arrange repair as required (repair as required) to monitor reticulation system Ongoing Superintendent Continue bunker drainage 3.1 Continue bunker drainage Course committee to continue works as budget allows CC Aug 2020 improvement on course and improvement develop fairway drainage 3.2 Develop fairway drainage Superintendent & course committee to design cost plan (as per previous bunker CC & improvement plan Aug 2018 improvement plan plan) and present to Board for approval of costs superintendent Develop a plan for clubhouse 4.1 Cost required plans Facilities working group to cost planned design of clubhouse facility & present Facilities Aug 2018 facility renewal including costs working group 4.2 Source funding opportunities for clubhouse development & - land Board to investigate funding options Board Aug 2018 realisation/CoB/State funding Identify Club's computer/POS 5.1 Cost Requirements House House committee to cost requirements system requirements June 2018 committee 5.2 Source funding opportunities for clubhouse development & Board to investigate funding options Board June 2018 computer/pos systems upgrade-Revisit fence screening and tree 6.1 Tree planting/fenced screening to be Approach Urban Quarter to plant trees adjacent to 1st, 12th & 13th tee boxes positioning options to mitigate placed at 1st tee box and 12th & 13th and elsewhere if required & quote to be obtained for fencing along adjacent CM June 2018 risks to public and adjacent houses on 1st should trees not be sufficient residents 6.2 Trees to be planted along Duns lakes CM to request CoB to replace damaged trees along Dunsborough Lakes Drive CM June 2018

Attachment A

CSRFF Application to Sport and Recreation

130



DUNSBOROUGH LAKES GOLF CLUB

STRATEGIC PLAN 2018 - 2021

ACTION PLAN PILLAR – MARKETING & COMMUNICATIONS **Performance Objectives** Strategies Actions Who When Develop a twelve (12) month 1.1 List available advertising and CM & GG to develop 12 month plan to fit in with allocated budget of 12k for CM & GG advertising plan / overall Jul 2018 promotional options 2018\19 & present to M&M and then board marketing plan and revisit 1.2 Establish costs for options CM & GG to develop 12 month plan to fit in with allocated budget of 12k for annually CM & GG Jul 2018 2018\19 & present to M&M and then board Develop a corporate 2.1 Identify opportunities / packages CM & GG to design and communicate to M&M and then Board CM & GG Jul 2018 sponsorship plan development 2.2 Sponsors recruitment -CM & GG to design and communicate to M&M and then Board CM & GG Jul 2018 communication to members Sponsors entitlements - care and Club Manager to take ownership of servicing sponsors CM June 2018 servicing Develop a Membership 3.1 Inclusions: engagement plan Survey Feedback Notice boards Frequently Asked Questions (FAQ's) Exit interview Revisit new members induction CM & GG to revisit membership induction program in conjunction with match CM & GG Jul 2018 committee, establish & train member buddies Raise DLGC profile to external 4.1 Databases - notifications Create non-member database to communicate with M&M Jul 2018 community 4.2 Develop social media strategy CM & M&M committee to manage content in line with marketing plan CM & M&M ongoing 4.3 Dunsborough and Busselton Mail; Weekly content to be provided CM ongoing Busselton and Margaret River Times Establish and offer User 5.1 Capture database for future Update golf systems whereby we collect email addresses of public players CM Oct 2018 feedback surveys to all users of utilisation the facility 5.2 Develop a survey on the golfing Update golf systems whereby we collect email addresses of public players CM Oct 2018 experience



DUNSBOROUGH LAKES GOLF CLUB

ACTION PLAN						
PILLAR – MARKETING & COMMUNICATIONS						
Performance Objectives	Strategies	Actions	Who	When		
6 Engage with and develop relationships with key stakeholders; City of Busselton Councillors and staff, Urban Quarter and adjacent residents	6.1 Develop stakeholders club representatives to ensure consistency in relationships	Board to decide on Club representatives in all dealings with external stakeholders	Board	22 May 2018		



132

Dunsborough Lakes Golf Club Incorporated Board Meeting Held Tuesday January 8, 2019 Minutes

Board Members in Attendance:

Mr Geoff Jones (GJ) Chair, Jim Henderson (JH), Sally Chandler (SC), Owen Nuttridge (ON), Grant Girdler (GG), Graham Hudson (GH).

In attendance: Paul Devaney (PD); Manager. Phil de Garis; Board Secretary. Trevor McKinnon; Golf Captain.

Apologies: Nil.

Item No.1 Opening

The Chairman declared the Meeting open at 2.00pm .

Item No.2 Acceptance of the Previous Minutes

2.1 Minutes of the Board Meeting held November 27, 2018

Moved ON and **Seconded** JH that the minutes of the meeting be accepted as true and correct record with one spelling correction. **CARRIED**

Item No. 3 Business Arising from the Previous Minutes

Action 10.1 The Course Superintendent has completed the Course Master Plan. A copy will be forwarded to all board members.

ACTION: ON to forward copies of the Course Master Plan to all board members.

Actions 10.2 PD reported that he has followed up with the Busselton City Council (BCC) in relation to seeking a grant to build a training facility adjoining terrace. Follow up required includes providing quotes and a copy of the club's Strategic Plan. ON has met with Alison who has experience in applying for grants. Willing to assist but requires a copy of the club's Strategic Plan.

133



20 February 2019

Matthew Criss Dunsborough Lakes Golf Club 1 Clubhouse Dr, Dunsborough WA 6281

Cc: Billie Burvill Game Development Coordinator Golf WA

Dear Matthew,

RE: Support of Inclusive Programs and Indoor Facility at Dunsborough Lakes Golf Club

Golf Australia would like to extend support to the Dunsborough Lakes Golf Club and PGA All Abilities Coach Matthew Criss for the proposed indoor coaching facility at Dunsborough Lakes Golf Course.

Matthew is a PGA All Abilities Coach who has a further industry recognised accreditation on inclusive coaching and supporting participants with a disability through modified equipment and coaching programs.

Golf Australia will work closely with Matthew and Dunsborough Lakes Golf club in creating local partnerships with organisations in the community that support participants with disability.

With the club's commitment towards inclusion and the existing programs that are run through PGA All Abilities Coach Matthew Criss, Golf Australia has no hesitation in supporting their commitment to build and accessible indoor facility that the wider community gains access to additional pathways into the game of golf which provides participants with physical activity and social connectedness.

Yours Sincerely,

Christian Hamilton

Senior Manager – Inclusion Golf Australia



134

1 November 2017

Paul Devaney Dunsborough Lakes Golf Club 1 Club House Drive DUNSBOROUGH WA 6281

Dear Paul,

I am pleased to advise that following the assessment of your application to the WA Golf Foundation, the Trustees of the Foundation have approved the following offer (Offer) of sponsorship (Sponsorship):

Women Step into Golf (The Programme)

\$3,993 excl GST (\$4,392 inc GST)

The Sponsorship of \$4,392 (including GST) is to deliver a programme for **Dunsborough Lakes Golf Club** and to achieve the Goals, Objectives, Actions, & KPI's as detailed in your application and subsequent additional information.

Please note that the amount approved is less than what you applied for based on the following:-

 The trustees have agreed to fund 6 beginner set golf clubs for \$1800 rather than the 12 sets requested.

PROMOTION

Given that the WAGF is the only organisation funding this programme, the WAGF would appreciate naming rights of the Programme e.g Women Step into Golf proudly sponsored by the WA Golf Foundation, as well as receiving recognition through the various marketing and media that you undertake, which may include but not be limited to:-

- Newspapers and newsletters
- · Website(s) and other electronic mediums
- · Posters, flyers
- Clothing
- Banners (NB that we have WAGF Sail Flags that can be borrowed for the duration of your programme)

Naturally, we would also be very keen to see Dunsborough Lakes Golf Club continue to raise awareness of the Foundation's role, intent and objectives. Please note however that, whilst desirable, this particular point is not a condition that must be satisfied as part of the Offer of Sponsorship.

WA GOLF FOUNDATION PO BOX 486 SOUTH PERTH WA 6951 PH: (08) 9367 2490



135

PAYMENT OF SPONSORSHIP

The WAGF will make payment in three instalments as follows:-

Milestone 1	Submission of an invoice from Dunsborough Lakes Golf Club for the amount shown to assist in costs (Beginner Golf Club Sets) met up to March 31, 2018. Any accompanying invoices e.g from the supplier, are to accompany your invoice	\$1800 inc GST
Milestone 2	Submission of an invoice from Dunsborough Lakes Golf Club for the amount shown to assist in costs (travel and coaching) incurred up to April 30, 2018. Any accompanying invoices e.g from Marty Thomas are to accompany your invoice	\$1800 inc GST
Milestone 3	Report and evaluation form (attached) to be completed by and returned to the WAGF within one month after the completion of the programme together with an invoice from Dunsborough Lakes Golf Club plus accompanying invoices for the balance of travel and coaching costs.	\$792 inc GST

PLEASE NOTE THAT TOTAL PAYMENT IS ONLY MADE TO THE CLUB/COURSE/FACILITY CONDUCTING THE PROGRAMME. WE DO NOT MAKE INDIVIDUAL PAYMENTS TO VARIOUS SUPPLIERS

INSURANCE

Whilst the WAGF provides funding to assist in the delivering of programmes, the Foundation is not liable in any form for any losses, damages, compensations or costs incurred in the delivery of The Programme.

Thus it is the responsibility of the Dunsborough Lakes Golf Club to ensure that all appropriate insurances are in place, including general public liability insurance.

ACCEPTANCE OF OFFER

Should you be in agreement with the terms and conditions above, please sign and return the attached form by November 30, 2017.

Naturally, should you have any queries regarding this Offer, please do not hesitate to contact me. On behalf of the Trustees of the WA Golf Foundation, I look forward to working with you to deliver a successful programme.

Yours sincerely

Gary Thomas Chief Executive

> WA GOLF FOUNDATION PO BOX 486 SOUTH PERTH WA 6951 PH: (08) 9367 2490

16. FINANCE AND CORPORATE SERVICES REPORT

Nil

17. CHIEF EXECUTIVE OFFICERS REPORT

17.1 COUNCILLORS' INFORMATION BULLETIN

SUBJECT INDEX: Councillors' Information Bulletin

STRATEGIC OBJECTIVE: Governance systems, process and practices are responsible, ethical

and transparent.

BUSINESS UNIT: Governance Services **ACTIVITY UNIT:** Governance Services

REPORTING OFFICER: Administration Officer - Governance - Kate Dudley

AUTHORISING OFFICER: Chief Executive Officer - Mike Archer

VOTING REQUIREMENT: Simple Majority

ATTACHMENTS: Nil

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

17.1.1 2018/2019 TENDERS

RFT16/18 OLD BUTTER FACTORY REPAIR WORKS

- Requirement repair and rectification works to the Old Butter Factory following fire damage to the building.
- A Request for Tender was advertised on 20 October 2018 with a closing date of 9 November 2018.
- No submissions were received.
- The CEO determined that a private request for quotation be made in respect of the works.
- One response was received in respect of the request for quotation.
- Officers have completed an evaluation, recommending the contract to be awarded to Clinton Long Project Management Pty Ltd.
- The insurance claim has been finalised and pending finalising negotiations, the CEO will enter into a contract with the preferred tenderer.

RFT17/18 PORT GEOGRAPHE FINGER JETTY REPLACEMENT

- Requirement the demolition of existing finger jetty or jetties (as determined by the City)
 located at the Port Geographe Marina boat launching facility in Busselton and the
 replacement of such jetty or jetties with floating pontoon style finger jetty or jetties.
- A Request for Tender was advertised on 3 November 2018 with a closing date of 20 November 2018.
- Four submissions were received which provided quotes on completing either 1 or all 3 jetties (as a one-off project).
- The submissions received indicated a significant saving should the City resolve to proceed with replacement of all 3 jetties.

- The cost of replacing all 3 jetties will exceed the budget for this project.
- The Finance Committee Meeting for Council in February 2019 approved an increase of the funding for this project to allow replacement of all 3 jetties.
- The preferred tenderer's submission for replacement of all 3 jetties is less than \$500,000. It is expected a contract will be awarded to the preferred tenderer under delegation by the CEO in March 2019.

EOI01/18 CONSTRUCTION OF THE CITY CENTRE EASTERN LINK - STAGE 1

- Requirement Construction of the City Centre Eastern Link Stage 1.
- An Expression of Interest was advertised on 15 December 2018 with a closing date of 22 January 2019.
- The process for making a preliminary selection among prospective tenderers has been completed and pursuant to delegation LG3K, the CEO determined that Ertech Pty Ltd, Georgiou Group Pty Ltd and BMD Constructions Pty Ltd be accepted by the City as "acceptable tenderers" and thus eligible to participate in the forthcoming request for tender.
- It is anticipated that the tender phase for acceptable tenderers will commence in March 2019.

1.

PQS01/19 PLANT AND EQUIPMENT HIRE – REQUEST FOR APPLICATIONS TO JOIN A PANEL OF PRE-QUALIFIED SUPPLIERS

- Requirement hire of plant and equipment.
- The PQS was advertised on 9 February 2019 with a closing date of 7 March 2019.
- The closing date has been extended until 14 March 2019. A further State wide advertisement providing notification of the extension was provided by the City on 9 March 2019.
- In accordance with delegation LG3M the CEO has authority to establish the panel and to decide which applications to accept.
- It is anticipated that the panel of pre-qualified suppliers will be established by the CEO in March 2019.

PQS02/19 SUPPLY OF CONCRETE SERVICES – REQUEST FOR APPLICATIONS TO JOIN A PANEL OF PRE-QUALIFIED SUPPLIERS

- Requirement supply of concrete services.
- The PQS was advertised on 9 March 2019 with a closing date of 2 April 2019.
- In accordance with delegation LG3M the CEO has authority to establish the panel and to decide which applications to accept.
- It is anticipated that the panel of pre-qualified suppliers will be established by the CEO in April 2019.

RFT01/19 SUPPLY OF MOBILE WASTE SHREDDER

- Requirement the supply of a mobile waste shredder to be delivered at the Dunsborough Waste Facility.
- A Request for Tender was advertised on 9 March 2019 with a closing date of 26 March 2019.
- The value of the contract is expected to exceed the CEO's delegated authority under Delegation LG3J and will require Council approval.
- It is anticipated that the contract will be awarded in May 2019.

RFT02/19 PROVISION OF CLEANING SERVICES TO CITY OWNED FACILITIES

- Requirement the provision of cleaning services to City owned facilities.
- A Request for Tender was advertised on 9 March 2019 with a closing date of 4 April 2019.
- The value of the contract is expected to exceed the CEO's delegated authority under Delegation LG3J and will require Council approval.
- It is anticipated that the contract will be awarded in May 2019.

17.1.2 Donations Contributions and Subsidies Fund – February 2019

The Council allocates an annual budget allowance to the Donations, Contributions and Subsidies (Sponsorship Fund). This is provided such that eligible groups and individuals can apply for and receive sponsorship to assist them in the pursuit of endeavours that bring direct benefit to the broader community. Allocation of the funds is delegated to the Chief Executive Officer, in accordance with published guidelines and funding availability.

Three applications were supported in February 2019, totalling \$1,300.00 as outlined in the table below:

App. No.	Recipient	Purpose Amo	ount		
February 2019					
50/1819	WA Rovers Owners Club South West Branch	Seeking funds to assist with covering the cost of promoting the British Auto Classic being held at Signal Park on 6 April 2019. Over 100 cars will be displayed, therefore the event will bring over 200 visitors to Busselton. Members of the public are welcome to attend the event. Funds provided as a contribution towards the purchase of two new banners and printing of promotional materials for the event.	\$500.00		
51/1718	The Busselton Old Time Dance Inc.	Seeking funds to assist with covering the cost of hosting the South West Dance Festival being held at the High St Hall on 5 April 2019. Funds provided as a Contribution towards the cost of venue hire & DJ music. The event attracts over 200 attendees from throughout the South West region and beyond.	\$500.00		
52/1819	Charlie Allen	Selected to represent WA as part of the U17 WA State team competing at the Netball Australia National Netball Championships being held in Brisbane QLD. Funds to assist with associated travel expenses.	\$300.00		
		February Total	\$1,300.00		

At the end of February 2019, expenditure from the Donations, Contributions and Subsidies Fund for the current financial year totalled \$17,921.00 leaving a balance of \$12,079.00.

17.1.3 Capes Region Organisation of Councils Minutes

Attachment A shows the minutes of the CapeROC meeting held on 8 February 2019. Please note there are no actions arising from this meeting.

OFFICER RECOMMENDATION

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

- 17.1.1 2018/2019 TENDERS
- 17.1.2 Donations Contributions and Subsidies Fund February 2019
- 17.1.3 Capes Region Organisation of Councils Minutes

- 18. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
- 19. <u>URGENT BUSINESS</u>
- 20. <u>CONFIDENTIAL MATTERS</u>
- 21. <u>CLOSURE</u>