



Council Agenda

13 December 2017

ALL INFORMATION AVAILABLE IN VARIOUS FORMATS ON REQUEST

city@busselton.wa.gov.au

CITY OF BUSSELTON

MEETING NOTICE AND AGENDA – 13 DECEMBER 2017

TO: THE MAYOR AND COUNCILLORS

NOTICE is given that a meeting of the Council will be held in the Council Chambers, Administration Building, Southern Drive, Busselton on Wednesday, 13 December 2017, commencing at 5.30pm.

Your attendance is respectfully requested.

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



MIKE ARCHER

CHIEF EXECUTIVE OFFICER

1 December 2017

CITY OF BUSSELTON

AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 13 DECEMBER 2017

TABLE OF CONTENTS

ITEM NO.	SUBJECT	PAGE NO.
1.	DECLARATION OF OPENING/ ACKNOWLEDGEMENT OF COUNTRY AND ANNOUNCEMENT OF VISITORS	5
2.	ATTENDANCE	5
3.	PRAYER	5
4.	PUBLIC QUESTION TIME.....	5
5.	ANNOUNCEMENTS WITHOUT DISCUSSION.....	5
6.	APPLICATION FOR LEAVE OF ABSENCE.....	5
7.	PETITIONS AND PRESENTATIONS	5
8.	DISCLOSURE OF INTERESTS	5
9.	CONFIRMATION AND RECEIPT OF MINUTES	5
	Previous Council Meetings	5
9.1	Minutes of the Council Meeting held 22 November 2017	5
9.2	Minutes of the General Electors Meeting held 27 November 2017	5
	Committee Meetings.....	6
9.3	Minutes of the Finance Committee Meeting held on 16 November 2017	6
9.4	Minutes of the Policy and Legislation Committee Meeting held 30 November 2017	6
10.	REPORTS OF COMMITTEE	7
10.1	Finance Committee - 16/11/2017 - PURCHASE OF PRIME MOVER FOR WASTE SERVICES	7
10.2	Finance Committee - 16/11/2017 - BUDGET AMENDMENT REQUEST - RESOURCING TO SUPPORT DEVELOPMENT OF CITY 'ENERGY MASTER PLAN'	10
10.3	Finance Committee - 16/11/2017 - BUDGET AMENDMENT REQUEST	14
10.4	Finance Committee - 16/11/2017 - FINANCIAL ACTIVITY STATEMENTS - PERIOD ENDING 31 OCTOBER 2017.....	19
10.5	Policy and Legislation Committee - 30/11/2017 - REVOCATION OF 135/2 - STREET APPEALS POLICY	40
10.6	Policy and Legislation Committee - 30/11/2017 - REVIEW OF 017 URBAN ART POLICY.....	45
10.7	Policy and Legislation Committee - 30/11/2017 - REPEAL OF POLICY: COMMUNITY FACILITY BOOKINGS (#027)	55
10.8	Policy and Legislation Committee - 30/11/2017 - MINOR UPDATING OF COUNCIL POLICIES FOLLOWING FURTHER REVIEW PROCESS.....	71
11.	PLANNING AND DEVELOPMENT SERVICES REPORT	104
11.1	AMENDMENT NO. 29 (OMNIBUS NO. 4) TO LOCAL PLANNING SCHEME NO. 21 - CONSIDERATION FOR INITIATION FOR COMMUNITY CONSULTATION	104
11.2	DRAFT LEEUWIN-NATURALISTE SUB-REGIONAL PLANNING STRATEGY - CITY	

	SUBMISSION	185
11.3	AMENDMENT TO 'DUNSBOROUGH LAKES ESTATE DEVELOPER CONTRIBUTIONS PLAN (2015) - CONSIDERATION FOR FINAL ADOPTION BY THE COUNCIL.....	285
11.4	PROPOSED SCHEME AMENDMENT 34 TO LOCAL PLANNING SCHEME 21 AND DRAFT STRUCTURE PLAN FOR LOT 34 SHEOAK DRIVE, YALLINGUP - CONSIDERATION FOR ADOPTION FOR PUBLIC CONSULTATION	301
12.	ENGINEERING AND WORKS SERVICES REPORT.....	317
12.1	RFT18/17 SUPPLY & DELIVERY OF DRAINAGE PRODUCTS.....	317
13.	COMMUNITY AND COMMERCIAL SERVICES REPORT	321
13.1	PUBLIC ART POLICY	321
13.2	COMMUNITY BIDS 2017/18 ROUND TWO ALLOCATIONS.....	325
13.3	BUSSELTON SENIOR CITIZENS CENTRE - PROPOSED EXPANSION	330
13.4	DRAFT GEOGRAPHE LEISURE CENTRE AND NATURALISTE COMMUNITY CENTRE MASTER PLANS	338
13.5	MARKETING AND EVENTS REFERENCE GROUP OUTCOMES	343
14.	FINANCE AND CORPORATE SERVICES REPORT	351
14.1	WASTE AMENDMENT LOCAL LAW	351
15.	CHIEF EXECUTIVE OFFICER'S REPORT	355
15.1	COUNCILLORS' INFORMATION BULLETIN	355
16.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	387
17.	CONFIDENTIAL REPORTS	387
18.	QUESTIONS FROM MEMBERS	387
19.	PUBLIC QUESTION TIME.....	387
20.	NEXT MEETING DATE	387
21.	CLOSURE	387

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

2. **ATTENDANCE**

Apologies

Approved Leave of Absence

3. **PRAYER**

4. **PUBLIC QUESTION TIME**

Response to Previous Questions Taken on Notice

Public Question Time

5. **ANNOUNCEMENTS WITHOUT DISCUSSION**

Announcements by the Presiding Member

Announcements by other Members at the invitation of the Presiding Member

6. **APPLICATION FOR LEAVE OF ABSENCE**

7. **PETITIONS AND PRESENTATIONS**

8. **DISCLOSURE OF INTERESTS**

9. **CONFIRMATION AND RECEIPT OF MINUTES**

Previous Council Meetings

9.1 **Minutes of the Council Meeting held 22 November 2017**

RECOMMENDATION

That the Minutes of the Council Meeting held 22 November 2017 be confirmed as a true and correct record.

9.2 **Minutes of the General Electors Meeting held 27 November 2017**

RECOMMENDATION

That the Minutes of the General Electors Meeting held 27 November 2017 be confirmed as a true and correct record.

Committee Meetings9.3 Minutes of the Finance Committee Meeting held on 16 November 2017**RECOMMENDATION**

That the Minutes of the Finance Committee Meeting held on 16 November 2017 be confirmed as a true and correct record

9.4 Minutes of the Policy and Legislation Committee Meeting held 30 November 2017**RECOMMENDATION**

That the Minutes of the Policy and Legislation Committee Meeting held 30 November 2017 be confirmed as a true and correct record

10. REPORTS OF COMMITTEE

10.1 Finance Committee - 16/11/2017 - PURCHASE OF PRIME MOVER FOR WASTE SERVICES

SUBJECT INDEX:	Waste Management
STRATEGIC OBJECTIVE:	Assets are well maintained and responsibly managed.
BUSINESS UNIT:	Waste and Fleet Services
ACTIVITY UNIT:	Waste Management
REPORTING OFFICER:	Manager, Waste and Fleet Services - Vitor Martins
AUTHORISING OFFICER:	Director, Engineering and Works Services - Oliver Darby
VOTING REQUIREMENT:	Absolute Majority
ATTACHMENTS:	Nil

This item was considered by the Finance Committee at its meeting on 16 November 2017, the recommendations from which have been included in this report.

PRÉCIS

This report seeks approval by Council for the City to purchase a prime mover to operate the transfers of waste between the Busselton Waste Transfer and Recycling Centre and the Dunsborough Waste Facility's waste landfill site.

BACKGROUND

As part of the current financial year's plan, the City has awarded the supply and installation of a waste compactor at the Busselton Waste Transfer and Recycling Centre, including the supply of a suitable trailer. The transport of this trailer will require a prime mover.

The original plan was to contract out the required transport of the trailer and, therefore, no budget allowance was considered for the current year for the purchase of a prime mover. Due to operational reasons the proposal is, now, for the City to purchase the prime mover.

STATUTORY ENVIRONMENT

Section 3.57 of *Local Government Act 1995* requires "A local government to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods and services".

Compliance with the *Local Government Act 1995* section 3.57 is required in the issuing and tendering of contracts.

Part 4 (Tenders) of the *Local Government (Functions and General) Regulations 1996* require that tenders be publicly invited for such contracts where the estimated cost of providing the total service exceeds \$ 150,000.

According to the same regulations, tenders do not have to be publicly invited according to the requirements of this Division if the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program.

RELEVANT PLANS AND POLICIES

NA

FINANCIAL IMPLICATIONS

The cost of purchase of a prime mover truck is estimated at approximately \$250,000, which has not been budgeted for the current financial year. A budget amendment would be required in order to allocate \$250,000 from the Waste Infrastructure and Plant Reserve to the purchase of the proposed plant.

Long-term Financial Plan Implications

The end of year forecast for the Waste Infrastructure and Plant Reserve is \$5.6 million and the proposed budget amendment will not impact in the long term financial plan.

STRATEGIC COMMUNITY OBJECTIVES

The relevant Key Goal areas in the Strategic Community Plan are the following:

- 3.1 Development is managed sustainably and our environment valued
- 6.4 Assets are well maintained and responsibly manage

RISK ASSESSMENT

<i>Risk</i>	<i>Controls</i>	<i>Consequence</i>	<i>Likelihood</i>	<i>Risk Level</i>
Low utilisation rates for the newly acquired prime mover	Prime mover will be fully compatible with the Works Services prime mover and hence fully interchangeable (both items will serve as back-up for each other)	insignificant	Possible	Low

CONSULTATION

No consultation undertaken.

OFFICER COMMENT

Aggregation and consolidation of waste loads at the Busselton Transfer and Recycling Centre are expected to improve waste collection efficiencies through the reduction of travel time of 4 out of the 5 existing rubbish trucks each day, and associated fuel consumption expense. It is also expected to substantially reduce the trips of the hooklift truck between the transfer station and Dunsborough Waste Facility, thus further improving operating efficiencies.

The purchase of the City's own prime mover is justified on the basis of the following operational reasons:

1. Expected utilisation rates of about one to two full loads every business day, 250 days a year).
2. This plant item will be critical for the new waste collection operating scheme based on transfers of consolidated loads from the Busselton Waste Transfer and Recycling Centre to Dunsborough Waste Facility, therefore, reliability is key.

3. Transfer of loads will occur only each time the trailer is full. This will vary substantially each day of the week and each season and, therefore, a Contractor arrangement is not likely to be economical (as the prime mover would likely have to be assigned to the waste facility on stand-by, full time allocation basis, as opposed to on-demand and allocated for the actual transfer hours only).
4. Full compatibility with Works prime mover will allow flexibility and reliability in overall operations in both Works and Waste services, as both plant items would be able to be used as back-up of each other, further increasing expected utilisation rates.

The proposed prime mover can be purchased through the WALGA Preferred Supplier Program. If it is included in the same procurement process as that of the Works prime mover (due for replacement this year) the City will likely be able to benefit from a relevant discount offered by the supplier.

CONCLUSION

Given the newly adopted operational model and the associated requirements pertaining to utilisation rates, reliability and flexibility in the overall provision of operations services (both Works and Waste), the proposed purchase of one prime mover for Waste services is justified.

OPTIONS

The Council can choose not to accept the Officers Recommendation and the transfer of waste from the Busselton Transfer and Recycling Centre to the Dunsborough Waste Facility would be hired out to a contractor. This might, however, not provide the reliability and flexibility that the proposed arrangement would achieve, or even prove beneficial solely from a cost stand point.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The City would immediately go out for quotations, immediately after the Council has endorsed the Officer's recommendation, in order to have the prime mover delivered by March 2018, just on time for the commencement of the new compactor facility.

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED

That the Council approves a budget amendment to provide for:

1. The purchase of a prime mover for Waste Services for approximately \$250,000.
2. Transfer of an amount of \$250,000 from the Waste Management Facility and Plant Reserve to the municipal plant account (528.11402.7723.0000) to allow for the purchase of the prime mover.

10.2 Finance Committee - 16/11/2017 - BUDGET AMENDMENT REQUEST - RESOURCING TO SUPPORT DEVELOPMENT OF CITY 'ENERGY MASTER PLAN'

SUBJECT INDEX:	Budget Planning and Reporting
STRATEGIC OBJECTIVE:	Climate change risks and impacts are understood, acknowledged and responded to through appropriate planning and community education.
BUSINESS UNIT:	Finance and Corporate Services
ACTIVITY UNIT:	Environmental Management
REPORTING OFFICER:	Manager Financial Services - Kim Dolzadelli
AUTHORISING OFFICER:	Director, Finance and Corporate Services - Cliff Frewing
VOTING REQUIREMENT:	Absolute Majority
ATTACHMENTS:	Nil

This item was considered by the Finance Committee at its meeting on 16 November 2017, the recommendations from which have been included in this report.

PRÉCIS

This report seeks recommendation of the Finance Committee to Council for the approval of budget amendments as detailed in this report. Adoption of the Officers recommendation will result in no change to the City's current Amended Budgeted Surplus Position of \$0.

BACKGROUND

The Council has recently identified, through the most recent CEO Performance Review and the setting of a new CEO Key Performance Indicator (KPI), an intent to develop a City 'Energy Master Plan', described as follows -

"Subject to provision of budget, and working with the Sustainability and Energy Working Group, commence the development of an Energy Master Plan to determine direction for the organisation towards achieving real savings in all energy sources."

Implicit in the KPI is recognition of the fact that the project had not provided for during the development of the current, 2017/18 financial year budget, and that resources, other than existing staff resources which may be able to be reallocated, will be required to ensure that the organisation is able to meet the KPI.

City officers are currently developing a draft project scope and plan, and have begun related research and investigation, with a view to presenting a draft project scope and plan, for feedback and discussion, to the Sustainability and Energy Working Group (which is the same group, just subtly renamed, as the working group referenced in the KPI itself). It is anticipated that will commence in December 2017.

At this stage, it is not entirely clear what resources and /or skills will be required, or the means by which those resources and / or skills may be procured – that will be determined through the development of the project scope and plan, and through the investigations that follow, and is also outlined a little further in this report. The allocation of \$75,000 is, however, seen as appropriate to ensure the project can properly commence and advance during the current financial year. It is recommended those funds be allocated out of the Strategic Projects Reserve. Further funds may be required in future financial years, although the level and nature of the future needs is not known at present.

The \$75,000 to be allocated out of the Strategic Projects Reserve is proposed to be allocated as additional expenditure as follows –

1. \$26,500 as additional salaries expenditure in Environmental Management, allowing for the allocation of an existing officer in that team (who has substantial experience and knowledge in this field, having led the development and review of the City's Energy Action Plan, work they have been leading for around nine years);
2. \$45,000 as additional consultancy budget in Environmental Management, allowing for the contracting of specialist professional services to assist with the project; and
3. \$3,500 to complete the 'Enquiry' phase of the Western Power process associated with potential development of a mid-scale (approximately 6.0 MW) solar project on City land, being portion of the former Rendezvous Road (Busselton) Refuse Disposal facility, the further pursuance of which would potentially be explored as part of the Energy Master Plan process (and has been subject of an earlier Council briefing – also note this is the Western Power assessment fee and it is anticipated that the work required to lodge the enquiry would be completed in-house).

Whilst it is anticipated that the project will result in the development of an 'Energy Master Plan' that is a discrete document, it is considered that the focus should not be primarily on the development of a document, but rather on a process which results in a real understanding of the issues and opportunities, and a greater capacity for the organisation to achieve ongoing savings in energy use, costs and related greenhouse gas emissions.

The following tables show the detail of amendments proposed, these amendments result in no impact on the City's current Amended Budgeted Surplus Position of \$0:

120 - Strategic Projects Reserve:

<i>Natural Account</i>	<i>Current Budget</i>	<i>Proposed Amended Budget</i>
9101 - Accumulated Reserves at Start of Year	(230,337)	(230,337)
9102 - Transfer from Muni	(25,000)	(25,000)
9103 - Transfer to Muni	25,000	100,000
9104 - Interest transfer to Reserves	(5,340)	(5,340)
Balance of Reserve 30/06/2018	(235,677)	(160,677)

Cost Code 10850 - Implement Management Plans Other:

<i>Account Code</i>	<i>Description</i>	<i>Current Budget</i>	<i>Proposed Amended Budget</i>
421-10850-3001-000	Salaries	0	26,500
421-10850-3260-000	Consultancy	0	45,000
421-10850-3498-000	Purchase of Materials	25,720	29,220

STATUTORY ENVIRONMENT

Section 6.8 of the Local Government Act refers to expenditure from the municipal fund that is not included in the annual budget. In the context of this report, where no budget allocation exists, expenditure is not to be incurred until such time as it is authorised in advance, by an absolute majority decision of the Council.

RELEVANT PLANS AND POLICIES

There are multiple Plans and Policies that support the proposed Budget Amendments.

FINANCIAL IMPLICATIONS

Budget amendments being sought will result in no change to Council's Budget Surplus position of \$0.

Long-term Financial Plan Implications

N/A

STRATEGIC COMMUNITY OBJECTIVES

This matter principally aligns with 2 Key Goal Areas being:

- Community Objective 3.3 'Climate change risks and impacts are understood, acknowledged and responded to through appropriate planning and community education, and
- Community Objective 6.1 - 'Governance systems, process and practices are responsible, ethical and transparent'. The achievement of the above is underpinned by the Council strategy to 'ensure the long term financial sustainability of Council through effective financial management'.

RISK ASSESSMENT

There is a risk to the City, as there is with all projects undertaken, that the final cost could exceed budget. If this looks to be the case Council will be notified so a suitable offset / project scope back can be identified.

CONSULTATION

Consultation has occurred with the appropriate City of Busselton officers.

OFFICER COMMENT

The Officer commends the requested Budget Amendment to the Finance Committee for consideration and recommendation to Council.

CONCLUSION

Council's approval is sought to amend the budget as per the details contained in this report. Upon approval the proposed works will be planned, organised and completed.

OPTIONS

The Council could decide not to go ahead with the proposed budget amendment request, which would mean that the project would have to proceed through the reallocation of resources from other projects.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Should the Officer Recommendation be endorsed, the associated budget amendment will be processed within a month of being approved.

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

That the Finance Committee recommends to Council endorsement of the Requested Budget Amendments detailed in the following tables resulting in no change to an Amended Budgeted Surplus Position of \$0.

120 - Strategic Projects Reserve:

<i>Natural Account</i>	<i>Current Budget</i>	<i>Proposed Amended Budget</i>
9101 - Accumulated Reserves at Start of Year	(230,337)	(230,337)
9102 - Transfer from Muni	(25,000)	(25,000)
9103 - Transfer to Muni	25,000	100,000
9104 - Interest transfer to Reserves	(5,340)	(5,340)
Balance of Reserve 30/06/2018	(235,677)	(160,677)

Cost Code 10850 - Implement Management Plans Other:

<i>Account Code</i>	<i>Description</i>	<i>Current Budget</i>	<i>Proposed Amended Budget</i>
421-10850-3001-000	Salaries	0	26,500
421-10850-3260-000	Consultancy	0	45,000
421-10850-3498-000	Purchase of Materials	25,720	29,220

10.3 Finance Committee - 16/11/2017 - BUDGET AMENDMENT REQUEST

SUBJECT INDEX:	Budget Planning and Reporting
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Finance and Corporate Services
ACTIVITY UNIT:	Finance and Corporate Services
REPORTING OFFICER:	Manager Financial Services - Kim Dolzadelli
AUTHORISING OFFICER:	Director, Finance and Corporate Services - Cliff Frewing
VOTING REQUIREMENT:	Absolute Majority
ATTACHMENTS:	Nil

This item was considered by the Finance Committee at its meeting on 16 November 2017, the recommendations from which have been included in this report.

PRÉCIS

This report seeks recommendation of the Finance Committee to Council for the approval of budget amendments as detailed in this report. Adoption of the Officers recommendation will result in no change to the City's current Amended Budgeted Surplus Position of \$0.

It will however result in a reduction to the City's "Budget Surplus Contingency Holding Account" from \$93,880 to \$68,209 (by \$25,671).

BACKGROUND

Council adopted its 2017/2018 Municipal Budget on Wednesday, 26 July 2017 with a balanced Budget position.

Since this time Council has been advised of certain funding changes that have impacted the original Budget and Council is now being asked to consider Budget Amendments for the following Key Areas/Projects:

1. "Recognition of Income"**BACKGROUND**

Officers have located a long term outstanding Creditors Invoice in the amount of \$12,329 which it has been established should not be recorded as an outstanding amount. Officers have transferred this amount to account string 211-10200-1751-000 Misc. Income (no GST) and are requesting an amendment to Budget to recognise this.

PLANNED EXPENDITURE ITEMS

Officers propose to have this amount offset within the City's "Budget Surplus Contingency Holding Account" account string 100-10001-3680-0000 by increasing the current Amended Budget from \$93,880 to \$106,209.

Officers propose that the 2017/2018 Adopted Budget be amended to reflect the following funding changes, shown in Table 1.

Table 1:

<i>Account Code</i>	<i>Description</i>	Current Budget	Change	Proposed Amended Budget
211-10200-1751-000	Misc. Income (no GST)	(100)	(12,329)	(12,429)
100-10001-3680-0000	Budget Surplus Contingency Holding A/C	93,880	12,329	106,209

PROPOSED OUTCOME

Recognition of additional income offset with the Budget Surplus Contingency Holding Account.

2. "Funding Busselton and Dunsborough Yallingup Chambers of Commerce and Industry"**BACKGROUND**

Council adopted its 2017/2018 Municipal Budget on Wednesday, 26 July 2017 with a balanced Budget position.

At the Council meeting held meeting held 28 June 2017 resolution C1706/156 was carried by Council 8/1.

1. *Allocates \$38k from the 2016/17 'Budget Surplus Contingency Holding Account' (100.10001.3680) to the Busselton and Dunsborough Yallingup Chambers of Commerce and Industry and that the Chief Executive Officer enters into a funding agreement with the organisations on the following basis:*
 - a) *a Memorandum of Understanding is executed between the two organisations within one month*
 - b) *achievement of Key Performance Indicators (KPIs) as outlined in this report*
 - c) *that progress reports be presented to the Council in December 2017 and June 2018 outlining the achievement of KPIs*
 - d) *\$25k be allocated to the Busselton Chamber of Commerce and Industry, and \$13k allocated to the Dunsborough Yallingup Chamber of Commerce and Industry*

Officers note that funds were not held from the 2016/2017 Financial year however the City's *Budget Surplus Contingency Holding Account' (100.10001.3680) for the 2017/2018 Amended Budget* has enough funds to allow for reallocation to give effect to the above resolution of Council.

PLANNED EXPENDITURE ITEMS

Officers propose to have this amount offset within the City's "Budget Surplus Contingency Holding Account" account string 100-10001-3680-0000 by increasing the reducing the Amended Budget by \$38,000. The following amendments shown below in Table 2 are being sought for approval.

Table 2:

<i>Account Code</i>	<i>Description</i>	<i>Current Budget</i>	<i>Change</i>	<i>Proposed Amended Budget</i>
New	Contribution Busselton and Dunsborough Yallingup Chambers of Commerce and Industry	0	38,000	38,000
100-10001-3680-0000	Budget Surplus Contingency Holding Account	106,209	(38,000)	68,209

PROPOSED OUTCOME

Alignment of Budget to actual know commitments.

3. **"Bushfire Risk Management Planning - DFES"**

BACKGROUND

The Department of Fire and Emergency Services (DFES) recently advised that the Bushfire Risk Management Planning program was successful in securing State Government funding for 2017-18.

The City of Busselton was advised that it had been successful in its application to program funding for the 2017/2018 funding period with \$124,356 excluding GST being approved in the form of an operational grant from DFES.

The Approved Purpose of the Grant is to enable the Organisation to purchase items and pay the salary of the Bushfire Risk Planning Coordinator (BRPC) to undertake Bushfire Risk Management Planning (BRMP) activities.

The BRMP program is the identification and classification of bushfire risk within the respective Local Government(s). The program involves the development of a treatment plan in respect of the identified risk(s), through the utilisation of shared resources and the cooperation between Local Governments, State Agencies and private landowners and occupiers.

PLANNED EXPENDITURE ITEMS

Council's 2017/18 adopted budget does not include any allocation for the above Grant or matching Expenditure, Officers are proposing the Amended Budget allocations for approval as follows in Table 3:

Table 3:

<i>Account Code</i>	<i>Description</i>	Proposed Amended Budget
411-10942--0000	Grant Income	(124,356)
411-10942-3001-0000	Salaries – Normal	81,665
411-10942-3004-0000	Salaries – Allowances	1,075
411-10942-3006-0000	Salaries – Annual Leave	7,424
411-10942-3025-0000	Superannuation SGC	8,463
411-10942-3076-0000	Workers Compensation Insurance	2,000
411-10942-3078-0000	Journey/Practices & Officers Liability	90
411-10942-3081-0000	Conference Expenses	1,000
411-10942-3156-0000	Vehicle expenses	17,194
411-10942-3209-0000	Photocopying	500
411-10942-3215-0000	Other Administration / Office Expenses	4,945
Total		0

PROPOSED OUTCOME

To undertake Bushfire Risk Management Planning (BRMP) activities.

4. "Vasse Public Art Cash-in-Lieu"

BACKGROUND

Recent changes have been made to the City's 'Percent for Art' Local Planning Policy. One of the key changes was to identify a 'Vasse' Precinct for the purpose of cash-in-lieu contributions. The policy allows for expenditure of cash-in-lieu contributions from development in that Precinct on artwork in the Vasse Village Centre.

Whilst most developers seek to meet the requirements of the policy through in-kind works, some developers do take the option of meeting their obligations through an equivalent cash-in-lieu payment. Several developers in the Vasse Precinct have chosen the cash-in-lieu option. The City currently holds \$238,797 in the Public Art Reserve of which \$143,482 is held for cash-in-lieu contributions from development in that Precinct on artwork in the Vasse Village Centre.

PLANNED EXPENDITURE ITEMS

It is recommended that the Council amend the City's 2017/18 budget to transfer \$85,000 from restricted assets into expenditure in the Cultural Planning area. This would allow for delivery of planned public art projects this financial year, with other projects likely to follow in future years, as agreed by the City. It is anticipated that would occur in partnership with the Vasse JV, the overall developers of the Vasse Estate, including the Vasse Village Centre.

Officers are proposing the Amended Budget allocations for approval as follows in Table 4 and 5:

Table 4:

<i>Account Code</i>	<i>Description</i>	<i>Current Budget</i>	<i>Change</i>	<i>Proposed Amended Budget</i>
330-10900-3280-0000	Contractors – Cultural Planning	4,000	85,000	89,000

Table 5:

341 – Public Art Reserve	<i>Current Budget</i>	<i>YTD Actual</i>	<i>Change</i>	<i>Proposed Amended Budget</i>
9101 - Accumulated Reserves at Start of Year	(94,836)	(94,836)	0	(94,836)
9102 - Transfer from Muni	(52,000)	(143,482)	(143,482)	(195,482)
9103 - Transfer to Muni	52,000	0	85,000	137,000
9104 - Interest transfer to Reserves	(2,196)	(480)	(304)	(2,500)
Balance of Reserve 30/06/2018	(97,032)	(238,797)	(58,786)	(155,818)

PROPOSED OUTCOME

Delivery of precinct on artwork in the Vasse Village Centre.

STATUTORY ENVIRONMENT

Section 6.8 of the Local Government Act refers to expenditure from the municipal fund that is not included in the annual budget. In the context of this report, where no budget allocation exists, expenditure is not to be incurred until such time as it is authorised in advance, by an absolute majority decision of the Council.

RELEVANT PLANS AND POLICIES

There are multiple Plans and Policies that support the proposed Budget Amendments.

FINANCIAL IMPLICATIONS

Budget amendments being sought will result in no change to Council's Budget Surplus position of \$0. It will however result in a reduction to the City's "Budget Surplus Contingency Holding Account" from \$93,880 to \$68,209 (by \$25,671).

Long-term Financial Plan Implications

N/A

STRATEGIC COMMUNITY OBJECTIVES

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

RISK ASSESSMENT

There is a risk to the City, as there is with all projects undertaken, that the final cost could exceed budget. If this looks to be the case Council will be notified so a suitable offset / project scope back can be identified.

CONSULTATION

Consultation has occurred with the appropriate City of Busselton officers.

OFFICER COMMENT

The Officer commends the requested Budget Amendment to the Finance Committee for consideration and recommendation to Council.

CONCLUSION

Council's approval is sought to amend the budget as per the details contained in this report. Upon approval the proposed works will be planned, organised and completed.

OPTIONS

The Council could decide not to go ahead with any or all of the proposed budget amendment requests.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Should the Officer Recommendation be endorsed, the associated budget amendment will be processed within a month of being approved.

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

That the Finance Committee recommends to Council endorsement of the Requested Budget Amendments contained within this report, resulting in no change to an Amended Budgeted Surplus Position of \$0; noting that the City's "Budget Surplus Contingency Holding Account" would reduce from \$93,880 to \$68,209 (by \$25,671).

10.4 Finance Committee - 16/11/2017 - FINANCIAL ACTIVITY STATEMENTS - PERIOD ENDING 31 OCTOBER 2017

SUBJECT INDEX:	Budget Planning and Reporting
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Finance and Corporate Services
ACTIVITY UNIT:	Financial Services
REPORTING OFFICER:	Manager Financial Services - Kim Dolzadelli
AUTHORISING OFFICER:	Director, Finance and Corporate Services - Cliff Frewing
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Statement of Financial Activity Period Ending 31 October 2017  
	Attachment B Investment Report - Period Ending 31 October 2017 
	

This item was considered by the Finance Committee at its meeting on 16 November 2017, the recommendations from which have been included in this report.

PRÉCIS

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

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the City's financial performance on a year to date basis for the period ending 31 October 2017.

BACKGROUND

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

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

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

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

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

STATUTORY ENVIRONMENT

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

RELEVANT PLANS AND POLICIES

Not applicable.

FINANCIAL IMPLICATIONS

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

Long-term Financial Plan Implications

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

STRATEGIC COMMUNITY OBJECTIVES

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

RISK ASSESSMENT

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

CONSULTATION

Not applicable

OFFICER COMMENT

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

▪ Statement of Financial Activity

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

▪ Net Current Position

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

▪ Capital Acquisition Report

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

- Land and Buildings
- Plant and Equipment
- Furniture and Equipment
- Infrastructure

▪ Reserve Movements Report

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

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

COMMENTS ON FINANCIAL ACTIVITY TO 31 October 2017

The Statement of Financial Activity for the period ending 31 October 2017 shows a better than expected Net Current Position (Surplus) of \$30.65M being \$10.58M more than Year to Date Budget.

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

Description	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Amended Budget	2017/18 YTD Bud (A) Variance	2017/18 YTD Bud (A) Variance
	\$	\$	\$	%	
Revenue	55,546,762	55,160,978	66,213,170	0.70%	385,784
Expenses	(21,777,537)	(23,996,993)	(68,380,282)	9.25%	2,219,456

0

Non-Operating Grants, Subsidies and Contributions	1,520,741	7,974,542	43,437,175	-80.93%	(6,453,801)
--	-----------	-----------	------------	---------	-------------

0

Capital Revenue & (Expenditure)

0

Land & Buildings	(2,531,127)	(5,949,856)	(16,556,693)	57.46%	3,418,729
Plant & Equipment	(756,749)	(1,910,468)	(4,029,400)	60.39%	1,153,719
Furniture & Equipment	(181,703)	(425,543)	(830,212)	57.30%	243,840
Infrastructure	(8,152,160)	(19,256,193)	(60,472,821)	57.66%	11,104,033
Proceeds from Sale of Assets	214,959	125,000	635,150	71.97%	89,959
Transfer to Restricted Assets	(735,016)	(207,501)	(625,751)	-254.22%	(527,515)
Transfer from Restricted Assets	4,062,850	5,354,556	27,808,739	-24.12%	(1,291,706)

Operating Revenue:

Revenue from ordinary activities is \$385K more than expected when compared to Year to Date (YTD) Budget with the following items meeting the material variance reporting threshold set by Council for the 2017/2018 Financial Year.

Description	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Amended Budget	2017/18 YTD Bud (A) Variance	2017/18 YTD Bud (A) Variance
	\$	\$	\$	%	\$

Revenue from Ordinary Activities

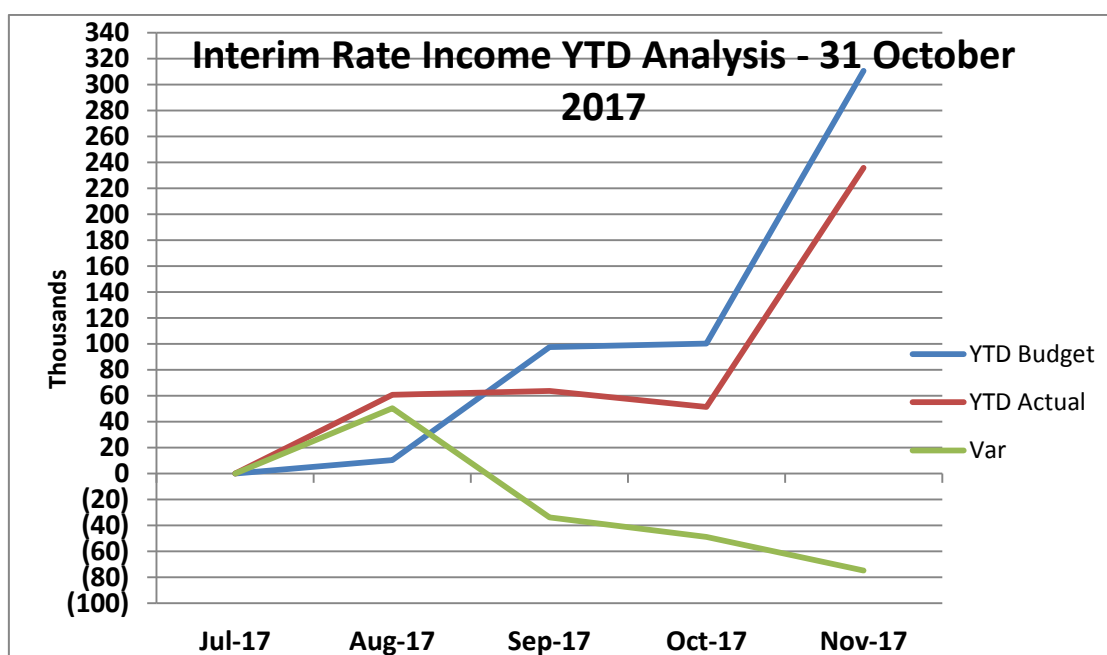
Other Revenue	221,831	136,372	403,838	62.67%	85,459
---------------	---------	---------	---------	--------	--------

The item predominately impacting the above "Other Revenue" performance is CLAG (Contiguous Local Authority Group) Funding in the amount of \$69K, this item is to be transferred to Trust.

The Officer notes that the above positive performance of "Other Revenue" is added to by collective performance of \$292k for Rates, Operating Grants and Subsidies, Fees and Charges and Interest Earnings; these items fall below the Material Variance reporting thresholds. The above variations are considered to be that of a timing difference at this stage of the Budget Year.

Interim Rates:

Officers continue to monitor Interim Rating Income levels and present the following information noting a small variance to YTD Budget:



Operating Expenditure:

Expenditure from ordinary activities is \$2.22M less than expected when compared to Year to Date (YTD) Budget with the following items meeting the material variance reporting threshold set by Council for the 2017/2018 Financial Year.

Description	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Amended Budget	2017/18 YTD Bud (A) Variance	2017/18 YTD Bud (A) Variance
	\$	\$	\$	%	\$
Expenses from Ordinary Activities					
Materials & Contracts	(3,917,704)	(5,811,760)	(16,676,598)	32.59%	(1,894,056)
Utilities (Gas, Electricity, Water etc)	(742,542)	(866,099)	(2,580,822)	14.27%	(123,557)
Other Expenditure	(952,744)	(833,609)	(3,273,767)	-14.29%	119,135

Materials and Contracts:

The main items affected are list below, at this stage these variance are considered to be that of a timing nature:

Cost Code Description / GL Activity	Variance YTD
Information & Communication Technology Services	198,073
Business Systems	259,699
	457,772
Community Services Administration	36,601
Geographe Leisure Centre	37,310
Kookaburra Caravan Park	56,518
Regional Centres Program	40,000
	170,429
Strategic Planning	63,854
Preventative Services - CLAG	37,397
Meelup Regional Park	38,180
	139,431
Engineering Services Administration	98,119
Street Lighting Installations	50,000
Busselton Jetty	184,157
Pedestrian Bridge (Port Geographe)	30,000
Miscellaneous Bridge Maintenance	44,577
Domestic Recycling Collections	89,480
Busselton Transfer Station	43,170
Rubbish Sites Development	29,202
BTS External Restoration Works	80,970
Road Maintenance Bal Of Budget	130,846
	780,520
Transport - Fleet Management	131,652
	131,652
Total	1,679,804

Utilities:

With over 364 individual accounts at a better than expected result of \$742K, a favourable position of \$123K is considered likely to be a timing difference at this early stage of the reporting year specifically when we are now entering the summer period.

Officers are monitor Utility charges each month and are also happy to note that the new Administration Building is tracking positively against YTD Budget expectations.

Other Expenditure:

Other expenditure is currently tracking above YTD Budget by \$119K with the following items predominately making up this variance. The Officer notes that the 2 main items of "Iron Man" and "Cinefest Oz" have already been finalised or are being funded in readiness for the events.

Cost Code Description / GL Activity	Variance YTD
Iron Man	● (123,332.00)
Cinefest Oz	● (63,332.00)
Peel Tce Building & Surrounds	● (38,125.00)
Recreation Administration	● (20,779.94)
Property and Business Development	● 10,114.55
Public Relations	● 14,633.62
Human Resources & Payroll	● 14,918.09
Half Iron	● 15,400.00
Office of the CEO	● 15,959.74
Community Services Administration	● 17,913.96
Micro Brewery - Public Ablution	● 30,000.00

Non-Operating Grants, Subsidies and Contributions:

The main item impacting on the above result is the timing of the receipt of "Airport Development - Project Grant" with a current negative result of \$6.2M; this is a timing difference in nature only.

Capital Expenditure

As at 31 October 2017, there is a variance of -57.8% or -\$15.94M in total capital expenditure with YTD Actual at -\$11.62M against a YTD Budget of -\$27.54M; with the table below showing those categories exceeding the 10% material variance threshold. The Airport Development makes up for \$10.35M or 72.5% of the overall variance which also assists in explaining the above current YTD shortfall in Non-Operating Grants.

Description	2017/18 Budget YTD Variance
Major Project - Busselton Foreshore	
Foreshore East-Youth Precinct Community Youth Building/SLSC	220,416
Major Project - Administration Building	
Civic and Administration Centre Construction	(336,851)
Buildings (Other)	
GLC - Pool Relining	(139,506)
Airport Terminal Stage 2	(3,000,000)
Plant & Equipment	
Plant Purchases (P10)	(1,462,144)
Major Project - Busselton Foreshore	
Busselton Foreshore - Stage 3	1,154,092
Busselton Tennis Club - Infrastructure	(854,857)
Busselton Foreshore Jetty Precinct	(842,958)
Major Project - Administration Building	
Administration Building Carpark	(100,995)
Footpaths Construction	
Bussell Highway Footpath Sections	(129,940)
Townscape Construction	
Dunsborough Road Access Improvements Stage 1	(195,478)
Parks, Gardens & Reserves	
Administration Building Landscaping Works	270,277
Port Geographe - Reticulation Upgrade Scheme to Bore Water	(111,954)
Vasse Newtown - AFL Oval Stage 2	174,605
Sanitation Infrastructure	
New Cell Development	(281,859)
Site Rehabilitation - Busselton	(150,110)
Airport Development	
Airport Construction Stage 2, Landside Civils & Services Inf	(2,866,664)
Airport Construction Stage 2, Noise Management Plan	(146,145)
Airport Construction Stage 2, Airfield	(3,271,984)
Airport Construction Stage 2, External Services	(865,193)
Airport Construction Stage 1B, Jet Fuel	(205,000)
Main Roads	
Strelly Street	(176,739)
Layman Road	299,039
Peel Terrace	(351,970)
Layman Road - Reconstruction Between 3250 and 6190	(200,861)
Roads to Recovery	
Yelverton Road- Rural reconstruction & widening	(195,587)
Council Roads Initiative	
Marine Terrace	(168,400)
Yelverton Road	(350,533)

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

All capital expenditure variances are considered to be a timing adjustment at this time, with no impact expected against the net current position.

Investment Report

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

As at 31 October 2017, the value of the City's invested funds totalled \$95.24M, steady from the balance as at 1st October.

During the month of September \$19.5M in term deposit funds matured. All deposits were renewed for an average of 91 days at an average rate of 2.32%. The lower than normal result is due to the Airport Development deposits being renewed for shorter periods as funds will be required as the work load increases with the spring weather.

The balance of the 11am account (an intermediary account which offers immediate access to the funds compared to the term deposits and a higher rate of return compared to the cheque account) remained steady. The balance of the Airport development ANZ cash account also remained steady.

The RBA left official rates on hold during September and October with future rate movements are unclear at this stage.

Chief Executive Officer – Corporate Credit Card

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

Date	Amount	Payee	Description
24-Oct-17	\$375.00	Naturaliste Travel	Flights (M Archer) Airport Meetings
24-Oct-17	\$375.00	Naturaliste Travel	* Flights (K Sullivan) Airport Meetings

**Funds debited against CEO Annual Professional Development Allowance as per employment Contract Agreement
+ Allocated against CEO Hospitality Expenses Allowance*

CONCLUSION

As at 31 October 2017, the City's financial performance is considered satisfactory.

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council receives the statutory financial activity statement reports for the period ending 31 October 2017, pursuant to Regulation 34(4) of the Local Government (Financial Management) Regulations.

City of BusseltonStatement of Financial ActivityFor The Period Ending 31 October 2017

	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Original Budget YTD	2017/2018 Amended Budget	2017/2018 Original Budget	2017/18 YTD Bud (A) Variance
	\$	\$	\$	\$	\$	%
Revenue from Ordinary Activities						
Rates	44,628,025	44,428,151	44,369,641	44,919,351	44,860,841	0.45%
Operating Grants, Subsidies and Contributions	764,108	756,488	754,856	3,451,708	3,454,904	1.01%
Fees & Charges	9,152,693	9,085,635	9,085,635	15,175,277	15,175,277	0.74%
Other Revenue	221,831	136,372	136,372	403,838	403,838	62.67%
Interest Earnings	780,105	754,332	754,332	2,262,996	2,262,996	3.42%
	55,546,762	55,160,978	55,100,836	66,213,170	66,157,856	0.70%
Expenses from Ordinary Activities						
Employee Costs	(9,669,584)	(10,302,092)	(10,302,092)	(29,186,308)	(29,186,308)	6.14%
Materials & Contracts	(3,917,704)	(5,811,760)	(5,800,172)	(16,676,598)	(16,639,971)	32.59%
Utilities (Gas, Electricity, Water etc)	(742,542)	(866,099)	(866,099)	(2,580,822)	(2,580,822)	14.27%
Depreciation on non current assets	(6,241,306)	(6,127,140)	(6,127,140)	(18,003,380)	(18,003,380)	-1.86%
Insurance Expenses	(649,170)	(653,269)	(653,269)	(655,677)	(655,677)	0.63%
Other Expenditure	(952,744)	(833,609)	(846,277)	(3,273,767)	(3,464,535)	-14.29%
Allocations	395,513	596,976	596,976	1,996,270	1,996,270	33.75%
	(21,777,537)	(23,996,993)	(23,998,073)	(68,380,282)	(68,534,423)	9.25%
Borrowings Cost Expense						
Interest Expenses	(330,898)	(317,867)	(317,867)	(1,410,971)	(1,410,971)	-4.10%
	(330,898)	(317,867)	(317,867)	(1,410,971)	(1,410,971)	-4.10%
Non-Operating Grants, Subsidies and Contributions	1,520,741	7,974,542	8,109,201	43,437,175	42,079,630	-80.93%
Profit on Asset Disposals	44,481	2,600	2,600	22,400	22,400	1610.81%
Loss on Asset Disposals	(32,386)	(5,000)	(5,000)	(6,252)	(6,252)	-547.72%
	1,532,836	7,972,142	8,106,801	43,453,323	42,095,778	-80.77%
Net Result	34,971,163	38,818,260	38,891,697	39,875,240	38,308,240	-9.91%
Adjustments for Non-cash Revenue & Expenditure						
Depreciation	6,241,306	6,127,140	6,127,140	18,003,380	18,003,380	
Donated Assets	(180,000)	0	0	(16,000,000)	(16,000,000)	
(Profit)/Loss on Sale of Assets	(12,095)	2,400	2,400	(16,148)	(16,148)	
Allocations & Other Adjustments	49	0	0	0	0	
Deferred Pensioner Movements	(31,212)	0	0	0	0	
Recording of Employee Entitlements (Provisions)	0	0	0	0	0	
Deposit & Bonds Movements (cash backed)	519,964	0	0	0	0	
Capital Revenue & (Expenditure)						
Land & Buildings	(2,531,127)	(5,949,856)	(5,937,356)	(16,556,693)	(16,531,693)	57.46%
Plant & Equipment	(756,749)	(1,910,468)	(1,910,468)	(4,029,400)	(4,029,400)	60.39%
Furniture & Equipment	(181,703)	(425,543)	(425,543)	(830,212)	(830,212)	57.30%
Infrastructure	(8,152,160)	(19,256,193)	(19,284,332)	(60,472,821)	(59,905,821)	57.66%
Proceeds from Sale of Assets	214,959	125,000	125,000	635,150	635,150	71.97%
Proceeds from New Loans	110,000	110,000	110,000	10,110,000	11,110,000	0.00%
Self Supporting Loans - Repayment of Principal	19,484	16,446	16,446	73,466	73,466	18.47%
Total Loan Repayments - Principal	(670,411)	(610,421)	(610,421)	(2,780,982)	(2,780,982)	-9.83%
Advances to Community Groups	(110,000)	(110,000)	(110,000)	(260,000)	(260,000)	0.00%
Transfer to Restricted Assets	(735,016)	(207,501)	(207,501)	(625,751)	(625,751)	-254.22%
Transfer from Restricted Assets	4,062,850	5,354,556	5,354,556	27,808,739	27,808,739	-24.12%
Transfer to Reserves	(5,110,525)	(4,993,672)	(4,993,672)	(16,285,572)	(16,285,572)	-2.34%
Transfer from Reserves	1,146,659	1,146,659	1,146,659	19,511,964	19,486,964	0.00%
Opening Funds Surplus/ (Deficit)	1,839,640	1,839,640	1,839,640	1,839,640	1,839,640	
Net Current Position - Surplus / (Deficit)	30,655,076	20,076,447.00	20,134,245.00	0.00	0.00	

City of Busselton

Net Current Position

For The Period Ending 31 October 2017

	2017/18 Actual	2017/18 Amended Budget	2017/18 Original Budget	2016/17 Actual
	\$	\$	\$	\$
<u>NET CURRENT ASSETS</u>				
<u>CURRENT ASSETS</u>				
Cash - Unrestricted	11,458,512	1,025,543	1,025,543	1,942,078
Cash - Restricted	85,365,777	54,238,018	54,263,018	84,647,398
Sundry Debtors	1,428,765	1,500,000	1,500,000	2,872,111
Rates Outstanding - General	20,364,983	950,000	950,000	950,768
Stock on Hand	16,543	24,457	24,457	24,457
	<u>118,634,580</u>	<u>57,738,018</u>	<u>57,763,018</u>	<u>90,436,812</u>
<u>LESS: CURRENT LIABILITIES</u>				
Bank Overdraft	0	0	0	0
Sundry Creditors	2,613,727	3,500,000	3,500,000	3,949,774
Performance Bonds	2,734,143	2,214,179	2,214,179	2,214,179
	<u>5,347,870</u>	<u>5,714,179</u>	<u>5,714,179</u>	<u>6,163,953</u>
Current Position (inclusive of Restricted Funds)	113,286,710	52,023,839	52,048,839	84,272,859
Add: Cash Backed Liabilities (Deposits & Bonds)	2,734,143	2,214,179	2,214,179	2,214,179
Less: Cash - Restricted Funds	(85,365,777)	(54,238,018)	(54,263,018)	(84,647,398)
<u>NET CURRENT ASSET POSITION</u>	<u>30,655,076</u>	<u>0</u>	<u>0</u>	<u>1,839,640</u>

City of BussetonCapital Acquisition ReportProperty, Plant & Equipment, InfrastructureFor the Period Ended 31 October 2017

Description	2017/18 Actual	2017/18 Amended Budget YTD	2017/18 Original Budget YTD	2017/18 Amended Budget	2017/18 Original Budget	2017/18 Budget YTD Variance
	\$	\$	\$	\$	\$	%
>> Property, Plant & Equipment						
Land						
10610 Property Services Administration	0	0	0	100,000	100,000	0.00%
10970 Parking Control	0	0	0	1,525,000	1,525,000	0.00%
11156 Airport Development	95,445	100,000	100,000	100,000	100,000	-4.56%
R0780 Dunsborough Lakes Oval - Commonage Road	0	0	0	1,600,000	1,600,000	0.00%
	95,445	100,000	100,000	3,325,000	3,325,000	-4.56%
Buildings						
Major Projects						
Major Project - Busseton Foreshore						
B9570 Foreshore East-Youth Precinct Community Youth Building/SLSC	1,220,416	1,000,000	1,000,000	1,351,078	1,351,078	22.04%
B9583 Railway House	300	6,668	6,668	20,000	20,000	-95.50%
B9593 Barnard Park Pavilion	337,222	350,969	350,969	350,969	350,969	-3.92%
B9600 Old Busseton Lighthouse	0	0	0	80,000	80,000	0.00%
	1,557,938	1,357,637	1,357,637	1,802,047	1,802,047	14.75%
Major Project - Administration Building						
B9010 Civic and Administration Centre Construction	737,046	1,073,897	1,073,897	1,140,537	1,140,537	-31.37%
	737,046	1,073,897	1,073,897	1,140,537	1,140,537	-31.37%
Buildings (Other)						
B9112 Ambergate Bushfire Brigade Shed	0	41,104	41,104	123,307	123,307	-100.00%
B9300 Aged Housing Capital Improvements - Winderlup	0	11,000	11,000	33,000	33,000	-100.00%
B9301 Aged Housing Capital Improvements - Harris Road	34,979	12,500	0	47,000	22,000	179.83%
B9302 Aged Housing Capital Improvements - Winderlup Court (City)	0	13,332	13,332	40,000	40,000	-100.00%
B9517 GLC - Pool Relining	50,541	190,047	190,047	570,000	570,000	-73.41%
B9528 GLC - Plant Room	1,680	43,403	43,403	130,000	130,000	-96.13%
B9591 Performing Arts Convention Centre	0	25,000	25,000	100,000	100,000	-100.00%
B9594 Vasse Community Recreation Precinct	45,759	16,668	16,668	50,000	50,000	174.53%
B9602 Point Piquet Toilet Block	4,390	0	0	0	0	0.00%
B9716 Airport Terminal Stage 2	0	3,000,000	3,000,000	9,000,000	9,000,000	-100.00%
B9804 Kook Park Home	3,350	65,268	65,268	195,802	195,802	-94.87%
	140,698	3,418,322	3,405,822	10,289,109	10,264,109	-95.88%
Total Buildings	2,435,682	5,849,856	5,837,356	13,231,693	13,206,693	-58.36%
Plant & Equipment						
10502 Community & Commercial Services Support	0	0	0	50,000	50,000	0.00%
10600 Kookaburra Caravan Park	7,300	0	0	0	0	0.00%
10610 Property Services Administration	0	0	0	35,000	35,000	0.00%
10630 Property and Business Development	38,724	0	0	40,000	40,000	0.00%
10810 Statutory Planning	65,113	0	0	70,000	70,000	0.00%
10850 Implement Management Plans Other	935	0	0	0	0	0.00%
10920 Environmental Health Services Administration	32,133	0	0	37,000	37,000	0.00%
10922 Preventative Services - Mosquitoes	40,188	168	168	39,500	39,500	23821.16%
10950 Animal Control	0	0	0	79,600	79,600	0.00%
11107 Engineering Services Design	0	0	0	35,000	35,000	0.00%
11170 Meelup Regional Park	1,981	0	0	0	0	0.00%
11401 Transport - Workshop	4,722	0	0	53,000	53,000	0.00%
11402 Plant Purchases (P10)	383,156	1,845,300	1,845,300	1,845,300	1,845,300	-79.24%
11403 Plant Purchases (P11)	13,554	60,000	60,000	328,000	328,000	-77.41%
11404 Plant Purchases (P12)	107,751	0	0	1,402,000	1,402,000	0.00%
B1029 Busseton Branch SES	61,194	0	0	0	0	0.00%
G0030 Busseton Transfer Station	0	1,668	1,668	5,000	5,000	-100.00%
G0031 Dunsborough Waste Facility	0	3,332	3,332	10,000	10,000	-100.00%
	756,749	1,910,468	1,910,468	4,029,400	4,029,400	-60.39%
Furniture & Office Equipment						
10250 Information & Communication Technology Services	51,227	34,428	34,428	103,276	103,276	48.79%
10251 Business Systems	45,525	89,464	89,464	268,400	268,400	-49.11%
10380 Busseton Library	0	0	0	5,000	5,000	0.00%
10381 Dunsborough Library	0	8,044	8,044	24,130	24,130	-100.00%
10590 Naturaliste Community Centre	0	15,720	15,720	15,720	15,720	-100.00%
10591 Geopraphe Leisure Centre	0	14,180	14,180	42,540	42,540	-100.00%

City of BusseltonCapital Acquisition ReportProperty, Plant & Equipment, InfrastructureFor the Period Ended 31 October 2017

Description	2017/18 Actual	2017/18 Amended Budget YTD	2017/18 Original Budget YTD	2017/18 Amended Budget	2017/18 Original Budget	2017/18 Budget YTD Variance
10616 Winderup Villas Aged Housing	0	1,500	1,500	6,000	6,000	-100.00%
10617 Harris Road Aged Housing	0	875	875	3,500	3,500	-100.00%
10625 Art Geo Administration	13,676	12,000	12,000	12,000	12,000	13.97%
10900 Cultural Planning	35,000	55,000	55,000	77,030	77,030	-36.36%
10920 Environmental Health Services Administration	0	3,332	3,332	10,000	10,000	-100.00%
10930 Fire Prevention Council	2,332	0	0	0	0	0.00%
11500 Operations Services Administration	3,187	0	0	0	0	0.00%
81000 Administration Building- 2-16 Southern Drive	16,874	111,000	111,000	111,000	111,000	-84.80%
81010 Ambergate Bushfire Brigade	0	0	0	2,464	2,464	0.00%
81013 Dunsborough Bushfire Brigade	0	0	0	4,833	4,833	0.00%
81014 Eagle Bay Bushfire Brigade	0	0	0	4,833	4,833	0.00%
81015 Hithergreen District Bushfire Brigade	0	0	0	4,833	4,833	0.00%
81018 Kaloorup Bushfire Brigade	0	0	0	2,464	2,464	0.00%
81019 Metricup Bushfire Brigade	0	0	0	2,464	2,464	0.00%
81022 Sussex Bushfire Brigade	0	0	0	2,464	2,464	0.00%
81023 Vasse Bushfire Brigade	0	0	0	2,464	2,464	0.00%
81024 Willyabrup Bushfire Brigade	0	0	0	2,464	2,464	0.00%
81025 Yallingup Coastal Bushfire Brigade	0	0	0	4,833	4,833	0.00%
81026 Yallingup Rural Bushfire Brigade	0	0	0	2,464	2,464	0.00%
81028 Yoongarillup Bushfire Brigade	0	0	0	2,464	2,464	0.00%
81029 Busselton Branch SES	0	0	0	12,572	12,572	0.00%
81361 YCAB (Youth Precinct Foreshore)	13,883	80,000	80,000	100,000	100,000	-82.65%
	181,703	425,543	425,543	830,212	830,212	-57.30%
Sub-Total Property, Plant & Equipment	3,469,579	8,285,867	8,273,367	21,416,305	21,391,305	-58.13%
>> Infrastructure						
Major Project - Busselton Foreshore						
C0016 Barnard Park Carpark	40,826	0	0	40,000	40,000	0.00%
C3094 Busselton Foreshore - Stage 3	2,300,884	1,146,792	1,146,792	3,440,383	3,440,383	100.64%
C3113 Busselton Tennis Club - Infrastructure	61,811	916,668	916,668	2,750,000	2,750,000	-93.26%
C3150 Busselton Foreshore Stage 3: Toddler's Playground	0	63,668	63,668	191,000	191,000	-100.00%
C3168 Busselton Foreshore Jetty Precinct	490,374	1,333,332	1,333,332	4,500,000	4,000,000	-63.22%
C3173 Barnard Park Pavillion Landscaping	17,183	0	0	0	0	0.00%
	2,911,078	3,460,460	3,460,460	10,921,383	10,421,383	-15.88%
Major Project - Administration Building						
C0043 Administration Building Carpark	149,005	250,000	250,000	250,000	250,000	-40.40%
	149,005	250,000	250,000	250,000	250,000	-40.40%
Footpaths Construction						
F0035 Dunsborough Lakes Drive to N.C.C.	0	51,543	51,543	152,000	152,000	-100.00%
F0063 Yallingup Footpath	0	10,464	10,464	31,395	31,395	-100.00%
F0066 Bussell Highway Footpath Sections	0	129,940	129,940	389,820	389,820	-100.00%
F0073 Bussell H/way Footpath - Opp Corner Store to Warden Crossing	0	8,482	8,482	25,000	25,000	-100.00%
F0074 Milward Street - Ford Road to Cookworthy Street	0	18,652	18,652	55,000	55,000	-100.00%
F0075 Armitage Drive Footpath - Navigation Way to Avocet Boulevard	0	20,348	20,348	60,000	60,000	-100.00%
F0076 Vasse Bypass Road Footpath	0	65,000	65,000	65,000	65,000	-100.00%
	0	304,429	304,429	778,215	778,215	-100.00%
Drainage Construction - Street						
D0009 Busselton LIA - Geocatch Drain Partnership	0	0	0	30,000	30,000	0.00%
D0010 Dunsborough / Busselton Drainage Upgrades	9,753	23,407	23,407	69,000	69,000	-58.33%
D0015 Valley Road Drainage Upgrade	0	87,501	87,501	258,010	258,010	-100.00%
D0016 Vasse Highway Drainage Works	0	22,523	22,523	22,523	22,523	-100.00%
D0017 Chain Avenue - Drainage Works	132	20,000	20,000	60,000	60,000	-99.34%
	9,885	153,431	153,431	439,533	439,533	-93.56%
Car Parking Construction						
C0044 Meelup Coastal Nodes - Carpark upgrade	2,178	79,256	79,256	237,764	237,764	-97.25%
	2,178	79,256	79,256	237,764	237,764	-97.25%
Bridges Construction						
A0010 Queen Street Bridge 0240A	0	96,000	96,000	288,000	288,000	-100.00%
A0021 Ambergate Bridge - 3393	0	0	0	90,000	90,000	0.00%
A0022 Yallingup Beach Road Bridge - 3347	0	0	0	222,000	222,000	0.00%

City of Busselton

Capital Acquisition Report

Property, Plant & Equipment, Infrastructure

For the Period Ended 31 October 2017

Description	2017/18 Actual	2017/18 Amended Budget YTD	2017/18 Original Budget YTD	2017/18 Amended Budget	2017/18 Original Budget	2017/18 Budget YTD Variance
	0	96,000	96,000	600,000	600,000	-100.00%
Cycleways Construction						
F1019 Busseilton Bypass - Country Road Footpath	0	74,901	74,901	222,000	222,000	-100.00%
	0	74,901	74,901	222,000	222,000	-100.00%
Townscape Construction						
C1001 Queen Street Upgrade - Duchess to Kent Street	684	41,332	41,332	124,000	124,000	-98.34%
C1024 Dunsborough Road Access Improvements Stage 1	1,574	197,052	197,052	591,155	591,155	-99.20%
	2,258	238,384	238,384	715,155	715,155	-99.05%
Boat Ramps Construction						
C1513 Port Geographe Boat Trailer Parking Layout Redevelopment	11,836	0	0	224,819	224,819	0.00%
	11,836	0	0	224,819	224,819	0.00%
Beach Restoration						
C2504 Groyne Construction	0	0	0	40,040	40,040	0.00%
C2512 Sand Re-Nourishment	114,811	36,668	36,668	110,000	110,000	213.11%
C2520 Coastal Protection Works	214	15,000	15,000	45,000	45,000	-98.58%
C2524 Wonnerup Coastal Defence (Groyne)	77,380	73,335	73,335	73,335	73,335	5.52%
	192,405	125,003	125,003	268,375	268,375	53.92%
Parks, Gardens & Reserves						
C3006 Playgrounds General - Replacement of playground equipment	2,810	6,756	6,756	20,000	20,000	-58.41%
C3007 Park Furniture Replacement - Replace aged & unsafe Equip	0	5,000	5,000	15,000	15,000	-100.00%
C3014 Meelup Park - Fire Access Trail	0	6,668	6,668	20,000	20,000	-100.00%
C3122 Rails to Trails	818	33,336	33,336	165,310	165,310	-97.55%
C3131 Elijah Circle POS	79	13,362	13,362	40,000	40,000	-99.41%
C3134 Vasse Community & Recreation Precinct - AFL Oval Stage 1	1,094	16,668	16,668	50,000	50,000	-93.44%
C3145 Churchill Park	43,055	0	0	150,000	0	0.00%
C3146 Dunsborough Town Centre	0	30,176	30,176	90,000	90,000	-100.00%
C3154 Administration Building Landscaping Works	387,231	116,954	116,954	250,000	250,000	231.10%
C3157 Port Geographe - Layman Road Native Tree Planting	0	11,664	11,664	35,000	35,000	-100.00%
C3158 Port Geographe - Casurina Replacements on Layman Road	18,900	13,362	13,362	40,000	40,000	41.45%
C3159 Port Geographe - Burgee Close (Western Side of Bridge)	0	31,664	31,664	95,000	95,000	-100.00%
C3160 Port Geographe - Reticulated POS at Layman Rd R/About	260	83,618	83,618	250,000	250,000	-99.69%
C3161 Port Geographe-Layman Road to Lanyard Boulevard (Planting)	0	6,668	6,668	20,000	20,000	-100.00%
C3163 Port Geographe - Outstanding Minor Repairs	0	10,092	10,092	30,000	30,000	-100.00%
C3164 Port Geographe - Reticulation Upgrade Scheme to Bore Water	0	111,954	111,954	335,000	335,000	-100.00%
C3165 Foreshore - Irrigation Renewal	0	20,146	20,146	60,000	60,000	-100.00%
C3166 Vasse River Foreshore - Bridge to Bridge project Stage 1	0	25,000	25,000	75,000	75,000	-100.00%
C3167 Advanced Bore Monitoring Equipment	0	33,332	33,332	100,000	100,000	-100.00%
C3169 Relocatable Bike Racks	8,666	3,668	3,668	11,000	11,000	136.25%
C3170 Yallingup Beach Showers	0	13,332	13,332	40,000	40,000	-100.00%
C3171 Dunsborough Foreshore Beach Showers	0	1,668	1,668	5,000	5,000	-100.00%
C3172 Vasse Newtown - AFL Oval Stage 2	285,365	110,760	110,760	332,275	332,275	157.64%
	748,277	705,848	705,848	2,228,585	2,078,585	6.01%
Cemetery Capital Works						
C1609 Pioneer Cemetery - Implement Conservation Plan	0	6,694	6,694	20,000	20,000	-100.00%
	0	6,694	6,694	20,000	20,000	-100.00%
Aged Housing - Infrastructure Works						
C3451 Aged Housing Infrastructure (Upgrade)	3,882	0	0	13,000	13,000	0.00%
	3,882	0	0	13,000	13,000	0.00%
Sanitation Infrastructure						
C3479 New Cell Development	9,805	291,664	291,664	875,000	875,000	-96.64%
C3481 Transfer Station Development	14,583	35,500	35,500	106,500	106,500	-58.92%
C3485 Site Rehabilitation - Busseilton	208,222	358,332	358,332	1,075,000	1,075,000	-41.89%
	232,610	685,496	685,496	2,056,500	2,056,500	-66.07%
Airport Development						

City of BusseltonCapital Acquisition ReportProperty, Plant & Equipment, InfrastructureFor the Period Ended 31 October 2017

Description	2017/18 Actual	2017/18 Amended Budget YTD	2017/18 Original Budget YTD	2017/18 Amended Budget	2017/18 Original Budget	2017/18 Budget YTD Variance
C6087 Airport Construction Stage 2, Landside Civils & Services Inf	0	2,866,664	0	8,600,000	0	-100.00%
C6090 Parks & Gardens Airport Stage 2	0	0	200,000	0	600,000	0.00%
C6091 Airport Construction Stage 2, Noise Management Plan	20,523	166,668	166,668	500,000	500,000	-87.69%
C6092 Airport Construction Stage 2, Airfield	2,561,348	5,833,332	5,833,332	17,500,000	17,500,000	-56.09%
C6093 Airport Construction Stage 2, Car Park & Access Roads	0	0	2,000,000	0	6,000,000	0.00%
C6095 Airport Construction Stage 2, External Services	1,475	866,668	1,533,332	2,600,000	4,600,000	-99.83%
C6097 Airport Construction Stage 1B, Jet Fuel	0	205,000	205,000	615,000	615,000	-100.00%
C6099 Airport Development - Project Expenses	484,332	572,557	572,557	1,701,890	1,701,890	-15.41%
	3,067,678	10,510,889	10,510,889	31,516,890	31,516,890	-70.81%
Main Roads						
S0035 Strelley Street	8,495	185,234	185,234	549,859	549,859	-95.41%
S0049 Layman Road	523,271	224,232	224,232	672,701	672,701	133.36%
S0051 Causeway Road	54,690	46,344	46,344	139,032	139,032	18.01%
S0064 Peel Terrace	19,024	370,994	370,994	1,102,549	1,102,549	-94.87%
S0066 Queen Street	7,214	84,804	84,804	254,412	254,412	-91.49%
S0067 Layman Road - Reconstruction Between 3250 and 6190	2,965	203,826	203,826	600,000	600,000	-98.55%
S0068 Georgiana Molloy Bus Bay Facilities	390	50,000	50,000	200,000	200,000	-99.22%
S0314 Koorabin Drive - Reseal	1,403	84,127	84,127	250,000	250,000	-98.33%
S0315 Guerin Street - Asphalt Overlay	10,054	28,962	28,962	85,907	85,907	-65.28%
	627,507	1,278,523	1,278,523	3,854,460	3,854,460	-50.92%
Roads to Recovery						
T0004 Chapman Hill Road	4,760	31,040	31,040	92,000	92,000	-84.66%
T0016 Puzey Road	0	51,721	51,721	155,000	155,000	-100.00%
T0026 Kaloourp Road	32,963	14,528	14,528	43,000	43,000	126.89%
T0061 Jindong Treeton Road	0	8,342	8,342	25,000	25,000	-100.00%
T0077 Florence Rd Gravel Resheet Silk 0.30 - 1.00	178	11,809	11,809	35,000	35,000	-98.49%
T0078 Taylor Rd Gravel Resheet Silk 0.00 - 1.14	178	16,199	16,199	48,000	48,000	-98.90%
T0079 Patton Terrace - Asphalt Overlay	1,632	90,603	90,603	269,000	269,000	-98.20%
T0080 Craig Street - Asphalt Overlay	445	51,198	51,198	152,000	152,000	-99.13%
T0082 Hakea Way - Asphalt Overlay	0	3	3	0	0	-100.00%
T0083 Pinnock Place- Asphalt Overlay	0	13,404	13,404	40,000	40,000	-100.00%
T0084 Yelverton Road- Rural reconstruction & widening	953	196,540	196,540	589,624	589,624	-99.52%
	41,108	485,387	485,387	1,448,624	1,448,624	-91.53%
Black Spot						
V0002 Busselton/Dunsborough Traffic Implementation Works	0	0	0	2,325,000	2,325,000	0.00%
	0	0	0	2,325,000	2,325,000	0.00%
Council Roads Initiative						
W0019 Marine Terrace	0	168,400	168,400	500,000	500,000	-100.00%
W0066 Court Street	0	7,500	7,500	22,500	22,500	-100.00%
W0108 Yelverton Road	16,850	367,383	367,383	1,080,376	1,080,376	-95.41%
W0136 DAIP Issues District ACROD Bays, ramps, signs etc	6,029	12,264	12,264	36,792	36,792	-50.84%
W0137 Edwards Road	0	51,281	51,281	152,000	152,000	-100.00%
W0150 Roe Terrace Busselton	0	6,668	6,668	20,000	20,000	-100.00%
W0176 Signage (Alternate CBD Entry)	0	20,000	20,000	60,000	60,000	-100.00%
W0177 Strelley Street	205	20,000	20,000	60,000	60,000	-98.97%
W0192 Valley Road	0	15,612	15,612	46,840	46,840	-100.00%
W0198 Senior Citizens Access Road (Peel Tce)	52,365	15,500	15,500	46,500	46,500	237.84%
W0200 Farquhar Rd Gravel Resheet Silk 0.60 - 2.10	1,257	17,885	17,885	53,000	53,000	-92.97%
W0201 McDonald Rd Gravel Resheet Silk 1.40 - 2.49	267	16,870	16,870	50,010	50,010	-98.42%
W0202 Costello Road - Asphalt Overlay	33,191	23,913	23,913	71,000	71,000	38.80%
W0203 Coates Street - Asphalt Overlay	41,007	18,526	18,526	55,000	55,000	121.35%
W0204 Greenfield Road (Loop) - One way layout	1,280	18,858	18,858	56,000	56,000	-93.21%
W0205 Churchill Park New Entry Road to Croquet Club	3	0	25,139	0	74,000	0.00%
W0206 Churchill Park Fire Hydrant Relocation	0	0	3,000	0	9,000	0.00%
W0207 Busselton Highway Pavement Deformation	0	10,000	10,000	10,000	10,000	-100.00%
W0208 Plover Court	0	10,832	10,832	32,500	32,500	-100.00%
	152,454	801,492	829,631	2,352,518	2,435,518	-80.98%
Sub-Total Infrastructure	8,152,160	19,256,193	19,284,332	60,472,821	59,905,821	-57.66%
Grand Total - Capital Acquisitions	11,621,739	27,542,060	27,557,699	81,889,126	81,297,126	-57.80%

City of Busselton - Reserves Movement Report**For The Period Ending 31 October 2017**

	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Original Budget YTD	2017/2018 Amended Budget	2017/2018 Original Budget
	\$	\$	\$	\$	\$
100 Airport Infrastructure Renewal and Replacement Reserve					
Accumulated Reserves at Start of Year	1,428,767.68	1,428,767.68	1,428,767.68	1,428,767.68	1,428,767.68
Interest transfer to Reserves	12,072.91	11,052.00	11,052.00	33,156.00	33,156.00
Transfer from Muni	132,168.00	132,168.00	132,168.00	396,505.00	396,505.00
Transfer to Muni	0.00	0.00	0.00	(42,630.00)	(42,630.00)
	<u>1,573,008.59</u>	<u>1,571,987.68</u>	<u>1,571,987.68</u>	<u>1,815,798.68</u>	<u>1,815,798.68</u>
102 Climate Adaptation Reserve					
Accumulated Reserves at Start of Year	1,900,992.93	1,900,992.93	1,900,992.93	1,900,992.93	1,900,992.93
Interest transfer to Reserves	13,479.60	14,704.00	14,704.00	44,112.00	44,112.00
Transfer from Muni	151,240.00	151,240.00	151,240.00	650,703.14	650,703.14
Transfer to Muni	0.00	0.00	0.00	(195,000.00)	(195,000.00)
	<u>2,065,712.53</u>	<u>2,066,936.93</u>	<u>2,066,936.93</u>	<u>2,400,808.07</u>	<u>2,400,808.07</u>
107 Corporate IT System Programme					
Accumulated Reserves at Start of Year	125,981.19	125,981.19	125,981.19	125,981.19	125,981.19
Interest transfer to Reserves	903.19	976.00	976.00	2,928.00	2,928.00
Transfer to Muni	0.00	0.00	0.00	(53,276.00)	(53,276.00)
	<u>126,884.38</u>	<u>126,957.19</u>	<u>126,957.19</u>	<u>75,633.19</u>	<u>75,633.19</u>
110 Jetty Maintenance Reserve					
Accumulated Reserves at Start of Year	3,158,774.78	3,158,774.78	3,158,774.78	3,158,774.78	3,158,774.78
Interest transfer to Reserves	26,439.00	24,432.00	24,432.00	73,297.00	73,297.00
Transfer from Muni	0.00	0.00	0.00	1,195,004.00	1,195,004.00
Transfer to Muni	0.00	0.00	0.00	(989,438.00)	(989,438.00)
	<u>3,185,213.78</u>	<u>3,183,206.78</u>	<u>3,183,206.78</u>	<u>3,437,637.78</u>	<u>3,437,637.78</u>
111 Legal Expenses Reserve					
Accumulated Reserves at Start of Year	544,831.88	544,831.88	544,831.88	544,831.88	544,831.88
Interest transfer to Reserves	4,145.32	4,216.00	4,216.00	12,648.00	12,648.00
	<u>548,977.20</u>	<u>549,047.88</u>	<u>549,047.88</u>	<u>557,479.88</u>	<u>557,479.88</u>
114 City Car Parking and Access Reserve					
Accumulated Reserves at Start of Year	623,501.69	623,501.69	623,501.69	623,501.69	623,501.69
Interest transfer to Reserves	4,544.49	4,824.00	4,824.00	14,472.00	14,472.00
Transfer from Muni	146,684.00	146,684.00	146,684.00	440,050.00	440,050.00
Transfer to Muni	0.00	0.00	0.00	(887,057.00)	(887,057.00)
	<u>774,730.18</u>	<u>775,009.69</u>	<u>775,009.69</u>	<u>190,966.69</u>	<u>190,966.69</u>
115 Plant Replacement Reserve					
Accumulated Reserves at Start of Year	2,325,777.71	2,325,777.71	2,325,777.71	2,325,777.71	2,325,777.71
Interest transfer to Reserves	13,081.16	17,988.00	17,988.00	53,965.00	53,965.00
Transfer from Muni	245,760.00	245,760.00	245,760.00	772,280.00	772,280.00
Transfer to Muni	0.00	0.00	0.00	(1,658,950.00)	(1,658,950.00)
	<u>2,584,618.87</u>	<u>2,589,525.71</u>	<u>2,589,525.71</u>	<u>1,493,072.71</u>	<u>1,493,072.71</u>
120 Strategic Projects Reserve					
Accumulated Reserves at Start of Year	230,336.88	230,336.88	230,336.88	230,336.88	230,336.88
Interest transfer to Reserves	1,716.53	1,780.00	1,780.00	5,340.00	5,340.00
Transfer from Muni	8,332.00	8,332.00	8,332.00	25,000.00	25,000.00
Transfer to Muni	0.00	0.00	0.00	(25,000.00)	(25,000.00)
	<u>240,385.41</u>	<u>240,448.88</u>	<u>240,448.88</u>	<u>235,676.88</u>	<u>235,676.88</u>

City of Busselton - Reserves Movement Report**For The Period Ending 31 October 2017**

	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Original Budget YTD	2017/2018 Amended Budget	2017/2018 Original Budget
	\$	\$	\$	\$	\$
121 Waste Management Facility and Plant Reserve					
Accumulated Reserves at Start of Year	7,578,591.65	7,578,591.65	7,578,591.65	7,578,591.65	7,578,591.65
Interest transfer to Reserves	59,915.38	58,620.00	58,620.00	175,861.00	175,861.00
Transfer from Muni	635,472.00	635,472.00	635,472.00	1,906,419.00	1,906,419.00
Transfer to Muni	0.00	0.00	0.00	(4,002,300.00)	(4,002,300.00)
	<u>8,273,979.03</u>	<u>8,272,683.65</u>	<u>8,272,683.65</u>	<u>5,658,571.65</u>	<u>5,658,571.65</u>
122 Port Geographe Development Reserve					
Accumulated Reserves at Start of Year	1,534,670.81	1,534,670.81	1,534,670.81	1,534,670.81	1,534,670.81
Interest transfer to Reserves	10,734.49	11,872.00	11,872.00	35,616.00	35,616.00
Transfer to Muni	0.00	0.00	0.00	(989,718.00)	(989,718.00)
	<u>1,545,405.30</u>	<u>1,546,542.81</u>	<u>1,546,542.81</u>	<u>580,568.81</u>	<u>580,568.81</u>
123 Port Geographe Waterways Management Reserve (SAR)					
Accumulated Reserves at Start of Year	3,422,821.20	3,422,821.20	3,422,821.20	3,422,821.20	3,422,821.20
Interest transfer to Reserves	24,790.43	26,476.00	26,476.00	79,428.00	79,428.00
Transfer from Muni	60,040.00	60,040.00	60,040.00	180,120.00	180,120.00
Transfer to Muni	0.00	0.00	0.00	(310,000.00)	(310,000.00)
	<u>3,507,651.63</u>	<u>3,509,337.20</u>	<u>3,509,337.20</u>	<u>3,372,369.20</u>	<u>3,372,369.20</u>
124 Workers Compensation Contingency Reserve					
Accumulated Reserves at Start of Year	322,008.37	322,008.37	322,008.37	322,008.37	322,008.37
Interest transfer to Reserves	2,576.96	2,492.00	2,492.00	7,476.00	7,476.00
Transfer from Muni	16,916.00	16,916.00	16,916.00	50,750.00	50,750.00
Transfer to Muni	0.00	0.00	0.00	(25,000.00)	(25,000.00)
	<u>341,501.33</u>	<u>341,416.37</u>	<u>341,416.37</u>	<u>355,234.37</u>	<u>355,234.37</u>
126 Provenge Landscape Maintenance Reserve (SAR)					
Accumulated Reserves at Start of Year	1,001,808.42	1,001,808.42	1,001,808.42	1,001,808.42	1,001,808.42
Interest transfer to Reserves	7,997.21	7,748.00	7,748.00	23,244.00	23,244.00
Transfer from Muni	52,040.00	52,040.00	52,040.00	156,115.00	156,115.00
Transfer to Muni	0.00	0.00	0.00	(162,369.00)	(162,369.00)
	<u>1,061,845.63</u>	<u>1,061,596.42</u>	<u>1,061,596.42</u>	<u>1,018,798.42</u>	<u>1,018,798.42</u>
127 New Infrastructure Development Reserve					
Accumulated Reserves at Start of Year	2,033,639.44	2,033,639.44	2,033,639.44	2,033,639.44	2,033,639.44
Interest transfer to Reserves	14,965.78	15,732.00	15,732.00	47,196.00	47,196.00
Transfer from Muni	217,700.00	217,700.00	217,700.00	653,105.00	653,105.00
Transfer to Muni	0.00	0.00	0.00	(1,195,674.00)	(1,195,674.00)
	<u>2,266,305.22</u>	<u>2,267,071.44</u>	<u>2,267,071.44</u>	<u>1,538,266.44</u>	<u>1,538,266.44</u>
128 Vasse Newtown Landscape Maintenance Reserve (SAR)					
Accumulated Reserves at Start of Year	485,466.16	485,466.16	485,466.16	485,466.16	485,466.16
Interest transfer to Reserves	3,199.74	3,756.00	3,756.00	11,268.00	11,268.00
Transfer from Muni	55,848.00	55,848.00	55,848.00	167,547.00	167,547.00
Transfer to Muni	0.00	0.00	0.00	(207,566.00)	(207,566.00)
	<u>544,513.90</u>	<u>545,070.16</u>	<u>545,070.16</u>	<u>456,715.16</u>	<u>456,715.16</u>
129 Untied Grants Reserve					
Accumulated Reserves at Start of Year	1,146,659.00	1,146,659.00	1,146,659.00	1,146,659.00	1,146,659.00
Transfer from Muni	0.00	0.00	0.00	0.00	0.00
Transfer to Muni	(1,146,659.00)	(1,146,659.00)	(1,146,659.00)	(1,146,659.00)	(1,146,659.00)
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

City of Busselton - Reserves Movement Report**For The Period Ending 31 October 2017**

	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Original Budget YTD	2017/2018 Amended Budget	2017/2018 Original Budget
	\$	\$	\$	\$	\$
130 Locke Estate Reserve					
Accumulated Reserves at Start of Year	129,971.14	129,971.14	129,971.14	129,971.14	129,971.14
Interest transfer to Reserves	1,356.85	1,004.00	1,004.00	3,012.00	3,012.00
Transfer from Muni	0.00	0.00	0.00	64,000.00	64,000.00
Transfer to Muni	0.00	0.00	0.00	(196,983.14)	(196,983.14)
	<u>131,327.99</u>	<u>130,975.14</u>	<u>130,975.14</u>	<u>0.00</u>	<u>0.00</u>
131 Busselton Community Resource Centre					
Accumulated Reserves at Start of Year	123,721.93	123,721.93	123,721.93	123,721.93	123,721.93
Interest transfer to Reserves	1,000.48	956.00	956.00	2,868.00	2,868.00
Transfer from Muni	6,895.00	6,895.00	6,895.00	27,580.00	27,580.00
	<u>131,617.41</u>	<u>131,572.93</u>	<u>131,572.93</u>	<u>154,169.93</u>	<u>154,169.93</u>
132 CBD Enhancement Reserve					
Accumulated Reserves at Start of Year	84,897.67	84,897.67	84,897.67	84,897.67	84,897.67
Interest transfer to Reserves	696.74	656.00	656.00	1,968.00	1,968.00
Transfer from Muni	8,750.00	8,750.00	8,750.00	35,000.00	35,000.00
Transfer to Muni	0.00	0.00	0.00	(120,000.00)	(120,000.00)
	<u>94,344.41</u>	<u>94,303.67</u>	<u>94,303.67</u>	<u>1,865.67</u>	<u>1,865.67</u>
133 Election, Valuation and Corporate Expenses Reserve					
Accumulated Reserves at Start of Year	331,552.54	331,552.54	331,552.54	331,552.54	331,552.54
Interest transfer to Reserves	2,839.49	2,564.00	2,564.00	7,692.00	7,692.00
Transfer from Muni	59,300.00	59,300.00	59,300.00	177,904.00	177,904.00
Transfer to Muni	0.00	0.00	0.00	(395,300.00)	(395,300.00)
	<u>393,692.03</u>	<u>393,416.54</u>	<u>393,416.54</u>	<u>121,848.54</u>	<u>121,848.54</u>
134 Civic and Administration Centre Construction Reserve					
Accumulated Reserves at Start of Year	444,863.46	444,863.46	444,863.46	444,863.46	444,863.46
Interest transfer to Reserves	0.00	0.00	0.00	0.00	0.00
Transfer to Muni	0.00	0.00	0.00	(444,863.46)	(444,863.46)
	<u>444,863.46</u>	<u>444,863.46</u>	<u>444,863.46</u>	<u>0.00</u>	<u>0.00</u>
136 Airport Marketing Reserve					
Accumulated Reserves at Start of Year	912,986.35	912,986.35	912,986.35	912,986.35	912,986.35
Interest transfer to Reserves	12,940.73	7,060.00	7,060.00	21,181.00	21,181.00
Transfer from Muni	329,738.72	100,000.00	100,000.00	300,000.00	300,000.00
	<u>1,255,665.80</u>	<u>1,020,046.35</u>	<u>1,020,046.35</u>	<u>1,234,167.35</u>	<u>1,234,167.35</u>
137 Busselton Traffic Study Implementation Reserve					
Interest transfer to Reserves	1,061.24	8,876.00	8,876.00	26,626.00	26,626.00
Transfer from Muni	167,316.00	167,316.00	167,316.00	3,001,952.00	3,001,952.00
Transfer to Muni	0.00	0.00	0.00	(2,660,917.00)	(2,660,917.00)
	<u>168,377.24</u>	<u>176,192.00</u>	<u>176,192.00</u>	<u>367,661.00</u>	<u>367,661.00</u>
138 CPA Bushfire Facilities Reserve					
Interest transfer to Reserves	295.07	0.00	0.00	0.00	0.00
Transfer from Muni	54,671.80	54,671.80	54,671.80	54,671.80	54,671.80
	<u>54,966.87</u>	<u>54,671.80</u>	<u>54,671.80</u>	<u>54,671.80</u>	<u>54,671.80</u>
139 CPA Community Facilities Dunsborough Lakes South Reserve					
Interest transfer to Reserves	374.23	0.00	0.00	0.00	0.00
Transfer from Muni	69,339.20	69,339.20	69,339.20	69,339.20	69,339.20
	<u>69,713.43</u>	<u>69,339.20</u>	<u>69,339.20</u>	<u>69,339.20</u>	<u>69,339.20</u>

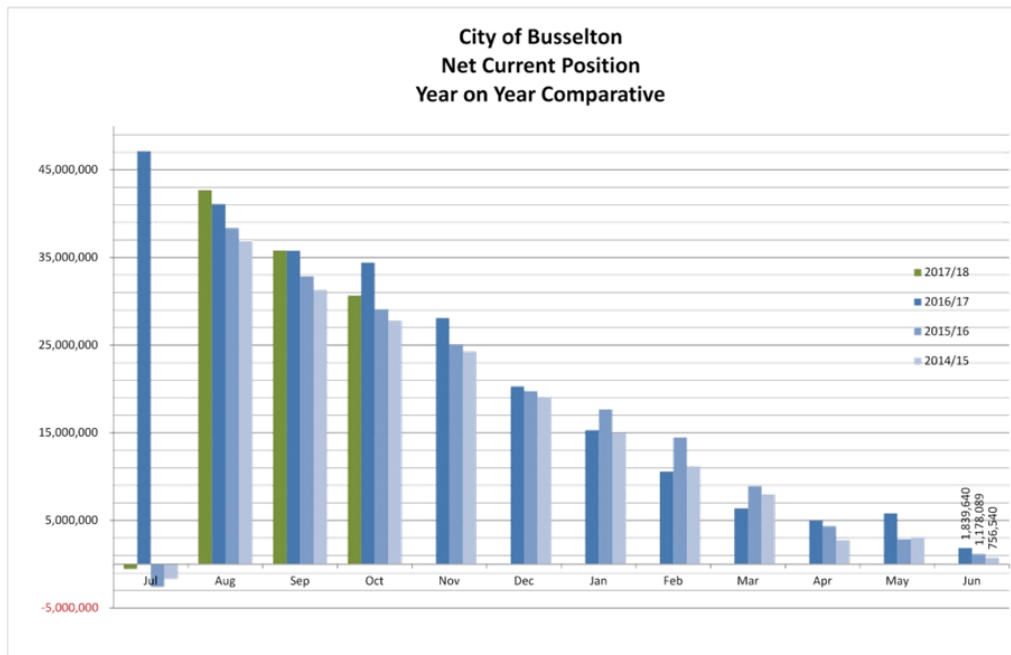
City of Busselton - Reserves Movement Report**For The Period Ending 31 October 2017**

	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Original Budget YTD	2017/2018 Amended Budget	2017/2018 Original Budget
	\$	\$	\$	\$	\$
140 CPA Community Facilities South Biddle Precinct Reserve					
Interest transfer to Reserves	10,057.81	0.00	0.00	0.00	0.00
Transfer from Muni	1,003,824.14	1,010,941.29	1,010,941.29	1,020,273.29	1,020,273.29
Transfer to Muni	0.00	0.00	0.00	(175,000.00)	(175,000.00)
	<u>1,013,881.95</u>	<u>1,010,941.29</u>	<u>1,010,941.29</u>	<u>845,273.29</u>	<u>845,273.29</u>
141 CPA Infrastructure Road Upgrades Reserve					
Interest transfer to Reserves	1,191.54	0.00	0.00	0.00	0.00
Transfer from Muni	220,770.23	220,770.23	220,770.23	220,770.23	220,770.23
	<u>221,961.77</u>	<u>220,770.23</u>	<u>220,770.23</u>	<u>220,770.23</u>	<u>220,770.23</u>
Various Building Asset Renewal Reserve					
Accumulated Reserves at Start of Year	1,335,118.59	1,335,118.59	1,335,118.59	1,335,118.59	1,335,118.59
Interest transfer to Reserves	10,160.17	10,328.00	10,328.00	30,984.00	30,984.00
Transfer from Muni	14,308.00	14,308.00	14,308.00	42,943.00	42,943.00
Transfer to Muni	0.00	0.00	0.00	(40,000.00)	(40,000.00)
	<u>1,359,586.76</u>	<u>1,359,754.59</u>	<u>1,359,754.59</u>	<u>1,369,045.59</u>	<u>1,369,045.59</u>
Various Community Development Contribution Reserve					
Accumulated Reserves at Start of Year	6,650,294.50	6,650,294.50	6,650,294.50	6,650,294.50	6,650,294.50
Interest transfer to Reserves	45,754.15	51,436.00	51,436.00	154,310.00	154,310.00
Transfer from Muni	132,256.91	366,264.00	366,264.00	1,098,790.00	1,098,790.00
Transfer to Muni	0.00	0.00	0.00	(844,145.00)	(844,145.00)
	<u>6,828,305.56</u>	<u>7,067,994.50</u>	<u>7,067,994.50</u>	<u>7,059,249.50</u>	<u>7,059,249.50</u>
Various Busselton Area Drainage and Waterways Improvement Reserve					
Accumulated Reserves at Start of Year	609,789.27	609,789.27	609,789.27	609,789.27	609,789.27
Interest transfer to Reserves	4,639.54	4,716.00	4,716.00	14,148.00	14,148.00
Transfer from Muni	0.00	0.00	0.00	0.00	0.00
Transfer to Muni	0.00	0.00	0.00	(120,000.00)	(120,000.00)
	<u>614,428.81</u>	<u>614,505.27</u>	<u>614,505.27</u>	<u>503,937.27</u>	<u>503,937.27</u>
Various Employee Entitlement Reserve					
Accumulated Reserves at Start of Year	3,005,076.86	3,005,076.86	3,005,076.86	3,005,076.86	3,005,076.86
Interest transfer to Reserves	22,928.31	23,244.00	23,244.00	69,732.00	69,732.00
Transfer from Muni	68,828.00	68,828.00	68,828.00	206,480.00	206,480.00
Transfer to Muni	0.00	0.00	0.00	(404,840.00)	(404,840.00)
	<u>3,096,833.17</u>	<u>3,097,148.86</u>	<u>3,097,148.86</u>	<u>2,876,448.86</u>	<u>2,876,448.86</u>
Various Infrastructure Asset Renewal Reserve					
Accumulated Reserves at Start of Year	1,076,330.48	1,076,330.48	1,076,330.48	1,076,330.48	1,076,330.48
Interest transfer to Reserves	10,535.80	8,324.00	8,324.00	24,972.00	24,972.00
Transfer from Muni	733,424.00	733,424.00	733,424.00	2,200,270.00	2,200,270.00
Transfer to Muni	0.00	0.00	0.00	(2,142,278.00)	(2,142,278.00)
	<u>1,820,290.28</u>	<u>1,818,078.48</u>	<u>1,818,078.48</u>	<u>1,159,294.48</u>	<u>1,159,294.48</u>
Various Joint Venture Aged Housing Reserve					
Accumulated Reserves at Start of Year	874,987.03	874,987.03	874,987.03	874,987.03	874,987.03
Interest transfer to Reserves	7,658.02	6,768.00	6,768.00	20,304.00	20,304.00
Transfer from Muni	40,000.00	40,000.00	40,000.00	120,000.00	120,000.00
Transfer to Muni	0.00	0.00	0.00	(25,000.00)	0.00
	<u>922,645.05</u>	<u>921,755.03</u>	<u>921,755.03</u>	<u>990,291.03</u>	<u>1,015,291.03</u>

City of Busselton - Reserves Movement Report

For The Period Ending 31 October 2017

	2017/2018 Actual	2017/2018 Amended Budget YTD	2017/2018 Original Budget YTD	2017/2018 Amended Budget	2017/2018 Original Budget
	\$	\$	\$	\$	\$
Various Public Art Reserve					
Accumulated Reserves at Start of Year	94,836.29	94,836.29	94,836.29	94,836.29	94,836.29
Interest transfer to Reserves	1,369.23	732.00	732.00	2,196.00	2,196.00
Transfer from Muni	143,481.50	17,332.00	17,332.00	52,000.00	52,000.00
Transfer to Muni	0.00	0.00	0.00	(52,000.00)	(52,000.00)
	<u>239,687.02</u>	<u>112,900.29</u>	<u>112,900.29</u>	<u>97,032.29</u>	<u>97,032.29</u>
Total Cash Back Reserves	<u>47,502,921.99</u>	<u>47,386,068.42</u>	<u>47,386,068.42</u>	<u>40,312,663.96</u>	<u>40,337,663.96</u>
Summary Reserves					
Accumulated Reserves at Start of Year	43,539,055.90	43,539,055.90	43,539,055.90	43,539,055.90	43,539,055.90
Interest transfer to Reserves	335,421.59	333,332.00	333,332.00	1,000,000.00	1,000,000.00
Transfer from Muni	4,775,103.50	4,660,339.52	4,660,339.52	15,285,571.66	15,285,571.66
Transfer to Muni	(1,146,659.00)	(1,146,659.00)	(1,146,659.00)	(19,511,963.60)	(19,486,963.60)
Closing Balance	<u>47,502,921.99</u>	<u>47,386,068.42</u>	<u>47,386,068.42</u>	<u>40,312,663.96</u>	<u>40,337,663.96</u>





CITY OF BUSSETON - INVESTMENT PERFORMANCE REPORT For the month of October 2017



11am Bank Account As at 31 October 2017

INSTITUTION	RATE	AMOUNT
ANZ 11am At Call Deposit	1.45%	\$ 5,000,000

Term Deposits - Miscellaneous Funds As at 31 October 2017

INSTITUTION	RATING	DAYS	MATURITY	RATE	AMOUNT
NAB	AA	90	01-Nov-17	2.41%	\$ 3,000,000
Bank of Queensland	BBB	181	06-Nov-17	2.65%	\$ 2,000,000
NAB	AA	120	23-Nov-17	2.41%	\$ 2,500,000
ANZ	AA	182	15-Dec-17	2.40%	\$ 3,500,000
Westpac	AA	182	29-Dec-17	2.33%	\$ 4,500,000
Westpac	AA	92	06-Jan-18	2.43%	\$ 5,000,000
NAB	AA	122	12-Jan-18	2.53%	\$ 4,000,000
Westpac	AA	92	17-Jan-18	2.44%	\$ 1,500,000
NAB	AA	92	17-Jan-18	2.50%	\$ 2,000,000
Rural Bank	BBB	181	05-Feb-18	2.50%	\$ 1,500,000
Bankwest	AA	151	12-Feb-18	2.50%	\$ 4,000,000
NAB	AA	153	12-Feb-18	2.54%	\$ 2,000,000
NAB	AA	180	14-Feb-18	2.50%	\$ 3,000,000
ANZ	AA	184	25-Feb-18	2.40%	\$ 3,000,000
Westpac	AA	181	06-Mar-18	2.55%	\$ 5,000,000
Westpac	AA	181	12-Mar-18	2.55%	\$ 4,000,000
NAB	AA	181	12-Mar-18	2.55%	\$ 2,000,000
Westpac	AA	181	22-Mar-18	2.56%	\$ 1,500,000
ANZ	AA	182	03-Apr-18	2.35%	\$ 3,000,000
Bendigo	BBB	272	05-Jun-18	2.50%	\$ 3,000,000
Bendigo	BBB	271	12-Jun-18	2.50%	\$ 1,000,000

Total of Term Deposits \$ 61,000,000

Foreshore Development Funds As at 31 October 2017

WA Treasury Corp. - Overnight Cash Deposit Facility	1.45%	\$ 1,534,349
Please note an additional \$459,223.75 is being held within the pool of term deposit funds		
		\$ 1,534,349

Airport Redevelopment Funds As at 31 October 2017

WA Treasury Corp. - Overnight Cash Deposit Facility	1.45%	\$ 2,494
WA Treasury Corp. - State Bonds 186 Days 29-Jan-18	1.76%	\$ 6,169,227

Total of Airport Redevelopment Funds - WATC \$ 6,171,720

NAB	AA	62	06-Nov-17	2.20%	\$ 3,000,000
NAB	AA	62	04-Dec-17	2.25%	\$ 2,500,000
ANZ	AA	91	05-Dec-17	2.35%	\$ 2,000,000
ANZ	AA	61	05-Dec-17	2.10%	\$ 3,500,000
Westpac	AA	91	05-Dec-17	2.48%	\$ 4,000,000
NAB	AA	59	29-Dec-17	2.20%	\$ 2,000,000

Total of Airport Redevelopment Funds - Bank Term Deposits \$ 17,000,000

ANZ Cash Account	AA	NA	NA	1.50%	\$ 4,539,991
------------------	----	----	----	-------	--------------

Total of Airport Redevelopment Funds - Other \$ 4,539,991

Total of Airport Redevelopment Funds \$ 27,711,711

Interest Received 2015/16	\$ 609,666
Interest Received 2016/17	\$ 1,158,623
Interest Received 2017/18	\$ 255,025
Interest Accrued but not yet Received	\$ 76,266
Total Interest Airport Funds (Non-Reserve) at month's end	\$ 2,099,581
Interest Transferred out and held in City Reserve Account 136	\$ 784,688
Interest Earned (incl. Accrued) on Funds Held in City Reserve A/c 136	\$ 8,685

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

SUMMARY OF ALL INVESTMENTS HELD As at 1 year ago As at 30 June 2017 As at 31 October 2017

11am Bank Account	\$ 5,000,000	\$ 4,000,000	\$ 5,000,000
Term Deposits - Misc. Funds	\$ 73,500,000	\$ 50,000,000	\$ 61,000,000
Foreshore Development Funds - WATC	\$ 1,512,274	\$ 1,526,935	\$ 1,534,349
Airport Redevelopment - WATC Deposits	\$ 37,041,911	\$ 6,146,434	\$ 6,171,720
Airport Redevelopment - Bank Term Deposit	\$ 4,000,000	\$ 17,000,000	\$ 17,000,000
Airport Redevelopment - ANZ Cash A/c	\$ 5,233,496	\$ 7,101,339	\$ 4,539,991
Total of all Investments Held	\$ 126,287,681	\$ 85,774,708	\$ 95,246,060

TOTAL INTEREST RECEIVED AND ACCRUED	\$ 588,694	\$ 1,625,936	\$ 453,030
INTEREST BUDGET	\$ 517,424	\$ 1,454,850	\$ 456,332

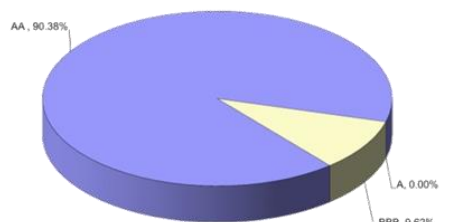
(Note: Interest figures relate to City general funds only and does not include interest allocated to specific areas such as the Airport Redevelopment)

Statement of Compliance with Council's Investment Policy 218

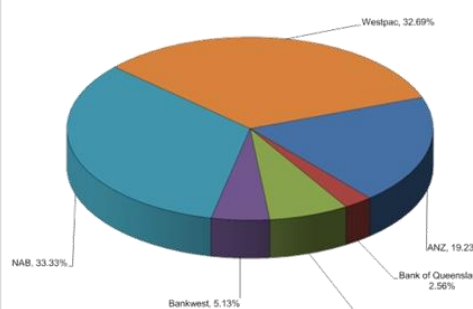
1. All funds are to be invested within legislative limits.	Fully Compliant
2. All individual funds held within the portfolio are not to exceed a set percentage of the total portfolio value.	Fully Compliant
3. The amount invested based upon the Fund's Rating is not to exceed the set percentages of the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

Investment Graphs

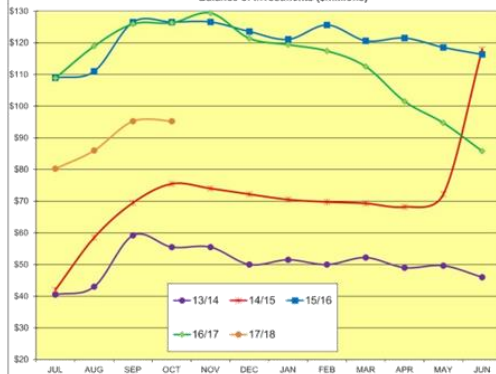
Summary of Term Deposits by S & P Rating (Excludes WATC and 11am Cash Account Funds)



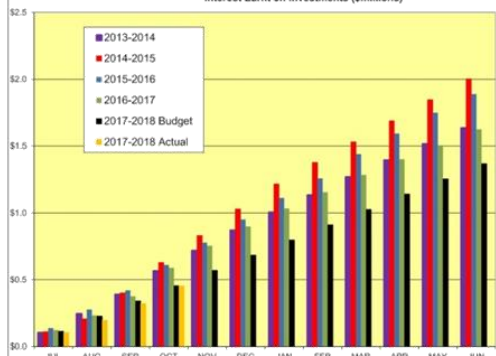
Summary of Term Deposits by Institution (Excludes WATC and 11am Cash Account Funds)





Balance of Investments (\$millions)



Interest Earned on Investments (\$millions)



10.5 Policy and Legislation Committee - 30/11/2017 - REVOCATION OF 135/2 - STREET APPEALS POLICY

SUBJECT INDEX:	Plans, Policies and Procedures
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Community Services
ACTIVITY UNIT:	Community Services
REPORTING OFFICER:	Cultural Development Officer - Jacquie Happ
AUTHORISING OFFICER:	Director, Community and Commercial Services - Naomi Searle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A cp135-2_street_appeals superseded ↓  Attachment B cp135-2_street_appeals ↓ 

This item was considered by the Policy and Legislation Committee at its meeting on 30 November 2017, the recommendations from which have been included in this report.

PRÉCIS

As part of the ongoing policy review process, a review of Policy 135 Street Appeals has been conducted. This report recommends that Council revokes the Street Appeals Policy.

BACKGROUND

The Street Appeals Policy was created to address issues at the time relating to the collection of donations in public areas. The policy was endorsed however the date was not recorded in the Policy Manual held by Governance. In this policy there were four clauses (Attachment A cp135-2_street_appeals superseded).

The Policy was reviewed in 2012, when Officers recommended that it be revoked. However, after committee discussion, Clauses 1 and 2 were maintained while Clauses 3 and 4 were made redundant. Clause 1 refers to one street appeal per week being permitted in each of the Busselton and Dunsborough Central Business District Areas and Clause 2 limits charitable organisations to have a maximum of two (2) street appeals per calendar year in Busselton and Dunsborough Central Business Districts. (Attachment B cp135-2_street_appeals).

STATUTORY ENVIRONMENT

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

RELEVANT PLANS AND POLICIES

Local Government Property Local Law 2010, section 3.13 manages activities that occur on local government property. A permit is provided by the City for activities of this nature. Charitable organisations are not required to apply for a permit due to the not for profit nature of their activities such as street appeals or selling of pins, poppies or other paraphernalia.

FINANCIAL IMPLICATIONS

Nil

Long-term Financial Plan Implications

Nil

STRATEGIC COMMUNITY OBJECTIVES

Removal of unnecessary and outdated policies such as this aligns with and supports the Council's Key Goal Area 6 Leadership

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

RISK ASSESSMENT

There is no associated risk with revoking the Street Appeals Policy.

CONSULTATION

Consultation has occurred with relevant City Officers across areas such as Governance, Finance and Corporate, Rangers, Environmental Health, Economic Development and Events who could identify no relevant use of this Policy.

OFFICER COMMENT

The Street Appeals Policy was created at a point in time to deal with specific issues.

Charitable organisations now apply to the City for permission to hold a street appeal or sell items or raffle tickets for fundraising purposes on City property. The City responds with a letter citing the *Local Government Property Law 2010, section 3.13* where they do not require a permit and that the City has no objection to the activity. The letter asks the applicant to ensure the local business adjacent is aware of the activity and that the business has no objection (Attachment C Street Appeals activity permit 121017).

This is a common-sense and positive approach to activities of this nature. It ensures that all participants including City, business and charitable organisation are aware of the activity.

The existing Street Appeals Policy is redundant given that the City has provided a mechanism that has the same power and effect to manage street appeals.

CONCLUSION

The Street Appeals Policy was likely to have been implemented because of issues at the time. A common-sense approach is achieved in a less formal manner with good results and there is a process for street appeals and fundraising activities to be conducted on City property. For this reason, it is recommended that the Street Appeals Policy is revoked.

OPTIONS

The Council could:

1. Choose not to revoke the Street Appeals Policy, or
2. Choose to seek further review and/or amend it at a later date.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The revocation of the Street Appeals Policy would be effective upon the adoption of the Officer's recommendation

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council revokes 135/2 Street Appeals Policy

135/2	Street Appeals	V1 Superseded
--------------	-----------------------	----------------------

1. Only one street appeal per week may be permitted in each of the Busselton and Dunsborough Central Business District areas.
2. Any charitable organisation may be allowed a maximum of 2 street appeals during any calendar year in each of the Busselton and Dunsborough Central Business Districts.
3. The following charitable organisations are granted ongoing approval to conduct one annual street appeal on the proviso that Council may alter or withdraw this approval subject to reasonable notice:
 - (a) Legacy (January);
 - (b) Busselton Junior Surf Club (January);
 - (c) Civilian Maimed and Limbless Association (May);
 - (d) Paraplegic-Quadriplegic Association of WA (May);
 - (e) Perth City Mission (July 9 and November).

(Note: This list is to be reviewed annually as part of the annual review of all Council Policies).
4. Any application from a charitable organisation requesting permission to conduct a street appeal and which is not included in the above list may be determined by the Chief Executive Officer.

Last updated 25 July 2012





135/2	Street Appeals	V2 Current
--------------	-----------------------	-------------------

1. Only one street appeal per week may be permitted in each of the Busselton and Dunsborough Central Business District areas.
2. Any charitable organisation may be allowed a maximum of 2 street appeals during any calendar year in each of the Busselton and Dunsborough Central Business Districts.

History

Council Resolution	Date	Information
C1207/205	25 July, 2012	Outdated requirements removed Version 2
		Implementation Version 1

10.6 Policy and Legislation Committee - 30/11/2017 - REVIEW OF 017 URBAN ART POLICY

SUBJECT INDEX:	Plans, Policies and Procedures
STRATEGIC OBJECTIVE:	A community with access to a range of cultural and art, social and recreational facilities and experiences.
BUSINESS UNIT:	Community Services
ACTIVITY UNIT:	Community Services
REPORTING OFFICER:	Cultural Development Officer - Jacquie Happ
AUTHORISING OFFICER:	Director, Community and Commercial Services - Naomi Searle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A 017 Urban Art Policy  
	Attachment B 017 Urban Art Policy Marked Up 2017  

This item was considered by the Policy and Legislation Committee at its meeting on 30 November 2017, the recommendations from which have been included in this report.

PRÉCIS

The City's rolling review of Council policies continues via the Policy and Legislation Committee. This report presents Policy 017 Urban Art (Attachment A 017 Urban Art) which has been reviewed by Officers.

BACKGROUND

Council previously adopted Policy 017 Urban Art Policy on 26 June 2013 (C1306/161).

The principles of Urban Artworks are:

- To encourage community participation in the creation of Urban Artworks within the City;
- To encourage responsible Urban Artwork and deter graffiti and vandalism of City property;
- To encourage a range of Urban Artwork styles which reflect the diversity of the community's aspirations and vision;
- To provide community access to high quality Urban Artwork projects for education and art appreciation purposes;
- To build on and promote the character and identity of the Busselton region;
- To provide spaces within the City for artists' creative ideas and expression;
- To develop potential designs for infrastructure, public facilities, bins and structures located near public facilities; and
- To encourage pride and ownership of infrastructure in our community.

The policy guides the City and organisations on undertaking Urban Artwork on City owned or managed buildings and infrastructure.

While only one project has been implemented since the policy was adopted, many have been created on private property, and have added life and vibrancy to the City's town centres, and all reflect the cultural and heritage aspirations of the community.

STATUTORY ENVIRONMENT

The term “graffiti vandalism” refers to defacing private and public property without consent from the property owner. Graffiti vandalism can take the form of writing, drawing or scratching onto surfaces using different implements such as paint, chalk, markers and stickers. It is illegal under the Western Australian Criminal Code Sections 444, 445, 446, 557G and 557H.

In terms of Regulation 5 of the *Local Government (Uniform Local Provisions) Regulations 1996* a person who, without lawful authority interferes with anything on land that is local government property, commits an offence.

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

RELEVANT PLANS AND POLICIES

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

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

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

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

Long-term Financial Plan Implications

Nil.

STRATEGIC COMMUNITY OBJECTIVES

This policy is consistent with fostering the following strategic objective:

Key Goal Area 1 Community

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

RISK ASSESSMENT

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

CONSULTATION

As the revised Policy is based on the City's existing policy, and there is no change in focus of the policy, no public consultation is required.

OFFICER COMMENT

During the course of reviewing the Urban Art policy, the following changes were made:

- a. Removal of the Urban Art Project Reference Group. This has been replaced with procedures that will be managed internally.
- b. Update of Scope to be high level statement and includes what is covered.
- c. Consistent use of wording for approval and Urban Artwork.
- d. Update and removal of Definitions which are about the approval process.
- e. Formatting changes.
- f. Changes in Policy Content
 - i. Removal of Assessment Criteria and Procedure
 - ii. Inclusion of statement of approval process
 - iii. Locations of Urban Artworks
 - iv. Consultation requirements
 - v. Maintenance and removal information
 - vi. Addition of a the Policy Background and History.

A copy of the marked up policy is attached (Attachment B 017 Urban Art Marked Up 2017.)

CONCLUSION

The City owns property and infrastructure that where the creation of Urban Art Projects plays a part in creating vibrant spaces and reflects the aspirations of the community. As part of the regular practice of reviewing Council policies, a review was carried out on Policy 017 Urban Art. Officers recommend that the policy be adopted with the changes.

OPTIONS

The Council may agree or may not agree to change the existing policy.
The Council may seek to make alterations to the policy.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The revised policy would take effect immediately following its adoption by Council.

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council adopts the changes and updates to Policy 017 – Urban Art as shown in Attachment B.

017	Urban Art Policy	V2 Current
-----	------------------	------------

1.0 PURPOSE

The Urban Art Policy (UAP) is designed to engage and encourage the community in the creation of Urban Artwork projects reflecting the cultures and lifestyles of the people who live within the City of Busselton.

The purpose of the UAP is to assist in achieving the following objectives:

- To encourage community participation in the creation of Urban Art Projects within the City;
- To encourage responsible Urban Artwork and deter graffiti and vandalism of City property;
- To encourage a range of Urban Artwork styles which reflect the diversity of the community's aspirations and vision;
- To provide community access to high quality Urban Artwork projects for education and art appreciation purposes;
- To build on and promote the character and identity of the Busselton region;
- To provide spaces within the City for artists' creative ideas and expression;
- To develop potential designs for infrastructure, public facilities, bins and structures located near public facilities; and
- To encourage pride and ownership of infrastructure in our community.

2.0 SCOPE

The Policy will guide the City and the community who want to undertake an Urban Artwork. Council supports the development of public Urban Artwork to promote tourism, business, culture and lifestyle and add vibrancy to public spaces within the district and this policy outlines the circumstances and process required to approve an Urban Artwork.

2.1 The policy covers all Urban Artworks on

- a. City owned or managed buildings; and
- b. City owned or managed infrastructure

2.2 The policy does not cover Urban Artworks on

- a. State or Federal Government buildings; and
- b. Privately or commercially owned property or infrastructure.

3.0 DEFINITIONS

For the purpose of this policy the following definitions apply: -

Artist/s: are generally professional artists, experienced community artists, or arts groups will be eligible to carry out Urban Art Projects. Refer to Guidelines for further information.

Artwork Design Concepts: means design artwork proof or concepts submitted to the City at the Location for approval.

Graffiti: refers to illegal artwork on private and public property without consent from the property owner and is also termed graffiti vandalism. Graffiti vandalism can take the form of writing, drawing or scratching onto surfaces using different implements such as paint, chalk, markers and stickers. Graffiti vandalism is illegal and is punishable by the Western Australian Criminal Code Sections 444, 445, 446, 557G and 557H.

Location: is the site of the Urban Artwork on City owned and managed property, fences, playgrounds, skate parks, outdoor walls, traffic underpass, or other public infrastructure.

Organiser/s: means the person, Company or Organisation, including City of Busselton managed projects, which is responsible for organising and makes application to the City for to create an Urban Art Project.

Urban Artwork: is an artwork that has been approved by the City to be created on a City Location. It is a well organised, skilled activity which has a strong aesthetic dimension, and in which artistic effort is the major consideration. Locations can include buildings, fences, playgrounds, skate parks, outdoor walls, traffic underpass, bus stop or other public infrastructure. For the purpose of the policy, the definition may also include other forms of art works, temporary or fixed and is not confined to paint.

4.0 POLICY CONTENT

4.1 Approval

All Urban Artwork on Locations require approval from the City before they commence.

The Urban Artwork Design Concepts will be reviewed and assessed by the City and the Organiser will be informed of the approval in writing.

4.2 Locations

Locations where Urban Artworks may be sited include City owned or managed properties and infrastructure.

4.3 Consultation

The Organiser/s must ensure that relevant stakeholders are identified and consulted with throughout the project.

4.4 Maintenance and Removal

As a condition of the Urban Artwork being approved, the Organiser will, in principle, be responsible for the Artwork's maintenance and removal of graffiti at the Location. A maintenance plan is required as part of the procedures.

The maintenance period for acquired artworks will be five (5) years from the date of creation unless agreed otherwise. If the Urban Artwork Location is not maintained and graffiti removed in a timely manner, the City reserves the right to remove it by repainting the surface.

6.0 RESPONSIBILITIES

Community and Commercial Services Directorate

Approval, consultation, location, artist liaison

Engineering Works and Services Directorate

Location, maintenance, removal

Finance & Corporate Services Directorate

Asset Register, insurance

7.0 POLICY BACKGROUND & HISTORY

Policy Reference No: 017
Owner Unit: Community Services
Policy Adopted: 26 June 2013
Review Frequency: As Required

Council Resolution	Date	Information
	December 2017	Reviewed
C1306/161	26 June 2013	Adopted and implemented

017	Urban Art Policy	V2 Current
-----	------------------	------------

1.0 PURPOSE

The Urban Art Policy (UAP) is designed to engage and encourage the community in the ~~development~~ ~~creation~~ of Urban ~~Art Projects~~ ~~Artwork projects~~ reflecting the cultures and lifestyles of the people who live within the City of Busselton.

The purpose of the UAP is to assist in achieving the following objectives:

- To encourage community participation in the ~~development~~ ~~creation~~ of Urban Art Projects within the City;
- To encourage responsible Urban Art~~work Projects~~ and deter graffiti and vandalism of City property;
- To encourage a range of Urban Art~~work~~ styles which reflect the diversity of the community's aspirations and vision;
- To provide community access to high quality Urban ~~Artwork P~~rojects for education and art appreciation purposes;
- To build on and promote the character and identity of the Busselton region;
- To provide spaces within the City for artists' creative ideas and expression;
- ~~To draw attention to facilities like public ablutions, as an alternative to sometimes intrusive signage;~~
- To develop potential designs for ~~infrastructure, public facilities~~, bins and structures ~~located~~ near public facilities; and
- To encourage pride and ownership of infrastructure in our community.

~~The City's appointed Urban Art Project Reference Group (UAPRG) will approve Urban Art Projects on City owned or managed property. The UAPRG will consist of the City of Busselton's Cultural Development Officer, one (1) City Councillor and two (2) suitably qualified community representatives appointed by an Expression of Interest process. The reference group has a term of two years.~~

2.0 SCOPE

~~This policy will enable Urban Art Projects to be undertaken on City owned and managed infrastructure that meet the City's Urban Art Guidelines (Guidelines) (Attachment 1). Applications are submitted for Urban Art Projects using the Application Form (Application) (Attachment 2). The UAPRG will review and approve applications and designs prior to the Organiser/s proceeding with the project on a building or infrastructure.~~

The Policy will guide the City and the community who want to undertake an Urban Artwork. Council supports the development of public Urban Artwork to promote tourism, business, culture and lifestyle and add vibrancy to public spaces within the district and this policy outlines the circumstances and process required to approve an Urban Artwork.

2.1 The policy covers all Urban Artworks on

- a. City owned or managed buildings; and

- b. City owned or managed infrastructure

2.2 The policy does not cover Urban Artworks on

- a. State or Federal Government buildings; and
- b. Privately or commercially owned property or infrastructure.

3.0 DEFINITIONS

For the purpose of this policy the following definitions apply: -

Artist/s: are generally professional artists, experienced community artists, or arts groups will be eligible to carry out Urban Art Projects. Refer to Guidelines for further information.

Artwork Design Concepts: means design artwork proof or concepts submitted to the City prior to any works commencing at the Location for approval.

Graffiti: refers to illegal artwork on private and public property without consent from the property owner and is also termed graffiti vandalism. Graffiti vandalism can take the form of writing, drawing or scratching onto surfaces using different implements such as paint, chalk, markers and stickers. Graffiti vandalism is illegal and is punishable by the Western Australian Criminal Code Sections 444, 445, 446, 557G and 557H.

Location: is the site of the Urban Artwork on City owned and managed property, fences, playgrounds, skate parks, outdoor walls, traffic underpass, or other public infrastructure.

Organiser/s: means the person, Company or Organisation, including City of Busselton managed projects, which is responsible for organising and makes application to the City for to create an Urban Art Project.

Urban Artwork: is ~~legal~~an artwork that has been approved by the City to be created on a City Location. It is a well organised, skilled activity which has a strong aesthetic dimension, and in which artistic effort is the major consideration. Locations can include buildings, fences, playgrounds, skate parks, outdoor walls, traffic underpass, bus stop or other public infrastructure. For the purpose of the policy UAP, the definition may also include other forms of art works, temporary or fixed and is not confined to paint.

~~is legal artwork, where approval has been granted by the City of Busselton to create an artwork on City owned or managed infrastructure. Urban Art is painted on authorised surfaces, and is generally a well organised, skilled activity which has a strong aesthetic dimension, and in which artistic effort is the major consideration.~~

~~**Urban Art Project:** is an artwork proposed to be created within the City of Busselton on public~~

~~**Urban Art Project Application Form:** The (Application Form) is required to be completed by Organiser/s for any Urban Art Projects. The Application requests requires information regarding: on the location, description of artwork, intended participants, consultation process, stakeholders, maintenance and the removal of an Urban Artwork. in relation to the Urban Art Projects.~~

~~Urban Art Project Reference Group:~~ The City appointed reference group will review and approve Urban Art Project applications. The comprises of the City's Cultural Development Officer, One (1) City Councillor and Two (2) suitably qualified community members. The term of the appointment is two years.

4.0 POLICY CONTENT

Assessment Criteria

4.1 Approval

All ~~applications for~~ Urban Artwork Projects on Locations require approval from ~~UAPRG~~ the City before ~~Urban~~ they commence.

The Urban Artwork Design Concepts Projects will be reviewed and assessed by the City ~~in accordance with the Guidelines. and approved in writing by the Cultural Development Officer. and the~~ Organiser will be informed of the approval in writing.

4.2 Locations

Locations where Urban Artworks may be sited include City owned or managed properties and infrastructure.

4.3 Consultation

The Organiser/s must ensure that relevant stakeholders are identified and consulted with throughout the project.

4.4 Maintenance and Removal

As a condition of the Urban Artwork being approved, the Organiser will, in principle, be responsible for the Artwork's maintenance and removal of graffiti at the Location. A maintenance plan is required as part of the procedures.

The maintenance period for acquired artworks will be five (5) years from the date of creation unless agreed otherwise. If the Urban Artwork Location is not maintained and graffiti removed in a timely manner, the City reserves the right to remove it by repainting the surface.

5.0 PROCEDURE

- ~~1 Organisers provided with the Guidelines (Attachment 1)~~
- ~~2 Organisers submit the Application (Attachment 2)~~
- ~~3 City acknowledges receipt of Application Form~~
- ~~4 Artist is approved~~
- ~~5 Organisers submit Artwork Design Concepts for approval~~
- ~~6 UAPRG approves artwork to commence at approved Location~~
- ~~7 Artwork commences~~
- ~~8 City advised of completion~~
- ~~9 Artwork added to City database of public art~~
- ~~10 Graffiti maintenance by Organiser/s~~

~~11 — Maintenance or removal of artwork by City as deemed necessary~~

6.0 RESPONSIBILITIES

Community and Commercial Services Directorate

Approval, consultation, location, artist liaison

Engineering Works and Services Directorate

Location, maintenance, removal

Finance & Corporate Services Directorate

Asset Register, insurance

7.0 POLICY BACKGROUND & HISTORY

Policy Reference No: 017







Owner Unit: Community Services

Policy Adopted: 26 June 2013

Review Frequency: As Required

Council Resolution	Date	Information
	19 November 2017	Reviewed
C1306/161	26 June 2013	Adopted and implemented

10.7 Policy and Legislation Committee - 30/11/2017 - REPEAL OF POLICY: COMMUNITY FACILITY BOOKINGS (#027)

SUBJECT INDEX:	Facility Bookings
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Information Services
ACTIVITY UNIT:	Information Services
REPORTING OFFICER:	Manager, Information Services - Hendrik Boshoff
AUTHORISING OFFICER:	Director, Finance and Corporate Services - Cliff Frewing
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Policy 027 - Community Facility Bookings  
	Attachment B Policy 249 - Non-Exclusive Use of City Land - Marked Up  
	Attachment C Policy 249 - Non-Exclusive Use of City Land - Final  

This item was considered by the Policy and Legislation Committee at its meeting on 30 November 2017, the recommendations from which have been included in this report.

PRÉCIS

In November 2016, Council adopted a new policy 'Non-exclusive Commercial Use of Land' (#249). This report recommends Council amends this policy to include short-term and seasonal hire and repeals a related policy that has guided community facility bookings of City owned and/or controlled land on a seasonal and short-term basis, namely 'Community Facility Bookings' (#027) Policy.

BACKGROUND

Prior to development of this Policy, the City had been managing a significant amount of non-exclusive use of City land and facilities, but without an overarching or integrated policy framework. Because of the level of interest in the subject, the potential implications of such activity, both positive and negative, and the need for administrative fairness, consistency, efficiency and robust decision-making, this policy was developed. Since it was first adopted, the scope of the policy has been expanded to include short-term or seasonal hire of City land and facilities, which was originally excluded. Further background to the development of this Policy can be found in the reports to the Council that have supported the Policy's consideration, adoption and review by the Council.

STATUTORY ENVIRONMENT

The following legislation provides legal parameters for commercial and community use of public land:

- Land Administration Act 1997 and associated regulations
- Local Government Act 1995 and associated regulations
- Planning and Development Act 2005 and associated regulations
- Building Act 2012 and associated regulations
- Health Act 1911 and associated regulations
- Public Health Act 2016
- Food Act 2008 and associated regulations
- Local Planning Scheme 21 and associated structure plans and policies
- Activities in Thoroughfares and Public Places and Trading Local Law
- Property Local Law
- Jetties Local Law
- Airport Local Law

RELEVANT PLANS AND POLICIES

The following plans and policies reference commercial and community use of public land:

- Busselton Foreshore Master Plan
- Busselton City Centre Conceptual Plan
- Dunsborough Town Centre Conceptual Plan
- Mobile Vendors on the Busselton Jetty Policy – Reference No. 006
- *Community Facilities Bookings Policy – Reference No. 027**
- Markets Policy – Reference No. 074
- Events Policy – Reference No. 231
- Leases of City Land and Buildings Policy – Reference No. 248
- Non-exclusive Commercial Use of Land (Policy #249)

** the Officer recommendation in this report recommends this policy be repealed and replaced with the single policy 'Non-exclusive Commercial Use of Land (Policy #249)'.*

FINANCIAL IMPLICATIONS

There are no financial implications arising from the Officer recommendation. Relevant elements of the schedule of fees and charges have been updated in the City's 2017/18 budget to reflect the individual hire rates for each venue and hire type as appropriate. The hire fees and charges are reviewed annually in accordance with the City's budget processes.

Long-term Financial Plan Implications

NIL

STRATEGIC COMMUNITY OBJECTIVES

These policies are aligned to Key Goal Area 6: Leadership that is Visionary, collaborative and accountable.

RISK ASSESSMENT

There are no risks rated medium or high associated with the Officer recommendation.

CONSULTATION

No specific community consultation was undertaken during the development of this report. However, officers engaged with other Local Governments and the various City Officers who administer the bookings of City facilities and land on both short-term and seasonal hire basis.

OFFICER COMMENT

The City manages a large variety of short-term and seasonal hireable facilities, each with their own specific attributes and capabilities. To guide the management of these facilities Officers utilised operational guidelines, adopted fees and charges, relevant legislation and refer to internal departments where appropriate. The opening of the new Civic and Administration Centre and in particular the availability of the Undalup Room initiated a full review of short-term hire information provision and it was found the operational parameters might differ between facilities. Therefore Officers progressed the development of individual hire forms, which contains all the relevant information and terms and conditions for each facility.

The aim being a single document per facility or facility group that can be presented to a potential hirer without the need to include excessive information not relevant to the facility being booked.

As such there has been a reduced need to use the Community Facility Bookings (#027) Policy and in fact a number of generic items contained in the policy contradict with the desired use of facilities. For example the policy restricts the commercial hire of a City facility to no more than sixteen hours (16) in any one week, clearly there would be various occasions where the commercial hire exceeding 16 hours might be appropriate.

During the review officers also assessed Non-exclusive Commercial Use of Land (Policy #249) and it was found the principles and desired outcomes set out in this Policy are consistent with the overarching principles and desired outcomes of both short-term and seasonal hire of City facilities, but it allows enough operational leeway to ensure the best use is made of the various facilities. That said, utilising the higher level Policy as a guiding principle will necessitate the need for more detailed individual or like type grouped operational documentation to ensure the facilities are appropriately managed.

CONCLUSION

As noted the City's number of short-term and seasonal hireable spaces have increased over the years, adding complexities in the desired use of these facilities. As the operational needs of the facilities became relevant officers developed corresponding guidelines, predominantly in the shape of hire forms, to assist with the appropriate management of the facilities. It is anticipated the City will continue to see an increase in the number of managed facilities and correspondingly a growth in the diversity of use.

Currently Officers are no longer using the 'Community Facility Bookings' (#027) Policy, as the operational documents, other relevant regulatory items and the City fees and charges have superseded this Policy. That said there is still a need to ensure a high level procedural fairness and equity for the access and use of short-term and seasonal hire of City facilities.

The overarching principles contained within Non-exclusive Commercial Use of Land (#249) Policy are deemed a good fit for the desired outcomes of procedural fairness and equity, and the following changes are recommended to include short-term and seasonal hire into this policy:

1. The title of the policy to be amended to read
'Non-exclusive Use of City Land and Facilities'
2. The scope of the policy amended to include short-term and seasonal hire:
'• Short-term and seasonal hire of City land and facilities such as sporting grounds, halls, public open spaces or reserves.'
3. Remove the exclusion of the short-term and seasonal hire from the scope exclusion by the deletion of:
~~*'Activities associated with the short-term hiring of City property;
General sporting use of ovals or similar'*~~
4. Amend objective one to include community and individuals:
'1. Achieving fair outcomes, in both procedural and outcome terms, in relation to the treatment of different businesses, business models, activities, community groups and individuals;'
5. Inclusion of a guiding principle directly related to short-term and seasonal hire:
'6. Notwithstanding clause 1 above, where there is a need for short term or seasonal hire of City land and/or facilities for a specific use, these will be managed through appropriate guidelines specific to each portion of land or facility, in keeping with the broader policy direction.'

It is also recommended that Council repeals the 'Community Facility Bookings (#027)' Policy, which deals with community and commercial short-term and seasonal hire of City managed facilities and public spaces.

OPTIONS

Council may elect not to repeal the Policy as recommended by Officers and request a further review of the policy framework for non-exclusive use of City land.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Should Council adopt the Officer recommendation, the policy will be repealed immediately

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council, with respect to the non-exclusive commercial and community use of City land:

1. Revokes the 'Community Facility Bookings (#027)' Policy, which deals with community and commercial short-term and seasonal hire of City managed facilities and public spaces (see Attachment A);and,
2. Adopts the minor changes to 'Non-Exclusive Commercial Use of Land Policy (#249)' (see Attachment B), to include short-term and seasonal hire of City Land, which supersedes the above policy and is the principal framework for administering permits and licenses for hire activities on City land

Last updated 13/08/2014

027	Community Facilities Bookings	V1 Current
-----	-------------------------------	------------

PURPOSE

As part of the City of Busselton's Community Strategic Plan (2013), Council has placed a high priority on providing for quality cultural, recreation, leisure facilities and services. The City of Busselton Community Facilities Bookings Policy will assist in achieving this goal by providing a strategic framework for the orderly, fair booking of all community facilities in the City of Busselton.

The policy will apply to the booking and hiring of City managed community facilities.

SCOPE

This policy applies to community facilities managed by or on behalf of the City of Busselton, including community and commercial hire agreements. This policy excludes individuals or organisations that have entered into a lease or licence with the City of Busselton.

OBJECTIVE

The objective of the Community Facilities Bookings Policy is as follows:

- To provide facilities to the community for cultural, recreational, sporting and other activities as required.
- To manage the facilities in a way that ensures equitable, appropriate and affordable access to the community.
- To maximise community use of facilities through planned asset maintenance and upgrade, promotion of the availability of facilities, booking planning and related strategies.
- To generate income from the use of facilities to contribute towards the cost of maintaining and managing the facilities.

DEFINITIONS

For the purpose of this policy the following definitions apply: -

Casual Hire – Casual Hire is defined as a booking that occurs less than twelve (12) times in any 12 month period.

Community Facilities – For the purposes of this policy Community Facilities include community recreation centres, active reserves, passive reserves and City managed Halls.

Crown Land - means land vested to the City of Busselton by the State of Western Australia for a particular purpose.

Long-term User – means an organisation or individual whom has entered into a hire agreement for a community facility with the city as a regular hirer for a period of in excess of 12 months.

Regular hire – Regular Hire is defined as any booking that occurs 12 or more times in any 12 month period. Regular hire bookings will be taken either annually, in line with school terms or bi-annually (seasonally).

Seasonal Hire – The word 'seasonal' for the purpose of this policy shall mean the seasons of summer and winter. For the purposes of defining seasonal hire, the summer season shall be regarded as the period between 1 October and 31 March, and the winter season the period between 1 April and 30 September, all days inclusive.

Last updated 13/08/2014

STANDARDS

For the purpose of this policy the following standards apply: -

Commercial Hire Rate - Commercial hire fees will apply to all businesses, organisations and individuals that expect to return a profit from their endeavours, and all hirers that do not meet the community hirer definition standard below.

Community Hire Rate – To be eligible for a community hire rate an organisation or individual is required to be a voluntary association (with an incorporation certificate) or a charitable organisation. Additionally a community rate can also apply in special circumstances whereby individuals or organisations can provide significant evidence of where there is no expectation for profit. An application for this hire rate must be made in writing.

Charitable concession – A charitable concession of up to 50% is available on applicable facility hire fees at City of Busselton facilities for organisations and groups where profits raised from the associated activity are to be donated to a local cause or charity. The applicable facility hire fees are highlighted in the City's *'Annual Schedule of Fees and Charges.'*

POLICY CONTENT

Principles

Community facilities in the City of Busselton are used for a wide range of activities such as children's playgroups, health, fitness and dance programs, craft activities, community and church groups, leisure classes, community events and seasonal sporting competitions. Below are types of bookings that may be available for Aquatic and Community Centres, Halls, Art Galleries, Parks and Reserves.

- Casual Bookings
- Regular Bookings (Annually)
- Regular Bookings (Seasonal)
- Regular Bookings (School Term)
- Events
- Access to Parks, Reserves
- Wedding ceremonies
- Exhibitions

Priority Bookings

Historical bookings with long-term users of community facilities will be honoured in the first instance; however the City reserves the right to review bookings as required to provide equitable access to its facilities. In the absence of a historical booking by a long-term user, booking requests made by a Community organisation or individual will be given highest priority when more than one request is made for the same facility at the same time.

Commercial Use

The commercial use of Community Facilities as contained within this policy is governed by and is interpreted in accordance with the laws of the City of Busselton, Western Australia and, where applicable, the laws of the Commonwealth of Australia. The use of facilities on

Last updated 13/08/2014

crown land must be consistent with the purpose of that reserve. Any commercial hire undertaken on crown land is limited to a maximum of sixteen (16) hours in total per week by an individual or organisation.

Property Local Law

Permission to utilise City of Busselton Community Facilities (via a permit) is granted under *Shire of Busselton Local Government Property Local Law 2010*. It is specified in this law as to permissible and non-permissible activities. There are also specific considerations in terms of alcohol consumption restrictions and requirements to obtain written approval to serve alcohol on /or from a City of Busselton property.

Seasonal hire

Of selected facilities seasonal hire availability is advertised by the City of Busselton on a biannual basis. Applications are advertised on the City's website and in one of the local newspapers and must be lodged by the stated application closure dates. The utilisation of community facilities for seasonal use may be granted on application. Times and periods of use must be stated on the application form. A liaison officer must be nominated by each club/organisation in order to provide close contact with the City. Payment of the hiring fees shall not confer any rights of use of the facility other than for times and periods specifically approved.

Events

In the instance whereby a community facility booking requires one or more formal approvals from the City's environmental health, building, statutory planning or engineering and works business units it will need to comply with the City's Events Policy (2006).

Conditions of hire

Hirers of City of Busselton community facilities must adhere to specific conditions, as stated on the *Facility Hire Form* to book the individual facility. Other hiring related practices and procedures will be outlined in the Operational Procedure document relating to that facility. The City may reserve the right to cancel bookings with reasonable notice, with the exception of emergencies, in order to conduct activities required by the Local Government. This could include, but is not limited to: local emergencies, maintenance work and elections.

Fees, Charges and Bonds

The hire of City of Busselton community facilities may incur fees, charges and bonds as per the Council adopted fees and charges schedule, which can be found on the City's website. Full payment is required in advance to confirm booking unless otherwise arranged.

Dispute Resolution

In the instance that a regular, casual or potential hirer of the facility is not in agreement with the booking determination made, a dispute resolution process will be outlined in the Operational Procedure document relating to that community facility. When receiving a written response the applicant will be advised of their objection and review rights. If the applicant is aggrieved by the decision, there is a right to object to this decision under section

Last updated 13/08/2014

9.5 of the Local Government Act 1995 (LGA). An applicant may also apply to the State Administrative Tribunal for a review of the decision under section 9.7 of the LGA.

Public Liability Insurance

The City of Busselton's *Casual Hirers Public Liability Insurance* will only cover casual hire for individuals or community groups that will not be making a profit from the activity. Any activity that does not meet these criteria will require public liability insurance.

Policy Background

Policy Reference No. - 027
Owner Unit – Community Services
Originator – Community Development Coordinator
Policy approved by – Council
Date Approved – August 2014
Review Frequency – As required
Related Documents – N/A

History

Council Resolution	Date	Information
C1408/195	13 August, 2014	Version 1

Implemented 09/11/2016

249	NON-EXCLUSIVE COMMERCIAL USE OF CITY LAND AND FACILITIES	VI Current
-----	--	------------

PURPOSE

This Policy provides a consistent framework and methodology to facilitate, control and regulate the non-exclusive commercial use of City owned and managed land across the District.

BACKGROUND

Prior to development of this Policy, the City had been managing a significant amount of non-exclusive commercial land, but without an overarching or integrated policy framework. Because of the level of interest in the subject, the potential implications of such activity, both positive and negative, and the need to provide for administrative fairness, consistency, efficiency and robust decision-making, this policy was developed. Further background to the development of this Policy can be found in the report to the Council that supported the Policy's consideration and adoption by the Council.

SCOPE

The Policy relates to the following kinds of non-exclusive commercial use of City land -

- Mobile traders (i.e. traders that operate from particular locations for certain periods of time);
- Itinerant traders (i.e. traders that offer goods and services by travelling around the District, stopping only for as long as it takes to serve customers in a particular location);
- Al fresco dining on footpaths or other City land adjacent or close to a permanent, fixed business (other than where this is facilitated via a lease);
- Recreational activities of various kinds (including fitness classes or similar - i.e. 'exercise permits' - and things like mobile climbing walls or water playgrounds);
- The running of tours or similar, which wholly or partly take place on City land and/or using City infrastructure;
- Businesses involved in the short-term hiring of recreational equipment, such as bikes, kayaks or jet skis; and
- Trading that operates from more or less temporary premises and/or from fixed premises, but on the basis of relatively short-term arrangements, such as trading from a converted/adapted sea container, or from some other relocatable and/or relatively low cost structure (although note that once there is a significant degree of 'permanence' associated with a business and/or structure in this kind of example, it becomes indistinguishable from a more conventional leasehold situation, and is therefore not subject of this policy).
- Short term and seasonal hire of City land and facilities such as sporting grounds, halls, public open spaces or reserves.

Formatted: Font: +Body (Calibri), Not Italic

Implemented 09/11/2016

The Policy does not relate to the following kinds of activities -

- Events, and the trading activity associated with events;
- Markets;
- Buskers/street entertainers;
- Activities associated with the short-term hiring of City property;
- General sporting use of ovals or similar; or
- Leasehold use/development of City land.

Formatted: Space Before: 0.5 pt

Formatted: List Paragraph, Indent: Left: 1.19 cm, Hanging: 1.01 cm, Bulleted + Level: 1 + Aligned at: 1.19 cm + Indent at: 2.2 cm, Tab stops: 2.2 cm, Left + 2.2 cm, Left

STATUTORY/POLICY ENVIRONMENT

- *Land Administration Act 1997* and associated regulations
- *Local Government Act 1995* and associated regulations
- *Planning and Development Act 2005* and associated regulations
- *Building Act 2012* and associated regulations
- *Health Act 1911* and associated regulations
- *Public Health Act 2016*
- *Food Act 2008* and associated regulations
- *Local Planning Scheme 21* and associated structure plans and policies
- *Activities in Thoroughfares and Public Places and Trading Local Law*
- *Property Local Law*
- *Jetties Local Law*
- *Airport Local Law*
- *Busse/ton Foreshore Master Plan*
- *Busse/ton City Centre Conceptual Plan*
- *Dunsborough Town Centre Conceptual Plan*
- *Commercial Hire Site Policy*- Reference No. 008*
- *Trading in Public Places Policy*- Reference No. 020*
- *Mobile Vendors on the Busse/ton Jetty Policy*- Reference No. 006*
- *Community Facilities Bookings Policy*- Reference No. 027
- *Markets Policy*- Reference No. 074
- *Events Policy*- Reference No. 231
- *Leases of City Land and Buildings Policy*- Reference No. 248

Implemented 09/11/2016

OBJECTIVES

1. Achieving fair outcomes, in both procedural and outcome terms, in relation to the treatment of different businesses, business models, ~~and activities,~~ community groups and individuals;
2. Preserving and enhancing the vibrancy and attractiveness of City, Town and other activity centres, and other important public spaces, such as the Busselton and Dunsborough Foreshores;
3. Providing convenient and attractive services to residents and visitors;
4. Encouraging innovation, new business development, and economic and employment growth;
5. Generating financial return to ratepayers associated with use of City land and infrastructure;
6. Supporting the delivery of other City strategies and objectives; and
7. Ensuring legal robustness, simplicity and comprehensibility, and administrative efficiency and workability.

GUIDING PRINCIPLES FOR IMPLEMENTATION

1. Where there is competition for space/sites (including with other kinds of uses, such as general public recreation or public car parking requirements) and/or concerns that activity should be managed carefully and/or not be supported in certain locations, applications will only be considered as part of an expression-of-interest process and not as a result of *ad hoc* applications;
 2. Expression-of-interest sites and assessment criteria will be periodically reviewed and updated, including through appropriate Council consultation/consideration and industry/community consultation;
 3. Novel proposals or *ad hoc* proposals may, however, be considered where it is clear they are supportable, given the broader policy direction, and/or to trial a new kind of activity and/or location;
 4. Where there is more than one regulatory option, once it is clear that a particular activity or proposal is broadly supported, the most administratively simple option, or combination of options, will be used; and
 5. Where there is identified to be a need to ensure a return on the value of City land and/or infrastructure, there will be a requirement for an 'agreement' and/or 'licence', in addition to a 'permit', with a 'licence' only being required where there is a need for a registerable interest in land.
- 5.6. Notwithstanding clause 1 above, where there is a need for short term or seasonal hire of City land and/or facilities for a specific use, these will be managed through appropriate guidelines specific to each portion of land or facility, in keeping with the broader policy direction.

Formatted: Character scale: 100%

ADMINISTRATION OF THIS POLICY

The Chief Executive Officer (CEO) has the authority (including through necessary delegations and/or authorisations) to administer the requirements of the Non-Exclusive Commercial Use of City Owned or Vested Land and Facilities Policy on behalf of Council.

Formatted: Font color: Text 1

Formatted: Font color: Red

Implemented 09/11/2016

Policy Background

Policy Reference No - 249

Owner Unit - Environmental Health

Originator- Manager Environmental Services

Policy considered by Policy and Legislation Committee and approved by- Council

Date Approved - 9 November 2016

Review Frequency-As required

Related Documents -

- Activities in Thoroughfares and Public Places and Trading Local Law 2015
- Properties Local Law
- Jetties Local Law
- Busselton Foreshore Master Plan
- *Busselton City Centre Conceptual Plan*
- *Dunsborough Town Centre Conceptual Plan*
- *Commercial Hire Site Policy*- Reference No. 008
- *Trading in Public Places Policy*- Reference No. 020
- *Mobile Vendors on the Busselton Jetty Policy*- Reference No. 006
- *Community Facilities Bookings Policy*- Reference No. 027
- *Markets Policy*-Reference No. 074
- *Events Policy*- Reference No. 231
- *Leases of City Land and Buildings Policy*- Reference No. 248

Formatted: Font: +Body (Calibri)

Background/History-

Implementation of new policy to facilitate, control and regulate the non-exclusive commercial use of City owned and managed land across the District.

History

Council Resolution	Date	Information
(1611/123	9 November 2016	Date of Implementation Version 1

Implemented 09/11/2016

249

NON-EXCLUSIVE USE OF CITY LAND AND FACILITIES

VI Current

PURPOSE

This Policy provides a consistent framework and methodology to facilitate, control and regulate the non-exclusive commercial use of City owned and managed land across the District.

BACKGROUND

Prior to development of this Policy, the City had been managing a significant amount of non-exclusive of commercial land, but without an overarching or integrated policy framework. Because of the level of interest in the subject, the potential implications of such activity, both positive and negative, and the need to provide for administrative fairness, consistency, efficiency and robust decision-making, this policy was developed. Further background to the development of this Policy can be found in the report to the Council that supported the Policy's consideration and adoption by the Council.

SCOPE

The Policy relates to the following kinds of non-exclusive commercial use of City land -

- Mobile traders (i.e. traders that operate from particular locations for certain periods of time);
- Itinerant traders (i.e. traders that offer goods and services by travelling around the District, stopping only for as long as it takes to serve customers in a particular location);
- Al fresco dining on footpaths or other City land adjacent or close to a permanent, fixed business (other than where this is facilitated via a lease);
- Recreational activities of various kinds (including fitness classes or similar - i.e. 'exercise permits' - and things like mobile climbing walls or water playgrounds);
- The running of tours or similar, which wholly or partly take place on City land and/or using City infrastructure;
- Businesses involved in the short-term hiring of recreational equipment, such as bikes, kayaks or jet skis; and
- Trading that operates from more or less temporary premises and/or from fixed premises, but on the basis of relatively short-term arrangements, such as trading from a converted/adapted sea container, or from some other relocatable and/or relatively low cost structure (although note that once there is a significant degree of 'permanence' associated with a business and/or structure in this kind of example, it becomes indistinguishable from a more conventional leasehold situation, and is therefore not subject of this policy).
- Short term and seasonal hire of City land and facilities such as sporting grounds, halls, public open spaces or reserves.

Implemented 09/11/2016

The Policy does not relate to the following kinds of activities -

- Events, and the trading activity associated with events;
- Markets;
- Buskers/street entertainers;
- ; or
- Leasehold use/development of City land.

STATUTORY/POLICY ENVIRONMENT

- *Land Administration Act 1997* and associated regulations
- *Local Government Act 1995* and associated regulations
- *Planning and Development Act 2005* and associated regulations
- *Building Act 2012* and associated regulations
- *Health Act 1911* and associated regulations
- *Public Health Act 2016*
- *Food Act 2008* and associated regulations
- *Local Planning Scheme 21* and associated structure plans and policies
- *Activities in Thoroughfares and Public Places and Trading Local Law*
- *Property Local Law*
- *Jetties Local Law*
- *Airport Local Law*
- *Busse/ton Foreshore Master Plan*
- *Busse/ton City Centre Conceptual Plan*
- *Dunsborough Town Centre Conceptual Plan*
- *Commercial Hire Site Policy*- Reference No. 008*
- *Trading in Public Places Policy*- Reference No. 020*
- *Mobile Vendors on the Busse/ton Jetty Policy*- Reference No. 006*
- *Community Facilities Bookings Policy*- Reference No. 027
- *Markets Policy*- Reference No. 074
- *Events Policy*- Reference No. 231
- *Leases of City Land and Buildings Policy*- Reference No. 248

Implemented 09/11/2016

OBJECTIVES

1. Achieving fair outcomes, in both procedural and outcome terms, in relation to the treatment of different businesses, business models, activities, community groups and individuals;
2. Preserving and enhancing the vibrancy and attractiveness of City, Town and other activity centres, and other important public spaces, such as the Busselton and Dunsborough Foreshores;
3. Providing convenient and attractive services to residents and visitors;
4. Encouraging innovation, new business development, and economic and employment growth;
5. Generating financial return to ratepayers associated with use of City land and infrastructure;
6. Supporting the delivery of other City strategies and objectives; and
7. Ensuring legal robustness, simplicity and comprehensibility, and administrative efficiency and workability.

GUIDING PRINCIPLES FOR IMPLEMENTATION

1. Where there is competition for space/sites (including with other kinds of uses, such as general public recreation or public car parking requirements) and/or concerns that activity should be managed carefully and/or not be supported in certain locations, applications will only be considered as part of an expression-of-interest process and not as a result of *ad hoc* applications;
2. Expression-of-interest sites and assessment criteria will be periodically reviewed and updated, including through appropriate Council consultation/consideration and industry/community consultation;
3. Novel proposals or *ad hoc* proposals may, however, be considered where it is clear they are supportable, given the broader policy direction, and/or to trial a new kind of activity and/or location;
4. Where there is more than one regulatory option, once it is clear that a particular activity or proposal is broadly supported, the most administratively simple option, or combination of options, will be used; and
5. Where there is identified to be a need to ensure a return on the value of City land and/or infrastructure, there will be a requirement for an 'agreement' and/or 'licence', in addition to a 'permit', with a 'licence' only being required where there is a need for a registerable interest in land.
6. Notwithstanding clause 1 above, where there is a need for short term or seasonal hire of City land and/or facilities for a specific use, these will be managed through appropriate guidelines specific to each portion of land or facility, in keeping with the broader policy direction

ADMINISTRATION OF THIS POLICY

The Chief Executive Officer {CEO} has the authority (including through necessary delegations and/or authorisations) to administer the requirements of the Non-Exclusive Use of City Land and Facilities on behalf of Council.

Implemented 09/11/2016

Policy Background

Policy Reference No - 249

Owner Unit - Environmental Health

Originator- Manager Environmental Services

Policy considered by Policy and Legislation Committee and approved by- Council

Date Approved - 9 November 2016

Review Frequency-As required

Related Documents -

- Activities in Thoroughfares and Public Places and Trading Local Law 2015
- Properties Local Law
- Jetties Local Law
- Busselton Foreshore Master Plan
- *Busselton City Centre Conceptual Plan*
- *Dunsborough Town Centre Conceptual Plan*
- *Commercial Hire Site Policy*- Reference No. 008
- *Trading in Public Places Policy*- Reference No. 020
- *Mobile Vendors on the Busselton Jetty Policy*- Reference No. 006
- *Community Facilities Bookings Policy*- Reference No. 027
- *Markets Policy*- Reference No. 074
- *Events Policy*- Reference No. 231
- *Leases of City Land and Buildings Policy*- Reference No. 248






Background/History-

Implementation of new policy to facilitate, control and regulate the non-exclusive commercial use of City owned and managed land across the District.

History

Council Resolution	Date	Information
(1611/123	9 November 2016	Date of Implementation Version 1

10.8 Policy and Legislation Committee - 30/11/2017 - MINOR UPDATING OF COUNCIL POLICIES FOLLOWING FURTHER REVIEW PROCESS

SUBJECT INDEX:	Policies and Procedures
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Engineering and Facilities Services
ACTIVITY UNIT:	Engineering and Work Services
REPORTING OFFICER:	Manager, Engineering and Facilities Services - Daniell Abrahamse
AUTHORISING OFFICER:	Director, Engineering and Works Services - Oliver Darby
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Council Policy 140/3 - Roads - Extra Mass Permit Conditions ↓ 
	Attachment B Revised Council Policy 179 - Engineering Technical Standards and Specifications ↓ 
	Attachment C Revised Council Policy 179 - Engineering Technical Standards and Specifications - Track Changes ↓ 
	Attachment D Revised Council Policy 185/3 - Verge and Public Open Space Improvement - Subdivision ↓ 
	Attachment E Revised Council Policy 185/3 - Verge and Public Open Space Improvement - Subdivision - Track Changes ↓ 

This item was considered by the Policy and Legislation Committee at its meeting on 30 November 2017, the recommendations from which have been included in this report.

PRÉCIS

The City's rolling review of Council policies continues via the Policy and Legislation Committee. This report presents a range of policies that have been thoroughly reviewed by the responsible officers and assessed as requiring, withdrawal, minimal change with the exception of updating terminology to City. While no substantial changes are recommended, the operation of each policy has been examined in detail to ensure no other changes are required.

BACKGROUND

The Policy and Legislation Committee has endorsed an ongoing policy review process, whereby all policies of the Council will be reviewed, with the aim of determining the ongoing applicability of the policies, along with standardisation and reduction.

STATUTORY ENVIRONMENT

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

Each policy referred to in this report has been developed in accordance with and reviewed being aware of the relevant enabling legislation.

RELEVANT PLANS AND POLICIES

This report proposes the update of a series of existing policies of the Council.

FINANCIAL IMPLICATIONS

There are no financial implications arising from the review of these policies.

Long-term Financial Plan Implications

Not applicable.

STRATEGIC COMMUNITY OBJECTIVES

The ongoing review of Council policies helps achieve governance systems that deliver responsible, ethical and accountable decision-making.

RISK ASSESSMENT

Having a policy relating to any matter is an effective risk mitigation strategy and there are no risks remaining at a sufficient level for further individual assessment.

CONSULTATION

Not required.

OFFICER COMMENT

In the main, it is the considered view of the relevant officers that the policies included in this report have been operating efficiently and effectively since the previous review was undertaken by the Policy and Legislation Committee and the Council.

This report presents a range of policies that have been thoroughly reviewed by the responsible officers and assessed as requiring minimal change with the exception of updating terminology to City. While no substantial changes are recommended, the operation of each policy has been examined in detail to ensure no other changes are required. A brief comment on the changes associated with each policy is provided below:

Council Policy 140/3 – Roads – Extra Mass Permit Conditions

The purpose of the current policy is that the Chief Executive Officer advise Main Roads WA (MRWA) of the route plan and conditions recommended to be imposed by MRWA on all applications seeking heavy and/or multi-combination permit (HVP) approval to use Council's roads.

The policy also requires that standard conditions and other specific conditions relevant to a situation be imposed on all HVP Applications. The HVPs will only be approved for issue where the transported item results from an activity which is legally approved by Council.

City officers have reviewed the current policy and are of the considered view that this policy is obsolete and therefore no longer relevant as all the actions contained within the policy are now addressed through Main Roads WA Heavy Vehicle Services (MRWA HVS) assessment and approval processes.

To this MRWA HVS is responsible for the final assessment and approval for all Restricted Access Vehicles (RAV) and Extra Mass Permits including roads under the care and control of the City. MRWA HVS introduced the *“Standard RAV Route Assessment Guidelines”* to ensure consistency in road suitability assessments and access conditions at a state wide level.

Notwithstanding this the City maintains the ability to include specific conditions when assessed to be in the best interest of the City or Community including limiting hours of operation and school bus curfews.

MRWA HVS have introduced to specific RAV assessment frameworks, being: *“Framework for Applying for Adding Local Government Roads to Restricted Access Vehicle Networks”* and *“Framework for Downgrading Local Roads on the Restricted Access Vehicle Networks”*. This allows the City to manage access to its road network in manner to maximise the benefits to the community as a whole.

In addition to the new frameworks there is also avenues within the Local Government Act to restrict access immediately should significant issues be identified such as road degradation or safety issues.

As a result of the review officers are recommending that this policy be revoked.

Council Policy 179 – Engineering Technical Standards and Specifications

The policy was last reviewed on 27 June 2012. The purpose of this policy is to provide a framework for the range of standards and specifications to be applied to civil infrastructure works within the City of Busselton. That the Council has adopted and requires the implementation of a series of standards and specifications as set out in this policy.

The proposed to the existing policy includes minor additions and recommends that these Engineering Technical Standards and Specifications not be referred to the Council when they get updated due as a result of new Australian Standards and/or any other Industry Standards. In order to negate the need of numerous reports to Council, its recommended by officers that the if any changes are to be made to these Standards and Specifications the Chief Executive Officer will implement them without referral to the Council.

If the changes to the Engineering Technical Standards and Specifications are deemed to have an adverse effect on the Council, the Chief Executive Officer will refer these changes to the Council for consideration.

Council Policy 185/3 – Verge and Public Open Space Improvement - Subdivision

The policy was last reviewed on 25 July 2007. The intention of this policy is to establish the City's minimum landscaping standard and to provide guidance to the Council if considering any proposal from a developer to implement a higher standard of landscaping, including associated maintenance agreements and arrangements.

Officers have reviewed the current policy and have made some minor changes, these changes are listed as follows:-

- For clarity a definition of 'verge' has been included at the beginning of the Policy.
- A requirement under Option A has been added stating 'a Landscape Maintenance Agreement may be required for Option A at the discretion of the City.'
- Roundabouts and drainage basins have been added requiring verge plantings by the developer in the 'Verge Landscaping' section of the Policy.
- A requirement in Downgrade Items/ Entry Statements section has been added stating 'at the City's discretion, Entry Statements may form part of Landscape Option A or C subdivisions' Landscape Maintenance Agreement'. This is an alternative option to a specific stand-alone (short form) Entry Statement Maintenance Agreement required under this policy.

CONCLUSION

The three policies have provided consistent guidance to City decision-making processes, however other than minor updates there are no substantial changes.

OPTIONS

The Committee may recommend and the Council may determine that a policy or policies are not required or that further changes are necessary.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The policies remain effective and the updated versions will take effect as soon as a decision is made by the Council.

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council:

1. Revoke Policy 140/3 – Roads – Extra Mass Permit Conditions as shown in Attachment A.
2. Adopts the changes and updates to Policy 179 – Engineering Technical Standards and Specifications as shown in Attachment B.
3. Adopts the changes and updates to Policy Council Policy 185/3 – Verge and Public Open Space Improvement - Subdivision as shown in Attachment D

140/3	Roads - Extra Mass Permit Conditions	Current
-------	--------------------------------------	---------

The Chief Executive Officer shall advise Main Roads WA (MRWA) of the route plan and conditions recommended to be imposed by MRWA on all applications seeking heavy and/or multi-combination permit (HVP) approval to use Council's roads.

Any or all of the following standard conditions, and other specific conditions relevant to a situation are to be imposed on all HVP Applications. HVPs will only be approved for issue where the transported item results from an activity which is legally approved by Council.

Definition:

The term "Applicant" shall mean the Owner/Operator of the vehicle to which the application refers; and

The term "Heavy Vehicle Permit Plan"(HVPP) refers to those roads approved for Heavy Haulage by Council and for which application can be referred to MRWA with standard conditions by the Chief Executive Officer;

The term "Truck" shall mean an HVP vehicle (over 42.5 tonne gross mass or over 19m in total length).

Conditions:

1. Compliance with the "Shire of Busselton - HVP Conditions" as quoted on the permit at all times. Non-compliance may result in Council at its discretion requesting that MRWA to withdraw the HVP.
2. Approval has only been given for the roads shown on Council's HVPP. Roads not shown on the HVPP require Council approval.
3. The Applicant shall observe, at all times, all provisions contained in the Road Traffic Act and Regulations, the Local Government Act 1994 and all Local Laws.
4. Approval is granted for cartage during sunrise to sunset hours 7:00 am - 6:00 pm, whichever is the shorter, Mondays to Saturdays, excluding Sundays and public holidays.
5. Where roads are designated school bus routes, applicants shall not operate between the times 7:30 am and 9:00 am and 3:00 pm and 4:30 pm on school days. Alternately, operating times may be other than within 15 minutes of scheduled school bus times where the applicant has determined, for affected roads, the accurate times and achieved agreement to the arrangement from school bus coordinator. (Enquiries can be made with the School Bus Liaison Officer on 9755 4476 or South West Coachlines on 9754 2977).

6. Unless for direct property access on an occasional or intermittent basis, HVPs may not be recommended to Main Roads WA on 3.6m/4.0m seal width roads not listed on the HVPP for HVP vehicles due to safety risks and potential for road edge damage.
7. Trucks are restricted to a maximum speed of 80 kpm on local roads at all times unless a lesser speed limit is recommended to MRWA for reasons of safety.
8. Some roads are subject to regular cattle crossings. The Applicant is to identify the location of these and the normal crossing times and exercise appropriate caution.
9. Entries to properties being serviced by the Applicant must be constructed for sight distance and width standards to Council's satisfaction for safety, to prevent road base or earth spill onto sealed surfaces and damage to sealed edges and road verges. Approval may be withdrawn if damage occurs and is not closed or repaired to the satisfaction of the Chief Executive Officer.
10. Where more than four return trips per day occur on local roads, the Applicant is required to provide approved temporary Australian standard, black on yellow, HVP warning signs, except where these signs already exist. The signs shall be located at entry/exit from properties, at intersections and at not greater than 2km intervals for the duration of the permit approval.
11. All Permits will be suspended where the road surface has deteriorated and is determined by the Chief Executive Officer to be unsafe for heavy haulage or any form of transport or that continuing use will cause a safety risk and/or significant damage to occur. MRWA is to administer a Council request of this nature and issue suspension notices to permit holders.
12. To minimise the potential for road damage safety hazards the Chief Executive Officer may request MRWA to suspend HVPs on Shire roads, where more than 50 mm of rain has fallen in any 24 hours or lesser period. Such notice shall remain in effect until a re-commencement advice is issued by Council to MRWA who will issue notices to permit holders to recommence transport.
13. The Applicant shall, at its own cost, produce a weighbridge docket at any time upon request of a Department of Transport Officer, Main Roads WA Officer or Police Officer who may accompany the unit to the nearest facility.
14. All weights and measures conditions as determined by the Main Roads WA Permit must be adhered to.
15. No bridges with posted load limits are to be crossed by an HVP unless by prior arrangement of the Main Roads WA's Bridge Section and so stated on the permit.

16. On receipt of a formal application from MRWA for special consideration, the Chief Executive Officer, may set heavy haulage conditions for roads which are not shown on the HVPP but are necessary to provide safe access on approved activity under the following circumstances:
 - (a) The road is safe for use by HVP vehicles;
 - (b) The road is in good condition and of safe standard and the Applicant proposes less than 100 return trips on one year and not more than six return trips in any week or part thereof;
 - (c) Compliance with all condition imposed; and/or
 - (d) Where the road is unsatisfactory and the Applicant undertakes to upgrade the road and access to the satisfaction of the Chief Executive Officer; or
 - (e) Otherwise where the matter has been determined by Council.
17. A HVPP depicting roads suitable for use by HV's shall be maintained by the Chief Executive Officer who shall carry out a complete review of Council's HVPP for heavy haulage routes on an annual basis.

Last updated 27 June 2012

179	Engineering Technical Standards and Specifications	V2 Current
-----	--	------------

1. PURPOSE

This policy is to provide a framework for the range of standards and specifications to be applied to civil infrastructure works within the City of Busselton. The Council has adopted and requires the implementation of a series of standards and specifications as set out in this policy.

2. SCOPE

The policy applies to all civil works designed and carried out by consultants, contractors, developers and the City.

3. POLICY CONTENT

The following standards and specifications have been adopted for the City of Busselton and are to be applied:

Section 1 - Guidelines and Administration Requirements for Subdivisions and Developments

This will be used for processing subdivision and development applications, plan approvals and control of works.

Section 2 - Designs and Plans for Roads, Earthworks, Paths and Stormwater Drainage

Provides guidance for preparing plans for road reserve and drainage works.

Section 3 - Construction - Earthworks, Storm Water Drainage, Roads and Other Pavements

Applies to all subdivisions, developments and City construction works.

Section 4 - Vehicle Crossovers

Applies to the construction of vehicle crossovers and will be used for processing vehicle crossover applications.

Section 5 - Bushfire Protection and Prevention Facilities - Rural and Special Rural Areas

Provides guidance for strategic fire protection in all rural and special rural areas (where required).

Section 6 - Property Development - Technical Requirements and Guidelines for Earthworks, Drainage and Parking

Applies for all property development, earthworks, drainage and parking works.

Last updated 27 June 2012

Section 7 - Requirements and Guidelines for Road, Drain and Path Maintenance and Reinstatements

Applies to all road, drain and path maintenance and reinstatement works.

Section 8 - Requirements and Guidelines for Reserve and Foreshore Works, and Tree Management

Applies to all reserve developments and foreshore works approved by Council.

Section 9 - Subdivisions and Developments - Landscaping, Revegetation and Stabilisation

Applies to all clearing, landscaping and revegetation works for subdivisions and developments.

Section 9b - Street and Road Verge - Landscaping, Revegetation and Stabilisation

Applies to all clearing, landscaping and revegetation works for streets and road verges.

Review of Engineering Technical Standards and Specifications

All relevant Engineering Standards and Specifications are reviewed on an ongoing basis by City Officers. It is acknowledged that accepted industry standards will continuously evolve over time. If any proposed changes to content are deemed to be as a result of industry changes and will not have a significant effect on the Council, the Chief Executive Officer may implement those without referral to Council.

4. APPLICATION OF THE POLICY

The policy will be maintained and applied, under authority of the Council, by the Chief Executive Officer and the Director, Engineering and Works Services.

Policy Background

Policy Reference No. - 179
Owner Unit – Engineering Services
Originator – Historical
Policy approved by – Council
Date Approved – 27 June 2012
Review Frequency – As required
Related Documents – Section 1 to 9 standards

Last updated 27 June 2012

Council Resolution	Date	Information
	27 June, 2012	Update to new policy format Version 2
C0907/266	22 July, 2009	Policy update with introduction of new and updated standards

Last updated 27 June 2012

179	Engineering Technical Standards and Specifications	V2 Current
-----	--	------------

1. PURPOSE

This policy is to provide a framework for the range of standards and specifications to be applied to civil infrastructure works within the City of Busselton. The Council has adopted and requires the implementation of a series of standards and specifications as set out in this policy.

2. SCOPE

The policy applies to all civil works designed and carried out by consultants, contractors, developers and the City.

3. POLICY CONTENT

The following standards and specifications have been adopted for the City of Busselton and are to be applied:

Section 1 - Guidelines and Administration Requirements for Subdivisions and Developments

This will be used for processing subdivision and development applications, plan approvals and control of works.

Section 2 - Designs and Plans for Roads, Earthworks, Paths and Stormwater Drainage

Provides guidance for preparing plans for road reserve and drainage works.

Section 3 – Construction - Earthworks, Storm Water Drainage, Roads and Other Pavements

Applies to all subdivisions, developments and City construction works.

Section 4 - Vehicle Crossovers

Applies to the construction of vehicle crossovers and will be used for processing vehicle crossover applications.

Section 5 - Bushfire Protection and Prevention Facilities - Rural and Special Rural Areas

Provides guidance for strategic fire protection in all rural and special rural areas (where required).

Section 6 - Property Development - Technical Requirements and Guidelines for Earthworks, Drainage and Parking

Applies for all property development, earthworks, drainage and parking works.

Last updated 27 June 2012

Section 7 - Requirements and Guidelines for Road, Drain and Path Maintenance and Reinstatements

Applies to all road, drain and path maintenance and reinstatement works.

Section 8 - Requirements and Guidelines for Reserve and Foreshore Works, and Tree Management

Applies to all reserve developments and foreshore works approved by Council.

Section 9 - Subdivisions and Developments - Landscaping, Revegetation and Stabilisation

Applies to all clearing, landscaping and revegetation works for subdivisions and developments.

Section 9b - Street and Road Verge - Landscaping, Revegetation and Stabilisation

Applies to all clearing, landscaping and revegetation works for streets and road verges.

Review of Engineering Technical Standards and Specifications

All relevant Engineering Standards and Specifications are reviewed on an ongoing basis by City Officers. It is acknowledged that accepted industry standards will continuously evolve over time. If any proposed changes to content are deemed to be as a result of industry changes and will not have a significant effect on the Council, the Chief Executive Officer may implement those without referral to Council.

4. APPLICATION OF THE POLICY

The policy will be maintained and applied, under authority of the Council, by the Chief Executive Officer and the Director, Engineering and Works Services.

Policy Background

Policy Reference No. - 179
Owner Unit – Engineering Services
Originator – Historical
Policy approved by – Council
Date Approved – 27 June 2012
Review Frequency – As required
Related Documents – Section 1 to 9 standards

Deleted: ¶
Section 10 - Bonds, Contributions and Fees for Subdivisions and Developments¶

¶
Section 10 was deleted as the bonds were no longer taken, contributions were deleted and some of the items (supervision fees, maintenance bonds) now appear in Section 1 – Admin section¶

Deleted: Applies to all subdivisions and developments.

Deleted: progressively

Deleted: and presented to Council for approval.

Deleted: change

Deleted: In order to accommodate such changes, the specifications will be reviewed regularly.

Deleted: minor

Deleted: 10

Last updated 27 June 2012

Council Resolution	Date	Information
	27 June, 2012	Update to new policy format Version 2
<u>C0907/266</u>	<u>22 July, 2009</u>	<u>Policy update with introduction of new and updated standards</u>

Formatted Table

Deleted: -Section Break (Next Page)-

Moved (insertion) [1]

Formatted Table

Moved up [1]: C0907/266

Last Updated 25 July, 2007

185/3	Verge and Public Open Space Improvement - Subdivision	V3 Current
-------	---	------------

Policy Revision Date: July 2007

Definition: 'Verge' means road verges, roundabouts and medians within the road reserve

A. Policy: Verge Improvement and Public Open Space

It is the Council Policy to seek a verge and public open space improvement to a minimum standard that makes areas functional, aesthetic and usable, as part of the urban subdivision process, prior to subdivision clearance. Improvements should comply with minimum landscaping standards in Western Australia Planning Commission's (WAPC's) current "Liveable Neighbourhoods Edition" Operational Policy and shall also be financially, socially and environmentally sustainable.

The intention of this policy is to establish the City of Busselton's minimum landscaping standard and to provide guidance to the Council when considering any proposal from a developer to implement a higher standard of landscaping, including associated maintenance agreements and arrangements.

Scope of Policy

This policy applies to passive recreation parks, reserves, and verges. Active sports fields that are designed and developed for organized sport are excluded from the policy provisions but the surrounds to such areas shall be included and assessed as passive recreation areas.

Applicable areas shall include all reserves that are to be landscaped or rehabilitated as part of the subdivision, that are intended to be vested in the City as reserves for recreation, landscape protection, foreshore management, drainage or other purposes, including verges.

Landscape Categories

Three categories of Verge and Public Open Space (POS) are adopted for reference:

Category 1

This category relates to reserves that have a high profile which require a high level of maintenance for whole of community benefit.

Category 2

These are passive activity areas with a medium level of maintenance required and include elements or all of the following; trees, shrubs, lawned areas, mulched gardens, infrastructure and reticulation.

Category 3

These areas are not reticulated and require minimum maintenance.

Last Updated 25 July, 2007

The use of native plants and waterwise designs is encouraged in all categories.

It should be noted that a single reserve or area might contain more than one category of landscape treatment.

Landscaping to Be Provided By Developers

For all options A, B & C that follow, irrigation demand (if any), whether from bore or scheme water, shall be minimal and shall be from a secure, adequate and sustainable supply source.

Option A

This is the preferred option for maintenance of reserves following developer handover as reflected in the City of Busselton's Engineering Technical Standards and Specifications – Section 9 – Subdivisions and Developments – Landscaping, Revegetation and Stabilisation which sets out that the City will not accept maintenance liability for intensively developed open space.

The City's preference is that POS areas and verges ~~areas~~ created by subdivision should consist predominantly of Category 3 landscaping, with consideration of limited Category 2 treatments (if any) in key areas. The total annual maintenance cost of all landscaping in the subdivision should not exceed the "Option A standard percentage" of "nominal general rate" revenue from the fully developed subdivision that is nominated by the City to reflect the normal sustainable maintenance spending by the City each year on Public Open Space Maintenance. The Option A standard percentage was set at 15% back in the 2007/08 Financial Year but may be revised by the City each year based on adopted City budgets. The term "Nominal general rate revenue" as applicable to this policy is defined in the guidelines that follow.

Under Option A, basic public open space low maintenance facilities such as playground equipment in addition to the improvement to the landform, appearance and/or vegetation is encouraged. High maintenance landscaping such as artificial water bodies, extensive reticulated lawn, garden bed, exotic vegetation or barbecues is discouraged. This is to avoid the expectation of residents that the Council will accept the cost of high maintenance facilities.

Option A requires:

- * A landscape maintenance period of 2 years.
- * A landscape maintenance performance bond equal to two years of estimated maintenance cost (with no margin or loading).
- * Refer to the Option A example calculation elsewhere in this Policy.

A Landscape Maintenance Agreement is may be required for Option A at the discretion of the City.

Last Updated 25 July, 2007

Alternatives for a Higher Standard of Landscaping

If a developer wishes for a higher standard than Option A, where annual maintenance costs exceed the Option A standard percentage of nominal general rates, the proposal shall be referred for the Council's approval, prior to the approval for construction of landscape treatments or clearance of subdivision. The proposal shall be an Option B or Option C Proposal as described below, or an alternative "high standard" proposal that the developer might seek to implement based on similar principles.

Proposals shall be considered by the City on individual merit. Arrangements accepted for other subdivisions shall not be construed to establish a precedent. The Council may withhold approval at its discretion, in which case the developer may fall back to Basic Landscape Option A, or may canvass the Council in respect of other High Standard Options not previously canvassed.

Note that the ability to pay for high quality Option B or C landscape treatments in the foreseeable future should not be the sole consideration as to its acceptance and will not over-ride other sustainability considerations. Those considerations will include compliance with Water Sensitive Urban Design (WSUD) guidelines, retention of biodiversity values, use of endemic landscape species and general resource consumption issues.

Option B – Specified Area Rate (SAR) Proposal

Option B (SAR Proposals) require:

- * Council approval;
- * A Landscape Maintenance Agreement;
- * Identification of the areas to be landscaped, annual maintenance budgets for each area, the total annual landscape maintenance budget for the whole subdivision as well as the whole of life cost;
- * Details of the proposed SAR. The SAR should:
 - fund the extra-over landscape maintenance cost that exceeds the Option A standard percentage of the nominal general rate revenue;
 - include an additional minor allowance to cover City expense costs for administering the SAR (amount to be advised by Shire);
 - aim to be no more than a 20% addition to the general rate levy per property (i.e. a SAR limit of about \$329 per lot based on average rate levy of \$1615 in 2017/18 dollars) to support longer term acceptability to ratepayers;
 - identify the proposed SAR commencement date, to be within the developer's landscape maintenance period and as soon as possible following clearance of initial stages of the subdivision;

Last Updated 25 July, 2007

- include a cashflow forecast for the developers maintenance period and beyond, that as a minimum shall account for the SAR accumulations in reserve during the maintenance period and the financial (rating) implications of lots remaining undeveloped (vacant) after the maintenance period. The former would be envisaged to offset the latter.
- identify the SAR Area boundary suitably located to avoid equity objections from ratepayers.
- * A landscape maintenance period of minimum 5 years.
- * A landscape maintenance performance bond equal to 5 years multiplied by the Option A standard percentage of nominal general rate revenue from the subdivision (with no margin or loading).
- * Section 70A Notifications on Title by the developer at clearance, to inform purchasers. Any proposal to establish a SAR must gain the Council's endorsement well ahead of the clearance of the first stage of subdivision as failure to establish section 70A Notices on title would normally make Option B SAR proposals untenable.
- * Provisions to extend the developer's maintenance period (delay handover) until financial and environmental sustainability criteria and other Landscape Maintenance Obligations in the Landscape Maintenance Agreement have been met to the reasonable satisfaction of the City.
- * Refer to the Option B example calculation elsewhere in this Policy.

Note - the 5 year maintenance period for Option B is nominated to:

- * ensure adequate time for the developer to achieve and prove sustainability objectives prior to handover;
- * allow sufficient time to implement the SAR and accumulate SAR revenues in reserve as a buffer against ongoing vacant lots or later cost over-runs; and
- * allows for the ramping up SAR collections from low starting levels in the initial years.

Option C – Developer Funded Landscape Annuity Proposal

Option C proposals should be based on a 40 Year Developer Funded Landscape Maintenance Annuity. Option C proposals require;

- * The Council's approval;
- * Identification of the areas to be landscaped, annual maintenance budgets for each area and the total annual landscape maintenance budget for the whole subdivision;

Last Updated 25 July, 2007

- * Funding the extra-over landscape maintenance cost that exceeds the Option A standard percentage of the nominal general rate revenue via a "40-year Developer Funded Landscape Annuity;
- * A developer maintenance period of minimum 2 years.
- * A landscape maintenance performance bond equal to 2 years multiplied by the Option A standard percentage of nominal general rate revenue from the subdivision (with no margin or loading).
- * Refer to the Option C example calculation elsewhere in this Policy.

Option C proposals do not require a formal Landscape Maintenance Agreement from a City perspective. However, it is expected that developers may seek such an agreement to oblige appropriate expenditure of the annuity by the City.

B. Guidelines: Verge and Public Open Space Improvement

Landscaping Generally

- * The extent of works required and approved will ultimately be determined by the Chief Executive Officer.
- * More than one WAPC subdivision approval area may be combined in a single proposal under Option B or C.
- * The works shall be carried out under the direction and the supervision of the Chief Executive Officer.
- * Works shall be carried out as soon as practicable before clearance of subdivision following completion of civil engineering works on the subdivision, except that outstanding works may be bonded under the provisions of the Council's early clearance subdivision policy as applicable.

Verge Landscaping

- * Road verge landscape plantings are normally intended to be established and maintained by the adjoining landowner. Verge plantings provided by the developer should therefore be limited under ALL landscape Options to no greater than the following:
 - Roundabouts and medians of dual carriageways;
 - drainage basins and swales provided in roundabouts, medians or verges;
 - verges immediately abutting POS and reserves (landscaped to the same detail as the adjoining POS or reserve);
 - road verges that have no directly adjoining lot frontage. These are typically higher order roads classified as arterial roads, district

Last Updated 25 July, 2007

distributors or local distributors or the Western Australia Planning Commission's (WAPC's) current "Liveable Neighbourhoods Edition" Operational Policy road equivalents that are designed to prevent or limit direct property access; such verges can include the separator or buffer strips between major roads and adjacent parallel local or service roads.

- generally for local roads, only a single street tree per lot frontage (2 for corner lots) should be provided by the developer in verges that adjoin residential or other development lots.
 - verge landscaping (in excess of single street trees) may be supported for the front verge of rear accessed (laneway) lots where the verge is divorced from the lot via a front retaining wall and there is no front driveway.
- * Works scope may extend beyond the immediate frontage of the subdivision. In this way verges of the collector and distributor roads associated with the subdivision, can be improved.

Estimates of Landscape Maintenance Costs

- * Estimates of annual landscape maintenance costs shall be provided on request, to the satisfaction of the City, if the City believes that the annual landscape maintenance cost might exceed the Option A standard percentage of the nominal general rate revenue, for the subdivision and the landscaping proposed.
- * Landscape maintenance costs estimates shall account for all landscape areas developed as part of the subdivision whether internal or external to the subdivision boundary. Estimates and costings may be rejected, accepted or otherwise adjusted at the sole discretion of the City. Estimates shall account for normal annualised operating costs (excluding GST) that include borewater supply costs and license fees, utility (power and water) rates and consumption charges. End of life replacement costs for hard landscaping shall be excluded.
- * Maintenance cost estimates shall reflect the anticipated annual costs occurring after expiry of the developer's maintenance period and should therefore make due allowance for items downgraded (by agreement) prior to handover and should exclude initial maintenance costs that are of an establishment nature.

Definition of "Nominal General Rate Revenue"

- * Nominal general rate revenue is defined as the estimate (to the satisfaction of the City) of the general rates that would theoretically arise from all lots within the subject subdivision boundary, if the lots were fully developed with housing etc. and rated as such at current year values. Actual rate revenues will differ in early years due to vacant lots.

Last Updated 25 July, 2007

Downgrade Items/ Entry Statements

- * Landscape elements should generally not be planned to be downgraded prior to handover, as a means of achieving financial sustainability due to problems with managing public expectations.
- * An exception is "Entry Statements" that are developed to category 1 or 2 standard. An Entry Statement is any construction or landscaping arrangement constructed with the express aim of promoting and enhancing the entry and presentation of a subdivision or development. These SHOULD be planned to be downgraded prior to handover. A specific stand-alone (short form) Entry Statement Maintenance agreement is required for Entry Statements proposed as part of Landscape Option A or C subdivisions, consistent with – Section 9 – Subdivisions and Developments – Landscaping, Revegetation and Stabilisation of the City of Busselton's Engineering Technical Standards and Specification. . However, at the City's discretion, Entry Statements may form part of Landscape Option A or C subdivisions' Landscape Maintenance Agreement. In Landscape Option B subdivisions equivalent provisions that are specific to the Entry Statement/s (where one or more is proposed) should form part of the larger Landscape Maintenance Agreement that is required in respect of Option B.

Landscape Maintenance Performance bonds

- * These may be cash bonds or bank guarantees of acceptable format, lodged prior to clearance and held until expiry of the developer's maintenance period for the purpose of securing the performance of the developer's landscape maintenance obligations;
- * Landscape Maintenance Bonds shall be separate to the twelve months maintenance period bonds otherwise provided for subdivision civil works due to the different timeframe for release of bonds; and
- * Landscape Maintenance bonds should be separate and additional to outstanding works bonds that may be lodged in respect of incomplete landscape works at time of clearance under other City of Busselton policies.

Landscape Maintenance Period

- * The date of expiry of the (Developer's) Landscape Maintenance Period in respect of Options A, B & C (notwithstanding other provisions that extend the date for non-compliance) shall be based on applying the Landscape Maintenance Period from the latest of:
- * the clearance date of the subdivision, and
- * the "Date of Practical Completion" of the landscape elements.

In any event, the developer's landscape maintenance period extends from the clearance date until the expiry date. This is significant where early clearance is supported and there is substantial bonding of incomplete landscape works.

Last Updated 25 July, 2007

- * "Practical Completion" of landscape elements shall be based on 95% completion of all Landscape Work by value and no less than 95% completion of all "soft landscape" plantings (grass, shrubs & trees), to the satisfaction of the City.
- * For multi-staged subdivisions, the maintenance periods and corresponding expiry dates apply independently to each stage. Alternatively a single landscape maintenance period expiry date may be determined for all stages (for simplicity) relative to the final stage, in which case shortening of the landscape maintenance period relative to the final stage may be supported at the discretion of the Chief Executive Officer, to achieve the normally specified maintenance period as an average across all stages. For example, a subdivision progressively staged and cleared over a two year period that otherwise warrants a 5 year maintenance period could have a maintenance period expiry date set for all stages that is 4 years after the practical completion of the final stage.

Notifications on Title

All lots created in subdivisions with other than Option A landscaping require section 70A Notices (Transfer of Land Act 1893) to warn purchasers of potential downgrading of high maintenance standards provided at subdivision (despite downgrading only being normally intended for entry statements). For Option B proposals the Section 70A Notice shall also warn of the application of Landscape Specified Areas Rates. Typical text follows:

This lot is part of the "<insert>" subdivision which upon original development was provided with a higher standard of landscaping in its parks and road reserves than is normally supported by the Shire of Busselton. Considering this higher standard, there is a potential for the Shire of Busselton to impose a Specified Area Rate in relation to landscape maintenance and there is also potential for the Shire to amend the standard of the landscaping and the amount of any such Specified Area Rate in future."

C. Example Calculations

Option A – Basic Landscaping Calculation:

Example - A 500 lot subdivision anticipates average general rates payable per rated (residential/industrial/commercial) property of \$1,615 (in 2017/18 dollars) per lot when fully developed with housing. The Landscape design is predominantly category 3 with an estimated annual maintenance cost of \$102,625 (at 2017/18 dollars excluding GST);

- * Maintenance cost = \$102,625/500 lots = \$205 per lot per year;
- * Maximum acceptable Option A cost is 15% x \$1,615 per lot = \$242 per lot, (x 500 lots = \$121,000 overall) per year, so the Option A cost criteria is satisfied;

Last Updated 25 July, 2007

- * A landscape maintenance performance bond of 2 years x \$102,625 = \$205,250 is required prior to clearance.

Option B – SAR Proposal:

Example - A 500 lot subdivision anticipates average general rates payable per rated (residential/industrial/commercial) property of \$1,615 (in 2017/18 dollars) per lot when fully developed with housing. The higher quality Landscape design has an estimated annual maintenance cost of \$249,232 (at 2017/18 dollars excl GST).

- * Maintenance cost = $\$249,232 / 500 \text{ lots} = \$498 \text{ per lot per year}$. This amount exceeds the Option A limit by $\$498 - \$242 = \$256 \text{ per lot}$ (x 500 lots = \$128,000 in 2017/18 dollars).
- * The Specified Area Rating Proposal must therefore generate the extra-over amount of \$128,000 per year (in 2017/18) dollars at full development of all 500 lots. Actual SAR revenues will be less in early years prior to full development, but will “ramp up” and accumulate in reserve during this period while the developer meets the full landscape maintenance cost;;
- * The \$498 average per lot cost is ultimately to be funded \$242 from general rate revenue and \$256 from SAR revenue. All figures escalate annually for inflation. However, general and Specified Area Rates are expected to escalate simply via escalation of underlying gross rental valuations;
- * A landscape maintenance performance bond of 5 years x 500 lots x \$242 per lot = \$605,000 is to be lodged prior to clearance.
- * The landscape maintenance period will extend until the developer demonstrates that annual maintenance costs lie within the \$249,232 annual target (indexed to the date of handover).

Option C – Developer Landscape Annuity Example:

Example - A 500 lot subdivision anticipates average general rates payable per rated (residential/industrial/commercial) property of \$1,615 (in 2017/18 dollars) per lot when fully developed with housing. The higher quality Landscape design has an estimated annual maintenance cost of \$249,232 (at 2017/18 dollars Excl GST).

- * A landscape maintenance performance bond of 2 years x \$249,232 = \$498,464 is required prior to clearance.
- * The annual Maintenance cost = $\$249,232 / 500 \text{ lots} = \$498 \text{ per lot per year}$. This exceeds the Option A limit by $\$498 - \$242 = \$256 \text{ per lot}$ (x 500 lots = \$128,000 per year in 2017/18 dollars). The developer must pay an annuity amount (a fee) that is the Present Value of the \$128,000 per year extra-over cost, with appropriate inflation and discount allowances for a 40 year period after clearance, less the component of this amount that is

Last Updated 25 July, 2007

applicable to the 2 year maintenance period and otherwise covered by the maintenance bond. The fee is calculated in this manner as follows:

$$\text{Present Value} = \left[\frac{1 - (1+r)^{-n}}{r} \right] \times \$Y$$

In this example,

- * $n = 40$ annual payments of Y ,
- * $Y = \$128,000$ (in FY2017/18 dollars),
- * r = the (real) discount rate which, accounting for inflation of maintenance cost ' Y ' at the assumed annual inflation rate " i " is reasonably approximated as the difference between the nominal discount rate " rn " and " i ". The nominal discount rate (rn) shall be the interest rate available for City investments. In this example the following rates are assumed,
- * nominal discount rate, $rn = 8\%$
- * inflation rate $i = 6\%$
- * $r = \text{real discount rate (approx)} = rn - i = 2\%$

The formula gives present value = \$2,393,604, for which the corresponding fee to be paid prior to clearance is:

$$\$3,501,500 - \$498,464 = \$3,003,036$$

History

Council Resolution	Date	Information
C0707/162	25 July, 2007	Completely revised version of former policy 185/3 Version 3
C0111/566	28 November, 2001	Substantially revised version of former policy 185/3 Version 2
(W94/0194) C94/0368	28 September, 1994	Date of implementation Version 1

Last Updated 25 July, 2007

185/3	Verge and Public Open Space Improvement - Subdivision	V3 Current
-------	---	------------

Policy Revision Date: July 2007

Definition: 'Verge' means road verges, roundabouts and medians within the road reserve

Formatted: Font: Not Bold

A. Policy: Verge Improvement and Public Open Space

It is ~~the~~ Council Policy to seek a verge and public open space improvement to a minimum standard that makes areas functional, aesthetic and usable, as part of the urban subdivision process, prior to subdivision clearance. Improvements should comply with minimum landscaping standards in ~~Western Australia Planning Commission's~~ (WAPC's) ~~current~~ "Liveable Neighbourhoods Edition" Operational Policy ~~and shall also be financially, socially and environmentally sustainable.~~

Deleted: draft

Deleted: 3

Deleted: (LN3)

The intention of this policy is to establish the ~~City of Busselton's~~ minimum landscaping standard and to provide guidance to ~~the~~ Council ~~when~~ considering any proposal from a developer to implement a higher standard of landscaping, including associated maintenance agreements and arrangements.

Deleted: Shire's

Deleted: if

Scope of Policy

This policy applies to passive recreation ~~parks, reserves, and verges.~~ Active sports fields that are designed and developed for organized sport are excluded from the policy provisions but the surrounds to such areas shall be included and assessed as passive recreation areas.

Deleted: (neighbourhood)

Formatted: Strikethrough

Deleted: maintained

Deleted: and medians.

Applicable areas shall include all reserves that are to be landscaped or rehabilitated as part of the subdivision, that are intended to be vested in the ~~City,~~ as reserves for recreation, landscape protection, foreshore management, drainage or other purposes, including ~~verges.~~

Deleted: Shire

Deleted: maintained-road-

Formatted: Strikethrough

Deleted: where-applicable.

Formatted: Strikethrough

Landscape Categories

Three categories of Verge and Public Open Space (POS) are adopted for reference:

Category 1

This category relates to reserves that have a high profile which require a high level of maintenance for whole of community benefit.

Category 2

These are passive activity areas with a medium level of maintenance required and include elements or all of the following; trees, shrubs, lawned areas, mulched gardens, infrastructure and reticulation.

Category 3

These areas are not reticulated and require minimum maintenance.

Last Updated 25 July, 2007

The use of native plants and waterwise designs is encouraged in all categories.

It should be noted that a single reserve or area might contain more than one category of landscape treatment.

Landscaping to Be Provided By ~~Developers~~

Deleted: Subdividers

For all options A, B & C that follow, irrigation demand (if any), whether from bore or scheme water, shall be minimal and shall be from a secure, adequate and sustainable supply source.

Option A

This is the preferred option for maintenance of reserves following developer handover as reflected in the City of Busselton's Engineering Technical Standards and Specifications – Section 9 – Subdivisions and Developments – Landscaping, Revegetation and Stabilisation, which sets out that the City will not accept maintenance liability for intensively developed open space.

Deleted: CI standard specification sect 9(a)

Deleted: Shire

Deleted: Shire's

Formatted: Strikethrough

Deleted: perhaps

The City's preference is that POS areas and verges areas created by subdivision should consist predominantly of Category 3 landscaping, with consideration of limited Category 2 treatments (if any) in key areas. The total annual maintenance cost of all landscaping in the subdivision should not exceed the "Option A standard percentage" of "nominal general rate" revenue from the fully developed subdivision that is nominated by the City, to reflect the normal sustainable maintenance spending by the City, each year on Public Open Space Maintenance. The Option A standard percentage was set at 15% back in the 2007/08 Financial Year but may be revised by the City, each year based on adopted City budgets. The term "Nominal general rate revenue" as applicable to this policy is defined in the guidelines that follow.

Deleted: Shire

Deleted: Shire

Deleted: is

Deleted: FY

Deleted: Shire

Deleted: Shire

Under Option A, basic public open space low maintenance facilities such as playground equipment in addition to the improvement to the landform, appearance and/or vegetation is encouraged. High maintenance landscaping such as artificial water bodies, extensive reticulated lawn, garden bed, exotic vegetation or barbecues is discouraged. This is to avoid the expectation of residents that the Council will accept the cost of high maintenance facilities.

Deleted: landscaping such

Option A requires:

- * A landscape maintenance period of 2 years.
- * A landscape maintenance performance bond equal to two years of estimated maintenance cost (with no margin or loading).
- * Refer to the Option A example calculation elsewhere in this Policy.

A Landscape Maintenance Agreement is may be required for Option A at the discretion of the City

Deleted: No-formal

Formatted: Strikethrough

Formatted: Strikethrough

Deleted: , other than possibly an Entry Statement Agreement as referred in these guidelines

Formatted: Strikethrough

Last Updated 25 July, 2007

Alternatives for a Higher Standard of Landscaping

If a developer, wishes for a higher standard than Option A, where annual maintenance costs exceed the Option A standard percentage of nominal general rates, the proposal shall be referred for the Council's approval, prior to the approval for construction of landscape treatments or clearance of subdivision. The proposal shall be an Option B or Option C Proposal as described below, or an alternative "high standard" proposal that the developer might seek to implement based on similar principles.

Deleted: subdivider

Proposals shall be considered by the City on individual merit. Arrangements accepted for other subdivisions shall not be construed to establish a precedent. The Council may withhold approval at its discretion, in which case the developer may fall back to Basic Landscape Option A, or may canvass the Council in respect of other High Standard Options not previously canvassed.

Note that the ability to pay for high quality Option B or C landscape treatments in the foreseeable future should not be the sole consideration as to its acceptance and will not over-ride other sustainability considerations. Those considerations will include compliance with Water Sensitive Urban Design (WSUD) guidelines, retention of biodiversity values, use of endemic landscape species and general resource consumption issues.

Option B – Specified Area Rate (SAR) Proposal

Option B (SAR Proposals) require:

- * Council approval;
- * A Landscape Maintenance Agreement;
- * Identification of the areas to be landscaped, annual maintenance budgets for each area, the total annual landscape maintenance budget for the whole subdivision as well as the whole of life cost;
- * Details of the proposed SAR. The SAR should:
 - fund the extra-over landscape maintenance cost that exceeds the Option A standard percentage of the nominal general rate revenue;
 - include an additional minor allowance to cover City expense, costs for administering the SAR (amount to be advised by Shire);
 - aim to be no more than a 20% addition to the general rate levy per property (i.e. a SAR limit of about \$329, per lot based on average rate levy of \$1615 in 2017/18 dollars) to support longer term acceptability to ratepayers;
 - identify the proposed SAR commencement date, to be within the developer's landscape maintenance period and as soon as possible following clearance of initial stages of the subdivision;

Deleted: and

Deleted: Shire

Deleted: 200

Deleted: FY

Deleted: 0

Deleted: 0

Last Updated 25 July, 2007

- include a cashflow forecast for the developers maintenance period and beyond, that as a minimum shall account for the SAR accumulations in reserve during the maintenance period and the financial (rating) implications of lots remaining undeveloped (vacant) after the maintenance period. The former would be envisaged to offset the latter.
- identify the SAR Area boundary suitably located to avoid equity objections from ratepayers.

* A landscape maintenance period of minimum 5 years. _____

Deleted: normally

* A landscape maintenance performance bond equal to 5 years multiplied by the Option A standard percentage of nominal general rate revenue from the subdivision (with no margin or loading).

* Section 70A Notifications on Title by the developer at clearance, to inform purchasers. Any proposal to establish a SAR must gain the Council's endorsement well ahead of the clearance of the first stage of subdivision as failure to establish section 70A Notices on title would normally make Option B SAR proposals untenable.

* Provisions to extend the developer's maintenance period (delay handover) until financial and environmental sustainability criteria and other Landscape Maintenance Obligations in the Landscape Maintenance Agreement have been met to the reasonable satisfaction of the City. _____

Deleted: Shire

* Refer to the Option B example calculation elsewhere in this Policy.

Note - the 5 year maintenance period for Option B is nominated to:

- * ensure adequate time for the developer to achieve and prove sustainability objectives prior to handover;
- * allow sufficient time to implement the SAR and accumulate SAR revenues in reserve as a buffer against ongoing vacant lots or later cost over-runs; and
- * allows for the ramping up SAR collections from low starting levels in the initial years.

Option C – Developer Funded Landscape Annuity Proposal

Option C proposals should be based on a 40 Year Developer Funded Landscape Maintenance Annuity. Option C proposals require;

- * The Council's approval;
- * Identification of the areas to be landscaped, annual maintenance budgets for each area and the total annual landscape maintenance budget for the whole subdivision;

Last Updated 25 July, 2007

- * Funding the extra-over landscape maintenance cost that exceeds the Option A standard percentage of the nominal general rate revenue via a "40-year Developer Funded Landscape Annuity;

- * A developer maintenance period of minimum 2 years.

- * A landscape maintenance performance bond equal to 2 years multiplied by the Option A standard percentage of nominal general rate revenue from the subdivision (with no margin or loading).

Deleted: two

- * Refer to the Option C example calculation elsewhere in this Policy.

Option C proposals do not require a formal Landscape Maintenance Agreement from a City perspective. However, it is expected that developers may seek such an agreement to oblige appropriate expenditure of the annuity by the City, _ _ _

Deleted: Shire

Deleted: Shire

B. Guidelines: Verge and Public Open Space Improvement

Landscaping Generally

- * The extent of works required and approved will ultimately be determined by the Chief Executive Officer.
- * More than one WAPC subdivision approval area may be combined in a single proposal under Option B or C.
- * The works shall be carried out under the direction and the supervision of the Chief Executive Officer.
- * Works shall be carried out as soon as practicable before clearance of subdivision following completion of civil engineering works on the subdivision, except that outstanding works may be bonded under the provisions of the Council's early clearance subdivision policy as applicable.

Verge Landscaping

- * Road verge landscape plantings are normally intended to be established and maintained by the adjoining landowner. Verge plantings provided by the developer should therefore be limited under ALL landscape Options to no greater than the following:

Deleted: subdivider

- Roundabouts and medians of dual carriageways;
- drainage basins and swales provided in roundabouts, medians or verges;
- verges immediately abutting POS and reserves (landscaped to the same detail as the adjoining POS or reserve);
- road verges that have no directly adjoining lot frontage. These are typically higher order roads classified as arterial roads, district

Last Updated 25 July, 2007

distributors or local distributors or the Western Australia Planning Commission's (WAPC's) current "Liveable Neighbourhoods Edition" Operational Policy road equivalents that are designed to prevent or limit direct property access; such verges can include the separator or buffer strips between major roads and adjacent parallel local or service roads.

Deleted: LN3

- generally for local roads, only a single street tree per lot frontage (2 for corner lots) should be provided by the developer in verges that adjoin residential or other development lots.
- verge landscaping (in excess of single street trees) may be supported for the front verge of rear accessed (laneway) lots where the verge is divorced from the lot via a front retaining wall and there is no front driveway.

Deleted: subdivider

- * Works scope may extend beyond the immediate frontage of the subdivision. In this way verges of the collector and distributor roads associated with the subdivision, can be improved.

Estimates of Landscape Maintenance Costs

- * Estimates of annual landscape maintenance costs shall be provided on request, to the satisfaction of the City, if the City believes that the annual landscape maintenance cost might exceed the Option A standard percentage of the nominal general rate revenue, for the subdivision and the landscaping proposed.

Deleted: Shire

Deleted: Shire

Deleted: the annual

- * Landscape maintenance costs estimates shall account for all landscape areas developed as part of the subdivision whether internal or external to the subdivision boundary. Estimates and costings may be rejected, accepted or otherwise adjusted at the sole discretion of the City. Estimates shall account for normal annualised operating costs (excluding GST) that include borewater supply costs and license fees, utility (power and water) rates and consumption charges. End of life replacement costs for hard landscaping shall be excluded.

Deleted: Shire

- * Maintenance cost estimates shall reflect the anticipated annual costs occurring after expiry of the developer's maintenance period and should therefore make due allowance for items downgraded (by agreement) prior to handover and should exclude initial maintenance costs that are of an establishment nature.

Definition of "Nominal General Rate Revenue"

- * Nominal general rate revenue is defined as the estimate (to the satisfaction of the City) of the general rates that would theoretically arise from all lots within the subject subdivision boundary, if the lots were fully developed with housing etc. and rated as such at current year values. Actual rate revenues will differ in early years due to vacant lots.

Deleted: Shire

Deleted: etc

Last Updated 25 July, 2007

Downgrade Items/ Entry Statements

- * Landscape elements should generally not be planned to be downgraded prior to handover, as a means of achieving financial sustainability due to problems with managing public expectations.
- * An exception is "Entry Statements" that are developed to category 1 or 2 standard. An Entry Statement is any construction or landscaping arrangement constructed with the express aim of promoting and enhancing the entry and presentation of a subdivision or development. These SHOULD be planned to be downgraded prior to handover. A specific stand-alone (short form) Entry Statement Maintenance agreement is required for Entry Statements proposed as part of Landscape Option A or C subdivisions, consistent with Section 9 – Subdivisions and Developments – Landscaping, Revegetation and Stabilisation of the City of Busselton's Engineering Technical Standards and Specification. However, at the City's discretion, Entry Statements may form part of Landscape Option A or C subdivisions' Landscape Maintenance Agreement. In Landscape Option B subdivisions equivalent provisions that are specific to the Entry Statement/s (where one or more is proposed) should form part of the larger Landscape Maintenance Agreement that is required in respect of Option B.

Deleted: section 9(a) clause 3 of the Community Infrastructure Standards and Specifications.

Formatted: Not Highlight

Deleted: Entry Statement

Landscape Maintenance Performance bonds

- * These may be cash bonds or bank guarantees of acceptable format, lodged prior to clearance and held until expiry of the developer's maintenance period for the purpose of securing the performance of the developer's landscape maintenance obligations;
- * Landscape Maintenance Bonds shall be separate to the twelve months maintenance period bonds otherwise provided for subdivision civil works due to the different timeframe for release of bonds; and
- * Landscape Maintenance bonds should be separate and additional to outstanding works bonds that may be lodged in respect of incomplete landscape works at time of clearance under other City of Busselton policies.

Deleted: Shire

Deleted: Council

Landscape Maintenance Period

- * The date of expiry of the (Developer's) Landscape Maintenance Period in respect of Options A, B & C (notwithstanding other provisions that extend the date for non-compliance) shall be based on applying the Landscape Maintenance Period from the latest of:
- * the clearance date of the subdivision, and
- * the "Date of Practical Completion" of the landscape elements.

In any event, the developer's landscape maintenance period extends from the clearance date until the expiry date. This is significant where early clearance is supported and there is substantial bonding of incomplete landscape works.

Last Updated 25 July, 2007

- * "Practical Completion" of landscape elements shall be based on 95% completion of all Landscape Work by value and no less than 95% completion of all "soft landscape" plantings (grass, shrubs & trees), to the satisfaction of the City.

Deleted: Shire

- * For multi-staged subdivisions, the maintenance periods and corresponding expiry dates apply independently to each stage. Alternatively a single landscape maintenance period expiry date may be determined for all stages (for simplicity) relative to the final stage, in which case shortening of the landscape maintenance period relative to the final stage may be supported at the discretion of the Chief Executive Officer, to achieve the normally specified maintenance period as an average across all stages. For example, a subdivision progressively staged and cleared over a two year period that otherwise warrants a 5 year maintenance period could have a maintenance period expiry date set for all stages that is 4 years after the practical completion of the final stage.

Notifications on Title

All lots created in subdivisions with other than Option A landscaping require section 70A Notices (Transfer of Land Act 1893) to warn purchasers of potential downgrading of high maintenance standards provided at subdivision (despite downgrading only being normally intended for entry statements). For Option B proposals the Section 70A Notice shall also warn of the application of Landscape Specified Areas Rates. Typical text follows:

This lot is part of the "<insert>" subdivision which upon original development was provided with a higher standard of landscaping in its parks and road reserves than is normally supported by the Shire of Busselton. Considering this higher standard, there is a potential for the Shire of Busselton to impose a Specified Area Rate in relation to landscape maintenance and there is also potential for the Shire to amend the standard of the landscaping and the amount of any such Specified Area Rate in future."

C. Example Calculations

Option A – Basic Landscaping Calculation:

Example - A 500 lot subdivision anticipates average general rates payable per rated (residential/industrial/commercial) property of \$1,615, (in 2017/18 dollars) per lot when fully developed with housing. The Landscape design is predominantly category 3 with an estimated annual maintenance cost of \$102,625, (at 2017/18 dollars excluding GST);

- * Maintenance cost = \$102,625/500 lots = \$205, per lot per year;

- * Maximum acceptable Option A cost is 15% x \$1,615, per lot = \$242, per lot, (x 500 lots = \$121,000, overall) per year, so the Option A cost criteria is satisfied;

Deleted: 100

Deleted: FY

Deleted: 07

Deleted: 0

Deleted: predominantly category

Deleted: 70,000

Deleted: FY

Deleted: 07

Deleted: 0

Deleted: 70,000

Deleted: 140

Deleted: 100

Deleted: 165

Deleted: 82,500

Last Updated 25 July, 2007

- * A landscape maintenance performance bond of 2 years x \$102,625, = \$205,250, is required prior to clearance.

Deleted: 70,000

Deleted: 140,000

Option B – SAR Proposal:

Example - A 500 lot subdivision anticipates average general rates payable per rated (residential/industrial/commercial) property of \$1,615, (in 2017/18 dollars) per lot when fully developed with housing. The higher quality Landscape design has an estimated annual maintenance cost of \$249,232, (at 2017/18 dollars excl GST).

Deleted: 100...(in 20FY...0.../10... dollars) per lot when fully developed with housing. The higher quality Landscape design has an estimated annual maintenance cost of \$249,232170,000...(at 20FY...0.../10 ... [1]

- * Maintenance cost = \$249,232/500 lots = \$498, per lot per year. This amount exceeds the Option A limit by \$498 - \$242 = \$256, per lot (x 500 lots = \$128,000, in 2017/18 dollars).

Deleted: 170,000...500 lots = \$498340...per lot per year. This amount exceeds the Option A limit by \$498340...- \$242165... = \$256175...per lot (x 500 lots = \$128,00087,500...in 20FY...0.../10 ... [2]

- * The Specified Area Rating Proposal must therefore generate the extra-over amount of \$128,000, per year (in 2017/18 dollars) at full development of all 500 lots. Actual SAR revenues will be less in early years prior to full development, but will "ramp up" and accumulate in reserve during this period while the developer meets the full landscape maintenance cost;

Formatted: List Paragraph, Left, Right: 0.2 cm, Bulleted + Level: 1 + Aligned at: 0.21 cm + Indent at: 1.16 cm, Tab stops: 1.17 cm, Left

- * The \$498, average per lot cost is ultimately to be funded \$242, from general rate revenue and \$256, from SAR revenue. All figures escalate annually for inflation. However, general and Specified Area Rates are expected to escalate simply via escalation of underlying gross rental valuations;

Deleted: 87,500...per year (in 20FY...0.../10...) dollars at full development of all ... [3]

Deleted: 340...average per lot cost is ultimately to be funded \$242165...from general rate revenue and \$256175 ... [4]

- * A landscape maintenance performance bond of 5 years x 500 lots x \$242, per lot = \$605,000, is to be lodged prior to clearance.

Deleted: 165...per lot = \$605,000412,500 ... [5]

- * The landscape maintenance period will extend until the developer demonstrates that annual maintenance costs lie within the \$249,232, annual target (indexed to the date of handover).

Deleted: subdivider ...eveloper demonstrates that annual maintenance costs lie within the \$249,232170,000 ... [6]

Option C – Developer Landscape Annuity Example:

Example - A 500 lot subdivision anticipates average general rates payable per rated (residential/industrial/commercial) property of \$1,615, (in 2017/18 dollars) per lot when fully developed with housing. The higher quality Landscape design has an estimated annual maintenance cost of \$249,232, (at 2017/18 dollars Excl GST).

Deleted: 100...(in 20FY...0.../10... dollars) per lot when fully developed with housing. The higher quality Landscape design has an estimated annual maintenance cost of \$249,232\$170,000...(at 20FY...0.../10... dollars excl ... [7]

- * A landscape maintenance performance bond of 2 years x \$249,232, = \$498,464, is required prior to clearance.

Deleted: 170,000

Deleted: 340,000

- * The annual Maintenance cost = \$249,232/500 lots = \$498, per lot per year. This exceeds the Option A limit by \$498 - \$242 = \$256, per lot (x 500 lots = \$128,000, per year in 2017/18 dollars). The developer must pay an annuity amount (a fee) that is the Present Value of the \$128,000, per year extra-over cost, with appropriate inflation and discount allowances for a 40 year period after clearance, less the component of this amount that is

Deleted: 170,000...500 lots = \$498340...per lot per year. This exceeds the Option A limit by \$498340...- \$242165... = \$256175...per lot (x 500 lots = \$128,00087,500...per year in 20FY...0.../10... dollars). The developer must pay an annuity amount (a fee) that is the Present Value of the \$128,00087,50 ... [8]

Last Updated 25 July, 2007

applicable to the 2 year maintenance period and otherwise covered by the maintenance bond. The fee is calculated in this manner as follows:

$$\text{Present Value} = \left[\frac{1 - (1+r)^{-n}}{r} \right] \times \$Y$$

In this example,

* $n = 40$ annual payments of Y ,

* $Y = \$128,000$ (in FY2017/18 dollars),

* r = the (real) discount rate which, accounting for inflation of maintenance cost 'Y' at the assumed annual inflation rate "i" is reasonably approximated as the difference between the nominal discount rate "rn" and "i". The nominal discount rate (rn) shall be the interest rate available for City investments. In this example the following rates are assumed,

* nominal discount rate, $rn = 8\%$

* inflation rate $i = 6\%$

* $r =$ real discount rate (approx) $= rn - i = 2\%$

The formula gives present value = \$2,393,604, for which the corresponding fee to be paid prior to clearance is:

~~\$3,501,500~~ - ~~\$498,464~~ = ~~\$3,003,036~~

History

Council Resolution	Date	Information
C0707/162	25 July, 2007	Completely revised version of former policy 185/3 Version 3
C0111/566	28 November, 2001	Substantially revised version of former policy 185/3 Version 2
(W94/0194) C94/0368	28 September, 1994	Date of implementation Version 1

Deleted: <object>

Deleted: 87,500

Deleted: 07

Deleted: 0

Deleted: Shire

















Deleted: 2,393,604

Deleted: 340,000

Deleted: 2,053,604

11. PLANNING AND DEVELOPMENT SERVICES REPORT

11.1 AMENDMENT NO. 29 (OMNIBUS NO. 4) TO LOCAL PLANNING SCHEME NO. 21 - CONSIDERATION FOR INITIATION FOR COMMUNITY CONSULTATION

SUBJECT INDEX:	Local Planning Scheme 21 Amendments
STRATEGIC OBJECTIVE:	Planning strategies that foster the development of healthy neighbourhoods that meet our needs as we grow.
BUSINESS UNIT:	Strategic Planning and Development Services
ACTIVITY UNIT:	Strategic Planning and Development
REPORTING OFFICER:	Senior Strategic Planner - Helen Foulds
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Council Minutes 26 April 2017  
	Attachment B Review of Terms Referred to in Scheme  
	Attachment C Zoning Table tracked changes  
	Attachment D Busselton City/Town Centre Zone and proposed Drive-through Exclusion Area  
	Attachment E Dunsborough City/Town Centre Zone and proposed Drive-through Exclusion Area  
	Attachment F Dunbarton Proposed Special Provision  
	Attachment G Carnarvon Castle Drive, Eagle Bay proposed Residential zoning  
	Attachment H Okapa Rise and Sloan Drive, Dunsborough proposed Residential zoning  

PRÉCIS

The primary purpose of this Omnibus Amendment is to generally align sections of Local Planning Scheme No. 21 (the Scheme) to the 'Model Provisions', which are contained within Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The amendment will specifically seek to align the zones within the Scheme with the standard suite of zones set out in the Model Provisions, to review and refine the 'policies and objectives' and other provisions of each of the zones, to review and align the land-use definitions to be more consistent with the Model Provisions and finally to review the zoning table to avoid unintended consequences.

The amendment also proposes to introduce development standards for the new 'City/Town Centre' zone that would apply to the Busselton City and Dunsborough Town Centres and identify areas within the Centres where a prohibition on 'drive-through facilities' would apply.

It is recommended that Amendment No. 29 to the Scheme be initiated and adopted for the purposes of community consultation.

BACKGROUND

On 15 October 2014, the City of Busselton Local Planning Scheme No. 21 (the Scheme) was published in the Government Gazette. The Scheme, which incorporates the Scheme text and Scheme map, controls and guides development and growth within the City of Busselton.

In October 2015 new *Planning and Development (Local Planning Schemes) Regulations* came into effect. The Regulations affect arrangements for local planning schemes, strategies and amendments.

In addition to a ‘model scheme text’ (known as the Model Provisions), the Regulations introduced a set of ‘deemed provisions’ that automatically form part of all local planning schemes.

The City is engaged in an orderly process to update and align its Scheme with the *Planning and Development (Local Planning Schemes) Regulations, 2015*. This process will be achieved through consecutive amendments commencing with Omnibus 2 and extending through a range of other initiatives, as set out in a Council resolution of 26 April 2017, pursuant to a report titled “Development Control framework – Review and Proposed Direction” (provided at **Attachment A**). This report sets out planned Omnibus Amendments as follows –

1. **Omnibus Amendment 2 (Amendment 25)** – Deemed Provisions Alignment: currently with the Western Australian Planning Commission and Minister for Planning for final approval;
2. **Omnibus Amendment 3 (Amendment 28)** – Development Zones Consolidation: anticipated to be brought before Council for initiation early in 2018;
3. **Omnibus Amendment 4 (Amendment 29)** – Model Provisions Alignment: this amendment, currently under consideration for initiation;
4. **Omnibus Amendment 5 (Amendment 30)** – Implementation of Adopted Planning Strategy and State Planning Policy Recommendations: details of amendment yet to be scoped;
5. **Omnibus Amendment 6 (Amendment 31)** – Miscellaneous Development Control Changes: details of amendment yet to be scoped;
6. **Omnibus Amendment 7 (Amendment 32)** – Mapping and Schedules Consolidation / Review/rationalization of redundant/outdated structure plans or similar: details of amendment yet to be scoped; and
7. **Omnibus Amendment 8 (Amendment 33)** – Residential Density and Special Character Area Controls Review / review of Special Character Area Policies: details of amendment yet to be scoped.

This particular Amendment seeks to generally align the Scheme with the Model Provisions, more specifically to align the zones within the Scheme with the standard suite of zones set out in the Model Provisions, to review and refine the ‘policies and objectives’ and other provisions of each of the zones, and to review and align the land-use definitions to be more consistent with the Model Provisions, along with a review of the zoning table to avoid unintended consequences.

Also included within this Amendment is the incorporation of a number of standard provisions into the Scheme for the Busselton City and Dunsborough Town Centres, to provide guidance to development within the proposed new ‘City/Town Centre’ zone.

STATUTORY ENVIRONMENT

The key elements of the statutory environment in relation to the draft amendment are set out in the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Scheme Amendment has been prepared having regard to the Act, the Regulations and Model Provisions and Deemed Provisions contained therein.

The *Planning and Development (Local Planning Schemes) Regulations 2015* identifies three different levels of amendments – basic, standard and complex. The resolution of the local government is to specify the level of the amendment and provide an explanation justifying this choice.

This Amendment is considered to be a ‘standard’ amendment, given the amendment is to provide consistency with the model provisions in Schedule 1 of the Regulations and is consistent with local planning strategies for the District.

RELEVANT PLANS AND POLICIES

The key policy implications with respect to the proposal are set out in the following, which are discussed below under appropriate subheadings:

- State Planning Policy 2.5: Rural Planning and Development Control Policy 3.4: Subdivision of rural land;
- Draft State Planning Policy 7: Design of the built environment;
- Liveable Neighbourhoods;
- Draft Local Planning Strategy;
- Local Commercial Planning Strategy; and
- Busselton City and Dunsborough Town Centre Conceptual Plans

State Planning Policy 2.5: Rural Planning (2016) and Development Control Policy 3.4: Subdivision of rural land (2016)

State Planning Policy 2.5: Rural Planning (SPP 2.5) is the basis for planning and decision-making for rural and rural living land across Western Australia. The purpose of this policy is to protect and preserve Western Australia’s rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values.

Development Control Policy 3.4: Subdivision of rural land (DC 3.4) sets out the principles that will be used by the WAPC in determining applications for the subdivision of rural land. The policy is consistent with the objectives of *State Planning Policy 2.5: Rural Planning*, which establishes the statewide policy framework for rural land use planning in Western Australia.

Draft State Planning Policy 7: Design of the built environment

Draft State Planning Policy 7 for Design of the Built Environment (SPP 7) is the lead policy that establishes the requirement for design quality across the whole built environment. SPP 7 includes ten principles for good design and sets up the requirement for expert design review as a part of the evaluation process.

Liveable Neighbourhoods

Liveable Neighbourhoods (LN) is a policy of the Western Australian Planning Commission (Commission) and sets out extensive planning direction relevant to consideration of proposed urban development. LN currently exists in two relevant forms, the adopted 2009 version (LN 2009), and the draft 2015 version (LN 2015). Whilst LN generally applies to structure plans (and other subsidiary planning instruments, such as activity centre plans and local development plans) and applications for subdivision approval, it does set out the Commission’s overall direction for planning of urban areas, especially with respect to urban design, and as such provides useful and relevant advice when considering urban design requirements of the Scheme.

Draft Local Planning Strategy

The draft Local Planning Strategy (LPS) was adopted by Council for final approval in September 2016 and is currently with the Western Australian Planning Commission for endorsement.

'Theme 1' of the LPS, 'Settlement and community', includes the direction to *"support and pro-actively plan to identify suitable areas for re-subdivision/consolidation of existing rural-residential development in both the Commonage and Dunbarton rural residential areas."*

'Theme 2' of the LPS, 'Activity centres and economy', identifies the following, relevant, strategies and objectives:

- Objective (d) – *"The continued growth of the Busselton City Centre and Dunsborough Town Centre as the main centres of the economic, social and cultural life of the District;"*
- Strategy (c) – *"...activity centres shall be...developed along predominantly 'main-street' lines, with activated public streets and high levels of pedestrian amenity..."*

Local Commercial Planning Strategy

The Local Commercial Planning Strategy (LCPS), adopted by Council on 10 November 2010, provides the long term strategic land use planning and strategic direction for the development of commercial land within the District.

The LCPS considered and made recommendations on urban design improvements in and around the Busselton City Centre and Dunsborough Town Centre, including identifying a number of "Key Principles" for both Centres. Relevant principles have been identified as follows:

5.2.3 Urban Design Principles (Busselton)

- *Encourage mixed uses - residential, offices, hospitality, retail and community – in the town centre, to increase vitality.*
- *Develop a more cohesive, vernacular style for built development in the town and control the intrusion of brands and homogenised building styles.*
- *Encourage pedestrian movement in the town centre.*
- *Traffic circulation in the town centre needs to be managed to ensure that reduced amenity and poor safety does not result.*
- *Provide well located peripheral car parks to encourage pedestrian movement in the town centre.*

5.3.3 Urban Design Principles (Dunsborough)

- *Encourage mixed uses - residential, offices, hospitality, retail and community – in the town, to increase vitality.*
- *Increase safe and efficient pedestrian movement in the town.*
- *Provide well located car parks to encourage pedestrian movement in the centre of town.*

Busselton City and Dunsborough Town Centre Conceptual Plans

The Busselton City and Dunsborough Town Centre Conceptual Plans further developed the recommendations of the LCPS and have in turn guided this Amendment. These plans were adopted by Council at its meeting of 29 January 2014 following a period of public consultation in April and May of the previous year.

The Conceptual Plans contain a number of recommendations aimed at making the Busselton City Centre and Dunsborough Town Centre more attractive and pedestrian friendly. Those include proposed streetscape upgrades, now partially complete, and 'Development/Redevelopment Cells' requiring site-specific design guidance/integration.

FINANCIAL IMPLICATIONS

There are considered to be no direct financial implications arising from the implementation of the Officer Recommendation.

Long-term Financial Plan Implications

Nil.

STRATEGIC COMMUNITY OBJECTIVES

The Officer Recommendation is consistent with the following community objectives of the *City of Busselton Strategic Community Plan 2017*:

2.1 – “*Planning strategies that foster the development of neighbourhoods that meet our needs as we grow*”; and

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

RISK ASSESSMENT

An assessment of the potential implications of implementing the Officer Recommendation has been undertaken using the City’s risk assessment framework. The assessment identified ‘downside’ risks only, rather than upside risks as well. The implementation of the Officer Recommendation will involve initiating the proposed scheme amendment and referring it to the Environmental Protection Authority. In this regard, there are no significant risks identified.

CONSULTATION

There is no requirement under the *Planning and Development Act 2005* to advertise a proposed scheme amendment prior to it being initiated by the Council. Accordingly, no advertising has occurred to date. However, the City has consulted with the Department of Planning, Lands and Heritage in drafting the proposed amending text. The proposals outlined in this report also reflect outcomes of earlier consultation in relation to development proposals as well as development of the City’s Community Strategic Plan, Draft Local Planning Strategy and Busselton City Centre and Dunsborough Town Centre Conceptual Plans

If the Council resolves to initiate the proposed amendment, the related documentation will be referred to the Environmental Protection Authority (EPA) to consider the need for formal review under Part 4 of the *Environmental Protection Act 1986*. If the EPA determines that formal review is unnecessary, it will be advertised for a period of 42 days in accordance with the Regulations and include referral to relevant state government agencies. In the event that the EPA determines that the proposal is to be formally reviewed, the City shall cause such review to be undertaken in accordance with s82 of the *Planning and Development Act 2005*.

OFFICER COMMENT

The primary purpose of this Omnibus Amendment is to generally align the Scheme to the Model Provisions, contained within Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The amendment will specifically seek to:

1. Align the zones within the Scheme with the standard suite of zones set out in the Model Provisions;
2. Review and refine the objectives and policies of each of the zones and the relevant provisions more generally;
3. Review and align the land use terms and general definitions with the Model Provisions, along with the zoning table to avoid unintended consequences;
4. Incorporate provisions for the new 'City and Town Centre' zone, including provisions for 'Drive-Through Facilities'; and
5. Pave the way for the future rezoning of the Dunbarton/Vasse Rural Residential area to a low density Residential zone, by applying a Special Provision requiring an overall Structure Plan for road network planning, public open space and urban water planning, amongst others.

Each of these will be discussed in greater detail below.

1. Alignment of Zones

The zones have been reviewed with the following table summarising the outcome of this review:

Current Zone name in Scheme	Notes	Recommendation
Residential	Consistent with name in Model Provisions.	Retain zone name.
Business	Separate zone to be established for Busselton and Dunsborough CBDs, to acknowledge primacy of these centres within the Municipality. The Model Provisions identify the 'Centre' zone and 'Commercial' zone, however it is recommended to create zone names that more logically inform the nature of these zones.	'City/Town Centre' zone to be established for Busselton and Dunsborough. 'Local/Neighbourhood Centre' for all other existing 'Business' zones outside of the two main centres. Officers considered separating this into two further zones, 'Local' and 'Neighbourhood', but determined that given permissibilities and provisions would be consistent, it was not necessary to have three 'Centre' zones.
Restricted Business	Referred to as 'Service Commercial' in the Model Provisions.	Update the zone name to 'Service Commercial' for consistency with the Model Provisions and replace all 'Restricted Business' zonings, with the exception of the Old Broadwater Farm commercial site to be rezoned to 'Local/Neighbourhood Centre' (additional information provided below).
Tourist	Referred to as 'Tourism' in the Model Provisions.	Update zone name to 'Tourism' for consistency with the Model Provisions and replace all 'Tourist' zonings.
Industrial	The Model Provisions provide the following Industry zones: <ul style="list-style-type: none"> • 'Light Industry'; • 'General Industry'; and • 'Strategic Industry'. <i>(Note: The 'Industrial Development' zone will be introduced with Amendment 28, Omnibus 3.)</i>	Update zone name to 'Light Industry' for consistency with the Model Provisions and replace all 'Industrial' zonings. Introduce 'General Industry' zone for later use, which would be utilised for the Airport Industry Park once developed.

Agriculture	Referred to as 'Rural' in the Model Provisions.	Update zone name to 'Rural' for consistency with the Model Provisions and replace all 'Agriculture' zonings.
Viticulture and Tourism	No direct match in Model Provisions. Consideration was given towards combining this zone with the 'Rural' zone and applying provisions that would prohibit certain uses that are not currently discretionary in the Viticulture and Tourism zone. However, given the complexity of the proposed change it has been decided to retain the zone as it stands currently.	Retain zone name.
Rural Residential	<p>The Model Provisions provide the following Rural Residential-type zones:</p> <ul style="list-style-type: none"> • 'Rural Residential' – lots generally 1 ha to 4 ha in size; • 'Rural Smallholding' – lots generally 4 ha to 40 ha in size. <p>For simplicity, and also because, once subdivision has occurred, there are very few lots smaller than 4ha in area, it is recommended to retain the 'Rural Residential' zoning, rather than split into two zones dependent on lot size. Some areas that are currently zoned 'Rural Residential' are recommended to be rezoned to a low density 'Residential' zone. This matter is discussed in greater detail later within this report.</p>	Retain zone name.
Rural Landscape	No direct match in Model Provisions.	Retain zone name.
Conservation	The Model Provisions provide an 'Environmental Conservation' zone. However, a review of zone objectives indicates differing purposes to the City's 'Conservation' zone.	Retain zone name.
Bushland Protection	No direct match in Model Provisions. This zone is in use through the <i>Biodiversity Incentive Strategy</i> , where landowners are encouraged to protect areas of good quality remnant vegetation within their property by undergoing a rezoning from 'Agriculture' or 'Viticulture and Tourism' to 'Bushland Protection', in return for a greater lot yield. This program has been successful in placing large areas of quality vegetation into protection.	Retain zone name.

Special Purpose	Referred to as ' Special Use ' in the Model Provisions.	Update zone name to ' Special Use ' for consistency with the Model Provisions and replace all ' Special Purpose ' zonings. Introduce new Schedule into Scheme for Special Use table, whereby acronyms within the Scheme maps will be designated a ' Special Use ' number. Some Special Uses are proposed to be combined (i.e. Educational Establishment and Private School, Road Purposes and Bypass, Camping/Caravan Park and Caravan Park).
Vasse Development and Deferred Vasse Development	These zones are intended to be reviewed through Amendment 28 (Omnibus 3), along with the recommended introduction of the 'Urban Development' and 'Industrial Development' zones. This Amendment is anticipated to be brought before the Council for initiation early in 2018.	No change through this Amendment.

A mapping anomaly has occurred at the Old Broadwater Farm commercial site, where it was intended to be zoned for 'Business'. At some stage it has been incorrectly indicated as 'Restricted Business' on the Scheme map. The zoning is proposed to be corrected to 'Local/Neighbourhood Centre' zone (as the new zone replacing 'Business' for areas outside of the Busselton and Dunsborough Centres) as originally intended (see **resolution 1.2(c)**).

Given the 'Special Purpose' zone is proposed to be replaced with the 'Special Use' zone, consistent with the Model Provisions, the labels on the Scheme map should be replaced by a reference number. This reference number refers to the Special Use designation within a newly created Schedule (see **resolution 1.4**). Clause 4.9 'Special Purpose Zone' is also proposed to be updated (see **resolution 1.3**).

Due to renaming of the 'Agriculture' zone to 'Rural', the Scheme has been examined for instances where 'rural' is used as a general term within substantive clauses (note that reference within a clause title does not impact on the interpretation of a clause). Three instances have been found and are recommended to be modified. Details provided below (see **resolution 1.5**):

Clause	Detail	Recommendation
Cl. 5.16.1(b) 'Corner Shop'	<i>"in the case of a rural area or land in a rural zone..."</i> Only a discretionary use in the Rural, Viticulture and Tourism and Rural Residential zones.	Replace the words "in the case of a rural area or land in a rural zone" with "in the case of land in the Rural, Viticulture and Tourism and Rural Residential zones"
Cl. 5.29 'Development of Dams in Rural Areas'	Title and clause <i>"In rural zones..."</i>	Remove the words "in rural areas" from within the title and "In Rural zones" from within the clause. Cl 9.2 identifies where development approval required.
Cl. 5.31 'Ancillary Accommodation in Rural Areas'	<i>"Where ancillary accommodation is approved in a rural zone..."</i> Clause does not refer to specific zones	Title doesn't impact on interpretation of clause. Replace the words "a rural zone" with "the Rural, Viticulture and Tourism, Rural Residential, Rural Landscape, Conservation or Bushland Protection zone"

2. Objectives of the Zones

Whilst reviewing the zone names it is also prudent to review and update the objectives of the zones. These objectives have largely been in place since the introduction of District Town Planning Scheme No. 20, gazetted in September 1999. To give the Scheme currency, the 'Policies' of the zones have been dropped and only 'Objectives' of the zones have been retained, while being updated, consistent with the Model Provisions. Where necessary, consideration has been given to where it may be necessary to retain redundant policies or objectives as provisions within the Scheme. Officers at the Department of Planning, Lands and Heritage have advised the City to keep the zone objectives broad. The zone objectives recommended for adoption by the Council are largely a combination of the 'old' zone objectives and policies and those provided for within the Model Provisions.

The recommended zone objectives are provided below and at **resolution 2.1**:

Zone name	Objectives
Residential	<ul style="list-style-type: none"> a. To provide for a range of housing and a choice of residential densities to meet the needs of the community. b. To facilitate and encourage high quality design, built form and streetscapes throughout residential areas. c. To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
City/Town Centre	<ul style="list-style-type: none"> a. To provide a genuine centre of community life, socially, culturally and economically. b. To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy. c. To ensure that development provides for activation of the street and public spaces, high quality design and a variety of land uses. d. To provide for medium to high density residential development.
Local/Neighbourhood Centre	<ul style="list-style-type: none"> a. To provide for development at a scale sufficient to serve the Centre's catchment, but not detract from the commercial primacy of the City/Town Centre zone. b. Providing for limited expansion of existing smaller centres to ensure access to services at a local level and building neighbourhood identity. c. To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy. d. To ensure that development provides for activation of the street and public spaces, high quality design and a variety of land uses.

Service Commercial	<ul style="list-style-type: none">a. To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.b. To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in the Centre zones.c. To provide for development which will not result in a detrimental impact on surrounding commercial centres and has regard to the strategic importance and need to maintain the commercial primacy of the City/Town Centre zone.d. To restrict development which is likely to contribute to ribbon development, the spread of centres, or otherwise detrimentally impact the efficiency of main or arterial roads.
Tourism	<ul style="list-style-type: none">a. To promote and provide for tourism opportunities.b. To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area, or on the commercial primacy of the City/Town Centre zone.c. To allow limited residential uses where appropriate.d. To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.
Light Industry	<ul style="list-style-type: none">a. To provide for a range of industrial and service commercial uses generally compatible with urban areas, that generally cannot be located in other zones, whilst maintaining the commercial primacy of the City/Town Centre zone.b. To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.
General Industry	<ul style="list-style-type: none">a. To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.b. To accommodate industry that would not otherwise comply with the performance standards of light industry.c. Seek to manage impacts such as noise, dust and odour within the zone.

Rural	<ul style="list-style-type: none"> a. To provide for the maintenance or enhancement of specific local rural character. b. To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as viticulture and horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use. c. To maintain and enhance the environmental qualities of the landscape, vegetation, soils and waterways. d. To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses. e. To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses. f. To provide for development and expansion of the viticultural, winemaking and associated tourism activities and other industries related to agricultural activities, in addition to general rural pursuits, in a manner that does not cause adverse environmental impact. g. To provide for the extraction of basic raw materials, where appropriate.
Viticulture and Tourism	<ul style="list-style-type: none"> a. To provide for the maintenance or enhancement of specific local rural character. b. To provide for development and expansion of the viticultural, winemaking and associated industries, in addition to general rural pursuits, in a manner that does not cause adverse environmental impact. c. To facilitate the development of tourist facilities of a scale and nature appropriate in rural settings without prejudice to the scenic quality of land within this zone and without creating or increasing ribbon development on any road. d. To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses. e. To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses. f. To maintain and enhance the environmental qualities of the landscape, vegetation, soils and waterways.
Rural Residential	<ul style="list-style-type: none"> a. To provide for lots primarily for residential purposes generally in the range of 1 ha to 4 ha. b. To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land. c. To set aside areas for the retention of vegetation and landform or other features which distinguish the land.

Rural Landscape	<ul style="list-style-type: none"> a. To facilitate limited closer rural settlement on land which is recognised as being of high landscape or scenic value, but generally unsuitable for agriculture or farming use, in order to protect and enhance those values. b. To ensure that development maintains the character of the locality, maintains a high level of residential amenity, has consideration for conservation values and minimises disturbance to the landscape.
Conservation	<ul style="list-style-type: none"> a. To restrict the type and scale of development which will be considered on lands possessing special aesthetic, ecological or conservation values to those compatible with such environments. b. To provide for the preservation, maintenance, restoration or sustainable use of the natural environment.
Bushland Protection	<ul style="list-style-type: none"> a. To restrict the land uses and type and scale of development that will be considered on lands possessing special biodiversity values to those that will not adversely affect those values, and to provide opportunity for the creation of a subdivision incentive for the protection of those values in perpetuity. b. To prohibit clearing, grazing or damage to remnant vegetation on the land unless required for bushfire hazard risk mitigation identified on an adopted fire management plan, approved dwellings or any incidental development within building envelopes, or to allow for vehicular access to such buildings. c. To prohibit the clearing, draining, filling or grazing of wetlands on the land.
Special Use	<ul style="list-style-type: none"> a. To facilitate special land use controls, which do not sit comfortably within any other zone. b. To enable the Council to impose specific conditions associated with the special use.
Vasse Development Zone and Deferred Vasse Development Zone	<p>As mentioned above, these zones will be reviewed through Amendment 28 (Omnibus 3), along with the recommended introduction of the 'Urban Development' and 'Industrial Development' zones. This Amendment is anticipated to be brought before the Council for initiation early in 2018. At this time, there are no recommended changes to the Vasse Development and Deferred Vasse Development Zones, although they will need to continue to be identified within clause 4.2 until that time, therefore they will appear in the resolution unchanged.</p>

As mentioned above, some objectives and policies of the zones are proposed to be retained within the provisions of the Scheme, these predominantly relate to subdivision requirements within the Agriculture (now Rural), Rural Landscape, Conservation and Bushland Protection zones and protection of environmental values in the Conservation and Bushland Protection zones. The intent of the modifications in this instance is to remain 'policy neutral'.

To achieve this, modifications to the following clauses are proposed (see **resolutions 2.2 to 2.5**):

- Clause 5.34 – Subdivision of lots with more than one dwelling in the Agriculture and Viticulture and Tourism Zone (to be retitled to ‘Subdivision of lots in the Rural and Viticulture and Tourism zones’);
- Clause 5.36 – Vegetation surveys in the Conservation and Bushland Protection zones (to be retitled to ‘Special provisions relating to the Conservation zone’ and the relevant clause will be repeated within clause 5.39, below);
- Clause 5.38 – Special provisions relating to the Rural Landscape zone; and
- Clause 5.39 – Special provisions relating to the Bushland Protection zone.

The addition of two new clauses is proposed in relation to the following:

- A new clause 5.20 (and renumbering subsequent clauses) to incorporate policy (f) of the current Business zone, which encourages consolidation of land for integrated development or redevelopment and discourages fragmentation of land (see **resolution 2.6**) –

“The consolidation of land to assemble larger land parcels suitable for integrated development or redevelopment in the City/Town Centre and Local/Neighbourhood Centre zones is encouraged and supported. Fragmentation of land within these zones, unless it is part of an overall plan for integrated development or redevelopment, will generally not be supported.”

- A new clause 5.41 (which would become clause 5.42 due to the proposed new clause 5.20 above, but this report will refer to clauses with reference to their *current* clause number for clarity) to incorporate objectives and policies from the Restricted Business, Agriculture, Viticulture and Tourism and Rural Residential zones that related to the discouragement of ribbon development along major roads and tourist routes (see **resolution 2.7**) –

“Development which is likely to contribute to ribbon development, the spread of town centres, or otherwise detrimentally impact the efficiency of or the rural and natural ambience of main or arterial roads will not be supported by the local government.”

3. Terms Referred to in Scheme

An extensive review of the terms used within the Scheme and their definitions (Schedule 1 of the Scheme) has been undertaken, with a view to aligning – where appropriate – those with the Model Provisions.

As part of this review, the City is seeking to divide Schedule 1 of the Scheme into two parts, being Division 1 “General Definitions used in Scheme” and Division 2 “Land use terms used”. This will assist in the interpretation of the Scheme by identifying terms that are dealt with as ‘land uses’ or ‘general terms’. Terms that have been included in Division 2 for land uses are those that appear within the Zoning table, with the exception of ‘Home Office’ that appears only in clause 9.2 (‘Permitted Development’) and ‘Caretaker’s Dwelling’ (previously known throughout the Scheme as variations of Caretaker’s Residence and Manager’s Residence), which is proposed to be incorporated into the Zoning Table through the amendment. All other terms are included within Division 1, as ‘general terms’.

The review of the terms used in the Scheme and their associated definitions has resulted in a number of proposed modifications to the Scheme as follows:

General Terms (Division 1)

- * Modify the following definitions:
 - Incidental Development
 - Jetty and Mooring Envelope (to become “Mooring Envelope”)
 - Major Road Frontage (to become “Frontage”)

- * Remove the following obsolete or out-dated definitions:
 - The Act
 - Advertisement
 - Amusement Machine
 - Applicant
 - Building
 - Bulky Goods
 - Communal or Cluster Farming
 - Dry Industry
 - Dwelling
 - Generating Works
 - Manager’s Residence
 - Natural Ground Level
 - Owner
 - Place
 - Retirement Village
 - Stabilised Surface Level of a Lot
 - Waterway Frontage

Land Use Terms (Division 2)

- * Modify the following use class titles and/or their associated definitions and references within the Scheme:
 - Amusement Parlour
 - Caravan Park & Camping Grounds (to become “Caravan Park”)
 - Caretaker’s Residence (to become “Caretaker’s Dwelling”)
 - Child Care Centre (to become “Child Care Premises”)
 - Club (to become “Club Premises”)
 - Community Centre (to become “Community Purpose”)
 - Convenience Store
 - Display Home Centre
 - Educational Establishment
 - Extractive Industry (to become “Industry – Extractive”)
 - Home Occupation
 - Hospital
 - Industry
 - Light Industry (to become “Industry – Light”)
 - Liquid Fuel Depot (to become “Fuel Depot”)
 - Lunch Bar
 - Marina
 - Marine Filling Station
 - Mineral Resource Development (to become “Mining Operations”)
 - Motel
 - Motor Vehicle and Marine Sales Premises (to become “Motor Vehicle, Boat or Caravan Sales”)
 - Motor Vehicle Repair
 - Office
 - Plant Nursery (to become “Garden Centre”)
 - Private Recreation (to become “Recreation – Private”)
 - Professional Consulting Rooms (to become “Consulting Rooms”)
 - Restaurant (to become “Restaurant/Café”)

- Restricted Premises
 - Shop
 - Tavern
 - Transport Depot
 - Warehouse (to become “Warehouse/Storage”)
- * Creating the following new use classes, associated definitions and permissibilities within the Zoning Table:
- | | |
|------------------------|-------------------------------------|
| – Car Park | – Resource Recovery Centre |
| – Caretaker’s Dwelling | – Small Bar |
| – Cinema/Theatre | – Telecommunications Infrastructure |
| – Funeral Parlour | – Waste Disposal Facility |
| – Motor Vehicle Wash | – Waste Storage Facility |
| – Nightclub | |
- * Remove the following use class definitions only (as they are defined in the Residential Design Codes WA (R-Codes), which forms part of the Scheme), but retaining permissibilities within the Zoning Table:
- Grouped Dwelling
 - Multiple Dwelling
 - Residential Building
 - Single House
- * Remove the following obsolete or out-dated use classes, permissibilities within the Zoning Table, associated definitions and references within the Scheme:
- | | |
|-----------------------------------|---------------------------|
| – Boarding House | – Place of Assembly |
| – Boatel | – Public Utility |
| – Bulk Store | – Recreation Facility |
| – Bus Station | – Rural Worker’s Dwelling |
| – Chandlery | – Salvage Yard |
| – Conservation Tourism | – Sawmill |
| – Display Home | – Service Industry |
| – Marine Facilities | – Stock & Sale Yard |
| – Offensive or Hazardous Industry | – Timber Yard |
- * Modify the permissibilities for the following existing uses:
- Display Home Centre, change from ‘X’ to ‘D’ use in the Rural Residential zone, in response to the consolidation of Display Home and Display Home Centre;
 - Industry, change from P to D in the Light Industry and General Industry zone
 - Marina, change from ‘X’ to ‘D’ in the Light Industry and General Industry zone, as the definition also covers Chandlery, boat servicing/repair, storage & associated sale of boating gear;
 - Recreation – Private, change from ‘D’ to ‘A’ in Conservation zone, in response to the consolidation of ‘Private Recreation’ and ‘Recreation Facility’ into one use class;
 - Include Caretaker’s Dwelling within the Zoning Table as a ‘D’ use in the Tourism zone.

In relation to the above, note that:

- ‘P’ is a permitted use provided the use complies with the relevant development standards;
- ‘D’ means the use is permitted if the local government has exercised its discretion by granting planning approval; and

- 'A' means the use is permitted if the local government has exercised its discretion by granting planning approval following public consultation.

The majority of the definitions have been brought into line with the Model Provisions after careful consideration. Where the definitions vary from the Model Provisions, this has been justified and details have been provided at **Attachment B**.

Given the extent of the modifications to the Zoning Table due to the review of the zones and land use definitions, the entire Zoning Table is set out at **resolution 3.2**. An additional 'tracked changes' version has been provided at **Attachment C**, to clearly identify the modifications.

A number of provisions associated with land uses require specific modification, these are described below.

- * Clause 4.5.3(d) to correct the permissibility of Motor Vehicle and Marine Sales Premises (to become "Motor Vehicle, Boat or Caravan Sales") in the Industrial (Light Industry) zone –

It is proposed to delete reference to this use from within subclause 4.5.3(d), which identifies Motor Vehicle and Marine Sales Premises as a use not permitted within a factory unit or industrial unit (see **resolution 3.3**). It is thought that the intent of this clause was to not permit the use in these building types due to the small nature of the building and the definition referring to servicing of vehicles. Whilst the new definition for Motor Vehicle, Boat or Caravan Sales would not disallow servicing of vehicles (as this would be ancillary to the main use, where appropriate), it does clarify the primary intent of the use is for sale or hire of motor vehicles, boats or caravans. It is considered that market forces would more appropriately control the locations of these uses within the Light Industry zone, that is, a smaller scale business (such as a motorcycle hire or sale premises) that could reasonably fit within an industrial unit could be located there.

- * Delete subclauses 4.5.4(f) and (g) relating to a second dwelling and Rural Worker's Dwelling in the Agriculture (to become 'Rural') and Viticulture and Tourism zones –

It is proposed provisions relating to a second dwelling and Rural Worker's Dwelling within the 'Agriculture' and 'Viticulture and Tourism' zones be deleted (cl. 4.5.4 (f) and (g)) as these are considered inconsistent with SPP 2.5 (Rural Planning) and DC Policy 3.4 (Subdivision of Rural Land) (see **resolution 3.4**). There are concerns that these provisions are being used inappropriately and allowing for pseudo-grouped dwelling style development in the rural zones.

The objectives of SPP 2.5 are to protect rural land, particularly priority agricultural land, promote economic growth and regional development on rural land for rural land uses, avoid and minimise land use conflicts and to promote sustainable settlement in, and adjacent to, existing urban areas.

SPP 2.5 also advises (at cl. 6.3) that –

"When local planning schemes are prepared or reviewed, planning decision-makers shall:

...

- (b) in rural zones, limit the introduction of land uses that may constrain existing or potential future rural land uses;*

And at cl. 6.5 (d) –

“the introduction of new dwelling entitlements or other sensitive land uses should not limit or prevent primary production from occurring.”

The above clauses are aimed at protecting the agricultural use of land from sensitive land uses (i.e. dwellings) that would otherwise require protection from impacts of agricultural practice, such as noise and spray drift.

DC 3.4 specifies areas in the State that are appropriate as ‘Homestead lots’, described as follows at clause 6.6:

“The creation of homestead lots is intended to allow primary producers to continue to occupy their dwelling when they cease to farm, and provide settlement opportunities in areas where land fragmentation is limited and unlikely to increase. Homestead lots are to be created in a manner that is consistent with the rural character and landscape of a locality. Homestead lots may be facilitated through boundary rationalisation or the creation of a new lot.

The Policy identifies where Homestead lots may be developed, effectively being the Wheatbelt. The City of Busselton is not included within the Homestead lot policy area.

The above proposed changes will have no effect on applications for workforce accommodation, which can be assessed as a ‘Residential Building’ use and would be considered on their merits.

4. City/Town Centre Zone provisions

The City is working towards formulating a framework to guide development within the Busselton and Dunsborough City/Town Centres, which will include an Activity Centre Plan for each. However, recent development proposals and the testing of the City’s current statutory framework through the State Administrative Tribunal have identified areas requiring strengthening through the addition of provisions within the Scheme itself.

As a result, officers have reviewed the City’s Local Planning Policy 4C Busselton Town Centre Urban Design Provisions (LPP 4C), the Western Australian Planning Commission’s draft State Planning Policy No. 7: Design of the Built Environment and associated draft Apartment Design policy, to produce a number of provisions for proposed inclusion into Part 5 of the Scheme and directly relating to the ‘City/Town Centre’ zone.

These recommended provisions relate to:

- Setbacks;
- Articulation;
- Cross-overs;
- Openings;
- Glazing;
- Minimum ceiling heights; and
- Signage.

Clause 5.20 (which would become clause 5.21 due to the proposed new clause 5.20 mentioned above, but this report will refer to clauses with reference to their *current* clause number for clarity) is proposed to be amended to include a number of design principles that development within the City/Town Centre zone is to demonstrate adherence to. These relate to –

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

It is intended that the Activity Centre Plan will identify any building design areas that are to have specific design or architectural direction (such as landmark buildings) and an accompanying local planning policy would give additional detail on the design principles. In absence of the guiding detail within the City's framework, draft SPP 7 expands on the above principles.

Clause 5.20 is then proposed to include a number of specific provisions to be applied to development within the City/Town Centre zone, supported by existing City policy (LPP 4C), draft SPP7 (and associated guiding documents) and Liveable Neighbourhoods.

For example, and with specific reference to Liveable Neighbourhoods (LN), elements of 'good design' include –

"Centres are designed to facilitate and encourage walking, cycling and...not just car access." (p1 of Element 7, LN 2009)

"Central to community design is...walkable neighbourhoods whose urban character and design fosters a sense of community, local identity and place. Neighbourhoods are clustered around main street-based mix-use centres...The urban structure must facilitate walking, cycling...The urban structure is further developed and refined through street networks that influence the built form by activating street and land use interaction with building frontages, access and windows facing street." (p11, LN 2015)

"Off-street parking is to be sleeved behind buildings...totally or partially screened from the street, not be placed between the front of buildings and the street..." (p 69, LN 2015)

"In activity centres, off-street parking is located at the rear of buildings to minimise effect on the streets and designed and managed, as far as practical, as shared, intra-block car parks." (p70 – Requirement 4.12, LN 2015)

"Buildings in centres need to address streets and public spaces through activated frontages (windows, doors and seating) to promote vitality and encourage natural street surveillance. Development with direct frontage onto streets provides activity, visual interest and exposure which assists commercial viability. They also help community interaction and enable streets to act as an integrating element in neighbourhoods and towns, rather than as a divider...Centres should seek to achieve a strong and unique sense of place and local identity, and this should be derived from the local natural and cultural context." (p66, LN 2015)

The review has resulted in a number of proposed provisions recommended to be included into clause 5.20:

- (a) No residential uses shall be permitted at ground floor fronting Queen Street and Prince Street, Busselton and Dunn Bay Road and Naturaliste Terrace, Dunsborough;
- (b) A nil front setback is to be provided to the development, unless otherwise designated in an Activity Centre Plan, or the development is providing for an associated alfresco space within the setback;
- (c) Buildings shall be articulated to break up perceived bulk and provide visual interest, particularly with buildings occupying a large/long site frontage;
- (d) At the ground floor level, developments shall address the street with a primary business entrance and a shop front façade;
- (e) Ground floor commercial uses shall incorporate transparent glazing for 70% of all building frontages to adjacent streets;
- (f) Upper levels shall be designed to promote informal surveillance of the street through the use of balconies and/or large windows;
- (g) A minimum ceiling height of 3.3 metres shall be achieved for the ground floor level, whilst all other floors shall achieve a minimum ceiling height of 2.7 metres;
- (h) Roller doors or screens of solid material on shop fronts will not be permitted, security measures should be located and installed internally behind the glazing line;
- (i) Pedestrian shelter, through the provision of a verandah, awning or the like, shall be provided over the public footpath for the full width of the lot frontage;
- (j) No vehicle accessways or carparking shall be provided between the building and the street, or be visible from the street, unless required to provide access to car parking or loading areas behind buildings;
- (k) No vehicular access to sites shall be taken from Queen Street, Prince Street or Kent Street (between Queen Street and Brown Street), Busselton or Dunn Bay Road or Naturaliste Terrace, Dunsborough, unless no alternative is available, in which case a single crossover width shall be no greater than 5 metres with a cumulative maximum width of 7 metres;
- (l) Vehicle crossovers and driveways shall be co-located wherever possible with adjoining properties;
- (m) Vehicle access to developments shall be designed in a way which minimises potential pedestrian/vehicular conflict, clearly recognising the primacy of pedestrian amenity;
- (n) Multi-storey car parks shall incorporate interactive street frontages, such as shops or other uses that promote activity and where car parking levels (including undercroft levels) are visible from a street or public space, high quality architectural detailing shall be incorporated into the façade of all floors;

- (o) General plant, such as air-conditioning, television antennas, bins, hot water storage tanks, rain water tanks, satellite dishes and the like are to be adequately concealed and screened from the street or public view;
- (p) *(The existing clause 5.20 relating to plot ratio is proposed to be moved to sub-clause (p).)*
- (q) Signage and advertising shall not adversely detract from the architectural elements of the building, or visually dominate the building or the streetscape generally;”

The main variation from the existing LPP 4C is the distinction between a *maximum* ceiling height for ground floor developments provided for currently (being 4.5m floor-to-floor for the ground floor, 3.5m for the first floor and 3.0m for subsequent floors) and a *minimum* ceiling height requirement that is proposed (being 3.3m floor-to-ceiling for the ground floor and 2.7m for subsequent floors).

Reference material generally focusses on providing for flexibility in design of mixed use developments, to allow future changes of use. Commercial buildings, particularly restaurants and cafés, have increased service requirements and therefore will generally require greater ceiling heights to enable fitout. Providing for ceiling heights from 2.7m in upper floors and/or residential spaces can have significant advantages with respect to future use. This adaptability broadens the development’s market appeal, and therefore its economic viability over the longer-term.

Drive-Through Facilities

Recent work on the Busselton City and Dunsborough Town Centre Conceptual Plans, and associated ongoing works, have focused on enhancing aspects of the pedestrian environment, such as ‘permeability’ and ‘walkability’, and also on reducing vehicular congestion by improving traffic flows and car parking. As an adjunct to this, consideration has been given to the takeaway food industry and associated drive-through facilities, especially within the City/Town Centre zone.

Existing use classes that could incorporate a drive-through component might typically include ‘Takeaway Food Outlet’ (including fast food and/or coffee outlets), ‘Shop’ (liquor store), ‘Hotel’ and ‘Tavern’. It is noted that commercial enterprises in some places are increasingly employing drive-through facilities for banks and pharmacies, whilst the transient ability to shop at a department store or receive ‘flu-shots’ via a drive-through facility is purportedly also becoming increasingly popular.

However, there are a number of potentially undesirable impacts from the provision of drive-through facilities, especially in town or city centres such as Dunsborough and Busselton including: queued traffic interfering with on-site and off-site vehicular and pedestrian flow, lighting and ambient noise from idling cars and voice amplification equipment, a lack of civic and retail amenity, and reduced ‘main street’ activation, community interaction and vibrancy. There are also potentially detrimental commercial flow-on effects, in that businesses which do not offer ‘drive-through convenience’ may suffer from a lack of patronage and resultant viability. It is considered, therefore, that drive-through facilities should not be encouraged in the central shopping, commercial and pedestrian areas, which are those areas normally corresponding to the proposed City/Town Centre zone.

A modification to the Scheme is proposed to remove the ability for drive-through facilities to seek to operate in areas of the City/Town Centre zone, in order to stimulate and promote active pedestrian environments within the Busselton City and Dunsborough Town Centres. This is consistent with the Strategic Objectives 2.1 and 2.3 of the Strategic Community Plan 2017, to “*foster the development of healthy neighbourhoods that meet our needs as we grow*” and for “*creative urban design that produces vibrant, mixed-use town centres and public spaces*”.

This Scheme modification would involve:

- The creation of a ‘Drive-through Facility Exclusion Area’ Special Control Area within Part 6 of the Scheme (see **resolution 4.3 and 4.4**);
- The provision of a new subclause within clause 5.5 “Variations to site and development standards and requirements” to expressly prohibit new ‘drive-through facilities’ operating within the Exclusion Area (see **resolution 4.2**);
- Inserting a new definition for “Drive-through facility” into Schedule 1, Division 1 of LPS21: “Interpretations” (see **resolution 4.5**); and
- Identifying on the Scheme map the proposed Drive-through Exclusion Area (see **Attachments D and E**).

The proposed definition is as follows –

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

The appropriate location of a drive-through facility could be considered as part of a planning application that may be received for a relevant use, outside the ‘Drive-through Exclusion Area’. Within the Busselton City Centre, this area has generally been identified as lots fronting Albert Street and Peel Terrace, excluding the land at the intersection of Albert Street and Queen Street, which are considered to be the entry into the Busselton City Centre. Within the Dunsborough Town Centre, two parcels have been identified as appropriate for a drive-through facility, being a portion of the lot at the corner of Caves Road and Cape Naturaliste Road (the site currently occupied by Chicken Treat) and a portion of the lot fronting Cape Naturaliste Road between the river and Dunn Bay Road (currently a vacant site). These parcels are only proposed to be included in part, as the Dunn Bay Road corner sites are considered critical to the long term main street design intended for the Dunsborough Town Centre. A drive-through facility is considered to be inappropriate fronting Dunn Bay Road and would detract from the pedestrian amenity that the City has been trying to foster over the last couple of years through conceptual planning and on-the-ground works.

The above proposal does not impact on the continued use of existing drive-through facilities that are located within the exclusion area, as they would be treated as a non-conforming use under the relevant clauses of the Scheme, which provides for continued use and changes to non-conforming uses.

5. Additional Clauses to align to Model Provisions

Clause 4.4 ‘Interpretation of the Zoning Table’ is to be modified to be consistent with clauses 18 (3) and (4) of the Model Provisions to resolve any ambiguity in the interpretation of the clause. Clause 4.4 currently reads:

“4.4 INTERPRETATION OF THE ZONING TABLE

4.4.1. Where a specific use is mentioned in the Zoning Table, it is deemed to be excluded from the general terms used to describe any other use.

4.4.2. If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may –

- (a) determine that the use is consistent with the objectives and policies of the particular zone and is therefore permitted; or*
- (b) determine that the use may be consistent with the objectives and policies of the particular zone and thereafter follow the advertising procedures of clause 10.4 in considering an application for planning approval; or*
- (c) determine that the use is not consistent with the objectives and policies of the particular zone and is therefore not permitted.”*

The key changes to clause 4.4 relate to the removal of the words “and policies” to coincide with the review of the Objectives (and removal of Policies) of the zones and in the wording of clause 4.4.2(a), with the addition of the words “subject to conditions imposed by the local government”. The proposed wording of Clause 4.4 is consistent with the Model Provisions (see **resolution 5.1**).

Clause 5.5 ‘Variations to site and development standards and requirements’ is also proposed to be modified to be consistent with clause 34 of the Model Provisions for similar reasons.

Clause 5.5 currently reads:

“5.5 VARIATIONS TO SITE & DEVELOPMENT STANDARDS AND REQUIREMENTS

5.5.1 Except for development in respect of which the R-Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme (including a policy or plan adopted pursuant to the Scheme), the local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.

5.5.2 Notwithstanding clause 5.5.1 above, the following development is expressly prohibited:

- (a) Advertisements that advertise goods and services which are not produced, displayed or offered for sale, or which is otherwise not relevant to, the land upon which the advertisement is located, as specified by clause 5.40.*

5.5.3 In considering an application for planning approval under this clause, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the local government is to –

- (a) consult the affected parties by following one or more of the provisions for advertising uses under clause 10.4; and*
- (b) have regard to any expressed views prior to making its determination to grant the variation.*

5.5.4 The power conferred by this clause may only be exercised if the local government is satisfied that –

- (a) approval of the proposed development would be appropriate having regard to the matters to be considered set out in clause 11.2;*
- (b) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality; and*
- (c) the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.”*

Where:

- Cl 5.5.1 is a combination of 34(2) and (3) of the Model Provisions,
- Cl 5.5.3 is consistent with 34(4) of the Model Provisions, and
- Cl 5.5.4 is consistent with 34(5) of the Model Provisions.

Clause 5.5 is proposed to be amended to reflect the Model Provisions, with the exception of retaining the words “Except for development to which R-Codes apply...” and retaining clause 5.5.2 (to be renumbered to 5.5.3 as a result of the conversion). Clause 34(1) is not proposed to be incorporated into cl. 5.5 as it refers to clauses that are not relevant to the Scheme (see **resolution 5.2**).

6. Review of Rural Residential areas

Vasse/Dunbarton Rural Residential

The draft Local Planning Strategy includes the direction to “*support and pro-actively plan to identify suitable areas for re-subdivision/consolidation of existing rural-residential development in both the Commonage and Dunbarton rural residential areas.*” As a consequence the City is considering moving towards a low density Residential zone within the Dunbarton/Vasse Rural Residential area.

City officers have met with DPLH officers to discuss the future for the Vasse/Dunbarton Rural Residential area with officers from both authorities moving toward support of low density Residential in the area. Critical to this process is ensuring that subdivision does not happen in an ad hoc manner in the interim and that orderly and proper planning processes are maintained. Consideration is to be given to road network, public open space, bushfire and urban water management (drainage and wastewater systems), etc.

Officers are considering supporting a Special Provision over the Vasse/Dunbarton Rural Residential area that could pave the way for future consolidation to Residential (see **Attachment F**). This would be facilitated through development of an Overall Structure Plan (OSP), providing an indicative layout, which would identify density, strategic road links and POS areas et al.

The OSP would also identify precincts that would preferably be subdivided collaboratively, to ensure that a legible and integrated road network is formed, rather than a multitude of undesirable cul-de-sacs. Further detailed Structure Planning would then be required for specific properties, or precincts, within the OSP area prior to consideration of subdivision approval.

The OSP may consider future density through the following guidelines:

- A Rural Residential 'buffer' to the Bypass to the north and Rendezvous Road to the south, consisting of 1 hectare minimum lots *see further comment below in relation to Lots 242-249;
- Low density Residential provided through the 'core' developable area, with a variety of lots ranging from 2,000 m² to below 1 ha; and
- Lots will be limited to 1 ha in size in sewerage sensitive areas.

*In terms of future lots backing onto the Bypass within Lots 242-249 Kookaburra Way, areas less than the 1 ha minimum may be considered, but only where noise from the Bypass can be mitigated. This might also be treated as a 'transition area' from Lot 2 Kookaburra Way (which has a current Structure Plan identifying lot sizes to a minimum of 2,000m²) to the larger lots to the west. Over the remainder of the sites, 2,000m² would be the absolute minimum lot size that would be likely to be supported.

Landowners in the area would need to await the outcome of the OSP process to ensure a better design outcome for all current and future subdivision intentions, and to take advantage of the low density Residential zoning and detailed planning of services and other matters mentioned above.

The officer recommendation can be found at **resolution 6.1**.

Rezoning of a limited number of Rural Residential areas to low density Residential

Two areas are proposed to be rezoned from Rural Residential to Residential R2.5 and/or R2:

- Portion of Carnarvon Castle Drive, Eagle Bay, proposed to be rezoned to Residential R2.5 as shown at **Attachment G** – this area contains lots ranging from 2,500m² to 5,000m² and creates a transition between the R5 coded lots to the east, to the Rural Residential zoned lots to the west (see **resolution 6.2(a)**); and
- Subdivisions around Sloan Drive/Okapa Rise, identified within **Attachment H** – lots within this area range from 4,000m² to 7,800m² for the area affected by A57 and 4,000m² to below 1ha for the area affected by A15; the Additional Uses specify the land to be and to be subdivided and developed in accordance with an approved Structure Plan and the Residential R2.5 code, lots greater than 8,000m² are proposed to be rezoned to Residential R2, with the remainder to R2.5 (see **resolution 6.3(b) to (e)**).

The proposed rezoning would not provide opportunities for subdivision over the affected lots as the minimum lot size required in the R2.5 code is 4,000m² and R2 is 5,000m². However, this amendment will assist in difficulties faced by landowners in complying with the setbacks of the Rural Residential zone. The current situation requires landowners to submit an application for planning approval to vary the Rural Residential setbacks (20m to the front and rear boundaries and 15m to side boundaries). It is intended the setbacks applicable to the R2.5 Code (15m to the front and 7.5m to side and rear boundaries) will ease this somewhat, notwithstanding any specific requirements under the relevant structure plan.

CONCLUSION

The purpose of this Omnibus Amendment is to generally align sections of the Local Planning Scheme No. 21 (the Scheme) to the Model Provisions, contained within Schedule 1 of the *Planning and Development Act 2005*. The information contained within this report confirms that the amendments proposed are an appropriate outcome consistent with the orderly and proper planning of the City of Busselton and as such, it is recommended that the draft amendment be initiated for public consultation.

OPTIONS

Should the Council not support the Officer Recommendation, the Council could consider the following options –

1. Resolve to decline the request to initiate the proposed amendment in its entirety and provide a reason for such a decision.
2. Resolve to initiate the proposed amendment subject to modification(s).

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The implementation of the Officer Recommendation will involve the provision of the amendment documentation to the Environmental Protection Authority and this will occur within one month of the resolution.

OFFICER RECOMMENDATION

That the Council –

- A. In pursuance of the *Planning and Development (Local Planning Schemes) Regulations 2015*, initiates Amendment 29 to the City of Busselton Local Planning Scheme 21 for community consultation, for the purposes of:

1. Alignment of Zones

- 1.1 Amending the Scheme by retitling the zone names as follows and, unless specifically mentioned within this resolution, subsequent references throughout the Scheme:

- (a) The “Business” zone to “City/Town Centre” zone and “Local/Neighbourhood Centre” zone;
- (b) The “Restricted Business” zone to “Service Commercial” zone;
- (c) The “Tourist” zone to “Tourism” zone;
- (d) The “Industrial” zone to “Light Industry” zone and “General Industry” zone;
- (e) The “Agriculture” zone to “Rural” zone;
- (f) The “Special Purpose” zone to “Special Use” zone;

- 1.2 Amending the Scheme Maps by:

- (a) Rezoning all land within the Busselton City Centre to “City/Town Centre” zone as depicted on the Scheme Amendment map, being:
- (i) All land currently zoned “Business” and bound by Marine Terrace, Brown Street, Peel Terrace and West Street;
 - (ii) The portion of Lot 73 Peel Terrace, Busselton currently zoned Business;
 - (iii) Lots 74 and 75 Peel Terrace, Lot 1 (No. 69) Adelaide Street, and Lot 2 (No. 9) Brown Street, Busselton;
- (b) Rezoning all land within the Dunsborough Town Centre to “City/Town Centre” zone as depicted on the Scheme Amendment map, being all land currently zoned “Business” and bound by Cape Naturaliste Road, Reserve 42545, Reserve 35758, Reserve 26513, Chieftain Crescent and Caves Road;
- (c) Rezoning Lot 1001 Switchback Parade, West Busselton from “Restricted Business” to “Local/Neighbourhood Centre” as depicted on the Scheme Amendment map;
- (d) Other than Lot 1001 Switchback Parade, West Busselton, identifying all land currently within the “Restricted Business” zone as being within the “Service Commercial” zone;
- (e) Identifying all land currently within the “Tourist” zone as being within the “Tourism” zone;
- (f) Identifying all land currently within the “Industrial” zone as being within the “Light Industry” zone;
- (g) Identifying all land currently within the “Agriculture” zone as being within the “Rural” zone;
- (h) Rezoning Lot 1 (No. 16) Hobson Street, Geographe and Lot 441 (No. 29A) Avocet Boulevard, Geographe from “Special Purpose” zone to “Public Purpose - Water” Reserve;
- (i) Other than Lot 1 (No. 16) Hobson Street, Geographe and Lot 441 (No. 29A) Avocet Boulevard, Geographe, identifying all land currently within the “Special Purpose” zone as being within the “Special Use” zone, with the following labels:

All land within the “Special Purpose” Zone and labelled with the acronym	being identified with the label
“APH”	“1”
“BDA”	“2”
“BF”	“3”
“BRA”	“4”
“CPK” or “C/CPK”	“5”
“CC”	“6”
“CECH”	“7”
“COM”	“8”
“CS”	“9”
“EE” or “PS”	“10”
“H”	“11”
“HA”	“12”

"HL"	"13"
"HP"	"14"
"RP" or "BP"	"15"
"SST"	"16"
"SSTPN"	"17"
"TE"	"18"
"WD"	"19"
"WFS"	"20"
'no label'	"21"
"AADA"	"22"
"ANDA"	"23"
"DLDA"	"24"
"HLDA"	"25"
"OBFDA"	"26"
"YD"	"27"
"YDD"	"28"
"YID"	"29"

1.3 Amending clause 4.9 (Special Purpose Zone) to read as follows:

"4.9 SPECIAL USE ZONES"

4.9.1 Schedule 5 sets out:

- (a) *special use zones for specified land that are in addition to the zones in the zoning table; and*
- (b) *the classes of special uses that are permissible in that zone; and*
- (c) *the conditions that apply in respect of the special uses.*

4.9.2 *A person must not use any land, or any structure or buildings on land, in a special use zone except for the class of use that is permissible in that zone and subject to the conditions that apply to that use."*

1.4 Introducing a new Schedule 5 as provided below, and renumber the remaining Schedules and Schedule references accordingly:

SCHEDULE 5 – SPECIAL USES

[cl. 4.9]

No.	Description of land	Special Use	Conditions
1.	As identified on the Scheme map	Aged Person Housing	Nil.
2.	As identified on the Scheme map	Broadwater Development Area	Development must be in accordance with the requirements of the Broadwater Development Area and Special Provision 57.
3.	As identified on the Scheme map	Busselton Foreshore	Development must be in accordance with Special Provision No. 44.

4.	As identified on the Scheme map	Busselton Regional Airport	Nil.
5.	As identified on the Scheme map	Caravan Park	Nil.
6.	As identified on the Scheme map	Child Care	Nil.
7.	As identified on the Scheme map	Church Site, Educational Establishment, Child Care and Hall	Nil.
8.	As identified on the Scheme map	Community Purposes	Nil.
9.	As identified on the Scheme map	Church Site	Nil.
10.	As identified on the Scheme map	Educational Establishment	Nil.
11.	As identified on the Scheme map	Hotel	Nil.
12.	As identified on the Scheme map	Hall	Nil.
13.	As identified on the Scheme map	Hostel	Nil.
14.	As identified on the Scheme map	Historical Precinct	Nil.
15.	As identified on the Scheme map	Road Purposes	Nil.
16.	As identified on the Scheme map	Service Station	Nil.
17.	As identified on the Scheme map	Service Station/Plant Nursery	Nil.
18.	As identified on the Scheme map	Telephone Exchange	Nil.
19.	As identified on the Scheme map	Waste Disposal	Nil.
20.	As identified on the Scheme map	Waterfowl Study	Nil.
21.	As identified on the Scheme map	Blank	Nil.
22.	As identified on the Scheme map	Ambergate Automotive Development Area	Development must be in accordance with Special Provisions 47 and 48.
23.	As identified on the Scheme map	Ambergate North Development Area	Development must be in accordance with Special Provision 39.
24.	As identified on the Scheme map	Dunsborough Lakes Development Area	Development must be in accordance with Special Provision 42.
25.	As identified on the Scheme map	Heron Lake Development Area	Development must be in accordance with Special Provision 55.
26.	As identified on the Scheme map	Old Broadwater Farm Development Area	Development must be in accordance with Special Provision 43.
27.	As identified on the Scheme map	Yalyalup Development	Development must be in accordance with Special Provision 23.
28.	As identified on the Scheme map	Yalyalup Deferred Development	Development must be in accordance with Special Provision 23.

29.	As identified on the Scheme map	Yalyalup Industrial Development	Development must be in accordance with Special Provision 36.
-----	---------------------------------	---------------------------------	--

1.5 Amending Part 5 (General Development Requirements) of the Scheme by:

- (a) Amending subclause 5.16.1(b) (Corner Shop) by replacing the words “in the case of a rural area or land in a rural zone” with “in the case of land in the Rural, Viticulture and Tourism and Rural Residential zones”;
- (b) Amending clause 5.29 (Development of dams in rural areas) by removing the words “in rural areas” from within the title and “In rural zones” from within the clause;
- (c) Amending clause 5.31 (Ancillary Accommodation in rural areas) by replacing the words “a rural zone” with “the Rural, Viticulture and Tourism, Rural Residential, Rural Landscape, Conservation or Bushland Protection zone”.

2. Objectives of the Zones

2.1 Amending clause 4.2 (Objectives and Policies of the Zones) to read as follows:

“4.2 ZONE OBJECTIVES

The objectives of each zone are as follows –

Zone name	Objectives
<i>Residential</i>	<ul style="list-style-type: none"> <i>a. To provide for a range of housing and a choice of residential densities to meet the needs of the community.</i> <i>b. To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.</i> <i>c. To provide for a range of non-residential uses, which are compatible with and complementary to residential development.</i>
<i>City/Town Centre</i>	<ul style="list-style-type: none"> <i>a. To provide a genuine centre of community life, socially, culturally and economically.</i> <i>b. To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.</i> <i>c. To ensure that development provides for activation of the street and public spaces, high quality design and a variety of land uses.</i> <i>d. To provide for medium to high density residential development.</i>
<i>Local/Neighbourhood Centre</i>	<ul style="list-style-type: none"> <i>a. To provide for development at a scale sufficient to serve the Centre’s catchment, but not detract from the commercial primacy of the City/Town Centre zone.</i> <i>b. Providing for limited expansion of existing smaller centres to ensure access to services at a local level and building neighbourhood identity.</i>

	<ul style="list-style-type: none"> c. <i>To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.</i> d. <i>To ensure that development provides for activation of the street and public spaces, high quality design and a variety of land uses.</i>
Service Commercial	<ul style="list-style-type: none"> a. <i>To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.</i> b. <i>To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in the Centre zones.</i> c. <i>To provide for development which will not result in a detrimental impact on surrounding commercial centres and has regard to the strategic importance and need to maintain the commercial primacy of the City/Town Centre zone.</i> d. <i>To restrict development which is likely to contribute to ribbon development, the spread of centres, or otherwise detrimentally impact the efficiency of main or arterial roads.</i>
Tourism	<ul style="list-style-type: none"> a. <i>To promote and provide for tourism opportunities.</i> b. <i>To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area, or on the commercial primacy of the City/Town Centre zone.</i> c. <i>To allow limited residential uses where appropriate.</i> d. <i>To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.</i>
Light Industry	<ul style="list-style-type: none"> a. <i>To provide for a range of industrial and service commercial uses generally compatible with urban areas, that generally cannot be located in other zones, whilst maintaining the commercial primacy of the City/Town Centre zone.</i> b. <i>To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.</i>
General Industry	<ul style="list-style-type: none"> a. <i>To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.</i> b. <i>To accommodate industry that would not otherwise comply with the performance standards of light industry.</i>

	<p><i>c. Seek to manage impacts such as noise, dust and odour within the zone.</i></p>
Rural	<p><i>a. To provide for the maintenance or enhancement of specific local rural character.</i></p> <p><i>b. To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as viticulture and horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</i></p> <p><i>c. To maintain and enhance the environmental qualities of the landscape, vegetation, soils and waterways.</i></p> <p><i>d. To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses.</i></p> <p><i>e. To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</i></p> <p><i>f. To provide for development and expansion of the viticultural, winemaking and associated tourism activities and other industries related to agricultural activities, in addition to general rural pursuits, in a manner that does not cause adverse environmental impact.</i></p> <p><i>g. To provide for the extraction of basic raw materials, where appropriate.</i></p>
Viticulture and Tourism	<p><i>a. To provide for the maintenance or enhancement of specific local rural character.</i></p> <p><i>b. To provide for development and expansion of the viticultural, winemaking and associated industries, in addition to general rural pursuits, in a manner that does not cause adverse environmental impact.</i></p> <p><i>c. To facilitate the development of tourist facilities of a scale and nature appropriate in rural settings without prejudice to the scenic quality of land within this zone and without creating or increasing ribbon development on any road.</i></p> <p><i>d. To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses.</i></p> <p><i>e. To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</i></p> <p><i>f. To maintain and enhance the environmental qualities of the landscape, vegetation, soils and waterways.</i></p>
Rural Residential	<p><i>a. To provide for lots primarily for residential purposes generally in the range of 1 ha to 4 ha.</i></p> <p><i>b. To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</i></p>

	<p><i>c. To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</i></p>
Rural Landscape	<p><i>a. To facilitate limited closer rural settlement on land which is recognised as being of high landscape or scenic value, but generally unsuitable for agriculture or farming use, in order to protect and enhance those values.</i></p> <p><i>b. To ensure that development maintains the character of the locality, maintains a high level of residential amenity, has consideration for conservation values and minimises disturbance to the landscape.</i></p>
Conservation	<p><i>a. To restrict the type and scale of development which will be considered on lands possessing special aesthetic, ecological or conservation values to those compatible with such environments.</i></p> <p><i>b. To provide for the preservation, maintenance, restoration or sustainable use of the natural environment.</i></p>
Bushland Protection	<p><i>a. To restrict the land uses and type and scale of development that will be considered on lands possessing special biodiversity values to those that will not adversely affect those values, and to provide opportunity for the creation of a subdivision incentive for the protection of those values in perpetuity.</i></p> <p><i>b. To prohibit clearing, grazing or damage to remnant vegetation on the land unless required for bushfire hazard risk mitigation identified on an adopted fire management plan, approved dwellings or any incidental development within building envelopes, or to allow for vehicular access to such buildings.</i></p> <p><i>c. To prohibit the clearing, draining, filling or grazing of wetlands on the land.</i></p>
Special Use	<p><i>a. To facilitate special land use controls, which do not sit comfortably within any other zone.</i></p> <p><i>b. To enable the Council to impose specific conditions associated with the special use."</i></p>
Vasse Development	<p><u>Objectives</u></p> <p><i>(a) The zone is designed to be flexible in nature so as to overcome the inherent problems associated with detailed zoning of land prior to the creation of lot boundaries through subdivision and survey.</i></p> <p><i>(b) To provide for progressive development of a new, separate community at Vasse.</i></p> <p><i>(c) To progressively provide employment and business opportunities at Vasse.</i></p> <p><i>(d) To encourage a variety of lifestyle opportunities through the use of different development densities.</i></p> <p><i>(e) To create a high quality "village" character by encouraging pedestrian/cycle transport as a preferred mode, a sense of place and a sense of community.</i></p> <p><i>(f) To establish a hierarchy of planning procedures to secure</i></p>

	<p><i>the objectives of the zone.</i></p> <p><i>(g) To provide for the development of neighbourhood retail facilities which support and service the residential population at Vasse only and do not detract from the primacy of Busselton and Dunsborough as the principal commercial centres of the City.</i></p> <p><u>Policies</u></p> <p><i>(a) To provide, in a timely manner, an alternative route for regional, heavy haulage and through traffic so that the existing Bussell Highway alignment can be used as an internal subdivision road to service Vasse village.</i></p> <p><i>(b) To require the preparation and approval of a Development Guide Plan in accordance with the provisions of Schedule 11 of the Scheme as a prerequisite to -</i></p> <p><i>(i) the local government's support for an application to subdivide or amalgamate lots; and/or</i></p> <p><i>(ii) the local government's consideration of an application for planning approval.</i></p> <p><i>(c) Ensure development is compatible with the natural environment.</i></p> <p><i>(d) Programme appropriate road and reticulated service provision.</i></p> <p><i>(e) Programme appropriate provision of social infrastructure.</i></p> <p><i>(f) Encourage urban designs which provide a high degree of 'permeability' and 'walkability'.</i></p> <p><i>(g) Make provision for business, industry, community uses and recreational areas as well as residential areas.</i></p> <p><i>(h) To ensure that Vasse does not become a satellite, dormitory suburb of Busselton and the local government shall recommend against continuing stages of residential subdivision unless there is progressive development of employment opportunities at Vasse.</i></p> <p><i>(i) To ensure that subdivision and development conforms to the principal aims of the "Liveable Neighbourhoods Policy".</i></p> <p><i>(j) To ensure retail uses are limited in scale, type and function to service the residential population of Vasse only, in accordance with the settlement hierarchy objectives of the State Planning Policy No. 6.1 – Leeuwin-Naturaliste Ridge.</i></p>
Deferred Vasse Development Zones	<p><u>Objectives</u></p> <p><i>(a) To ensure that the development of Vasse is staged to allow a community size of around 2,000 residents unless the conditions prescribed at Table 5 of the State Planning Policy No. 6.1 – Leeuwin-Naturaliste Ridge and Schedule 12 of the Scheme are met in which case the village of Vasse may be expected to accommodate a maximum population of approximately 5,000 people by the lifting of the deferment from the Deferred Vasse Development zone through an amendment to the Scheme.</i></p>

	<p><i>(b) In the interim, the land within the zone is to be treated as if it were in the Agriculture zone except that the local government has the discretion to refuse incompatible rural land uses that may prejudice the long term development of the area for townsite expansion.</i></p> <p><u>Policies</u></p> <p><i>(a) It is the objective and requirement of the zone to link further expansion of Vasse to the demonstration of employment creation at the site to support residential growth. Justification of growth should conform to the principle aims of the Liveable Neighbourhoods as it relates to employment, transport and community design.</i></p> <p><i>(b) It is intended that when the local government deems the above condition and those of Schedule 12 of the Scheme have been met that the deferment will be lifted from the Deferred Vasse Development zone and further residential development permitted in accordance with an adopted Development Guide Plan. Deferment shall be lifted by finalisation and gazettal of an amendment to the Scheme rezoning the site from the Deferred Vasse Development zone to the Vasse Development zone.</i></p>
--	--

2.2 Amending clause 5.34 (Subdivision of lots with more than one dwelling in the Agriculture and Viticulture and Tourism Zones) by –

- (a) Amending the title of the clause to “Subdivision of lots in the Rural and Viticulture and Tourism zones”;
- (b) Inserting new subclauses 5.34.1 and 5.34.2 as follows and renumbering subsequent clauses and clause references accordingly:

“5.34.1 A lot proposed to be created by subdivision for an agricultural purpose shall contain a minimum area of land that actually is useable for commercial farming. Depending upon the circumstances, the area of a lot may be greater than the area necessary for the farm due to remnant and riparian vegetation considered valuable for conservation; streams, dams, wetlands and foreshores; steep terrain and rocky outcrops; setbacks to the above and any environmental buffers within which development or agriculture is not permitted; and existing tourist development. As a general guide, the minimum arable area for a commercial farm that will be recommended by the local government to the Commission is 30 hectares for viticultural and horticultural pursuits.

5.34.2 Where environmental conditions allow, subdivision of rural land into lots comprising a minimum arable area of 40 hectares may be supported by the local government.”

2.3 Amending clause 5.36 (Vegetation Surveys in the Conservation and Bushland Protection Zones) to read as follows –

“5.36 SPECIAL PROVISIONS RELATING TO THE CONSERVATION ZONE

5.36.1 Development will only be permitted where –

- (a) *it can be demonstrated that such development can be carried out in a manner that minimises risks from natural hazards, functions efficiently and does not detract from the scenic quality of the land; and*
- (b) *such development is unlikely to have a significant detrimental effect on the growth of native plant communities, the survival of native wildlife populations and the provision and quality of habitats for both indigenous and migratory species.*

5.36.2 *In satisfying 5.36.1 above, there is a general presumption that development shall be in a clustered form.*

5.36.3 *Subdivision will only be supported where –*

- (a) *there is no detrimental impact on the aesthetic, conservation or ecological values of the land and where the objective of retention of these values of the land in perpetuity will be achieved;*
- (b) *for a lot 40 hectares or greater at 7 September 1999, subdivision based on a ratio of one lot per 20 hectares, preferably in a clustered form;*
- (c) *for a lot less than 40 hectares at 7 September 1999, subdivision of one additional lot, preferably in a clustered form; and*
- (d) *the proposal is consistent with State Planning Policy No. 6.1 - Leeuwin-Naturaliste Ridge where applicable.*

5.36.4 *Clearing of any vegetation on the land will be prohibited, unless required for fire breaks, dwellings or associated outbuildings within defined building envelopes, or to allow for vehicular access to such buildings*

5.36.5 *Prior to subdivision, subdividers shall undertake a vegetation survey to identify rare, endangered or otherwise significant vegetation within the proposed building envelope and vehicle access areas, in addition to any other area of the lot as deemed appropriate by the local government, and provide for its appropriate conservation to the satisfaction of the Department of Biodiversity, Conservation and Attractions and the local government."*

2.4 Amending clause 5.38 (Special provisions relating to the Rural Landscape Zone) by inserting new subclauses 5.38.1 and 5.38.2 as follows and renumbering subsequent clauses accordingly:

"5.38.1 Subdivision should incorporate a range of lots areas, with an average lot area of not less than 10 hectares and a minimum lot area of 5 hectares using conventional subdivision and providing greater flexibility for lots created by strata or survey strata subdivision, dependent upon the special physical and landscape characteristics of the land and only where it can be clearly established to be consistent with the objectives of the zone.

5.38.2 *Where the keeping of livestock may be acceptable, stocking rates shall be controlled in order to avoid degradation and erosion of the landscape, and to*

ensure that the keeping of livestock does not occur where this would be inconsistent with the intent and objectives of the zone.”

2.5 Amending clause 5.39 (Special provisions relating to the Bushland Protection Zone) by:

(a) Modifying subclause 5.39.1 to read as follows:

“5.39.1 Subdivision will only be supported where –

- (a) there is no detrimental impact on the aesthetic, conservation or biodiversity values of the land and where the objective of retention of these values in perpetuity will be achieved;*
- (b) for lots less than 60 hectares, subdivision of one additional lot;*
- (c) for lots 60 hectares and greater, subdivision based on a ratio of one lot per 20 hectares with a maximum of 3 lots in total;*
- (d) for lots 60 hectares and greater and with a remnant vegetation cover of 50% or more of the total area of the lot, subdivision based on a ratio of one lot per 20 hectares with a maximum of 4 lots in total;*
- (e) a minimum lot area of 3 hectares is achieved;*
- (f) consistent with the Biodiversity Incentive Strategy for Private Land in the Busselton Shire, or the State Planning Policy No. 6.1 – Leeuwin-Naturaliste Ridge, or other similar strategy as may be adopted by the local government and endorsed by the Commission in the future; and*
- (g) consistent with a Development Guide Plan adopted by local government and endorsed by the Commission.”*

(b) Inserting new subclauses 5.39.2 and 5.39.3 as follows and renumbering subsequent clauses accordingly:

“5.39.2 No further subdivision of lots created pursuant to the objectives and policies of the Bushland Protection zone is permitted

5.39.3 Prior to subdivision, subdividers shall undertake a vegetation survey to identify rare, endangered or otherwise significant vegetation within the proposed building envelope and vehicle access areas, in addition to any other area of the lot as deemed appropriate by the local government, and provide for its appropriate conservation to the satisfaction of the Department of Parks and Wildlife Department of Biodiversity, Conservation and Attractions and the local government.”

2.6 Inserting a new clause 5.20 to read as follows and renumbering subsequent clauses and clause references accordingly:

“5.20 CONSOLIDATION AND FRAGMENTATION OF LAND IN THE CITY/TOWN CENTRE AND LOCAL/NEIGHBOURHOOD CENTRE ZONE

“The consolidation of land to assemble larger land parcels suitable for integrated development or redevelopment in the City/Town Centre and Local/Neighbourhood

Centre zones is encouraged and supported. Fragmentation of land within these zones, unless it is part of an overall plan for integrated development or redevelopment, will generally not be supported."

- 2.7 Inserting a new clause 5.41 to read as follows:

"5.41 DEVELOPMENT ALONG MAIN OR ARTERIAL ROADS

"Development which is likely to contribute to ribbon development, the spread of town centres, or otherwise detrimentally impact the efficiency of or the rural and natural ambience of main or arterial roads will not be supported by the local government."

3. Terms Referred to in Scheme

- 3.1 Amending Schedule 1 (Interpretations) by –

- a. Amending the following titles:

- i. "Caretaker's Residence" to read "Caretaker's Dwelling";
- ii. "Jetty and Mooring Envelope" to read "Mooring Envelope";
- iii. "Light Industry" to read "Industry – Light";

and associated references throughout the Scheme accordingly, where, in relation to "Caretaker's Dwelling", references within the Scheme to "Caretaker/Staff Accommodation", "Manager's/Caretakers House", "Manager's Dwelling" and "Manager's House" shall also be amended;

- b. Amending the following definitions to read:

- i. "'Amusement Parlour' means premises –
 - (a) that are open to the public; and
 - (b) that are used predominantly for amusement by means of amusement machines including computers; and
 - (c) where there are 2 or more amusement machines;"
- ii. "'Convenience Store' means premises –
 - (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and
 - (b) operated during hours which include, but may extend beyond, normal trading hours; and
 - (c) the floor area of which does not exceed 300m² net lettable area;"
- iii. "'Display Home Centre' means one or more dwellings on the same lot or adjoining, or adjacent lots that are intended to be open for public inspections as examples of dwelling design;"

- iv. *“Educational Establishment’* means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution;”
- v. *“Home Occupation’* means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation —
 - (a) does not involve employing a person who is not a member of the occupier’s household; and
 - (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
 - (c) does not occupy an area greater than 20 m²; and
 - (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m²; and
 - (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
 - (f) does not —
 - (i) require a greater number of parking spaces than normally required for a single dwelling; or
 - (ii) result in an increase in traffic volume in the neighbourhood; and
 - (g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
 - (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
 - (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;”
- vi. *“Hospital’* means premises that are a hospital within the meaning given in the *Health Services Act 2016* section 8(4);”
- vii. *“Incidental development’*, for development on land to which the R-Codes applies, shall have the meaning as provided for in the R-Codes, for all other development shall mean outbuildings (including sheds, garages, and freestanding structures enclosed more than 50%), verandahs, carports, patios, gazebos and similar structures, swimming pools, water tanks; and other structures incidental to a dwelling;”
- viii. *“Industry’* means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes —

- (a) the storage of goods;
 - (b) the work of administration or accounting;
 - (c) the selling of goods by wholesale or retail;
 - (d) the provision of amenities for employees;
 - (e) incidental purposes;”
- ix. “‘*Lunch Bar*’ means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas and does not normally trade outside of normal business hours;”
- x. “‘*Marina*’ means –
- (a) premises used for providing mooring, fuelling, servicing, repairing, storage and other facilities for boats, including the associated sale of any boating gear or equipment; and
 - (b) all jetties, piers, embankments, quays, moorings, offices and storerooms used in connection with the provision of those services;
- xi. “‘*Marine Filling Station*’ means premises used for the storage and supply of liquid fuels and lubricants for marine craft;”
- xii. “‘*Motel*’ means premises, which may be licensed under the *Liquor Control Act 1988* –
- (a) used to accommodate guests in a manner similar to a hotel; and
 - (b) with specific provision for the accommodation of guests with motor vehicles;”
- xiii. “‘*Motor Vehicle Repair*’ means premises used for or in connection with –
- (a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or
 - (b) repairs to tyres other than recapping or re-treading of tyres;”
- xiv. “‘*Office*’ means premises used for administration, clerical, technical, professional or similar business activities;”
- xv. “‘*Restricted Premises*’ means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of –
- (a) publications that are classified as restricted under the *Classification (Publications, Films and Computer Games) Act 1995 (Commonwealth)*; or
 - (b) materials, compounds, preparations or articles which are used or

intended to be used primarily in or in connection with any form of sexual behaviour or activity; or

(c) smoking-related implements;”

xvi. “‘*Shop*’ means premises other than a bulky goods showroom, used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services;

xvii. “‘*Tavern*’ means premises the subject of a tavern licence granted under the *Liquor Control Act 1988*;”

xviii. “‘*Transport Depot*’ means premises used primarily for the parking or garaging of 3 or more commercial vehicles including —

(a) any ancillary maintenance or refuelling of those vehicles; and

(b) any ancillary storage of goods brought to the premises by those vehicles; and

(c) the transfer of goods or persons from one vehicle to another;”

c. Amending the following titles and definitions:

i. ‘Caravan Park & Camping Grounds’ to read:

“‘*Caravan Park*’ means premises that are a caravan park as defined in the *Caravan Parks and Camping Grounds Act 1995* section 5(1);”

ii. ‘Child Care Centre’ to read:

“‘*Child Care Premises*’ means premises where —

(a) an education and care service as defined in the *Education and Care Services National Law (Western Australia)* section 5(1), other than a family day care service as defined in that section, is provided; or

(b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided;”

iii. ‘Club’ to read:

“‘*Club Premises*’ means premises used by a legally constituted club or association or other body of persons united by a common interest;”

iv. ‘Community Centre’ to read:

“‘*Community Purpose*’ means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit;”

v. ‘Extractive Industry’ to read:

“‘*Industry – Extractive*’ means premises, other than premises used for

mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes —

- (a) the processing of raw materials including crushing, screening, washing, blending or grading;
- (b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration;”

vi. ‘Liquid Fuel Depot’ to read:

“‘*Fuel Depot*’ means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel but does not include premises used —

- (a) as a service station; or
- (b) for the sale of fuel by retail into a vehicle for use by the vehicle;”

vii. ‘Major Road Frontage’ to read:

“‘*Frontage*’, in relation to a building —

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the line where a road reserve and the front of a lot meet and, if a lot abuts 2 or more road reserves, the one to which the building or proposed building faces;”

viii. ‘Mineral Resource Development’ to read:

“‘*Mining Operations*’ means premises where mining operations, as that term is defined in the *Mining Act 1978* section 8(1) is carried out;”

ix. ‘Motor Vehicle and Marine Sales Premises’ to read:

“‘*Motor Vehicle, Boat or Caravan Sales*’ means premises used to sell or hire motor vehicles, boats or caravans;”

x. ‘Plant Nursery’ to read:

“‘*Garden Centre*’ means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens;”

xi. ‘Private Recreation’ to read:

“‘*Recreation – Private*’ means premises that are —

- (a) used for indoor or outdoor leisure, recreation or sport; and

(b) not usually open to the public without charge;”

xii. ‘Professional Consulting Rooms’ to read:

“‘*Consulting Rooms*’ means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care;”

xiii. ‘Restaurant’ to read:

“‘*Restaurant/Café*’ means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*;”

xiv. ‘Warehouse’ to read:

“‘*Warehouse/Storage*’ means premises including indoor or outdoor facilities used for —

(a) the storage of goods, equipment, plant or materials; or

(b) the display or sale by wholesale of goods;”

and associated references throughout the Scheme accordingly;

d. Inserting the following new definitions:

i. “‘*Art Gallery*’ means premises —

(a) that are open to the public; and

(b) where artworks are displayed for viewing or sale;”

ii. “‘*Car Park*’ means premises used primarily for parking vehicles whether open to the public or not but does not include —

(a) any part of a public road used for parking or for a taxi rank; or

(b) any premises in which cars are displayed for sale;”

iii. “‘*Cinema/Theatre*’ means premises where the public may view a motion picture or theatrical production;”

iv. “‘*Funeral Parlour*’ means premises used —

(a) to prepare and store bodies for burial or cremation;

(b) to conduct funeral services;”

v. “‘*Motor Vehicle Wash*’ means premises primarily used to wash motor vehicles;”

vi. “‘*Nightclub*’ means premises the subject of a nightclub licence granted

under the *Liquor Control Act 1988*;

- vii. “‘Resource Recovery Centre’ means premises other than a waste disposal facility used for the recovery of resources from waste;”
 - viii. “‘Small Bar’ means premises the subject of a small bar licence granted under the *Liquor Control Act 1988*;
 - ix. “‘Telecommunications Infrastructure’ means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network;”
 - x. “‘Waste Disposal Facility’ means premises used –
 - (a) for the disposal of waste by landfill; or
 - (b) the incineration of hazardous, clinical or biomedical waste;”
 - xi. “‘Waste Storage Facility’ means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale;”
- e. Removing the use class definitions for “Grouped Dwelling”, “Multiple Dwelling”, “Residential Building” and “Single House”, while retaining permissibilities within the Zoning Table and references within the Scheme;
- f. Removing the following obsolete or out-dated definitions and associated permissibilities and references throughout the Scheme where relevant:
- | | |
|-----------------------------------|---|
| i. “The Act”; | xix. Marine Facilities; |
| ii. Advertisement; | xx. Natural Ground Level; |
| iii. Amusement Machine; | xxi. Offensive and Hazardous Industry; |
| iv. Applicant; | xxii. Owner; |
| v. Boarding House; | xxiii. Place; |
| vi. Boatel; | xxiv. Place of Assembly; |
| vii. Building; | xxv. Public Utility; |
| viii. Bulk Store; | xxvi. Recreation Facility; |
| ix. Bulky Goods; | xxvii. Retirement Village; |
| x. Bus Station; | xxviii. Rural Worker’s Dwelling; |
| xi. Chandlery; | xxix. Salvage Yard; |
| xii. Communal or Cluster Farming; | xxx. Sawmill; |
| xiii. Conservation Tourism; | xxxi. Service Industry; |
| xiv. Display Home; | xxxii. Stabilised Surface Level of a Lot; |
| xv. Dry Industry; | xxxiii. Stock & Sale Yard; |
| xvi. Dwelling; | xxxiv. Timber Yard; |
| xvii. Generating Works; | xxxv. Waterway Frontage; |
| xviii. Manager’s Residence; | |
- g. Rearranging the Schedule into two parts, being “Division 1 – General definitions used in Scheme” and “Division 2 – Land use terms used in Scheme”, whereby:
- i. The following terms are to be included in Division 1:

Canal Frontage	Mean High Water Mark
Commission	Mooring Envelope
Council	Net Lettable Area
Dam	Prime Agricultural Land
Discount Department Store	Research and Development Facility
Entry Statement	Rural Tourist Accommodation
Floodway	Stabilised Canal Edge
Frontage	Supermarket
Gazettal Date	Vegetation
Incidental Development	

ii. The following terms are to be included in Division 2:

Abattoir	Lunch Bar
Aged Persons' Home	Marina
Agriculture – Extensive	Marine Filling Station
Agriculture – Intensive	Market
Amusement Parlour	Medical Centre
Animal Establishment	Mining Operations
Animal Husbandry – Intensive	Motel
Aquaculture	Motor Vehicle, Boat or Caravan
Bed and Breakfast	Sales
Brewery	Motor Vehicle Repair
Bus Depot	Motor Vehicle Wash
Caravan Park	Nightclub
Car Park	Office
Cinema/Theatre	Park Home Park
Chalet	Place of Worship
Child Care Premises	Produce Sales
Club Premises	Reception Centre
Community Purpose	Recreation Establishment
Consulting Rooms	Recreation – Private
Convenience Store	Research Establishment
Corner Shop	Resource Recovery Centre
Educational Establishment	Restaurant/Café
Exhibition Centre	Restricted Premises
Factory Unit Building	Rural Holiday Resort
Fuel Depot	Rural Pursuit/Hobby Farm
Funeral Parlour	Service Station
Garden Centre	Shop
Guesthouse	Showroom
Holiday Home (Multiple/Grouped Dwelling)	Small Bar
Holiday Home (Single House)	Takeaway Food Outlet
Home Business	Tavern
Home Occupation	Telecommunications Infrastructure
Home Office	Tourist Accommodation
Hospital	Transport Depot
Hotel	Tree Farm
Industry	Veterinary Centre
Industry – Cottage	Warehouse/Storage
Industry – Extractive	Waste Disposal Facility
Industry – Light	Waste Storage Facility
	Wind Farm

Industry – Primary Production

Winery

3.2 Amending the Zoning Table to read as follows:

Zone / Use Class	Residential	City/Town Centre	Local /Neighbourhood Centre	Service Commercial	Tourism	Light Industry	General Industry	Rural	Viticulture and Tourism	Rural Residential	Rural Landscape	Conservation	Bushland Protection	Special Use	Vasse Development	Deferred Vasse Development
Abattoir	X	X	X	X	X	A	D	A	X	X	X	X	X	In accordance with clause 4.6.1	In accordance Schedule 11, clause 1.7.3	In accordance with Clause 4.2.14 (b) and clause 4.6.3
Aged Persons Home	D	X	X	X	X	X	X	A	X	X	X	X	X			
Agriculture – Extensive	X	X	X	X	X	X	X	P	P	A	D	D	D			
Agriculture – Intensive	X	X	X	X	X	X	X	P	P	X	X	X	X			
Amusement Parlour	X	P	P	D	D	D	D	X	X	X	X	X	X			
Ancillary Accommodation	P	D	D	X	X	X	X	P	P	P	D	D	D			
Animal Establishment	X	X	X	X	X	X	X	D	D	A	A	X	X			
Animal Husbandry – Intensive	X	X	X	X	X	X	X	D	D	X	X	X	X			
Aquaculture	X	X	X	X	X	D	D	D	D	A	A	A	X			
Bed and Breakfast	D	D	D	X	P	X	X	D	D	D	D	D	D			
Brewery	X	A	A	A	A	D	D	A	A	X	X	X	X			
Bus Depot	X	X	X	D	X	D	D	D	X	X	X	X	X			
Car Park	X	D	D	D	X	D	D	X	X	X	X	X	X			
Caravan Park	A	X	X	X	D	X	X	A	A	X	X	X	X			
Cinema/Theatre	X	D	D	D	X	X	X	X	X	X	X	X	X			
Chalet	X	X	X	X	D	X	X	D	D	X	A	A	X			
Child Care Premises	A	D	D	D	A	X	X	D	A	A	X	X	X			
Club Premises	X	D	D	D	D	X	X	A	A	X	X	X	X			
Community Purpose	A	P	P	D	D	D	D	D	A	A	X	X	X			
Consulting Rooms	A	P	P	P	X	X	X	X	X	X	X	X	X			
Convenience Store	X	P	P	D	D	D	D	X	X	X	X	X	X			
Corner Shop	A	P	P	P	X	D	D	A	A	A	X	X	X			
Display Home Centre	D	X	X	X	X	X	X	X	X	D	X	X	X			
Educational Establishment	A	P	P	D	X	D	D	D	D	D	X	X	X			
Exhibition Centre	X	A	A	A	A	X	X	A	A	X	X	X	X			
Factory Unit Building	X	X	X	D	X	P	P	X	X	X	X	X	X			
Fuel Depot	X	X	X	X	X	P	P	X	X	X	X	X	X			
Funeral Parlour	X	D	D	D	X	D	X	X	X	X	X	X	X			
Garden Centre	X	A	A	A	X	D	X	D	D	A	X	X	X			
Grouped Dwelling	D	D	D	X	X	X	X	X	X	X	X	X	X			
Guesthouse	X	D	D	X	D	X	X	A	A	A	A	A	X			
Holiday Home (Multiple/Grouped Dwelling)	A	A	A	X	X	X	X	X	X	X	X	X	X			
Holiday Home (Single House)	D*	D*	D*	X	X	X	X	D*	D*	D*	D*	D*	D*			
Home Business	D	P	P	X	X	X	X	P	P	P	A	A	A			

Home Occupation	P	P	P	X	P	X	X	P	P	P	P	P	P
Hospital	A	D	D	D	X	X	X	A	A	X	A	X	X
Hotel	X	A	A	A	A	X	X	A	A	X	X	X	X
Industry	X	X	X	X	X	D	D	X	X	X	X	X	X
Industry – Cottage	X	X	X	X	D	X	X	P	P	A	D	A	A
Industry – Extractive	X	X	X	X	X	A	A	A	X	X	X	X	X
Industry – Light	X	X	X	D	X	P	P	X	X	X	X	X	X
Industry – Primary Production	X	X	X	X	X	D	D	D	D	X	X	X	X
Lunch Bar	X	X	X	D	X	D	D	X	X	X	X	X	X
Marina	X	D	D	D	D	D	D	X	X	X	X	X	X
Marine Filling Station	X	D	D	D	D	D	D	X	X	X	X	X	X
Market	X	D	D	D	A	D	D	D	D	A	X	X	X
Medical Centre	A	P	P	D	X	D	D	X	X	X	X	X	X
Mining Operations	X	X	X	X	X	A	A	A	X	X	X	X	X
Motel	X	A	A	A	D	X	X	X	X	X	X	X	X
Motor Vehicle, Boat or Caravan Sales	X	D	D	P	X	P	P	X	X	X	X	X	X
Motor Vehicle Repair	X	X	X	D	X	P	P	X	X	X	X	X	X
Motor Vehicle Wash	X	D	D	D	X	D	D	X	X	X	X	X	X
Multiple Dwelling	D	D	D	X	X	X	X	X	X	X	X	X	X
Nightclub	X	A	X	X	A	X	X	X	X	X	X	X	X
Office	X	P	P	X	X	X	X	X	X	X	X	X	X
Park Home Park	A	X	X	X	D	X	X	X	X	X	X	X	X
Place of Worship	A	D	D	D	X	D	X	A	A	A	X	X	X
Produce Sales	X	X	X	X	X	X	X	D	D	A	A	A	X
Reception Centre	X	D	D	D	D	X	X	A	A	X	X	X	X
Recreation Establishment	X	X	X	X	D	X	X	D	D	X	A	A	X
Recreation – Private	X	D	D	D	D	D	X	D	A	A	A	A	X
Repurposed Dwelling	D	D	D	X	X	X	X	D	D	D	D	D	D
Research Establishment	X	D	D	D	X	D	D	D	X	X	X	X	X
Residential Building	A	X	X	X	D	X	X	A	A	X	X	X	X
Resource Recovery Centre	X	X	X	X	X	X	A	X	X	X	X	X	X
Restaurant/Cafe	X	P	P	D	D	X	X	D	D	A	X	X	X
Restricted Premises	X	D	D	D	X	X	X	X	X	X	X	X	X
Rural Holiday Resort	X	X	X	X	D	X	X	X	A	X	X	X	X
Rural Pursuit/Hobby Farm	X	X	X	X	X	X	X	P	P	A	A	X	X
Second-hand Dwelling	D	D	D	X	X	X	X	D	D	D	D	D	D
Service Station	X	D	D	D	X	D	D	A	X	X	X	X	X
Shop	X	P	P	X	X	X	X	X	X	X	X	X	X
Showroom	X	P	P	P	X	D	X	X	X	X	X	X	X
Single House	P	D	D	X	X	X	X	P	P	P	P	P	P
Small Bar	X	D	A	A	D	A	X	A	A	X	X	X	X
Takeaway Food Outlet	X	A	A	A	A	X	X	X	X	X	X	X	X
Tavern	X	A	A	A	A	A	X	A	A	X	X	X	X

In accordance with clause 4.6.1

In accordance Schedule 11, clause 1.7.3

In accordance with Clause 4.2.14 (b) and clause 4.6.3

Telecommunications Infrastructure	A	A	A	D	A	D	D	A	A	A	A	X	X		
Tourist Accommodation	X	D	D	X	D	X	X	X	A	X	X	X	X		
Transport Depot	X	D	D	D	X	D	D	X	X	X	X	X	X		
Tree Farm	X	X	X	X	X	X	X	D	D	X	X	X	X		
Veterinary Centre	X	D	D	P	X	D	X	A	A	X	X	X	X		
Warehouse/Storage	X	D	D	P	X	P	P	X	X	X	X	X	X		
Waste Disposal Facility	X	X	X	X	X	X	A	X	X	X	X	X	X		
Waste Storage Facility	X	X	X	X	X	X	A	X	X	X	X	X	X		
Wind Farm	X	X	X	X	X	X	X	A	A	X	X	X	X		
Winery	X	D	D	D	A	P	X	D	D	X	A	X	X		

3.3 Amending subclause 4.5.3(d) (Exceptions to the Zoning Table) to delete the words “*or motor vehicle and marine sales*”.

3.4 Delete subclauses 4.5.4(f) and (g) (Exceptions to the Zoning Table) and renumber subsequent clauses accordingly.

4. City and Town Centre Zone provisions

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

“5.20 DEVELOPMENT IN THE CITY/TOWN CENTRE ZONE

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

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

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

- (a) No residential uses shall be permitted at ground floor fronting Queen Street and Prince Street, Busselton and Dunn Bay Road and Naturaliste Terrace, Dunsborough;*
- (b) A nil front setback is to be provided to the development, unless otherwise designated in an Activity Centre Plan, or the development is providing for an associated alfresco space within the setback;*
- (c) Buildings shall be articulated to break up perceived bulk and provide visual interest, particularly with buildings occupying a large/long site frontage;*

- (d) At the ground floor level, developments shall address the street with a primary business entrance and a shop front façade;*
- (e) Ground floor commercial uses shall incorporate transparent glazing for 70% of all building frontages to adjacent streets;*
- (f) Upper levels shall be designed to promote informal surveillance of the street through the use of balconies and/or large windows;*
- (g) A minimum ceiling height of 3.3 metres shall be achieved for the ground floor level, whilst all other floors shall achieve a minimum ceiling height of 2.7 metres;*
- (h) Roller doors or screens of solid material on shop fronts will not be permitted, security measures should be located and installed internally behind the glazing line;*
- (i) Pedestrian shelter, through the provision of a verandah, awning or the like, shall be provided over the public footpath for the full width of the lot frontage;*
- (j) No vehicle accessways or carparking shall be provided between buildings and the street, or be visible from the street, unless required to provide access to car parking or loading areas behind buildings;*
- (k) No vehicular access to sites shall be taken from Queen Street, Prince Street or Kent Street (between Queen Street and Brown Street), Busselton or Dunn Bay Road or Naturaliste Terrace, Dunsborough, unless no alternative is available, in which case a single crossover width shall be no greater than 5 metres with a cumulative maximum width of 7 metres;*
- (l) Vehicle crossovers and driveways shall be co-located wherever possible with adjoining properties;*
- (m) Vehicle access to developments shall be designed in a way which minimises potential pedestrian/vehicular conflict, clearly recognising the primacy of pedestrian amenity;*
- (n) Multi-storey car parks shall incorporate interactive street frontages, such as shops or other uses that promote activity and where car parking levels (including undercroft levels) are visible from a street or public space, high quality architectural detailing shall be incorporated into the façade of all floors;*
- (o) General plant, such as air-conditioning, television antennas, bins, hot water storage tanks, rain water tanks, satellite dishes and the like are to be adequately concealed and screened from the street or public view;*
- (p) Where land is zoned 'City/Town Centre' and is designated a residential density coding of R-AC3 the maximum plot ratio shall be 1.5, except for where the following incentives for mixed use*

development apply:

- (i) Where residential or short-stay accommodation uses represent more than 25% of the plot ratio area of a proposed mixed use development, the maximum allowable plot ratio area may be 2.0; or*
- (ii) Where a development incorporates a Restaurant/Café, Tavern or other similar use that will provide for informal social interaction the maximum allowable plot ratio area for the remainder of the development may be 2.0; and*
- (iii) The plot ratio incentives set out in sub-clauses (a) and (b) above may be combined, provided that the total plot ratio area does not exceed 3.0.*

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

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

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

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

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

“6.13 DRIVE-THROUGH FACILITY EXCLUSION AREA

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

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

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

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

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

And subject to the following exclusions:

- (a) Lots 15 (3), 150 (5), 381(7), 110(9), 454 (11), 453 (15), 9 (17), 19 (10), 11 (23), 120 (25), 391 (27), 7 (37), 8 (39), 10 (41) and portion of Lot 26 (45) Albert Street, Busselton;
 - (b) Portion of Lot 170 (56) Prince Street, Busselton.
- 4.7 Amending the Scheme map to apply the 'Drive-through Facility Exclusion Area' to the Dunsborough Town Centre as depicted on the Scheme Amendment map, being:
- (a) Land being rezoned to 'City/Town Centre' and bound by Cape Naturaliste Road, Reserve 42673, Reserve 35758, Reserve 26513, Chieftain Crescent, Seymour Boulevard and Caves Road and excluding portion of Lot 1 (No. 61), portion of Lot 1 (No. 64) and Lot 2 (No. 64) Dunn Bay Road, Dunsborough.

5. Additional clauses to align to Model Provisions

- 5.1 Amending clause 4.4 (Interpretation of the Zoning Table) to read as follows:

"4.4 INTERPRETATION OF THE ZONING TABLE

4.4.1 A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.

4.4.2 The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table –

- (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or*
- (b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or*
- (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone."*

- 5.2 Modifying clause 5.5 (Variations to site and development standards and requirements) by:

- (a) Replacing subclauses 5.5.1, 5.5.3 and 5.5.4 with the following:

"5.5.1 Except for development in respect of which the R-Codes apply, the local government may approve an application for a development approval that does not comply with an additional site and development requirements."

"5.5.2 An approval under subclause 5.5.1 may be unconditional or subject to any conditions the local government considers appropriate."

"5.5.4 If the local government is of the opinion that the non-compliance with an

additional site and development requirement will mean that the development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of the development the local government must –

- (a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64 of the deemed provisions; and*
- (b) have regard to any expressed views prior to making its determination to grant development approval under this clause.”*

“5.5.5 The local government may only approve an application for development approval under this clause if the local government is satisfied that –

- (a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and*
- (b) the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.”*

- (b) Renumbering existing subclause 5.5.2 to 5.5.3.

6. Review of Rural Residential areas

6.1 Inserting Special Provision No. 63 as follows, and amend the Scheme maps accordingly:

No.	Particulars of land	Zone	Special Provisions
63	Land bound by the Busselton Bypass in the north, Queen Elizabeth Avenue to the east and Rendezvous Road to the south; and with Lots 44 to 50 Belltonia Way, and Lot 348 Rendezvous Road, forming the western boundary.	Rural Residential	<ol style="list-style-type: none"> 1. An Overall Structure Plan (OSP) shall be prepared for the Special Provision area, which shall determine as a minimum, indicative layout, residential density, strategic road integration and public open space provision. 2. The OSP shall identify precincts for which further detailed structure planning is required prior to any consideration for subdivision approval. 3. Subdivision of land shall be generally in accordance with a Detailed Structure Plan for the land approved by the Western Australian Planning Commission pursuant to Schedule 2 (Deemed Provisions) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. 4. Immediately following subdivision,

			a Scheme amendment is to be initiated by the proponent to rezone the land in accordance with the approved detailed structure plan.
--	--	--	--

6.2 Amending the Scheme maps as depicted on the Scheme Amendment maps and as follows:

- (a) Rezoning Lots 301 to 304 and Lot 311 Carnarvon Castle Drive and Lots 305 to 310 Vixen Close, Eagle Bay from 'Rural Residential' to 'Residential R2.5';
- (b) Rezoning Lot 2000 Okapa Rise, Dunsborough from 'Rural Residential' to 'Recreation Reserve';
- (c) Rezoning Lots 2001 and 2002 Okapa Rise, Dunsborough - Rezone from 'Rural Residential' to 'no zone';
- (d) Rezoning Lots 91 to 95, 401 to 405 Sloan Drive, Lots 96 to 101 Samphire Place, Lots 406 and 407, Lots 412 to 418, Lots 420 to 421 Okapa Rise, and Lots 408 and 9000 Capstone Close, Dunsborough from 'Rural Residential' to 'Residential R2.5'; and
- (e) Rezoning Lots 422 to 432 Okapa Rise, Dunsborough from 'Rural Residential' to 'Residential R2'.

B. Pursuant to the Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), determine that Amendment 29 is a standard amendment in accordance with r.34(b) of the Regulations as it:

- i. Proposes to amend the Scheme text so that it is consistent with the model provisions in Schedule 1 of the Regulations.
- ii. The amendment would have minimal impact on land in the Scheme area that is not the subject of the amendment.
- iii. The amendment would not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.

C. That, as the draft Amendment is in the opinion of the Council consistent with Part V of the Act and Regulations made pursuant to the Act, that upon preparation of the necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by the Act, and on receipt of a response from the EPA indicating that the draft Amendment is to be subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*. In the event that the EPA determines that the draft Amendment is to be subject to formal environmental assessment, this assessment is to be prepared prior to advertising of the draft Amendment.

Council

35

26 April 2017

11. PLANNING AND DEVELOPMENT SERVICES REPORT

11.1 DEVELOPMENT CONTROL FRAMEWORK - REVIEW AND PROPOSED DIRECTION

SUBJECT INDEX:	Development Control Policy
STRATEGIC OBJECTIVE:	Governance systems that deliver responsible, ethical and accountable decision-making.
BUSINESS UNIT:	Planning and Development Services
ACTIVITY UNIT:	Statutory Planning / Strategic Planning
REPORTING OFFICER:	Director, Planning and Development Services - Paul Needham
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Nil

PRÉCIS

This report sets out the proposed direction for the modification and updating of the City's development control framework, following an internal review of the framework. A series of amendments to the town planning scheme are proposed, together with the review and/or development of local planning policies, structure plans and activity centre plans, and the development of two new local laws.

BACKGROUND

The Council is asked to consider recommendations that have resulted from a review of the City's overall development control framework (i.e. including both the planning framework and some broader elements, including controls on portable signage). The report and recommendations set out the proposed overall direction to modify and update that framework. The main reasons for undertaking the review are as follows –

1. With the Council now having made a final decision regarding the City's *Local Planning Strategy* (although the WAPC is yet to do so), the City now nearly has a full suite of high-level, planning strategies (i.e. *Local Planning Strategy*, *Local Rural Planning Strategy*, *Local Tourism Planning Strategy*, *Local Commercial Planning Strategy*, *Local Environmental Planning Strategy* and *Local Cultural Planning Strategy*), and there is a need to reflect the recommendations of those strategies in the subsidiary elements of the development control framework (i.e. the *City of Busselton Local Planning Scheme 21* – 'Scheme', structure plans or similar and/or local planning policies);
2. With the Gazettal of the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the Regulations'), elements of the Scheme are now redundant or outdated, as they have been superseded by provisions in Schedule 2 of the Regulations ('the Deemed Provisions'), and/or are inconsistent with provisions in Schedule 1 of the Regulations ('the Model Provisions');
3. There has been substantial development and review of the development control framework at the State and regional level in recent years, and elements of the City's framework are now inconsistent with that higher level direction;
4. There have been changes made in the actual practical implementation of development controls in recent years, and in the interests of clarity, simplicity and robustness of decision-making, it is seen as important that policy and practice are more closely aligned;
5. The experience of actually implementing the current framework has identified a range of efficiencies and improvements that could be gained;

Council

36

26 April 2017

6. The physical, social and/or economic context and character of the City has and will continue to evolve, including through quite substantial change in some areas, and elements of the planning framework may no longer be appropriate given those changes;
7. Elements of the planning framework have been developed in a somewhat *ad hoc*, responsive fashion over a long period of time, resulting in what is now seen as being unnecessary complexity and inconsistency, and in some cases uncertainty and ambiguity; and
8. Regulation 65 of the Regulations requires a review of the Scheme in the fifth year after it was Gazetted which, given that the Scheme was Gazetted in 2014, means a review needs to be undertaken in 2019, and it is therefore timely to start preparing for that review.

What is proposed involves, in part, several omnibus amendments to the Scheme (remembering there has already been one omnibus amendment to the current scheme, which was Amendment 1 – and which, at the time of writing, is awaiting a final decision by the Minister for Planning), as follows –

1. *Omnibus Amendment 2* (Amendment 25) - An amendment to align the scheme with the Deemed Provisions.
2. *Omnibus Amendment 3* (Amendment 28) - An amendment to align the various 'development zone provisions' in the Scheme with each other, and with both the Deemed Provisions and the Model Provisions, as well as to consolidate the zonings applicable to land in the various, existing 'development zones' where that land has now been developed.
3. *Omnibus Amendment 4* (Amendment 29) - An amendment to align the other zones with the standard suite of zones set out in the Model Provisions, to more broadly align the Scheme with the Model Provisions, to review and refine the 'policies and objectives' and other provisions of each of the zones, to more closely align with the Model Provisions, to review and align land-use definitions to be more consistent with the Model Provisions, and to review of the zoning table to avoid unintended consequences.
4. *Omnibus Amendment 5* (Amendment 30) - An amendment to further implement recommendations of the adopted planning strategies, and to also align the Scheme with State Planning Policies ('SPPs').
5. *Omnibus Amendment 6* (Amendment 31) - An amendment to make a number of substantive changes identified as desirable through review of the current approach and policies in relation to a range of detailed development matters.
6. *Omnibus Amendment 7* (Amendment 32) - A further amendment to address a range of detailed mapping issues, as well as further consolidation of Schedule 2 ('Additional Uses') and Schedule 3 ('Special Provision Areas') of the Scheme, together with some related consolidation/review of Part 5 of the Scheme ('General Development Requirements').
7. *Omnibus Amendment 8* (Amendment 33) - A review of residential density and 'Special Character Areas' controls.

The recommendations also identify, as priorities, development of the following new or revised structure and/or activity centre plans –

1. Dunsborough Structure Plan;
2. Dunsborough Activity Centre Plan; and
3. Busselton Activity Centre Plan.

What is proposed also involves revoking, adopting and/or modifying local planning policy and/or Council policy, broadly as follows –

1. Rationalisation/review of redundant/outdated structure plans or similar;

Council

37

26 April 2017

2. Adoption of new local planning policies relating to signage/advertising controls, fencing controls, and non-agricultural development in rural areas, the latter intended to expand on and replace the existing rural tourism accommodation policy;
3. Adoption of a new Council policy relating to portable signage (e.g. 'A-frame' or 'sandwich board' signs) on thoroughfares, guiding the exercise of powers set out in the *City of Busselton Activities in Thoroughfares and Public Places and Trading Local Law 2015* ('Thoroughfares Local Law');
4. Adoption of a new Council policy relating to planning/development compliance;
5. Consolidating and reviewing existing local planning policies relating to residential development and outbuildings, development in Special Character Areas and extractive industry; and
6. Consolidating and reviewing existing policy direction relating to heritage which is, in part local planning policy and in part Council policy (and also completing the review of the City's Heritage List and Municipal Heritage Inventory).

In addition, the development and adoption of two new local laws, a fencing local law and an extractive industry local law, is also proposed.

It should also be noted that the City's *Draft Local Planning Strategy* identifies a number of further initiatives for future development and review of the planning framework. Those not identified in this report, however, are not considered to be priorities at the present time and/or for the next 2-3 years (which is broadly the timeframe envisaged for the work set out in this report – although some of the work outlined here would extend a little beyond that time).

STATUTORY ENVIRONMENT

Relevant statutory environment is set out in the following legislation –

- *Planning and Development 2005*
- *Planning and Development (Local Planning Schemes Regulations) 2015*
- *City of Busselton Local Planning Scheme 21*
- *Building Act 2012*
- *Building Regulations 2012*
- *Local Government 1995*
- *Dividing Fences Act 1961*
- *Dividing Fences Regulations 1971*
- *City of Busselton Property Local Law*
- *City of Busselton Activities on Thoroughfares and Public Places and Trading Local Law*

The legislation listed above has been considered in developing the recommendations of this report.

Particular note is made of Part 6 of the *Planning and Development (Local Planning Schemes Regulations) 2015*. Regulation 65 in Part 6 sets out that a local government must carry out of a review of local planning scheme in the fifth after the scheme was Gazetted, or the fifth year since the previous review was completed. Regulation 65(3) sets out the local government, in undertaking the review, must prepare and submit to the Western Australian Planning Commission ('WAPC'), for their consideration and decision, a report which makes recommendations as to whether the scheme –

- Is satisfactory in its current form; or

Council

38

26 April 2017

- Should be amended; or
- Should be repealed and a new scheme put in its place.

As set out in the 'Officer Comment' section of this report, one of the aims of the proposed work set out in this report is to ensure that, when that report is presented to and considered by the WAPC, the preparation of a new scheme is not considered necessary.

The Regulations also establish three different categories of amendments, which can be briefly described as follows –

- 'Basic' – An amendment to align a scheme with another, existing planning document (such as with the Deemed Provisions or Model Provisions, or with a structure plan), and which can be undertaken without the need for consultation;
- 'Standard' – An amendment that rezones land in a manner generally consistent with the current strategic direction, and which requires consultation, but consultation can occur without prior approval of the WAPC; and
- 'Complex' – An amendment of very significant impact, or which may not be consistent with existing strategic direction, or an amendment that the Minister for Planning has directed the local government to commence, and which requires consultation, but only with the prior approval of the WAPC.

RELEVANT PLANS AND POLICIES

The following plans and policies are relevant to and have been considered in developing the recommendations of this report –

- *Draft City of Busselton Local Planning Strategy*
- *City of Busselton Local Commercial Planning Strategy*
- *City of Busselton Local Rural Planning Strategy*
- *City of Busselton Local Environmental Planning Strategy*
- *City of Busselton Local Tourism Planning Strategy*
- *City of Busselton Local Cultural Planning Strategy*
- *Busselton City Centre Conceptual Plan*
- *Dunsborough Town Centre Conceptual Plan*
- *City of Busselton Local Planning Policy Manual*
- *WAPC South West Planning and Infrastructure Framework*
- *State Planning Policies*

FINANCIAL IMPLICATIONS

Implementation of the recommendations of this report will require the allocation of significant officer time, which will largely be achieved through the allocation and use of existing staff resources. Some of the recommendations of this report will, however, require the engagement of external consultants or other expertise, which will need to be allocated in the City's budget in future financial years. More detailed proposals will be presented to the Council for consideration as part of forthcoming and future budget development processes. In addition, City officers will seek to identify and secure external funding where the opportunity arises. In particular, it is considered that Regional Centres Development Programme funding may be available to assist with development of activity centre plans for the Busselton City Centre and the Dunsborough Town Centre.

Council

39

26 April 2017

A number of the recommendations will result in a planning framework that is simpler, clearer and more easily understood and, as such, should result in greater efficiency of implementation and lower costs to the City and its ratepayers over time. There should also be a reduction in compliance costs and regulatory uncertainty from the private sector/community perspective.

Long-term Financial Plan Implications

Other than those outlined briefly above, there are no Long-term Financial Plan implications of the recommendations of this report.

STRATEGIC COMMUNITY OBJECTIVES

The recommendations of this report reflect Strategic Objective 6.2 of the *Strategic Community Plan*.

RISK ASSESSMENT

Because of the scope and breadth of the recommendations of this report, it is not practicable to provide an overall risk assessment of all of the recommendations. All of the recommendations of this report will, however, require further, formal Council consideration and reporting, and more focused risk assessment will be provided when those reports are presented to the Council. A fundamental reason for doing the work set out in this report, though, is to reduce the risks to the City and our community that may arise from not having an up to date, appropriate and sufficiently clear planning framework.

CONSULTATION

There has been no broad consultation specifically undertaken as part of the development of this report. The recommendations of the report, though, reflect the outcomes of other consultation exercises undertaken in the past, including through the development of planning strategies, and associated with the development and review of the *Strategic Community Plan*. Implementation of the recommendations will also require consultation, and the outcomes of such consultation will need to be reported to and considered by the Council prior to the Council being asked to make any final decisions.

In addition, informal, officer level feedback has been sought from the Department of Planning on the proposed approach and priorities, and the feedback received considered in the preparation of this report.

OFFICER COMMENT

The recommendations of this report are outlined and discussed below, under the following sub-headings –

1. Omnibus Amendment 2 (Amendment 25) – Deemed Provisions Alignment;
2. Omnibus Amendment 3 (Amendment 28) – Development Zones Consolidation;
3. Omnibus Amendment 4 (Amendment 29) – Model Provisions Alignment;
4. Omnibus Amendment 5 (Amendment 30) – Implementation of Adopted Planning Strategy and State Planning Policy Recommendations;
5. Omnibus Amendment 6 (Amendment 31) – Miscellaneous Development Control Changes;
6. Omnibus Amendment 7 (Amendment 32) – Mapping and Schedules Consolidation / Review/rationalization of redundant/outdated structure plans or similar;

Council

40

26 April 2017

7. Omnibus Amendment 8 (Amendment 33) – Residential Density and Special Character Area Controls Review / review of Special Character Area Policies;
8. Dunsborough Structure Plan;
9. Activity Centre Plans;
10. Signage/advertising regulation;
11. Fencing regulation;
12. Extractive industry regulation;
13. Non-agricultural development in rural areas;
14. Heritage;
15. Planning/development compliance; and
16. Scheme review.

Omnibus Amendment 2 (Amendment 25) – Deemed Provisions Alignment

This proposal is relatively easily described, and would involve an amendment to align the scheme with the Deemed Provisions, deleting provisions in the Scheme that are wholly superseded, and inserting notes directing users to the relevant parts of the Deemed Provisions, as well as inserting additional notes where provisions in the Scheme have been partly superseded by the Deemed Provisions. The key benefit of the amendment would be to reduce potential confusion or uncertainty related to having to read the Scheme and Deemed Provisions together.

This amendment would be a basic amendment.

Omnibus Amendment 3 (Amendment 28) – Development Zones Consolidation

This proposal would involve an amendment to align the various ‘development zone provisions’ in the Scheme with both the Deemed Provisions and the Model Provisions, as well as to introduce consolidated development zone provisions into the Scheme (this would include, amongst other things, the introduction of two new zones, ‘Urban Development’ and ‘Industrial Development’). This amendment would also consolidate the zonings applicable to land in the various, existing ‘development zones’ where that land has now been developed, and can now have a substantive zoning directly applied (e.g. in the case of residential land, rezoning the land to ‘Residential’, and applying a residential density coding, e.g. ‘R20’). As part of this amendment, consideration would also be given to rezoning two urban growth areas currently identified in the LPS, but not currently in a suitable development zone – i.e. Bovell and Vasse East.

Whilst it could arguably be characterized as a basic amendment, this amendment would be treated as a standard amendment to ensure that affected landowners in particular would be consulted with.

Note that, because a broad review of the Port Geographe Development Guide Plan (now more correctly referred to as the ‘Structure Plan’) is expected to occur in the nearer term and because land in the Port Geographe Development Area is already subject of directly applied substantive zonings, that area would not be addressed through this Amendment. In parallel with the broad review of the Structure Plan expected to formally commence in the next few months, however, it is envisaged that a separate amendment would be undertaken to rationalize and consolidate the planning framework applicable to that area, aligning with the approach proposed in relation to the other ‘development zones’.

Omnibus Amendment 4 (Amendment 29) – Model Provisions Alignment

This amendment would involve aligning the other zones with the standard suite of zones set out in the Model Provisions. For instance, the 'Agriculture' zone would become the 'Rural' zone, and the 'Business' zone would become the 'Centre' zone – consideration would also be given to establishing different zones for some of the centres, for instance a 'City Centre' zone for the Busselton City Centre.

This amendment would also review and refine the 'policies and objectives' and other provisions of each of the zones, to more closely align with the Model Provisions. To be consistent with the Model Provisions, the 'policies and objectives' would be rationalised to identify 'objectives' only, however, some of the 'policies' may need to instead be reflected in development standards, in Part 5 of the Scheme, and reflected in Omnibus Amendments 6, 7 and/or 8. This would also involve reviewing and aligning land-use definitions to be more consistent with the Model Provisions, and to address/resolve some uncertainties/inconsistencies that have emerged over time. Note that this would also necessarily entail a review of the zoning table to avoid unintended consequences. Given recent experiences in relation to some unintended consequences arising from interpretation of land use definitions by the State Administrative Tribunal, consideration would also be given to correcting those kinds of issues.

For consistency with the Model Provisions and reflecting the smaller size of some 'Rural-Residential' zoned lots (some as low as 1,800m², rather than the 1.0 ha or greater normally contemplated by that zoning), and especially the fact that the lot sizes overlap with those provided for in the *Residential Design Codes of WA* ('R-Codes', i.e. up to an average of 5,000m², where land is subject of the 'R2' residential density coding), consideration would be given to rezoning Rural-Residential zoned lots up to around 6,000m² to 'Residential', and applying an appropriate residential density coding (generally 'R2', 'R2.5' or 'R5'). This would mainly, probably exclusively, affect the Vasse-Dunbarton area, not the Commonage. Consideration would also need to be given to the need to continue to provide a head-of-power for existing structure plan controls, where they remain valid and relevant.

There are also some further, relatively minor changes envisaged to more broadly align the Scheme with the Model Provisions. In the main, though, they relate to provisions where the Scheme is already very closely aligned with the Model Provisions.

This amendment would be a standard amendment.

Omnibus Amendment 5 (Amendment 30) – Implementation of Adopted Planning Strategy and State Planning Policy Recommendations

This amendment would involve further implementing the recommendations of the adopted planning strategies, including the recommendations/direction that will be set out in the Leeuwin-Naturaliste Sub-Regional Planning Strategy ('LNSRS'), once that strategy has been developed, and to also align the Scheme with State Planning Policies ('SPPs'). This is one of the most important amendments in terms of the forthcoming scheme review process, as consistency with State strategies and SPPs will be key issues in determining whether or not a new scheme is necessary. Until such time as the LPS and LNSRS is complete, however, it is not possible to scope out this amendment in detail.

This amendment would most likely be a standard amendment.

Omnibus Amendment 6 (Amendment 31) – Miscellaneous Development Control Changes

This amendment would involve a number of substantive changes identified as desirable through review of the current approach and policies in relation to a range of detailed development matters (specifically: residential development, including outbuildings; signage/advertising controls; fencing controls; public open space provision where subdivision is not involved; and development in activity

Council

42

26 April 2017

centres). This amendment would be focused on Parts 5 ('General Development Requirements') and 6 ('Special Control Areas').

This amendment would not, however, provide for a review of the 'Airport Protection Area', which it is anticipated will be reviewed via a separate, stand-alone amendment, which would also rationalize the land-use controls applicable to the Airport site itself. Nor would this amendment provide for a review of the 'Waste Water Exclusion Area and Waste Water Buffer Area', which would need to be subject of a stand-alone amendment, at the initiative of Water Corporation (i.e. the operators of the two waste water treatment plants in the District).

Depending on progress on the development of the City's 'Coastal Adaptation Strategy' at the time this amendment is ready to be presented to the Council for initiation, this amendment may provide for change/review of the 'Coastal Management Area'. If substantial change is required and/or the Adaptation Strategy is not sufficiently advanced, though, that would instead also be subject of a stand-alone amendment.

This amendment would be a standard amendment.

Omnibus Amendment 7 (Amendment 32) – Mapping and Schedules Consolidation / Review/rationalization of redundant/outdated structure plans or similar

This amendment would address a range of detailed mapping issues, as well as further consolidation of Schedule 2 ('Additional Uses') and Schedule 3 ('Special Provision Areas') of the Scheme, together with some related consolidation/review of Part 5 of the Scheme ('General Development Requirements'). A significant amount of the content of Schedules 2 and 3 is redundant or outdated and/or could be significantly rationalized. The same is true with respect to a significant proportion of the over 400 structure plans or similar which have been developed over the last few decades but, in the main, never reviewed.

This amendment would be a standard amendment.

Omnibus Amendment 8 (Amendment 33 – Residential Density and Special Character Area Controls Review / review of Special Character Area Policies

A review of residential density and 'Special Character Areas' controls, including the variations to the R-Codes set out in clause 5.3 of the Scheme. It is envisaged that the subsidiary, Special Character Area Policies, would be reviewed in parallel with this amendment.

This amendment would most likely be a standard amendment.

Dunsborough Structure Plan

Within the next 5-6 years, it is expected that the 'Dunsborough Lakes' estate will be fully developed – or at least all of the new lots will have been created, although houses will not have been developed on all of the new lots. Whilst there is some capacity for additional residential land supply to be created out of other, currently zoned land (such as in the 'Cape Rise' and 'Naturaliste Heights' estates), it has been recognized by both the City and WAPC that the further growth and development of Dunsborough will require the identification and planning of an additional growth area, extending generally in a south-south-easterly direction across Commonage Road from the current and planned portions of Dunsborough Lakes.

The pattern of land ownership in this area (i.e. quite fragmented, and generally not in the hands of experienced and motivated 'developers') is such that, especially to achieve an integrated and well planned development outcome, the City will need to lead the initial development of a structure plan to facilitate development of this area. It is envisaged that, as a result of the City's *Local Planning*

Strategy and/or the LNSRS, appropriate strategic support will be provided to allow that work to commence. Key issues to be addressed would include –

- An integrated transport network (road, pedestrian, cycle and public transport), in particular, the potential for a ‘Dunsborough Southern Distributor’, linking the future Vasse-Dunsborough Link with Commonage Road and, via Biddle Road, with Caves Road, to the west of Dunsborough to, amongst other things, divert some regional and heavy traffic away from Caves Road, which now runs through the middle of the Dunsborough urban area and adjacent to the Dunsborough Town Centre;
- Identifying sites for significant public infrastructure, including schools and community and recreational facilities;
- Identifying key environmental constraints, ecological corridors and addressing bushfire risk at the strategic level;
- Identifying a site and general direction for development of an activity centre to provide local services to the new growth area;
- Providing a mechanism for the equitable and efficient funding and sharing of costs associated with infrastructure and open space provision (i.e. in part, developer contributions arrangements); and
- Integrating and assessing the impacts of the new growth area on the planning and development of the existing Dunsborough urban area, growth and development in the north-western part of the City more broadly and, in particular, considering the future growth and development of the Dunsborough Town Centre.

Activity Centre Plans

This would involve the development of ‘Activity Centre Plans’, which are a form of structure plan provided for in the Regulations, for both the Busselton City Centre and Dunsborough Town Centre. The WAPC has already approved the development of such plans, and it is anticipated that the work will, at least in part, be funded from the Regional Centres Development Programme (‘RCDP’ - subject to approval by the Growth Plan Partners and the relevant State agencies/authorities). Activity Centre Plans are ‘planning’ documents, but do not focus entirely on ‘planning’ content; they are intended to be broader documents, also dealing with ‘place-making’ and ‘activation’ type strategies. The Activity Centre Plans would build on the work undertaken to develop the ‘Conceptual Plans’ for the two centres, as well as other related work.

Signage/advertising regulation

This work would relate to both fixed signage on private land (controlled via the Scheme and the Building Act) and portable signage on public land (controlled via the thoroughfares local law), but not to directional or informational signage.

The statutory powers related to portable signage that are now in place are considered sound, and so the work related to portable signage would involve development and then implementation of a Council policy guiding the implementation of those powers. It is envisaged that a report to that end will be presented to the Policy & Legislation Committee in the next month or so.

The statutory powers related to fixed signage on private land are also considered to be generally sound, and so the work related to this kind of signage would be focused on development of a new local planning policy. More detailed work, though, may identify a need for some changes to the Scheme, which it is envisaged would be reflected in Omnibus Amendment 6. Again, it is envisaged that a report will be presented to the Policy & Legislation Committee in coming months.

Fencing regulation

The regulation of fencing in WA is principally controlled via the dividing fences legislation, which sets out the rights and duties of landowners in relation to fencing of their properties. State level regulation is often, although not currently in the case of the City, supplemented by fencing local laws, adopted at the local government level. The main purpose of a fencing local law is to establish what a 'sufficient fence' is for the purposes of the dividing fences legislation, which otherwise would be determined by the courts, through reference to the fencing typically in place in a given area. In the last few decades, however, there has also been increasing use of planning controls to regulate front fences, including through the R-Codes and through structure plan provisions, the latter especially relevant in rural-residential areas where, in some cases, boundary fencing is not supported at all.

Whilst the development of a fence clearly meets the definition of 'development' in the planning legislation, and there are no exemptions from the need to obtain planning approval, other than in the case of R-Codes compliant front fencing in residential areas, the regulatory arrangements for approval of fencing in the City, both in practice and in law, are not entirely clear. There are also some matters on which regulation may well be desirable, but which are currently not specifically regulated (for instance, use of electric fencing or razorwire or similar, and use of highly flammable fencing materials in bushfire prone areas).

It is envisaged that the City develop a fencing local law to identify what types of fences should be deemed as 'sufficient fences' in given areas, and to then develop, in parallel, consistent Scheme and local planning policy provisions. There is a model local law and a number of other local laws, adopted by other local governments, which would be used as a base from which to develop the City's own local law. Depending on the rate at which the different projects advances and the extent of change required, the relevant Scheme changes may be incorporated into Omnibus Amendment 6. Other than the matters outlined very briefly above, one of the aims would be to develop a consistent and coherent approach to regulation of boundary fencing in rural-residential areas, and to address residential character and amenity concerns resulting from side fences within residential front setbacks.

Extractive industry regulation

Access to basic raw materials (i.e. sand, gravel, limestone or similar basic 'raw materials', but not 'minerals' or 'petroleum', land-based extraction of which is generally a State matter) is important from many respects, notably from an economic perspective, and such materials are becoming increasingly scarce and valuable. For that reason, continued access to such resources is important. For that to continue, however, it is important that the City's regulation of extraction activity continues to be robust and credible, and that the industry is regulated and acts in a fashion that ensures its 'social license' to operate.

The City currently regulates extractive industry through the Scheme, guided by a local planning policy. The local planning policy is due for review, and there are three key issues already identified as requiring consideration as part of that review –

- Requiring periodic (annual) performance reporting, in particular in terms of volumes extracted and progress with rehabilitation as conditions of approval – note that this has already been adopted as a practice;
- Considering alternatives to arbitrary separation distances (or setbacks) from extractive industry to sensitive land uses – this may include facilitating or requiring 'amenity agreements' or similar, which are commonplace in relation to mining activity; and
- Considering the introduction of volumetric charges for road maintenance/use, the validity of which has recently been upheld by the Supreme Court.

The first dot point above is, in part, intended to address issues that can arise where the landowner and pit operator are not the same entity, and/or the landowner, who is ultimately responsible for the pit, is not adequately resourced or skilled to ensure that conditions of approval are met on an ongoing basis. It is envisaged that the annual performance reporting would pick up such issues, before they become too significant.

Many local governments, however, have extractive industry local laws, which require and provide for the registration of pit operators, allowing the operators to become directly responsible for pit management and rehabilitation. Whilst a landowner can also be the operator, extractive industry local laws generally act to effectively discourage that from occurring, other than in situations where the landowner is genuinely the pit operator, and sufficiently resourced and skilled to meet all of the obligations that entails. In the absence of a local law and registration requirements, it is generally the landowner that will be legally responsible for ensuring the pit is adequately managed, and that conditions are met.

Non-agricultural development in rural areas

The City currently has a policy on 'Rural Tourist Accommodation' (i.e. Local Planning Policy 5B). The policy has not been substantively reviewed in over a decade. In the intervening period, and generally over the last few decades, there has been a substantial increase in both the scale and the breadth of not just tourist accommodation development in rural areas, but in a range of other non-agricultural land-uses as well. That includes the recent emergence of 'glamping' proposals, as well as the expansion of winery cellar door facilities to provide for a broader range of, essentially retail, activity, together with development of, often very significant, restaurant and function facilities. Breweries and distilleries and related restaurant/bar facilities have also been developed, together with other food production and/or retailing facilities, often, but not always, related to agricultural activity in the locality or region.

It is considered reasonably likely that these trends will continue, and that there may also be pressure and opportunities in future for educational and/or health related facilities to develop in our rural areas, taking advantage of the amenity and experience provided by the rural landscape, as well as the relatively low land values, in comparison with equivalent sites in urban areas. These kinds of development are all seen as being important contributors to the local economy and to local employment.

In terms of their physical 'footprint', these land-uses often do not occupy much land, in the context of our rural areas, and many agricultural activities can and do continue alongside these other kinds of uses – and in many cases, there are synergies between agricultural and non-agricultural uses (e.g. viticulture, wineries and restaurants). There is nevertheless the potential for this kind of development to compromise both current and future agricultural activity, both because of potential land-use conflict (e.g. by putting sensitive uses within recommended buffer areas for agricultural activities), but also by increasing the value of rural land (making agricultural activity less economically viable) and/or by reducing the availability of water for agricultural use. In addition, there is the potential for non-agricultural uses of rural land to change the character of rural areas, undermining the amenity and experience provided by the rural landscape in the process.

The City and Shire of Augusta-Margaret River, through CapeROC, undertook a project several years ago to review and attempt to rationalize, land-use and development controls in the rural areas of each District – and the recommendations of that project have now been reflected in the respective town planning schemes. The issue of non-agricultural development is also being considered as part of the development of the LNSRS, although it is likely that detailed guidance will not be provided at that level of the planning framework. Given that and the broader issues, however, some consideration should be given to the potential for development of more detailed policy guidance at the sub-regional level.

Council

46

26 April 2017

One consequence of this work may be the identification of changes that should be made to the Scheme, but it is considered that the main output would be a local planning policy.

Heritage

A review of the Heritage List and Municipal Heritage Inventory has been undertaken over the last few years, and is largely, but not entirely complete. When resources allow, it is envisaged that work will recommence, and that a further review of the broader policy framework in relation to heritage protection will also occur.

Planning/development compliance

There has been an increased focus on planning and development compliance in recent years, partly as a result of a perceived increase in community interest and expectation. Partly as a result of that, there is seen to be a need to develop a policy on planning/development compliance matters, setting out the approach that the City will take with respect to those matters.

Scheme review

In late 2018, it is anticipated that the City would commence the Scheme review process. That would involve the scoping of the relevant issues in consultation with the Department of Planning, and in liaison with the Council. It would be expected that a Scheme review report would then be presented for the Council's formal consideration during 2019.

One of the aims of the proposed work described in this report is so that, when the Scheme review is undertaken, the Scheme is essentially already up to date, or there is a clear path to having an up to date scheme already being pursued, so that the preparation of a new scheme is not required. Preparation of a new scheme would require a moratorium on town planning scheme amendments for a period – essentially because any amendment not complete prior to the new scheme coming into effect would effectively 'fall away' at that point, and the amendment process would have to be recommenced, from the start, as an amendment to the then new scheme.

A moratorium would result in a temporary acceleration in the number of amendments being progressed (in the lead-up to the moratorium, as people seek to have amendments progress prior to the moratorium taking effect), which could have significant workload implications for the City's Strategic Planning team. More importantly, a moratorium would preclude any new, landowner/developer initiated amendments being initiated during the moratorium period, potentially delaying planning and investment decisions unnecessarily.

CONCLUSION

The direction set out in this report is the result of a broad review of the City's overall development control framework, and identifies a direction that identifies appropriate priorities, and should result in an up to date, relevant and functional planning framework into the future.

OPTIONS

The Council could decide to identify different priorities for the review and development of the planning framework.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

It is anticipated that the work identified in this report will take 3-4 years to complete. A number of more detailed and specific reports will need to be presented to the Council to that end over that period.

Council Decision/Committee Recommendation and Officer Recommendation

C1704/088

Moved Councillor J McCallum, seconded Councillor G Bleechmore

That the Council endorse the direction and priorities for the development and review of the City's development control framework as described in the agenda report, summarized as follows –

1. Omnibus Amendment 2 (Amendment 25) – Deemed Provisions Alignment;
2. Omnibus Amendment 3 (Amendment 28) – Development Zones Consolidation;
3. Omnibus Amendment 4 (Amendment 29) – Model Provisions Alignment;
4. Omnibus Amendment 5 (Amendment 30) – Implementation of Adopted Planning Strategy and State Planning Policy Recommendations;
5. Omnibus Amendment 6 (Amendment 31) – Miscellaneous Development Control Changes;
6. Omnibus Amendment 7 (Amendment 32) – Mapping and Schedules Consolidation / Review/rationalization of redundant/outdated structure plans or similar;
7. Omnibus Amendment 8 (Amendment 33) – Residential Density and Special Character Area Controls Review / review of Special Character Area Policies;
8. Dunsborough Structure Plan;
9. Activity Centre Plans;
10. Signage/advertising regulation;
11. Fencing regulation;
12. Extractive industry regulation;
13. Non-agricultural development in rural areas;
14. Heritage;
15. Planning/development compliance; and
16. Scheme review.

CARRIED 9/0

EN BLOC

Review of Terms Referred to in Scheme

Use class permissibilities

P – Permitted

D – Discretionary (subject to Planning Consent)

A – Discretionary, subject to formal advertising

X – Not permitted

TERM	RECOMMENDED ACTION	REASONS
<i>The Act</i>	Delete definition	Definition is provided for in the Deemed Provisions
<i>Advertisement</i>	Delete definition	Definition is provided for in the Deemed Provisions
<i>Amusement Machine</i>	Delete definition	Unnecessary definition
<i>Amusement Parlour</i>	Modify definition to be consistent with the Regulations	For consistency with the Model Provisions
<i>Applicant</i>	Delete definition	Definition is provided for in the Deemed Provisions
<i>Boarding House</i>	Delete use and definition	Unnecessary definition
<i>Boatel</i>	Delete use and definition	Unnecessary definition
<i>Building</i>	Delete definition	Definition is provided for in the R-Codes, which form part of the Scheme and clarified at clause 1.7 (Definitions)
<i>Bulk Store</i>	Delete use and definition	This use is covered by 'Warehouse/Storage' (replacing 'Warehouse') and 'Showroom'
<i>Bulky Goods</i>	Delete definition	Unnecessary definition
<i>Bus Station</i>	Delete use and definition	Unnecessary definition, 'Bus Depot' is to be retained.
<i>Caravan Park & Camping Grounds</i> (Caravan Park)	Retitle use to 'Caravan Park' and update definition to be consistent with the Regulations	For consistency with the Model Provisions
<i>Caretaker's Residence</i> (Caretaker's Dwelling)	Retitle use to 'Caretaker's Dwelling' and create as Use Class within the Zoning Table, being a 'D' use within the 'Tourism' zone. Additional references throughout the Scheme such as 'Caretaker/Staff Accommodation', 'Manager's/Caretakers House', 'Manager's Residence', 'Manager's Dwelling' and 'Manager's House' also to be updated for consistency.	For consistency with the Model Provisions and throughout the Scheme
<i>Car Park</i>	Create new use class and definition consistent with the Model Provisions, primarily for the commercial and industry zones	
<i>Chandlery</i>	Delete use and definition	Unnecessary definition, covered under 'Marina'
<i>Child Care Centre</i> (Child Care Premises)	Retitle use to 'Child Care Premises' and update definition to be consistent with the Regulations	For consistency with the Model Provisions
<i>Cinema/Theatre</i>	Create new use class and definition consistent with the Model Provisions, primarily for the commercial zones	

TERM	RECOMMENDED ACTION	REASONS
Club (Club Premises)	Retitle use to 'Club Premises' and update definition to be consistent with the Regulations	For consistency with the Model Provisions
Communal or Cluster Farming	Delete definition	Unnecessary definition
Community Centre (Community Purpose)	Retitle use to 'Community Purpose' and update definition to be consistent with the Regulations	For consistency with the Model Provisions
Conservation Tourism	Delete use and definition	Outdated definition, covered by other tourist uses that are permitted in various zones
Convenience Store	Modify definition to be consistent with the Regulations	For consistency with the Model Provisions
Discount Department Store	No change recommended to this definition within Amendment No. 29.	This definition is proposed to be modified within Scheme Amendment No. 21, which is anticipated to be brought before the Council for consideration for final approval early in 2018.
Display Home	Delete use and definition	Use will fall under the modified use 'Display Home Centre'
Display Home Centre	Modify definition to: "Display Home Centre means more than one or more dwellings on the same lot or adjoining, or adjacent lots that are intended to be open for public inspections as examples of dwelling design." Change permissibility in Rural Residential zone from 'X' to 'D'	To consolidate the uses 'Display Home' and 'Display Home Centre'
Dry Industry	Delete definition	Unnecessary definition, does not appear within the Scheme
Dwelling	Delete definition	Definition is provided for in the R-Codes, which form part of the Scheme and clarified at clause 1.7 (Definitions)
Educational Establishment	Modify definition to be consistent with the Regulations	For consistency with the Model Provisions
Extractive Industry (Industry – Extractive)	Retitle use to 'Industry – Extractive' and update definition to be consistent with the Regulations	For consistency with the Model Provisions
Funeral Parlour	Create new use class and definition consistent with the Model Provisions, primarily for the commercial and industry zones	
Generating Works	Delete definition	Unnecessary definition, term does not appear within the Scheme
Grouped Dwelling	Delete definition, retaining Use within the Zoning Table	Definition is provided for in the R-Codes, which form part of the Scheme and clarified at clause 1.7 (Definitions)
Home Occupation	Modify definition to be consistent with the Regulations	For consistency with the Model Provisions
Hospital	Modify definition to be consistent with the Regulations	For consistency with the Model Provisions

TERM	RECOMMENDED ACTION	REASONS
Incidental development	Modify definition to: “Incidental development”, for development on land to which the R-Codes applies, shall have the meaning as provided for in the R-Codes, for all other development shall mean outbuildings (including sheds, garages, and freestanding structures enclosed more than 50%), verandahs, carports, patios, gazebos and similar structures, swimming pools, water tanks; and other structures incidental to a dwelling.	Definition updated to reference the R-Codes
Industry	Modify definition to be consistent with the Regulations. Change permissibility in Light Industry and General Industry zones from ‘P’ to ‘D’	For consistency with the Model Provisions. Change permissibilities in response to a number of recent decisions of the State Administrative Tribunal in relation to ‘P’ uses.
Jetty and Mooring Envelope (Mooring Envelope)	Retitle term to ‘Mooring Envelope’	Term referenced within Scheme as “mooring envelope” at clause 9.2
Light Industry (Industry – Light)	Retitle term to ‘Industry – Light’ and retain current definition	Retitle term for consistency with the Model Provisions. However, the definition is not proposed to be changed as the definition in the Model Provisions could become problematic in determining uses as ‘Industry – Light’ or ‘Industry’
Liquid Fuel Depot (Fuel Depot)	Retitle use to ‘Fuel Depot’ and update definition to be consistent with the Regulations	For consistency with the Model Provisions
Lunch Bar	Update definition to include “that does not normally trade outside of normal business hours”	The Model Provisions combine the uses ‘Lunch Bar’ and ‘Fast Food Outlet’. However, it is recommended to retain these as separate uses, to allow for the provision of lunch bars within the Light Industry zone.
Major Road Frontage (Frontage)	Retitle use to ‘Frontage’ and update definition to be consistent with the Regulations	For consistency with the Model Provisions
Manager’s Residence (Caretaker’s Dwelling)	Delete term in favour of new use class ‘Caretaker’s Dwelling’. Associated references throughout the Scheme such as ‘Caretaker/Staff Accommodation’, ‘Manager’s/Caretakers House’, ‘Manager’s Residence’, ‘Manager’s Dwelling’ and ‘Manager’s House’ also to be updated for consistency.	For consistency with the Model Provisions and throughout the Scheme
Marina	Modify definition to be consistent with the Regulations. Change permissibility within the Industrial zone (to become Light Industry and General Industry) from ‘X’ to ‘D’ use.	For consistency with the Model Provisions. Change permissibility as the definition also covers Chandlery, boat servicing/repair, storage & associated sale of boating gear.
Marine Facilities	Delete use and definition	Unnecessary definition, covered by ‘Marina’
Marine Filling Station	Modify definition to be consistent with the Regulations	For consistency with the Model Provisions

TERM	RECOMMENDED ACTION	REASONS
Medical Centre	No change recommended to this definition within Amendment No. 29.	This definition is proposed to be modified within Scheme Amendment No. 21, which is anticipated to be brought before the Council for consideration for final approval early in 2018.
Mineral Resource Development (Mining Operations)	Retitle use to 'Mining Operations' and update definition to be consistent with the Regulations	For consistency with the Model Provisions
Motel	Modify definition to be consistent with the Regulations	For consistency with the Model Provisions
Motor Vehicle and Marine Sales Premises (Motor Vehicle, Boat or Caravan Sales)	Retitle use to 'Motor Vehicle, Boat or Caravan Sales' and update definition to be consistent with the Regulations.	For consistency with the Model Provisions
Motor Vehicle Repair	Modify definition to be consistent with the Regulations	For consistency with the Model Provisions
Motor Vehicle Wash	Create new use class and definition consistent with the Model Provisions, primarily for the commercial and industry zones	
Multiple Dwelling	Delete definition, retaining Use within the Zoning Table	Definition is provided for in the R-Codes, which form part of the Scheme and clarified at clause 1.7 (Definitions)
Natural Ground Level	Delete definition	Definition is provided for in the R-Codes, which form part of the Scheme and clarified at clause 1.7 (Definitions)
Nightclub	Create new use class and definition consistent with the Model Provisions, to be created as an 'A' use in the City/Town Centre and Tourism zones only	
Offensive or Hazardous Industry	Delete use and definition	Outdated definition based on environmental and health legislation. State Planning Policy 2.5 (cl 6.3.1) recommends terms should be removed from schemes when they are reviewed and be replaced by definitions that more accurately describe the land use. By updating a number of existing definitions and including a number of new definitions, this use becomes obsolete.
Office	Modify definition to be consistent with the Regulations	For consistency with the Model Provisions
Owner	Delete definition	Definition is provided for in the Deemed Provisions
Place	Delete definition	Definition is provided for in the Deemed Provisions
Place of Assembly	Delete use and definition	Unnecessary definition as use is covered by 'Reception Centre', 'Exhibition Centre' and 'Cinema/Theatre'
Plant Nursery (Garden Centre)	Retitle use to 'Garden Centre' and update definition to be consistent with the Regulations.	For consistency with the Model Provisions

TERM	RECOMMENDED ACTION	REASONS
Private Recreation	Retitle use to 'Recreation – Private' and update definition to be consistent with the Regulations. Change permissibility in Conservation zone from 'D' to 'A'	For consistency with the Model Provisions. Note that this new definition combines 'Private Recreation' and 'Recreation Facility' and as such the permissibility in the Conservation zone is recommended to be modified.
Professional Consulting Rooms (Consulting Rooms)	Retitle use to 'Consulting Rooms' and update definition to be consistent with the Regulations.	For consistency with the Model Provisions. Although the definition for Consulting Rooms does not reference a dwelling, this does not preclude Consulting Rooms from being developed in conjunction with a dwelling. Also, this modification would constitute a drop in the number of practitioners from 3 to 2, with use by 3 or more practitioners becoming a Medical Centre. This change to the definition would make 'Consulting Rooms' a more appropriate scale of development for Residential zoned areas.
Public Utility	Delete use and definition	This 'use' falls under the <i>Public Works Act 1902</i> and does not require planning approval
Recreation Facility	Delete use and definition	Combined with 'Private Recreation' to become 'Recreation – Private', for consistency with the Model Provisions
Residential Building	Delete definition, retaining Use within the Zoning Table	Definition is provided for in the R-Codes, which form part of the Scheme and clarified at clause 1.7 (Definitions)
Restaurant (Restaurant/Café)	Retitle use to 'Restaurant/Café' and update definition to be consistent with the Regulations	For consistency with the Model Provisions
Restricted Premises	Modify definition to be consistent with the Regulations	For consistency with the Model Provisions
Resource Recovery Centre	Create new use class and definition consistent with the Model Provisions, to be created as an 'A' use in the General Industry zone only	
Retirement Village	Delete definition	Unnecessary definition, term does not appear within the Scheme
Rural Worker's Dwelling	Delete use and definition	Unnecessary definition as use is covered by 'Residential Building'
Salvage Yard	Delete use and definition	Unnecessary definition, covered by 'Industry', 'Warehouse/Storage' and 'Showroom'
Sawmill	Delete use and definition	Unnecessary definition, covered by 'Industry'
Service Industry	Delete use and definition	Unnecessary definition, covered by 'Industry', 'Showroom' or ancillary to Industry (if retail component is small in scale only)
Shop	Modify definition to be consistent with the Regulations, except for where it references "liquor store – large" and "liquor store – small"	For consistency with the Model Provisions. Reference to "liquor store – large" and "liquor store – small" is not intended to be included as these are not separate uses. A liquor store will continue to fall under the land use of 'shop'.
Single House	Delete definition, retaining Use within the Zoning Table	Definition is provided for in the R-Codes, which form part of the Scheme and clarified at clause 1.7 (Definitions)

TERM	RECOMMENDED ACTION	REASONS
Small Bar	Create new use class and definition consistent with the Model Provisions, with permissibilities consistent with the 'Tavern' use class, with the exception of the 'City/Town Centre' and 'Tourism' zones where it is proposed to be 'D'.	A 'Small Bar' is essentially a similar use to 'Tavern', but on a smaller scale. For this reason, permissibility was increased to 'D' in the 'City/Town Centre' and 'Tourism' zones.
Stabilise Surface Level of a Lot	Delete definition	Unnecessary definition, term does not appear within the Scheme
Stock & Sale Yard	Delete use and definition	Unnecessary definition
Supermarket	No change recommended to this definition within Amendment No. 29.	This definition is proposed to be modified within Scheme Amendment No. 21, which is anticipated to be brought before the Council for consideration for final approval early in 2018.
Tavern	Modify definition to be consistent with the Regulations	For consistency with the Model Provisions
Telecommunications Infrastructure	Create new use class and definition consistent with the Model Provisions, with varied permissibilities across the zones	
Timber Yard	Delete use and definition	Unnecessary definition, covered by 'Industry'
Transport Depot	Modify definition to be consistent with the Regulations	For consistency with the Model Provisions
Warehouse	Retitle use to 'Warehouse/Storage' and update definition to be consistent with the Regulations	For consistency with the Model Provisions
Waste Disposal Facility	Create new use class and definition consistent with the Model Provisions, to be created as an 'A' use in the General Industry zone only	
Waste Storage Facility	Create new use class and definition consistent with the Model Provisions, to be created as an 'A' use in the General Industry zone only	
Waterway Frontage	Delete definition	Unnecessary definition, term does not appear within the Scheme

Zone / Use Class	Residential	City/Town Centre	Local /Neighbourhood Centre Business	Service Commercial Rest.-Business	Tourism Tourist	Light Industry Industrial	General Industry	Rural Agriculture	Viticulture and Tourism	Rural Residential	Rural Landscape	Conservation	Bushland Protection	Special Use Special Purpose	Vasse Development	Deferred Vasse Development
Abattoir	X	X	X	X	X	A	D	A	X	X	X	X	X			
Aged Persons Home	D	X	X	X	X	X	X	A	X	X	X	X	X			
Agriculture – Extensive	X	X	X	X	X	X	X	P	P	A	D	D	D			
Agriculture – Intensive	X	X	X	X	X	X	X	P	P	X	X	X	X			
Amusement Parlour	X	P	P	D	D	D	D	X	X	X	X	X	X			
Ancillary Accommodation	P	D	D	X	X	X	X	P	P	P	D	D	D			
Animal Establishment	X	X	X	X	X	X	X	D	D	A	A	X	X			
Animal Husbandry – Intensive	X	X	X	X	X	X	X	D	D	X	X	X	X			
Aquaculture	X	X	X	X	X	D	D	D	D	A	A	A	X			
Bed and Breakfast	D	D	D	X	P	X	X	D	D	D	D	D	D			
Boarding House	A	A	A	X	P	X		X	X	X	X	X	X			
Boatel	X	D	D	X	D	X		X	X	X	X	X	X			
Brewery	X	A	A	A	A	D	D	A	A	X	X	X	X			
Bulk Store	X	X	X	D	X	P		X	X	X	X	X	X			
Bus Depot	X	X	X	D	X	D	D	D	X	X	X	X	X			
Bus Station	X	P	P	P	D	P		D	X	X	X	X	X			
Car Park	X	D	D	D	X	D	D	X	X	X	X	X	X			
Caravan Park & Camping Grounds	A	X	X	X	D	X	X	A	A	X	X	X	X			
Cinema/Theatre	X	D	D	D	X	X	X	X	X	X	X	X	X			
Chalet	X	X	X	X	D	X	X	D	D	X	A	A	X			
Chandlery	X	D	D	D	D	P		X	X	X	X	X	X			
Child Care Centre Child Care Premises	A	D	D	D	A	X	X	D	A	A	X	X	X			
Club Club Premises	X	D	D	D	D	X	X	A	A	X	X	X	X			

In accordance with clause 4.6.1

In accordance Schedule 11, clause 1.7.3

In accordance with Clause 4.2.14 (b) and clause 4.6.3

Zone / Use Class	Residential	City/Town Centre	Local /Neighbourhood Centre Business	Service Commercial Rest.-Business	Tourism Tourism	Light Industry Industrial	General Industry	Rural Agriculture	Viticulture and Tourism	Rural Residential	Rural Landscape	Conservation	Bushland Protection	Special Use Special Purpose	Vasse Development	Deferred Vasse Development
Community-Centre Community Purpose	A	P	P	D	D	D	D	D	A	A	X	X	X			
Conservation-Tourism	X	X	X	X	X	X		X	X	X	A	A	X			
Consulting Rooms (replaces 'Professional Consulting Rooms')	A	P	P	P	X	X	X	X	X	X	X	X	X			
Convenience Store	X	P	P	D	D	D	D	X	X	X	X	X	X			
Corner Shop	A	P	P	P	X	D	D	A	A	A	X	X	X			
Display Home	D	X	X	X	X	X		X	X	D	X	X	X			
Display Home Centre	D	X	X	X	X	X	X	X	X	X	X	X	X			
Educational Establishment	A	P	P	D	X	D	D	D	D	D	X	X	X			
Exhibition Centre	X	A	A	A	A	X	X	A	A	X	X	X	X			
Extractive-Industry-(replaced by 'Industry – Extractive')	X	X	X	X	X	A		A	X	X	X	X	X			
Factory Unit Building	X	X	X	D	X	P	P	X	X	X	X	X	X			
Fuel Depot (replaces 'Liquid Fuel Depot')	X	X	X	X	X	P	P	X	X	X	X	X	X			
Funeral Parlour	X	D	D	D	X	D	X	X	X	X	X	X	X			
Garden Centre (replaces 'Plant Nursery')	X	A	A	A	X	D	X	D	D	A	X	X	X			
Grouped Dwelling	D	D	D	X	X	X	X	X	X	X	X	X	X			
Guesthouse	X	D	D	X	D	X	X	A	A	A	A	A	A			
Holiday Home (Multiple/Grouped Dwelling)	A	A	A	X	X	X	X	X	X	X	X	X	X			
Holiday Home (Single House)	D*	D*	D*	X	X	X	X	D*	D*	D*	D*	D*	D*			
Home Business	D	P	P	X	X	X	X	P	P	P	A	A	A			
Home Occupation	P	P	P	X	P	X	X	P	P	P	P	P	P			
Hospital	A	D	D	D	X	X	X	A	A	X	A	X	X			
Hotel	X	A	A	A	A	X	X	A	A	X	X	X	X			

In accordance with clause 4.6.1

In accordance Schedule 11, clause 1.7.3

In accordance with Clause 4.2.14 (b) and clause 4.6.3

Zone / Use Class	Residential	City/Town Centre	Local /Neighbourhood Centre Business	Service Commercial Rest.-Business	Tourism Tourist	Light Industry Industrial	General Industry	Rural Agriculture	Viticulture and Tourism	Rural Residential	Rural Landscape	Conservation	Bushland Protection	Special Use Special Purpose	Vasse Development	Deferred Vasse Development
Industry	X	X	X	X	X	P D	P D	X	X	X	X	X	X			
Industry – Cottage	X	X	X	X	D	X	X	P	P	A	D	A	A			
Industry – Extractive (replaces 'Extractive Industry')	X	X	X	X	X	A	A	A	X	X	X	X	X			
Industry – Light (replaces 'Light Industry')	X	X	X	D	X	P	P	X	X	X	X	X	X			
Industry – Primary Production	X	X	X	X	X	D	D	D	D	X	X	X	X			
Light Industry (replaced by 'Industry – Light')	X	X	X	D	X	P		X	X	X	X	X	X			
Liquid Fuel Depot (replaced by 'Fuel Depot')	X	X	X	X	X	P		X	X	X	X	X	X			
Lunch Bar	X	X	X	D	X	D	D	X	X	X	X	X	X			
Marina	X	D	D	D	D	X D	X D	X	X	X	X	X	X			
Marine Facilities	X	D	D	D	D	D		X	X	X	X	X	X			
Marine Filling Station	X	D	D	D	D	D	D	X	X	X	X	X	X			
Market	X	D	D	D	A	D	D	D	D	A	X	X	X			
Medical Centre	A	P	P	D	X	D	D	X	X	X	X	X	X			
Mineral Resource Development Mining Operations	X	X	X	X	X	A	A	A	X	X	X	X	X			
Motel	X	A	A	A	D	X	X	X	X	X	X	X	X			
Motor Vehicle & Marine Sales Premises- Motor Vehicle, Boat or Caravan Sales	X	D	D	P	X	P	P	X	X	X	X	X	X			
Motor Vehicle Repair	X	X	X	D	X	P	P	X	X	X	X	X	X			
Motor Vehicle Wash	X	D	D	D	X	D	D	X	X	X	X	X	X			
Multiple Dwelling	D	D	D	X	X	X	X	X	X	X	X	X	X			
Nightclub	X	A	X	X	A	X	X	X	X	X	X	X	X			
Offensive or Hazardous Industry	X	X	X	X	X	A		X	X	X	X	X	X			
Office	X	P	P	X	X	X	X	X	X	X	X	X	X			

Zone / Use Class	Residential	City/Town Centre	Local /Neighbourhood Centre Business	Service Commercial Rest.-Business	Tourism Tourist	Light Industry Industrial	General Industry	Rural Agriculture	Viticulture and Tourism	Rural Residential	Rural Landscape	Conservation	Bushland Protection	Special Use Special Purpose	Vasse Development	Deferred Vasse Development
Park Home Park	A	X	X	X	D	X	X	X	X	X	X	X	X			
Place of Assembly	X	D	D	D	D	D		D	D	X	X	X	X			
Place of Worship	A	D	D	D	X	D	X	A	A	A	X	X	X			
Plant-Nursery (replaced by 'Garden Centre')	X	A	A	A	X	D		D	D	A	X	X	X			
Private-Recreation (replaced by 'Recreation - Private')	X	D	D	D	D	D		D	A	A	A	D	X			
Produce Sales	X	X	X	X	X	X	X	D	D	A	A	A	X			
Professional-Consulting-Rooms (replaced by 'Consulting Rooms')	A	P	P	P	X	X		X	X	X	X	X	X			
Public Utility	D	D	D	D	D	P		P	P	D	D	D	X			
Reception Centre	X	D	D	D	D	X	X	A	A	X	X	X	X			
Recreation Establishment	X	X	X	X	D	X	X	D	D	X	A	A	X			
Recreation-Facility	X	D	D	D	D	D		X	X	X	X	X	X			
Recreation - Private (replaces 'Private Recreation')	X	D	D	D	D	D	X	D	A	A	A	D A	X			
Repurposed Dwelling	D	D	D	X	X	X	X	D	D	D	D	D	D			
Research Establishment	X	D	D	D	X	D	D	D	X	X	X	X	X			
Residential Building	A	X	X	X	D	X	X	A	A	X	X	X	X			
Resource Recovery Centre	X	X	X	X	X	X	A	X	X	X	X	X	X			
Restaurant Restaurant/Cafe	X	P	P	D	D	X	X	D	D	A	X	X	X			
Restricted Premises	X	D	D	D	X	X	X	X	X	X	X	X	X			
Rural Holiday Resort	X	X	X	X	D	X	X	X	A	X	X	X	X			
Rural Pursuit/Hobby Farm	X	X	X	X	X	X	X	P	P	A	A	X	X			
Rural Workers Dwelling	X	X	X	X	X	X		D	D	X	X	X	X			
Salvage-Yard	X	X	X	X	X	D		X	X	X	X	X	X			

In accordance with clause 4.6.1

In accordance Schedule 11, clause 1.7.3

In accordance with Clause 4.2.14 (b) and clause 4.6.3

Zone / Use Class	Residential	City/Town Centre	Local /Neighbourhood Centre Business	Service Commercial Rest.-Business	Tourism Tourist	Light Industry Industrial	General Industry	Rural Agriculture	Viticulture and Tourism	Rural Residential	Rural Landscape	Conservation	Bushland Protection	Special Use Special Purpose	Vasse Development	Deferred Vasse Development
Sawmill	X	X	X	X	X	D		A	X	X	X	X	X			
Second-hand Dwelling	D	D	D	X	X	X	X	D	D	D	D	D	D			
Service-Industry	X	X	X	D	X	P		X	X	X	X	X	X			
Service Station	X	D	D	D	X	D	D	A	X	X	X	X	X			
Shop	X	P	P	X	X	X	X	X	X	X	X	X	X			
Showroom	X	P	P	P	X	D	X	X	X	X	X	X	X			
Single House	P	D	D	X	X	X	X	P	P	P	P	P	P			
Small Bar	X	D	A	A	D	A	X	A	A	X	X	X	X			
Stock & Sale Yard	X	X	X	X	X	A		D	X	X	X	X	X			
Takeaway Food Outlet	X	A	A	A	A	X	X	X	X	X	X	X	X			
Telecommunications Infrastructure	A	A	A	D	A	D	D	A	A	A	A	X	X			
Tavern	X	A	A	A	A	A	X	A	A	X	X	X	X			
Timber Yard	X	X	X	D	X	D		D	X	X	X	X	X			
Tourist Accommodation	X	D	D	X	D	X	X	X	A	X	X	X	X			
Transport Depot	X	D	D	D	X	D	D	X	X	X	X	X	X			
Tree Farm	X	X	X	X	X	X	X	D	D	X	X	X	X			
Veterinary Centre	X	D	D	P	X	D	X	A	A	X	X	X	X			
Warehouse Warehouse/Storage	X	D	D	P	X	P	P	X	X	X	X	X	X			
Waste Disposal Facility	X	X	X	X	X	X	A	X	X	X	X	X	X			
Waste Storage Facility	X	X	X	X	X	X	A	X	X	X	X	X	X			
Wind Farm	X	X	X	X	X	X	X	A	A	X	X	X	X			
Winery	X	D	D	D	A	P	X	D	D	X	A	X	X			

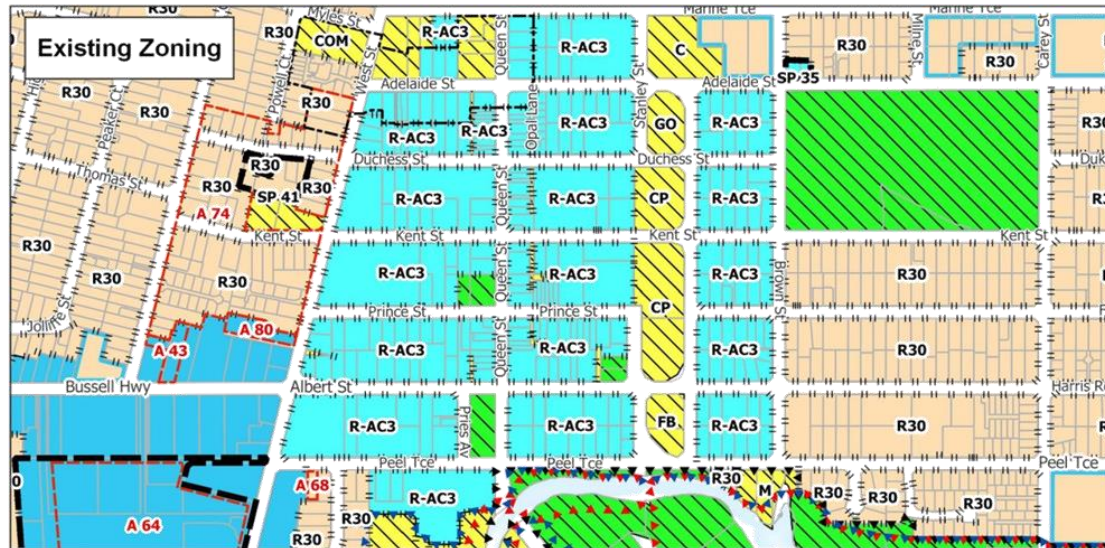
In accordance with clause 4.6.1

In accordance Schedule 11, clause 1.7.3

In accordance with Clause 4.2.14 (b) and clause 4.6.3

SCHEME AMENDMENT MAP

City of Busselton
Local Planning Scheme No.21 Amendment 29
Sheet 23 - Busselton City Centre, Busselton



Zone	Area	Reserve
Agriculture	Floodway	Public Purposes
Business	Landscape Value	Recreation
Residential	Special Character	R Code
Restricted Business	Wetland	Special Provision
Special Purpose	Additional Use	Drive Through Facility Exclusion
Tourist		
City/Town Centre		

Disclaimer

The City of Busselton does not guarantee that this map is without errors and accepts no responsibility for consequences of actions that rely on this map.

Map Produced on 22/11/2017
GIS Section, City of Busselton

ID 01

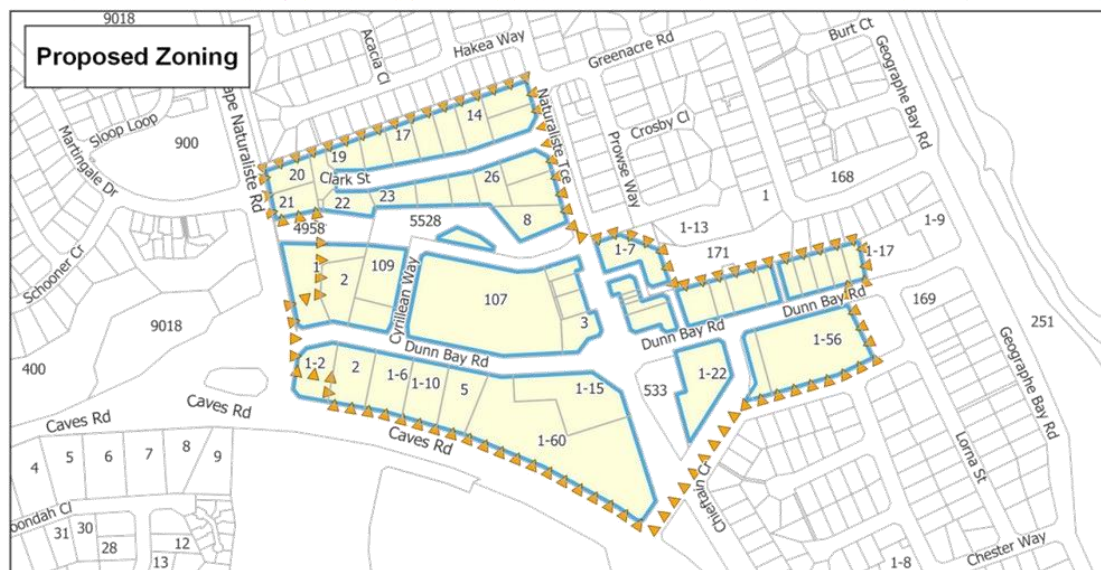


0 100 200 300 400 m



SCHEME AMENDMENT MAP

City of Busselton
Local Planning Scheme No.21 Amendment 29
Sheet 9 - Dunsborough City Centre, Dunsborough



Zone	Area	Reserve
Agriculture	Coastal Management	Public Purposes
Business	Landscape Value	Recreation
Residential	Special Provision	Other
Rural Residential	Additional Use	Scheme Boundary
Special Purpose	Drive Through Facility Exclusion	R Code
Tourist		LGA Boundary
City/Town Centre		MHWMM

Disclaimer

The City of Busselton does not guarantee that this map is without errors and accepts no responsibility for consequences of actions that rely on this map.

Map Produced on 21/11/2017
GIS Section, City of Busselton

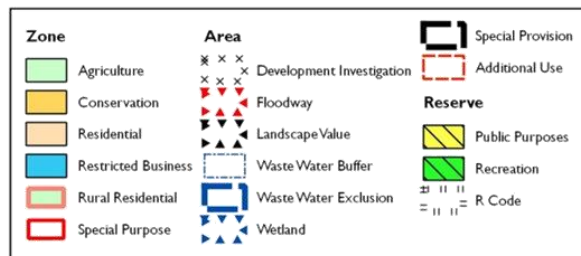
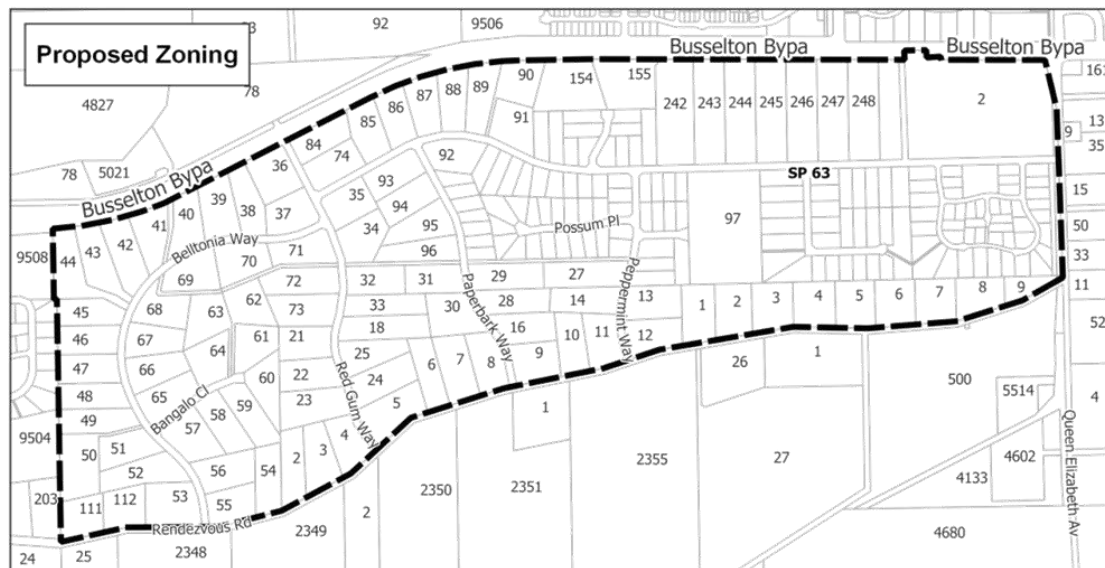
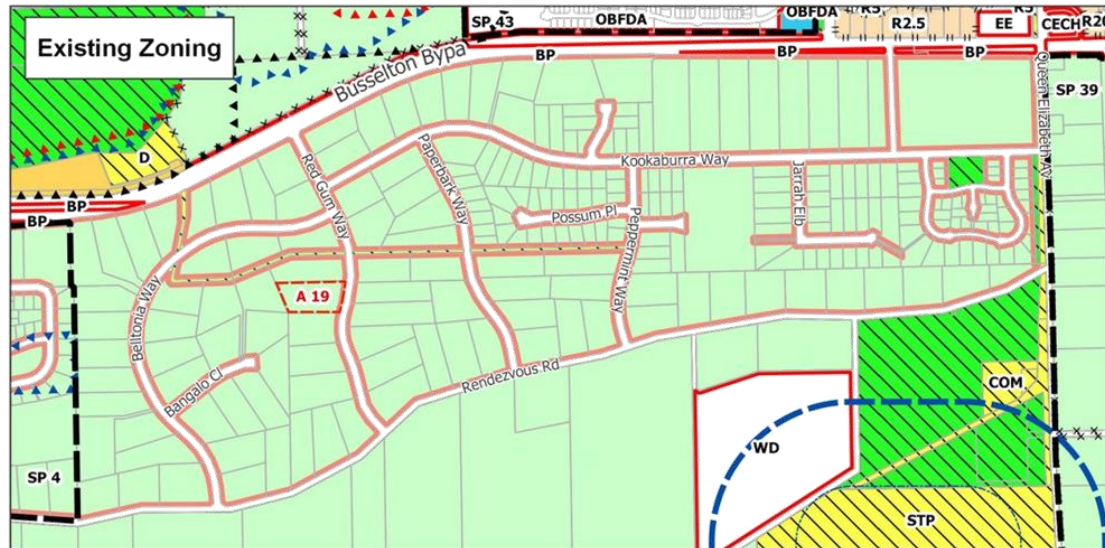
ID 02



0 80 160 240 320 m

SCHEME AMENDMENT MAP

City of Busselton
Local Planning Scheme No.21 Amendment 29
Sheet 21 & 22 - Dunbarton, Vasse



Disclaimer

The City of Busselton does not guarantee that this map is without errors and accepts no responsibility for consequences of actions that rely on this map.

Map Produced on 27/11/2017
GIS Section, City of Busselton

ID 08

0 200 400 600 800 m



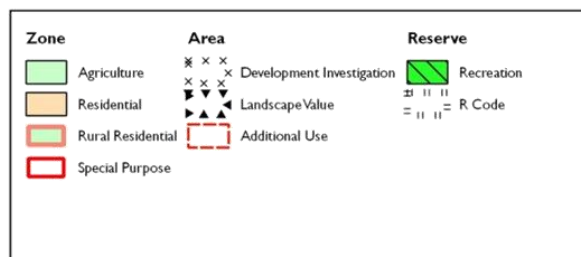
SCHEME AMENDMENT MAP

City of Busselton
Local Planning Scheme No.21 Amendment 29
Sheet 6 - Lots 301 to 304 and Lot 311 Carnarvon Castle Drive and Lots 305 to 310 Vixen Close, Eagle Bay



SCHEME AMENDMENT MAP

City of Busselton
Local Planning Scheme No.21 Amendment 29
Sheet 7 - Okapa Rise, Sloan Dr, Capstone CI & Samphire PI, Dunsborough

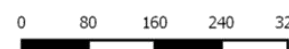


Disclaimer

The City of Busselton does not guarantee that this map is without errors and accepts no responsibility for consequences of actions that rely on this map.

Map Produced on 23/11/2017
GIS Section, City of Busselton

ID 05-07



11.2 DRAFT LEEUWIN-NATURALISTE SUB-REGIONAL PLANNING STRATEGY - CITY SUBMISSION

SUBJECT INDEX:	Leeuwin-Naturaliste Sub-Regional Planning Strategy
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Planning and Development Services
ACTIVITY UNIT:	Strategic Planning and Development
REPORTING OFFICER:	Director, Planning and Development Services - Paul Needham Manager, Strategic Planning and Development Services - Matthew Riordan Principal Strategic Planner - Louise Koroveshi Strategic Planner - William Hosken
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Draft Leeuwin-Naturaliste Sub-Regional Planning Strategy   Attachment B Alternative Dunsborough 'Planning Investigation Area'   Attachment C Potential 'Vasse West' future expansion of Vasse Light Industrial Area / Business Park   Attachment D Approximate locations of Abbey South, Vasse North, Vasse South, Vasse East and Ambergate South  

PRÉCIS

The Council is asked to consider the City's submission on the Draft Leeuwin-Naturaliste Sub-Regional Planning Strategy (LNSS). It is recommended that the City indicate general support for the direction set out in the Draft LNSS, but indicate that changes should be made in relation to the following key issues –

1. Population projections, land supply, and the identification of appropriate 'planning units' for those purposes;
2. The future growth and development of Dunsborough, including urban expansion, urban consolidation and the Dunsborough Town Centre;
3. Potential long-term need for expansion of the Vasse Light Industrial Area / Business Park to meet employment and servicing needs for Vasse, for the western parts of Busselton and for Dunsborough;
4. Planning for tourism, including planning for the Bunker Bay tourist node, key sites at Port Geographe, and length of stay restrictions for tourism land in urban areas;
5. Consideration of the efficacy and impact of current approaches to assessment of bushfire hazard through the planning system; and
6. Basic raw materials demand and supply (especially sand supply for development and coastal management).

BACKGROUND

The Draft LNSS was adopted by the Western Australian Planning Commission (WAPC) in July 2017. The Draft LNSS was then published in September 2017, with a 60 day period provided for consultation. Consultation closes on 15 December 2017. A copy of the Draft LNSS is included as **Attachment A**.

The Council is asked to consider the Draft LNSS, with the aim of the Council making a resolution regarding the terms of the City's submission. The WAPC would then consider the City's submission, along with any other submissions received, in adopting a final version of the LNSS. Local planning strategies and schemes, which guide more detailed planning at the local government level, are expected to be consistent with the LNSS.

According to the draft document, its purpose and scope is broadly as follows –

1. Be an overarching planning document that outlines the WAPC's approach to future planning and development within the sub-region (i.e. the whole of the City of Busselton and the whole of the Shire of Augusta-Margaret River);
2. Guide urban, industrial, rural and regional land use planning and associated infrastructure delivery in the sub-region for the short, medium and long term;
3. Provide a local context and more detail for actions set out in the WAPC *State Planning Strategy* and *South West Regional Planning and Infrastructure Framework*; and
4. Promote a whole-of-government approach to a wide range of social, economic and environmental considerations in the sub-region.

As well as identifying WAPC policy positions on a range of planning issues, the Draft LNSS identifies a number of 'WAPC future actions'. One of those is a review of *State Planning Policy 6.1: Leeuwin-Naturaliste Ridge* (SPP6.1). SPP6.1 provides guidance for planning and development in the western parts of the City of Busselton and Shire of Augusta-Margaret River. SPP6.1 has been in place for nearly 20 years, with a fairly minor review around 15 years ago. It is anticipated that a review of SPP6.1 will occur following final adoption of the LNSS. The aim of that review would be aligning SPP6.1 with the LNSS, and with other elements of the planning framework that have been introduced and/or reviewed since SPP6.1 was last reviewed.

The City has been closely involved with the development of the Draft LNSS, in two key ways. Firstly, the Mayor, at the invitation of the WAPC, was a member of the steering group. Secondly, officers have provided information to the WAPC that has assisted in preparing the draft document. It has been made clear throughout, however, that the views expressed by the Mayor and officers as part of the process to date do not necessarily represent the views or position of the City or the Council as a whole.

The Council has received an informal briefing on the Draft LNSS from Department of Planning, Lands and Heritage (DPLH) staff, on behalf of the WAPC. The Council has also received an informal briefing from City officers, setting out key aspects of the draft document, outlining officer views on those aspects of the draft document, and allowing for some informal feedback and discussion. The feedback received during that briefing has been considered by officers in preparing this report, but the recommendations of this report represent the professional views of City officers.

Given the significance of the LNSS to the future planning and development of the District, it is seen as appropriate that the formal position of the City at this critical stage of the process be determined through the formal consideration and resolution of the Council. It is worth noting, though, that the ultimate form of the LNSS will be determined on the basis of relevant planning and public policy arguments, rather than on the basis of the preferences of stakeholders *per se*.

Given that, it is important that the Council, if it wishes to make a submission asking that the WAPC change the LNSS before adopting it in final form, explains not only *what* change it would like to see, but just as importantly *why*. This report seeks to do that, in terms of the changes recommended by officers. Importantly, it also seeks to do that in relation to some matters where no change is recommended (because the direction set out in the Draft LNSS is supported by City officers).

If the Council, having considered the issues, decides to identify different or additional changes, it is also important that the Council identify not only what change is proposed, but also why that change is seen as appropriate.

STATUTORY ENVIRONMENT

The *Planning and Development Act 2005* establishes the WAPC to, *inter alia*, advise the Minister for Planning about –

1. Coordinating and promoting land use, transport planning and land development in a sustainable manner;
2. Local planning schemes and scheme amendments; and
3. Preparing and reviewing planning strategy and planning policy.

The *Planning and Development Act 2005* also empowers the WAPC, with the approval or direction of the Minister, to prepare State planning policies (SPPs), such as SPP6.1 referred to in the ‘Background’ section of this report above. The Act and various subsidiary legislation (including local town planning schemes) then require that SPPs are considered when planning decisions are made.

RELEVANT PLANS AND POLICIES

The Draft LNSS needs to be understood as one element of a much more substantial ‘planning framework’. Some of the key elements of that framework currently are the –

1. *State Planning Strategy*;
2. *South West Regional Planning and Infrastructure Framework*;
3. *State Planning Policy 1.0: State Planning Framework* (SPP1.0);
4. *State Planning Policy 2.5: Rural Planning* (SPP2.5);
5. *State Planning Policy 2.6: State Coastal Planning* (SPP2.6);
6. *State Planning Policy 3.0: Urban Growth and Settlement* (SPP3.0);
7. *State Planning Policy 3.1: Residential Design Codes* (SPP3.1);
8. *State Planning Policy 3.7: Planning in Bushfire Prone Areas* (SPP3.7);
9. *State Planning Policy 6.1: Leeuwin-Naturaliste Ridge* (SPP6.1);
10. *Draft State Planning Policy 7.0: Design of the Built Environment*;
11. *Liveable Neighbourhoods* (WAPC operational policy);
12. *Busselton Urban Growth Strategy* (1999) – to be superseded by CoBLPS;
13. *City of Busselton Draft Local Planning Strategy* (CoBLPS) – which is currently awaiting a final WAPC decision, which it is understood has been deferred in part because the WAPC is awaiting the finalisation of the LNSS process;
14. *City of Busselton Local Rural Planning Strategy, Local Commercial Planning Strategy, Local Environmental Planning Strategy, Local Tourism Planning Strategy and Local Cultural Planning Strategy*;
15. *City of Busselton Local Planning Scheme 21*;
16. *Dunsborough Structure Plan* (1990) – specifically referenced in SPP1.0;
17. *Commonage Consolidated Structure Plan*;
18. Adopted structure plans for key growth areas, including Yalyalup, Airport North Industrial, Ambergate North, Port Geographe, Vasse and Dunsborough Lakes;

19. *Busselton City Centre Conceptual Plan and Dunsborough Town Centre Conceptual Plan;*
and
20. *Busselton Foreshore Development Guide Plan.*

These documents are available on the WAPC and City websites respectively.

FINANCIAL IMPLICATIONS

There are no financial implications of the recommendations of this report for the current financial year.

Long-Term Financial Plan Implications

The planning direction set out in the LNSS will have potentially significant long term financial implications for the City and our residents and ratepayers. Those implications could arise both within the ten year term of the Long-Term Financial Plan, and well beyond that period. Key potential costs that may arise relate to –

1. Insufficient residential land and housing supply, affecting housing affordability and choice, and constraining growth;
2. Inadequate planning for infrastructure development and funding, with future users, ratepayers and/or taxpayers facing either lower levels of service, or additional costs to ‘retro-fit’ infrastructure;
3. Unsustainable settlement patterns or design, especially those that would be associated with relatively small, isolated settlements, or those associated with low density, heavily vehicle dependent development;
4. Inadequate planning to accommodate economic activity and employment, especially in terms of risks of future unemployment and/or underemployment; and
5. Inappropriate management of environmental risks, such as risks associated with bushfire, flooding, coastal erosion, declining or insufficient water resources, or biodiversity loss.

STRATEGIC COMMUNITY OBJECTIVES

The recommendations of this report relate to a broad range of matters identified as priorities in the *Community Strategic Plan*.

RISK ASSESSMENT

Ordinarily, an assessment of the risks of the recommendations of a report would be undertaken using the City’s risk assessment framework. That framework, however, is difficult to usefully apply in this context. The focus has therefore been on identifying the aspects of the Draft LNSS that officers consider are most in need of change, before a final strategy is adopted by the WAPC. Those aspects are considered to relate to planning for tourism and planning for the future growth and development of Dunsborough. Both of those issues are outlined and discussed in more detail in the ‘Officer Comment’ section of this report.

CONSULTATION

The WAPC is seeking feedback on the Draft LNSS from stakeholders, including the respective local governments and the community. The WAPC will consider all submissions received as part of the process of developing and adopting the LNSS in final form.

The City has not undertaken any specific consultation with the community in developing the recommendations of this report. As noted above, though, community members are able to make submissions direct to the WAPC.

The City has, however, in recent years undertaken several rounds of consultation on broad strategic planning for the District; that has occurred as part of the development of the CoBLPS, development and review of the City's *Community Strategic Plan*, as well as other strategic planning proposals. The outcomes of those consultation processes, as well as the subsequent formal decisions by the Council, have been considered by officers in the preparation of this report.

The City has also had discussions in the past with some of the landowners in the areas affected by planning proposals in the Draft LNSS and/or in areas that may be affected by further planning proposals that are recommended be included in the City's submission on the Draft LNSS. The City has not, however, had an opportunity to have further discussions with all of those landowners in preparing this report, and nor was it considered necessary to do so, as those landowners will have an opportunity to make submissions direct to the WAPC. City officers have, though, had brief, recent discussions with owners of land in three areas subject of this report – Vasse East, Bunker Bay (Farmbreak site) and undeveloped tourism sites at Port Geographe. City officers have considered views expressed by those and other landowners from time to time, but as already noted, the recommendations of this report represent the professional views of City officers.

OFFICER COMMENT

In preparing this report, officers have compared the direction set out in the Draft LNSS with the *City of Busselton Draft Local Planning Strategy* (CoBLPS), as well as with Council's formal decisions associated with development of the CoBLPS, and other strategic planning decisions made by the Council. As a result, the following issues have been identified for discussion and consideration –

1. Population projections, land supply, and the identification of appropriate 'planning units' for those purposes;
2. The future growth and development of Dunsborough, including urban expansion, urban consolidation and the Dunsborough Town Centre;
3. Potential long-term need for expansion of the Vasse Light Industrial Area / Business Park to meet employment and servicing needs for Vasse, for the western parts of Busselton and for Dunsborough;
4. Potential urban expansion areas at Abbey South, Vasse North, Vasse South, Vasse East and Ambergate South;
5. Potential new settlements / settlement expansion at Carburnup River and Metricup;
6. Rural-residential development, especially potential consolidation in the Commonage and Vasse-Dunbarton areas;
7. Planning for tourism, including planning for the Bunker Bay tourist node, key sites at Port Geographe, and length of stay restrictions for tourism land in urban areas;
8. Consideration of the efficacy and impact of current approaches to assessment of bushfire hazard through the planning system; and
9. Basic raw materials demand and supply (especially sand supply for development and coastal management).

Each of these issues is outlined and discussed below, under appropriate sub-headings.

Population projections, land supply, and the identification of appropriate 'planning units'

Fundamental to any strategic planning project of this kind is the identification of appropriate 'planning units'. Those units would then be used as a basis for projecting future population growth (or decline), and related aspects of demographic and economic change, and then to assess land supply and demand. The Draft LNSS largely treats the respective local government areas as the planning units. In part 3.1 of the draft document, for instance, which relates to 'population statistics' and includes information about land supply assessments, the figures provided are largely for each local government area as a whole. There is not considered to be a clear planning rationale for using the respective local government areas as the planning units – in fact, there is not much more rationale for doing so than treating the whole sub-region as a single planning unit.

Were that to be the approach, however, a potential land supply surplus in Augusta (i.e. land identified as being suitable for residential development) would be seen as helping to fill a potential land supply deficit in Dunsborough. The underlying assumption would be that if a person or household could not find a lot or home in Dunsborough, they could choose to live and/or invest in Augusta instead. Whilst both locations are attractive, that is not considered to be an appropriate approach, as the two settlements have different characters and attributes. It is not a sensible outcome for the planning system to require that someone who wants to live in Dunsborough should not be able to do so, on the basis that Augusta is available as an alternative.

There is not necessarily a 'right' or 'wrong' answer to the identification of appropriate planning units for the sub-region, but it is the view of City officers that, once location, character and other attributes are considered, the sub-region is best divided into between 4 and 7 planning units – (1) Busselton-Vasse; (2) Dunsborough-Naturaliste; (3) Augusta; and (4, 5, 6 and/or 7) Margaret River, Prevelly-Gnarabup, Cowaramup and Gracetown possibly being identified as distinct planning units, or being grouped together as 1-3 separate units. There are then a number of smaller existing or planned settlements (e.g. Eagle Bay, Witchcliffe) where decisions about land supply are driven by other factors and which in any case should be grouped in with other, larger settlements, for the purposes of population projections and land supply planning (Eagle Bay as part of a broader Dunsborough-Naturaliste unit, for example).

The City does not need to have a definitive view on how many planning units the Shire of Augusta-Margaret River should be divided into. City officers are, though, strongly of the view that 'Busselton-Vasse' and 'Dunsborough-Naturaliste' should be identified as distinct planning units, and that population projections and land supply planning should be done separately for each. That is because the two areas are different in terms of location, character and other attributes. Importantly it is also clear that the two areas have distinct identities and are physically separate (and maintaining that physical separateness is actually an important aspect of the Draft LNSS, SPP6.1 and the CoBLPS).

Having identified the appropriate planning units, there is then a need to identify the time horizon for purposes of projecting population growth and assessing land supply. The Draft LNSS does not contain an explicit time horizon, but on page 34 of the draft document, in part 4.5 ('Climate change and coastal planning'), there is a reference to; "this strategy's 15 to 20 year horizon". That statement is also more or less consistent with discussions that City officers have had with DPLH staff, which indicate a 20-25 year time horizon. Given that the LNSS will not be adopted in final form until next year, that means a time horizon that stretches out to approximately 2038. In this sub-region or in regional areas generally, and given the current planning and environmental regulatory framework, that is not considered to be a reasonable time horizon. It is in any case considered that there should be some flexibility and subtlety in how a planning time horizon is determined and applied.

There needs to be an understanding that strategic planning decisions made today do not translate into 'lots on the ground' tomorrow.

The lead time between strategic support for subdivision and subdivision actually occurring is considered to be a minimum of five years, often longer, given the timeframes associated with detailed background studies (e.g. flora and fauna, hydrology), environmental assessment, rezoning, structure planning, and then the actual subdivision approval and civil works processes. As examples, the lead time for development at Vasse was around ten years, and the lead time for Ambergate North has been around twenty years, and development has not yet actually commenced.

The overall time period over which an estate will be developed can also extend over two decades or more. The development of Vasse, for instance, commenced around ten years ago, and will continue for at least another decade. The development of Dunsborough Lakes commenced around 25 years ago, and will continue for perhaps another five years. Once it commences, development at Ambergate North will possibly continue for up to 30 years, before development is complete.

If planning is constrained by arbitrary time horizons and population / land supply projections made at a particular point in time (projections which are inherently uncertain in any case), then structure planning for an area like Ambergate North could not provide for an integrated approach to development of the whole growth area. The same is in fact true for the 'Wanju' growth area in Greater Bunbury, planning for which is being led by the WAPC itself, and which it is understood will be developed over an approximately 40 year period, which would not be possible if planning was constrained by an arbitrary 20 or even 25 year time horizon. It is considered that areas identified for urban expansion should be sensible areas to plan for, given physical constraints and given the catchments associated with services and facilities, and recognising that growth and development will most likely continue beyond the arbitrary time horizon.

Whilst the reasons are different, the consequences of failing to have a broader vision and a sensible planning unit can be seen with the development of Dunsborough, where the City is now having to plan (and ratepayers are having to pay) to 'retro-fit' infrastructure in the form of land for additional playing fields, when that infrastructure could and should have been planned for earlier. The benefits of not identifying urban growth boundaries on the basis of arbitrary time horizons or population / land supply projections made at a particular point in time, however, can be seen with the development of Vasse, where the focus has been on developing and refining an integrated plan for a sensible planning unit, essentially independent of the rate at which development was expected to occur.

The WAPC (as the official State demographer) does not currently produce population projections for units smaller than local government areas (so, they have produced projections for the City of Busselton as a whole, but not for any of the individual settlements within the City), and they have also not produced any projections for beyond 2026. That is problematic if the aim is to assess land supply for smaller units (i.e. the planning units outlined above) and for a longer time period (i.e. out to 2038, or more appropriately in the view of City officers, beyond that time). Even more problematic is the fact that current WAPC projections for the City of Busselton population in 2016, published in 2015 (with the most recent preceding Census then having been in 2011), are below the actual recorded population in the 2016 Census. Those 2015 WAPC projections outline five different growth rate scenarios, but the City's 2016 Census population was higher than even the highest of the WAPC scenarios.

It should be noted at this point that it is also not considered sensible to plan on the basis of a single scenario in terms of population projections and land supply. That is because both of those factors are inherently uncertain. There is also the possibility that growth in the past may have been constrained by supply – and it is actually thought by officers that the growth of Dunsborough in particular may have been reduced for much of the last decade because of supply constraints.

The key factors that need to be considered when assessing land supply, though, are as follows –

1. The rate of projected population growth (or decline);
2. The average occupancy rate (i.e. the average number of people living in each dwelling);
3. The rate at which infill development can or will occur;
4. The area of land available for urban expansion; and
5. The number or density of dwellings that can be developed on that land.

Using the best available information, including assessment of the actual lot yields provided for in current structure plans for the urban expansion areas (Vasse, Dunsborough Lakes *et al*), the City has built a model that can be used to develop and assess population and land supply projections. That model has been used to consider the factors outlined above, including –

1. WAPC population projections;
2. Census results (although, because sufficiently detailed 2016 Census results have only recently been made available, 2016 results have not been fully integrated yet);
3. Trends in terms of average occupancy rates (which, especially in Dunsborough-Naturaliste, appear to be trending upwards, reflecting a relatively young population in that area and an apparent shift from temporary residency / holiday home ownership to permanent residency in some areas);
4. The proportion of the City's growth occurring in the Busselton-Vasse and Dunsborough-Naturaliste areas respectively (with the proportion occurring in the Dunsborough-Naturaliste area tending to increase over time, although the absolute amount of growth in the Busselton-Vasse is and is expected to remain substantially higher);
5. Estimates of the rate of future infill development (again, projected to increase, but less so in Dunsborough-Naturaliste than in Busselton-Vasse, for reasons in part explained in the section below on 'Dunsborough'); and
6. The actual relationship between the gross area identified for urban expansion, and the net amount of land ultimately available for residential lots (which has in the past been estimated at around 70% of the gross land area, once schools, roads and some other fairly predictable elements have been provided for, but which has actually been around 40-50% in examples such as the Birchfields Estate at Vasse, or the Via-Vasse Estate in Yalyalup, with most of the difference being because of greater constraints / expectations in terms of water quality management, vegetation retention and landscape buffers / ecological corridors).

At the time of the 2016 Census, the City's recorded population was 36,686 persons, including (based on data distribution by locality) 26,200 within Busselton-Vasse and 8,544 within Dunsborough-Naturaliste. Between 2011 and 2016 this equated to average annual growth rates of 3.1% for the City as a whole, 0.2% for the rural areas, 3.1% for Busselton-Vasse and 3.9% for Dunsborough-Naturaliste (4.7% if considering only the Dunsborough, Quindalup and Quedjinup localities as comprising the Dunsborough urban area). Using 2016 Census numbers as a starting point, the City has developed the following population growth scenarios for the City as a whole, as well as for the Busselton-Vasse and Dunsborough-Naturaliste planning units. The scenarios assume that land supply will be available to allow the growth to occur. For beyond 2026, the City population projections are merely mathematic equations, not the kinds of more sophisticated demographic models used by the WAPC or Australian Bureau of Statistics (ABS), although it should be noted that those models have in any case not always been terribly successful in projecting population growth in the City in the past.

City as a whole

	2016	2021	2026	2031	2036	2041
4.1% p.a.	36,686	44,849	54,829	67,029	81,944	100,177
3.6% p.a.	36,686	43,782	52,251	62,359	74,421	88,817
3.1% p.a.	36,686	42,736	49,784	57,994	67,558	78,699
2.6% p.a.	36,686	41,710	47,421	53,915	61,298	69,692
2.1% p.a.	36,686	40,703	45,160	50,106	55,592	61,680

Note: The latest WAPC projections for the City's 2016 population were between 34,810 and 36,520 (i.e. marginally less than the 2016 Census population, even in their highest growth scenario), and their projections for 2026 are between 42,290 and 45,620. As can be seen from the table above, there would need to be a substantial drop in growth rates for even the highest of those numbers to not be exceeded.

Busselton-Vasse

	2016	2021	2026	2031	2036	2041
4.1% p.a.	26,200	32,030	39,157	47,870	58,522	71,543
3.6% p.a.	26,200	31,268	37,316	44,535	53,149	63,430
3.1% p.a.	26,200	30,521	35,554	41,417	48,247	56,204
2.6% p.a.	26,200	29,788	33,867	38,505	43,777	49,772
2.1% p.a.	26,200	29,069	32,252	35,784	39,702	44,050

Dunsborough-Naturaliste

	2016	2021	2026	2031	2036	2041
4.9% p.a.	8,584	10,904	13,850	17,592	22,346	28,384
4.4% p.a.	8,584	10,646	13,204	16,376	20,310	25,188
3.9% p.a.	8,584	10,394	12,585	15,238	18,450	22,340
3.4% p.a.	8,584	10,146	11,992	14,174	16,753	19,802
2.9% p.a.	8,584	9,903	11,425	13,180	15,205	17,542

On the basis of the above, it is considered that the City's population as a whole may grow from around 37,500-38,000 today (i.e. around 1,000 more than the 2016 Census population of 36,686) to around 70,000-75,000 in 2038, of which around 50,000 would be in the Busselton-Vasse area, and around 20,000 in the Dunsborough-Naturaliste area, with the balance being in rural areas and the smaller settlements.

Based on the above projections, the City as a whole has sufficient land supply (in terms of land either zoned for urban development, or identified for urban development at a strategic level), out to 2038 and somewhat beyond, especially if the Vasse East and Vasse South areas are supported (see discussion in section below). The vast majority of that supply, though, is in the Busselton-Vasse area, and a substantial portion of that is in one planned growth area – Ambergate North. The situation in Dunsborough-Naturaliste is quite different.

The City estimates that currently zoned / identified land supply in Dunsborough Lakes will be essentially exhausted by around 2022/23. In Dunsborough-Naturaliste there would be some continued supply in the form of aged persons housing elsewhere in Dunsborough, as well as through new lots in The Commonage and in the Naturaliste Heights / Cape Rise area, but in the form generally of very small releases and, because of the attributes of the land, relatively expensive lots.

The City estimates that the 'Dunsborough Planning Investigation Area' identified in the Draft LNSS could accommodate approximately 1,500-2,000 lots or 2,250-3,600 additional people, extending land supply out to around 2032.

Whilst this may just be sufficient to meet demands for the planning time horizon, if yields are relatively high and demand relatively low, it will not be sufficient if yields are relatively low and /or demand is relatively high. Unless and until more detailed planning occurs, it will also not be possible to determine with much more accuracy what the potential lot yield of the area might actually be. Because of the pattern of land ownership, actual land release would be heavily dependent upon the actions of a small number of landowners, and it is quite likely that development could stall because particular landowners were not sufficiently motivated to develop.

In addition, it would result in a situation where the Dunsborough-Naturaliste population would almost reach threshold levels for additional facilities (e.g. schools, with a public high school being potentially needed with a total population of around 15,000, for instance), but would not provide the basis to actually plan for where those facilities might be located or develop arrangements to assist with funding those facilities (i.e. developer contributions for those purposes). It is considered by officers to be highly likely, that growth would continue and there would, at a later time, be a need for those facilities, but less opportunity to ensure they are well-located and integrated.

Dunsborough

Following from the discussion above, if it is accepted that the appropriate 'planning units' for the City, in terms of population projections and land supply planning, are 'Busselton-Vasse' and 'Dunsborough-Naturaliste', and if it is also accepted that, at a strategic level, land supply planning is sufficient to accommodate projected growth for Busselton-Vasse, but insufficient for Dunsborough-Naturaliste, there is then some consideration required as to what the planning response should be.

The Draft LNSS implicitly accepts both of the above contentions to some degree anyway, in that a 'Planning Investigation Area' is identified to the south and south-east of the existing and currently planned urban development 'footprint' for Dunsborough (and if land supply was only considered on the basis of the City as a single planning unit, there would probably not, with a 2038 time horizon, be a basis to allocate additional land for urban development purposes, in Dunsborough or elsewhere). That footprint currently extends to Commonage Road, and the proposed Planning Investigation Area extends the planned urban footprint to the other side of Commonage Road. As outlined above, though, it is the officer view that the area identified is insufficient, *if the aim is to accommodate projected growth even for the relatively conservative planning time horizon, and identify a sensible planning unit from a community planning perspective.*

The fact that growth is likely to occur if it is allowed to do so, however, is not in and of itself sufficient reason to plan for that growth. There also needs to be a consideration of whether, from a broad planning and public policy perspective, that growth would actually be desirable; the Western Australian planning system does not operate on the basis of an assumption that 'growth is good'. Whilst not particularly clearly set out, the main underlying principle is essentially around 'sustainable development', which is identified as one of the purposes of the *Planning and Development Act 2005*, and is also established in that Act as being integral to the functions of the WAPC.

Officers are of the view that planning to accommodate growth in Dunsborough would be desirable from a broad policy perspective, and would constitute planning for sustainable development, broadly understood. The key rationale for that position is as follows –

1. It offers a lifestyle and has a character and identity which is unique and different to other settlements in the region;
2. It is an attractive and desirable location for people to live, and people want to live there (and if it is accepted that individuals and households should have some genuine freedom to choose where they live, and that is the view of City officers, then this is an important public policy consideration);

3. Growth is likely to occur, as it has in the past, without need for significant public investment to encourage or support that growth;
4. The continued growth and development of Dunsborough provides an additional and viable opportunity for people to live, work and invest in WA, as part of a network of settlements in the region;
5. The local economy is, by regional WA standards, diverse and dynamic;
6. The level of unemployment is relatively low and the level of employment self-sufficiency is relatively high, and that has consistently been the case;
7. Relatively unconstrained land is available for physical expansion (i.e. relatively flat, cleared and suitable for development without significant or hard to overcome challenges in terms of bushfire hazard or environmental constraints);
8. Utility (water, sewer, power, telecoms) and transport infrastructure can cope with growth or be feasibly expanded to cope (e.g. through development of the Vasse-Dunsborough Link, or through development of a non-potable water network);
9. In previous consultation exercises, the local community has expressed broad support for continued growth, provided that growth is well planned for;
10. Again, in previous consultation exercises, the local community has expressed a desire for additional services and facilities (e.g. a public high school, public swimming pool, non-potable water solution), and the viability of those will be increased, or will only exist, if growth continues; and
11. The return on investment from already needed or planned infrastructure investment will be higher with a larger population (e.g. Vasse-Dunsborough Link, non-potable water network).

If it is accepted that planning to accommodate projected growth in Dunsborough would be desirable, there are then questions as to what would be the best process to plan for that growth, and what the key issues would be for future planning. Turning to the issues first, the key issues are considered to be -

1. Ensuring a compact, sustainable urban form, with a diversity of housing options, including both greenfields urban expansion and infill development;
2. Planning for economic and employment as well as population growth;
3. An integrated transport network, with consideration of both motorised and non-motorised transport, as well as planning for public transport, including the potential long-term provision of passenger rail;
4. Protection and enhancement of environment and biodiversity, including creation of new and enhanced environmental corridors;
5. An integrated approach to stormwater management and water quality;
6. An integrated approach to planning to minimise bushfire hazard;
7. Avoiding greenfields development in areas potentially vulnerable to future coastal erosion or inundation risk, and considering proposals for infill development in the context of long-term coastal adaptation planning (i.e. only support infill in potentially vulnerable areas if there are plans in place to protect the land from coastal risk);
8. Provision of recreation, community and education facilities;
9. Equitable and appropriate funding arrangements (specifically, developer contributions arrangements) to support timely delivery of facilities and infrastructure;

10. Planning for walkable, mixed-use activity centres that are genuine hubs of commercial, community and cultural life; and
11. Promoting good urban design, both within the urban area, but also on the edges of the urban area, and ensuring landscape buffers are provided along regional and distributor roads.

In terms of process, the key process envisaged is development of an overall 'Dunsborough Townsite Strategy'. It is envisaged that Strategy would relate to the settlement of Dunsborough as a whole, including both the existing and planned development footprint. The Strategy would look not only at the extent and form of greenfields development, but also at opportunities and planning for infill development, and would then look at the implications for the settlement as a whole in terms of infrastructure needs, employment provision and other issues.

It is envisaged that the City itself would develop the Strategy, in consultation with the community and other stakeholders, and then seek WAPC endorsement. It is not proposed that the Strategy would be a statutory document. It is, though, envisaged that the Strategy would form the basis for amendments to the City's town planning scheme, probably in terms of both including land for future greenfields development in an 'Urban Development Zone' or 'Development Investigation Area', as well as rezoning some existing urban areas to accommodate infill development / urban consolidation. The Strategy would also guide development and assessment of structure plans for urban expansion. In addition, the Strategy would form the basis for determining developer contributions arrangements.

A key question in developing the Strategy would be the extent to which growth can be accommodated through infill development, and the extent to which greenfields development will be required? There are a number of reasons why it is considered that the opportunities for infill development in Dunsborough are relatively low compared with many other settlements in WA, including Busselton, and those reasons are as follows -

1. The lot sizes in the established areas are relatively small, and they are often irregularly shaped lots – relatively large and regularly shaped lots are generally better for accommodating infill development;
2. There are, with some small exceptions, no rear laneways, and in parts there is not a well-defined, interconnected, 'grid' road network – those kinds of attributes are better suited to infill development;
3. Because Dunsborough was quite a small settlement until comparatively recently, the housing stock is relatively recent – the ageing of housing stock is often a significant trigger for redevelopment, including infill development;
4. In the northern parts of the Dunsborough urban area especially, there are constraints related to bushfire hazard and other environmental considerations; and
5. Some areas that might otherwise be suited to infill development are either zoned 'Tourist' currently, or in areas that are potentially vulnerable to future coastal erosion or inundation risk.

On the basis of existing zonings, the infill development potential in Dunsborough, if all conceivable development opportunities are taken (which is extremely unlikely, even over the long term), is only around 300 dwellings. Whilst it is considered that number can be increased, it does serve to further illustrate the challenges of accommodating the growth of Dunsborough through infill development.

As already noted twice, it is the officer view that the Planning Investigation Area identified in the Draft LNSS is insufficient.

It is considered that the LNSS should provide for the growth of Dunsborough from its current population of around 8,500 people (with a broader service catchment population of around 10,000, including nearby rural-residential areas, especially the Commonage, as well as coastal/tourist nodes at Eagle Bay, Yallingup, Bunker Bay and Smiths Beach), to around 15,000 people (with a broader service catchment population of around 20,000 – i.e. approximately the 2038 projected population of the ‘Dunsborough-Naturaliste’ planning unit). The Draft LNSS could be changed to achieve that in either of two ways –

1. Through the expansion of the Development Investigation Area to encompass the larger area illustrated at **Attachment B** (Alternative Dunsborough ‘Planning Investigation Area’); or
2. Through very clear and specific notes and policy statements making it clear that the Planning Investigation Area is indicative and preliminary only, and that the ultimate extent of planned urban expansion will be determined through the development of a Dunsborough Townsite Strategy, in the terms described above (i.e. planning for a Dunsborough urban population of around 15,000, and a service population of around 20,000).

It is estimated that the larger Planning Investigation Area illustrated at Attachment B would increase the capacity of the potential urban expansion area from around 1,500-2,000 lots or 2,250-3,600 additional people, providing land supply out to around 2032, to around 2,200-2,800 lots or 3,300-5,000 additional people, providing land supply out to around 2040.

Of note at this point is that there is an existing *Dunsborough Structure Plan* (1990), which is specifically referenced in SPP1.0 (giving it the effective status, in some respects, of a State Planning Policy). That Plan provided the framework for development that has occurred in Dunsborough since that time, including the Dunsborough Lakes development. In terms of guiding future development, though, the Plan no longer has practical currency. To avoid confusion or uncertainty about the relationship between that Plan and the proposed Dunsborough Townsite Strategy, the WAPC should amend SPP1.0 to remove the reference to the *Dunsborough Structure Plan* (and that reference is, in any case, anachronistic). That could possibly be done in parallel with the mooted review of SPP6.1.

It should be noted that the City has already commenced the process of preparing an ‘Activity Centre Plan’ for the Dunsborough Town Centre. It is envisaged that process will continue, and should be concluded before the Dunsborough Townsite Strategy could be prepared. If, however, the Townsite Strategy makes recommendations in relation to the Town Centre inconsistent with the Activity Centre Plan, that Plan could be reviewed in response.

In terms of urban expansion areas, there are seen as being two potential pathways following the finalisation of the Townsite Strategy. The first is that the Townsite Strategy provides sufficient guidance to allow individual landowners to independently progress rezoning and structure planning, without the need for an over-arching statutory structure plan. The second is that the City prepare a relatively high-level statutory structure plan, which requires development of more detailed structure plans by individual land owners, before subdivision and development could actually occur. The choice as to which pathway is ultimately preferred does not need to be made now, but should be considered through the process of developing the Townsite Strategy.

An underlying aim in planning to follow finalisation of the LNSS would for lots to be able to delivered in the expansion area by around 2021/22, which is around when it is anticipated the last lots may be delivered in Dunsborough Lakes.

It may, however, be possible and necessary for rezoning, structure planning and subdivision to occur first and perhaps ahead of the Townsite Strategy process in relation to Lot 6, Commonage Road – which is currently Zoned ‘Industrial’, so it already has an urban zoning, but both the CoBLPS and Draft LNSS propose that it ultimately be identified for future residential development instead (essentially, because it is now considered unsuitable for industrial development). The other reason that it may be appropriate for development of this area to occur earlier is that it is the westernmost extremity of any potential Planning Investigation Area, and is bound on three sides by either existing or planned urban development, or areas that will not be subject of urban development, so there are no significant issues related to integration with future development.

Vasse Light Industrial Area / Business Park

The Vasse Light Industrial Area / Business Park has, in the context of similar developments elsewhere in regional Western Australia, been remarkably successful, both from a commercial and a planning perspective. Whilst there continue to be vacant lots and scope for creation of additional lots, the ultimate planned development footprint is finite, and it has been planned to serve and support currently planned residential development at Vasse. Both the CoBLPS and the Draft LNSS, however, propose an expansion in long-term residential development potential at Vasse (through the ‘Vasse East’ and ‘Vasse South’ proposals – see below). The result of that is the Vasse Light Industrial Area / Business Park may now be insufficient to meet future needs.

The consequences for Vasse of that, though, are not necessarily all that great, as the strategic planning allocation of land for industrial and service commercial purposes in the Busselton-Vasse urban area as a whole is sufficient to cope. Most of that allocation is in the form of the existing zoned, but undeveloped Airport North Industrial Area (approximately 200 hectares in area), as well as unzoned, but strategically identified additional land to the east of Airport North, and to the east, south and south-east of the Airport itself (a further 600 hectares plus). The Airport North area is only around 12 kilometres from Vasse, and the two areas are linked by the Busselton Bypass, and may also be linked in future by the planned Busselton Outer Bypass (BOB).

It may, however, not be possible for planning for the expansion of Dunsborough to meet all of Dunsborough’s future needs in Dunsborough itself. The nearest alternative is Vasse, but if that area itself is insufficient, the next nearest alternative is then Airport North. Even when the Vasse-Dunsborough Link is built, the travel distance from Dunsborough to Airport North will be approximately 28-30 kilometres. Reliance on travelling that far for some employment and service options is not considered to be an ideal planning outcome.

One alternative means of addressing the potential inability to adequately provide for Dunsborough’s needs in Dunsborough, would be to re-introduce into the CoBLPS and Draft LNSS a concept which was included in an earlier version of the CoBLPS, and that is to foreshadow the potential expansion of the Vasse Light Industrial Area / Business Park to the west, into an area that the City had identified as ‘Vasse West’ – essentially the area to the west of the north-south oriented portion of the Vasse Bypass (see **Attachment C**). The attributes of this land are very similar to those of the land to the east, and extension of services should not be especially challenging. It is proposed that the LNSS be modified to provide for this possibility.

Abbey South, Vasse North, Vasse South, Vasse East and Ambergate South

‘Abbey South’ (see **Attachment D**) was identified as a potential urban growth area in the first draft CoBLPS due to the advantages presented by its location, being: the area is the last undeveloped coastal or near-coastal land with significant development potential in the Busselton-Vasse Urban Area; further residential expansion to the west is constrained by land in public ownership (Locke Nature Reserve); it would ‘round off’ existing residential development / settlement consolidation; there would not be any affect in terms of separateness of settlements; close to neighbourhood

shopping, schools, community infrastructure, public transport and servicing infrastructure; and no visual impact or significant environmental constraints.

The WAPC did not support the inclusion of Abbey South in the advertised version of the CoBLPS due to: inconsistency with SPP6.1; not identified in the existing planning framework; and the Minister for Planning's decision to refuse to grant final approval to Amendment 176 to the City's previous District Town Planning Scheme 20, which would have facilitated structure planning for urban development.

In adopting the CoBLPS for final approval, the decision of the Council included the recommendation that 'Abbey South' be considered at the strategic level for urban development through the LNSS. The LNSS does not support Abbey South and the feedback of Councillors at the recent briefing session on the LNSS indicated acceptance of the position of the WAPC, with no further action on this element. Whilst it is considered that the Abbey South area may have urban development potential in the long-term, there are not considered to be any further compelling arguments in favour of identifying the land for urban development at this time.

A submission to extend the 'settlement boundary' of Vasse north of the Vasse Bypass to include Lots 9545 & 9542 Napoleon Promenade and Lot 9001 Bussell Highway and their identification as an urban growth area was considered by the Council in adopting the CoBLPS for final approval in September 2016. In considering the submission, it was noted that the expansion of the Vasse footprint north of the Vasse Bypass is not contemplated by SPP6.1. If this land had been contemplated for inclusion as part of Vasse, the alignment of the Vasse Bypass would most likely have been planned further northwards, to avoid the significant road severance issues that would result. It was also noted that, potentially, part of the land could be considered for the location of institutional uses, such as medical or educational uses, with a District-wide or regional catchment. The Council decision was not to support 'Vasse North' (see **Attachment D**).

The WAPC supported the inclusion of 'Vasse East' (see **Attachment D**) in the advertised version of the CoBLPS but to be considered at the strategic level through the LNSS. 'Vasse South' (see **Attachment D**) however was not supported. In adopting the CoBLPS for final approval, the decision of the Council included a recommendation that Vasse South be retained and considered at the strategic level via the LNSS. The Draft LNSS does now provide support for the identification of Vasse South for future urban expansion. This is supported by City officers, as it will ensure that planning of Vasse as a whole recognise that the Vasse South area will ultimately be developed for urban purposes, and it is an area that is bound by 'hard' urban boundaries, in the form of existing and proposed regional roads, and the Buayanyup River.

The LNSS identifies 'Vasse East' for long term urban expansion and 'Vasse South' as a planning investigation area for structure planning and long term urban expansion. This area is already zoned Rural-Residential, but more conventional residential development is seen as the more appropriate form of development, given the location and attributes of the land, and the broader concerns related to low-density forms of residential development more generally. As the desired outcome has been achieved no further action is required other than to reiterate City support for these strategic planning proposals.

'Ambergate South' (see **Attachment D**) was included in the version of the CoBLPS adopted for advertising in 2013 and largely reflected the land's identification in the *Busselton Urban Growth Strategy 1999* (BUGS) for long term urban development. Ambergate South includes the land bound by the alignment of the future Busselton Outer Bypass (BOB)/southern boundary of Ambergate North, the Vasse River, Ambergate Road and Queen Elizabeth Avenue.

Prior to granting consent to advertise, informal advice received from the DPLH indicated that Ambergate South would not be supported for two key reasons, being: urban development would 'leapfrog' the BOB rather than consolidate and focus urban expansion on existing urban areas; and population growth and land supply projections that underpin the CoBLPS demonstrate that there is sufficient zoned and structure planned urban land to accommodate projected growth for the lifetime of the strategy.

The informal direction of the Council supported the removal of Ambergate South in favour of the identification of appropriate planning units to expand the footprint of Vasse (settlement consolidation) through 'Vasse East' and 'Vasse South', as described above.

Carbunup River and Metricup

A potential for settlement expansion for a population of up to 500 at Carbunup River and Metricup is identified in the settlement hierarchy within SPP6.1. A February 2016 Council decision related to a proposal for a settlement expansion at Carbunup River, with that decision being to recommend that the WAPC not support further progression of that proposal at the time, and to instead recommend that the need for settlement expansion at both Carbunup River and Metricup be considered as part of the LNSS process.

The decision was based on several contemporary planning and sustainability principles, including:

1. Settlement expansion would not be focussed on existing urban areas to best utilise infrastructure, services and community facilities;
2. The new settlement would be small, isolated, 'off-grid' and remote from existing infrastructure such as reticulated sewer and water services, community and commercial services, employment and schools, with very few services and facilities and with an almost total reliance on private cars for transport;
3. There is sufficient zoned and structure planned urban land to accommodate projected growth without any substantiated need for a new settlement at Carbunup River, and there are a number of other, better options to provide additional land supply if and when needed; and
4. Future residents would be placed in an established agricultural area surrounded by, and in close proximity to, intensive agricultural operations with a significant potential for land use conflicts.

The Draft LNSS sets out a revised settlement hierarchy that does not support settlement expansion at Carbunup River and Metricup, a direction that City officers support. Given that, officers are not proposing further action in relation to this issue.

Rural-residential development

The development of the 'issues, opportunities and directions' implicit in the formulation of SPP6.1 (circa 1995) recognised the proliferation of 'lifestyle' or Rural Residential lots which were becoming increasingly in conflict around that time with the effective operational use of land for agricultural purposes, and also with the increasingly recognised need to protect and preserve significant natural landscape values and identified 'travel route corridors'.

As a strategic means of addressing this *ad hoc* proliferation, Rural Residential areas and subdivision/development opportunities were essentially confined under both SPP6.1 and the City's town planning scheme to two major delineated areas: 'The Commonage', between Dunsborough and Yallingup, and 'Dunbarton' in Busselton.

The general policy position of SPP6.1 (once published in 1998) was that *new* areas of Rural Residential subdivision would not be supported beyond the defined areas and that, where possible, any infill development within them would need to adopt 'cluster principles' that would be more responsive to retaining landscape values and allowing certain agricultural type pursuits to continue. In particular, SPP6.1 stated that closer settlement would not be agreed to in productive, and potentially productive, agricultural areas; or in conservation areas, or in and around wetlands, or in important landscapes, or in locations near designated settlements which could conflict with future planned and orderly urban development. *South West Regional Planning and Infrastructure Framework* goes further, and essentially sets out that no further areas be identified for rural-residential development anywhere in the South West.

In the CoBLPS, this position is echoed through the proviso that subdivision and 'consolidation' within the major existing Rural Residential areas at The Commonage and Dunbarton shall only be supported by the City where there is seen to be a demonstrable 'community benefit', and where there has been due and proper regard paid to environmental, landscape/visual amenity and biodiversity values, as well as planning for bushfire risk and protection.

This proviso was aimed at ensuring the more efficient use of land, provision of services and infrastructure, and to help maintain the overall extent of rural residential lots without needing to alienate additional areas of rural land etc. With particular regard to The Commonage, the City has indicated that it would only consider potential 'consolidation' for those parts of the Commonage Consolidated Structure Plan (CCSP) area as part of an integrated, City-led process, and only in areas that have already been predominantly cleared, are relatively flat, have soil profiles less suitable for rural/horticultural pursuits, are situated closest to the Dunsborough settlement, and which can clearly demonstrate a 'community benefit'.

When referring to 'community benefit' the City considers this to mean, in the main, improvement in connectivity and legibility of public road networks (to ensure better choice and opportunity of emergency access/egress in case of bushfire etc), and improvement in biodiversity outcomes (protection and enhancement of ecological linkages and enhanced, contiguous habitat corridors etc.).

There are no proposals in the Draft LNSS for the creation of additional or expanded Rural Residential areas in the City and this position is one that is supported by City officers. In point of fact, there are still a relatively large number of potential rural residential lots remaining uncreated in both the Dunbarton (and particularly) The Commonage areas.

In the case of Dunbarton, however, and especially considering its location, generally flat landform and ready proximity to roads, infrastructure and the Busselton City Centre, the City is currently liaising with the DPLH in examining ways and means of 'consolidating' that precinct through structure planning initiatives that might enable future development, or redevelopment, as 'low density residential'.

The 'consolidation' of The Commonage precinct, on the other hand, appears decidedly more problematic to City officers at the current time, especially in a policy context, following the introduction of SPP 3.7 *'Planning in Bushfire Prone Areas' (2015)*, which shall be broadly discussed in the following section.

Given the lack of uptake and full implementation of Rural Residential opportunities at The Commonage over the past 20 years, and the obvious dangers of introducing 'vulnerable uses' through closer development and more residents/holiday-makers in an undulating, vegetated and recognisably highly bushfire prone area that has significant shortcomings in terms of road and emergency access connectivity, legibility and safety, officers are now questioning seriously the planning validity and merit of encouraging *any* further consolidation of The Commonage.

Two options regarding this are now being more closely examined in general terms:

- 1) No further subdivision or development should be considered at The Commonage without the prospect of a significant 'community benefit'.

Or, somewhat more contentiously:

- 2) Following comprehensive review of the CPACSP, weighing the planning, environmental, emergency bushfire risk etc justification for seeking to 'de-zone' parts of that Rural Residential area so as to prevent any further subdivision.

WAPC consideration and assessment of these options would be necessary to address issues related to bushfire hazard as outlined below.

Bushfire hazard

The Draft LNSS only briefly mentions bushfire hazard (s.4.6 'Bushfire' pp. 29) and barely touches upon the issues and implications of the operational effect that the application of SPP3.7 is having on planning and development currently. Many of the issues concerned are far wider-ranging, and more pronounced, than indicated.

For example, the LNSS refers to *'higher order planning documents, such as sub-regional strategies, to include high level consideration of relevant bushfire hazards when identifying or investigating land for future development.'*

Of signal import in relation to this is the execution of the bushfire prone area mapping initiative, which currently relies on a single hazard factor, vegetation coverage, rather than the multiple factors that more realistically influence and determine bushfire risk (e.g. road network connectivity and legibility, degree of accessibility and evacuation alternatives, distance from coordinated fire response centres, proximity to emergency shelter and water supply etc.).

City officers believe that far greater consideration needs to be paid in the Draft LNSS to the efficacy and impact of current approaches to the assessment of bushfire hazard through the planning system.

The policy intention of SPP3.7 concerns the implementation of *'... effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure'*.

Whilst this underlying policy intention and associated objectives of SPP3.7 are acknowledged as being fundamentally important, their practical application often conflicts with other parts of the planning framework, including the aims and objectives of both SPP6.1 and the City's town planning scheme. An unwelcome degree of uncertainty and complexity is therefore being generated, with differences in interpretation and application ('guidelines', 'performance standards' etc) relating to SPP3.7 evident between various governmental agencies and bushfire consultants.

It is considered that SPP3.7 needs to function in a more integrated and holistic way with the overall planning system. Without going into detail about the particular difficulties encountered in trying to adapt and apply the policy objectives of SPP3.7 without, at the same time, undermining or quashing otherwise beneficial planning, biodiversity and/or environmental outcomes, the following simple examples should serve to demonstrate the difficulties that planning for 'bushfire prone areas' can cause:

1. *Settlements with single road access where small-scale development or change of use proposed*

Smiths Beach and Yallingup (to cite just two of many examples) are both established settlement nodes accessed by a *single* road. A strict interpretation of the requirements of SPP3.7 would mean that the City should not be introducing any 'vulnerable use' into such 'bushfire prone areas' without multiple means of access being available (or being provided).

Suppose the owner of an existing residential dwelling in either place wishes to apply for approval to register their dwelling with the City as a 'Holiday Home', and that dwelling does not meet current Bushfire Attack Level standards. It can be problematic and very costly to try to 'retrofit' such requirements to existing dwellings, especially for what is, in essence, a change of use with no actual development. Should such an application therefore be refused outright? It would seem a disproportionate response to refuse any proposal for approval of a holiday home in Yallingup or Eagle Bay on that basis.

Note there are currently more than 700 'Holiday Homes' registered by the City, a number of which are in (e.g.) The Commonage rural residential area, oftentimes where residential development has been long-established within culs-de-sac systems and often unintegrated road networks; or at Eagle Bay (e.g.), where a 'looped' road system passing through Meelup, connects that settlement node in two places to Cape Naturaliste Road, but that road itself is a lengthy and single public road system terminating at Cape Naturaliste.

2. *Settlements with single road access where new development proposed*

According to SPP3.7, new development must be serviced by multiple, separate (and meaningfully variable in terms of direction of evacuation) means of public road access in case of emergency bushfire. Should any new development proposed at the 'Caves Caravan Park', or at the 'Caves House Hotel' or at the 'Bunker Bay Resort' (e.g.) be refused outright because of the 'fatal flaw' under SPP3.7 of having only one public road access route available in and out? On some readings of SPP3.7, it should be refused.

3. *City of Busselton Biodiversity Incentive Strategy (BIS)*

The purpose of the BIS initiative is to:

'.... encourage protection and effective management of biodiversity values on private land and recognise the efforts of private landowners who choose to protect and manage biodiversity values on their property.'

There have been several examples of owners of properties in outlying forested or bushland areas with particularly high biodiversity values who have been willing to meet a set of biodiversity management measures - including the creation, rezoning and covenanting in perpetuity of 'bushland lots' - who have been unable to pursue this desirable environmental initiative due to the specific implications of SPP3.7 and the 'disqualification' of single or otherwise limited public road access et al.

The BIS, in many instances where it would be of pronounced benefit, is now essentially unviable. Opportunities are thereby being lost to protect and conserve highly significant and threatened remnant vegetation attributes where they occur in the City (e.g. Abba vegetation complexes, which currently occupy less than 10% of their original extent) or high order ecological linkages and supporting habitats for the critically endangered Western Ringtail Possum (e.g.) though the simple 'fatal flaw' under SPP3.7 of such more remote properties being unable to get access to more than one public road (or the 'driveway' connection onto such a road being, in effect, a cul-de-sac of excessive length e.g. 600 metres).

With the City of Busselton being, in very large part, 'Bushfire Prone' (according to the DFES State-wide *'Map of Bushfire Prone Areas'*), how can the planning framework be workably adapted to ensure properly planned strategic growth and development, which is important and necessary to achieve, whilst trying also to follow those policy objectives, standards and 'guidelines' required for conformity with SPP3.7?

It is requested that the WAPC acknowledge more broadly in the LNSS the import of such underlying issues and fundamental adverse implications influencing the consistent and confident administration of the planning framework (such as those few simple examples mentioned here) in relation to SPP3.7.

Planning for tourism

The Busselton Margaret River Regional Airport ('the Airport') expansion and upgrading works are now well under way. Once constructed and operational, the Airport will be capable of accommodating both Eastern States and (ultimately) international flights and processing the concurrent arrival and departure of up to 350 passengers at a time.

Regional support and commitment to this significant infrastructure project has been further strengthened with a recent injection of \$445,000 into a fund aimed at attracting airlines to the SW Region from neighbouring local governments and tourism industry partners. The development of the Airport also continues to receive solid support from the broader South West community, and from industry, which see enormous future benefits from increased tourism exposure and freight opportunities.

With the prospective completion of the Airport, and to capitalise on the important business opportunities and stimuli this will provide the tourism sector and local economy in general, it is crucial that 'planning for tourism' is well-considered, appropriately targeted and 'investor ready'.

Much of the tourist accommodation stock in the City is now somewhat dated and in need of renovation or, in some instances, complete site redevelopment. However, the current planning framework is not especially suited for attracting the levels of investment interest to foster and enhance 'fresh' tourism product and development opportunities, especially those aimed at new and emerging markets.

Also, in the popular tourist attractors along beaches and scenic winery/landscape routes, a somewhat anomalous disparity exists between development potential in the 'Agriculture' and 'Viticulture and Tourism' zones, whereby a 'Rural Holiday Resort' (e.g.) is an 'X' use in the former and an 'A' use in the latter. In short, an example of the effect of that is that anything more than 10 accommodation units at the Bunker Bay 'Farmbreak' site would require a Scheme Amendment, whereas a property in the 'Viticulture and Tourism' zone (essentially those 'rural' areas south of Wildwood Road and situated either side of Caves Road through to the municipal boundary with SoAMR) would have no such constraint, in a strictly statutory sense, in seeking development approval for a 100 or more room hotel. That is not considered to be a sensible planning outcome, but at present there is not the appropriate strategic planning support or direction to implement a more sensible approach.

In particular, it is seen as appropriate that the LNSS provide support to allow opportunities for development of the Farmbreak site to be properly explored, and that further consideration also be given to where larger-scale tourism development may be appropriate elsewhere in the sub-region. There are a relatively small number of sites where larger-scale and high end tourism development could occur in the region, and the Farmbreak site is seen as being a highly suitable site. At the present time, however, it looks very much like there is no possibility of overlap between what may be commercially viable and what the planning framework would actually allow. The result is likely to be that the site remains undeveloped indefinitely. The Farmbreak site is, however, a key example of a site that could be highly suitable for larger-scale and high end tourism development, and where development could be well integrated into the landscape and not create risks of further encroachment into and impact on natural and rural landscapes.

The City has consistently supported the idea of existing tourist sites seeking to redevelop or significantly update their offerings in a way that complies with current policy and where a tangible 'tourism benefit' can be seen to be served. These plans and concepts are often designed and predicated on 'length of stay restrictions' applied under the town planning scheme and supported by the LTPS that are perhaps no longer appropriate.

The underlying assumption about permanent residency/unrestricted lengths of stay is that, unless it is allowed (in overall percentage terms currently permitted for 'strategic' and 'non-strategic' tourism sites identified in the LTPS, *at a minimum*), economic investment in such business conversions will be stymied (with stated difficulties in securing financing), or simply not eventuate at all.

The fact that more than 700 'holiday home' approvals have been granted and registered by the City to date for privately-owned residential homes would seem to demonstrate that short stay tourist accommodation can often, in truth, 'out-compete' residential (permanent stay) components in tourist developments. A case in point is at the Bunker Bay Resort, where approximately 25 permanent occupancy units have been permitted, and yet approximately 18 of which apparently still remain in the Resort's 'rental pool'.

The issue (and business 'principle') of a 'level playing field' in which to operate, however (especially in this age of Airbnb, Stayz and ever-newer commercial platforms) is becoming increasingly more pronounced, especially in terms of investment decisions and potential outcomes. For example, if you own a residential property, you can apply to have it registered as a 'Holiday Home' (a seasonally viable, income-generating business), whereas owners of short stay units do not, conversely, have the same ease of access in converting (should they so wish) to an unlimited length of stay component.

This beggars the question: are particular lengths of stay restrictions still necessary, or functionally relevant, to impose? Or impose in quite the same planning framework and policy setting? Might it be better to allow unrestricted lengths of stay on tourist development sites and then enable the owner/company to decide whether or not to place individual strata units/properties onto the short-term rental market?

In this way, 'landmark sites' that have remained vacant over the longer-term might have far greater incentives for development, including potentially reaping the commercial benefits of an increasingly vibrant and evolving tourist and 'events' market (especially with the operational completion of the Airport and with more Eastern States and overseas visitors arriving). In the City's strong and broadening local economy, it is thought highly likely that consumer demand for quality short-stay tourist accommodation and associated facilities will soon 'shake out' and establish the type and costs of market offerings available. Examples of such landmark sites are two undeveloped tourism sites at Port Geographe.

The question becomes, what is the most 'reasonable' (and most representatively 'fair') policy setting in such situations?

It has been over 10 years since the release of the first 'Tourism Planning Taskforce Report' (2006) and, with the expansion of the regional Airport and pressing need for contemporary, relevant and accurate policy settings being firmly in place for a sustainable and adaptive tourism industry, it is likely that pressure from regional local governments and Tourism WA on the WAPC to address these types of matters will continue to increase.

Basic raw materials

There is a short reference to the importance of basic raw materials (BRM) in the Draft LNSS and this refers to the previous study for the Bunbury-Busselton Region prepared by the DPLH and the WAPC in 2012, the '*Basic Raw Materials Demand Study for the Bunbury and Busselton Region*'

With the ongoing strong growth and development of the City forecast over the next 10 to 40 years, it is imperative that the need for, and reliable availability of, secured and sustainable BRM (especially silica sand) is accurately measured, and suitably accessible sources identified for reservation/acquisition/sequestration so as to vouchsafe unfettered future access for timely extraction and affordable supply.

The reliable supply of clean and affordable sand as fill for major housing development (e.g. Ambergate North) and infrastructure projects (e.g. the 'Vasse-Dunsborough Link') will be imperative to the successful growth and development of the region, and of the City in particular. Should enough sand not be available, due to competing project needs and demands, or legislative restrictions, strategic planning and associated planned outcomes could be seriously compromised. For example, if the Vasse-Dunsborough Link cannot be built on sand fill across the predominantly wetland route, far more expensive alternative design and construct methods would have to be used instead, such as concrete beds, or piles and struts to elevate the road etc.

With the increasing awareness of climate change and sea-level rise, matters of coastal adaptation and strategic response assessments and planning are well underway. Clean sand will be an important resource to sustain planned beach replenishment projects.

Although previous policies, studies and reports have each examined and assessed this important strategic planning issue, many of these are now outdated (e.g. '*Statement of Planning Policy No 2.4 Basic Raw Materials*' (2000), the '*State Gravel Supply Strategy*' (1998), and the aforementioned 2012 study for 'Bunbury-Busselton').

As this is a regional issue of pronounced importance at the local government level, it is trusted that the methodology, demographic assumptions, development timing and BRM supply assessments already undertaken in these earlier studies can be reviewed and updated by the WAPC to provide confidence to the City. Because of the regional nature of this issue, it is not considered to be an issue that can be sensibly or usefully addressed at the local government level.

CONCLUSION

Whilst it is quite a conservative document, in that it does not depart substantially from the established planning direction in many respects, it is generally considered that the direction set out in the Draft LNSS is sound, and that the City should acknowledge that, and also thank the WAPC for undertaking the project. In part, that is a reflection of good and pro-active planning by the respective local governments and WAPC, as well as pro-active planning by other State agencies (such as Main Roads WA led planning associated with identifying alignments for the Busselton Outer Bypass and Vasse-Dunsborough Link).

It is also important to understand that the LNSS will be only one element of a much more substantial planning framework and broader governance framework, and that it is intended to be a 'high-level', strategic document, not a detailed plan. The LNSS cannot and will not provide direction or detailed guidance on every planning or development issue in the region.

There are nevertheless some important issues on which no meaningful progress can be made without appropriate support and direction being provided at a State or regional level. The LNSS is an opportunity to provide that direction, and it is not at all clear how that direction could be provided, if not through the LNSS. As already described in the 'Officer Comment' section of this report, those issues relate to –

1. Population projections, land supply, and the identification of appropriate 'planning units' for those purposes;
2. The future growth and development of Dunsborough, including urban expansion, urban consolidation and the Dunsborough Town Centre;
3. Potential long-term need for expansion of the Vasse Light Industrial Area / Business Park to meet employment and servicing needs for Vasse, for the western parts of Busselton and for Dunsborough;
4. Planning for tourism, including planning for the Bunker Bay tourist node, key sites at Port Geographe, and length of stay restrictions for tourism land in urban areas;
5. Consideration of the efficacy and impact of current approaches to assessment of bushfire hazard through the planning system; and
6. Basic raw materials demand and supply (especially sand supply for development and coastal management).

It is recommended that the Council supports the lodging of a submission on the LNSS consistent with the discussion in the 'Officer Comment' section of this report, in particular recommending that changes be made to better address the issues outlined above.

OPTIONS

The Council could determine not to make a submission regarding the Draft LNSS, or could modify the terms of the City's submission, relative to those set out in the officer recommendation. As already noted, if the Council decides to do so, it is important that the Council identify not only what change is proposed, but also why that change is seen as appropriate. Officers can assist Councillors in that regard if requested to do so. The provision of assistance should not, however, necessarily be interpreted as officer support for any change that may be proposed.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

It is anticipated that this report would form the basis of the City's submission; in terms of the views and opinions expressed and their rationale. If the Council makes a resolution consistent, or nearly consistent, with the officer recommendation, it is anticipated that the City's submission would be lodged with the WAPC by no later than 22 December 2017.

If the Council decides to depart substantially from the recommendations of this report, however, then officers will require more time to prepare the City's submission. Officers would aim to lodge a submission with the WAPC by no later than 19 January 2018.

DPLH officers have informally advised that, given the importance of the City as a stakeholder and in recognition of local government governance processes, the WAPC would accept a submission from the City provided within the timeframes set out above, and therefore somewhat later than 15 December 2017, which is otherwise the closing date for submissions.

OFFICER RECOMMENDATION

That the Council supports the lodging of a submission on the Draft Leeuwin-Naturaliste Sub-Regional Planning Strategy consistent with the agenda report and in the following general terms –

1. Thanking the WAPC for undertaking the project;
2. Advising that the City considers that the planning direction set out is generally sound; and
3. Requesting that the WAPC considers changes prior to the adoption of the final Strategy in relation to –
 - a. Population projections, land supply, and the identification of appropriate ‘planning units’ for those purposes;
 - b. The future growth and development of Dunsborough, including urban expansion, urban consolidation and the Dunsborough Town Centre;
 - c. Potential long-term need for expansion of the Vasse Light Industrial Area / Business Park to meet employment and servicing needs for Vasse, for the western parts of Busselton and for Dunsborough;
 - d. Planning for tourism, including planning for the Bunker Bay tourist node, key sites at Port Geographe, and length of stay restrictions for tourism land in urban areas;
 - e. Consideration of the efficacy and impact of current approaches to assessment of bushfire hazard through the planning system; and
 - f. Basic raw materials demand and supply (especially sand supply for development and coastal management).



Department of **Planning,
Lands and Heritage**



Western
Australian
Planning
Commission

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

SEPTEMBER 2017



Draft Leeuwin Naturaliste Sub-regional Planning Strategy

This document has been published by the Department of Planning, Lands and Heritage. 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 Australia

Published by the
Department of Planning
Gordon Stephenson House
140 William Street
Perth WA 6000

Locked Bag 2506
Perth WA 6001

Published September 2017

website: www.dplh.wa.gov.au
email: info@dplh.wa.gov.au
tel: 08 655 18002
fax: 08 655 19001
National Relay Service: 13 36 77
info line: 1800 626 477

Department of Planning owns all photography in this document unless otherwise stated.

This document is available in alternative formats on application to Communication Services.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

Executive Summary

The Leeuwin-Naturaliste sub-region is renowned for its unique lifestyle, landscape, environmental values and amenity. These attributes are linked with a stable and diverse economic base and proximity to Bunbury and Perth, making the sub-region a key tourist destination and attractive place in which to invest.

The *Leeuwin-Naturaliste Sub-regional Planning Strategy* is an overarching planning document that outlines the Western Australian Planning Commission's approach to future planning and development within the City of Busselton and the Shire of Augusta-Margaret River.

The sub-regional strategy provides guidance to help local governments implement State strategic priorities, and inform local planning strategies and schemes so that robust planning decisions are made. The strategy also provides background information for the proposed review of *State Planning Policy 6.1: Leeuwin-Naturaliste Ridge*.

In particular, the sub-regional strategy instils the need for planned and sequential delivery of hard and social infrastructure. To cater for population growth it proposes a combination of urban infill, the review of structure plans for undeveloped greenfields development sites, and the identification of two planning investigation areas contiguous with the existing settlements at Dunsborough and Vasse. Importantly, the strategy recognises the need to integrate management of bushfire risk, remnant vegetation and habitat protection, and the rationalisation of rural residential properties.

Plans for the long term need to acknowledge fundamental elements will change over time. These include technology; community, visitor and investor views and expectations; the climate; the economy; and the demand for and availability of natural resources.

With appropriate management and supporting infrastructure; and the consideration of cumulative impacts, the Leeuwin-Naturaliste sub-region will continue to be a unique and bio-diverse environment enjoyed by thriving and resilient communities and appreciative visitors.

The Western Australian Planning Commission, South West Development Commission, City of Busselton and the Shire of Augusta Margaret River share a vision that the Leeuwin-Naturaliste sub-region will support a diverse range of land uses and economic opportunities, while maintaining its unique lifestyle, landscape, environmental values and amenity.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

Table of contents

1	Introduction	1
1.1	The study area	1
1.2	Need for this strategy	1
1.3	Purpose and scope	2
1.4	Vision	2
1.5	Key issues	3
1.6	Process for developing this strategy	4
2	Governance and context	5
2.1	Planning	5
2.1.1	State planning policies	5
2.1.2	South West Regional Planning and Infrastructure Framework (2015)	6
2.1.3	Local planning strategies and schemes	6
2.2	Regional development	6
2.2.1	Royalties for Regions	6
2.2.2	Regional investment blueprints	7
2.3	Aboriginal heritage and native title	7
3	Population and settlement	9
3.1	Population statistics	9
3.1.1	Regional land supply assessment	10
3.1.2	Busselton Regional Land Supply Assessment 2017 – Summary	10
3.1.3	Augusta-Margaret River Land Supply Assessment 2016 – Summary	11
3.2	Settlement and growth	12
3.2.1	The settlement hierarchy	12
3.2.2	Housing diversity and affordability	17
3.2.3	Urban infill and urban consolidation	17
3.2.4	Future urban – Planned but undeveloped green field urban areas (major)	17
3.2.5	Proposed planning investigation areas	18
3.2.6	Lifestyle lots	19
3.2.7	Hamlets and enclaves	21
3.2.8	Holiday homes	21
3.2.9	Land requirements for future public works	21

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

4	Environmental significance	23
4.1	Biodiversity	23
4.2	Landscape	24
4.3	Sustainable water use and water management	24
4.3.1	Improving water quality	25
4.3.2	Flood risk management	25
4.3.3	Dams	26
4.4	Marine environment	26
4.5	Climate change and coastal planning	27
4.6	Bushfire	29
4.7	Other natural hazards and disasters	29
5	Economic activities	30
5.1	Agriculture	31
5.2	Tourism	32
5.3	Mining and gas extraction	34
5.4	Basic raw materials	35
5.5	Forestry and fisheries	35
6	Transport and infrastructure	36
7	The Leeuwin-Naturaliste Sub-regional planning strategy	38
7.1	WAPC policy position for the Leeuwin-Naturaliste sub-region	38
7.1.1	Population and settlement	38
7.1.2	Environment	39
7.1.3	Economy	43
7.1.4	Infrastructure	45
7.2	WAPC future actions	46
7.2.1	Review of State Planning Policy 6.1: Leeuwin-Naturaliste Ridge	46
7.2.2	Review of South West Regional Planning and Infrastructure Framework	46
7.2.3	Infill potential in existing residential areas	46
7.2.4	Transport movements through Cowaramup	46
7.2.5	Bushfire Hazard Level assessments and strategies for existing settlements with only one public road for access	46
7.2.6	Aged care	46
7.3	Monitoring and review	46
7.4	Maps	46

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

References	63
Appendices	
Appendix 1 Regional settlement hierarchy	64
Appendix 2 Relevant State planning policies	66
Appendix 3 Summary of report card for <i>State Planning Policy 6.1: Leeuwin-Naturaliste Ridge</i>	67

Maps, figures and tables

Map 1 Leeuwin-Naturaliste Sub-regional Planning Strategy study area	47
Map 2 Leeuwin-Naturaliste Ridge State planning policy area map	48
Map 3 Leeuwin-Naturaliste land use plan	49
Map 3 Leeuwin-Naturaliste land use plan – Mapsheet 1	50
Map 3 Leeuwin-Naturaliste land use plan – Mapsheet 2	51
Map 3 Leeuwin-Naturaliste land use plan – Mapsheet 3	52
Map 3 Leeuwin-Naturaliste land use plan – Mapsheet 4	53
Map 3 Leeuwin-Naturaliste land use plan – Mapsheet 5	54
Map 4 Settlement map	55
Map 5 Proposed Dunsborough planning investigation area	56
Map 6 Proposed Vasse planning investigation area	57
Map 7 Existing rural residential areas	58
Map 8 Land with high viticulture, horticulture and grazing capability in the Leeuwin-Naturaliste Sub-region	59
Map 9 Environmental assets	60
Map 10 Transport and movement network	61
Map 11 Public utility infrastructure	62
Figure 1 Western Australian Planning Framework	5
Table 1 Population and dwellings – ABS Census summary	9
Table 2 Settlement hierarchy	13

I Introduction

I.1 The study area

The stretch of beaches, forests, towns and farmland from Cape Naturaliste in the north to Cape Leeuwin and inland to Margaret River is known as the Leeuwin-Naturaliste sub-region. For the purpose of the *Leeuwin-Naturaliste Sub-regional Planning Strategy*, Leeuwin-Naturaliste refers to all of the land and coastal waters within the City of Busselton and the Shire of Augusta-Margaret River.

I.2 Need for this strategy

The Western Australian Planning Commission (WAPC) has identified a number of key planning issues throughout the Leeuwin-Naturaliste sub-region. These include urban growth pressure; coastal erosion and inundation; protection of biodiversity, tourism, agriculture and landscape values; and bushfire planning.

The coastal areas, including beaches, wetland habitats, surf breaks, boat ramps and the marine park are a main tourist attraction and vulnerable to degradation and overuse during peak periods. With changing coastal processes, the management of coastal erosion and inundation impact on existing and proposed infrastructure, and decision-making regarding the future of these 'at risk' assets will need a collaborative approach for actions such as the preparation of coastal hazard risk management and adaptation plans.

The strategy is intended to help local governments implement State strategic issues in a sub-regional context by guiding decision-making, and informing local planning documents such as local planning strategies and schemes.

The WAPC established a steering group to guide the preparation of the *Leeuwin-Naturaliste Sub-regional Planning Strategy*. The steering group has overseen the preparation of the document and supports the purpose, vision and implementation actions presented.

I.3 Purpose and scope

The *Leeuwin-Naturaliste Sub-regional Planning Strategy* is an overarching planning document that outlines the WAPC's approach to future planning and development within the City of Busselton and the Shire of Augusta-Margaret River.

The purpose of the sub-regional strategy is to guide urban, industrial, rural and regional land use planning and associated infrastructure delivery in the Leeuwin-Naturaliste sub-region for the short, medium and long term.

The sub-regional strategy provides a local context and more detail for actions previously detailed in the WAPC's *State Planning Strategy* (2014) and the *South West Regional Planning and Infrastructure Framework*.

It promotes a whole-of-government approach for a wide range of social, economic and environmental considerations in the Leeuwin-Naturaliste sub-region.

As a provision of the *State Planning Framework*, the sub-regional strategy forms the basis for cooperative action by the State and local governments on land use, development and infrastructure. Local planning strategies are expected to be consistent with this document.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

In particular, the sub-regional strategy:

- recognises the importance of forward planning for the potential scale and distribution of population growth
- acknowledges the complexities of delivering urban infill and future green-fields urban, commercial and industrial development
- identifies the WAPC's position on landscape, environmental issues, transport, water resources, agriculture, tourism and the managing the risks of fire, flood, sea level rise and storms and extreme weather events
- seeks to ensure growth and development across the Leeuwin-Naturaliste sub-region is well planned, accessible and maintains and enhances the unique character and environment of the area.

1.4 Vision

The vision for the Leeuwin-Naturaliste sub-region is:

To plan for the continued development and management of the Leeuwin-Naturaliste sub-region in a manner consistent with the character, amenity and value of the natural and built environments, and the efficient use and equitable distribution of resources

1.5 Key issues

1. The sub-region is facing challenges that can be addressed or influenced through the planning process. Issues such as population growth, aging population, increasing tourism numbers, coastal access, waste management and bushfire risk will have an immediate effect in the sub-region.
2. The Leeuwin-Naturaliste sub-region's economy is diverse and stable but somewhat dependent on world markets and technological innovation. As an important agricultural and food production area, the sub-region's food and wine products are internationally renowned and an attraction for overseas visitors. Increased population, coupled with the region's significance as a tourism hotspot will support increased opportunities for sale and consumption of locally grown produce. This will require integrated planning to secure land and water resources to support growth in this sector. It is essential natural and rural landscapes are planned and managed to retain the character and amenity that attracts visitors and avoids environmental degradation.
3. Coastal processes are changing. Guidance around the State values of existing and proposed development is required to inform the preparation of coastal hazard risk management and adaptation plans (CHRMAP) by local governments and others.
4. Continued population and tourist growth is expected to put pressure on the sub-region's coastal areas. The strategic and sustainable development of potential tourism opportunities is required.
5. There is need for a review and consolidation of the settlement hierarchy to align it with contemporary planning and growth change.
6. *Ad hoc* proposals, inefficient distribution of infrastructure and the cumulative impact of development and rezoning of land to rural residential or special rural type lifestyle lots, is resulting conflict between the agricultural, economic, cultural and natural landscape values of the sub-region.

1.6 Key principles

The Leeuwin-Naturaliste Sub-regional Strategy promotes a whole-of-government approach for a wide range of social, economic and environmental considerations in the Leeuwin-Naturaliste sub-region.

The key principles of the strategy identified by the steering group are:

1. Acknowledgement of the interdependency between the landscape, environment, lifestyle attributes and economic benefits of investing, living and visiting the Leeuwin-Naturaliste sub-region.
2. Acknowledgement of the cumulative impacts of development on the economy, employment opportunities, cultural integrity, landscape values and the natural environment of the sub-region.
3. Support for a review and consolidation of the settlement hierarchy.
4. Support for attractive, accessible and liveable settlements and activity centres with a range of commercial spaces and housing types, including affordable options.
5. Support for a dynamic, diverse and prosperous economic base with local employment opportunities.
6. Support for the timely and efficient delivery of soft and hard infrastructure to support the sub-region's growth.
7. Support for ongoing, and where appropriate, increased protection of the unique environmental, cultural and tourism attributes of the sub-region.
8. Confirmation there will be no further rezoning of land to rural residential or special rural type lifestyle lots, other than those already identified in local planning strategies.
9. Provision of direction for the most advantageous and efficient locations to accommodate greenfields urban growth areas to prevent ad hoc proposals, inefficient distribution of infrastructure and resulting land use conflict.
10. Identification of the most advantageous and efficient greenfields locations to accommodate long-term industrial growth, and prevent subsequent growth pressures and land use conflict in other areas.
11. Assessment of risks and prepare adaptation strategies to manage the impacts of a changing climate and natural disasters.
12. Acknowledgement of the impacts of climate change and the need to integrate bushfire planning and management into the appropriate planning documents at a State and local level.
13. Protection of the vulnerable coastline through collaborative management and decision-making among the responsible stakeholders through processes including coastal hazard risk management and adaptation planning.
14. Protection of rural land for rural purposes (primary production, basic raw materials, regional facilities), and biodiversity and landscape for economic, employment, landscape, tourism and social values.
15. Support for investment in major infrastructure projects including the Busselton-Margaret River Airport, Busselton Outer Bypass, Vasse-Dunsborough Link Road, and exploration of a possible fast passenger rail service connecting to Bunbury and Perth. Other key projects have been identified in the South West Regional Planning and Infrastructure Framework and South West Blueprint.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

1.7 Process for developing this strategy

The preparation of the *Leeuwin-Naturaliste Sub-regional Strategy* was overseen by the Department of Planning, Lands and Heritage, on behalf of the WAPC.

A steering group was established to guide the preparation of the strategy.

The steering group included representatives from:

- Western Australian Planning Commission (WAPC)
- Department of Planning, Lands and Heritage
- Department of Primary Industries and Regional Development
- City of Busselton
- Shire of Augusta-Margaret River
- Independent planning professional.

The steering group met in Busselton and Margaret River, and received presentations from:

- Department of Biodiversity Conservation and Attractions
- Department of Water and Environmental Regulation
- Main Roads WA
- South West Development Commission
- City of Busselton
- Shire of Augusta-Margaret River
- Department of Mines, Industry Regulation and Safety
- Tourism WA
- Busselton Airport management.

The steering group has overseen the preparation of this document and supports the purpose, vision and implementation actions presented.

Infrastructure projects identified within the strategy are based on indicative information from State government agencies and are subject to change. Unless otherwise stated, they should not be taken as a funded Government commitment.



Draft Leeuwin Naturaliste Sub-regional Planning Strategy

2 Governance and context

2.1 Planning

The planning context for the *Leeuwin-Naturaliste Sub-regional Planning Strategy* is shown in **Figure 1**. The strategy is intended to be more detailed than the South West Regional Planning and Infrastructure Framework, but it does not address all matters that would typically form part of a local planning strategy.

2.1.1 State planning policies

State planning policies provide the highest level of planning policy control and guidance in Western Australia. They are prepared under Part 3 of the *Planning and Development Act 2005* and are applied at all levels of planning

decision-making including strategic planning, local planning strategies and schemes, structure plans, subdivision, and development.

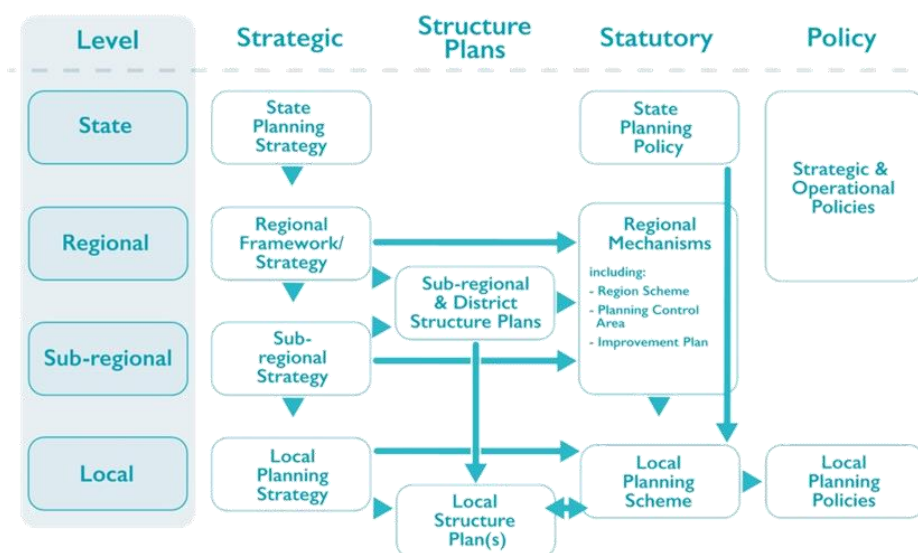
This study seeks to build on the policy direction of State planning policies relevant to this sub-region (**Appendix 2**).

2.1.1.1 State Planning Policy 6.1: Leeuwin-Naturaliste Ridge

In 1998, *State Planning Policy 6.1: Leeuwin-Naturaliste Ridge* (SPP6.1) was gazetted and the accompanying report published.

SPP6.1 mainly addresses issues for the area along the ridge from Cape Naturaliste to Cape Leeuwin and as such, does not cover land east of the Bussell Highway, including Busselton townsite and the Swan and Scott coastal plains.

Figure 1: Western Australian Planning Framework



Draft Leeuwin Naturaliste Sub-regional Planning Strategy

The policy was amended in 2003 to include statements regarding planning and development at Smiths Beach. In 2016, the WAPC reviewed SPP6.1 in the form of a Report Card (Appendix 3).

2.1.2 Regional planning and infrastructure frameworks

Planning and infrastructure frameworks have been prepared for each of Western Australia's 10 planning regions. The frameworks provide guidance to government agencies and local governments on land use, land supply, land development, environmental protection, infrastructure, investment and for the delivery of physical and social infrastructure for each region. They also provide the framework for the preparation of sub-regional and local planning strategies and inform the decisions of the WAPC and its Infrastructure Coordinating Committee.

The study area is covered by the *South West Regional Planning and Infrastructure Framework (2015)*, which outlines the WAPC's position on transport, agriculture, planning for population growth, community infrastructure, climate change and major infrastructure requirements for the South West region for a 20 year timeframe. The Leeuwin-Naturaliste sub-region is one of three sub-regions in the South West, along with the Bunbury Wellington and Warren-Blackwood sub-regions. The framework provides significant direction for this strategy.

2.1.3 Local planning strategies and schemes

The City of Busselton and the Shire of Augusta-Margaret River each have local planning strategies and schemes that govern land use and development.

The sub-regional strategy is intended to provide direction and support to local governments to deal with issues of State and regional significance. The local schemes and strategies may need review to ensure consistency with the direction in the strategy.

2.2 Regional development

The *Regional Development Commissions Act 1993* defines the regions of Western Australia in an almost identical manner to the Planning Act.

2.2.1 Royalties for Regions

The *Royalties for Regions Act 2009* provides for mining royalties to be put into a fund to promote and facilitate economic, business and social development in regional Western Australia.

The Act establishes a Regional Development Trust, which provides advice and recommendations to the responsible Minister on expenditure related to the fund.

Royalties for Regions focuses on delivering benefits to regional Western Australia through six objectives:

- Building capacity in regional communities
- Retaining benefits in regional communities
- Improving services to regional communities
- Attaining sustainability
- Expanding opportunity
- Growing prosperity.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

2.2.2 Regional investment blueprints

Regional investment blueprints have been prepared for each region in Western Australia defined under the *Regional Development Commissions Act 1993*. They identify priorities for economic, social and community development projects.

By considering local issues and conditions, the blueprints seek to develop the economic base of each region by highlighting advantages, looking for workforce opportunities and community development. They are intended to guide investment and allocation for Royalties for Regions funding into infrastructure and services for regional communities.

2.2.2.1 South West Regional Blueprint

The *South West Regional Blueprint* outlines a guide for the future development of the South West region to 2050.

The blueprint takes an aspirational view on how the South West can grow, create new jobs, build prosperity and provide the kind of lifestyle that is so important to living in the region. The blueprint was jointly produced by the South West Development Commission and Regional Development Australia South West, and will guide future investment in regional development.

2.3 Aboriginal heritage and native title

This strategy acknowledges the traditional owners of the Leeuwin-Naturaliste sub-region, past and present. The Leeuwin-Naturaliste sub-region is predominantly within Wardandi Noongar country.

The *Native Title Act 1993* provides for the recognition and protection of Aboriginal and Torres Strait Islander people's native title rights and interests. Certain government actions, such as grants of freehold or other exclusive tenures to other parties, have been found to extinguish native title. Claims for native title cannot be made over areas where native title has been extinguished; for example, land held in freehold or exclusive tenure in developed areas.

Native title is a relevant consideration when planning for urban growth and development in the Leeuwin-Naturaliste area, as land in and around towns that may be identified as appropriate for certain development options may be subject to native title claim. Broadly, however, native title has been extinguished on the majority of land in the study area by the granting of freehold titles over large areas.

The recognised traditional owners for the Leeuwin-Naturaliste sub-region are the South West Boojah people. Broadly, the South West Boojah region includes the coastal areas from Wonnerup east of Busselton to Point d'Entrecasteaux, south of Northcliffe, and also includes inland areas such as Nannup and Pemberton.

In April 1996 the National Native Title Tribunal registered a native title claim over a portion of the study area (WC1996/041–Harris Family).

Since 2009, the State Government and South West Aboriginal Land and Sea Council have been negotiating on the South West Native Title Settlement, a negotiated settlement for

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

six separate native title claims by the Noongar people of the south west of Western Australia. Under the Settlement, native title is proposed to be exchanged for a negotiated package of benefits, including formal recognition of the Noongar people as traditional owners, land, investments and the establishment of Noongar Regional Corporations. A major component of the Settlement is the establishment of the Noongar Land Estate through the transfer of a maximum of 320,000 hectares of Crown land for cultural and economic development, comprising 300,000 hectares as reserve land and 20,000 hectares as freehold title.

The South West Native Title Settlement is not yet finalised. When it is, traditional owners are expected to be more closely involved in land use planning in the district. For land outside of the native title settlement area, engagement with the traditional owners will continue through standard referral processes.



Draft Leeuwin Naturaliste Sub-regional Planning Strategy

3 Population and settlement

3.1 Population statistics

The WAPC is the State Demographer and is responsible for preparing population forecasts for use by State agencies. The WAPC prepares Regional Land Supply Assessments as part of the Urban Development Program.

The Urban Development Program coordinates and promotes the development of serviced land in an efficient and coordinated manner for the guidance of state infrastructure agencies, public utilities, local governments and the private sector. It tracks and models demand, land supply, development and infrastructure throughout Western Australia to deliver a more effective use of land, better staging of development and prioritisation of infrastructure investment to support growth.

Regional Land Supply Assessments track and model land supply. The reports include information on:

- Demand drivers specific to each centre, including the major economic factors that influence employment and population growth, and therefore the demand for land and housing;
- Zoned land supply for residential, commercial and industrial uses;
- Development constraints;
- Recent and future land development activity; and
- Existing and required physical infrastructure.

More detailed descriptions of the methods and outputs are available at www.planning.wa.gov.au

Both the City of Busselton and the Shire of Augusta-Margaret River have had regional land supply assessments published in 2016 and 2017, respectively. The WAPC notes that the rate of growth in the sub-region has been greater than what was anticipated in forecasts within WA Tomorrow. WA Tomorrow forecasts towards a 15 year horizon and deviation from the median growth trajectory is expected during that time. If growth through the sub-region is outside

Table 1: Population and Dwellings – ABS Census summary

Local government area / Census	Busselton 2011	Busselton 2016	Augusta-Margaret River 2011	Augusta-Margaret River 2016
Population	30,330	36,686	11,761	14,258
Private dwellings – total	15,848	18,677	6,810	7,740
Private dwellings – unoccupied	4,253 (27.9%)	4,715 (26.6%)	2,089 (33.2%)	2,081 (29.2%)
Private dwellings – unoccupied (per cent of state average)	12.1%	13.3%	12.1%	13.3%

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

this trend, this data will be included as model inputs for the next iteration of WA Tomorrow and Land Supply Assessments will be updated accordingly to reflect latest census data.

A summary of key points from the Land Supply Assessments are provided below.

3.1.1 Regional land supply assessments

The WAPC prepares regional land supply assessments as part of the Urban Development Program.

The Urban Development Program coordinates and promotes the development of serviced land in an efficient and coordinated manner for the guidance of state infrastructure agencies, public utilities, local governments and the private sector. It tracks and models demand, land supply, development and infrastructure throughout Western Australia to deliver a more effective use of land, better staging of development and prioritisation of infrastructure investment to support growth.

Regional land supply assessments track and model land supply. The reports include information on:

- demand drivers specific to each centre, including the major economic factors that influence employment and population growth, and therefore the demand for land and housing
- zoned land supply for residential, commercial and industrial uses
- development constraints
- recent and future land development activity
- existing and required physical infrastructure.

More detailed descriptions of the methods and outputs are available at www.planning.wa.gov.au

The City of Busselton and the Shire of Augusta-Margaret River have each had regional land supply assessments published in 2016 and 2017, respectively. The rate of growth in the sub-region has been greater than what was anticipated in forecasts within the WAPC's *WA Tomorrow*, which forecasts towards a 15 year horizon, and deviation from the median growth trajectory is expected during that time. If growth through the sub-region is outside this trend, this data will be included as model inputs for the next edition of *WA Tomorrow* and land supply assessments will be updated to reflect latest census data.

Summaries of the land supply assessments are provided below.

3.1.2 Busselton Regional Land Supply Assessment 2017 – Summary

The City of Busselton's population is growing, driving demand for more residential and industrial land in the Busselton-Vasse and Dunsborough areas.

With a population of approximately 36,335 as at June 2015 (**Table 1**), it is now the third most populated urban area in regional Western Australia, and the most populated local government in the South West.

At the 2011 Census, a stock of 15,252 dwellings was recorded in the City of Busselton. Of these, 4,253 were unoccupied (27.9 per cent), which is significantly higher than the rate for Western Australia as a whole (12.1 per cent). This is likely to be related to the large number of dwellings used as holiday homes.

This population growth is likely to continue as Busselton's economy continues to diversify. Significant regional and local economic development initiatives such as the expansion of the Busselton-Margaret River Regional Airport and the revitalisation of the Busselton foreshore will ensure the region's continued economic growth, thereby increasing

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

employment opportunities. This could result in a further 7,000 to 8,000 people living in the region by 2026.

The majority of undeveloped residential zoned land is located south of the Busselton wetland system and will facilitate this population growth well into the future.

Large stocks of land have also been identified for industrial expansion, particularly around the Busselton-Margaret River Regional Airport. It is anticipated that demand for industrial land will increase once expansion of the airport is complete.

Under the median (Band C) WA Tomorrow forecasts, there are sufficient stocks of land identified in the local government area to meet growth in the short, medium and long term, with a hypothetical temporal land supply of 32 years (that is, to 2050) and a resident population ultimate capacity of approximately 54,000. However, these figures do not take into account factors including the demand and distribution of the population, absentee owners, the high proportion of holiday homes, the reduction in infill potential due to bushfire risks and habitat protection for critically endangered ringtail possums and the potential of multiple dwellings in higher density and mixed use lots.

3.1.3 Augusta-Margaret River Land Supply Assessment 2016 – Summary

There were approximately 13,807 residents residing within the Augusta-Margaret River local government area as at June 2015.

At the 2011 Census, a stock of 6,299 dwellings was recorded in the Shire of Augusta-Margaret River. Of these, 2,089 dwellings (33.2 per cent) were unoccupied, which is significantly higher than the rate for Western Australia as a whole (12.1 per cent). This is likely to be related to the large number of dwellings used as holiday homes. In Prevelly-Gnarabup 52 per cent of the dwellings were reported as unoccupied, 54 per cent were reported unoccupied in Gracetown, and 60 per cent of the dwellings were reported as unoccupied on Molloy Island. For the Shire's main centre, Margaret River, the rate was 17.2 per cent.

The staged development strategies developed by the Shire of Augusta-Margaret River and State government agencies have identified sufficient stocks of land to meet short, medium and long term future land requirements. Over the whole of the Shire it is estimated that there is a land supply of at least 40 years with a residential population capacity of 23,200 people. However, it should be noted that future population growth is largely expected to occur in the northern parts of the Shire.

The industrial land needs for the Shire are currently being accommodated by existing estates in Margaret River, Augusta, Cowaramup and Witchcliffe. These contain primarily light industrial and service commercial development. In addition, several industrial land uses such as wine making are also permitted in the rural zones. Modelling has identified 168 lots of land zoned for industrial purposes, covering a total land area of approximately 60 hectares.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

3.2 Settlement and growth

The WAPC recognises that people are the most important component of all communities and are a communities' greatest resource. The importance of planning for future population growth to build inclusive communities that minimise disadvantage and recognise our rich and diverse cultural heritage and environment is fundamental.

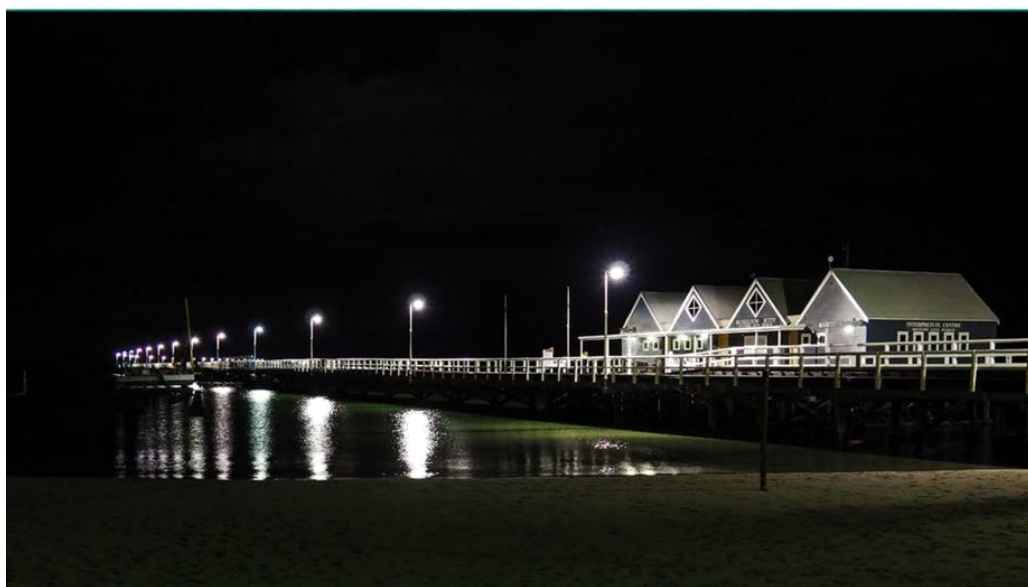
Land use planning in the Leeuwin-Naturaliste sub-region should encourage growth only in appropriate locations. This growth must be carefully managed to encourage the development of efficient, inclusive communities that support a high level of social amenity, whilst maintaining the values that attract people to live and work in the sub-region.

Map 3 identifies the locations of broad land uses supported in this strategy.

More detail for the major settlements is in **Map 4**.

3.2.1 The settlement hierarchy

The South West Regional Planning and Infrastructure Framework (2015) includes a settlement hierarchy that identifies the role and function of activity centres based on current focal points for people, services, employment and leisure at that time. The settlement hierarchy for the sub-region shown in **Table 2** has been updated from that shown in the framework to reflect the existing strategic planning, and latest information from the regional land supply assessments.



Draft Leeuwin Naturaliste Sub-regional Planning Strategy

Table 1: Settlement hierarchy

	Settlement category	Settlement	Planning opportunities	Population (2011 census)	Population (2016 census)	Estimated potential population based on land identified in this strategy
1	Regional city	None in sub-region The Regional City for the South West Region is Bunbury				
2	Regional centre	Busselton (including town centre, Geographe, Yalyalup, West Busselton, Broadwater and Ambergate North)	<p>Opportunity for urban infill and redevelopment of some sites within the existing urban footprint</p> <p>Significant undeveloped but planned residential land at Ambergate North.</p> <p>Opportunity to review and improve greenfield structure plans and activity centres to reflect current best practice.</p>	1,8106	2,1021	<p>The Busselton Land Supply Assessment identifies that the City has the capacity to support a resident population of approximately 44,900 people within the suburbs of Busselton, West Busselton, Geographe, Broadwater, Abbey, Yalyalup, Bovell, Ambergate Vasse and Kealy.</p> <p>The ultimate population is dependent on review of Structure Plans and infill potential taking into account ringtail possum habitat, drainage, bushfire and remnant vegetation constraints.</p>
3	Subregional centre	Margaret River, (including East Margaret River DIAs)	Major growth centre for the sub-region. Ample land for residential uses already identified in the local planning strategy.	5,314	8,830	13,300+ infill potential of approximately 700 people. (likely population by 2031 = 11,000)

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

	Settlement category	Settlement	Planning opportunities	Population (2011 census)	Population (2016 census)	Estimated potential population based on land identified in this strategy
4	Major town	Dunsborough	<p>the surrounding district. Opportunity to consolidate the town centre to improve walkability and urban design and diversify housing types.</p> <p>Planning investigation areas are identified to the south and south-east of the town centre, subject to amendments to statutory mechanisms and detailed planning. Likely issues include; bushfire, remnant vegetation, groundwater levels and fill requirements, traffic management, social infrastructure requirements and development contribution mechanisms.</p>	4,531	5,320	<p>The Busselton Regional Land Supply Assessment identifies that the suburbs of Dunsborough, Naturaliste, Quedjinup, Quindalup, Wilyabrup, Yallingup and Yallingup Siding have the capacity to support a population of 11,600 plus the additional population supported by the planning investigation area identified at Dunsborough.</p> <p>The ultimate population for Dunsborough is dependent on detailed structure planning taking into account ringtail possum habitat, drainage, bushfire and remnant vegetation constraints.</p>
5	Town	Augusta	<p>Augusta has the natural attributes to support a vibrant retail, hospitality and tourism industry. It has the capacity to accommodate increase in population, and support industries related to tourism and renewable energy.</p> <p>Sufficient land zoned for urban already identified in local planning strategy.</p>	1,022	1,382	<p>5,750 (Likely population by 2031 = 2000)</p>
6	Town	Cowaramup	<p>Cowaramup has a distinct identity, character and role and known for its local culture and industries.</p> <p>Sufficient land zoned for urban already identified in Local Planning Strategy.</p>	795	1,902	3,000

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

	Settlement category	Settlement	Planning opportunities	Population (2011 census)	Population (2016 census)	Estimated potential population based on land identified in this strategy
7	Town	Vasse	A new town that services the surrounding area. Planning investigation area identified to the south of the town centre, subject to amendments to statutory mechanisms and detailed planning.	1,733	2,479	The endorsed Structure Plan for Vasse has the capacity to support a population of approximately 5,000. The additional population supported by the planning investigation area at Vasse will subject to detailed structure planning.
8	Town	Witchcliffe	Structure plans for eco-village concepts have been prepared which will provide for Witchcliffe to grow from a village to a town settlement.	30	263	2,000-2,600
9	Village	Karridale		300	277	500
		Prevelly/Gnarabup		400	659	700**
		Yallingup	Sufficient land zoned for urban already identified in Local Planning Strategy.	970	1,029	**
		Gracetown		300	237	450***+ 140 lots
		Molloy Island	Small communities, often with a strong sense of identity, that rely on nearby towns for high order goods and services.	354	113	**
		Eagle Bay		173	76	**
		Kudardup		241	99	500
10	Tourist node	Bunker Bay	Sufficient land zoned for urban already identified in Local Planning Strategy.	**	**	**
		Hamelin Bay		**	**	**
		Smiths Beach	Small tourism developments / resorts in high amenity areas that rely on nearby towns for goods and services.	**	**	**

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

	Settlement category	Settlement	Planning opportunities	Population (2011 census)	Population (2016 census)	Estimated potential population based on land identified in this strategy
11	No growth or future settlement proposed	Carbanup River Hamlet Metricup Hamlet Hamelin Bay Enclave [^]	Previously identified in SPP6.1 (1998). However no longer supported for reasons including: they are not contiguous with existing settlements and numerous development fronts would result in the inefficient delivery of hard infrastructure and ineffective access to social infrastructure and services for future residents, and environmental constraints including remnant vegetation and bushfire risk.	N/A N/A N/A	N/A N/A N/A	N/A N/A N/A

** Variable depending on tourist, absentee owners and permanent resident ratio

[^] Subject to the outcome of existing planning application being considered by the local government and WAPC. Refer section 3.2.7.

3.2.2 Housing diversity and affordability

The sub-region has a strong supply of high socio-economic housing and lifestyle lots as well as ample proposed greenfield development sites, which generally cater for first home owner and family needs. However, like many others in Western Australia, the sub-region is lacking in affordable accommodation options for purchase and for rent; and smaller, more manageable and efficient housing configurations for single people, people with disabilities, the elderly and those who require supported accommodation.

3.2.3 Urban infill and urban consolidation

Both local governments within the sub-region already recognise the importance of supporting and encouraging quality urban infill and urban consolidation within the existing settlements. This is reflected in the local planning strategies, schemes and policies.

The importance of good design is outlined in the WAPC's Draft *State Planning Policy 7 Design of the Built Environment (2016)* and *Diverse City by Design (2015)*. Appropriately scaled infill development and the productive use of upper storey building space for offices or housing can significantly increase the mix and efficiency of land use. Liveable compact neighbourhoods with attractive, safe public spaces are also good for health, providing the opportunity for walkable or cycle-able access to daily needs and services, rather than dependence on private motor vehicles.

Studies have also demonstrated it is significantly more cost effective for the government to deliver, upgrade and maintain infrastructure to cater for additional dwellings within and immediately adjacent to existing urban areas, rather than provide new services for greenfield development areas.

3.2.4 Future urban – Planned, but undeveloped greenfield urban areas (major)

There are currently several already planned, significantly sized, greenfield development fronts currently rolling out including Yalyalup, Vasse, Bovell, Cowaramup, and Margaret River. These are already identified in local planning schemes and strategies.

As required by *State Planning Policy 2.5: Rural Planning* and the Department of Health *Guidelines for separation of agricultural and residential land uses (2012)*, any review of these structure plans should demonstrate strategies to minimise conflict at the interface between land uses such as urban areas and surrounding rural and agricultural land through such measures as buffers and separation distances.

Many of these areas were identified and planned prior to the introduction of *State Planning Policy 3.7: Planning in Bushfire Prone Areas*. To ensure that bushfire risk can be managed to avoid the threat of bushfire to people, property and infrastructure, it is recommended that Bushfire Hazard Level Assessments be undertaken to demonstrate how compliance with the bushfire protection criteria can be achieved.

The major planned but undeveloped greenfield urban areas that have not yet commenced development are described below.

3.2.4.1 Ambergate North

Ambergate North is identified in the City of Busselton's Local Planning Strategy and Local Planning Scheme. A current structure plan was approved by the local government and endorsed by the WAPC in 2014. The structure plan allows for approximately 5,175 residential lots, a village centre, a local centre, three primary schools, one high school and significant open space.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

To date, no development has taken place and there is some scope to review the structure plan. This could potentially increase residential densities around the activity centre and apply best practice regarding planning for and management of bushfire risk, bushland, wetland and drainage issues.

3.2.4.2 Margaret River

Approximately 500 hectares of residential development investigation area was identified in the Augusta-Margaret River Local Planning Strategy 2011, which could yield approximately 3,000 lots, representing approximately 20 years supply. Comprehensive structure planning will be required to be approved by the local government and endorsed by the WAPC.

3.2.4.3 Gracetown

A future development zone was approved to the south of Gracetown by the Minister for Planning in 2016. This townsite expansion provides for approximately 140 lots, and the potential for alternative servicing arrangements. Prior to development, bushfire risk management issues will need to be met in accordance with SPP3.7.

3.2.4.4 Witchcliffe

The *Shire of Augusta Margaret River's Local Planning Strategy 2011* and townsite strategies identify significant residential and rural residential/ special residential enclaves within development investigation areas, providing for approximately 1,000 lots. The objectives state the importance of retaining the rural village character in the new urban form and providing strong permeability through interconnected street and pedestrian networks. The town is not connected to reticulated water or sewerage services and alternative servicing arrangements may be required.

In 2017, an area of approximately 119 hectares to the east of the Witchcliffe townsite was also identified for 'future development' for an 'eco-village' subdivision creating approximately 300 residential lots, complementary agricultural pursuits, community facilities, and public open space, committed to renewable and self-sufficient servicing infrastructure.

3.2.5 Proposed planning investigation areas

To provide for long term growth and the efficient and orderly delivery of servicing infrastructure, this sub-regional strategy identifies two planning investigation areas. These areas have been chosen as they are strategically located, least constrained by environmental and physical considerations, and are contiguous to existing settlements. The boundaries and size of these areas are indicative only and identification of the sites should not be construed as support for development.

The areas will be the subject of further planning investigations, including issues such as, but not limited to environmental assessment, hard and social infrastructure requirements, water management, bushfire management, land fill requirements, an effective staging plan, development contributions plan, and built form and public spaces guidelines. Further planning processes need to be undertaken including amendments to statutory mechanisms and detailed structure planning.

As required by SPP2.5 and the Department of Health's *Guidelines for separation of agricultural and residential land uses (2012)*, these structure plans for these planning investigation areas should demonstrate strategies to minimise conflict at the interface between land uses such as urban areas and surrounding rural and agricultural land through such measures as buffers and separation distances.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

To ensure that bushfire risk can be managed to avoid the threat of bushfire to people, property and infrastructure, it will be required that bushfire hazard level assessments are undertaken to demonstrate how compliance with the bushfire protection criteria can be achieved as part of these planning investigations.

3.2.5.1 Dunsborough

It is estimated that the residential infill potential in Dunsborough under existing zonings is limited to approximately 300 lots within the existing suburban area. There may be some future mixed use developments providing for additional dwellings in the town centre. The potential number of residential dwellings in the town centre will be explored by the local government during detailed activity centre structure planning and revisions of the local planning strategy and scheme. The activity centre structure plan will also investigate the town centre expanding over Caves Road, allowing for increased residential densities within walking distance to the town centre services, and potentially requiring the relocation of one of the playing fields.

Dunsborough South East

The direction of future greenfields urban growth in Dunsborough is primarily in a south south-east direction due to constraints in other directions including remnant vegetation, possum habitat, drainage issues, wetlands, and coastal vulnerability.

The planning investigation area is shown in **Map 5**. Prior to development taking place, a structure plan will need to be approved by the local government and endorsed by the WAPC. The structure plan will determine a logical boundary to be subsequently rezoned in the local planning strategy and scheme.

The local government in collaboration with the landowners and developers will need to coordinate timely delivery and equitable

development contributions for the provision of servicing infrastructure including roads, power, waste water management, community infrastructure including schools and public open space, and a viable commercial precinct to service the local community. Notably, fit-for-purpose water sources for Dunsborough are limited and require significant infrastructure investment to support the potential population and amenity areas such as public open space and playing fields.

It is anticipated that this investigation area will supply sufficient greenfield land for Dunsborough in the long term.

3.2.5.2 Vasse South

A future planning investigation area shown in **Map 6** to the South of Vasse has been identified. The investigation area is defined by and contained within physical boundaries being the future Busselton Outer Bypass to the South, the realigned Bussell Highway and the Boyanyup drain. The land is flat and cleared of native vegetation.

This long term growth area of approximately 170 hectares will allow for logical design of roads and connectivity of infrastructure.

A structure plan will need to be approved by the local government and endorsed by the WAPC, and guide future subdivision, built form, residential densities, commercial and potential light industrial areas and public open spaces. Fit-for-purpose water sources for Vasse are limited and require significant infrastructure investment to support the potential population and amenity areas such as public open space and playing fields.

3.2.6 Lifestyle lots

The sub-region has significant areas of land already created for lifestyle lots, including land zoned Special rural, Rural residential, Rural living and low density residential lots. These lots provide an attractive lifestyle option with rural

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

outlooks and potential for small scale animal husbandry, horticulture and creative industries. Many landowners have invested in rehabilitation of their land, improving habitat and water quality.

The majority of these lots are in close proximity to Dunsborough, Vasse and Margaret River as shown in **Map 7** and are less than five hectares in size.

However; the cumulative impacts and interactions on the environment, the surrounding agricultural land and owner expectations often have conflicting consequences. Matters may include bushfire risk management, visual landscape amenity, detrimental impacts on biodiversity, efficient hard and social infrastructure provision, water resource management, and the threat to the productivity of larger primary agricultural lots. For example, owners may have chosen to live on a lifestyle lot to be surrounded by the natural environment and enjoy a rural outlook.

Additional lifestyle dwellings and building structures may detract from the view, and to comply with bushfire requirements may require significant amounts of vegetation and habitat to be removed. Therefore detracting from what first attracted the resident to live in the area and detracting from the uniqueness of the area.

The recent implementation of SPP3.7 means that several previously identified, but not yet subdivided areas, no longer will have development potential. This includes area "Development Investigation Area M5" to the east of the Margaret River townsite and the Margaret River Perimeter Road, identified in the Shire of Augusta-Margaret River Local Planning Strategy 2011. Therefore this area is not shown in this sub-regional strategy.

For these reasons the expansion of Special rural, Rural living and low density lifestyle residential zones in the sub-region over that already identified in the local planning strategies is not supported by the WAPC.



3.2.7 Hamlets and enclaves

The creation of new hamlets and enclaves in the sub-region is no longer supported by the WAPC due to reasons including their small settlement size, infrastructure and social servicing difficulties and dependency on travelling to other settlements for daily needs. Servicing these settlements with reticulated power, water and wastewater management is unlikely to be economically feasible due to connection distances to existing reticulated systems or the costs associated with creation and maintenance of standalone plants.

Kudardup and Karridale are historic settlements which have been identified as hamlets and enclaves in SPP6.1. Both of these settlements have retained permanent residents and small local convenience services. Structure planning has been approved to guide the expansion of these settlements. Sussex locations 246 and 251 Augusta have been identified in the Shire of Augusta-Margaret River's local planning scheme and planning has progressed for these two areas. With this expansion, these settlements could be classified as villages in the settlement hierarchy.

Carbanup River and Metricup have no current strategic structure plans approved. Metricup has no formed townsite, while Carbanup River has retained a petrol station and a few permanent residents. Providing additional servicing or social infrastructure for these hamlets is considered an inefficient use of State and local government resources, particularly given already identified and planned areas that are congruent to existing urban areas. Therefore, urban development at Carbanup River and Metricup is no longer supported as there is no demonstrated need for a new settlement from a land supply perspective, residents would be isolated from jobs and services, and urban development would result in an unnecessary loss of agricultural land.

SPP6.1 also identified a hamlet with enclave at Hamelin Bay. While some preliminary planning has occurred, development of the land has not progressed. Bushfire risk management is a significant concern and unless the proponent can address all of the constraints and concerns, this enclave is unlikely to proceed.

It is recommended that the settlement hierarchy in the South West Regional Planning and Infrastructure Framework and SPP6.1 should be reviewed so that they no longer refer to hamlets and enclaves.

3.2.8 Holiday homes

The sub-region has a high proportion of homes that are vacant for significant periods of the year and used as holiday homes for non-residents. This affects the ability of local governments to plan for permanent residents to be in close proximity to community services as affordable housing options are pushed further from town centres. Consequently, this contributes to urban sprawl as the rate of permanent residents per hectare is low.

Much of the tourist accommodation is based on single residential medium density housing, which then exacerbates the urban sprawl. The strategy's emphasis on higher density housing stock such as units, townhouses, and semi-detached houses, particularly for the tourist market, could prevent urban sprawl and reduce impacts on amenity for local residents; and provide for more affordable home owner, rental and investment options.

3.2.9 Land requirements for future public works

The State government is a major investor in non-residential public projects throughout the Western Australia. The provision of health, education, emergency, justice, cultural and general government services requires essential

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

facilities. As populations change and grow, so does the need for courts, hospitals, schools, correctional facilities, cemeteries and so on to support them.

Currently, there is no land assembly process for the identification and reserving of land for non-residential public projects. Land is sought by State government agencies after development has occurred; frequently leading to less than optimal outcomes in terms of cost, location and, ultimately, service delivery.

Identifying the location and land requirements for public infrastructure early in the planning process – similar to transport and energy infrastructure – is recommended as an efficient and cost-effective approach to securing land projected to be required by the State.

While it is beyond the scope of this document, it is recommended the Planning portfolio develop and drive a land assembly process to identify assemble land for non-residential public projects in the Leeuwin-Naturaliste sub-region.



4 Environmental significance

State planning policies and the *South West Regional Planning and Infrastructure Framework* recognise the importance of the health of the environment as a basic principle.

4.1 Biodiversity

The Leeuwin-Naturaliste area forms part of Australia's only internationally recognised biodiversity hotspot – one of 35 around the world and one of 15 national terrestrial biodiversity hotspots.

Biodiversity hotspots are areas that support natural ecosystems that are largely intact and where native species and communities associated with these ecosystems are well represented. They are also areas with a high diversity of locally endemic species, which are species that are not found or are rarely found outside the hotspot. Notably, the Vasse-Wonnerup Wetlands are a recognised RAMSAR site.

This hotspot is under various threats including clearing of native vegetation, changes to hydrology associated with land uses and practices, introduction of weeds and pest animals, disease spread, unplanned bushfires and the changing climate.

Unique vegetation

The granitic vegetation communities are unique to the ridge area and contain significant floristic variation. Declared rare flora including *Kennedia lateritia* is found in the area between Leeuwin Road and the coast.

The proposed planning investigation area for Dunsborough contains some small remnants of Abba and Cokelup vegetation complexes. Both of these complexes are at or below 10 per cent of their original extents, well below the State and Commonwealth recommended 30 per cent threshold for vegetation retention. Any remnant vegetation on the Cokelup complex will also be Claypan Threatened Ecological Community (TEC). It is recommended that all remnant vegetation in this investigation area should be protected from clearing to the greatest possible extent. This protection should also ensure that potential impacts to the vegetation from required bushfire protection adjacent to urban development are avoided.

Close to Augusta there is an area of Calcareous silt which is highly likely to be of significant conservation value and possibly contain threatened ecological communities. It is recommended all remnant vegetation should be protected from clearing to the greatest possible extent. This protection should also ensure that potential impacts to the vegetation from required bushfire protection adjacent to urban development are avoided.

Land in the proximity to the Busselton Cemetery includes areas that are priority ecological community vegetation and support the highly restricted Orange Bassendean Sands and several priority and locally significant species. It is recommended these reserves are protected from development and modification.

Large areas of land around Augusta have not had formal environmental studies undertaken. Areas such as the Margaret River Plateau are likely to be of a restricted type and extent.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

The seagrass meadows in the Ngari Capes Marine Park is also a significant vegetation type in the sub-region. There are large areas of contiguous seabeds in Geographe Bay and large numbers of fish and other marine species are found in, and are reliant on the area.

Unique fauna

The Western Ringtail Possum is critically endangered species reliant on peppermint trees (*Agonis flexuosa*) banksia woodland and tuart ecosystems.

The endangered Orange bellied frog *Geocrinia rosea* and the critically endangered white-bellied frog *Geocrinia alba* are endemic to the sub-region and are very sensitive to changes in hydrology which affect their specific habitat requirements. Reductions in water flow through limestone cave systems can have significant consequences for karst ecosystems and threatened ecological communities.

Wetlands

The Vasse Taskforce has been established to review and develop strategies for the Vasse-Wonnerup Wetlands, Lower Vasse River and Toby Inlet systems. The Department of Biodiversity Conservation and Attractions is currently working under the Revitalising Geographe Waterways program to develop an operational plan for the Vasse-Wonnerup Wetlands, in anticipation of associated areas being vested in the Conservation and Parks Commission for nature conservation purposes. Flood mitigation, water levels and water quality in the wetlands are issues that will be address in the operational plan.

The WAPC recognises local governments have an important role in protecting and managing the environment and natural resources to making the sub-region a unique, attractive and healthy place to live and visit. These values are embedded in the local governments key

strategic documents. Environmental attributes within rural areas are governed by several regulations and policies, some of which require separate approvals outside the planning system.

4.2 Landscape

The unique landscape of the sub-region is inherently linked to the desirability and liveability of the area, and provides a significant enabler; attracting investment and income from tourism and agriculture, and creating an attractive place to live, work and play. The landscape value includes vegetated areas, land cleared for agricultural uses, waterways and wetlands, and geological features including ridges, rocky outcrops and caves.

SPP6.1 identifies and protects exceptional landscape areas within the ridge area. Other agricultural land, environmental and vegetated areas in the sub-region have landscape value in their own right.

4.3 Sustainable water use and water management

The WAPC will continue to play a supporting role to the Department of Water and Environmental Regulation and service providers in achieving sustainable water use and water management.

Groundwater and surface water are vulnerable resources that are susceptible to the pressures of urban growth and other industries associated with this. They have limits to their availability and suitability for use. Demand for water resources is increasing as the population and economy expand. Many water resources are at or close to allocation limits. There is need for existing industries to use water efficiently, and required efficient use of water for new industries. Climate change, salt water intrusion and nutrient enrichment challenge water

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

managers and users now and in the future. Notably, the proposed urban expansion areas identified at Dunsborough and Vasse will need to identify solutions to the water supply issues.

Investigation of alternative water resources will become a priority in the future with a priority on wastewater management, non-potable water treated to a fit for purpose standard, industry reuse and desalination of ground, surface and seawater sources. Water resources are currently managed under six different Acts. These Acts regulate water take and use, waterways protection, drainage management, public drinking water source protection, and water supply. Public drinking water source areas will be managed as per *State Planning Policy 2.7: Public drinking water source*.

The 2013 public paper 'Securing Western Australia's Water Future' proposed a wide-ranging reform of the State's water management regime. Outcomes of the proposed reform are expected to include the consolidation of the six existing Acts into one modernised *Water Resources Management Act*.

The take and use of water in groundwater and surface water areas, proclaimed under the *Rights in Water and Irrigation Act 1914*, are administered by the Department of Environment Regulation through licensing and regulatory framework. Allocation limits for these resources are set in the *South West Groundwater Allocation Plan* (Department of Water, 2009) and *Whicher Area Surface Water Allocation Plan* (Department of Water, 2009).

4.3.1 Improving water quality

Large scale clearing, combined with integrated surface drainage and flood mitigation for urban and agricultural development on the coastal plain has resulted in large loads of nutrients being discharged in waterways, particularly the Vasse-Wonnerup Wetlands, Geographe

Bay and Hardy Inlet. This will continue to increase with greater urbanisation and intensive agriculture. In contrast the strong emphasis on tourism and liveable communities in the sub-region creates an expectation of healthy waterways, estuaries and oceans. Finding a balance and continuously improving land use practices will be required.

The WAPC-endorsed *Better Urban Water Management* published in 2008, ensures water and land use planning are integrated for urban development. This also requires consideration of water sensitive urban design, which assists in creating an improved water quality of storm and ground water discharged from these sites.

The government has invested heavily through the Royalties for Region funded Revitalising Geographe Waterways and Regional Estuaries initiative, which focus on reducing nutrients, rethinking drainage, revitalising waterways, working in partnership and sustaining the effort into the future.

4.3.2 Flood risk management

Much of the coastal plain is subject to flooding and seasonal inundation creating many of the valuable wetland habitats. The risk of flooding being exacerbated as climate change is predicted to bring less rain fall but more intense rainfall events over both summer and winter. These changing patterns will increase the risk to both urban and rural areas. For coastal urban and rural areas this risk will be further compounded by rising sea level and more intense storms as a result of climate change.

The Vasse Diversion Drain is actively managed for flood risk and inundation by the Water Corporation. Infrastructure assets include drains, bridges, levee banks and storm surge barriers. In the past these were managed purely to facilitate the movement of water across the catchment. However the Water

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

Corporation is now working towards integrating these drainage assets into liveable community assets which will involve assessment of risk and redesign where practicable.

4.3.3 Dams

The sub-region contains hundreds of dams, ranging from gully dams and hillside dams for stock and rural purposes through to large ornamental dams which provide an attractive setting for tourism ventures.

State and local government and land owners have a role in the approval and management of dams and water catchments, depending on the size and potential impacts including:

- environmental impacts when altering stream flows and impact on the water quality and ecology of the systems
- structural integrity and construction of the dam and emergency management plans should the dam fail
- water allocation and what is considered to be the highest and best use of the water
- aesthetics and impact of the structures on the landscape
- cumulative impact of dams on a water catchment and impacts up and down stream.

The Department of Environment Regulation has prepared the *Water Quality protection- Note 53 (2014) – Dam construction and operation in rural areas*. Its purpose describes the impacts that private dams have on water resources. The Department is also responsible for implementing the *Rights in Water and Irrigation Act 1914*. Proclamation of the Capes, Geographe Bay Rivers and Lower Blackwood catchments occurred in 2007, under the *Rights in Water and Irrigation Act 1914*. Since this time the Department of Environment

Regulation has administered a licensing and regulatory framework that considers water resource management aspects, accounting for the take of surface water from commercial dams on proclaimed watercourses.

The WAPC has not been involved in the licencing of these structures either for rural or ornamental purposes as it considers local governments are in the best position to determine whether a dam requires development approval, and to consider the matters outlined above and advice from agencies such as the Department of Environment Regulation and Department of Primary Industries and Regional Development, before making a decision.

4.4 Marine environment

The marine environment is an important natural asset on which the tourism and fishing industries are dependent. The *Ngari Capes Marine Park Management Plan 2013–2023* was produced on behalf of the Marine Parks and Reserves Authority in consultation with the community to help conserve marine biodiversity and provide special places for people to enjoy, appreciate and learn about the marine life of this unique area. A major concern of the management plan is the effect of development on the seascapes in the area. The management plan seeks to integrate the preservation of seascapes into local town planning schemes and planning policies.

The Ngari Capes Marine Park covers much of the foreshore along the Geographe Bay coast and most of the remaining coast in the sub-region. This park adjoins a range of tenure types particularly in Geographe Bay and where there are coastal townships. Any proposal to conduct new protective or remediation works will need to recognise the Ngari Capes Marine Park.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

Land use activities in the catchment and along the coast have the potential to affect the health and function of our coastal environment particularly through water quality and changes and mobilisation of sediments.

Access points such as boat ramps, swimming and surf beaches and car parking areas are particularly vulnerable during peak tourism periods. These assets are largely managed by the local government and the Departments of Transport and the Department of Biodiversity, Conservation and Attractions. Community education is essential to minimise degradation, erosion, litter, contamination and overfishing of the marine environment.

4.5 Climate change and coastal planning

Coastal erosion, storm surge, flooding of wetlands and waterways and increases in the frequency and intensity of weather events are likely to have a physical impact on existing housing, public spaces and servicing infrastructure, biodiversity and habitat as well as emotional and financial impacts on individuals. These areas hold social, heritage, environmental and economic values.

A response to this issue has been the preparation of sea level rise and storm surge modelling for Busselton localities and a collaborative partnership by local governments in the 'Peron-Naturaliste Partnership'. Any proposed policy changes will be assessed by the WAPC to ensure that actions are equitable and accountable across the sub-region.



Draft Leeuwin Naturaliste Sub-regional Planning Strategy

It should also be noted that investment in adaptation responses may only provide protection for a limited time. As climate change continues, uses in land at risk that has had investment in protection, may eventually need to retreat and be abandoned. Determining this point, and costs and compensation requires collaboration from the community, insurance companies and the local, state and federal governments with an agreed response. While significant direct implications of sea level rise in this sub-region are unlikely to be seen within this strategy's 15 to 20 year horizon, the implications of sea level rise must be taken into account when planning for long term infrastructure. The lifespan of buildings and infrastructure in many cases will be impacted in the long term. Future investment and maintenance decisions for such infrastructure in the short and medium term should take into account the anticipated risks as alternative locations and designs which may be more viable or beneficial in the long term.

State Planning Policy 2.6: Coastal Planning Policy (SPP2.6) establishes a framework to determine a response to coastal erosion through the preparation of coastal hazard risk management and adaptation planning. SPP2.6 sets up an adaptation hierarchy of 'avoid, retreat, accommodate or protects. Avoid is the preferred option for greenfields sites but where the coast is already developed, local government need to carry out hazard risk assessments to inform comprehensive adaptation planning. Extensive community engagement is required as part of the development of the adaptation plan where the values of the coast are identified and choices about how the adaptation option apply at a particular location. Good adaptation planning should be flexible as to take into account changing values over time.

The WAPC is currently preparing 'planned and managed retreat guidelines', which will provide direction and a process for communities to manage their future coastal impacts if in the event that retreat is deemed to be the preferred option.

The key factors in identifying any preferred risk treatment option are the societal costs and benefits of the options considered and the triggers for implementation. Affected communities and others who have an interest in the physical and natural assets of the locality are central to placing a value on these assets and participating in the selection of a preferred risk treatment option. This includes considerations about the age and relative value of houses, beaches, parks and how communities interface with the coast. Existing historical, cultural and economic assets, such as those in the Busselton central business district may justify investment in new infrastructure to protect the current coastal alignment and minimise damage during storm surge events.

New development in areas at risk should be avoided. In areas already developed, the WAPC promotes adaptation as a way of preparing for changing climate to manage the risks and maximise opportunities.

4.6 Bushfire

State Planning Policy 3.7: Planning in Bushfire Prone Areas introduced significant implications for the planning sector and formalised the integration of fire protection into the planning process. It requires higher order planning documents, such as sub-regional strategies, to include high level consideration of relevant bushfire hazards when identifying or investigating land for future development.

The *Fire and Emergency Services Act 1998* identifies Bushfire prone areas. The sub-region has significant fire risk (**Map 10**) with large areas of native vegetation, pine and eucalypt plantations, areas with significant slopes. Significant bushfire risks exist for many existing developments, settlements and infrastructure. The State and local government, industry and the community will need to work collaboratively to reduce the risk to these vulnerable areas.

The proposed planning investigation areas identified within this sub-regional strategy at Dunsborough and Vasse have been deliberately chosen as they are already cleared of most remnant vegetation. More detailed bushfire assessments will need to be undertaken at the structure planning, subdivision and development application stages.

4.7 Other natural hazards and disasters

The sub-region is subject to a range of potential natural disasters including inland flooding, storm surge, coastal flooding and erosion, severe storms, landslides, bushfires, heatwaves and cyclones. The cost of recovery and response to such disasters can be significant. It is considered that one of the most effective strategies for reducing the long-term impacts of natural hazards is to integrate mitigation measures into the land use planning process.

A number of mitigation mechanisms currently exist to reduce potential impacts of natural hazards and should be considered when preparing local planning strategies and schemes. These include:

- Flood – Special control areas that identify flood prone land and special development requirements relating to development in these areas
- Storm surge and coastal erosion – *State Planning Policy 2.6: State Coastal Planning* sets out the coastal setback requirements for development to address these issues. Further work is being done to determine specific areas that are vulnerable to these hazards and further changes may be implemented as a result
- Severe Storm and landslides – requirements to deal with these are contained within the *Building Code of Australia* (as amended) in the form of construction standards in areas that are most vulnerable
- Bushfire – *State Planning Policy 3.7: Planning in Bushfire Prone Areas*.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

5 Economic activities

The *South West Regional Planning and Infrastructure Framework* supports a strong and diverse economy that continues to attract people to live and work in the area. Activities include:

- agriculture, viticulture and horticulture
- mineral extraction
- processing and manufacturing
- retail
- tourism
- artistic and creative industries
- construction
- manufacturing
- service industries
- fishing and aquaculture
- timber and forestry industries.

The WAPC recognises the need to promote both traditional and new innovative, appropriately regulated and monitored industries through proactive land use planning.

This sub-regional strategy supports the economic efforts undertaken by key facilitators of strategic economic growth including local governments, Department of Primary Industries and Regional Development through the Supertowns and Regional Cities programs and ongoing work of the South West Development Commission.

The economy in the sub-region is considered relatively strong with varying growth in most sectors. According to the Commonwealth Department of Employment Small Area Labour Market the labour force in December 2016 in Augusta-Margaret River was 7,478 people, of which 244 (3.3%) people were unemployed;

and the labour force in the City of Busselton was 18,007 people, of which 727 (4%) people were unemployed.

The rural areas also support the tourism sector, providing attractive rural landscapes for holiday accommodation through chalets and bed-and-breakfasts, family attractions such as mazes and water parks, wineries, breweries and cellar doors, restaurants, and gallery space for creative and artistic ventures. Ongoing improvement to communication technology and innovation means the Leeuwin-Naturaliste area is better connected to and has better access to the rest of the world and international markets.

The *Busselton Regional Land Supply Assessment 2016* indicates large stocks of land are available for industrial expansion. Approximately 220 hectares of land surrounding the Busselton-Margaret River Airport has been identified as future industrial land. In addition to the industrial land around the airport, approximately 467 hectares of already identified industrial land remains undeveloped. Currently only 12 per cent of land zoned for industrial purposes is developed.

Augusta, Margaret River, Cowaramup, Dunsborough, Vasse and Busselton have locally zoned and established light industrial/ service commercial areas.

A development guide plan endorsed by the WAPC in 2012 for land adjacent to the Busselton Airport identifies more than 214 additional hectares of land for general, light and service industrial purposes. Development is yet to commence.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

In Margaret River, Development Investigation Area M6 identifies an additional 65 hectares of land set aside for future light industrial uses south of the Margaret River Perimeter Road. Providing reticulated services will require staging and progressive roll-out of the services.

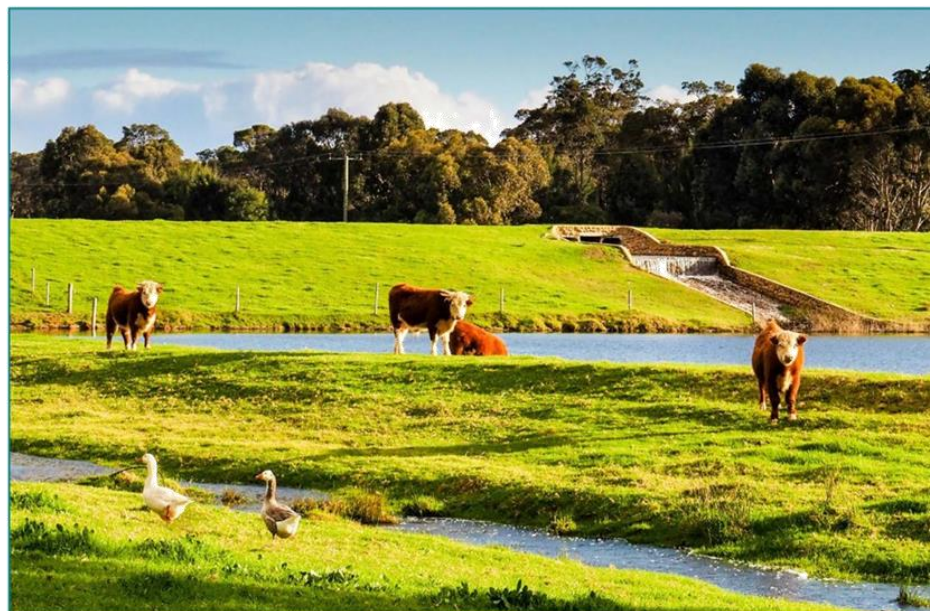
Historically, an area to the south of the Dunsborough townsite has been previously identified as a future industrial area (Area 10 in the City of Busselton's local planning strategy). However, in the current context, this parcel of land is considered more suitable for residential uses due to its proximity to other residential areas and schools. There are areas provided for service commercial and light industry in South Dunsborough adjoining the Dunsborough Lakes estate. The closest alternative industrial area is in Vasse, and Busselton.

5.1 Agriculture

Rural land in the Leeuwin-Naturaliste sub-region is recognised world-wide for its agricultural produce grown on high quality land, highly fertile soils, reliable climate and water availability. The WAPC considers the highest and best use of rural land in the sub-region is agricultural and horticultural and ancillary complementary uses. Agriculture is an important industry and employment sector in the Leeuwin-Naturaliste sub-region, contributing greatly to the character and culture of the area and is a significant attractor for both visitors and those seeking lifestyle changes.

The sub-region supports a diverse agricultural sector; dominated by beef, dairy and sheep as well as silage and hay production.

Map 8 identifies the land with high viticulture, horticulture and grazing capability in the sub-region. Wine grapes cover about 6,000



Draft Leeuwin Naturaliste Sub-regional Planning Strategy

hectares, forming the basis for the sub-regions renowned wine industry. Seasonal vegetables, seed potatoes, avocados, olives and stone fruit are some of the diverse crops grown across the sub-region.

State Planning Policy 2.5: Rural Planning is the basis for planning and decision-making for rural and rural living land across Western Australia, providing policy guidance for managing horticulture, intensive agriculture and managing areas where land uses are transitioning from rural to urban land uses.

The sub-regions soil types, rainfall and climate retains the potential to provide significant food for the State. In order to retain the potential for a range of agricultural uses, it is considered that rural land holdings and lot sizes should remain unchanged. Maintaining larger lot sizes and protecting productive areas of land provide better opportunities for landholders to be flexible and versatile to meet changing markets and consumer demands.

Climate change impacts including reduced rainfall, more summer rain, increased temperatures, and more intense storm events, will require changes to farming systems, varieties, different crops and investment in new technologies in the future. Many water resources are at or close to allocation limits. There is a need for existing industries to use water efficiently, and require efficient use of water for new industries. Agriculture is also subject to fluctuations in global demand and market prices. This has been recently evident across the beef, dairy and wine industries.

The WAPC seeks to protect and preserve rural land for rural purposes including primary production, basic raw materials, regional facilities and protection of biodiversity and landscape. Rural land accommodates a diverse range of land uses, primarily associated with primary production. Its intent is to protect rural land and encourage a diversity of compatible rural land uses.

5.2 Tourism

Tourism is a significant industry sector in the Leeuwin-Naturaliste sub-region, which is the most visited regional destination in Western Australia.

The South West Development Commission's *Tourism Futures South West* highlights the majority of Western Australian tourists coming to the region visit the City of Busselton, while interstate and international visitors prefer the Shire of Augusta-Margaret River.

Approximately 70 per cent of the South West's tourism businesses are located within the two coastal local government areas and generate significant marketing dollars. Tourism WA estimates there were 404,500 intrastate visitors, 51,500 interstate visitors and 74,600 international visitors to the Shire of Augusta-Margaret River in 2014/2015; and 628,000 intrastate visitors, 38,500 interstate visitors and 36,700 international visitors to the City of Busselton in 2014/2015.

The area is well known for its wide variety of tourism experiences based around wine and wineries, high quality local produce and dining, arts and wellbeing, active and adventure experiences, and the unique nature and environment.

The area is prone to significant seasonal variation in tourist numbers which can result in detrimental impacts on the environment through overuse and mismanagement of assets during peak times, such as coastal car parks, boat ramps and associated human access impacts. These issues are best managed by the appropriate State government agencies and at the local government level depending on the location and attraction.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

The range of services essential for supporting tourism in the sub-region includes protection and maintenance of the environment, particularly forests and national parks; providing access to beaches while protecting the foreshore and coastline; maintaining long-distance bicycle and walking trails; providing complementary tourism attractions and agricultural pursuits within rural land; and maintenance of the rural landscape.

Many of these natural assets generally have little onsite management and therefore visits to these areas may not necessarily be controlled or generate a direct income to reinvest into maintenance.

Tourism accommodation occupancy rates within the City of Busselton ranged between 45-70 per cent depending on seasonal variation, with approximately 4,018 bed spaces available, in June 2015.



To maintain the reputation as a tourism destination, businesses and attractions require investment to maintain standards and allow for effective and positive promotion and branding. Notably, a range of accommodation types, ranging from campsites through to 5-star hotels, need to be supported and maintained to suit different visitors' budgets. Several different short-stay accommodation standard investment models exist to facilitate investment depending on the accommodation product offered.

The importance of tourism is demonstrated by the number of businesses that are members of the Margaret River Busselton Tourism Association including 260 accommodation facilities; 91 wineries; 37 general attractions including the lighthouses, beaches and caves; 25 Galleries; 97 tour operators; more than 60 cafes/restaurants; 36 gourmet producers; 14 transport operators; and 10 breweries/distilleries. As well as being important for the tourist industry, these businesses are high employment generators and greatly benefit the local economy.

The sub-region has become synonymous as an events centre for sporting, arts and music festivals with a number of iconic events gaining national and international attention. These include the Margaret River Region Open Studio's Arts Event, Margaret River Readers and Writers Festival, the Margaret River Pro surfing competition and the Sunsmart Busselton Ironman.

The Busselton Margaret River Airport expansion and the new cruise ship facility will allow further increased tourism opportunities by opening the door to other sectors of interstate and international visitors that previously may not have considered the area as a destination.

5.3 Mining and gas extraction

The Department of Mines, Industry Regulation and Safety is the lead agency for the management of the titles system for mining, petroleum and geothermal industries, regulating safety, health and environmental standards in accordance with legislation. The Department has identified and mapped regionally significant resources. More information can be found online at www.dmp.wa.gov.au

All mining proposals are subject to approval under the *Environmental Protection Act 1986*. The identification of strategic mineral resources does not presume that extraction would be environmentally acceptable or that subsequent approval for extraction would be guaranteed. It does not remove the requirement for authorities or proponents to meet their obligations to identify those environmental constraints which may determine the extent and/or manner in which a proposal may be implemented.

The exploration and extraction of mineral and petroleum resources are primarily regulated under the *Mining Act 1978* and the *Petroleum and Geothermal Energy Resources Act 1967*. Section 120 of the *Mining Act* does not allow a planning scheme to prohibit the issuing of a mining lease, meaning that land use planning control cannot control mining operations. There is no similar clause in the *Petroleum and Geothermal Energy Resources Act 1967*.

The Department of Mines, Industry Regulation and Safety has commenced a legislation reform initiative to modernise the State's petroleum and geothermal legislation. The primary focus of this initiative will be to amalgamate the current three main Acts and associated fees into a single common 'Petroleum Act' to cover all petroleum and geothermal operations conducted in Western Australia. It is not known

if the proposed legislative reform will address land use planning control of some petroleum and geothermal operations.

Any mining proposals will need to be managed to ensure minimal impacts to the environment, significant landscapes, water resources, appropriate management of rehabilitated sites and local amenity.

Currently, heavy mineral sands are being mined with two operating mines and Wonnerup and Tutunup South, and four proposed operations/extensions at Wonnerup North, Wonnerup South, Tutunup South extension and Yoongarillup.

The sub-region also has deposits of Permian coal known as the Vasse River Coalfield. In 2012, the Government refused a proposed underground coal mine based on advice from the Environmental Protection Authority that coal mining in the area posed and unacceptable risk to groundwater supplies. Subsequently a number of applications for mineral exploration licences targeting coal were also refused.

The Department of Mines, Industry Regulation and Safety advise that the Whicher Range gasfield which is held under Exploration Permit EP 408 R2 has considerable in-place volumes of tight gas. However, due to the complex geology and other factors, commercial productivity remains unviable and elusive at this time.

The State Government's position is there no coal mining or hydraulic fracturing for unconventional gas will occur in the Leeuwin-Naturaliste area.

5.4 Basic raw materials

Basic raw materials include sand, limestone, gravel, clay, gypsum and other construction and road building materials. The materials may be of State, regional or local significance depending on the resource location, size, relative scarcity, value and demand for the product.

These materials are required for a number of uses with most relating to the construction industry including buildings, fill, roads and retaining walls and it is important to have access to local sources as this reduces costs and pollution associated with their transport.

There are numerous operating and potential extraction sites in the sub-region. Over half of them are on Crown reserves vested with the local or State government for gravel. The remaining extraction sites are administered by the City of Busselton and the Shire of Augusta-Margaret River under the *Planning and Development Act 2005*. There is one agricultural limesand quarry that is administered under the *Mining Act 1978* because it is on Crown land.

The Department of Planning, Lands and Heritage and the WAPC prepared the *Basic Raw Materials Demand Study for the Bunbury and Busselton Region* in 2012, which identified the main raw material deposits and estimated future demand. The study identifies a number of regionally significant deposits that need protection from potential land uses that would restrict future extraction of these resources.

The Department of Mines, Industry Regulation and Safety has recommended that basic raw material areas with State significance are designated as Significant Geological Supplies, with indicative separation distances or buffers from other land uses. Identification of significant geological supplies does not presume that extraction would be environmentally acceptable or that subsequent approval for

extraction would be guaranteed. It does not remove the requirement of authorities or proponents to meet their obligations to identify those environmental constraints which may determine the extent and/or manner in which a proposal may be implemented.

5.5 Forestry and fisheries

Forestry, tree plantations, farm forestry and marine and fresh water fishing industries have historically contributed to the economy in the sub-region. New ventures such as the aquaculture business near the Augusta Marina contribute also towards the economic growth and employment opportunities in the area.

New and emerging industries such as alternative timber species and manufacturing techniques, fine timber furniture craftsmanship, marine and fresh water aquaculture ventures will diversify these industries.

There are forestry plantations in close proximity to urban areas including the pine plantations to the north of the Margaret River townsite. As these plantations reach maturity, there is an opportunity to reassess the management and structure of these plantations to minimise bushfire risk to urban areas and infrastructure. Pine plantations will continue to be an important renewable building material however new plantations should be located to minimised bushfire risk to urban settlements. Plantation managers, local governments and other relevant stakeholders shall continue to work together to develop management plans for these forests.

6 Transport and infrastructure

The *South West Regional Planning and Infrastructure Framework* recognises that the predicted future population and economic growth will place increasing pressure on the regional road network and provision of other capital and social infrastructure. Timely provision of new infrastructure and the maintenance of existing assets are therefore critical to the region's continued growth.

The Busselton–Margaret River Airport (**Map 11**) is a significant economic driver for the sub-region and the South West Region as a whole. Both the Airport and the surrounding employment lands will provide an important direct link for tourism and the trade of local goods within Australia and overseas. However, the local government will need to ensure that any possible negative impacts to the adjoining residential areas and major wetland habitats are appropriately managed through structure planning and provisions within the local planning scheme. The proposed expansion and the Airport's future operation will also be required to comply with relevant State and Federal legislation. Notably, the Environmental Protection Authority will need to assess any changes to the number and timing of aircraft movements, particularly at night time.

Both local governments in the sub-region recognise imminent problems regarding the capacity of existing waste management sites. Waste management will require ongoing management, requiring spatial planning, practical infrastructure, operational management and public awareness education. There is opportunity for the South West as a whole to strategically manage waste in a more sustainable, efficient and cost-effective manner.

Key infrastructure considerations in the sub-region include:

- social infrastructure to support residents including education, health, recreational and communities services
- a high standard of roads within the sub-region and linking to other regions including: Margaret River Perimeter Road, Busselton Outer Bypass, Vasse to Dunsborough Link, upgrading of Bussell Highway, and increasing the capacity of the Busselton Margaret River Airport
- future investigations for potential rail corridor
- increased investment in regional telecommunications to facilitate greater mobile coverage and high speed internet access
- ensuring energy security through the South West Interconnected Network encouraging development of a diverse electricity grid including renewable energy, with recognition that the historical system is largely based on coal fired power generation
- identification and protection and management of existing and future infrastructure sites and corridors
- infill sewer in urban areas
- flood, storm surge and drainage infrastructure to manage flood risks and to cater for climate change
- secure sustainable potable and fit for purpose water infrastructure and delivery networks
- integration of total water cycle management
- sustainable waste management and waste reduction practices

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

- provision of adequate public transport options
- management of walking and cycling infrastructure within settlements as well as longer distance recreational and tourism opportunities in the region.



Draft Leeuwin Naturaliste Sub-regional Planning Strategy

7 The Leeuwin-Naturaliste Sub-regional Planning Strategy

The *Leeuwin-Naturaliste Sub-regional Planning Strategy* comprises two parts:

- the WAPC's policy position for the Leeuwin-Naturaliste sub-region, which forms part of WAPC's decision-making
- an action list, which establishes a set of planning priorities for the WAPC to address in future years.

7.1 WAPC policy position for the Leeuwin-Naturaliste Sub-region

7.1.1 Population and settlement

1. The WAPC will plan for future communities by:
 - a) continuing to evaluate and respond to current and emerging trends that are impacting or likely to impact on the sustainable growth of the Leeuwin-Naturaliste sub-region
 - b) identifying planning investigation areas at Dunsborough and Vasse to provide for long-term growth and the efficient and orderly delivery of servicing infrastructure
 - c) reviewing existing structure plans for undeveloped greenfield areas to incorporate contemporary innovation and design principles.
2. The WAPC will plan for liveable settlements in the region that have a strong sense of place, high quality of life and local amenity. It will support strategies and plans that:
 - a) facilitate planned and staged growth of settlements in accordance with the settlement hierarchy and part 3.2 of this strategy
 - b) recognise the Busselton city centre as the highest order of activity centre to ensure a greater range of services within the city centre
 - c) promote walkable and attractive mixed use predominantly 'main street' activity centres combining an appropriate mix of housing, commercial, tourism and community service land uses
 - d) ensure new development takes into account the total life cycle costs, cost of living, and impact on social, economic and environmental factors
 - e) ensure new development reflects the climate by incorporating climate design principles such as orientation, siting, passive climate control, sustainable recycling and efficient energy and water management
 - f) identify and retain habitat and enhance ecological linkages within urban areas to support the critically endangered Western Ringtail Possum, including peppermint trees (*Agonis flexuosa*), banksia woodland and tuart ecosystems

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

- g) include appropriate buffers and measures to minimise conflict where land uses transition into other zones such as rural to urban and residential to commercial or industrial.
- 3. The WAPC will invite the local Boojah people into the decision-making process by liaising with the appropriate State agencies and groups, the South West Land and Sea Council and local elders when preparing key strategic land use documents.
- 4. The WAPC will limit urban sprawl by preventing the creation of new rural residential lots and lower density residential areas beyond those identified in existing local planning strategies or town planning schemes.
- 5. The WAPC will support agencies to prepare strategies to address peak tourism periods and manage the increased stress on infrastructure including water and sewerage systems, roads and car parking; and increased demand for social services including police, hospitals and emergency services.

7.1.2 Environment

- 1. The WAPC's support for strategies, plans and developments that adopt a primary position for no further clearing of vegetation should not be interpreted to mean the WAPC is against clearing of native vegetation, nor has a strong preference for any development to occur on cleared land.

The WAPC recognises clearing will be necessary at times for the provision of key infrastructure or services. This position does not remove the obligations and rights under current land clearing regulations, nor seek to replace the role of the Environmental Protection Authority

as the environmental regulatory authority. The position should not be interpreted to mean the WAPC will relax planning criteria for cleared areas but rather, the obligation is on agencies and developers to demonstrate clearing is absolutely necessary to develop sustainable, inclusive communities.

- 2. To protect the landscape the WAPC will support strategies and plans that:
 - a) conserve and enhance the landscape elements identified within SPP6.1
 - b) give due regard to the landscape value of the Leeuwin-Naturaliste Ridge as a backdrop when viewed from the coastline, coastal bays, travel route corridors or tourism activities
 - c) conserve and enhance the special benefits arising from landscape elements in coastal and marine interfaces
 - d) protect, as a planning priority, the retention of rural and agricultural land for its landscape value and maintain the mosaic of land uses evident in agricultural areas while providing for appropriate change in agricultural land uses
 - e) respect and conserve landscapes with cultural heritage values
 - f) provide landscape buffers between urban and industrial land and as an important interface of natural, agricultural or rural landscapes
 - g) concurrently consider bushfire risk management with landscape, ecological and biodiversity values and management plans
 - h) ensure the continued management and maintenance of the landscape values in perpetuity

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

- i) protect the natural landscapes between Abbey,Vasse and Dunsborough from urban encroachment.
- 3. To protect biodiversity and habitat the WAPC will support strategies and plans that:
 - a) adopt a primary position for no further clearing of native vegetation within the sub-region, and a strong preference for development to occur on cleared land
 - b) protect and manage habitat in existing urban areas that meet the criteria for national, State or regional biodiversity significance including Habitat Critical classification in accordance with the *Biodiversity Conservation Act 2016*
 - c) identify and retain habitat and enhance ecological linkages within urban areas to support the critically endangered Western Ringtail Possum, including peppermint trees (*Agonis flexuosa*, banksia woodland and tuart ecosystems
 - d) identify and retain all mature and significant endemic vegetation in proposed greenfield development areas by integrating mature or significant vegetation into the subdivision design (for example, locating them in public reserves and open space, road verges, and outside of building envelopes)
 - e) integrate drains and associated infrastructure (new urban arterial drainage) into redesigned healthy waterways (living streams) with consideration for multiple objectives such as flood management, water quality, passive recreation, biodiversity, ecological linkages and aesthetics
 - f) respond to the natural topography, minimising the need for earthworks, the quantity of fill required, the need for retaining, and minimising erosion risks
 - g) result in a net gain of biodiversity and habitat corridors across the Leeuwin-Naturaliste sub-region
 - h) safeguard and manage identified Habitat Critical areas
 - i) identify and map waterway foreshore areas and wetlands and their buffers, outlining roles and responsibilities for their on-going management.
- 4. The WAPC supports efforts to use and manage water effectively and efficiently. It will support strategies and plans that:
 - a) improve integration and collaboration of long-term land use and water planning in the Leeuwin-Naturaliste sub-region



Draft Leeuwin Naturaliste Sub-regional Planning Strategy

- b) enable re-use of fit-for-purpose treated wastewater on local government assets such as playing fields, public open space; State assets such as plantations; and private development such as industrial estates and golf courses
 - c) design and integrate stormwater and rural drainage water harvesting and wastewater re-use and recycling
 - d) require water efficiency measures to be incorporated into design at development stage
 - e) reduce water use and ensure water allocations are inside sustainable limits
 - f) upgrade or replace inefficient water infrastructure
 - g) provide land and corridors for development and operation of alternative water resources
 - h) manage public drinking water source areas in accordance with SPP2.7 to deliver safe, good quality drinking water now and in the future, at a reasonable cost
 - i) integrate alternative drainage governance that enables landowners to retain and use drainage water in rural systems
 - j) demonstrate consideration of local and cumulative impacts of dam proposals, including impact on the water catchment, water quality, ecology, landscape, other water user needs and allocations, structural integrity and public safety.
5. The WAPC supports efforts to improve water quality. It will support strategies and plans that:
- a) promote best management practice in agriculture to minimise nutrients from entering the waterways
 - b) enhance and manage the water quality and habitat of the Vasse-Wonnerup wetlands, Toby Inlet, Broadwater, Locke Estate, the mapped geomorphic wetlands of the Swan Coastal Plain, the wetlands in the Augusta to Walpole area and the perched wetlands on the Leeuwin-Naturaliste Ridge
 - c) encourage re-use and recycling of farm effluent and soil amendment
 - d) facilitate protection and rehabilitation of vegetation along drains, waterways and wetlands
 - e) integrate drains and associated infrastructure into redesigned healthy waterways (living streams)
 - f) promote new and expanded agricultural operations to develop 'net reductions' in nutrient output
 - g) recognise the importance of water quality in continuing to expand the tourism industry
 - h) require all new greenfield structure plans to adopt and integrate all feasible water-sensitive urban design principles and relevant current technologies as outlined in *Better Urban Water Management Guidelines*
 - i) promote retrofitting water sensitive urban design measures in existing urban, commercial and industrial developments
 - j) promote and provide incentives for all feasible water sensitive urban design measures to be integrated into urban infill developments
 - k) ensure compliance with the *Government Sewerage Policy*, with special regard for Sewerage Sensitive areas.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

6. The WAPC supports efforts to manage flood risk. It will support strategies and plans that:
 - a) design and integrate drainage assets into liveable community assets, recognising the need for quality and quantity management
 - b) upgrade and replace regional and local drainage infrastructure to meet future flood and storm surge risks
 - c) require all new greenfield structure plans to adopt and integrate all feasible water-sensitive urban design principles and relevant current technologies as outlined in Better Urban Water Management Guidelines
 - d) meet the Department of Water and Environmental Regulation's guiding principles for floodplain management:
 - i. proposed development has adequate flood protection from a 1 in 100 (1%) Annual Exceedance Probability (AEP) flood
 - ii. proposed development does not detrimentally impact on the existing flooding regime of the general area.
7. The WAPC supports plans and strategies that consider the wider implications of any development on the environment and landscape, acknowledging that ecological linkages, significant landscapes, habitat and water catchments often extend beyond local government and sub-regional boundaries.
8. The WAPC supports efforts to manage the marine environment and will support strategies and plans that address boating facility requirements and access, water quality and sediment mobilisation risks to the marine environment and key habitats such as seagrass meadows.
9. The WAPC will require planning that mitigates and adapts to the probable impacts of climate change in the sub-region through:
 - a) working cooperatively with other agencies and local governments on the development of regional climate change policies to minimise the sub-regions contribution to climate change and to mitigate its impacts
 - b) supporting development of compact, integrated communities to reduce demand for private motor vehicles and encourage use of public transport
 - c) encouraging appropriate revegetation of cleared areas to improve amenity and provide for habitat
 - d) supporting development that is energy efficient, and reduces the amount of household greenhouse gas emissions and household waste
 - e) supporting development that is water efficient, and reduces the demand for water
 - f) supporting development of renewable power sources and other forms of power generation that reduce the sub-region's contribution to greenhouse gas emissions and complements existing power supplies
 - g) engaging with local governments to upgrade existing drainage management systems to cope with high-intensity rainfall events, and ensure new developments have effective capacity to manage more intense events on a regular basis
 - h) collaborating with local governments on their local planning schemes and strategies to support innovation in farming and new emerging industries as a result of climate change

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

- i) supporting the preparation of a sub-regional coastal vulnerability study to determine the risk to coastal settlements and infrastructure from sea level rise and storm surge
 - j) minimising potential impacts of sea level rise through planning policies and controls in vulnerable areas.
10. To minimise the risk of and manage natural hazards and disasters, the WAPC will support:
- a) plans and strategies that result in improved management of bushfire risk
 - b) updating of local government strategies and schemes to mitigate natural hazards such as including up-to-date bushfire mapping and development requirements
 - c) a presumption against approving any strategic planning proposal, subdivision or development application that will result in the introduction or intensification of development or land use in an area that has or will, on completion, have an extreme BHL and/or where BAL-40 or BAL-FZ applies unless it meets the definition of unavoidable development in SPP3.7
 - d) a presumption against development in flood prone areas identified by the Department of Water and Environmental Regulation
 - e) sequentially upgrading of flood and storm surge and drainage infrastructure to manage flood risks
 - f) local governments undertaking risk assessments for all urban areas in consultation with relevant agencies, to ensure they are adequately equipped to cater for natural disasters such as flood or bushfire
 - g) updating of relevant planning strategies and policies when new data and information becomes available.
- ### 7.1.3 Economy
1. The WAPC will plan for economic growth in commercial and industrial areas. It will support plans and strategies that:
 - a) strengthen the existing economic base and encourage diversification and value-adding in the agricultural, tourism, industrial and commercial sectors
 - b) promote growth in both traditional and innovative knowledge-based, high-value and specialised industries suitable for the Leeuwin-Naturaliste sub-region
 - c) support local producers and small businesses that complement the Leeuwin-Naturaliste sub-region
 - d) continue to provide a range of land zonings in accordance with the *Planning and Development Regulations 2009*, to facilitate a range of compatible land uses and minimise conflict between incompatible land uses (for example, by planning for buffers and separation distances between sensitive, industrial and agricultural uses)
 - e) support the development of the Busselton-Margaret River Airport and the surrounding industrial area, subject to compliance with relevant State and federal legislation.
 2. The WAPC recognises the fundamental land use interface between agriculture, rural land and landscape amenity areas with the unique tourism opportunities the sub-region offers.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

3. When considering future development within agricultural, rural and landscape areas planning agencies shall acknowledge and take into account all the cumulative impacts of the development on the environment, agricultural productivity, tourism attractions and other employment generators.

The review of local government schemes and strategies, and this sub-regional strategy is deemed the most opportune time at which to assess and consider appropriate measures for these cumulative impacts.
4. The WAPC places a high value on agriculture in the Leeuwin-Naturaliste sub-region with the position that there is an existing supply of suitably sized and located rural lots to cater for intensive and emerging primary production land uses in the sub-region. The WAPC will not support the creation of new rural lots or rural residential lots through ad hoc, unplanned subdivision in the sub-region.

The WAPC also supports agency initiatives that encourage the establishment of value-adding industries in appropriate locations to maximise economic advantages to the region and ensure long-term food security.
5. The WAPC will support initiatives to manage forests, ensure sustainable limits on marine fisheries, and encourage continuation of existing industries and development of new industries that use renewable natural resources in sustainable limits.
6. The WAPC will encourage environmentally sustainable usage of the Leeuwin-Naturaliste sub-region's natural resources by:
 - a) supporting agencies to identify opportunities for sustainable use of natural resources and facilitate this usage through land use planning strategies and plans
 - b) supporting efforts to encourage compatible uses of natural systems that allow for the sustainable harvest of renewable resources from natural biological systems
 - c) working with agencies to limit the impact of agricultural practices and extraction or use of natural resources on the environment
 - d) requiring agencies to integrate natural resource management and land use planning strategies to promote sustainability, enhance productivity, protect the environment and encourage community participation
 - e) ensuring appropriate regulation and monitoring for changes of land use that may have detrimental impacts on the environment, amenity and adjoining land uses
 - f) supporting the local government's opportunity to form a position on the planning implications of mining in its local area through its local planning strategy and scheme, for which matters to consider may include those related to:
 - environmental
 - water resources
 - impacts on amenity
 - land use conflict
 - loss of productive agricultural land
 - landscape protection
 - heritage and cultural significance
 - impact on tourism.
7. The WAPC will not support coal mining or hydraulic fracturing for unconventional gas in the Leeuwin-Naturaliste sub-region.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

7.1.4 Infrastructure

- I. The WAPC will support plans and strategies that:
 - a) protect infrastructure corridors and sites of State significance from incompatible land uses
 - b) allow for the expansion of and access to Busselton-Margaret River Regional Airport
 - c) develop a high standard of road links, regional bicycle paths, and walking trails, including the Busselton Outer Bypass, the Vasse-Dunsborough Link, upgrades to primary roads including Bussell Highway, Caves Road, Sues Road, and Brockman Highway, the Wadandi (formerly Rails to Trails) Track, Munda Bidli Bike Trail connecting the sub-region to the South West Region as a whole
 - d) recognise opportunities for expansion of potential future freight rail and passenger rail services in the sub-region
 - e) support high-speed communications infrastructure
 - f) support improvements to existing or new flood or storm surge infrastructure to provide enhanced flood protection against increased risks resulting from climate change
 - g) support an infill sewer program and support alternative viable waste water management technologies where appropriate
 - h) support innovative integrated water solutions that maximise recycling and reuse of water resources for fit for purpose use
 - i) support the development of renewable power sources and other forms of power generation and storage that reduce the region's contribution to greenhouse gas emissions
 - j) ensure structure plans and subdivision plans maximise opportunities for lots to have passive solar orientation and encourage the development of thermally efficient buildings to minimise reliance on energy for heating and cooling
 - k) support waste minimisation strategies, strategic waste management across the South West and re-use and recycling opportunities
 - l) support strategies and plans that facilitate and enable safe, attractive and efficient bicycle and walking networks through settlements, tourist attractions and places of employment
 - m) provide for and facilitate the use of innovative public and private transport options, such as driverless vehicles, electric vehicles recharging stations, infrastructure to assist the elderly and people with a disability and measures to improve traffic congestion during peak tourism periods
 - n) encourage preparation of strategies to address peak tourism periods and manage the increased stress on infrastructure such as water and sewerage systems, roads and car parking; and increased demand for social services including police, hospitals and emergency services.
 - o) support educational initiatives that facilitate the development of a regionally-based tertiary education sector where sites are planned for and located in urban centres.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

7.2 WAPC future actions

7.2.1 Review of State Planning Policy 6.1: Leeuwin-Naturaliste Ridge

The WAPC will undertake a formal review of SPP6.1 to address issues including the policy area boundary, terminology, and to reflect updated State planning policies, guidelines and current best practice. Notably, the implementation of SPP3.7 will have significant implications for SPP6.1. The review of SPP6.1 is anticipated to commence by early 2018.

7.2.2 Review of South West Regional Planning and Infrastructure Framework

The WAPC will undertake a review of the *South West Regional Planning and Infrastructure Framework* to reflect the *Leeuwin-Naturaliste Sub-regional Strategy*, including the settlement hierarchy. This review is anticipated to commence in 2018.

7.2.3 Infill potential in existing residential areas

The recent listing of the ringtail possum as a critically endangered species, along with implications of SPP 3.7 and the findings of the 2016 Census have prompted the need for a strategic assessment of infill potential within urban areas and special rural/lifestyle lots within the sub-region.

7.2.4 Transport movements through Cowaramup

During peak tourism periods, traffic congestion through Cowaramup townsite has created conflict between pedestrians, tourism opportunities, agricultural vehicle movements and local residents' needs. It is recommended

pedestrian movements and vehicle management measures be investigated as part of the Local Planning Strategy review.

7.2.5 Bushfire Hazard Level assessments and strategies for existing settlements with only one public road for access

It is recommended the WAPC work with stakeholders to ensure settlements including Yallingup, Gracetown, Prevelly, Gnarabup, Bunker Bay, Hamelin Bay, Smiths Beach and Eagle Bay have Bushfire Hazard Level assessments undertaken and mitigation measures implemented to minimise risk of bushfire to people, property and infrastructure.

7.2.6 Aged care

It is recommended planning guidance be developed for use in local planning schemes to provide a flexible approach for the planning and development of aged care sites.

7.3 Monitoring and review

The WAPC will be responsible for monitoring the implementation of this sub-regional strategy and determining the scope and nature of any reviews.

This strategy will be updated accordingly whenever the WAPC reviews or develops policy and position on emerging issues.

7.4 Maps

Draft Leeuwin Naturaliste Sub-regional Planning Strategy



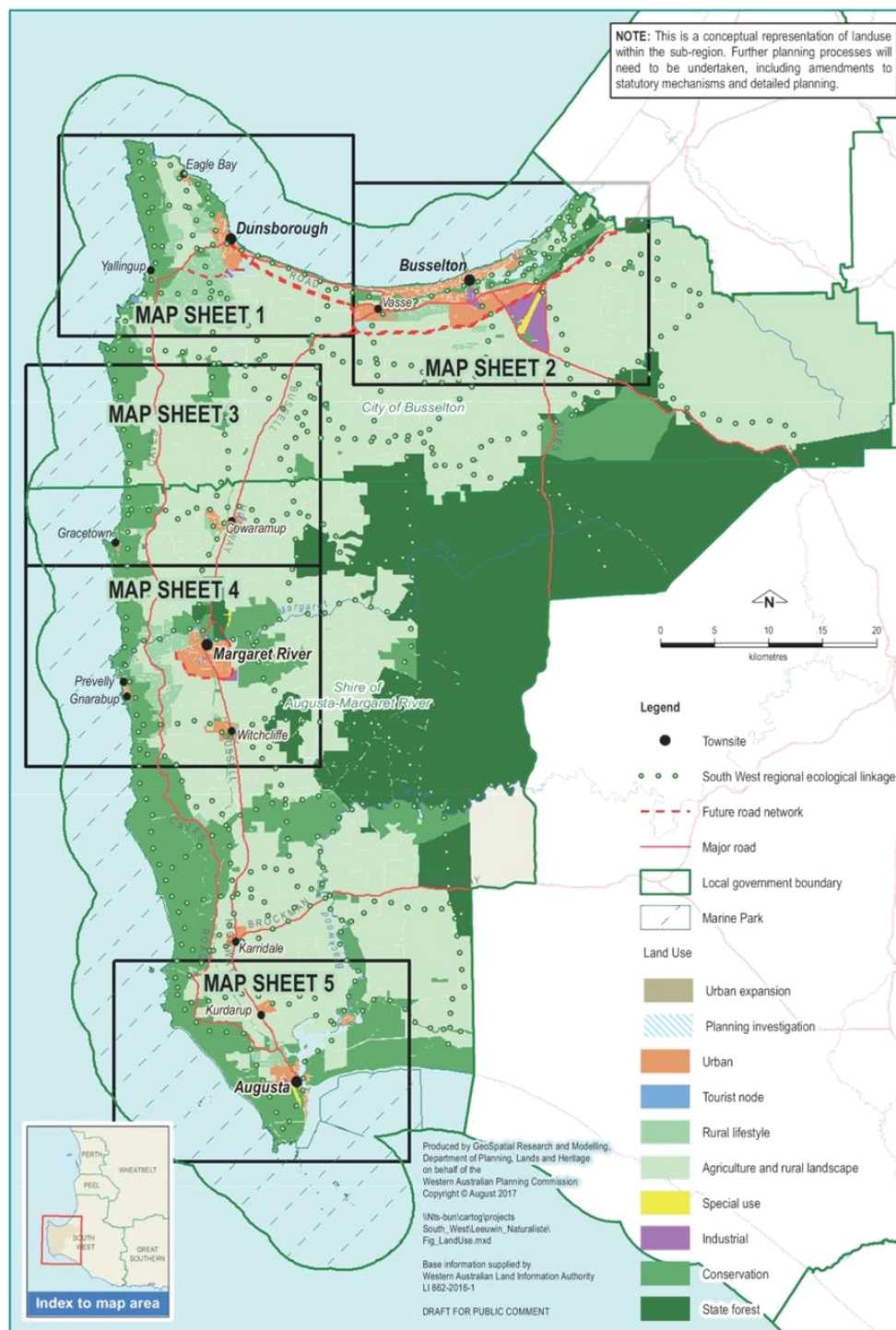
Map I: Leeuwin-Naturaliste Sub-regional Planning Strategy study area

Draft Leeuwin Naturaliste Sub-regional Planning Strategy



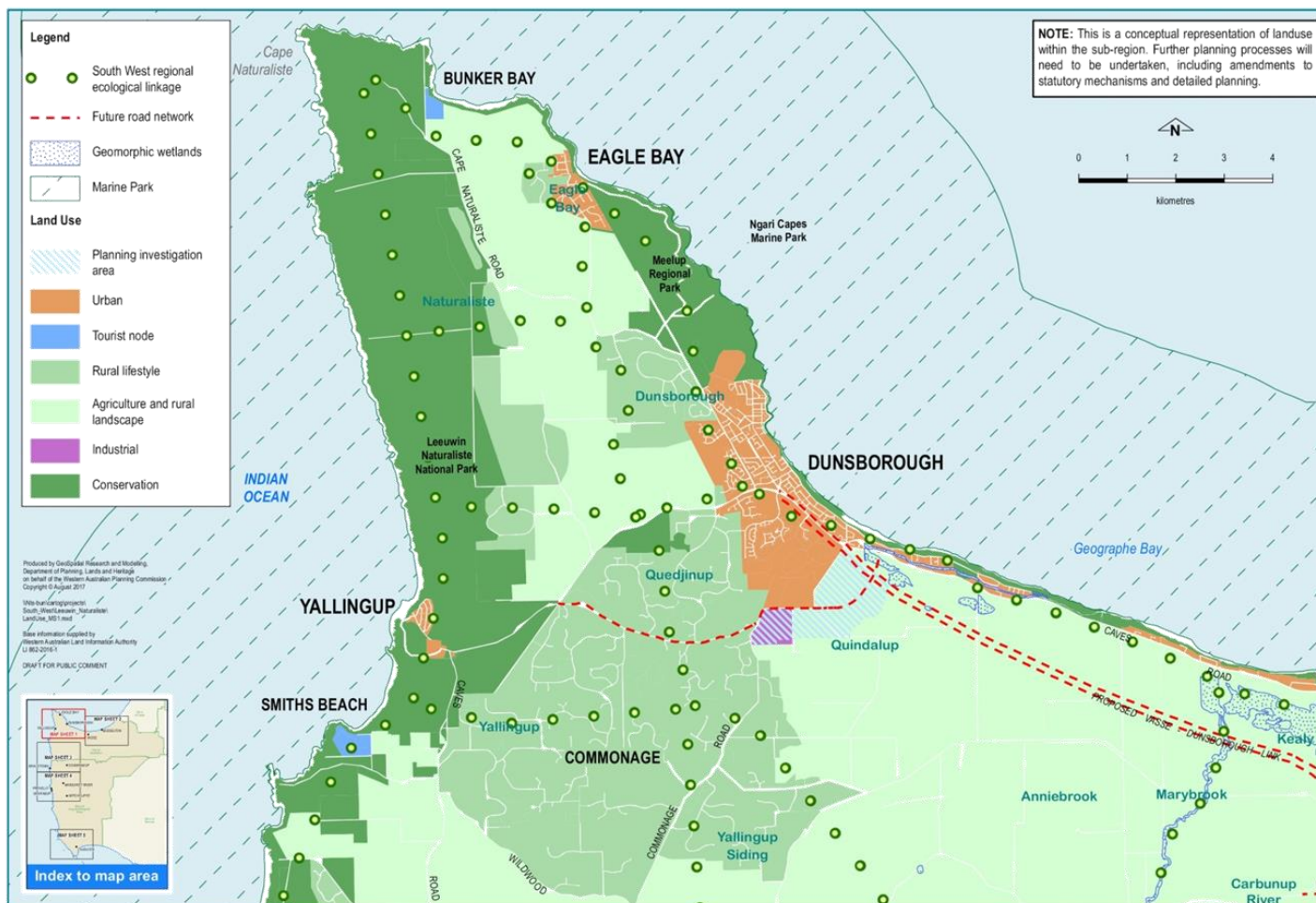
Map 2: Leeuwin-Naturaliste Ridge State planning policy area

Draft Leeuwin Naturaliste Sub-regional Planning Strategy



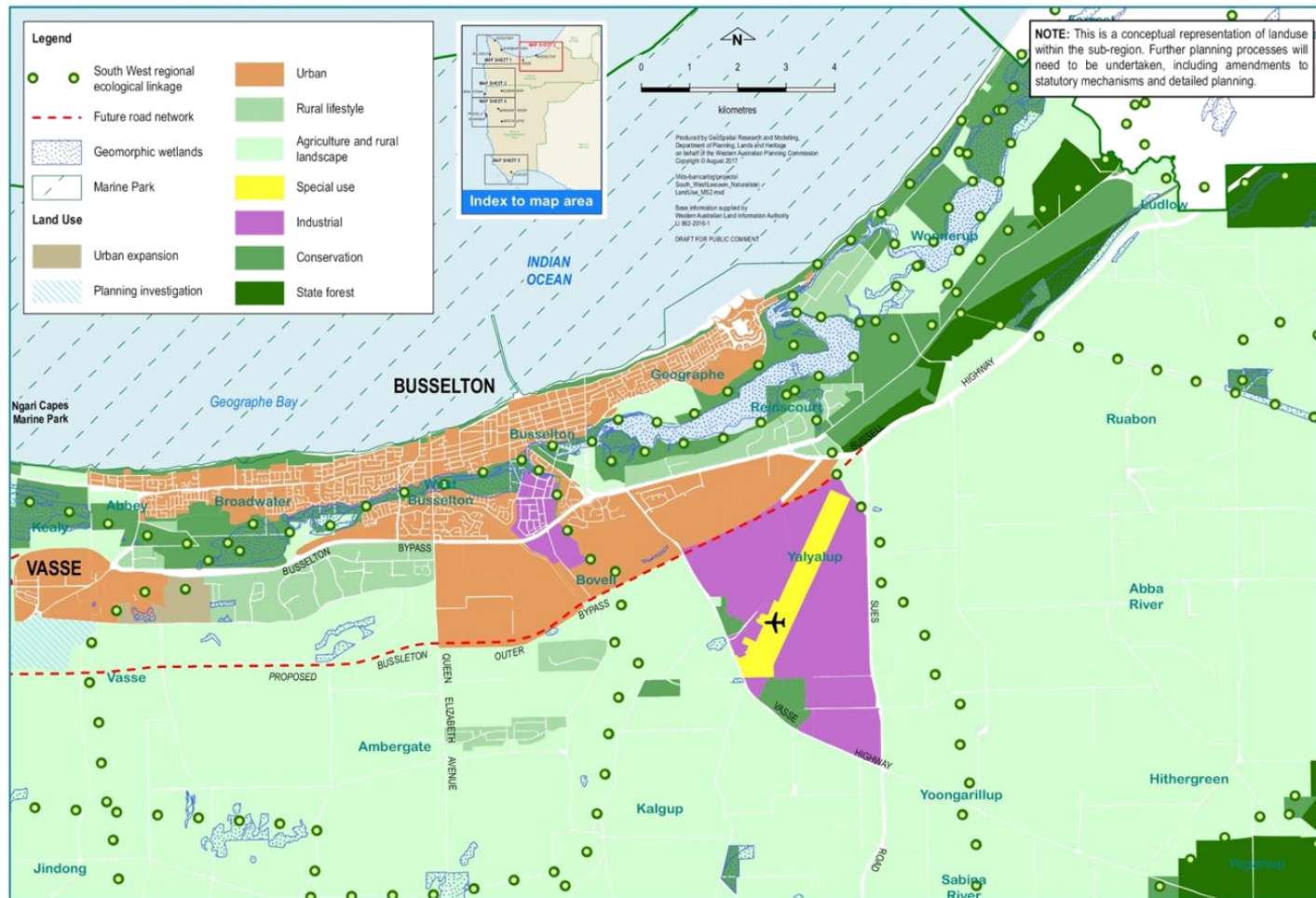
Map 3: Land use plan

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

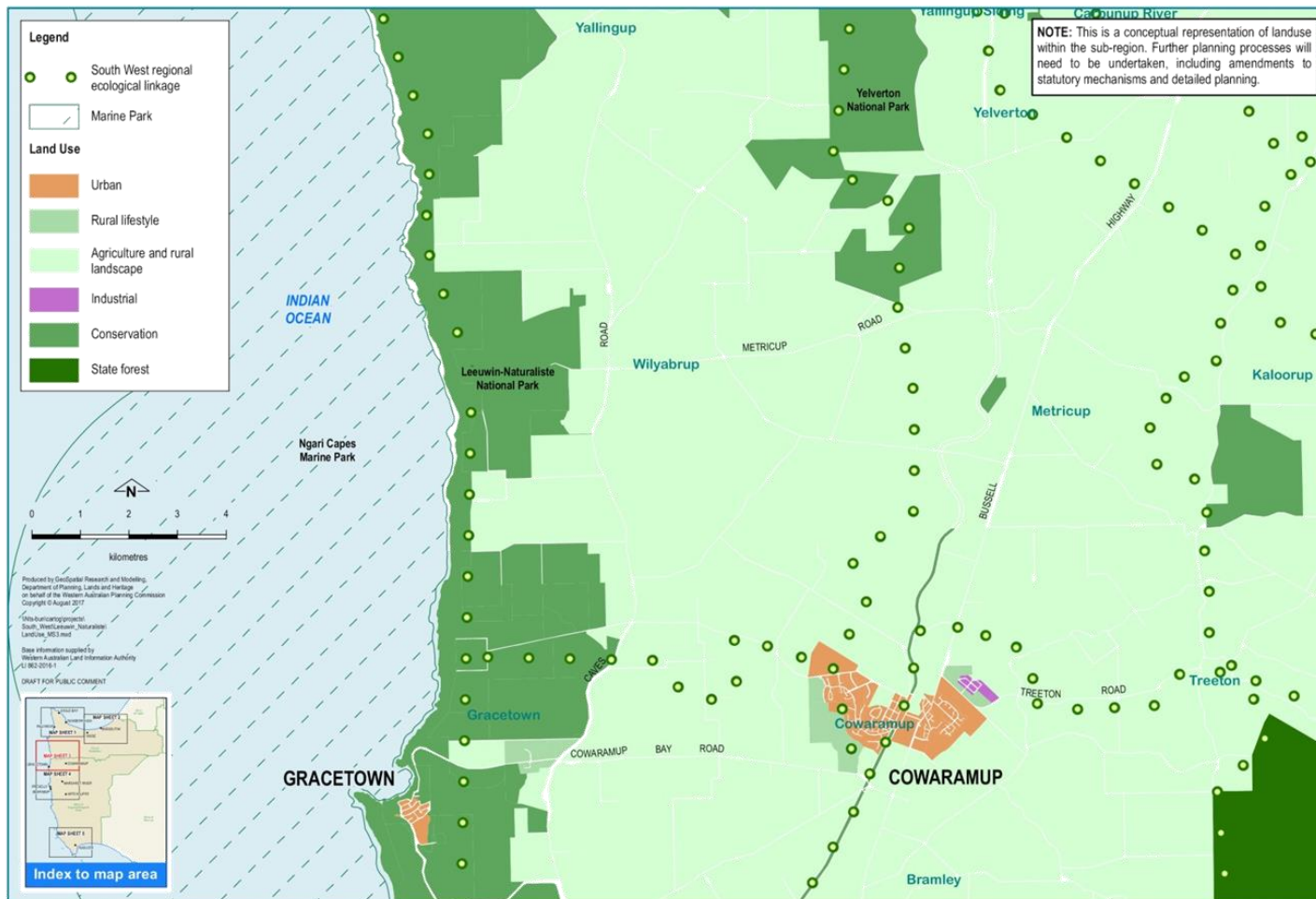


Map 3: Land use plan – Mapsheet 1

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

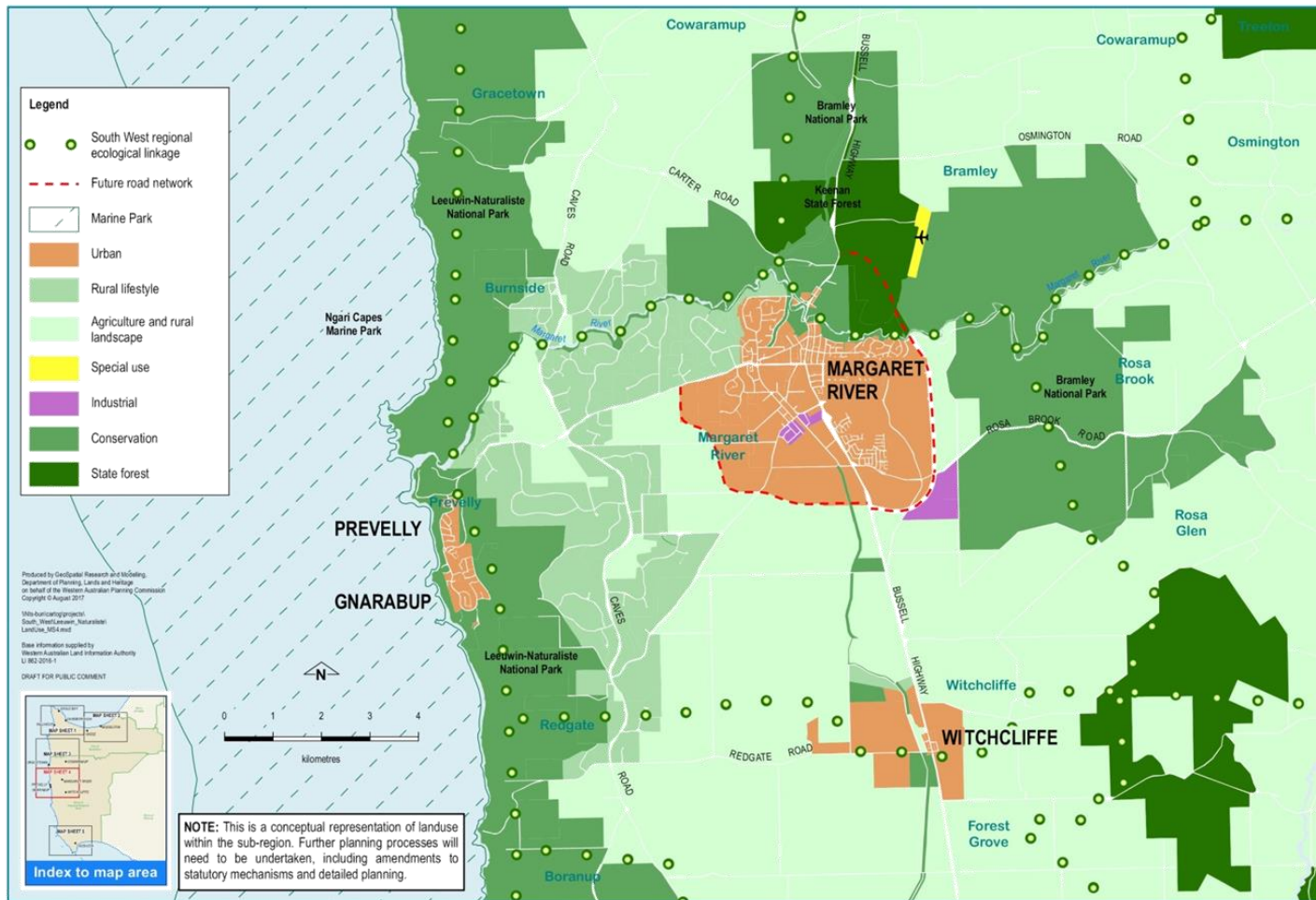


Draft Leeuwin Naturaliste Sub-regional Planning Strategy



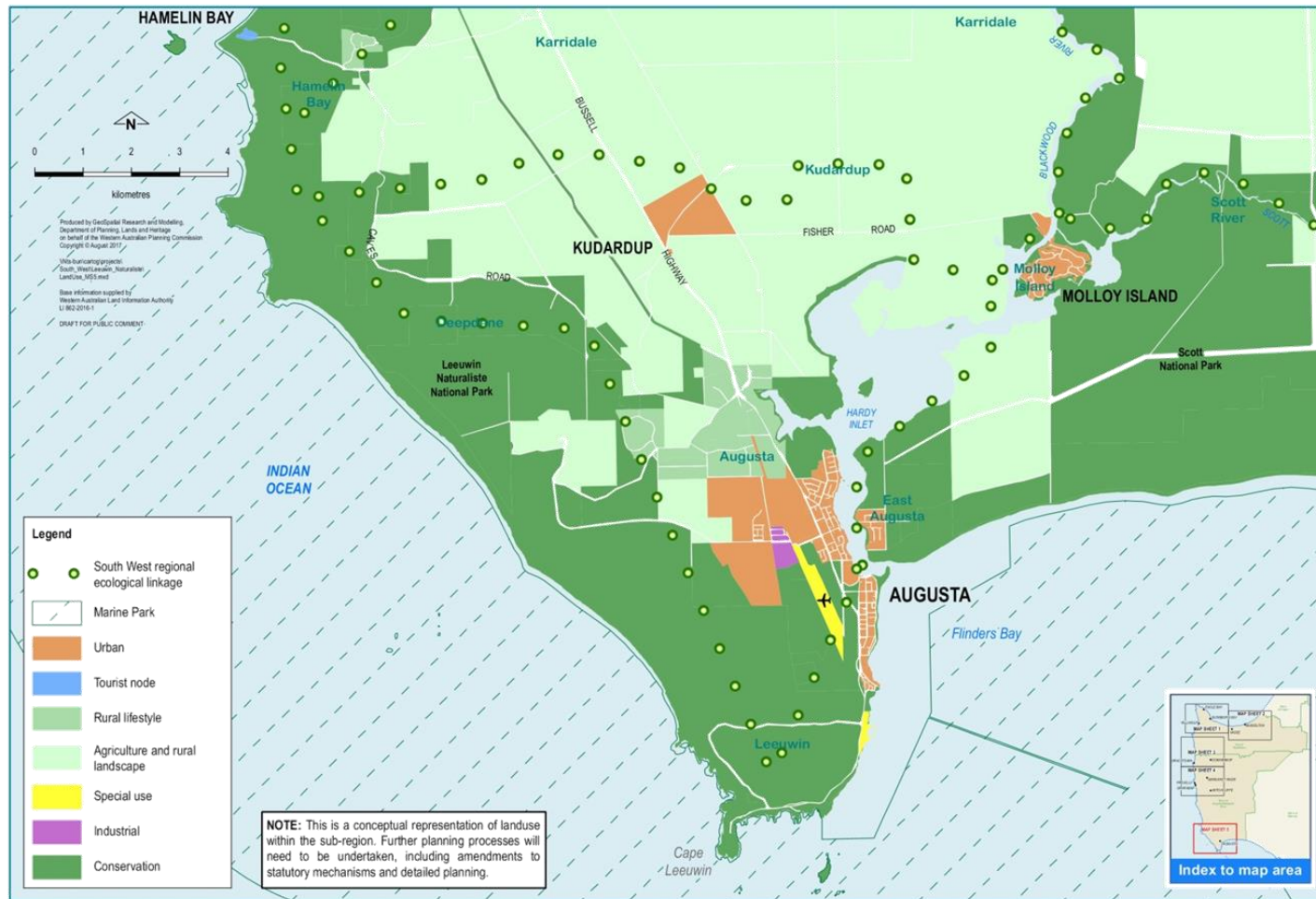
Map 3: Land use plan – Mapsheet 3

Draft Leeuwin Naturaliste Sub-regional Planning Strategy



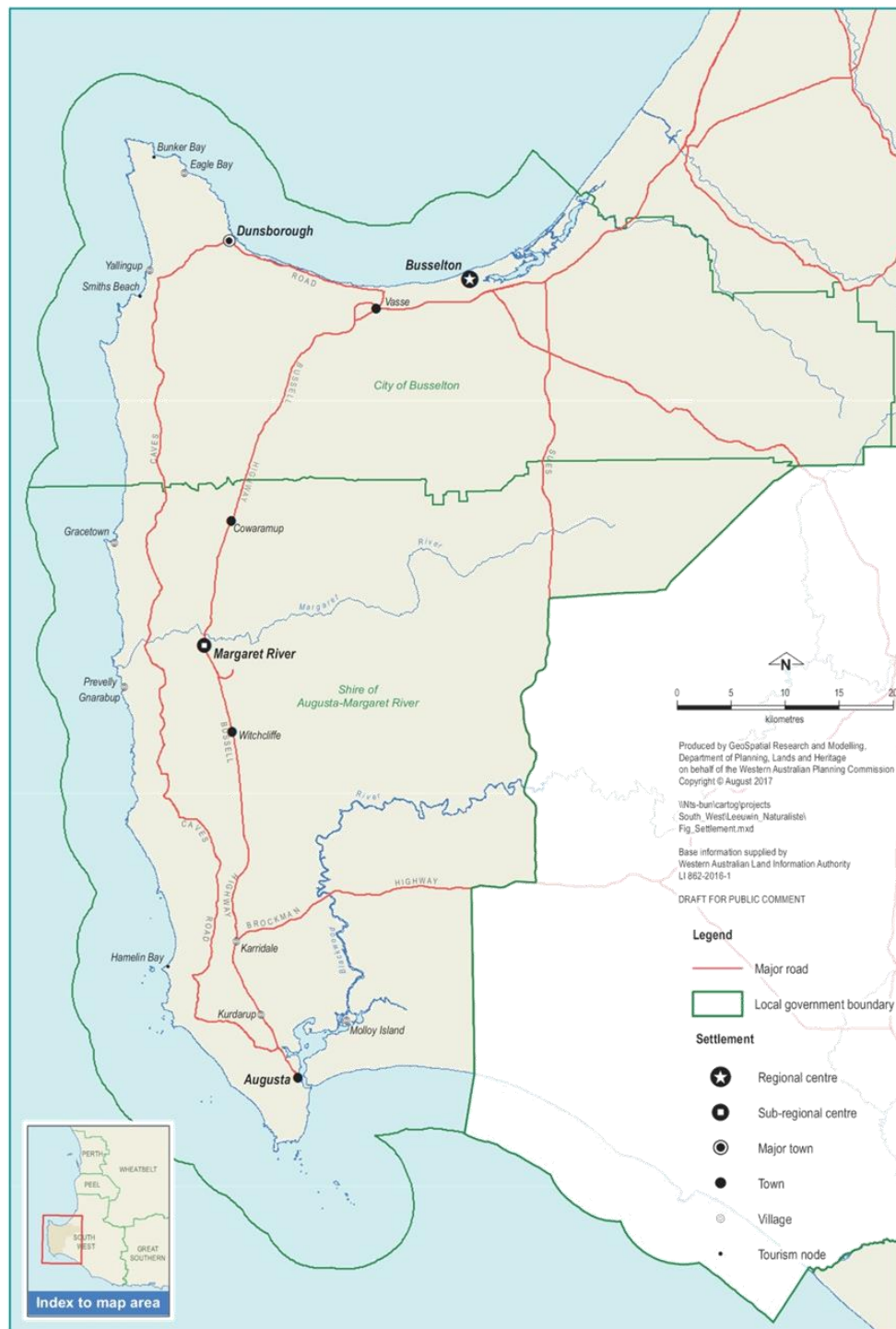
Map 3: Land use plan – Mapsheet 4

Draft Leeuwin Naturaliste Sub-regional Planning Strategy



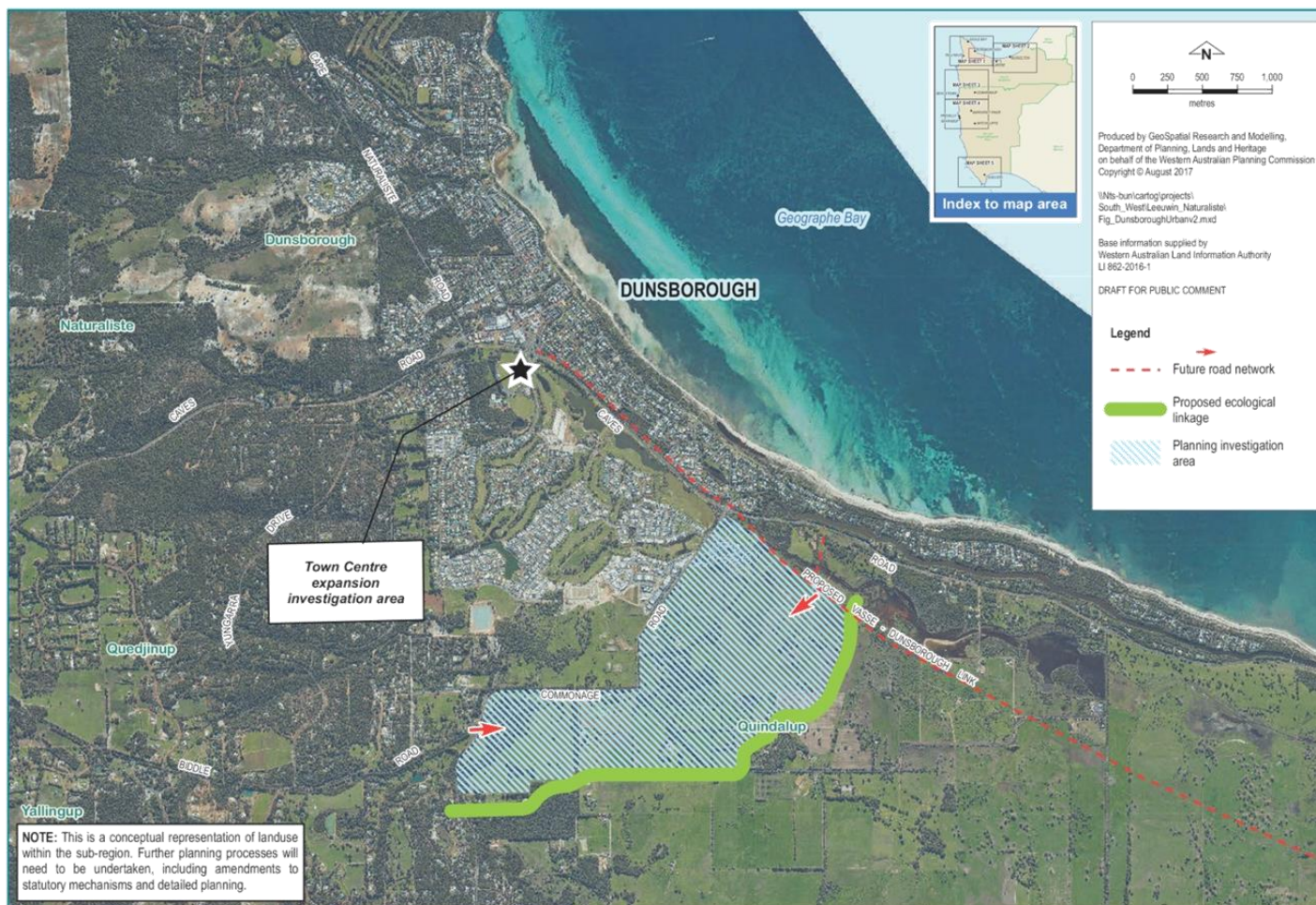
Map 3: Land use plan – Mapsheet 5

Draft Leeuwin Naturaliste Sub-regional Planning Strategy



Map 4: Settlement

Draft Leeuwin Naturaliste Sub-regional Planning Strategy



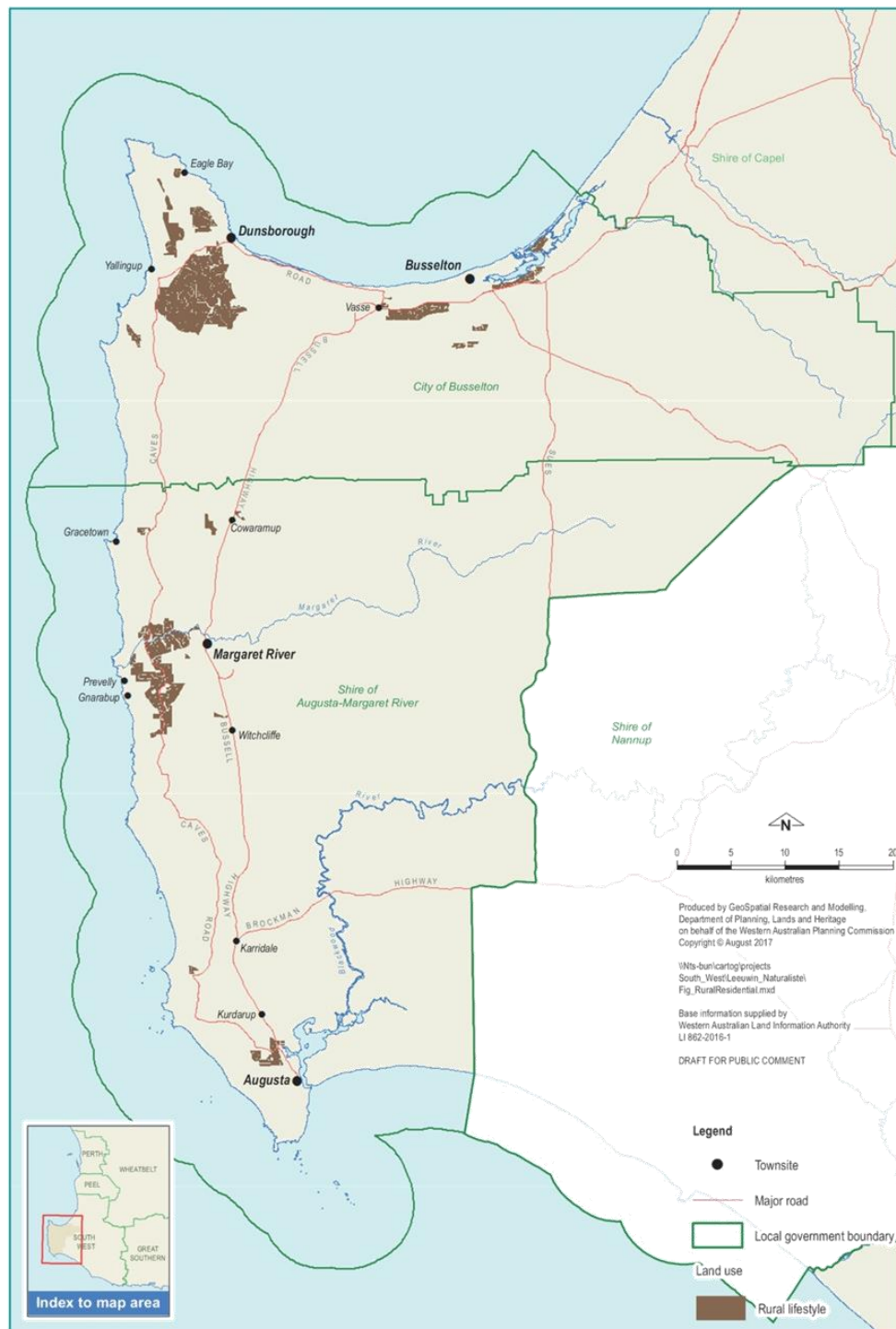
Map 5: Proposed Dunsborough urban investigation area

Draft Leeuwin Naturaliste Sub-regional Planning Strategy



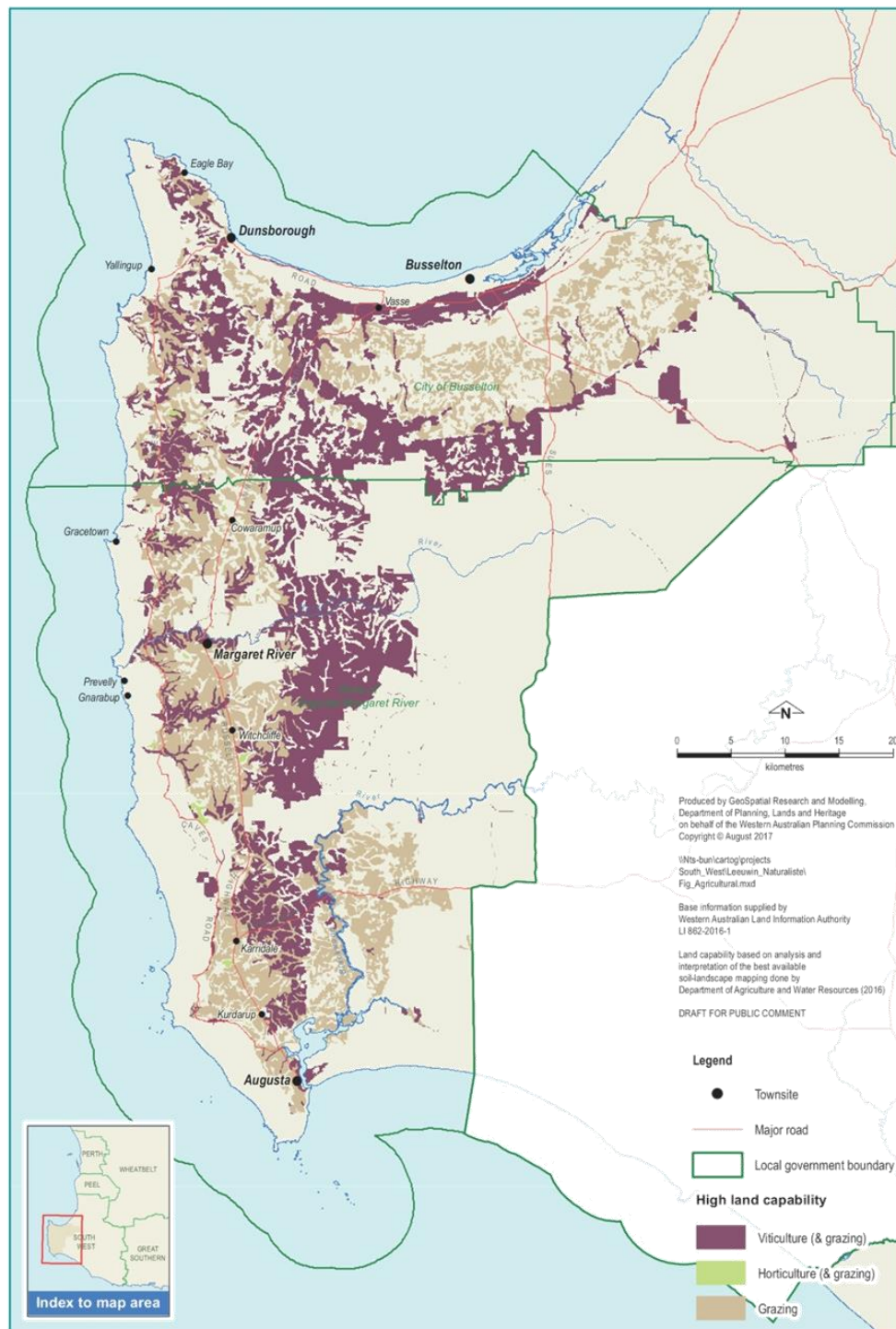
Map 6: Proposed Vasse urban investigation area

Draft Leeuwin Naturaliste Sub-regional Planning Strategy



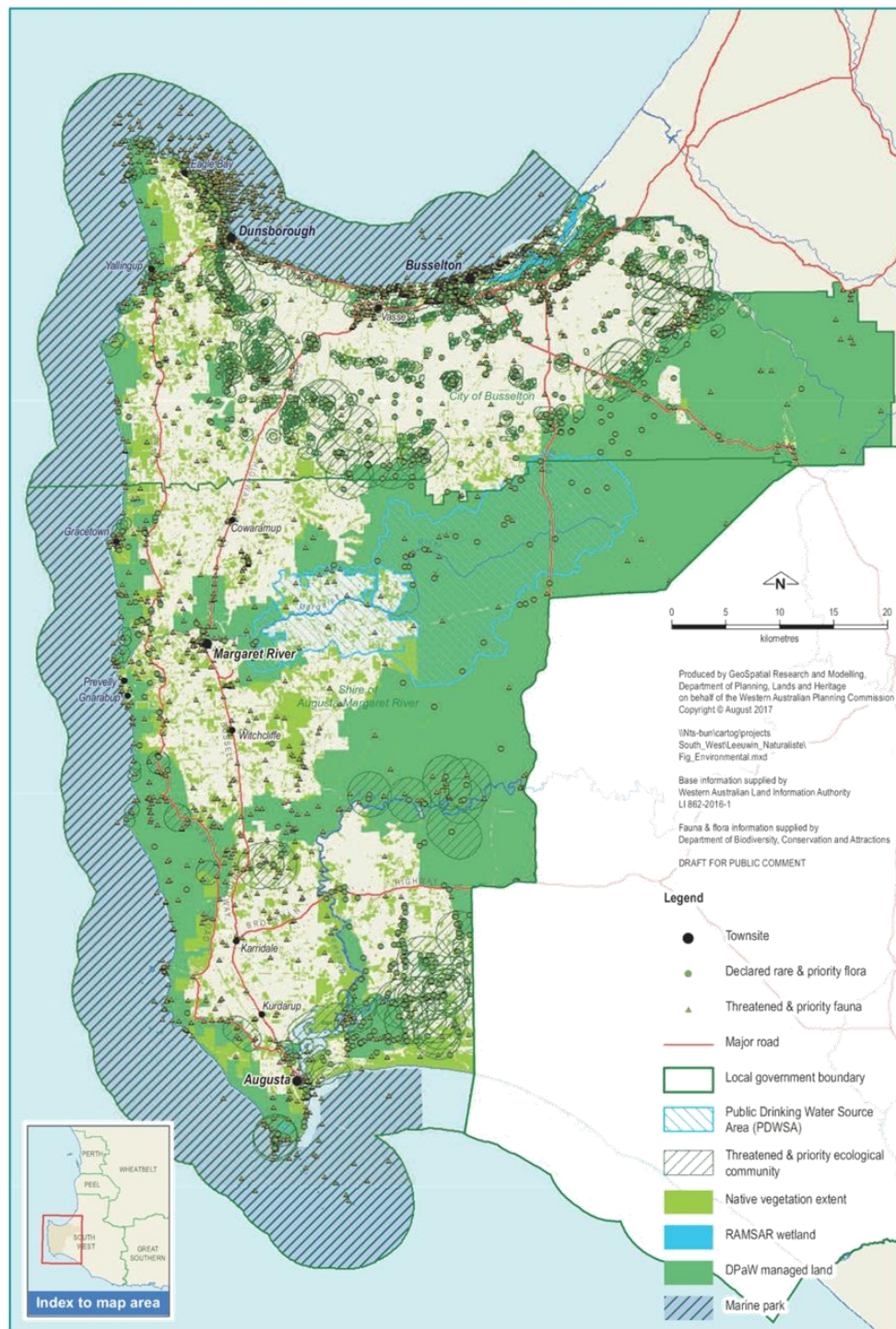
Map 7: Existing rural residential areas

Draft Leeuwin Naturaliste Sub-regional Planning Strategy



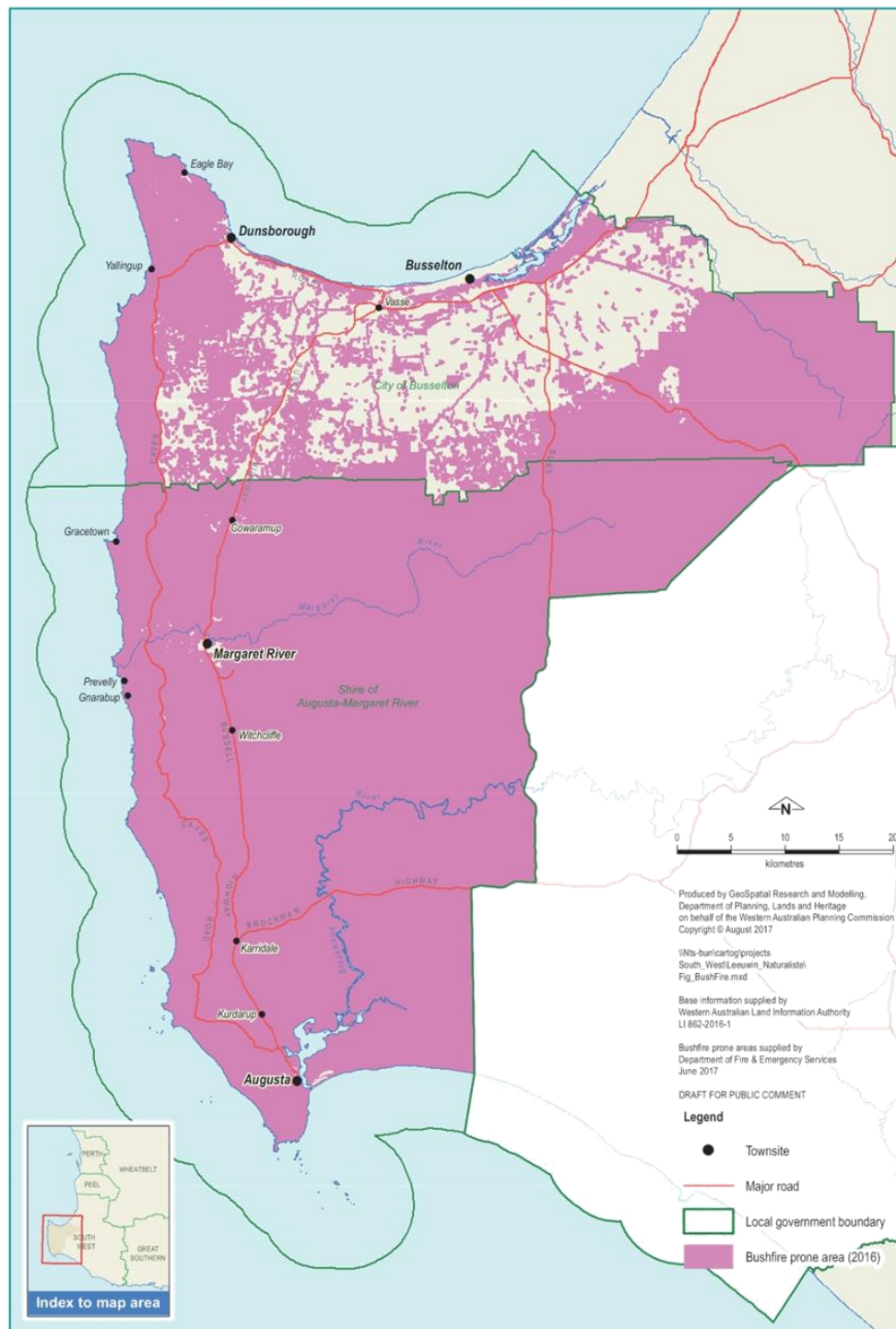
Map 8: Agricultural land capability

Draft Leeuwin Naturaliste Sub-regional Planning Strategy



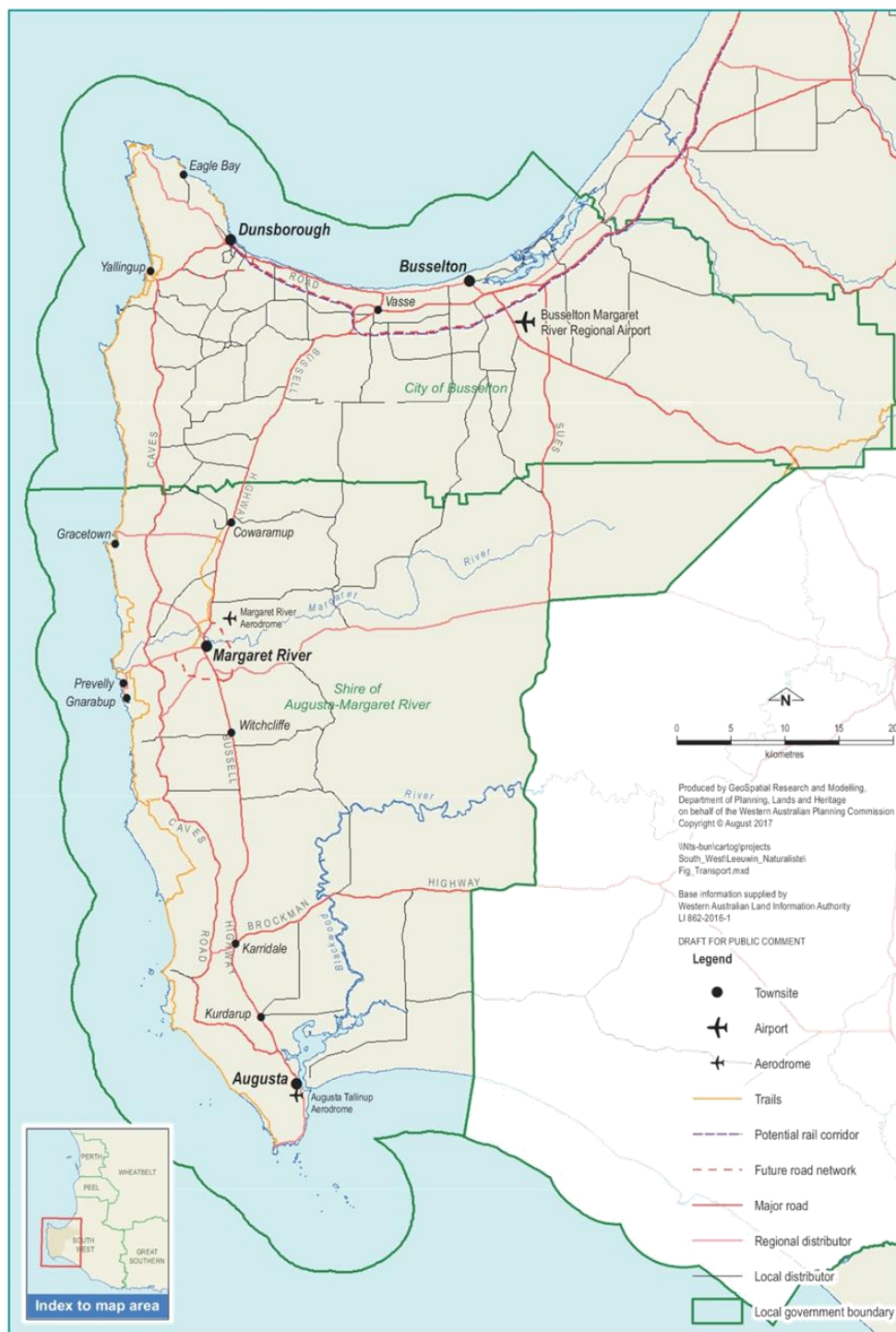
Map 9: Environmental assets

Draft Leeuwin Naturaliste Sub-regional Planning Strategy



Map 10: Bushfire prone areas

Draft Leeuwin Naturaliste Sub-regional Planning Strategy



Map 11: Transport & movement network

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

References

- Augusta-Walpole Coastal Strategy (Western Australian Planning Commission, 2009)
- Australia's South West (Tourism WA, 2017) Basic Raw Materials* (Department of Mines and Petroleum)
- Census Community Profiles (Australian Bureau of Statistics, 2011)
- Coastal Hazard Risk Management and Adaptation Planning Guidelines (Western Australian Planning Commission, 2014)
- Forest Management Plan 2014–2023 (Conservation Commission of Western Australia, 2013)
- <https://docs.employment.gov.au/node/34693> (Department of Employment, 2016)
- Leeuwin-Naturaliste Capes area Parks and Reserves Management Plan (Department of Parks and Wildlife, 2015)
- National Biodiversity Hotspots* (Department of Environment and Energy)
- Regional Population Growth Estimates (Australian Bureau of Statistics, 2016)
- Road Information Mapping System (Main Roads WA, 2017) <https://mrapps.mainroads.wa.gov.au/RavNetworkMap>
- South West Blueprint (South West Development Commission, 2014)
- South West Regional Ecological Linkages Technical Report (Western Australian Local Government Association and the Department of Environment and Conservation, 2009)
- South West Regional Planning and Infrastructure Framework (Western Australian Planning Commission, 2015)
- State Aviation Strategy State Aviation Strategy (Department of Transport, 2015)
- State Planning Policy 2 Environment and Natural Resources (Western Australian Planning Commission, 2003)
- State Planning Policy 2.4 – Basic Raw Materials (Western Australian Planning Commission, 2000)
- State Planning Policy 2.5 – Rural Planning (Western Australian Planning Commission, 2016)
- State Planning Policy 2.6 – State Coastal Planning (Western Australian Planning Commission, 2013)
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas (Western Australian Planning Commission, 2015)
- State Planning Strategy 2050 (Western Australian Planning Commission, 2014)
- Western Australian Regional Freight Transport Network Plan (Department of Transport, 2013)

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

Appendix I – Regional settlement hierarchy

Description of settlement categories

Tier 1 to 4 settlements are generally considered significant from a strategic whole-of-State and/or regional perspective	
1. Capital city	The Capital city is the highest level of settlement in the State. As a city of national and international standing, it is the State's main focus for civic, cultural, administrative, business, retail and tourism activity, with its catchment encompassing the entire State. The Capital city has by far the greatest range of high-order services, infrastructure and jobs, and the largest commercial component of any settlement.
2. Regional city	<p>From a regional perspective, regional cities are typically dominant centres for population, economic activity and employment and are considered to offer the most extensive and diverse range of high-order services and functions. They play a significant role in developing much of a region's industry and employment and in this regard contain substantial hard infrastructure of regional significance.</p> <p>Regional cities often service a catchment that includes the majority of the regional population as well as industrial, retail, commerce, administration, government and social services. Importantly, they contain substantial regional health, education and recreation infrastructure. Typically, they contain a wide range of comparative retail, regional and branch offices of several government departments, and often provide a regional cultural and entertainment hub.</p>
3. Regional centre	<p>Regional centres typically offer a diverse range of high-order services and functions, but to a lesser degree than a Regional city. They are also distinguished from regional cities as they generally service a smaller population.</p> <p>Regional centres are significant centres of economic activity, employment and population and form important hubs for regional industry, commerce and civic administration functions, including government offices and services. They generally provide comparative retail as well as higher-order education, recreation and health services.</p>
4. Sub-regional centre	<p>Sub-regional centres support the population and economic activities within their surrounding hinterlands through the provision of goods and services. The catchment areas of sub-regional centres usually extend beyond the immediate centre to include surrounding centres and districts and as such their services are utilised by a broader population.</p> <p>Retail services offered in sub-regional centres largely focus on the day-to-day needs of their service population, however some comparative retail may also occur, particularly in larger centres. Other commercial and light industrial activities, which generally exist to service the local economies, are important functions of sub-regional centres. Sub-regional centres often provide local government administrative functions and a range of social infrastructure and services, including local recreation, health services and secondary education.</p>

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

Tier 5 to 8 settlements are generally considered significant from a sub-regional and/or local perspective	
5. Major town	Settlements within these three tiers offer a level of service that generally deals with the daily needs of their service population. Three separate tiers allows for distinction to be made where particular settlements service a larger population catchment and/or offer a greater number of services relative to others. How settlements are assigned to the respective tiers is considered within the context of that particular region.
6. Town / Major local centre*	
7. Local centre / Village / Settlement*	
8. Service centre	Service centres are generally located on major State arterial roads and offer basic 'roadhouse' facilities, including minor vehicle repair and servicing. Service centres may play an important role in inter and intra-regional travel, particularly in more remote areas of the State.

* Note: Tiers 6 and 7 may represent particular settlement types that are relevant to specific regions, and as such alternative names may be used to describe settlements as applicable on a region-by-region basis. This is pertinent due to the regional variation that occurs in existing policies; for example State Planning Policy 6.1: Leeuwin-Naturaliste Ridge, which can be attributable to differences in regional characteristics such as their respective communities, culture and sense of place. It is important to note that the naming of a tier does not have any effective bearing on the hierarchy itself.

Application of the regional settlement hierarchy

In its application, within the context of the relevant region it is intended that settlements are assigned to tiers in the hierarchy in **Table 2** based on the general consideration of a number of factors that may underpin a settlement's relative strategic importance. For example:

- level and types of services that it provides
- hard and soft infrastructure provision
- population of the settlement
- population of its catchment area
- geographic size of its catchment area
- its proximity to other settlements, particularly those that are of a higher order.

Some of these considerations are relevant given the vastness of regional Western Australia and its marked diversity in settlement patterns, something that is largely attributable to the varying characteristics and intensities of different land uses and economic activities that exist across the State.

Notably, this approach avoids quantitative assessment of settlements. This is preferred as direct comparisons between settlements in different regions can be inherently misleading when evaluating their strategic importance, due to the marked differences that exist in settlement patterns across different regions.

In situations where proposed development is anticipated to change a settlement's level of strategic importance in the future, it may be applicable to identify such settlements as being 'proposed' to sit within the tier of the hierarchy that reflects its future regional function.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

Appendix 2 – Relevant State planning policies

State planning policies with particular relevance to the Leeuwin Naturaliste sub-region:

- *State Planning Policy 1: State Planning Framework* intends for sub-regional strategies to guide change and to establish a basis for cooperative action to be taken by State and local governments on land use change.
- *State Planning Policy 2.5: Rural Planning* provides guidance for land use and development decision-making for rural and rural living land in Western Australia.
- *State Planning Policy 2.6: State Coastal Policy* provides guidance for land use and decision-making within the coastal zone, including the requirement for appropriate coastal hazard risk management and adaptation planning.
- *State Planning Policy 3: Urban Growth and Settlement* sets out the principles and considerations that apply to planning for urban growth and settlements in Western Australia.
- *State Planning Policy 3.7: Planning in Bushfire Prone Areas* sets out the principles and considerations for land use and development decision-making bushfire prone areas.
- *State Planning Policy 6.1: Leeuwin-Naturaliste Ridge* sets out the principles and considerations for land use and development decision-making on the Leeuwin-Naturaliste Ridge.

Draft Leeuwin Naturaliste Sub-regional Planning Strategy

Appendix 3 – Summary of Report Card for State Planning Policy 6.1: Leeuwin-Naturaliste Ridge

State Planning Policy 6.1: Leeuwin-Naturaliste Ridge (SPP6.1) was gazetted in 1998. It was amended in 2003 to include statements regarding planning and development at Smiths Beach.

SPP6.1 addresses issues relating to the area along the ridge from Cape Naturaliste to Cape Leeuwin. The policy does not apply to land within the City of Busselton and the Shire of Augusta-Margaret River to the east of Bussell Highway, nor the Busselton townsite.

In 2016, the Western Australian Planning Commission (WAPC) undertook a review of SPP6.1 to validate the policy's effectiveness.

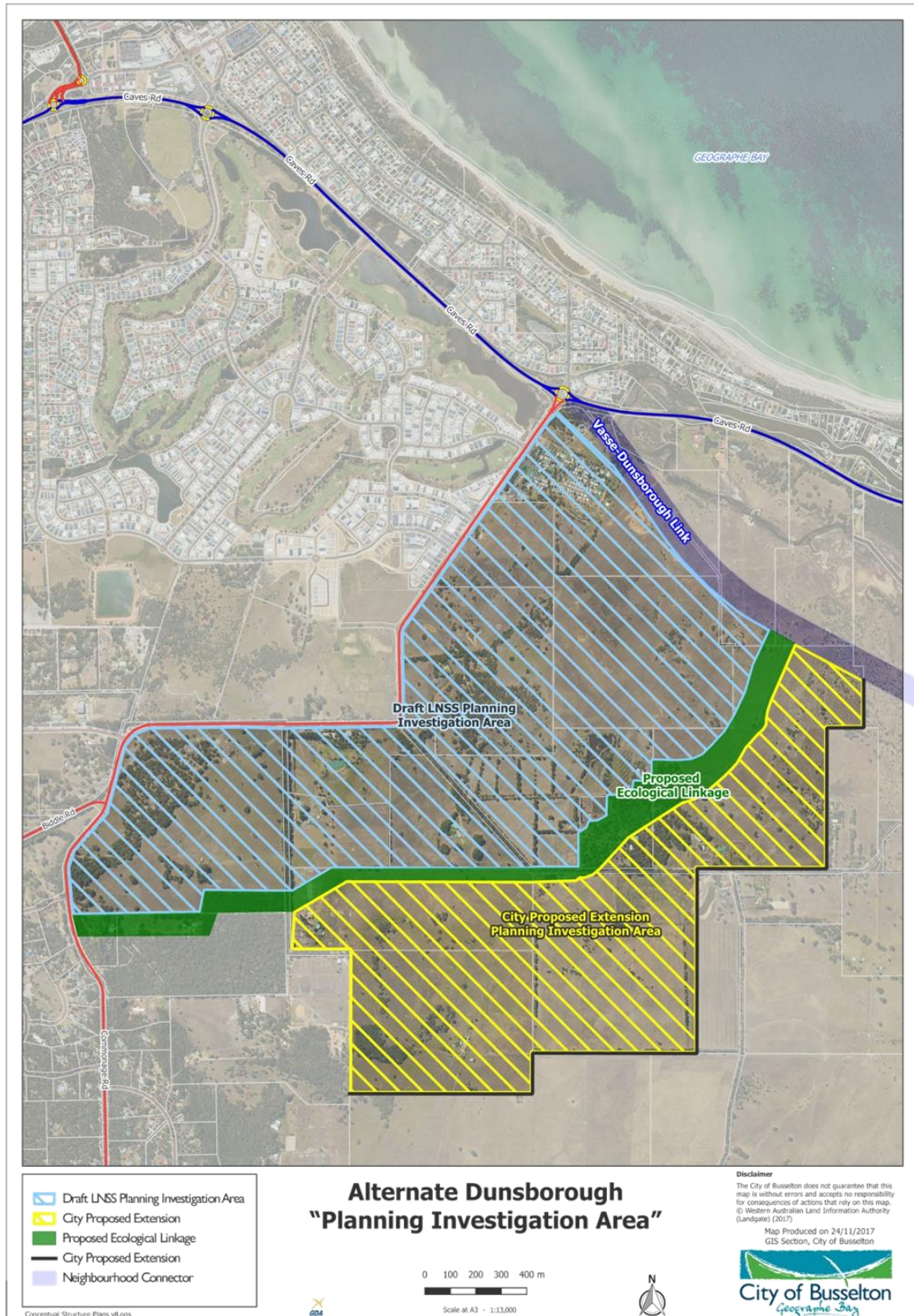
The review included consultation with local government, industry and other key stakeholders to seek direction on the issues the policy and associated sub-regional strategy should address. The majority of respondents indicated SPP6.1 was an important and relevant planning tool that should remain the key planning control for the ridge area; but that it should be revised to:

- update inconsistent sections compromised by the introduction of other planning statutory and policy documents. For example, it references policies and guidance relating to bushfires that are now superseded by *SPP 3.7: Planning in Bushfire Prone Areas*, and further changes may be required to align with proposed modifications to *SPP 2.5: Landuse Planning in Rural Areas*.
- update the settlement hierarchy to reflect changes, in particular for Cowaramup, Vasse and Dunsborough. Also, hamlet and enclaves are unsustainable and no longer comply with WAPC policy.
- consider the WAPC's WA Tomorrow projections and other strategic documents such as the South West Regional Planning and Infrastructure Framework, the South West BluePrint, and Supertowns and Regional Cities projections.
- provide more guidance on the efficient provision of infrastructure and consideration of alternative servicing options such as technological advances relating to waste water treatment and energy storage.
- update statistics, partners and references.

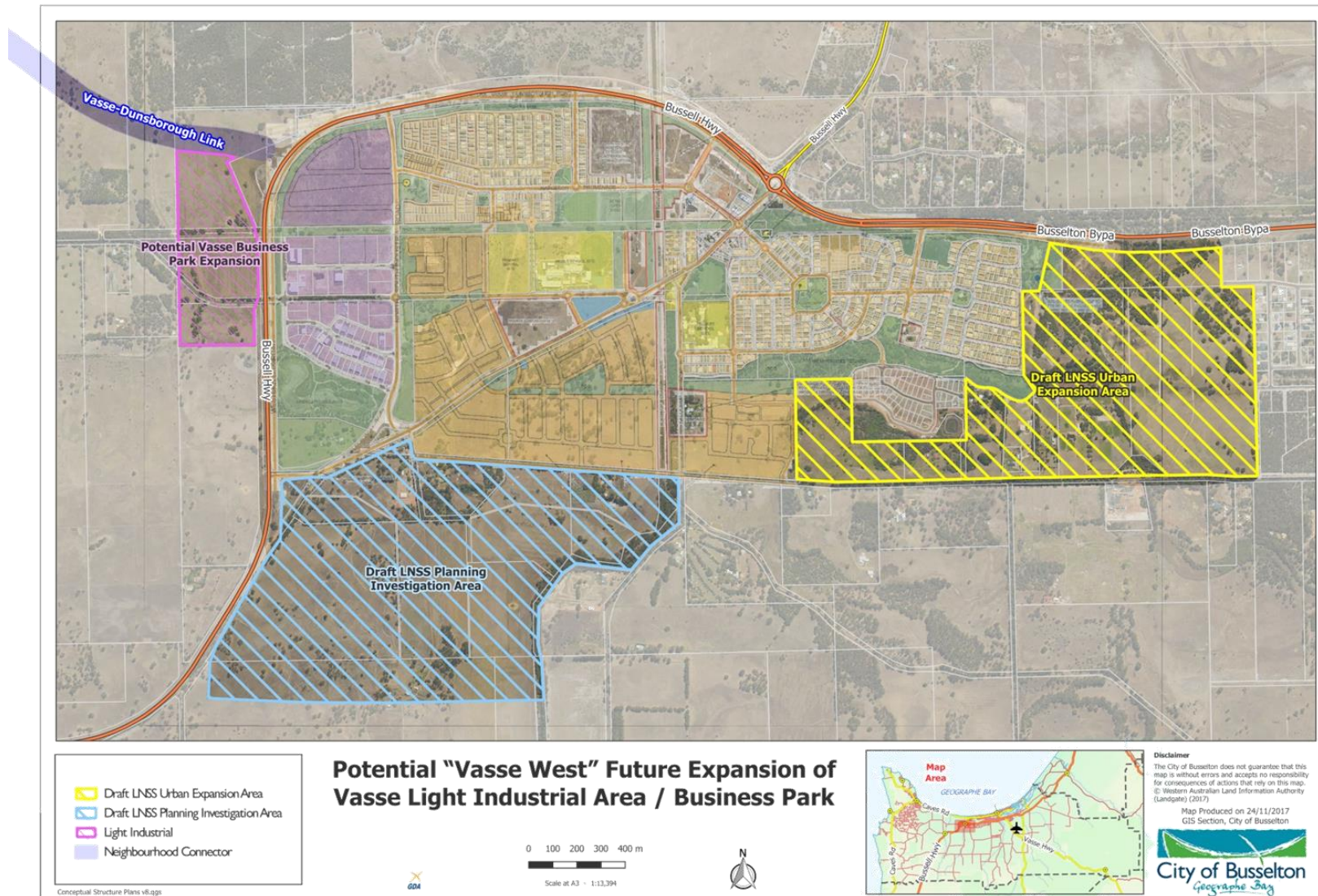
[Link to Report Card for SPP6.1.](#)

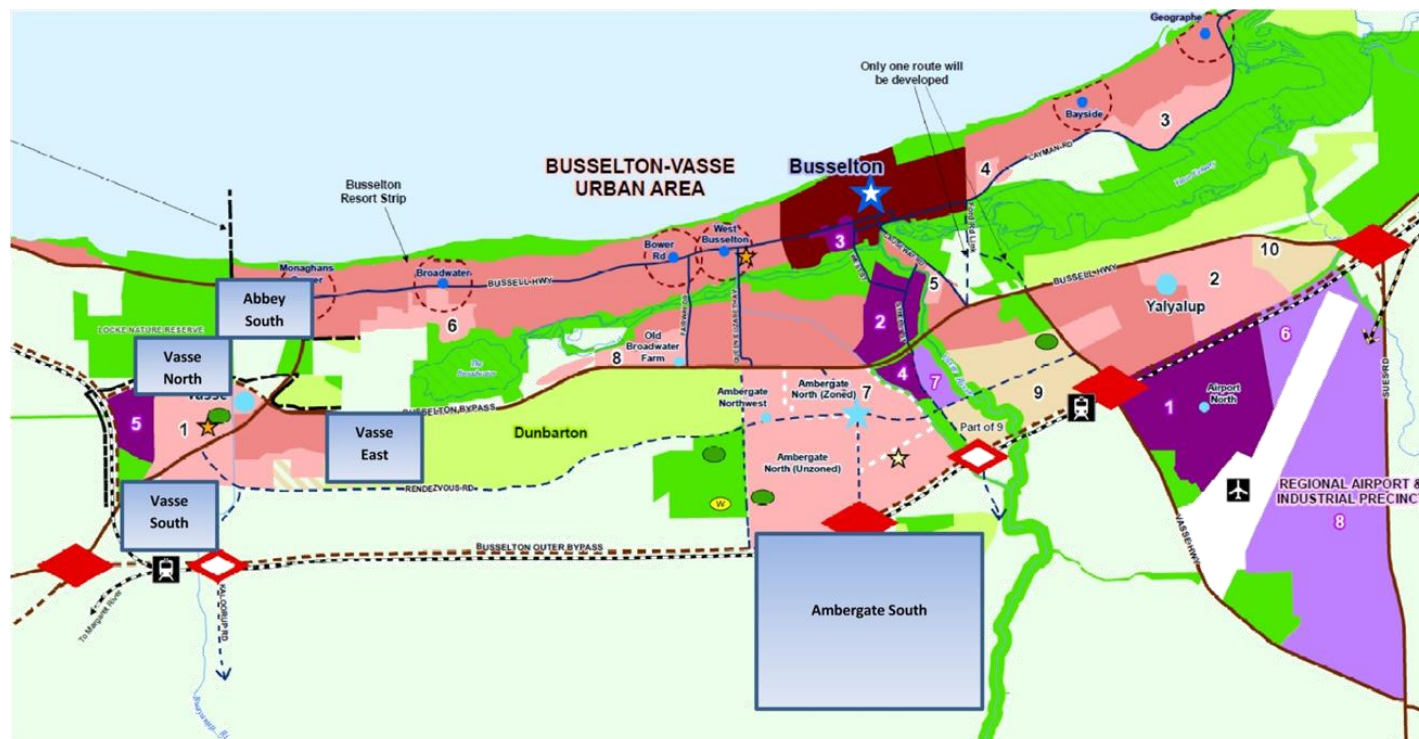
Key findings of the report card

- The Leeuwin-Naturaliste Ridge area continues to be recognised for its unique conservation, landscape, agricultural, recreational and lifestyle values.
- SPP6.1 continues to be a useful and applicable State planning policy, providing a strategic vision for the ridge area.
- SPP6.1 has been a valuable tool in the consideration of many development applications having influenced outcomes and shown validity in appeals by the State Administrative Tribunal.
- SPP6.1 is likely to remain relevant for the next 15 to 20 years, subject to some amendments and updates to ensure consistency with the broader planning framework.
- In response, this document supports the objectives of the State Planning Policy but refines and details them within the contemporary context.





Potential 'Vasse West' future expansion of Vasse Light Industrial Area / Business Park





11.3 AMENDMENT TO 'DUNSBOROUGH LAKES ESTATE DEVELOPER CONTRIBUTIONS PLAN (2015)
- CONSIDERATION FOR FINAL ADOPTION BY THE COUNCIL

SUBJECT INDEX:	Local Planning Policy (Developer Contributions
STRATEGIC OBJECTIVE:	A community with access to a range of cultural and art, social and recreational facilities and experiences.
BUSINESS UNIT:	Strategic Planning and Development Services
ACTIVITY UNIT:	Strategic Planning and Development
REPORTING OFFICER:	Manager, Strategic Planning and Development - Matthew Riordan
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Amended Dunsborough Lakes Estate Developer Contributions Plan (with 'tracked changes' modifications)  

PRÉCIS

The Dunsborough Lakes Estate Developer Contributions Plan ('the DCP') was formally adopted by the City on 11 February 2015. The DCP relates to former Lot 9033 Commonage Road, which is in the ownership control of land developer Urban Quarter.

Since original reporting on this matter (please refer to Council Agendas for 10 August 2016, 28 September 2016 and 26 July 2017 for further background detail), incremental subdivision of the subject land has been occurring and cadastral titles have varied several times from the greenfield parcel of land (former Lot 9033) to which the DCP originally referred and related.

Given the ever-changing nature of the staged residential subdivision of this original landholding it is recommended that, for the benefit of clarity and consistency, the DCP shall refer to 'former Lot 9058' (as it was last referred to in reporting to the Council in July 2017), with an attachment to that modified document included to show, spatially, the land concerned. This delineated land is identical to original Lot 9033.

BACKGROUND

The DCP allocates all future monetary developer contributions towards 'local' community infrastructure; namely, the construction of a 'shared use' sporting oval, car parking and other associated facilities on land to be ceded to the City by Urban Quarter (together with the adjoining Dunsborough Lakes Primary School site).

It is proposed to now amend the original DCP to incorporate four residual parcels of residential land in the Dunsborough Lakes Estate development area. These four parcels are the sole remaining appropriate areas of residential-zoned land within the District not currently subject to formal developer contribution responsibilities and requirements under either an endorsed 'precinct plan' (e.g. Developer Contribution Area 1 Dunsborough and Quindalup ('DCA1')) or an endorsed 'development-specific plan' (e.g. developer contribution plans applying to urban growth areas such as Vasse, Port Geographe, Yalyalup etc.). The continued exclusion of these parcels from a formally endorsed developer contribution plan area is not consistent with the remainder of the City and represents an ongoing situation that is both anachronistic and anomalous.

In an attempt to remedy this, the four residual parcels were initially proposed to be included in DCA1 (Dunsborough and Quindalup) through the Omnibus Amendment 1 process.

During public advertising of draft Omnibus Amendment 1, however, an objection to this proposal was submitted by Urban Quarter on the basis that such an approach would unreasonably impose additional monetary imposts beyond those contributions previously negotiated and agreed between Urban Quarter and the City in the formulation of the original DCP.

The proposed inclusion of the subject four parcels of land in DCA1 was recommended to be withdrawn from the Omnibus Amendment 1 process and proposed instead to be incorporated into the existing DCP through an appropriate amendment to that plan.

The amended DCP will serve to rationalise the Dunsborough Lakes Estate development area and bring it into alignment and conformity with the remainder of the City in terms of developer contribution requirements and responsibilities for all relevant developable residential land. This will be achieved by including the subject four additional parcels of land into the DCP, although the total monetary contribution required to be paid by Urban Quarter under that amended DCP (originally estimated at a total \$1.275 million) will remain entirely unchanged.

At its Meeting on 10 August 2016, the Council resolved to defer consideration of this matter until the Ordinary Meeting of 28 September 2016. This was done at the behest of the representative landowner, Urban Quarter, so that the issues being considered could first be reported to the Board of Directors of that company.

Subsequent to this deferment, an anomaly was also recognised in DCA1 as it related to (then) Pt Lot 9057 St Michael's Parkway, a residential development area in the Dunsborough Lakes Estate with an estimated lot yield potential (after any subdivision approval) of 62 lots. Due to its shape and location, former Pt Lot 9057 is commonly referred to as 'The Island'. As of this writing, the cadastral identity of 'The Island' has been modified to become Lot 9060 St Michael's Parkway (and shall be so referred to throughout this report). Again this relates to the identical parcel of land.

'The Island' was included in DCA1 through Amendment 125 (gazetted August 2013) of District Planning Scheme 20. However, this was anomalous with the intentions and requirements of Special Provision Area 42 of the Scheme (which conditionally *excludes* that and other specified properties from a developer contribution plan). It was recommended that this clear anomaly also be rectified as part of the DCP Amendment proposal now before the Council, and that 'The Island' be removed from DCA1 through a 'complex' Scheme Amendment process (which has since been finalised) and subsequently incorporated into the DCP for former Lot 9058.

STATUTORY ENVIRONMENT

- Local Planning Scheme 21
- Dunsborough Lakes Structure Plan (latest endorsed iteration)
- Planning and Development (Local Planning Schemes) Regulations 2015 ('the Regs 2015')

Additional information regarding statutory context and background may be found in the original report to the Council, of 28 September 2016, when associated 'complex' Amendment 26 was initiated for public consultation purposes.

RELEVANT PLANS AND POLICIES

The key policy consideration in regard to the purpose and intention of Amendment 26, and the proposed amendments to the DCP, is *'State Planning Policy 3.6: Development Contribution Policy for Infrastructure'* (SPP3.6).

SPP 3.6 sets out the principles and considerations that apply to developer contributions in providing community facilities and infrastructure in new and redeveloping urban areas; as well as the form, content and procedure for preparing a DCP (or amendment(s) thereto).

FINANCIAL IMPLICATIONS

Former Lot 9058 has an area of 32.9 hectares and a likely residential lot yield at completion of staged subdivision of about 255 allotments. The developer contributions in the subject DCP were originally assessed (and shall remain thus following any Council final endorsement of the proposed DCP amendment) at a cash equivalent of \$5,000 per lot. This assessment will be continually adjusted in accordance with the Local Government Cost Index for W.A. ('LGCI'), commencing 1 January 2015, and currently stands at \$5,089 per lot.

On this basis, and notwithstanding that some subdivision approvals and lot releases have already occurred on former Lot 9058, there will be a total monetary contribution anticipated to be paid by Urban Quarter, under the identical requirements of both the original and amended DCP, of an estimated minimum \$1.3 million.

Due to 'The Island' being anomalously included in DCA1 through Scheme Amendment 125 to District Planning Scheme 20, any subdivision of that property would presently attract the required payment of a monetary contribution to the City of approximately \$3,099 for each newly created lot (a potential total impost to Urban Quarter at present of \$192,138 for 62 lots). 'The Island' (currently Lot 9060) remains as yet undeveloped, however, with subdivision scheduled for later Stages 32 and 33 in the Urban Quarter overall staging plan.

As agreed between executive officers of the City and representatives of Urban Quarter, and subsequently formally endorsed by the Council, there shall not be any requirement for further monetary contributions being made in regard to those additional parcels (including lots created on 'The Island') proposed to be incorporated into the amended DCP area.

The only newly created residential allotments covered by the amended DCP that *shall* be subject to required financial contributions will continue to be those exclusively released on former Lot 9058.

Long-term Financial Plan Implications

The Officer Recommendation is consistent with the Long Term Financial Plan.

STRATEGIC COMMUNITY OBJECTIVES

The Officer Recommendation is consistent with the community objective 2.2 of Key Goal Area 2 ('Places and Spaces: vibrant, attractive, affordable) in the Strategic Community Plan 2017, viz:

'Attractive parks and open spaces that create opportunities for people to come together, socialise and enjoy a range of activities'.

RISK ASSESSMENT

The City has undertaken an assessment of any potential implications of implementing the Officer Recommendations using the City's risk assessment framework. The assessment identified 'downside' risks only, rather than upside risks as well. The medium risks associated with DCPs, generally, concern shortfalls in funds or the disposal of land prior to subdivision or development. The DCP amendment has been drafted to mitigate those risks to an appropriate level.

CONSULTATION

The proposed amendment to the Dunsborough Lakes Estate Developer Contributions Plan was advertised by the City for public consultation purposes between 3 May 2017 and 31 May 2017, a minimum 28-day advertising period required in accordance with the provisions of LPS21.

No submissions were received.

The associated Scheme Amendment (Amendment 26) was advertised concurrently with the DCP amendment proposal for public consultation purposes between 3 May 2017 and 4 July 2017, a minimum 60-day advertising period being (at that stage) required under the *Planning and Development (Local Planning Schemes) Regulations 2015* for a 'complex amendment'.

Only one submission was received in respect to Amendment 26, and it was subsequently approved by the Hon. Minister and gazetted on Friday 3 November 2017.

OFFICER COMMENT

Officers recommend that, as a consequence of the gazettal of Amendment 26 to LPS21 on 3 November 2017, that the property at Lot 9060 St Michael's Parkway (being the as yet undeveloped residential-zoned area in the Dunsborough Lakes Estate commonly referred to as 'The Island') be removed from DCA1 on the Scheme Maps, as it is contrary to the purpose and intention of LPS 21 and is therefore anomalous.

Now that this has been formally endorsed through gazettal of Amendment 26, Lot 9060 can be incorporated into the amended DCP for former Lot 9058, together with the 4 other identified residual parcels of land previously described.

To reiterate, no statutory obligation for payment of any monetary contributions beyond those already assessed and allocated through the *original* DCP in respect to the subdivision of former Lot 9058 only, shall be required under the amended DCP.

The amended DCP (with tracked changes, and as advertised apart from those cadastral updates referred to and with the addition of an inherent spatial representation of the land involved) is shown at Attachment A. Final adoption of this amended DCP is now recommended by the Council. There is no statutory need, in this instance, for any subsequent formal approval of the WAPC being required.

CONCLUSION

Implementation of the Officer Recommendation will result in the beneficial amendment of the Dunsborough Lakes Estate Developer Contribution Plan, which will serve to formally rationalise identified anomalies and anachronisms in the existing DCP and provide confidence and surety to the subject land developer in terms of monetary contributions required for future residential subdivision and land releases occurring on former Lot 9058 Commonage Road.

OPTIONS

Given the comprehensive (and prerequisite) statutory process already completed to date, and undertakings given to the subject land developer on behalf of the City, there is considered to be no planning justification or other merit in considering any option other than formal support for the proposed amendment to the Dunsborough Lakes Estate Developer Contribution Plan.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Implementation of the Officer Recommendation shall effectively be immediate, as no formal approval is required of the Western Australian Planning Commission. The amended DCP shall be posted on the City of Busselton public website.

OFFICER RECOMMENDATION

That the Council, pursuant to Clause 7.7.12 of Local Planning Scheme 21, resolves to amend the Dunsborough Lakes Estate Developer Contribution Plan in accordance with those modifications depicted at Attachment A.



Local Planning Scheme No. 21

Dunsborough Lakes Estate DEVELOPER CONTRIBUTIONS PLAN

This Developer Contributions Plan outlines the developer's responsibilities for contributing towards district level active open space and associated facilities on former Lot 9058 Commonage Road, Dunsborough Lakes.

Adopted by the Council pursuant to the City of Busselton Local Planning Scheme No. 21.

Mike S.L. Archer
CHIEF EXECUTIVE OFFICER

Date: 13 December 2017

CITY OF BUSSELTON

**DUNSBOROUGH LAKES ESTATE
DEVELOPER CONTRIBUTIONS PLAN (DCP)**

13 DECEMBER 2017

1. Introduction

- 1.1 This Developer Contributions Plan (DCP) applies to (now former) Lot 9058 Commonage Road, Dunsborough Lakes and an additional five parcels of land as identified at Figure 1. It deals with cost contributions towards the provision of district level active open space and associated facilities and infrastructure. The area to which this plan applies is shown on Figure 1, although monetary contributions allocated under this Plan shall only apply to former Lot 9058. The DCP area is the subject of the Development Guide Plan for Dunsborough Lakes Estate (now required under Planning and Development (Local Planning Schemes) Regulations 2015 to be called a 'Structure Plan'). The current endorsed version of this structure plan (revision Q) is included at Figure 2..

The DCP has been prepared to comply with the requirements of the City of Busselton Local Planning Scheme No. 21 (the Scheme).

The WAPC will be requested to impose a condition requiring the implementation of the responsibilities and requirements of the DCP on subdivision approvals which relate to the land comprising former Lot 9058 within the DCP area identified in Figure 1.

- 1.3 The land the subject of this DCP comprises a number of land ownerships currently zoned Special Purpose (Dunsborough Lakes Development Area) and identified on the Dunsborough Lakes Development Guide Plan (Structure Plan) for residential and related development. The total land area is approximately 76 hectares.
- 1.4 Developer contributions will take the form of cash contributions required on a per lot basis at subdivision clearance stage for former Lot 9058 only. The developer contributions will only apply to lots created for the purposes of residential development. Lots created for the purposes of non-residential development such as parks and reserves will not attract a cost contribution requirement pursuant to this DCP. Single lots created with the potential for further residential subdivision by green title, survey strata or built strata title subdivision will only make one single lot contribution at the time of the initial single lot subdivision or at Development Application stage, whichever occurs first. Subsequent creation of residential lots by green title, survey strata or strata title subdivision will attract a cost contribution for each additional lot pursuant to this DCP.
- 1.5 Lot 9060 St Michael's Parkway (known as 'The Island') was formerly included, through Amendment 125 to District Town Planning Scheme 20, in Developer Contribution Area 1

- (DCA1) but was subsequently removed from DCA1 through an amendment to Local Planning Scheme 21 which was gazetted on 3 November 2017. Upon Gazettal Lot 9060 was subsequently included in this DCP prior to adoption for final approval by the Council.
- 1.6 The DCP relates to the delivery of district level active open space and associated facilities and infrastructure adjacent to the primary school site. It does not include items of infrastructure that are usually provided by developers as they proceed with subdivision and development, such as local roads, utility services and primary school sites. The definitions used in this DCP are explained in Schedule 1- Interpretation.
- 1.7 The DCP applies to those parcels of land identified at Figure 1, although monetary developer contributions will only be required to be paid in direct relation to the subdivision and development of former Lot 9058, which was estimated to yield a total of 255 lots. The Dunsborough Lakes Development Guide Plan (Structure Plan) designates a significant portion of the DCP area of former Lot 9058 for recreational open space/playing fields to be utilised on a 'shared' basis with the adjacent future Dunsborough Lakes Primary School. Until relatively recently there has been no statutory mechanism to enable the City to require developer contributions towards the provision of recreational facilities within Dunsborough Lakes Estate and, as such, the City has not collected contributions for district-level active open space at Dunsborough Lakes to date. Therefore, it is seen as important and logical that all monetary developer contributions generated by the future subdivision and development of former Lot 9058 be put towards the delivery of that active open space and associated facilities proposed to adjoin the future Dunsborough Lakes Primary School on land to be ceded to the City in the DCP area.
- 2. Purpose of the DCP**
- 2.1 The purpose of the DCP is to apply development contributions beyond the standard provisions required by WAPC policy on the subdivision of land for the development of district level open space and associated facilities and infrastructure and ensure that cost contributions are reasonably required as a result of the subdivision and development of former Lot 9058 in the developer contributions area.
- 2.2 The developer will be responsible for the contributions in accordance with the DCP, together with other statutory and policy requirements, and agreements, as is relevant to the particular portion or stage of development of former Lot 9058.
- 3. Period of the Plan**
- 3.1 The period for the operation of the DCP is 10 years, or until completion of the subdivision and development of former Lot 9058, if sooner. After 10 years the DCP, if still operational, will be reviewed. In the meantime, the DCP may also be reviewed when appropriate between the City and the developer, having regard to the rate of development and the requirements of WAPC State Planning Policy 3.6.

4. Basis of the plan

- 4.1 The DCP has been prepared having regard to *WAPC State Planning Policy 3.6: Development Contributions for Infrastructure* (2009).
- 4.2 The lot contribution applicable under this DCP will assist in the delivery and development of district level active open space and associated facilities and infrastructure.

5. Principles

- 5.1 Development contributions are applied in accordance with the following principles set out in *State Planning Policy 3.6: Development Contributions for Infrastructure*:
- need and nexus;
 - transparency;
 - equity;
 - certainty;
 - efficiency;
 - consistency;
 - right of consultation and review;
 - accountable.
- 5.2 The key principle is that the 'beneficiary pays' commensurate with the need generated by the subdivision of the land for community facilities.

6. Developer Contributions – Infrastructure Items

- 6.1 The infrastructure items to be provided include: the ceding of land for public purposes (primary school site) and district open space; and the development of district level active open space, including playing fields, change rooms and related infrastructure such as parking, drainage, landscaping and lighting as determined by the City of Busselton. The infrastructure items subject to this DCP may be amended by the Council from time to time based on future identified requirements.
- 6.2 The land required to accommodate the district open space is to be ceded free of cost to the City of Busselton as a reserve for recreation at the first stage of subdivision of former Lot 9058 (if practicable), or at a subsequent stage of subdivision of former Lot 9058, agreed between the City of Busselton and the developer. The Dunsborough Lakes Primary School site is to be ceded, free of cost, to the Department of Education as a reserve for public purposes as part of the first stage of subdivision within Lot 9058. The final boundary between the primary school site and the district open space site will be subject to negotiation.

11.3 Attachment A Amended Dunsborough Lakes Estate Developer
Contributions Plan (with 'tracked changes' modifications)

6.3 The calculation of the contribution payable under this DCP will go towards the delivery of district level active open space and associated facilities and infrastructure adjacent to the Dunsborough Lakes Primary School. The contribution is assessed at a cash equivalent of \$5,000 per lot and shall apply only to the subdivision of newly created lots on former Lot 9058. This contribution amount will be adjusted in accordance with movements in the Local Government Cost Index for WA (ABS) commencing 1 January 2015.

6.4 Contributions towards road, footpath and cycle network upgrades (pursuant to *Local Planning Policy 6E – Road, Footpath and Cycle Network Upgrade Contributions Provisions*) and community facilities (pursuant to *Local Planning Policy 6D – Community Facilities Contributions Provisions*) will not be imposed by the City of Busselton.

7. Cost apportionment

7.1 The cost is apportioned to the developer and is based on the estimated dwelling yield of the subdivision and development of former Lot 9058 only within the DCP area

7.2 The value of the land, for the purposes of land acquisition and distribution of costs, is not applicable to this DCP.

8. Liability for Cost Contributions

8.1 Cost contribution requirements shall be satisfied by the payment of a contribution in accordance with the requirements of this plan.

8.2 Requirements for and payment of development contributions will be imposed by the WAPC as a condition of subdivision or by the City of Busselton as a condition of development. The liability of the developer to satisfy their cost contribution arises prior to whichever of the following two things occurs first with respect to any particular parcel of land within the DCP area:

- (i) the City endorsing a deposited plan for clearance of the relevant conditions prior to the WAPC endorsing its approval on the deposited plan relating to the subdivision of the developers land; or
- (ii) the City approving the development of land, other than for the purposes of subdivision works.

8.3 There is no liability to pay a cost contribution for the development of the first single house or outbuildings associated with that first single house on an existing lot where the cost contribution for that lot has been paid on the subdivision of the land which created that lot.

8.4 In the case of grouped or multiple dwelling developments, cost contributions will be calculated at the rate of 100% contribution for each dwelling less a one lot credit for the creation of the parent lot if a contribution was paid with respect to the creation of the parent lot and paid at Development Approval stage.

- 8.5 For aged or dependent person dwellings the cost contribution will be 50% of the normal contribution.

9. Pre-Funded Cost Contributions

- 9.1 A Deed of Agreement facilitating the single, pre-funded payment of the estimated total monetary developer contribution required under this DCP for the subdivision and development of former Lot 9058 may be prepared and executed between the City of Busselton and the representative landowner or developer of former Lot 9058.

10. Administration of Funds

- 10.1 The City will establish and maintain an account in accordance with the *Local Government Act 1995* for the purposes of funding the district level active open space and associated facilities and infrastructure in accordance with the DCP, into which cost contributions will be credited and from which all payments for the cost of infrastructure and administrative costs within the area will be paid. The purpose of the account is to ensure that the expenditure of funds from the development contributions is limited to the purposes set out in the DCP. Interest earned on cost contributions will be credited to the account.

- 10.2 The City will, on request, provide a statement of income and expenditure pursuant to the DCP to those relevant parties having made contributions pursuant to the DCP.

11. Reimbursement of cash contributions for works undertaken and crediting of in-kind contributions

- 11.1 If the representative landowner or developer of former Lot 9058 undertakes works relating to the provision of infrastructure items specified in the DCP and:

- (i) the City has approved the design of the infrastructure as specified in the DCP;
- (ii) a contract has been awarded for the construction of the infrastructure; and
- (iii) an invoice for the works constructed under that contract has been certified by the Superintendent for the works;

the City will reimburse that developer for each and every claim made during or up to the completion of the works, from contributions received towards that infrastructure item to an amount equivalent to the proportional amount that will be received from all developers relating to specific works that are being undertaken by that developer.

- 11.2 Where the infrastructure is situated on land owned by that developer that is not transferred to the City at that time, a licence agreement between the developer and the City will be required to allow for the use of the facilities pending the transfer of the land to the City.

11.3 Attachment A Amended Dunsborough Lakes Estate Developer
Contributions Plan (with 'tracked changes' modifications)

- 11.3 Where subsequent contributions are made towards the infrastructure item, the City will transfer those funds to the developer that undertook work within 3 months of the receipt of such funds. The amount of reimbursement is to be the amount contributed, plus any cost indexation prior to the contribution having been made and interest earned on the contribution once it was made. If a developer undertakes works to provide any of the infrastructure items or costs of the works exceeds the total value of contributions within the DCP area, the City is not required to reimburse the developer for any of the excess.
- 11.4 Where a developer has provided any infrastructure item ahead of the City having received all contributions relating to that infrastructure item, then subsequent contributions from the owners of the land that provided the infrastructure will be discounted by an amount proportional to the value of the infrastructure, minus the value of any contributions already received and which relate to that infrastructure.

12. Shortfall or excess

- 12.1 If there is a shortfall in the total of cost contributions when all contributions have been made or accounted for, the City of Busselton may make good the shortfall or may negotiate with the developer to fund the shortfall.
- 12.2 If there is an excess in funds available to the development contribution area when all cost contributions have been made or accounted for and all listed infrastructure has been developed and land transferred, the City is to refund the excess funds to the contributing owners for that development contribution area in a manner proportional to the contribution from that owner. To the extent, if any, that it is not reasonably practicable to identify owners and/or their entitled amount of refund, any excess in funds shall be applied to the provision of additional facilities or improvements in the DCP area.
- 12.3 In the event clearances have been issued for the subdivision of lots on former Lot 9058 in the DCP area, before the DCP is endorsed by the City, any shortfall in the value of contributions that would have been attached to that clearance had the DCP been endorsed by the City is to be paid to the City no later than 6 months from the date of endorsement of the DCP or otherwise as by agreement with the City.

13. Disposal of land prior to subdivision or development

- 13.1 If a developer disposes of land within former Lot 9058 prior to subdivision or development, the subsequent landowner will be liable for any outstanding development contributions for that land and is to be made aware of responsibilities pursuant to the DCP by the vendor.
- 13.2 If a developer disposes of land such that the whole of the undeveloped portion of former Lot 9058 is no longer in a single ownership, it is the responsibility of the parties to negotiate appropriate arrangements to ensure delivery of contributions in accordance with the DCP.

14. Development of infrastructure

- 14.1 The timing of the provision of infrastructure is to be determined by the City, in accordance with its broader responsibilities to meet the infrastructure and community facilities provisions for the City as outlined in the Scheme and this DCP and any relevant local planning policy.

15. Arbitration

- 15.1 Any dispute between a developer and the City of Busselton in connection with the cost contribution required to be made by the developer in relation to former Lot 9058 is to be resolved by arbitration in accordance with the *Commercial Arbitration Act 1985*.

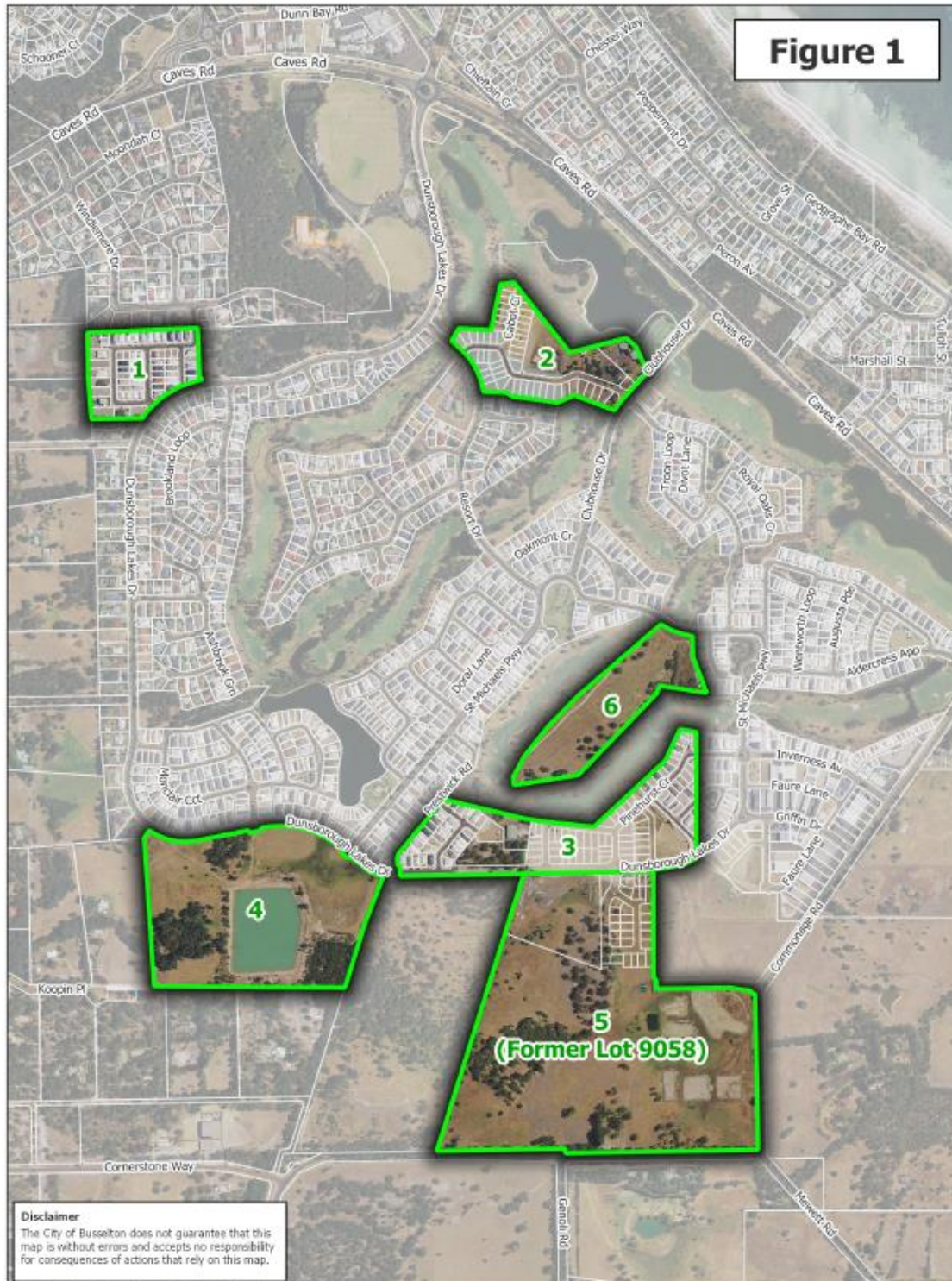
Schedule 1 Interpretations

'Administrative Costs' means such costs as are reasonably incurred for the preparation and implementation of the development contribution and staging plan.

'Cost Contribution' means the contribution to the cost of items as identified in the Developer Contributions Plans.

'Developer' means a developer of land proposed for development for residential and related purposes in the developer contribution area of former Lot 9058.

Figure 1



DCP Areas
 Cadastre

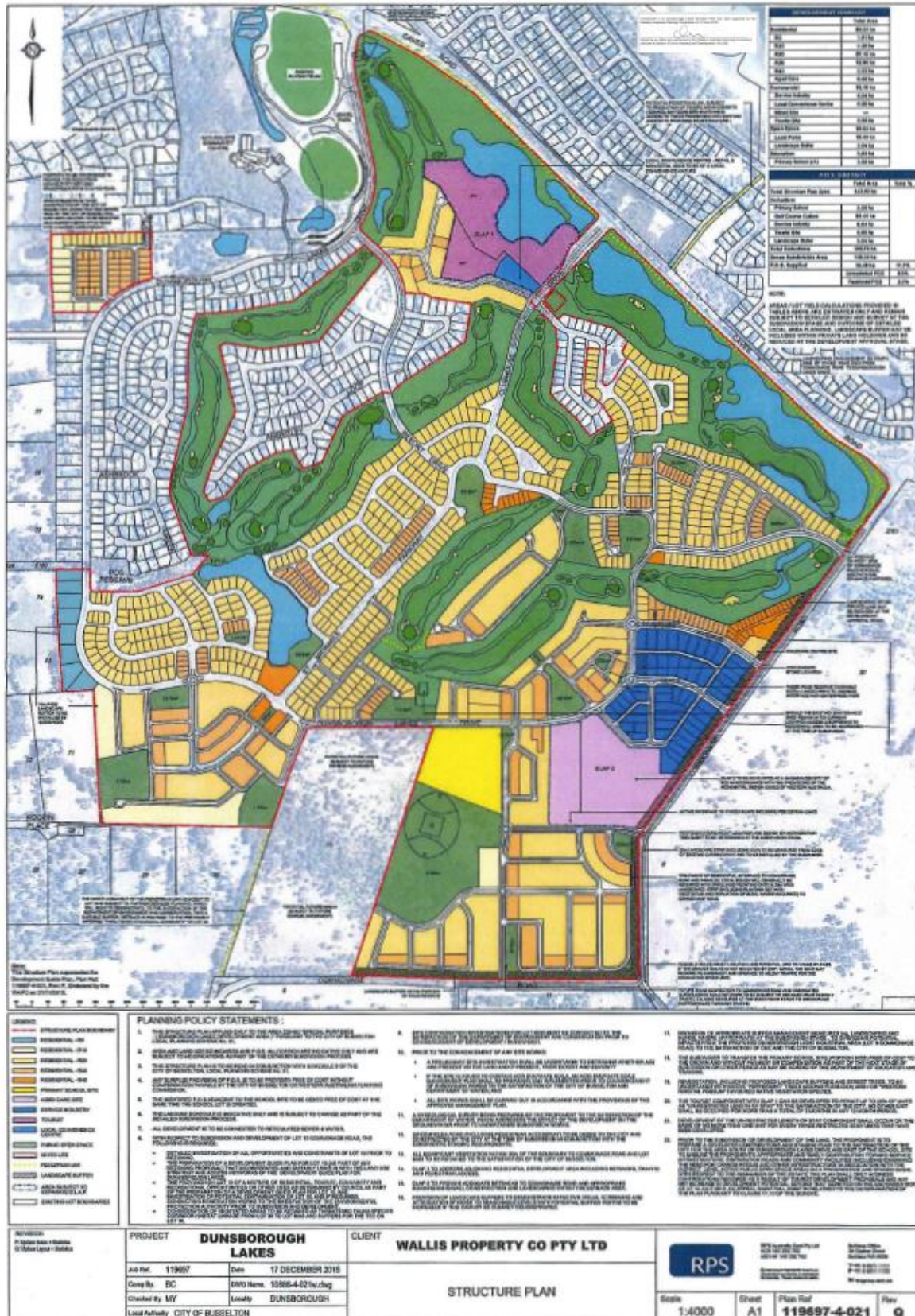
Amended DCP Subject Land Areas

0 100 200 300 400 m
Scale at A4 - 1:12,000







Map Produced on 22/11/2017
GIS Section, City of Busselton



FIGURE 2



11.4 PROPOSED SCHEME AMENDMENT 34 TO LOCAL PLANNING SCHEME 21 AND DRAFT STRUCTURE PLAN FOR LOT 34 SHEOAK DRIVE, YALLINGUP - CONSIDERATION FOR ADOPTION FOR PUBLIC CONSULTATION

SUBJECT INDEX:	Town Planning Scheme and Amendments
STRATEGIC OBJECTIVE:	Planning strategies that foster the development of healthy neighbourhoods that meet our needs as we grow.
BUSINESS UNIT:	Strategic Planning and Development Services
ACTIVITY UNIT:	Strategic Planning and Development
REPORTING OFFICER:	Principal Strategic Planner - Louise Koroveshi
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Location Plan ↓ 
	Attachment B Aerial Photograph ↓ 
	Attachment C Existing and Proposed Zoning ↓ 
	Attachment D Proposed Structure Plan ↓ 
	Attachment E Bushfire Attack Level Map ↓ 
	Attachment F Commonage Structure Plan Community Facility Sites ↓ 

PRÉCIS

The Council is requested to consider initiating for public consultation proposed Amendment 34 to *Local Planning Scheme 21* (LPS21). The Amendment seeks to delete 'Additional Use 39' from Schedule 2 – 'Additional Uses' of LPS21 which currently applies to Lot 34 Sheoak Drive, Yallingup.

The proposed Amendment is accompanied by a draft Structure Plan that proposes the subdivision of the subject land into nine rural residential lots.

Officers are recommending that the Council adopts the proposed Amendment and Structure Plan for initiation and consultation, which will include referral to the EPA and relevant state government agencies and advertising. The Amendment is viewed as a 'standard' amendment for the purposes of Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

BACKGROUND

The proposal comprises a Scheme Amendment and a proposed structure plan for Lot 34 Sheoak Drive, Yallingup.

The 15 hectare property is zoned 'Rural Residential' and is located in a 'Landscape Value Area' under LPS21. Lot 34 also has Additional Uses pursuant to Schedule 2 of LPS21 for a range of tourist, recreational, community and commercial uses.

The property is located approximately 5km south west of the Dunsborough Town Centre, within the Commonage rural residential area (Attachment A). The subject land was created via the subdivision of the original landholding approximately 20 years ago (Location 4207 McLachlan Road) which created 75 rural residential lots of varying sizes, including a number of rural production lots. Lot 34 was identified, at that time, for tourist development and a rural service/community centre and fire station.

The subject land is bound by Sheoak Drive to the west, Sonning Loop to the north, the McLachlan Road reserve to the east and a rural residential lot to the south. Lot 34 is vacant and mostly cleared, apart from an area of remnant vegetation in the northern portion of the property. A large dam is

located in the western portion of the subject land (Attachment B). The surrounding land has been subdivided and developed for rural residential purposes.

Each component of the proposal is outlined below under appropriate subheadings.

Scheme Amendment

The Scheme Amendment proposes to amend Schedule 2 – ‘Additional Uses’ by removing ‘Additional Use 39’. The permissible uses are: Community Centre; Child Care Centre; Recreation Facility; Art & Craft Studio; Rural Holiday Resort; Private Recreation; Licensed Restaurant; Reception Centre; and Shop having a gross leasable area of 150m².

Existing and proposed zoning maps are provided at Attachment C.

Structure Plan

The draft structure plan would change the planning framework for the land and facilitate future subdivision and development (Attachment D). The key elements of the proposal are –

- nine rural residential lots ranging in size from 0.9ha to 4.4ha;
- a new road that would connect Kinross Loop (which currently terminates to the east of the subject land) with Sheoak Drive;
- connectivity between Sonning Loop and the proposed Kinross Loop ‘extension’ via a pedestrian access way for emergency purposes and a cul-de-sac;
- proposed Lots 1, 3 and 4 have developable areas that would not adversely impact on remnant vegetation; and
- retention of the dam within the largest lot.

The following information has been provided to support the proposal:

- i. Bushfire Management Plan;
- ii. Environmental Assessment;
- iii. Site and Soil Evaluation for On-Site Effluent Disposal; and
- iv. Engineering Services Assessment.

Bushfire Management Plan

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

The key findings of the BMP are summarised as follows -

- i. Pre-development vegetation is assessed ‘Class B – Woodland’ in the northern corner of the subject land and ‘Class G – Grassland’ for the remainder of the property, excluding the dam.
- ii. The topography has an approximate grade of 10% upslope of the dam to the northeast corner of the land and approximately 3% elsewhere. Gradients are classified as ‘very gently inclined’ to ‘gently inclined’.
- iii. The bushfire hazard level assessment, based on slope and vegetation types, classifies the land as having a ‘Low’ (the grassland area) to ‘Moderate’ (the woodland area) bushfire hazard level.
- iv. The BMP Bushfire Attack Level (BAL) assessment finds that future residential development will be located in areas having a moderate bushfire hazard level at BAL-29 or lower

(Attachment E). This meets the performance principle of “Element 1: Location of Development” of the Guidelines.

- v. Each proposed lot can accommodate an Asset Protection Zone that does not exceed BAL-29. This meets the acceptable solution A2.1 of “Element 2: Siting and Design of Development” of the Guidelines.
- vi. Sheoak Drive is a constructed road that provides connection to Biddle Road to the north and Marrinup Drive to the south. The structure plan proposes the delivery of a new road that will connect Kinross Loop to Sheoak Drive. Kinross Loop currently terminates to the east of the subject land. Three alternative access routes would be available for public, private and emergency vehicles once subdivision occurs and this meets the acceptable solution A3.1: Two Access Routes of “Element 3: Vehicle Access” of the Guidelines.
- vii. The proposed cul-de-sac meets acceptable solution A3.3: Cul-de-sac of “Element 3: Vehicle Access” (maximum length 600m and servicing no more than 8 lots) of the Guidelines and will be required to be constructed to standards set out in the Guidelines.
- viii. A proposed pedestrian access way meets acceptable solution A3.6: Emergency Access Way of “Element 3: Vehicular Access” (maximum length 600m and will provide connectivity between the cul-de-sac and Sonning Loop) of the Guidelines and will be required to be constructed to the standards set out in the Guidelines.
- ix. The BMP states that future landowners will be required to provide their own water supply for potable use and emergency firefighting to the standards set out by acceptable solution A4.2: Non-Reticulated Areas of “Element 4: Water” of the Guidelines.

Environmental Assessment

The key findings of the environmental assessment are summarised below –

- *Acid sulfate soils* – The majority of the site is mapped ‘low’ to ‘moderate’ risk with the northern portion of the subject land having no risk.
- *Flora and vegetation survey* – The remnant vegetation in the northern portion of the subject land belongs to the Cowaramup Cd Complex (Marri, Jarrah and Banksia woodland) of which 58% of the pre-European extent remains. The vegetation is in ‘Good’ to ‘Very Good’ condition. No vegetation of conservation significance occurs on the property.
- *Fauna survey* – It is unlikely that the remnant vegetation on the subject land supports a diverse faunal assemblage or provides habitat critical to conservation significant fauna.

Site and Soil Evaluation for On-Site Effluent Disposal

The soils on the subject land were found to be well drained with a high phosphorous retention index making the subject land suitable for on-site effluent disposal without the need for soil amendment.

Engineering Services Assessment

This assessment finds that the subject land can be serviced with power and communications infrastructure from existing nearby networks.

Commonage Community and Fire Facility

Some years ago the City made an agreement with a number of developers in the Commonage area to allow a higher density of subdivision. This was on the basis of delivering a community benefit and resulted in agreements directly with landowners/developers in the ‘South Biddle Road Precinct’ for an additional per lot development contribution over and above the Commonage Implementation Policy Contribution (noting that the policy has since been superseded by the Developer Contribution Area requirements outlined in Local Planning Scheme 21). The contributions collected through that process were to fund the development of basic community facilities in the Commonage/South Biddle

area. The City currently holds approximately \$959,347 in contributions from the South Biddle Road Precinct.

At the time of the agreements it was broadly intended that the community facilities would be developed on Lot 34 Sheoak Drive (identified as a 'Rural Service/Community Centre & Fire Station' on the Commonage Policy Area Consolidated Structure Plan – refer to Attachment F). Since that time it has now become apparent that such an extensive community hall would not be appropriate for the community in the Commonage as it would most likely be under-utilised.

The Yallingup Rural Volunteer Bushfire Brigade (VBFB) area includes the Commonage, Injidup and a large portion of the viticulture/tourism area of the City. The location of the VBFB main station is relatively distant from the more populated areas, with some fire appliances housed at a different location. Accessibility to the station/firefighting appliances and response times in some emergency situations has been less than ideal as a result, and it has become apparent that the VBFB may in future benefit from a new station to give better protection to the community, as well as housing firefighting appliances and providing a training centre at a more central location.

The City has previously considered a proposal to accommodate a community and firefighting/training facility on Lot 201 Balmoral Drive, Quindalup (refer to Attachment F). At that time, officers undertook a comparative assessment of the suitability of both sites for that purpose and found Lot 201 Balmoral Drive to be the more practical option. Lot 34 Sheoak Drive is relatively isolated from significant roads by windy local roads and would result in slower response times during emergency situations. Site topography is undulating, cleared of vegetation and highly visible, and such a facility would be therefore likely to generate a perceived negative impact on the amenity of the immediate area.

Lot 201 Balmoral Drive has faster accessibility to the broader road network, better site conditions (flat and screened by established non-native vegetation) and less potential impacts on the surrounding community. The site already accommodates commercial activities (Bakery), with the planning framework allowing for the further development of complementary low-key commercial, community and tourist land uses. The location of a community and firefighting/training facility would consolidate this site as a community hub for the Commonage area.

In light of the above, Amendment 11 to LPS21 (and an associated structure plan) was adopted for final approval by the Council on 10 February 2017 and is pending final approval from the WAPC/Minister for Planning. The Amendment would facilitate the creation of a 'Public Purposes' reserve for the future development of a community and firefighting/training facility for the Commonage area on Lot 201 Balmoral Drive, as well as the acquisition of the proposed reserve by the City for the potential development of such a facility, subject to the terms and conditions of a recently executed Contract of Sale between the City and the landowner.

STATUTORY ENVIRONMENT

The key elements of the statutory environment with respect to this proposal are set out in the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015* and the relevant objectives, policies and provisions of the *City of Busselton Local Planning Scheme No. 21*. Each is discussed below under appropriate subheadings.

Planning and Development Act 2005

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

Planning and Development (Local Planning Schemes) Regulations 2015

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

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

Local Planning Scheme No. 21

The property is zoned ‘Rural Residential’ and is located within a ‘Landscape Value Area’ under LPS21. The Landscape Value Area requires development to be compatible with the maintenance and enhancement of the existing rural and scenic character of the locality.

The proposal is considered to be consistent with the relevant provisions relating to the zoning of the subject land under LPS21.

RELEVANT PLANS AND POLICIES

The key policies relevant to the proposal are:

- I. *State Planning Policy 3.7: Planning for Bushfire Management and Guidelines for Planning in Bushfire Prone Areas 2017*;
- II. *State Planning Policy 6.1: Leeuwin-Naturaliste Ridge Policy*;
- III. *Draft City of Busselton Local Planning Strategy*; and
- IV. *Commonage Policy Area Consolidated Structure Plan*.

Each is addressed below under appropriate subheadings.

State Planning Policy 3.7: Planning for Bushfire Management and Guidelines for Planning in Bushfire Prone Areas 2017

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

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

- Element 1: Location of Development;
- Element 2: Siting and Design of Development;
- Element 3: Vehicle Access.

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

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

The intent of Element 3 is to ensure that residents and the community, as well as emergency services, have safe access and egress from both the subdivision and individual houses/development.

The BMP finds that the subject land is suitable for subdivision and development consistent with SPP 3.7 and the associated Guidelines.

State Planning Policy 6.1: Leeuwin-Naturaliste Ridge Policy

State Planning Policy 6.1: Leeuwin-Naturaliste Ridge Policy (LNRSP) designates the area as 'Rural Residential' and it is referred to as 'Commonage'. The document acknowledges that the area has environmental features worth preserving as well as acknowledging that the area is zoned and identified for Rural Residential development.

Draft City of Busselton Local Planning Strategy

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

The draft LPS identifies the subject land as 'Rural Residential' and part of the broader 'Commonage' rural residential area. A relevant strategy of the draft LPS is to support and pro-actively plan to identify suitable areas for re-subdivision/consolidation of existing rural residential development in the Commonage and Dunbarton rural residential areas.

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

Commonage Policy Area Consolidated Structure Plan

The Commonage Policy Area Consolidated Structure Plan (CPACSP) provides the basis for subdivision in the Commonage area and specifies the minimum and average lot sizes for each of the precincts identified thereon. The subject land is located within 'Cluster Precinct 6' and the CPACSP sets out an average lot size of 2ha. The CPACSP however, allows consideration of more intensive development patterns within this precinct with lot sizes ranging upwards from 5,000m² and scope to consider smaller lot sizes in certain circumstances.

The subject land is designated as a proposed tourist site and a location for a 'Rural Service/Community and Fire Station'.

The proposal seeks to increase the average lot density from 2ha to 1.88ha. This is discussed further under the 'Officer Comment' section.

FINANCIAL IMPLICATIONS

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

Long-term Financial Plan Implications

Nil.

STRATEGIC COMMUNITY OBJECTIVES

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

RISK ASSESSMENT

An assessment of the potential implications of implementing the Officer Recommendation has been undertaken using the City's risk assessment framework. The assessment identified 'downside' risks only, rather than upside risks as well. The implementation of the Officer Recommendation will involve initiating the proposed Amendment for referral to the Environmental Protection Authority and adopting the proposed Structure Plan for advertising. In this regard, there are no significant risks identified.

CONSULTATION

There is no requirement under the *Planning and Development (Local Planning Schemes) Regulations 2015* to advertise a proposed Scheme Amendment prior to it being initiated by the Council. Accordingly, no advertising has occurred to date.

If the Council resolves to initiate the proposed Amendment, the relevant amendment documentation would be referred to the Environmental Protection Authority for consideration of the need for formal assessment under Part IV of the Environmental Protection Act 1986. Should the EPA resolve that the Amendment does not require formal assessment it will be advertised for 42 days in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The Western Australian Planning Commission has been consulted regarding the submission of a combined Scheme Amendment request and a structure plan since the new local planning schemes Regulations came into effect. The approach to this application will be to process the Structure Plan and Amendment concurrently.

OFFICER COMMENT

The proposed Scheme Amendment and related draft Structure Plan would remove 'Additional Use 39' for Lot 34 Sheoak Drive, Yallingup and facilitate the future subdivision of the land for conventional rural residential development.

The landowner has approached the City regarding the proposal in response to the previous decisions of the Council to progress Amendment 11 to LPS21 that essentially identifies Lot 201 Balmoral Drive, Quindalup, in preference to the subject land, as the location for a community and firefighting/training facility within the Commonage area. In assessing the proposal, there are three key considerations –

- 1) Development outcome.
- 2) Lot yield and density.
- 3) Road connectivity.

Each is discussed under appropriate subheadings.

Development Outcome

Under LPS21 and 'Additional Use 39' Lot 34 could potentially accommodate some, or all, of the following land uses: Community Centre; Child Care Centre; Recreation Facility; Art & Craft Studio; Rural Holiday Resort; Private Recreation; Licensed Restaurant; Reception Centre; and Shop having a gross leasable area of 150m². Although the subject land is 15ha in area, it is mostly cleared, visually prominent from Sheoak Drive and is located in an essentially 'residential area' (i.e. there no commercial or tourist land uses in the immediate surrounds).

Lot 201 Balmoral Drive already accommodates a commercial activity (Bakery), with the planning framework allowing for the further development of complementary low-key commercial, community and tourist land uses. The location of a community and firefighting/training facility would consolidate Lot 201 as a community hub for the Commonage area.

Officers are of the view, therefore, that it is neither logical nor necessary to retain the current planning framework for Lot 34 Sheoak Drive and that subdivision of the land into 9 rural residential lots is a reasonable and fair alternative outcome. The prospective development outcome of nine rural residential lots would be commensurate with surrounding land uses, less intensive than the development of the subject land for the range of additional uses potentially possible under LPS21 and would most likely have a reduced overall impact on the amenity of the immediate locality.

It should be noted that the views of adjoining and nearby landowners in response to the changes proposed to the planning framework for the land would be sought during the public advertising period.

Lot Yield and Density

The proposal seeks an increase in the average lot density to 1.88ha, which is marginally below the 2ha average lot size contemplated by the CPACSP.

The CPACSP however, allows consideration of more intensive development patterns (as does the LPS21) within the 'Cluster Precinct 6' (lot sizes ranging upwards from 5,000m² with the scope to consider smaller lots sizes in certain circumstances). The CPACSP is also a guiding and not a binding document. Greater lot densities, though, should generally only be considered if there are wider community benefits. These benefits include measures to reduce bushfire risk, retention of remnant vegetation and road connectivity.

The BMP Bushfire Attack Level (BAL) assessment finds that future residential development will be located in areas having a moderate bushfire hazard level at BAL-29 or lower and each lot will have a developable area that will not adversely impact remnant vegetation.

Road Connectivity

The structure plan proposes the delivery of a new road at the southern boundary of the subject land that will connect Kinross Loop (which currently terminates to the east of Lot 34) with Sheoak Drive. Current access to the wider road network from the subject land is via Sheoak Drive (either north to Biddle Road or south to Marrinup Drive). The Kinross Loop/Sheoak Drive connection would provide a third option for access in a different direction and a new, westerly option for access for residents in the 'McLachlan Ridge' subdivision immediately east of the subject land.

The proposal would improve connectivity, accessibility and evacuation options in the event of a bushfire emergency, which is considered to be a significant community benefit.

The structure plan also includes a future pedestrian access way and a cul-de-sac to provide continuity of access between Sonning Loop and the Kinross Road extension in the event of emergency. The cul-de-sac proposed is less than the 600m maximum length provided for in bushfire planning policy.

The draft Structure Plan is considered to represent a valuable opportunity to consolidate rural residential development, coordinate the delivery of safer bushfire evacuation and emergency services access and improve the local road network in the Commonage. This is considered to be consistent with the intent of the CPACSP and the requirements of SPP 3.7.

CONCLUSION

Officers are recommending that proposed Scheme Amendment 34 to Local Planning Scheme 21 and the proposed Structure Plan be adopted for public consultation, which will include referral to the EPA and subsequent advertising and referral to relevant state government agencies.

OPTIONS

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

1. To decline the request to initiate the proposed amendment (and provide a reason for such a decision). It should be noted that under the relevant legislation there is no right of appeal against a Council decision not to initiate an amendment.
2. To seek further information before making a decision.
3. To initiate the proposed amendment subject to further identified modification(s) as required.

Officer assessment has not revealed any substantive issue or reasonable grounds that would support any of these options and it is considered that options 2 and 3 could be more appropriately considered following the receipt of advice from the relevant state government agencies.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The implementation of the Officer Recommendation would include advising the applicant of the Council resolution and referring the Amendment to the Environmental Protection Authority, which will occur within one month of the resolution.

OFFICER RECOMMENDATION

That the Council:

1. In pursuance of the *Planning and Development (Local Planning Schemes) Regulations 2015*, initiates Amendment 34 to the City of Busselton Local Planning Scheme 21 for the purposes of:
 - a. Removing 'Additional Use 39' from Lot 34 Sheoak Drive, Yallingup.
 - b. Amending Schedule 2 – 'Additional Uses' by deleting 'Additional Use 39'.
 - c. Amending the Scheme map accordingly.

2. That, as the draft Amendment is in the opinion of the Council consistent with Part V of the Act and Regulations made pursuant to the Act, that upon preparation of the necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by the Act, and on receipt of a response from the EPA indicating that the draft Amendment is to be subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*. In the event that the EPA determines that the draft Amendment is to be subject to formal environmental assessment, this assessment is to be prepared by the proponent prior to advertising of the draft Amendment.
3. Advises the Western Australian Planning Commission that the proposed Amendment is considered a 'standard' amendment pursuant to the *Planning and Development (Local Planning Scheme) Regulations 2015* for the following reasons:
 - i. The amendment would have minimal impact on land in the Scheme area that is not the subject of the amendment.
 - ii. The amendment would not result in any significant environmental, social, economic or governance impacts on land in the Scheme area.
4. Adopts the draft Structure Plan for Lot 34 Sheoak Drive, Yallingup, depicted at Attachment D for public consultation, pursuant to the deemed provisions of Part 7 of the City of Busselton Local Planning Scheme 21

LOCATION PLAN





Figure 1 : Aerial View

LOT 34 SHEOAK DRIVE, YALLINGUP

CITY OF BUSSELTON
LOCAL PLANNING SCHEME NO. 21
AMENDMENT NO. 33

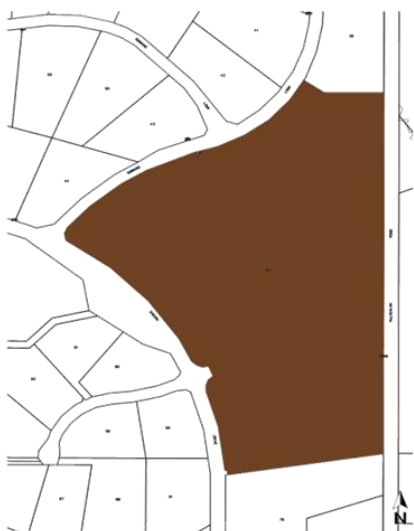
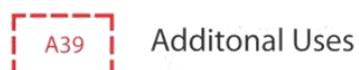


LEGEND

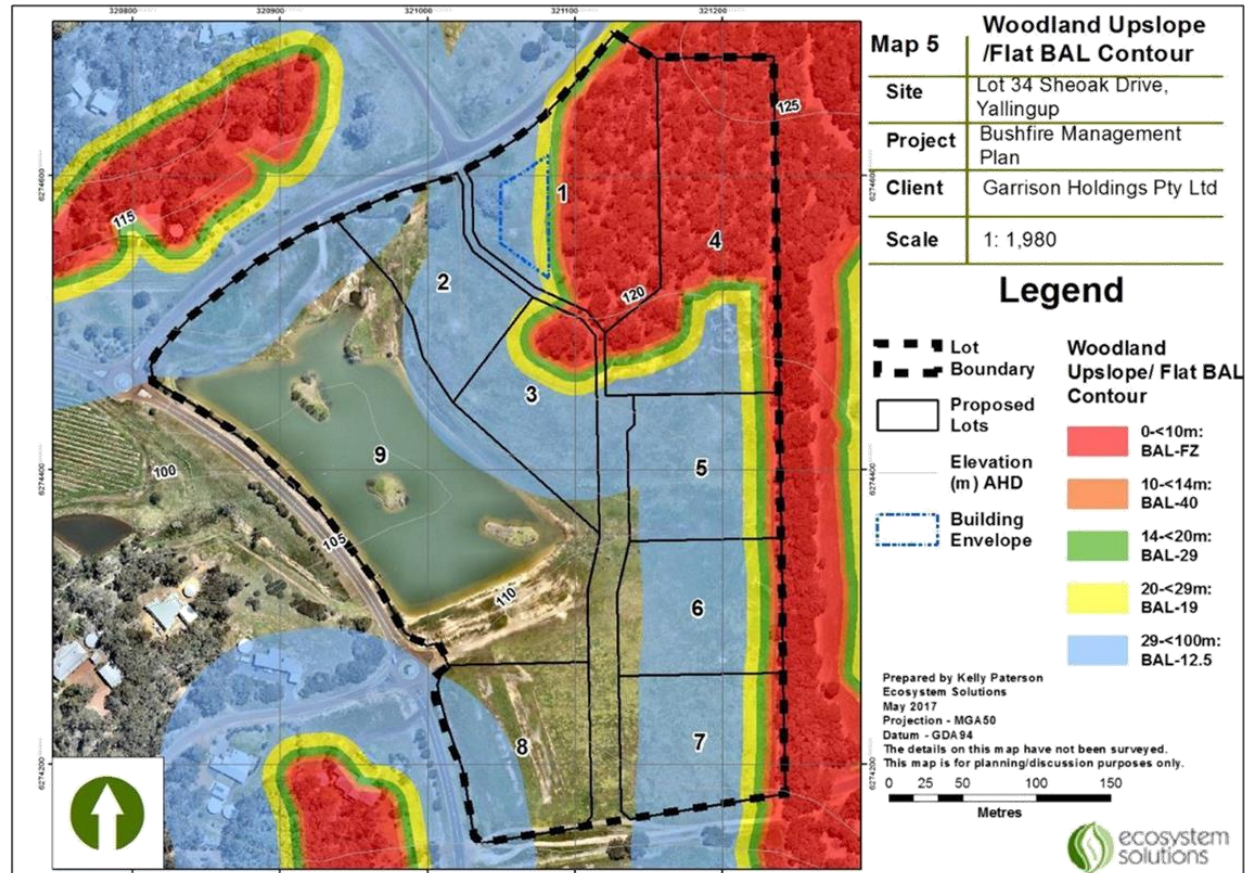
LOCAL SCHEME ZONES



OTHER CATEGORIES

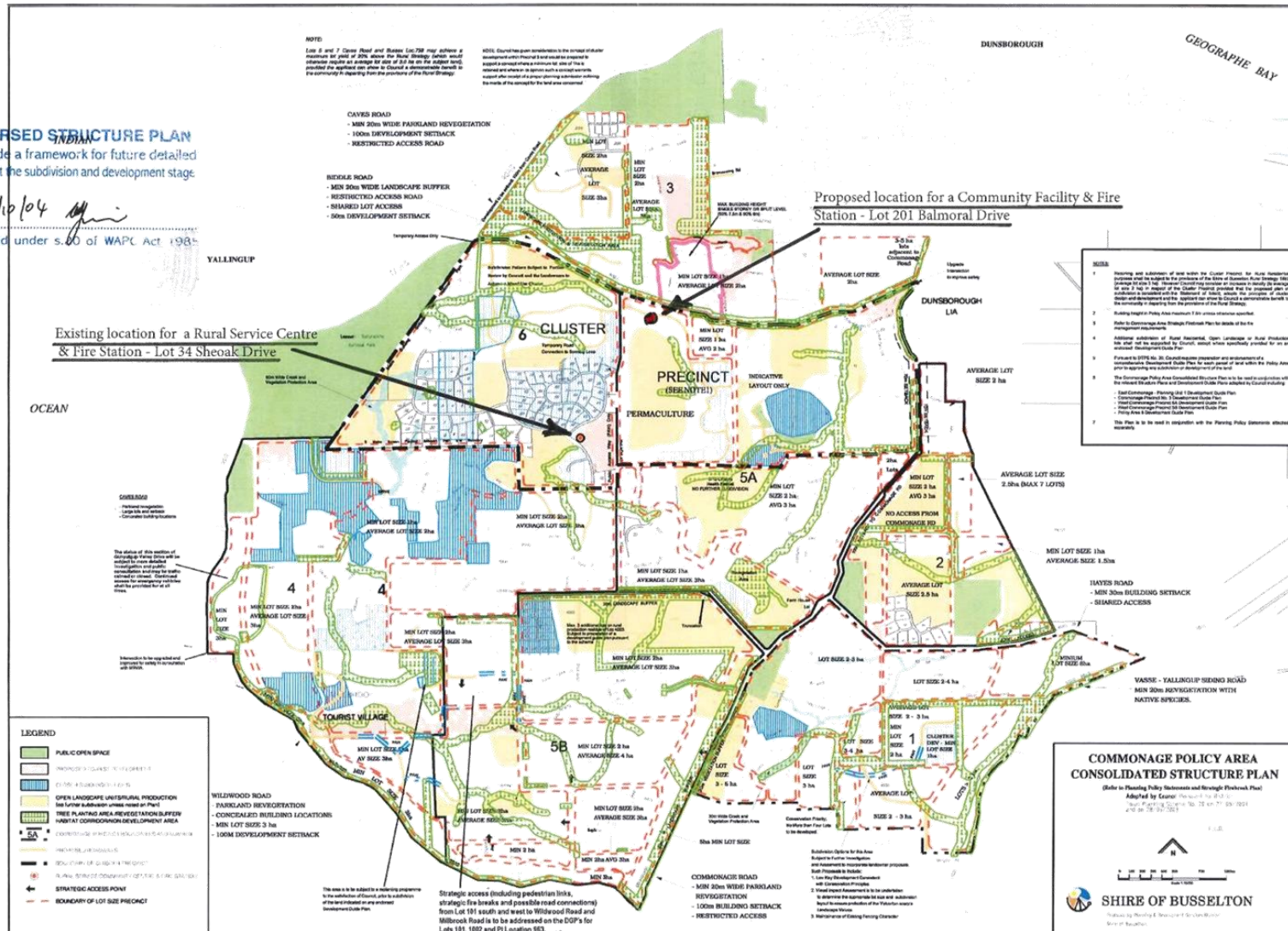






ENDORSED STRUCTURE PLAN
To provide a framework for future detailed
planning at the subdivision and development stage

Date 18/10/04
Delegated under s.60 of WAPC Act 1987



12. ENGINEERING AND WORKS SERVICES REPORT

12.1 RFT18/17 SUPPLY & DELIVERY OF DRAINAGE PRODUCTS

SUBJECT INDEX:	RFT18/17 - Supply & Delivery of Drainage Products
STRATEGIC OBJECTIVE:	Assets are well maintained and responsibly managed.
BUSINESS UNIT:	Operation and Works Services
ACTIVITY UNIT:	Maintenance & Construction
REPORTING OFFICER:	Maintenance and Construction Coordinator - Matthew Twyman
AUTHORISING OFFICER:	Director, Engineering and Works Services - Oliver Darby
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Confidential Tender Evaluation and Recommendation Report

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

PRÉCIS

The Council is requested to consider the tenders received in response to Request for Tender RFT18/17 – Supply & Delivery of Drainage Products. The purpose of this report is to obtain the Council’s consent to award Tender – RFT18/17 in accordance with the Tender Evaluation panel recommendation.

BACKGROUND

1. A suitably qualified supplier is required for the supply and delivery of Drainage Products to the City of Busselton.
2. The RFT specified the requirements of the City of Busselton and invited suitably qualified and experienced respondents to submit bids to enter into a Contract for the manufacture, testing, supply and delivery of drainage products within the City of Busselton in accordance with the specification.
3. Subject to the Principal’s right to early termination the initial term is for a period of three years from date of award. The Principal may negotiate two additional terms each with a period of twelve months.

Two submissions were received in response to the Request for Tender. Submissions were received from Holcim (Australia) Holdings Pty Ltd and MJB Industries Pty Ltd.

The review process of all submissions for RFT18/17 has been completed by the Tender Evaluation Panel that comprised of the following:

- Engineering Technical Officer
- Maintenance & Construction Coordinator
- Manager, Operations Services

STATUTORY ENVIRONMENT

Part 4 (Tenders) of the Local Government (Functions and General) Regulations 1996 apply. In particular, Regulation 14 (2a).

"If a local government –

(a) is required to invite a tender; or

(b) not being required to invite a tender, decides to invite a tender.

The local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted."

RELEVANT PLANS AND POLICIES

The following Council policies have relevance to the Tender process.

Policy 239 – Purchasing:

The procurement process complies with this policy.

Policy 049/1 –Regional Price Preference:

The Regional Price Preference was applied to this tender.

Policy 031 – Tender Selection Criteria:

The procurement process complies with this policy.

FINANCIAL IMPLICATIONS

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

In order to evaluate the pricing component of the tender a representative project supply scenario for drainage products was applied to the tendered rates. This shows that there has been a twenty five percent decrease in the recommended Tenderer's rates, when compared against the City's existing tender submitted for these services in 2012.

In comparison the Consumer Price Index for Perth (all groups) has increased by nine and a half percent between March 2012 and September 2017.

Based on the previous three years it is estimated that expenditure relating to this tender will be approximately \$700,000 over the full term, including all extension options (five years in total, three years plus two one year extensions if applied). This equates to approximately \$140,000 per annum. These are estimates only and are subject to annual operational and capital budgets.

The costs of services within this tender are provided for in capital works and operational budgets for each financial year. Purchasing under this contract will be in accordance with these adopted budgets.

STRATEGIC COMMUNITY OBJECTIVES

Key Goal Area 2:

Well Planned, Vibrant and Active Places.

Community Objective 2.3:

Infrastructure assets that are well maintained and responsibly managed to provide for future generations.

RISK ASSESSMENT

The recommended tenderer has suitable supply contingency measures in place to fulfil the requirements of the tender maintaining stock levels on a weekly basis, undertaking a full stock take monthly, maintaining a full range of spare parts and employing skilled personnel.

MJB Industries Pty Ltd supplies and delivers drainage products to the majority of local governments between Bunbury and Albany, as well as large private enterprises such as APH Contractors and Georgiou Group Pty Ltd. They currently have ongoing contracts with the City of Bunbury and APH Contractors.

The risk of poor service or the tenderer going out of business is therefore considered low.

<i>Risk</i>	<i>Controls</i>	<i>Consequence</i>	<i>Likelihood</i>	<i>Risk Level</i>
Poor service	Project quality control	Minor	Unlikely	L5
Insolvency	Financial profile information request	Minor	Unlikely	L5

CONSULTATION

Nil

OFFICER COMMENT

As part of the tender evaluation an initial compliance check was conducted to identify submissions that were non-conforming with the immediate requirements of the Request for Tender (RFT). This included compliance with contractual requirements and provision of requested information. The Contract & Tendering Officer informed the Evaluation Panel of the further information required from the tenderers relating to insurances, financial information and ASIC company information. The Evaluation Panel obtained this further information and advised the Contract & Tendering Officer that they had reviewed this further information and was satisfied.

The assessments of the tenders were based on the following Qualitative Criteria as included in the Request for Tender Document:

- (a) Relevant Experience: 10%;
- (b) Key Personnel Skills & Experience: 5%
- (c) Tenderers Resources: 10%
- (d) Demonstrated Understanding: 10%

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

- Tendered Price: 65%

Regional Price preference was applicable to Holcim (Australia) Holdings Pty Ltd's tender submission.

The Evaluation panel members individually assessed the compliance and qualitative criteria and then applied an average to provide a final rating. The scores were then added together to indicate the rankings for the tender. The Confidential report attached provides further detail in relation to the relative merits of each of the individual tenderers. Following this evaluation, MJB Industries Pty Ltd, is the preferred tenderer for the reasons outlined in the confidential report.

CONCLUSION

This report seeks the Council's endorsement of the officer's recommendation to award all requirements of the Contract RFT18/17 – Supply and Delivery of Drainage Products to MJB Industries Pty Ltd. The submission received from MJB Industries Pty Ltd, represents the best value for money option for the City of Busselton and demonstrates the company's ability to complete the contract requirements to the standard required and within the time frames required at a competitive price.

OPTIONS

The Council may consider the following options:

1. The Council choose not to accept the officer's recommendation and award the Tender to an alternate tenderer. In the view of the officers this could result in a Tender being awarded to a tenderer that has not presented the "best value" for money offer.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

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

OFFICER RECOMMENDATION

That the Council:

1. Endorses the outcomes of the evaluation panel's assessment in relation to Tender RFT18/17 – Supply and Delivery of Drainage Products which has resulted in the tender submitted by MJB Industries Pty Ltd, being ranked as the best value for money.
2. Delegate authority to the CEO to award the contract resulting from RFT18/17 – Supply and Delivery of Drainage Products to MJB Industries Pty Ltd, to run for a period of three years with an option of two, one year extensions, under the same terms and conditions as the initial period, to be exercised at the Principal's discretion, in accordance with the terms and conditions contained within the RFT document.

13. COMMUNITY AND COMMERCIAL SERVICES REPORT

13.1 PUBLIC ART POLICY

SUBJECT INDEX:	Policies, Plans and Procedure
STRATEGIC OBJECTIVE:	A community with access to a range of cultural and art, social and recreational facilities and experiences.
BUSINESS UNIT:	Community Services
ACTIVITY UNIT:	Community Services
REPORTING OFFICER:	Cultural Development Officer - Jacquie Happ
AUTHORISING OFFICER:	Director, Community and Commercial Services - Naomi Searle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Nil

This item was considered by the Policy and Legislation Committee at its meeting on 30 November 2017, the recommendations from which have been included in this report.

PRÉCIS

The purpose of this report is to seek Council's consideration to approve a *Public Art Policy (PAP)* (Attachment 1) for public advertising and adoption. The Policy will help facilitate the management process of outdoor or public artworks that are displayed in public places and provide guidance to their locations and designs to reflect the cultures and lifestyles of people who live within the City

BACKGROUND

The importance of public artwork in reflecting the cultures and lifestyles of the local community and creating a sense of place is now widely acknowledged. The Australia Council in 2017 reported, 'More Australians now recognise the many positive impacts the arts have on our daily lives and in our community.' In 2016, 17 million Australians, 86% of the population aged 15 years or older, acknowledged the significant positive impacts of the arts.

The principles of Public Art are to:

- promote civic, community and cultural identity by introducing public art which makes streets, open spaces and buildings more locally distinctive;
- enhance the sense of place by encouraging public art forms which reinforce and highlight early settlement and Aboriginal history, cultural heritage and contemporary life;
- encourage community reflection, inspiration, celebration and well-being;
- improve visual amenity and the appearance of places by using public art to screen unattractive views and add interest;
- support regional art production where possible by contracting locally-based artists to create artworks;
- encourage the use of a diverse range of traditional and contemporary media and technologies; and
- recognise the importance of the role of art in public places.

Over the last 12 years, the City has seen a high growth in the number of outdoor sculptures it has acquired in numerous ways including: commissions, developer contributions, donations, loans, prizes and community art projects. The City manages and controls public artworks which are located on City owned or managed properties and public spaces. The PAP outlines the processes for acquisition of artworks and how they are managed which involves a number of different areas within the City's administration. The policy provides guidance on the lifecycle of its public artworks from acquisition to deaccessioning.

Supporting the Public Art Policy are Public Art Guidelines (Attachment 2) which outlines the City's requirements for public artworks and the City's Public Art Register (Attachment 3) which provides details of all the public artworks that the City owns as at 30 November 2017.

STATUTORY ENVIRONMENT

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

RELEVANT PLANS AND POLICIES

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

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

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

Developer Contribution Policy: 6B Percent for Art Provisions require eligible development proposals to provide public artworks on the site of development or on crown land immediately adjacent to the site, in a location approved by the City.

FINANCIAL IMPLICATIONS

Currently the City commissions public artworks on a case by case basis. Other artworks are funded through external funding and community or corporate contributions.

The current annual maintenance cost of artworks is difficult to ascertain as it is not separately costed. It is estimated that anywhere between \$4,000 and \$15,000, or an average of \$7,000 per annum is spent each year on what is largely reactive maintenance of outdoor artwork.

A valuation of the City's assets occurs every three years. This is for both valuation and insurance purposes. Historically this has been internally resourced for public art and not undertaken by an arts specialist. A Public Art Valuation Report and condition assessment by an arts specialist, is recommended to be undertaken every three (3) years and would cost approximately \$3900. A professional condition report will ascertain maintenance requirements including if the artwork needs priority attention, conservation or remedial works or needs to be removed and provide a more accurate valuation.

Long-term Financial Plan Implications

An annual Public Art Maintenance budget of \$7000 initially, is recommended.

The first condition assessment report of all current public artwork pieces will identify any other significant, currently unknown costs and provide more realistic forecasts for future years.

STRATEGIC COMMUNITY OBJECTIVES

This policy is consistent with fostering the following strategic objective:

Key Goal Area 1 Community

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

RISK ASSESSMENT

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

CONSULTATION

If approved, the Public Art Policy will be open for public comment for a period of 21 days.

Consultation for the policy has been undertaken internally with Officers from all directorates.

Information has been sourced from Public Art Policies from other Councils locally and across Australia.

OFFICER COMMENT

The City has a growing number of public artworks in outdoor public spaces that are received through a number of different ways. The Public Art Policy provides guidance on the lifecycle of artwork across the following areas:

- Acquisition
- Consultation
- Maintenance
- Deaccessioning
- Responsibilities

The PAP outlines how the City acquires artworks and informs the process regarding where artworks are located, maintained and decommissioned.

The City acquires works through different means including: awards and prizes; developer contributions; commissioning artwork; and donations. It is recommended that artworks acquired by the City, through these various methods, will conform to the Public Art Guidelines (Attachment 2). Consultation with stakeholders such as adjacent businesses or residents should be undertaken when locating public artworks on City owned or managed property.

Artworks that are acquired and located on public land, are entered into a Public Art Register and Asset Register. Each artwork acquired is required to have a Maintenance Plan as part of its acquisition, and this information can be used to develop a Maintenance Schedule. A Valuation Report and Condition Assessment is recommended to be undertaken every three (3) years to inform the maintenance schedule and identify any decommissioning requirements.

The PAP outlines the process of decommissioning a sculpture that may need to be removed for reasons such as safety, damage or suitability.

The acquisition of artworks and the process by which they are managed involves a number of different areas within the City administration. Responsibilities are clarified in the Policy.

CONCLUSION

The City has a growing number of public artworks in outdoor public spaces acquired through various means. This policy provides guidance on acquisition, installation and maintenance, through to decommissioning to ensure that public artwork creates vibrant spaces and reflects the cultural and heritage aspiration of the community.

Officers recommend the policy is advertised for public comment for a period of 21 days and subject to no adverse comments be adopted by Council. To implement the Policy an Annual Public Artwork Maintenance budget of \$7,000 will be required plus an allocation every three (3) years, for a Public Artwork Valuation and Condition Assessment Report. The first Report will inform a more accurate forecast for the Annual Public Art Maintenance budget.

OPTIONS

The City can continue to accept artworks on a case by case basis without a recognised process or policy and continue to provide a more reactive approach to the maintenance of its public art infrastructure.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Following Council approval, the PAP will be advertised for public consultation for a period of 21 days as soon as practicable. It is proposed that Council adopts the PAP for public comment but if there are any adverse comments, the policy will be subject to a further report to Council.

OFFICER RECOMMENDATION

That the Council approves the advertising of the Public Art Policy for a period of 21 days for public comments and adopts the Policy subject to no adverse comments being received.

COMMITTEE RECOMMENDATION

That the Council:

1. approves the advertising of the Public Art Policy for a period of 21 days for public comment and adopts the Policy subject to no adverse comments being received
2. reviews the Public Art Policy in 12 months time.

13.2 COMMUNITY BIDS 2017/18 ROUND TWO ALLOCATIONS

SUBJECT INDEX:	Donations, Contributions and Subsidies
STRATEGIC OBJECTIVE:	A community with access to a range of cultural and art, social and recreational facilities and experiences.
BUSINESS UNIT:	Community Services
ACTIVITY UNIT:	Community Services
REPORTING OFFICER:	Community Development Officer - Naomi Davey
AUTHORISING OFFICER:	Director, Community and Commercial Services - Naomi Searle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Nil

PRÉCIS

Each year the City of Busselton provides financial assistance to community groups and not-for-profit organisations through the Community Bids process. This assistance is provided for specific activities or projects proposed to be undertaken by that group or organisations within the forthcoming financial year.

Each year applications are workshopped with Councillors. This report provides a summary of the outcomes from the workshop on 15 November 2017, and seeks formal endorsement regarding the Community Bid submissions to be funded in the second round of the 2017/18 financial year and a review of other expired community funding agreements.

BACKGROUND

The City of Busselton has historically invited community groups and not-for-profit organisations to apply for funding through the City's annual budget development process. In April 2010 Council resolved to restructure the process under which external organisations applied to the City for financial assistance. This included the following changes to the various funding application schemes:

- Amalgamation of the Community Environment and Minor Sporting, Recreational and Community Grants schemes into a consolidated scheme;
- Development of a two tiered scheme for major and minor projects, with a capping of the overall budget allocations for each tier (resolved by Council);
- Discontinuation of Small Local Project fund of Councillors to be replaced by a Sponsorship and Donations fund (administered by officers).

In August 2010, Councillors considered that a number of established community organisations, who apply for funding each year, warranted ongoing support of Council across a number of financial years. This would therefore provide organisations with secured financial support over a longer planning period and alleviate the necessity to submit an annual application. These activities/events would become part of the future 'multi-year agreement process' and would not form part of the future annual Community Bids process.

In March 2011, the Council resolved (C1103/097) to allocate funding to the Community Bids program as follows:

1. *Council allocate a total of 0.5% of estimated rates to be levied to Major Project Assistance Grants to be determined as part of the Community Bids assessment process advertised in the first quarter of each year.*
2. *Allocate a total of \$50,000 to Minor Project Assistance Grants to be determined twice each year, once as part of the Community Bids process, and once again in September each year.*
3. *Increases the maximum amount of Minor Project Assistance Grants from \$3,000 to \$5,000 for any one project.*

Application for the second round of Community Bids funding for the 2017/18 financial year opened in October 2017 and a total of fourteen (14) applications were received, requesting funding of \$195,682, plus two put forward by the City's Community Development Business Unit to progress key projects contained within the City's Social Plan.

Applications were assessed by an officer working group, in accordance with the Community Bids guidelines, and recommendations were discussed with Councilors at a workshop held on 15 November 2017. The outcomes of the workshop form the basis of the Officer recommendations in this report.

STATUTORY ENVIRONMENT

NA

RELEVANT PLANS AND POLICIES

The Community Bids funding program is an opportunity for community based organisations to seek assistance to implement initiatives that benefit the wider community and is an action contained within the Council endorsed Social Plan 2015-2025.

FINANCIAL IMPLICATIONS

Based on the current funding model, the total funds available for allocation in the Community Bids program for 2017/18 is \$91,860. The City's 2017/18 adopted budget includes these funding contributions. Consequently entering into funding agreements with these organisations will not have adverse financial implications on the City's 2017/18 budget.

Long-term Financial Plan Implications

Nil

STRATEGIC COMMUNITY OBJECTIVES

Community – Welcoming, friendly, healthy:

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

RISK ASSESSMENT

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk assessment framework. The assessment identifies 'downside' risks only, rather than 'upside' risks as well. The table below describes identified risks where the residual risk, once controls have been identified, is identified as 'medium' or greater;

<i>Risk</i>	<i>Controls</i>	<i>Consequence</i>	<i>Likelihood</i>	<i>Risk Level</i>
<i>Applicants do not obtain relevant and adequate insurances such as Public Liability exposing the City and/or Applicant to litigation.</i>	<i>Ensure conditions of funding are clear and copies of relevant insurances are obtained.</i>	<i>Moderate</i>	<i>Rare</i>	<i>Medium</i>

CONSULTATION

The Community Bids Funding Program was advertised in the Council for the Community page on 27 September, 4 and 11 October 2017 and the City of Busselton website. Recognised Community Groups and Sporting Clubs in the City of Busselton were also notified of the Community Bids process via email. A Community Bids workshop was held on the 14 August 2017 for interested community groups.

OFFICER COMMENT

Applications were initially assessed by an officer working group, who considered the following criteria:

- Does the project, program or activity meet the Community Bids criteria?
- Has the applicant outlined why the projects, programs or activities are needed by the community?
- Is there an expectation or risk to the community if the project, program or activity does not proceed?
- Did the organisations or group state the level of cash or in kind contribution they will make to the project, program or activity?
- Has the applicant demonstrated attempts at seeking funding from other sources?
- Has the applicant been successful in previous community bids applications and what was the funded amount?
- Does the project align with the City of Busselton's Community Strategic Plan?

Officers presented the applications to Councillors at a workshop on 15 November 2017, where the following recommendations were made:

APPLICANT	PROJECT TITLE	FUNDING REQUEST	RECOMMENDATION	SPECIFIC CONDITIONS OF FUNDING
Acting Up Academy of Performing Arts Inc.	Youth and ACTIV Audio Visual Equipment	\$4,560	\$4,560	
Busselton Croquet Club Inc.	Upgrade to clubrooms	\$31,165	\$31,165	
Busselton Historical Society	The Old Butter Factory - 100 Years Old Booklet	\$1,454	\$1,454	
Busselton Oral History Society	Support for the Busselton Lives in Snips and Snaps Book	\$2,000	\$2,000	
Busselton Population Medical research Institute	A Diet and Nutrition Analyses Package for Research	\$18,398	\$0	
Busselton Toy Library	New toys of new adventures	\$4,771	\$2,300	
Dunsborough and Districts Progress Association	Wonder Art Dunsborough	\$8,000	\$0	
Dunsborough Coast and Landcare	Blythe Reserve Revitalisation	\$18,686	\$9,000	For the purchase of seedlings, fencing, bollards and signage
Eagle Bay Community Hall Association	Access for the disabled and elderly to Eagle Bay Beach	\$43,000	\$0	
Geographe Bay Yacht Club	Connection of the new training rooms to sewer or ATU unit	\$34,581	\$34,581	Funding of up to \$34,571 subject to provision of quotes and Health Department approval
Geographe Outriggers Canoe Racing Club Inc	Va'a Single Outrigger Canoe	\$4,905	\$0	
South West Home Education Association	SWHEA Lending Library	\$5,000	\$0	
SW Junior Windsurf School	SW Junior Windsurf School	\$3,583	\$2,000	For the purchase of helmets and radio equipment
Undalup Association Inc.	Undalup Mental Health Workshop	\$15,579	\$0	
City of Busselton Community Development Business Unit	Street Libraries	\$2,800	\$2,800	
City of Busselton Community Development Business Unit	Lock and Leave Security Program	\$2,000	\$2,000	
	Total	\$100,482	\$91,860	

CONCLUSION

The Community Bids funding program is constantly evolving and aims to meet community needs with the funds available within priority areas identified in the City of Busselton Strategic Community Plan 2017.

It is recommended that Council adopts the funding allocations as outlined in the Officer recommendation.

OPTIONS

That Council may wish to consider differing levels of funding proposed for all or some of the community bid applications. In pursuing this option the Council needs to consider budget availability and the immediacy for some funding items, and the effect this delay could have on organisations being able to finalise their plans and budgets for the 2017/18 year.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

All Community Bid applicants will be individually advised in writing of the outcome of the Council decision within 21 days. Successful applications will be required to sign a grant agreement with the City and meet any specific conditions of funding.



City Officers will continue discussions with the various applicants regarding eligibility for other grant funding opportunities.

OFFICER RECOMMENDATION

That the Council endorses the provision of funding for Round Two of the 2017/18 Community Bids funding program as outlined in the table below, subject to the specific conditions as stated:

APPLICANT	PROJECT TITLE	RECOMMENDATION	SPECIFIC CONDITIONS OF FUNDING
Acting Up Academy of Performing Arts Inc.	Youth and ACTIV Audio Visual Equipment	\$4,560	
Busselton Croquet Club Inc.	Upgrade to clubrooms	\$31,165	
Busselton Historical Society	The Old Butter Factory - 100 Years Old Booklet	\$1,454	
Busselton Oral History Society	Support for the Busselton Lives in Snips and Snaps Book	\$2,000	
Busselton Toy Library	New toys of new adventures	\$2,300	
Dunsborough Coast and Landcare	Blythe Reserve Revitalisation	\$9,000	For the purchase of seedlings, fencing, bollards and signage
Geographe Bay Yacht Club	Connection of the new training rooms to sewer or ATU unit	\$34,581	Funding of up to \$34,581 subject to provision of quotes and Health Department approval
SW Junior Windsurf School	SW Junior Windsurf School	\$2,000	For the purchase of helmets and radio equipment
City of Busselton Community Development Business Unit	Street Libraries	\$2,800	
City of Busselton Community Development Business Unit	Lock and Leave Security Program	\$2,000	
	Total	\$91,860	

13.3 BUSSELTON SENIOR CITIZENS CENTRE - PROPOSED EXPANSION

SUBJECT INDEX:	Busselton Senior Citizens Expansion Proposal
STRATEGIC OBJECTIVE:	Community services and programs that support people of all ages and backgrounds.
BUSINESS UNIT:	Corporate Services
ACTIVITY UNIT:	Community Services/Property Services
REPORTING OFFICER:	Property Management Coordinator - Sharon Woodford-Jones Manager, Community Services - Maxine Palmer
AUTHORISING OFFICER:	Director, Community and Commercial Services - Naomi Searle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Senior Citizens Proposed Expansion Area  Attachment B Funding commitment letter from Busselton Senior Citizens Centre 

PRÉCIS

The City leases a building on a portion of Lot 73 Peel Terrace, Busselton to the Busselton Senior Citizens Centre Incorporated (BSCC), known as the Senior Citizens Centre (“the Centre”). The City has received a proposal from BSCC to reconfigure and expand their building to cater for an expected growth in membership.

The purpose of this report is to seek Council’s support to fund a third of the total project cost, in the sum of \$250,000, and, subject to the availability of remaining funding and development approval being obtained, enter into a new lease to include the Centre and proposed expansion area.

BACKGROUND

The BSCC is located on Lot 73 Peel Terrace, Busselton, which is freehold land owned by the City. The area currently leased to the BSCC comprises the footprint of the building as it existed in 2003. The lease was granted to the BSCC for a period of 20 years and expires on 5th August 2023. The cadastral boundaries of the lot are shown edged black on the Plan marked Attachment A.

The Shire of Busselton Strategic Plan 2010-2020 identified a need to provide for an increasingly aging society and introduced a strategic priority to ‘prepare a strategy to assist the aged.’ The City’s current Strategic Community Plan 2017 continues to support this objective.

In 2011, the Age Friendly Communities Project was undertaken, jointly funded by the South West Development Commission (SWDC) and the Department for Local Government and Communities (DFLGC). Workshops and surveys were undertaken with seniors, age care providers and carers. The BSCC and its members were involved in the consultation process. The report had thirty nine recommendations including several about the future planning for senior citizens centre(s).

In October 2012, after a further 12 months of demographic forecasting, research and consultation with agencies, community groups and other government departments the City of Busselton Social and Aging Plan 2012-2020 was adopted by Council. The Social Plan, as its currently termed, contains a Seniors/Aging section which is in effect the City’s ‘strategy to assist the aged.’

As part of Council’s long term financial planning processes, options for expansion, either to expand on the current BSCC site or relocate and build a larger facility, have been presented to Council. Expansion of the Centre was included in the 2016/2017 - 2025/2026 Long Term Financial Plan subject to broader consultation and more detailed planning by the BSCC.

Officers worked with BSCC to progress their plans and on 27 July 2016 a report was presented to Council seeking support for the expansion of the BSCC on their current site to cater for a building of approximately 340m². Council resolved:

“That the Council gives in-principle support to increase the area of land leased to the Busselton Senior Citizens Centre (BSCC), subject to further planning and design for the whole of Lot 73 Peel Terrace, including the BSCC site, being undertaken and presented back to Council, and to the negotiation of a new lease to incorporate the expanded area at an appropriate time in the future.”

(C1607/177)

In February this year Council was briefed on options for the future use and development of Lot 73. Councillors provided general support for the proposed expansion area of the Centre (approx. 1000m²) and for the construction of a crossover and access way aligned to this. These have since been built. So far as the remainder of the lot is concerned Councillors indicated a preference to retain this and consider the future long term uses.

On 5 September 2017, City Officers met representatives from Lotterywest to establish their interest as a funding partner for a number of forecast projects. Lotterywest expressed a keen interest in contributing to the proposed expansion of the Centre but clearly could not commit to the same without receipt of a formal application and supporting documents.

The area identified for the proposed expansion of the Centre is outside of the current leased area. The approximate extent of the area identified for the expansion project is shown hatched yellow on Attachment A. Lotterywest have indicated that grant funding for this project will be subject to the BSCC being granted security of tenure over this land. While it would be possible to grant a separate lease of this portion of land for the purpose of the expansion, it is proposed instead that the existing lease be surrendered and a new lease granted which includes the additional land. The means by which this can be achieved is outlined in the Officer Recommendation section of this report.

STATUTORY ENVIRONMENT

The City of Busselton Local Planning Scheme 2021 will apply to any development proposal received for the land.

When disposing of property whether by sale, lease or other means, a Local Government is bound by the requirements of section 3.58 of the Local Government Act 1995 (LGA) to advertise the disposition and have regard to any submissions made. Section 3.58 of the LGA provides exemptions to this process. Regulation 30(2)(b) of the Local Government (Functions and General) Regulations exempts disposals of land to incorporated bodies who are not for profit. The constitution of the BSCC is such that this exemption applies.

The building currently leased by the BSCC and the area identified for expansion are within Lot 73 on Deposited Plan 49894, Volume 2630 Folio 894, Peel Terrace, Busselton. This is land owned freehold by the City.

RELEVANT PLANS AND POLICIES

This report seeks to achieve the goals of the City of Busselton Social Plan (2015 – 2025), specifically to provide for “An age friendly community that encourages ‘active ageing’ by supporting good health, active participation and secure living in order to enhance quality of life as people get older.”

The proposals in relation to the recommended terms and provisions of the lease are consistent with Policy 248 – Leases of City Land and Buildings.

FINANCIAL IMPLICATIONS

The total cost of the project is estimated to be \$750,000. The City's intended monetary contribution is \$250,000, matching the BSCC contribution and Lotterywest funding of \$250,000 each. The City has received a letter (Attachment B) from the BSCC confirming a commitment by the BSCC of \$250,000 (one third) toward the expansion of their facility.

The BSCC would like to commence work in July 2018. Should Council support the recommendation, a budget allocation of \$250,000 will be required in the 2018/19 budget. It is proposed that this allocation be funded from the New Infrastructure Development Reserve which is budgeted to have an amount of \$1.538 million at 30 June 2018.

As the City will be undertaking the expansion project (with the benefit of Lotterywest funding and the contribution from the BSCC) it is recommended that the BSCC provide (or make available) their contribution of \$250,000 to the City before works commence. The method by which this can be secured is expanded on in the Officer Comment section of this report.

If Council is supportive of the proposal to surrender the existing lease and grant a new lease of the Centre and additional land the annual rent will be \$210 per annum (plus annual CPI increases), which is consistent with the annual rent currently charged to sporting and community group lessees. The BSCC currently pay \$150 per annum for their existing lease.

The standard community lease terms include requirements for the tenants to pay outgoings including services and insurance as well as meet the cost of maintenance and repair of the buildings, including structural repairs.

Long-term Financial Plan Implications

Nil.

STRATEGIC COMMUNITY OBJECTIVES

The officer recommendation of this report supports all four objectives in Key Goal Area 1 Community:

- 1.1 A friendly safe and inclusive community with a strong community spirit
- 1.2 A community with access to life-long health and education opportunities.
- 1.3 A community with access to a range of cultural and art, social and recreational facilities and experiences.
- 1.4 Community services and programs that support people of all ages and backgrounds.

RISK ASSESSMENT

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

CONSULTATION

Officers have worked closely with the BSCC to forecast future growth expectations and to identify the key needs of the BSCC to provide for an increasingly aging population.

Officers have consulted with Lotterywest to establish the requirements for a funding application which include a needs assessment and security of tenure in the form of a lease.

Development approval, a detailed project plan and business plan are also required for the funding application. Officers are assisting the BSCC to develop these requirements.

OFFICER COMMENT

Work done as part of the Age Friendly project estimated that by 2026 the population aged 65 and over will have trebled. Demographic profiling isn't yet showing this scale of increase, however, in 2014 the 65 plus age group was 17% of the total population of the City of Busselton and the latest census 2016 has shown this increase to 19%. Research indicates a growing number of baby boomers will now start to reach retirement and therefore the 65 plus age group will start to increase over the next five to ten years.

In 2016, 19% of the City of Busselton's population was aged 65 or over. The estimated total population was 36,686; therefore around 7,224 people in the City are over 65 years old. Extrapolating this forward, by 2026 the 65 plus population could therefore be 21,672.

BSCC currently has around 800 members, equivalent to 11% of the 65 plus population. Based on the above predictions of the population trebling, and assuming a similar membership BSCC could increase their membership by over 200 new members a year.

The proposed expansion will provide the following benefits:

- An additional hall for the increasing number of participants in activities such as indoor bowls, Boot scooting and Zumba.
- The ability to separate noisier activities
- The flexible expansion of their dining room to cater for a larger number of diners (often at capacity circa 100 people). This is a key revenue stream for the Centre
- An improved library (current library also serves as Board and meeting room)
- Additional storage
- Better access and pedestrian flow to the building
- Improvements to existing toilets particularly for mobility impaired users
- Rectification of current drainage issues

Lotterywest have indicated (at an officer level) that funding for the expansion project would not be considered unless Council have resolved to grant a lease of the land on which it will be constructed. It is therefore proposed that, subject to funding and planning approval being obtained, Council resolve to support the surrender of the existing BSCC lease and simultaneous grant of a new lease of the Centre and the area they wish to expand into.

The term of the current BSCC lease is due to expire on the 6 August 2023. It is proposed that the BSCC be offered a new lease for a total term of 20 years (10 years with an option for a further 10). The proposal to offer a longer lease term is consistent with the principles of the City's leasing policy and is reflective of their proven ability to provide services and facilities to the community; their growing membership; the calibre of their governance and significant historical, and proposed future, capital investment in the building.

The main provisions of the lease will be based on the City's standard not for profit community group lease with a slightly higher annual rent than the BSCC are currently paying of \$210 per annum, increased annually by CPI.

It is proposed that all other terms and conditions of the BSCC's existing lease remain the same, including the BSCC responsibility for maintenance, insurance costs and repair of the entire facility including all services and outgoings.

Council formerly consented to BSCC entering into a sublease of a small part of the Centre to Busnet, being an organisation which compliments the aims and objectives of the BSCC. The current sublease will expire on 31st October 2022 if all options are exercised. If Council resolve to accept surrender of the BSCC's existing lease, this will have the effect of automatically terminating the sublease to Busnet. BSCC is happy with the current arrangement with Busnet and would prefer the sublease to continue. It is therefore recommended that Council endorse the consent previously given and agree to the BSCC entering into a new sublease simultaneously with the grant of the new lease to the BSCC for the remainder of the existing sublease term.

With respect to funding of the expansion, there may be a requirement to enter into a funding agreement in relation to the contributions being made by the City and BSCC respectively. As the means by which this is to be facilitated are yet to be agreed, Council are requested to resolve that the CEO be given authority to negotiate and if necessary enter into an appropriate agreement for that purpose.

CONCLUSION

The current site is large enough to accommodate the expansion of the Centre whilst still retaining a large portion of Lot 73 for other community or commercial development.

To support the expansion and growth of the BSCC officers recommend that Council contribute one third (\$250,000) to the total project cost, subject to the signing of an appropriate Funding Agreement committing the same contribution from the BSCC and subject to Lotterywest funding being achieved.

The grant of a new lease will provide the BSCC with the security of tenure expected by Lotterywest to support the funding application for the Centre's expansion. In order to progress with the expansion project it is thus recommended that Council resolve to enter into a new lease with the BSCC subject to the conditions and terms outlined in the Officer Recommendation.

OPTIONS

1. Council could choose not to support an expansion of the Busselton Senior Citizen's Centre on Lot 73 Peel Terrace and request Officers to work with the BSCC to establish an alternative option.
2. Council could resolve not to enter into a new lease encompassing the Centre and the additional land area and instead resolve to enter into a separate lease of the expansion area only to run concurrently with the existing lease term.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

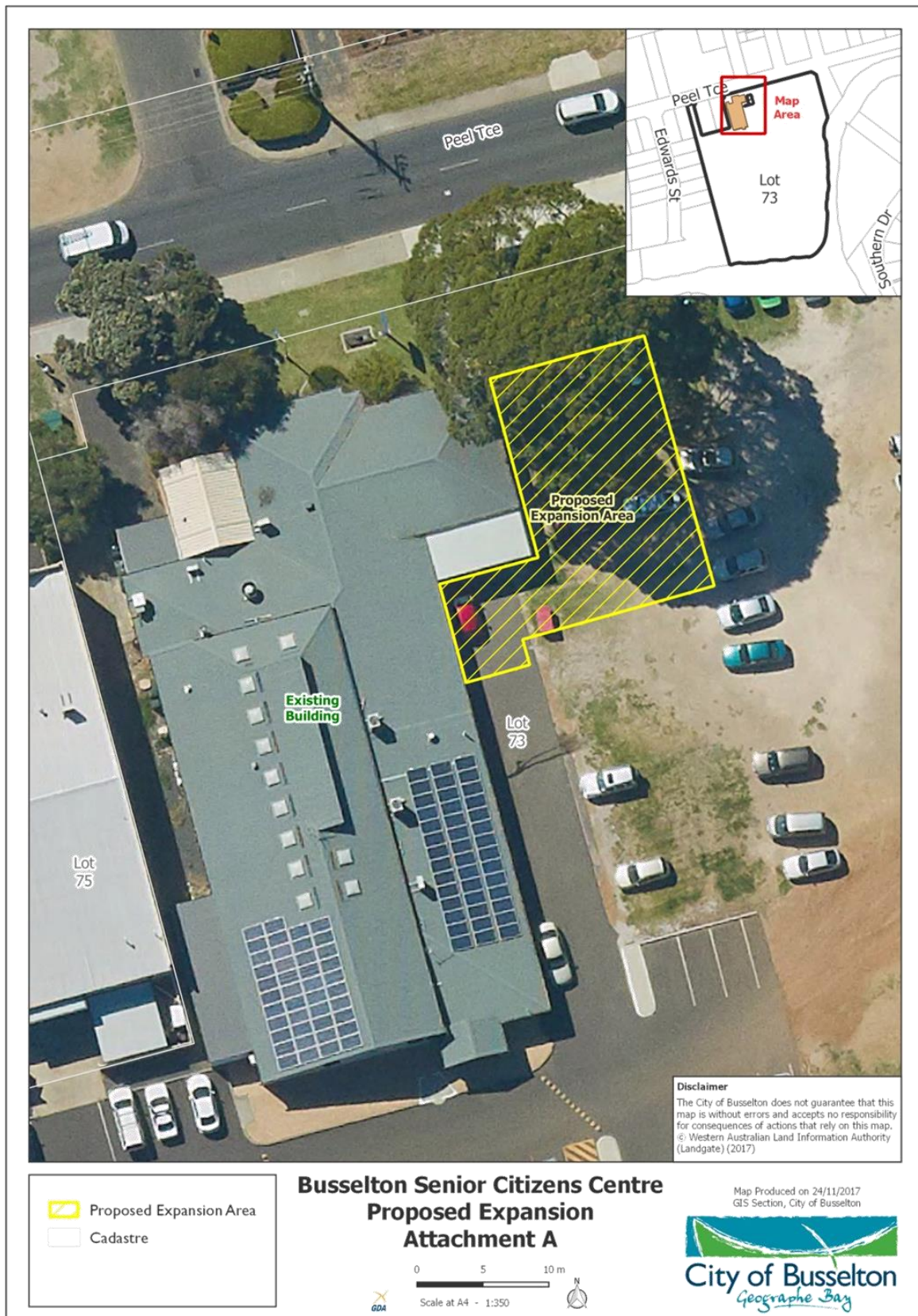
BSCC will be notified immediately following the decision of Council. It is expected that a new lease of the Centre and expansion area will be entered into once Lotterywest funding is confirmed

RECOMMENDATION

That the Council:

Subject to:

- (1) the City receiving one third funding from Lotterywest for the proposed expansion of the existing Busselton Senior Citizen's Centre (the Centre) ; and
- (2) obtaining planning consent from the City for the expansion of the Centre;
 - (i) Allocates \$250,000 in the 2018/2019 budget from the New Infrastructure Development Reserve to support the expansion of the Busselton Senior Citizen's Centre on Lot 73 Peel Terrace, Busselton;
 - (ii) Delegates to the CEO power to negotiate and authorises the CEO to accept the surrender of the current lease between the City of Busselton and the Busselton Senior Citizens Centre Incorporated and enter into a new lease for a portion of Lot 73, Deposited Plan 49894, Volume 2630, Folio 894, 22 Peel Terrace Busselton the approximate area of which is shown hatched yellow on the Plan marked Attachment A with the Busselton Senior Citizens Centre Incorporated, on the following terms:
 - a) The term of the lease to be 10 years with a further 10 year option commencing simultaneously with surrender of the Busselton Senior Citizens Centre's existing lease
 - b) The rent to commence at \$210.00 inclusive of GST per annum and increased annually by CPI;
 - c) All costs associated with the surrender of the existing Busselton Senior Citizen Centre's existing lease and preparation of the new lease to be met by the Lessee; and
 - d) Other terms to be consistent with the City's standard community group lease.
 - (iii) Authorises the CEO to consent to a new sublease between the Busselton Senior Citizens Centre Incorporated and Busnet Computer Club Inc on the same terms as the existing sublease dated 3 August 2016.
 - (iv) Delegates to the CEO power to negotiate and authorises the CEO to enter into formal funding arrangements with the Busselton Senior Citizen's Centre Incorporated detailing the means by which funds can be secured for the purpose of expansion of the Centre's current facilities.





Busselton Senior Citizens Centre

ABN: 23 892 746 564

22 Peel Terrace

PO Box 1109 Busselton WA 6280

Phone: (08) 9752 2232

Fax: (08) 9751 2223

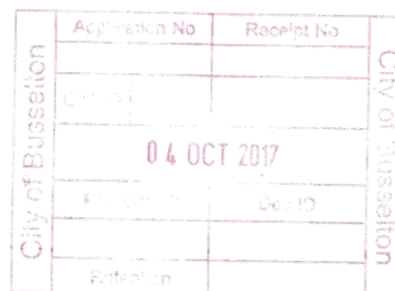
E-Mail: manager@bscc.net.au

Website: www.bscc.net.au

27th September 2017

Mr Mike Archer
City of Busselton
Locked Bag 1
Busselton WA 6280

Dear Mike,



Busselton Senior Citizens Centre – Building Extensions

Following on from our meeting of 22nd September 2017 I now advise the Board of Management has unanimously endorsed the proposal put forward at that meeting.

By endorsing the proposal, the Board has committed \$250,000.00 towards the project. This amount represents one third of the anticipated total cost. Funding of a further \$250,000.00 will be sourced from Lotterywest. The remaining \$250,000.00 yet to be approved by Council will be provided by the City of Busselton.

The Board anticipates the timeline for the project will be roughly as follows;

1. November 2017 – Lease between BSCE and City of Busselton to be extended.
2. January 2018 – Confirmation of funding from Lotterywest.
3. February 2018 – Engage Architect for working drawings and specifications.
4. March 2018 – Begin Tender process.
5. June 2018 – Let Tender.
6. July 2018 – Commence work.

Yours sincerely,

Tony Eagles
Chairperson

Proudly supported by



13.4 DRAFT GEOGRAPHE LEISURE CENTRE AND NATURALISTE COMMUNITY CENTRE MASTER PLANS

SUBJECT INDEX:	NCC / GLC MASTER PLANS 2017
STRATEGIC OBJECTIVE:	A community with access to a range of cultural and art, social and recreational facilities and experiences.
BUSINESS UNIT:	Community Services
ACTIVITY UNIT:	COMMUNITY SERVICES
REPORTING OFFICER:	Recreation Facilities Coordinator - Dave Goodwin
AUTHORISING OFFICER:	Director, Community and Commercial Services - Naomi Searle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Nil

PRÉCIS

Masterplans for both the Geographe Leisure Centre (GLC) and the Naturaliste Community Centre (NCC) have been developed containing a strategic review of current performance levels to ascertain options to improve their financial sustainability and ability to be adapted and developed over time to meet the needs of the growing and changing demographic which they service.

This report seeks Council's approval to advertise the GLC and NCC Master Plan Key Findings (2017) for a period of 21 days and subject to feedback received, adopts the Master Plans as guides for future planning to inform the City's Long Term Financial plan.

BACKGROUND

Geographe Leisure Centre (GLC)

The GLC provides for aquatic, sporting, social, fitness and child care services to residents and visitors to the City of Busselton. Construction of the GLC was completed in August 1998 and originally consisted of a 25m indoor heated pool, three (3) court stadium, small gymnasium, a child care facility, and an outdoor 25m (non-heated) pool which was financially supported by the Busselton Water Polo Club. At this time, the Centre serviced a population of approximately 19,500 people and services delivered centred around sporting groups and general fitness.

The GLC caters for the needs of school groups and sporting clubs, and is the home of the City's Basketball, Netball and Volleyball Associations, Water Polo, Underwater Hockey and three Swimming Clubs.

In December 2009, in order to meet growing demands, the construction of an independent group fitness room was completed. The addition of the room enabled the Centre to increase the quality, variety, and number of group fitness classes, resulting in a substantial increase to usage and revenue.

In August 2011, a new Database and Management System was installed to manage point of sales, enquiries, membership management, stock control, program bookings and staff rostering. With advances in technology and changing needs this software is due for replacement in 2018.

In 2010/11, the growing awareness of environmental issues and the threat of increasing energy and water costs led to an energy and water audit and geothermal study. A number of recommendations in these studies have been implemented including the installation of geothermal heating, heating to the outdoor pool, air handling throughout the facility and pool blankets to retain heat.

In 2014 the Centre underwent further expansion when a new gym was constructed in addition to a larger crèche, cycle room and office and commercial lease spaces. The gym is now 483m² ensuring it has the capacity to cope with the growing population and demand in the short to medium term. The Centre now has four commercially leased allied health suites providing an additional revenue source, however the positioning of two of the suites adjacent to the group fitness rooms has resulted in some noise pollution issues affecting their commercial attractiveness. Efforts have been made to alleviate this by soundproofing the adjoining walls however suitability of these two rooms as health suites remains questionable.

In 2016, a customer survey raised issues of pool overcrowding and lack of available space, lack of staffing, and the need for 24 hour access and lack of ablutions in the gymnasium, additional courts for basketball and some comments regarding poor levels of customer service. This information was fed into the recent strategic review and master planning process.

To address feedback regarding customer service, in 2016/17 management concentrated on membership sales with the aim of increasing revenue streams, which achieved significant results beyond membership sales targets. Membership retention is however now a priority to ensure levels remain sustainable. The Centre currently loses nearly as many members as it attracts each month for a variety of reasons, in part due to the Management System that does not support a retention strategy, in addition to a lack of staff presence in the gymnasium and difficulties in the management of the exercise areas to create the most conducive environments.

Naturaliste Community Centre (NCC)

In 1986 the Naturaliste Community and Cultural Centre Committee became incorporated and fundraising began to construct a community centre to service Dunsborough and the surrounding areas. With support from the then Shire of Busselton, sufficient funds were raised and in 2003 the NCC was officially opened.

Under the ownership and management of the City of Busselton, over the years the NCC has developed to provide a diverse range of services including sporting, fitness, health, venue hire and crèche and outside school hours care (Vacation Care) facilities and services to residents and visitors.

There have been no further infrastructure developments to the facility since its inception and resourcing levels have increased in line with consumer price index (CPI) each year.

STATUTORY ENVIRONMENT

Nil

RELEVANT PLANS AND POLICIES

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

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

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

FINANCIAL IMPLICATIONS

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

Long-term Financial Plan Implications

Subject to the adoption of the GLC and NCC Master Plans as a guide for future planning, the recommendations will be considered against other priorities in future reviews of the Long Term Financial Plan and future GLC/NCC budgets.

STRATEGIC COMMUNITY OBJECTIVES

The Strategic review of the GLC and NCC and Masterplan development supports the City's vision for a City "where environment, lifestyle and opportunity meet." In particular the GLC and NCC contribute to achieving this vision by supporting the following key goal areas:

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

The GLC and NCC are accessible to everyone and provide services and facilities that connect people to a range of social and recreation facilities and experiences. The facilities support people of all ages and backgrounds with access to life health and educational opportunities

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

Both the GLC and NCC are vibrant attractive and affordable.

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

Both GLC and NCC provide employment opportunities for the community and a career pathway for local students

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

RISK ASSESSMENT

There are no identified risks of medium or greater associated with the Officer Recommendation, which is to seek further public comment prior to the adoption of the Masterplans.

CONSULTATION

Consultation to develop the Master Plans took place with user groups, other key stakeholders and staff. In February 2017, two consultation sessions were held, one at GLC and one at NCC, in addition to local schools.

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

Subject to Council approval of the Officer recommendation the Strategic reviews and Master Plans will be advertised for further public comment in the Council for Community page, at the GLC and NCC, and on the City's website and Facebook pages.

OFFICER COMMENT

The GLC and NCC both play a vital role in building the capacity of the community by being open and accessible to all regardless of background or stage of life. The Centres support the community to have healthy, active lives and connect people with each other providing services which are highly valued by the community.

The strategic review highlighted a number of critical issues at both Centres which need to be considered. In particular as follows:

- The management of community expectations – financial sustainability, priorities (needs versus want), capability and capacity to extend infrastructure is compromised by current site design constraints and issues associated with retrofitting;
- The projected population growth will require additional recreational infrastructure to be provided across all ages with a particular focus on family based activities;
- Due to financial constraints planning is to take account of a potential 20 year plus, managed and phased investment;
- The role of the GLC and NCC needs to be determined: Community health and wellbeing – sustainability and affordability underpinning their future development. It is a facility which provides a social benefit to the local community rather than as a commercial facility which will generate a profitable return;
- Funding of the GLC and NCC has not kept up with growth and usage and is now impacting on the service capability of the Centres (particularly in the fitness and aquatics areas of GLC). The staffing component is now at a level where a lack of investment may expose the City to potentially unacceptable risk (particularly in regard to water and personal safety at GLC and after hours usage at the NCC); and
- The shortage of water space for activities such as shallow water swimming lessons is exacerbated by the now inappropriate design.(i.e. overall water area may be satisfactory at GLC but the depth and configuration are not).

The GLC was benchmarked against industry standards which showed, in comparison to regional benchmarks, it is an extremely high performing Centre despite its current limitations.

The NCC also operates very efficiently but is now unable to expand or develop programs due to staffing and space constraints.

Without further investment both Centres will merely ‘tick over’ and as infrastructure ages will become increasingly costly to subsidise.

Population forecasts for both Busselton and Dunsborough demonstrates the need to expand both current facilities in the future to address increased utilisation.

To capitalise on previous investments and to address the needs of the City’s growing population; the Master Plans (key findings summary attachments A and B) recommends a series of options for the future development and resourcing of the GLC and NCC which can be considered over the next 20-year timeframe. These options are prioritised with the objective of providing the most sustainable solutions for the ongoing financing of the Centres’ operations, providing the greatest return on investment to reduce the burden on municipal funding, noting that the Centres will never break even or become profit generating.

CONCLUSION

Council is requested to approve the advertising of the GLC and NCC Master Plan Key Findings (2017) documents for a period of 21 days. Subject to any adverse feedback the Master Plans will be adopted and consideration with other priorities in future reviews of the Long Term Financial Plan and Centre operational budgets.

OPTIONS

Option 1 - Council could determine that sufficient consultation has been undertaken and may choose to adopt the Master Plans for future planning without further feedback.

Option 2 - Council could seek specific changes to the Master Plans prior to any further consultation or adoption.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Subject to Council approval, the GLC and NCC Master Plans Key Findings (2017) documents will be advertised for a period of 21 days as soon as practicable. It is proposed that Council adopts the Master Plans for public comment however should there be any comments received the Master Plans will be the subject of a further report to Council.

OFFICER RECOMMENDATION

That the Council:

1. Approves the advertising of the draft Geographe Leisure Centre (GLC) Master Plan Key Findings (2017) for a period of 21 days for public comment and subject to feedback received adopts the reports as a guide for future planning.
2. Approves the advertising of the draft Naturaliste Community Centre (NCC) Master Plan Key Findings (2017) for a period of 21 days for public comment and subject to feedback received adopts the reports as a guide for future planning.

13.5 MARKETING AND EVENTS REFERENCE GROUP OUTCOMES

SUBJECT INDEX:	Events Regional Economic Development Tourism Development Sponsorship & Grant Applications
STRATEGIC OBJECTIVE:	Events and unique tourism experiences that attract visitors and investment.
BUSINESS UNIT:	Commercial Services
ACTIVITY UNIT:	Commercial Services
REPORTING OFFICER:	Events Coordinator - Peta Tuck
AUTHORISING OFFICER:	Director, Community and Commercial Services - Naomi Searle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Nil

PRÉCIS

A meeting of the Marketing and Events Reference Group (MERG) was held on Wednesday 22 November 2017. This report presents the recommendations from this meeting.

BACKGROUND

The Council, at its meeting of 13 April 2011 (C1104/114), resolved to endorse the implementation of a differential rating system whereby properties rated within the Industrial and Commercial zones across the City would directly contribute toward the City's continued support of tourism, marketing and event activities. This resolution also endorsed the establishment of a 'Key Stakeholders Reference Group' (now known as the 'Marketing and Events Reference Group') to make recommendations to Council with respect to the marketing and events budget allocations.

Further to this, at its meeting of 22 June 2011 (C1106/201), Council resolved to introduce a 3% Differential Rate on the abovementioned properties and as a result, \$180k was included in the 2011/2012 budget towards events and marketing. Following this, Council increased the Differential Rate to 6% in 2012/2013 (totalling \$360k), 7% in 2013/2014 (totalling \$379k), 8% in 2014/2015 (totalling \$488k), 9% in 2015/16 (totalling \$556k) and 10% in 2016/2017 (totalling \$624k) towards events and marketing.

The total endorsed marketing and events budget for 2017/2018 is \$897,400; \$597,400 allocated towards events and \$300k allocated towards marketing. The \$597,400 budget allocation for events includes \$250k from Municipal funds and \$347,400 from the Differential Rate Budget of \$647,400. This excludes budgetary allocations for the Leavers Week event, administration, and events staffing.

Since the last MERG meeting held on 2 May 2017, 57 events have been held. Some of the major events of that period include the Busselton Festival of Triathlon, Jazz by the Bay, South West Mudfest, Cabin Fever Festival, Pedal Prix WA, CinefestOZ, Busselton Show and Gourmet Escape.

A meeting of the Marketing and Events Reference Group (MERG) was held on Wednesday 22 November 2017, with the following key matters presented at the meeting;

- Update on events held since the last meeting and upcoming major events;
- Applications from the 2017/18 Round 2 Event Sponsorship Programme ;
- Proposed funding of the 2018 and 2019 Busselton Fringe Festivals;
- Proposal for the funding of the Busselton Youth and Community Activities Building Opening Event;
- Proposal for the funding of a Regional Marketing Campaign;
- Recommendation for the re-allocation of funding from Port Geographe Aquatic Sports to the Geographe Bay Yacht Club, for the 2018 Geographe Bay Race Week;
- Update on the review of the City's Events Strategy and tabling of draft revised Event Strategy.

This report provides recommendations on the proposed funding allocations for the above points.

STATUTORY ENVIRONMENT

Nil

RELEVANT PLANS AND POLICIES

The recommendations are in line with Council policies.

FINANCIAL IMPLICATIONS

At the 26 July 2017 Council meeting, Council resolved (C1707/163) to include an allocation of \$647,400 in the 2017/2018 Differential Rates Events Budget, with a split of \$347,400 for events and \$300k for marketing. At the end of 2016/2017 an allocation of \$9,036 was unspent from the Differential Rates Events Budget, and Council resolved to allocate the funds to the 2017/2018 Differential Rate Events Budget, bringing the total to \$356,436.

Further, \$250k has been allocated towards events from the 2017/2018 municipal budget. This excludes budgetary allocations for the Leavers Week event, administration, and events staffing.

Funds already committed from the 2017/2018 Differential Rates Events Budget for Multi-Year Event Agreements and Round 1 of the 2017/2018 Events Sponsorship Programme totals \$321,425, leaving a total of \$35,011 to be allocated to Round 2. Funds already committed in the 2017/2018 Municipal Events Budget for multi-year agreements and Round 1 of the 2017/2018 Events Sponsorship Programme totals \$230k, leaving \$20k to be allocated in Round 2 of the 2017/2018 Events Sponsorship Programme, providing a combined total of \$55,011.

As part of the 2017/2018 budget process, \$300k was allocated towards marketing to be used as part of the City's \$2m (to be provided over a five (5) year period) commitment to the Busselton-Margaret River Airport Development Project as part of an overall airline incentive program.

During the year the \$445k in funding has been committed over a five (5) year period by neighbouring local governments and government agencies and as such will reduce the level of funding required of the City. Based on this it is recommended that some of the \$300k allocated towards marketing from the 2017/2018 Differential Rate budget be used to secure one (1) event that will have direct marketing benefits for the region, and consideration be made towards a regional marketing program.

Long-term Financial Plan Implications

The marketing and events budget, including both the municipal contribution and funds generated through the Differential Rate, are in line with the City's Long Term Financial Plan.

STRATEGIC COMMUNITY OBJECTIVES

This matter aligns with the City of Busselton's endorsed Strategic Community Plan 2017, and principally with the following Strategic Goal:

Economy

Diverse, resilient, prosperous;

4.3 Events and unique tourism experiences that aid in attracting visitors and investment.

RISK ASSESSMENT

The recommendations contained within this report are considered low risk and as such a formal risk assessment is not provided.

CONSULTATION

Consultation has been undertaken with members of the Marketing and Events Reference Group, consisting of representatives from the Busselton and Dunsborough Yallingup Chamber of Commerce and Industry, Margaret River Busselton Tourism Association, Busselton Jetty Inc. and the City of Busselton.

OFFICER COMMENT

The Marketing and Events Reference Group (MERG) has been established with representatives from the City of Busselton, local Chambers of Commerce, the Margaret River Busselton Tourism Association, and the Busselton Jetty Inc. A Terms of Reference guides the operations of the Group and an Events Sponsorship Programme has been developed.

Supporting the development and attraction of new events throughout the year, the Events Sponsorship Programme promotes the City of Busselton as an attractive event tourism destination for a range of events.

Round 2 Event Sponsorship Programme 2017/18

Round 2 of the 2017/18 Event Sponsorship programme was advertised from 1 September 2017 to 29 September 2017. A total of 16 applications were received, requesting a total of \$147,500 in funding. Of these, three (3) requests were for multi-year agreements and thirteen (13) were for single year agreements.

The Events team evaluated all funding applications, applying the Strategic Funding Guidelines of economic impact, strategic alliance to off-peak and cultural events, destination tourism, social benefits and environmental impact.

MERG members discussed each application and recommend the following:

Applications recommended for funding through Differential Rates Budget

Event	Requested	Officer Recommendation
Yallingup Malibu Classic	2017/18 \$3,000 2018/19 \$3,000 2019/20 \$3,000	2017/18 \$2,500 2018/19 \$2,250 2019/20 \$2,000
South West Yoga Fest	2017/18 \$5,000	2017/18 \$2,000
Taj's Small Fries Yallingup	2017/18 \$15,000 2018/19 \$15,000 2019/20 \$15,000	2017/18 \$10,000 2018/19 \$9,000 2019/20 \$8,000
Busselton Junior Open Tennis	2017/18 \$3,000	2017/18 \$1,500
Busselton Open Tennis	2017/18 \$3,000	2017/18 \$1,500
Busselton Pride	2017/18 \$3,000 (+ \$500 in-kind traffic management)	2017/18 \$2,000 (+ \$500 in-kind traffic management)
Yalambi Show Jumping Classic	2017/18 \$8,000	2017/18 \$2,000
Wheelbite 2018	2017/18 \$3,500 2018/19 \$3,500 2019/20 \$3,500	2017/18 \$3,000 2018/19 \$2,750 2019/20 \$2,500
British Auto Classic	2017/18 \$500	2017/18 \$0*
Undalup Djeran Youth Week Event	2017/18 \$8,000	2017/18 \$3,000
West Cape Classic Car Rally	2017/18 \$5,000	2017/18 \$0
Margaret River Readers & Writers Festival (Busselton events)	2017/18 \$10,000	2017/18 \$5,000
Cabin Fever 2018	2018/19 \$10,000	2018/19 \$10,000
TOTALS	2017/18 \$67,500 2018/19 \$31,500 2019/20 \$21,500	2017/18 \$33,000 2018/19 \$24,000 2019/20 \$12,500

* Officers to recommend application for funding through the City's Donations, Contributions and Subsidies Fund.

Based on this it is recommended a total of \$33,000 be allocated through Round 2 of the Events Sponsorship Programme to be funded through the 2017/18 Differential Rate Events Budget, leaving a total of \$2,011 remaining in the budget for any further requests.

Through consideration of funding proposals the following conditions will need to be considered for inclusion in the funding agreements:

- South West Yoga Fest – consider moving future events outside January school holidays and promote Dunsborough
- Busselton Pride – consider changing the date to incorporate with Fringe Festival
- Undalup Djeran Youth Week Event – more discussion required about location where the event is being held
- Margaret River Readers & Writers Festival (Busselton events) – Key Performance Indicators to include Busselton/Dunsborough/Yallingup in the advertising and branding. One (1) signature event and five (5) other events to be held in Busselton, plus school events.

Applications recommended for funding through Municipal Events Budget

Event	Requested	Officer Recommendation
Busselton Fringe Festival	2017/18 \$10,000 2018/19 \$20,000	2017/18 \$10,000 2018/19 \$20,000
Busselton Youth & Community Activities Building Opening Event	2017/18 \$10,000	2017/18 \$10,000
TOTALS	2017/18 \$20,000 2018/19 \$20,000	2017/18 \$20,000 2018/19 \$20,000

Based on this it is recommended a total of \$20,000 to be allocated in Round 2 of the Events Sponsorship Programme and funded through the 2017/2018 Municipal Budget.

Applications recommended for funding through Differential Rates Marketing Budget

Event	Requested	Officer Recommendation
SuperFoilier Grand Prix	2017/18 \$50,000	2017/18 \$45,000 (cash) \$5,000 (in kind)
Busselton Fringe Festival	2017/18 \$10,000	2017/18 \$10,000
TOTALS	2017/18 \$60,000	2017/18 \$55,000 (cash) \$5,000 (in kind)

Further a proposal has been received from WIN TV outlining a 12 month marketing program comprising of a series of 30 second advertisements to be split between WIN, ONE and ELEVEN channels. The content of the advertising campaign would be to encourage buying local. The total cost of the 12 month program is \$40k.

The Group discussed the merit of a buy local campaign however would also like other media options such as Facebook and Radio considered for marketing the 'buy local' message. Further any TV advertising proposals should include scheduling and format of adverts.

MERG recommended that City Officers liaise with MRBTA and obtain a second proposal from GWN to compare with the proposal received from WIN to start in January 2018. Officers will liaise with MRBTA, WIN and GWN to finalise a proposal and present a report for Council consideration once the advertising content and formats have been finalised in early 2018.

Based on this it is recommended a total of \$55,000 (\$45k cash, \$5k in kind) be allocated towards the SuperFoil Grand Prix and Busselton Fringe Festival in 2017/18 from the Differential Rates Marketing Budget.

CONCLUSION

The Marketing and Events Reference Group (MERG) has been assigned by Council to make recommendations on the way in which funds raised through the Industrial and Commercial Differential Rate for the purposes of events and marketing are allocated. This report contains the recommendations made at the 22 November 2017 meeting, which if endorsed by Council, will result in the continuation of high quality events being held within the region, supported by successful marketing promotions. All recommendations support Council's vision of being recognised as the 'Events Capital WA.'

OPTIONS

Council may choose not to support the recommendations made by the Marketing and Events Reference Group and resolve not to endorse part or all of the recommendations.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Following Council's decision, the outcomes will be communicated to all members of the Marketing and Events Reference Group and relevant event organisers for their information and implemented where required.

OFFICER RECOMMENDATION

That Council;

1. As part of Round 2 of the Events Sponsorship Programme endorses the funding allocation towards the following events to be funded from the 2017/2018 Differential Rate Events Budget:

Event	Requested	Officer Recommendation
Yallingup Malibu Classic	2017/18 \$3,000 2018/19 \$3,000 2019/20 \$3,000	2017/18 \$2,500 2018/19 \$2,250 2019/20 \$2,000
South West Yoga Fest	2017/18 \$5,000	2017/18 \$2,000
Taj's Small Fries Yallingup	2017/18 \$15,000 2018/19 \$15,000 2019/20 \$15,000	2017/18 \$10,000 2018/19 \$9,000 2019/20 \$8,000

Busselton Junior Open Tennis	2017/18 \$3,000	2017/18 \$1,500
Busselton Open Tennis	2017/18 \$3,000	2017/18 \$1,500
Busselton Pride	2017/18 \$3,000 (+ \$500 in-kind traffic management)	2017/18 \$2,000 (+ \$500 in-kind traffic management)
Yalambi Show Jumping Classic	2017/18 \$8,000	2017/18 \$2,000
Wheelbite 2018	2017/18 \$3,500 2018/19 \$3,500 2019/20 \$3,500	2017/18 \$3,000 2018/19 \$2,750 2019/20 \$2,500
British Auto Classic	2017/18 \$500	2017/18 \$0*
Undalup Djeran Youth Week Event	2017/18 \$8,000	2017/18 \$3,000
West Cape Classic Car Rally	2017/18 \$5,000	2017/18 \$0
Margaret River Readers & Writers Festival (Busselton events)	2017/18 \$10,000	2017/18 \$5,000
Cabin Fever 2018	2018/19 \$10,000	2018/19 \$10,000
TOTALS	2017/18 \$67,500 2018/19 \$31,500 2019/20 \$21,500	2017/18 \$33,000 2018/19 \$24,000 2019/20 \$12,500

2. As part of Round 2 of the Events Sponsorship Programme endorses the funding allocation towards the following events to be funded from the 2017/18 Municipal Events Budget:

Event	Requested	Officer Recommendation
Busselton Fringe Festival	2017/18 \$10,000 2018/19 \$20,000	2017/18 \$10,000 2018/19 \$20,000
Busselton Youth & Community Activities Building Opening Event	2017/18 \$10,000	2017/18 \$10,000
TOTALS	2017/18 \$20,000 2018/19 \$20,000	2017/18 \$20,000 2018/19 \$20,000


3. As part of the Events Sponsorship Programme endorses the funding allocation towards the following events to be funded from the 2017/18 Differential Rates Marketing Budget:

Event	Requested	Officer Recommendation
SuperFoiler Grand Prix	2017/18 \$50,000	2017/18 \$45,000 (cash) \$5,000 (in kind)
Busselton Fringe Festival	2017/18 \$10,000	2017/18 \$10,000
TOTALS	2017/18 \$60,000	2017/18 \$55,000 (cash) \$5,000 (in kind)

4. Endorses the re-allocation of \$5,000 funding previously allocated to Port Geographe Aquatic Sports to the Geographe Bay Yacht Club, for the running of the 2018 Geographe Bay Race Week.

14. FINANCE AND CORPORATE SERVICES REPORT

14.1 WASTE AMENDMENT LOCAL LAW

SUBJECT INDEX:	Local Laws
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Corporate Services
ACTIVITY UNIT:	Legal Services
REPORTING OFFICER:	Legal Officer - Briony McGinty
AUTHORISING OFFICER:	Director, Finance and Corporate Services - Cliff Frewing
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Amendment Local Law 

PRÉCIS

The City's Waste Local Law 2016 (**Waste Local Law**) was published in the government gazette on 3 January 2017 and came into effect shortly thereafter. An amendment to the Waste Local Law has been prepared (**Amendment Local Law**) for consideration by the Council. It is recommended that the Council initiate the law-making process and authorise the CEO to commence advertising the Amendment Local Law.

BACKGROUND

The Waste Local Law was based on the model provided by WALGA which did not explicitly include a reference to a person's objection and review rights under Division 1 Part 9 of the *Local Government Act 1995* (**the Act**). The Joint Standing Committee on Delegated Legislation (**JSC**) reviewed the Waste Local Law. On 11 October 2017 the Council resolved to provide the following undertakings to the JSC:

"That the Council:

- 1. Undertakes to within 6 months, amend the local law to include an express "Objection and appeal rights clause".*
- 2. Also undertakes:*
 - a) That all consequential amendments arising from the undertaking will be made.*
 - b) That the local law will not be enforced in a manner contrary to the undertaking given.*
 - c) That the undertaking will be completed within six months of the date of the letter giving the undertaking.*
 - d) Where the local law is made publicly available, whether in hard copy or electronic form, it be accompanied by a copy of these undertakings."*

STATUTORY ENVIRONMENT

Section 3.5 of the Act and section 64 of the *Waste Avoidance and Resource Recovery Act 2007* (**WARR Act**) provide Council with the heads of power for making a waste local law.

Section 42 of the *Interpretation Act 1984* allows the WA State Parliament to disallow a local law, which is a mechanism to guard against the making of subsidiary legislation that is not authorised or contemplated by the empowering enactment, has an adverse effect on existing rights or ousts or modifies the rules of fairness.

Parliament has appointed the JSC to undertake an overseeing role on its behalf, which includes the power to scrutinise and recommend the disallowance of local laws to the Parliament.

Any correspondence received by the JSC is confidential and privileged. Disclosure of such information may be referred to the Legislative Council Procedure and Privileges Committee for investigation and possible penalty as contempt of Parliament.

RELEVANT PLANS AND POLICIES

Nil.

FINANCIAL IMPLICATIONS

Costs associated with the advertising and gazettal of an amendment to the Waste Local Law will come from the Legal budget. These costs are unlikely to exceed \$2,000 and there are sufficient funds in the legal budget for this purpose.

Long-term Financial Plan Implications

Nil.

STRATEGIC COMMUNITY OBJECTIVES

The proposal aligns with the *City of Busselton Strategic Community Plan 2013* as follows:

6.2 Governance systems that deliver responsible, ethical and accountable decision making.

RISK ASSESSMENT

The Amendment Local Law will not involve a departure from current practices and is therefore considered low risk.

CONSULTATION

Should Council resolve to commence the process of amending the Waste Local Law the City is required to undertake the notice requirements under Section 3.12(3) of the Act.

OFFICER COMMENT

The Waste Local Law is made under the WARR Act and the Act. Division 1, Part 9 of the Act (dealing with objection and review rights) automatically applies to any “authorisation under... any local law” as per section 9.1(1)(a) of the Act.

Further, section 9.4 of the Act requires that any person affected by an unfavourable decision must be given written reasons for the decision and informed of the person’s rights under Division 1 Part 9 of the Act to object against, and apply for a review of, the decision.

However, for reasons stated in previous confidential reports to Council, it is recommended to explicitly include these provisions within the Amendment Local Law.

CONCLUSION

It is recommended that the Council initiate the law-making process and authorise the CEO to commence advertising the Amendment Local Law.

OPTIONS

As the City has previously provided an undertaking to the JSC in relation to this matter it is not recommended to pursue other options.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Within two weeks of the Council decision to commence the law-making process, the Amendment Local Law will be advertised for public comment. The statutory consultation period is a minimum of six weeks and following the close of the advertising period a report will be submitted to the Council for further consideration which, depending on the number and nature of submissions received, could be within three months.

OFFICER RECOMMENDATION

- (1) That the Council commences the law-making process, for the *City of Busselton Waste Amendment Local Law 2018*, the purpose and effect of the local law being as follows:

Purpose: To explicitly include a reference to a person's objection and review rights under the *Local Government Act 1995*.

Effect: To make people aware of their objection and review rights under the *Local Government Act 1995* in relation to decisions made under the *Waste Local Law*.

- (2) That the Council authorises the CEO to carry out the law-making procedure under section 3.12(3) of the *Local Government Act*, by –
 - (i) giving Statewide public notice and local public notice of the Amendment Local Law; and
 - (ii) giving a copy of the Amendment Local Law and public notice to the Minister for Local Government and the Minister for the Environment.
- (3) That the CEO, after the close of the public consultation period, submits a report to the Council on any submissions received on the Amendment Local Law to enable the Council to consider the submissions made and to determine whether to make the local law in accordance with section 3.12(4) of the Act.

**WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007
LOCAL GOVERNMENT ACT 1995**

City of Busselton

Waste Amendment Local Law 2017

Under the powers conferred by the *Local Government Act 1995*, the *Waste Avoidance and Resource Recovery Act 2007* and under all other powers enabling it, the Council of the City of Busselton resolved on [insert date] to make the following local law.

1. Title

This is the *City of Busselton Waste Amendment Local Law 2017*.

2. Commencement

This local law commences on the 14th day after the day on which it is published in the *Government Gazette*.

3. Principal Local Law

This local law amends the *City of Busselton Waste Local Law 2016* as published in the *Government Gazette* of 3 January 2017.

4. Clause 5.5 added

After clause 5.4 insert –

5.5 Objection and appeal rights

Division 1 of Part 9 of the LG Act applies to a decision under this local law to grant, renew, vary or cancel –

- (a) an approval under clause 2.7(b);
- (b) an exemption under clause 2.8(2);
- (c) an authorisation under clause 2.9 (1)(c);
- (d) an approval under clause 2.10(1);
- (e) an authorisation under clause 3.2(1)(c);
- (f) an approval under clause 3.2(2)(a); and
- (g) an approval under clause 3.3.

Dated: [insert date]









The Common Seal of the City of Busselton was affixed by authority of a resolution of the Council in the presence of—

GRANT DOUGLAS HENLEY
Mayor

MICHAEL STEPHEN LEE ARCHER
Chief Executive Officer

15. CHIEF EXECUTIVE OFFICER'S REPORT

15.1 COUNCILLORS' INFORMATION BULLETIN

SUBJECT INDEX:	Councillors' Information Bulletin
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Executive Services
ACTIVITY UNIT:	Governance Services
REPORTING OFFICER:	Reporting Officers - Various
AUTHORISING OFFICER:	Chief Executive Officer - Mike Archer
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Planning Applications received by the City between 1 November, 2017 and 15 November, 2017  
	Attachment B Planning Applications determined by the City between 1 November, 2017 and 15 November, 2017  
	Attachment C CapeROC Minutes  
	Attachment D MERG Minutes  

PRÉCIS

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

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

INFORMATION BULLETIN

15.1.1 Planning and Development Statistics

Attachment A is a report detailing all Planning Applications received by the City between 1 November, 2017 and 15 November, 2017. A total of 51 formal applications were received during this period.

Attachment B is a report detailing all Planning Applications determined by the City between 1 November, 2017 and 15 November, 2017. A total of 40 applications (including subdivision referrals) were determined by the City during this period with 40 approved / supported and 0 refused / not supported.

15.1.2 Current Active Tenders

2017 TENDERS

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

The City of Busselton invited Expressions of Interest for the construction of a new play space located within the Busselton Foreshore Precinct. The EOI was advertised on 28 October 2017, with a closing date of 21 November 2017. The closing date has been extended to 12 December 2017.

It is anticipated the EOI evaluation will be completed and a recommendation report presented to the CEO (under delegation) by mid-December 2017.

RFT16/17 PROVISION OF MAINTENANCE & SERVICING – MECHANICAL SERVICES

The City of Busselton invited tenders for the maintenance of the mechanical services (air conditioning) of its buildings and facilities. The tender was advertised on 18 November 2017, with a closing date of 5 December 2017. The value of the contract will not exceed the CEO's delegated authority. It is anticipated that the evaluation will be completed and a recommendation report presented to the CEO in December 2017.

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

The City of Busselton invited tenders for the design, construction and installation of two holiday cabins for the Busselton Jetty Tourist Park (formerly known as Kookaburra Caravan Park). The tender was advertised on 7 October 2017, with a closing date of 27 October 2017. A total of 6 tenders were received. The value of the contract will not exceed the CEO's delegated authority. The evaluation has been completed and a recommendation report will be presented to the CEO in December 2017.

RFT18/17 SUPPLY AND DELIVERY OF DRAINAGE PRODUCTS

The City of Busselton invited tenders for the manufacture, testing, supply and delivery of drainage products within the City of Busselton. The tender was advertised on 14 October 2017, with a closing date of 31 October 2017. A total of 2 tenders were received. The value of the contract will exceed the CEO's delegated authority. The evaluation has been completed and a recommendation report is presented as part of this agenda.

RFT19/17 SUPPLY AND DELIVERY OF CONCRETE SERVICES

The City of Busselton invited tenders for the supply of concrete and ancillary works to the City of Busselton. The tender was advertised on 11 November 2017, with a closing date of 28 November 2017. The value of the contract will exceed the CEO's delegated authority and it is anticipated that a recommendation report will be presented to Council at the first Council meeting scheduled in 2018.

15.1.3 CapeROC Minutes

Attachment C shows the minutes for the meeting held on 23 November 2017.

15.1.4 MERG Minutes

Attachment D shows the minutes for the meeting held on 22 November 2017.

OFFICER RECOMMENDATION

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

- [15.1.1 Planning and Development Statistics](#)
- [15.1.2 Current Active Tenders](#)
- [15.1.3 CapeROC Minutes](#)
- [15.1.4 MERG Minutes](#)

Applications Received (Deemed Complete) Report									
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Application Received Date	Date Application Deemed Complete	Estimated Cost	Primary Property Owners	Applicant Name	Clock Days
Development Applications									
DA17/0694	Public Amenities Building and Canopy (Vasse Piazza)	Napoleon Promenade~VASSE WA 6280	Lot 120 PLAN 405345	7/11/2017	13/09/2017	650000	State of WA	Roxby Architects	42
DA17/0853	Outbuilding (Reduced Setbacks)	13 Fitzroy Link~VASSE WA 6280	Lot 26 PLAN 56807	3/11/2017		30000	Michael John McNamara	Michael John McNamara	13
DA17/0854	Patio (Reduced Setbacks)	14 Seahorse Crescent~GEOGRAPHE WA 6280	Lot 666 DIAGRAM 96020	2/11/2017	6/11/2017	8574	Marianne Lesley Wallace	Mick Strange Carpentry	10
DA17/0855	Outbuilding (Landscape Value Area)	14 Howson Rise~YALLINGUP WA 6282	Lot 224 PLAN 24224	2/11/2017	16/11/2017	45000	Deborah May Banyard & Michael John Hamilton Banyard	Tim Korovesi	16
DA17/0856	Single House (Dual Boundary Wall)	50 Gurnard Loop~KEALY WA 6280	Lot 1473 PLAN 409125	3/11/2017	6/11/2017	180753	Phillip Michael George & Mandy Louise Craven George	BGC Residential Pty Ltd	0
DA17/0859	Lunchroom and office (Class 10A building)	Marybrook Road~MARYBROOK WA 6280	Lot 60 PLAN 55415	3/11/2017	8/11/2017	30000	Roesner Pty Ltd	Roesner Pty Ltd	15
DA17/0860	Motor vehicle storage/display area and staff car park	82 West Street~WEST BUSSELTON WA 6280	Lot 180 PLAN 408348	3/11/2017	8/11/2017	350000	Ambulant Pty Ltd & Buverie Pty Ltd	Robert Jeffrey Kusal	15
DA17/0861	Change of Use - Holiday Home (Single House) 8 People	11 Campion Way~QUINDALUP WA 6281	Lot 42 PLAN 9047	1/11/2017		1	David Trevor O'Keeffe & Kate Emma O'Keeffe	David Trevor O'Keeffe, Kate Emma O'Keeffe	5
DA17/0862	Patio with Parapet Wall	20 Chapman Street~DUNSBOROUGH WA 6281	Lot 83 PLAN 47510	6/11/2017	15/11/2017	20000	Peter William Trembath & Vicki Anne Trembath	Peter William Trembath, Vicki Anne Trembath	9
DA17/0863	Industrial Units	18 Commerce Road~VASSE WA 6280	Lot 9 PLAN 52479	2/11/2017	6/11/2017	300000	Adam Geoffrey Blight	Busselton Sheds Plus	18
DA17/0864	Single House (Special Character Area)	10 Kinross Loop~QUINDALUP WA 6281	Lot 254 PLAN 68461	2/11/2017	6/11/2017	257382	Kevin Brian Smith & Kendall Jane Smith	BGC Residential Pty Ltd	18
DA17/0865	Extension of Motor Vehicle Showroom and Service Area	20 Bussell Highway~WEST BUSSELTON WA 6280	Lot 300 DIAGRAM 92524	7/11/2017	13/11/2017	620000	Not Sure Pty Ltd & Gold Coast Mortgage Services Pty Ltd	Not Sure Pty Ltd	8
DA17/0866	Extractive Industry (Gravel)	Chapman Hill East Road~CHAPMAN HILL WA 6280	Lot 3 DIAGRAM 63148	7/11/2017	16/11/2017	1	Brian Kenneth Baker	Leeuwin Civil Pty Ltd	6

DA17/0867	Market (Food Vans)	24 Dunn Bay Road~DUNSBOROUGH WA 6281	Lot 400 PLAN 409238	7/11/2017		5000	24 DB Pty Ltd	24 DB Pty Ltd	0
DA17/0868	Building Envelope Modification - Extension to Single House (Landscape Value Area)	15 House Glen~YALLINGUP WA 6282	Lot 58 PLAN 36375	6/11/2017		350000	Robert James Rose & Betty Anne Rose	Harris Architects	14
DA17/0869	Patio (Reduced Setback)	7B Glassby Place~WEST BUSSELTON WA 6280	Lot 1 STPLN 17594	8/11/2017	9/11/2017	10683	David Alwyn Jones & June Kathleen Jones	Outdoor World Busselton	7
DA17/0870	Retaining Wall in a Landscape and Special Character Area	23 Yallingup Beach Road~YALLINGUP WA 6282	Lot 5037 PLAN 192410	8/11/2017		3000	State of WA	Marmax Pty Ltd	14
DA17/0871	Relocated Building Envelope (Reduced Rear Setback) & Above Ground Swimming Pool	18 Summer Brace~YALLINGUP WA 6282	Lot 102 PLAN 24226	8/11/2017	13/11/2017	0	Jane Emory	Jane Emory	12
DA17/0872	Verandah and Stone Wall Additions to Existing Single House	150 Balmoral Drive~QUINDALUP WA 6281	Lot 256 PLAN 68461	10/11/2017	13/11/2017	10000	Ronald George Vidler	Ronald George Vidler	4
DA17/0873	Single House (Coastal Management Area & Quindalup Special Character Area)	250 Geographe Bay Road~QUINDALUP WA 6281	Lot 40 PLAN 7535	10/11/2017	10/11/2017	323027	Stephen Laurence Graham & Elaine Mavis Graham	Dale Alcock Homes South West Pty Ltd	3
DA17/0875	Change of Use - Holiday Home (Single House) 6 Persons	7 Swallow Cove~DUNSBOROUGH WA 6281	Lot 152 PLAN 16745	10/11/2017	21/11/2017	0	Wayne Marc Rochat & Robyn Patricia Rochat	Wayne Marc Rochat, Robyn Patricia Rochat	0
DA17/0876	Single House (Landscape Value)	60 Kinross Loop~QUINDALUP WA 6281	Lot 248 PLAN 68461	3/11/2017	13/11/2017	345482	Aln Schmidt	Ventura Home Group Pty Ltd	7
DA17/0877	Grouped Dwelling	7A Roberts Road~ABBAY WA 6280	Lot 2 SSPLN 74442	3/11/2017	17/11/2017	200355	Divvy Developments Pty Ltd	Redink Homes Southwest Pty Ltd	7
DA17/0878	Patio (Reduced Setback)	38 David Drive~GEOGRAPHE WA 6280	Lot 121 PLAN 14540	13/11/2017	13/11/2017	18100	Benjamin John Pinkerton	Cape Shades	7
DA17/0879	Jetty (Port Geographe Development Area)	14 Burgee Cove~GEOGRAPHE WA 6280	Lot 11 PLAN 57392	5/11/2017	13/11/2017	17000	Southern Built Homes Pty Ltd	West Coast Jetties	14
DA17/0880	Storeroom Addition to Existing Tourist Accommodation Unit	1/22 Valley Road~YALLINGUP WA 6282	Lot 1 STPLN 11964	6/11/2017	13/11/2017	30000	Stephen Mark Caddy	Charles Grist GN Constructions [WA] PTY LTD	7
DA17/0881	Roof Top Sun Deck Addition to Existing Single House	11 High View Road~DUNSBOROUGH WA 6281	Lot 1 SSPLN 43654	6/11/2017	13/11/2017	53294	Robert Clifford Monkman & Jennifer Jane Monkman	Stephen Graeme Howard	15

DA17/0882	Single House (Vehicular Access Variation)	13 Durban Way~DUNSBOROUGH WA 6281	Lot 1271 PLAN 407774	7/11/2017		193902	Liam Fitzgerald McLaren & Ashleigh Bree McLaren	Tangent Nominees Pty Ltd	6
DA17/0883	Holiday Home (Grouped Dwelling) 6 People	18 Wilson Avenue~QUINDALUP WA 6281	Lot 2 STPLN 20385	3/11/2017		0	Kent Justin Hugh Morison	Kent Justin Hugh Morison	10
DA17/0884	Over-height wall	71 Stanford Drive~ABBEY WA 6280	Lot 102 PLAN 45229	8/11/2017		4000	Lindi Lu Van Niekerk & Dirk Johannes Van Niekerk	Lindi Lu Van Niekerk, Dirk Johannes Van Niekerk	13
DA17/0885	Single House (Special Control Area)	11 Bay View Crescent~DUNSBOROUGH WA 6281	Lot 45 PLAN 6155	7/11/2017	13/11/2017	800000	Ian Colin Robert MacKenzie & Marjorie Lyn MacKenzie	Ian Colin Robert MacKenzie, Marjorie Lyn MacKenzie	6
DA17/0886	Change of Use - Holiday Home (Single House) 6 People	18 Kunzea Place~DUNSBOROUGH WA 6281	Lot 79 PLAN 17566	1/11/2017	16/11/2017	1	Thomas Edward Burbidge & Gillian Mary Burbidge	Thomas Edward Burbidge, Gillian Mary Burbidge	12
DA17/0887	Masonry Boundary Wall (Swimming Pool Barrier)	15 Country Road~BOVELL WA 6280	Lot 105 PLAN 21638	9/11/2017		24980	Adam John Taylor & Sarah Jane Bowes	Bunbury Pool Centre	4
DA17/0888	Holiday Home (Grouped Dwelling) 6 People	30 King Street~WEST BUSSELTON WA 6280	Lot 2 STPLN 58490	13/11/2017		0	Heather Jean York	Heather Jean York	0
DA17/0889	Change of Use - Holiday Home (Single House) 10 People	62 Geographe Bay Road~DUNSBOROUGH WA 6281	Lot 196 PLAN 8543	13/11/2017		1	Anthony Jonathan Priddy & Sonya Maree Priddy	Anthony Jonathan Priddy, Sonya Maree Priddy	0
DA17/0890	Single House (Reduced Setback)	60B Geographe Bay Road~DUNSBOROUGH WA 6281	Lot 8 SSPLN 57516	13/11/2017	13/11/2017	1000000	Sarah Elizabeth Forbes	Mark Webster Design	6
DA17/0891	Single House (Reduced Setback)	16 Somerset Road~DUNSBOROUGH WA 6281	Lot 1229 PLAN 406062	6/11/2017	14/11/2017	350000	David Michael Limpert & Rachel Emma Jones	ZengCad	8
DA17/0892	Bed and Breakfast	35 Naturaliste Terrace~DUNSBOROUGH WA 6281	Lot 25 PLAN 19333	14/11/2017		1	Michael Ian Campbell & Marcelle Ann Campbell	Michael Ian Campbell, Marcelle Ann Campbell	10
DA17/0893	Change of Use - Holiday Home (Single House) 12 people	700 Geographe Bay Road~BROADWATER WA 6280	Lot 62 DIAGRAM 42149	13/11/2017	17/11/2017	1	Vincent James Antony Middleton & Nina Middleton	Vincent James Antony Middleton, Nina Middleton	1
DA17/0894	Single House (reduced setbacks)	56 Cockatoo Loop~VASSE WA 6280	Lot 31 PLAN 410800	13/11/2017	15/11/2017	319328	Justin Edward Grasso & Elaine Mareele Grasso	Ventura Home Group Pty Ltd	1
DA17/0895	Agriculture - Intensive (Vineyard)	3219 Caves Road~YALLINGUP WA 6282	Lot 108 PLAN 33922	14/11/2017	21/11/2017	25000	Goldleaf Developments Pty Ltd	Goldleaf Developments Pty Ltd	2
DA17/0896	Rainwater Tank (Landscape Value Area)	Caudalie Way~QUINDALUP WA 6281	Lot 40 PLAN 41369	9/11/2017	16/11/2017	2500	Amy Karin Molloy & Shannon Thomas Leslie O'Donohue	Amy Karin Molloy, Shannon Thomas Leslie O'Donohue	7
DA17/0897	Gully Wall Dam	Piggott Road~SABINA RIVER WA 6280	Lot 61 PLAN 44298	13/11/2017	16/11/2017	250000	Stuart Allen Smith	Slade Ag Tech (W and J Slade)	11

DA17/0899	Single House (Outbuilding, Water Tanks, BAL FZ in Landscape Value Area)	94 Injidup Spring Road~YALLINGUP WA 6282	Lot 12 PLAN 29617	14/11/2017		650000	Paul Gerard Dwyer & Lisa Gaye Dwyer	Lurie Concepts	3
DA17/0901	Single House (Vehicular Access Variation)	30 Harbeck Drive~KEALY WA 6280	Lot 1297 PLAN 407112	14/11/2017	17/11/2017	204274	Perron Developments Pty Ltd & Stawell Pty Ltd	BGC Residential Pty Ltd	3
DA17/0903	Signage (Reposition Existing Sign Inside Property Boundary)	351 Harmans Mill Road~METRICUP WA 6280	Lot 301 PLAN 40029	15/11/2017		750	Pepperbush Pty Ltd Atf The Westwater Trust	Pepperbush Pty Ltd Atf The Westwater Trust	5
DA17/0904	Floating Jetty (Port Geographe Development Area)	15 Keel Retreat~GEOGRAPHE WA 6280	Lot 507 PLAN 22448	15/11/2017		11500	Ian David Robbins & Pamela Jean Robbins	Boat Lifts Jetties & Marinas of WA	5
DA17/0906	Holiday Home (Single House) 8 People	11 Salamanda Drive~GEOGRAPHE WA 6280	Lot 2 SSPLN 40514	8/11/2017		1	Estate Of Jennifer Kaye Pratt	Liam Geoffrey Pratt	12
WAPC17/0044	Survey Strata - 6 Lots + Common Property (Conversion of Strata Plan 46422 to Survey Strata)	1/4 Mentor Place~DUNSBOROUGH WA 6281	Lot 1 STPLN 46422	9/11/2017	9/11/2017	0	Marie Anne Fisher	Thompson Surveying Consultants	15
WAPC17/0045	3 Lot Subdivision (Reconfiguration of Lots 2, 3 & 112 Brash Road)	332 Brash Road~YALLINGUP WA 6282	Lot No:112 & 2	9/11/2017	9/11/2017	0	Remjay Investments Pty Ltd	SurvCon Pty Ltd	15
WAPC17/0046	Re-strata of Existing Strata Lot 1 to Form Strata Lots 3 and 4	1/8 Clark Street~DUNSBOROUGH WA 6281	Lot 1 STPLN 32198	13/11/2017		0	Peter Denis Hales & Felicity Anne Hales	Peter Denis Hales, Felicity Anne Hales	11

Applications Determined Report										
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Applic Determined Date	Application Determined Result	Decision	Clock Days	Estimated Cost	Primary Property Owners	Applicant Name
Development Applications										
DA17/0384	Extension (Games Room, Bathroom and WC)	60 Lagoon Drive~YALLINGUP WA 6282	Lot 25 PLAN 21893	10/11/2017	Approved	Approved	10	1	Andrew Ian Heaton	Andrew Ian Heaton
DA17/0472	Winery (Additions to Existing Building and New Outbuilding with Reduced Setback)	3314 Caves Road~WILYABRUP WA 6280	Lot 13 PLAN 12089	8/11/2017	Approved	Approved	135	160000	Saruman Holdings Pty Ltd	Saruman Holdings Pty Ltd
DA17/0491	Chalet	3/11 Quininup Road~YALLINGUP WA 6282	Lot 3 SSPLN 58314	8/11/2017	Approved	Approved	120	200000	Jeffrey Charles Allen & Tessa June Allen	KTR Creations
DA17/0561	Three Sea Containers (reduced setback) - Lot 56 (No. 10) Kershaw Street, Busselton	10 Kershaw Street~BUSSELTON WA 6280	Lot 56 PLAN 13808	1/11/2017	Approved	Approved	98	1	Jensen Pty Ltd	Geographe Underground Services
DA17/0622	Carport Addition to Existing Over-height Outbuilding	1068 Caves Road~QUINDALUP WA 6281	Lot 23 DIAGRAM 80141	2/11/2017	Approved	Approved	73	2500	Kerry Harry Alonzo Ahern & Christine Margaret Ahern	Christine Margaret Ahern
DA17/0697	Addition to Existing Outbuilding (Landscape Value and Wetland Areas)	73 Ballarat Road~WONNERUP WA 6280	Lot 20 PLAN 223219	2/11/2017	Approved	Approved	49	3800	Ann Chantal Evans	Ann Chantal Evans
DA17/0707	Single House (Yallingup Special Character Area); Garage and Balcony Additions (reduced setback)	50 Hammond Road~YALLINGUP WA 6282	Lot 25 PLAN 8037	7/11/2017	Approved	Approved	47	150000	Kristian Neil Moore	Kristian Neil Moore
DA17/0726	Carport (reduced setback)	31 Schooner Crescent~DUNSBOROUGH WA 6281	Lot 312 PLAN 34435	2/11/2017	Approved	Approved	10	7760	Tracy Lee Keegan & Gavin John Michael Keegan	CPR Outdoor Centre
DA17/0728	Showroom (Ancillary Warehouse)	55 Strelly Street~BUSSELTON WA 6280	Lot 29 PLAN 16782	3/11/2017	Approved	Approved	36	90000	Noel Francis Elliott & Glenys Anne Elliott	Noel Francis Elliott, Glenys Anne Elliott
DA17/0746	Modified Building Envelope to Accommodate Outbuilding	7 Kybra Close~YALYALUP WA 6280	Lot 330 PLAN 37205	1/11/2017	Approved	Approved	28	14000	Glenda Robin Smith & Brendan Dean Siandri	Sheds Down South

DA17/0756	Garage and Carport (reduced setback)	65 Dunsborough Lakes Drive~DUNSBOROUGH WA 6281	Lot 351 PLAN 19115	1/11/2017	Approved	Approved	25	142000	Roy Kershaw Bussell & Nita Vivian Bussell	Roy Kershaw Bussell, Nita Vivian Bussell
DA17/0757	Oversized Outbuilding with Reduced Setback	134 Pinnacle Avenue~AMBERGATE WA 6280	Lot 36 PLAN 45238	2/11/2017	Approved	Approved	33	54000	Aaron William Hadley & Corrina Jay Hadley	Sheds Down South
DA17/0761	Single House (Landscape Value Area)	53 O'Byrne Road~QUINDALUP WA 6281	Lot 204 PLAN 406421	3/11/2017	Approved	Approved	11	150000	Corey Alan Baker & Bethany Baker	Corey Alan Baker, Bethany Baker
DA17/0762	Outbuilding	237 Eagle Bay Road~NATURALISTE WA 6281	Lot 53 DIAGRAM 54855	1/11/2017	Approved	Approved	28	170000	Sassey Pty Ltd & Meritage Estates Pty Ltd	Sheds Down South
DA17/0763	Change of Use - Holiday Home (Single House) 10 People	35 Pebble Drive~GEOGRAPHE WA 6280	Lot 250 PLAN 21425	2/11/2017	Approved	Approved	30	1	Peter Michael Barrows & Belinda Jenny Barrows	Peter Michael Barrows, Belinda Jenny Barrows
DA17/0764	Single House and Ancillary Dwelling with Reduced Setbacks and Boundary Wall (Special Character Area)	36 Bay View Crescent~DUNSBOROUGH WA 6281	Lot 2 PLAN 6073	2/11/2017	Approved	Approved	26	975000	View Two Pty Ltd	Fraser McAlpine Design
DA17/0766	Brewery (Production of Spirits)	455 North Jindong Road~NORTH JINDONG WA 6280	Lot 31 DIAGRAM 98519	9/11/2017	Approved	Approved	13	60000	Warwick John Mathews & Cherylyn Helen Mathews	Warwick John Mathews, Cherylyn Helen Mathews
DA17/0767	Oversized Outbuilding (Reduced Rear Setback)	10 Frigatebird Way~VASSE WA 6280	Lot 63 PLAN 54896	9/11/2017	Approved	Approved	30	40000	Russell Bryan Smith & Jodie Michelle Smith	Busselton Sheds Plus
DA17/0769	1 x Grouped Dwelling (Port Geographe Development Area)	54 Capstan Place~GEOGRAPHE WA 6280	Lot 16 SSPLN 74194	9/11/2017	Approved	Approved	16	149254	Matthew Lee Williamson	Summit Homes
DA17/0774	Single House with Reduced Setback (Special Character Area)	310 Geographe Bay Road~QUINDALUP WA 6281	Lot 1 PLAN 12649	3/11/2017	Approved	Approved	29	640000	Gregory Ian Kirk & Karen Rayma Kirk	Tectonics Building Design
DA17/0777	1x Grouped Dwelling (2 Storey) (Port Geographe Development Area)	67 Capstan Place~GEOGRAPHE WA 6280	Lot 4 SSPLN 74194	7/11/2017	Approved	Approved	32	229090	Tangent Nominees Pty Ltd	Tangent Nominees Pty Ltd
DA17/0784	Extension to the Existing Outbuilding	13 Country Road~BOVELL WA 6280	Lot 106 PLAN 21638	13/11/2017	Approved	Approved	9	9000	Jason Robert Moffett & Jodi Maree Moffett	Jason Robert Moffett, Jodi Maree Moffett

DA17/0790	Carport Extension (Reduced Setback & Reflective Materials)	386 Geographe Bay Road~QUINDALUP WA 6281	Lot 12 PLAN 9047	7/11/2017	Approved	Approved	20	20000	Ian William Walker	Ian William Walker
DA17/0797	Grouped Dwelling (Reduced Setback)	66 Gale Street~WEST BUSSELTON WA 6280	Lot 39 PLAN 32550	10/11/2017	Approved	Approved	26	180000	Valma Barrett	John Bell Building Company
DA17/0800	Single House (Reduced Rear Setback)	22 Roberts Road~ABBEEY WA 6280	Lot 1 SSPLN 74438	6/11/2017	Approved	Approved	18	280000	Kael David O'Dea & Brooke Nicole O'Dea	Darren Kirkham
DA17/0801	Grouped Dwelling (Reduced Setback/Window Variance)	5/10 Martingale Drive~DUNSBOROUGH WA 6281	Lot 5 SSPLN 55868	14/11/2017	Approved	Approved	27	350000	Robert Henry Goddard & Patricia Joan Goddard	Lynne Sheen
DA17/0806	Gable Carport (Reduced Setbacks)	4 Lockimiar Place~WEST BUSSELTON WA 6280	Lot 1 SSPLN 12685	10/11/2017	Approved	Approved	26	8800	Catherine Leriche Ridgeway	CPR Outdoor Centre
DA17/0818	Timber Jetty (Port Geographe Special Control Area)	27 Headstay Cove~GEOGRAPHE WA 6280	Lot 31 PLAN 57392	3/11/2017	Approved	Approved	11	16000	Cherri Margaret Brown & Geoffrey Mervyn Hard	West Coast Jetties
DA17/0821	2 Grouped Dwellings	32 Derek Street~WEST BUSSELTON WA 6280	Lot 116 DIAGRAM 39402	8/11/2017	Approved	Approved	4	472722	Christopher Ian Jones & Cathy Margaret Cowcher	BGC Residential Pty Ltd
DA17/0824	Additions to Existing Oversized Outbuilding	106 Pinnacle Avenue~AMBERGATE WA 6280	Lot 119 PLAN 45238	2/11/2017	Approved	Approved	8	15000	Craig Edward Crampton & Rebecca Crampton	Craig Edward Crampton, Rebecca Crampton
DA17/0825	Patio Addition to a Single House (Reduced Setback)	1/2 Seagrass Cove~DUNSBOROUGH WA 6281	Lot 1 SSPLN 38277	14/11/2017	Approved	Approved	24	2100	Susan Patricia Cowcher	Ben Austin
DA17/0829	Garage / Store Addition to Single House (Reduced Setback)	7 Jasmine Court~BUSSELTON WA 6280	Lot 56 PLAN 47113	14/11/2017	Approved	Approved	0	45000	Gregory Richard Turner & Stephanie Kaye Turner	Gregory Richard Turner, Stephanie Kaye Turner
DA17/0830	Factory Unit Building (Five Commercial Units)	4 Faure Lane~DUNSBOROUGH WA 6281	Lot 916 PLAN 45007	3/11/2017	Approved	Approved	8	580000	Christine Ann Davies & Gary Clive Berwyn Davies	Gary Clive Berwyn Davies, Christine Ann Davies
DA17/0841	Bed and Breakfast	46 Cardinal Crescent~WEST BUSSELTON WA 6280	Lot 503 PLAN 23808	3/11/2017	Approved	Approved	3	1	Jill Rebecca McIntyre	Jill Rebecca McIntyre

DA17/0846	Change of Use - Holiday Home (Single House) 8 People	62 Spindrift Cove~QUINDALUP WA 6281	Lot 31 PLAN 23252	1/11/2017	Approved	Approved	3	1	Tasc WA Pty Ltd	Andrew Turner, Suzanne Gordine Turner
DA17/0854	Patio (Reduced Setbacks)	14 Seahorse Crescent~GEOGRAPH E WA 6280	Lot 666 DIAGRAM 96020	13/11/2017	Approved	Approved	10	8574	Marianne Lesley Wallace	Mick Strange Carpentry
DA17/0856	Single House (Dual Boundary Wall)	50 Gurnard Loop~KEALY WA 6280	Lot 1473 PLAN 409125	7/11/2017	Approved	Approved	0	180753	Phillip Michael George & Mandy Louise Craven George	BGC Residential Pty Ltd
DA17/0872	Verandah and Stone Wall Additions to Existing Single House	150 Balmoral Drive~QUINDALUP WA 6281	Lot 256 PLAN 68461	13/11/2017	Approved	Approved	4	10000	Ronald George Vidler	Ronald George Vidler
WAPC15/0082	2 x Survey Strata Lots including Common Property (440sqm-546sqm)	21 Lockimiar Place~WEST BUSSELTON WA 6280	Lot 84 PLAN 14463	10/11/2017	Approve	Approved	47	0	Mark Richard Noack & Debra Anne Noack	BSO Development Consultants Pty Ltd
WAPC17/0034	Amalgamation & Subdivision (Boundary Realignment) of Lots 34 & 35 Carter Road, Metricup	170 Carter Road~METRICUP WA 6280	Lot 34 PLAN 68066	3/11/2017	Support	WaitWAP C	45	0	Quentin James Bligh & Kathleen Camille O'Shea	Harley Dykstra

Capes Region Organisation of Councils (CapeROC) 1

23 November 2017

ALL INFORMATION AVAILABLE IN
VARIOUS FORMATS ON REQUEST
city@busselton.wa.gov.au

Please note: These minutes
are yet to be confirmed as a
true record of proceedings

CITY OF BUSSELTON

**MINUTES FOR THE CAPES REGION ORGANISATION OF COUNCILS (CAPEROC) MEETING HELD ON
23 NOVEMBER 2017**

TABLE OF CONTENTS

ITEM NO.	SUBJECT	PAGE NO.
1.	ATTENDANCE AND APOLOGIES	2
2.	CONFIRMATION AND RECEIPT OF MINUTES	3
2.1	Minutes of the Capes Region Organisation of Councils (CapeROC) Meeting held 18 August 2017	3
3.	PRESENTATIONS	3
4.	BUSINESS ARISING FROM PREVIOUS MINUTES	3
5.	REPORTS	4
5.1	Regional Trails Strategy	4
5.2	Calendar Of Events	6
5.3	Terms Of Reference Review	8
5.4	Budget Update	9
6.	VERBAL UPDATES OF MAJOR PROJECTS AND GENERAL DISCUSSION ITEMS.....	11
6.1	CapeROC Future Meeting Dates in 2018	11
7.	NEXT MEETING DATE	12
8.	CLOSURE	12

Capes Region Organisation of Councils (CapeROC) 2

23 November 2017

MINUTES

MINUTES OF A MEETING OF THE A MEETING OF THE CAPES REGION ORGANISATION OF COUNCILS (CAPEROC) HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, SOUTHERN DRIVE, BUSSELTON, ON 23 NOVEMBER 2017 AT 9.30AM.

The Presiding Member opened the meeting at 9.35am.

1. ATTENDANCE AND APOLOGIES

Presiding Member:

Cr Grant Henley Mayor
Busselton

Members:

Cr John McCallum, Busselton
Cr Kelly Hick, Busselton
Cr Pam Townshend, Shire President, Augusta Margaret River
Cr Naomi Godden, Augusta Margaret River
Cr Mike Smart, Augusta Margaret River

Officers:

Mr Cliff Frewing, Director, Finance and Corporate Services, Busselton
Ms Annie Riordan, Director, Corporate and Community Services, Augusta Margaret River
Mr David Nicholson, Manager Asset Services, Augusta Margaret River (Until 10.13am)
Ms Peta Tuck, Events Coordinator, Busselton (Until 10.27am)
Ms Cristina Smith, Marketing and Events Officer, Augusta Margaret River (Until 10.27am)
Ms Tracey King, Strategic Projects Officer, Busselton
Mrs Katie Banks, Executive Assistant to Council, Busselton

Apologies

Mr Mike Archer, Chief Executive Officer, Busselton
Mr Gary Evershed, Chief Executive Officer, Augusta Margaret River
Mr Tony Brown, Executive Manager Governance & Organisational Services, WALGA

Capes Region Organisation of Councils (CapeROC) 3

23 November 2017

2. CONFIRMATION AND RECEIPT OF MINUTES

2.1 Minutes of the Capes Region Organisation of Councils (CapeROC) Meeting held 18 August 2017

CAPEROC DECISION

CAP1711/007 Moved Councillor McCallum, seconded Councillor Smart

That the Minutes of the Capes Region Organisation of Councils (CapeROC) Meeting held 18 August 2017 be confirmed as a true and correct record.

CARRIED 6/0

3. PRESENTATIONS

Anne Banks McAllister, Regional Capacity Building Manager, WALGA gave an update on the Local Government Act review and other WALGA associated matters.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

Capes Region Organisation of Councils (CapeROC) 4

23 November 2017

5. REPORTS

5.1 Regional Trails Strategy

RESPONSIBLE OFFICER: Manager Asset Services – David Nicholson, Augusta Margaret River

ATTACHMENTS: Attachment A CapeROC Minutes 17 February 2017 Item 6.1 Regional Trails Strategy ➡

IN BRIEF

At its February 2017 meeting, CapeROC provided in principle support for \$30,000 to be allocated for the 2017/18 budget for to employ a suitably qualified consultant to prepare a Capes Regional Trails Strategy. Further direction is now sought on the conduct of the project.

BACKGROUND

See Attachment – report presented to February 2017 CapeROC meeting.

COMMENT

In order to progress this project, a steering committee should now be established and address the following issues:

- Lead agency
- Project timeframe
- Steering committee membership – external stakeholders
- What types of trails are to be considered - walk, MTB, dive, snorkel, kayak, bridle, 4WD, trail bike
- Categories of trails - regional, district, local
- Outcomes – trail development plan with costings and priorities
- Other issues to be considered in the strategy – design standards, marketing/promotion, events, management, maintenance, funding, etc
- Stakeholder and community engagement
- Procurement process

RECOMMENDATION

That CapeROC appoint a steering committee for the Capes Regional Trails Strategy to progress the project.

Note:

CapeROC felt it was unnecessary to establish a committee to oversee the work of a consultant and agreed that work could commence as both Local Governments had agreed to the budget. An RFQ could be coordinated by the Shire of Augusta Margaret River with support from the City of Busselton.

Capes Region Organisation of Councils (CapeROC) 5

23 November 2017

CAPEROC DECISION

CAP1711/008 Moved Councillor Henley, seconded Councillor McCallum

That CapeROC appoint Augusta Margaret River to proceed with RFQ's to prepare a Capes Regional Trails Strategy and report back to CapeROC with results at the next CapeROC meeting.

CARRIED 6/0

10.13am At this time the Manager Asset Services left the meeting and did not return.

Capes Region Organisation of Councils (CapeROC) 6

23 November 2017

5.2 Calendar Of Events

RESPONSIBLE OFFICER: Events Coordinator - Peta Tuck, Busselton
ATTACHMENTS: Nil

IN BRIEF

Funding is sought for the continued production of the Margaret River Region Calendar of Events.

CapeROC is asked to consider the following funding requirements:

- Approval of \$9250 for the remaining 2 editions of the Margaret River Region Calendar of Events for the 2017/18 Financial Year. This includes the Autumn 2018 and Winter 2018 editions.
- Approval of \$2,400 from the 2017/18 Budget for the production of additional standalone copies of the calendar.

BACKGROUND

Since December 2016, the Margaret River Region Calendar of Events has been produced by the MRBTA with content supplied by CoB and AMR Shire, and included as a pullout in their Margaret River Magazine. This magazine has a distribution of 28,000 copies (30,000 in Summer), with 75% going to a local regional audience and remaining 25% in Perth.

Funding of this was approved by CapeROC from the 2016/17 budget at the August 2016 meeting, with an allocation of \$18,500 for 4 editions (Summer 2016 – Spring 2017). While the funding for Spring 2017 was included in this allocation, this amount was not carried over in the budget. Joint CEO approval was granted on 20/10/2017 for this carry over, and for production of the Summer 2017 calendar in order to meet production deadlines.

Approval is sought from CapeROC for ongoing funding of the Margaret River Region Calendar of Events from the 2017/18 budget.

It has been identified by CoB and AMR Shire that there is a demand to have additional copies of the calendar as a stand-alone, to be distributed through the City and Shire offices, libraries etc. Therefore there is an option to fund an additional 6000 copies per edition (Summer 2017 – Winter 2018) to be split between CoB and AMR.

COMMENT

The requested amounts are as follows from the 2017/18 CAPEROC budget:

Edition	Amount Requested (ex GST)
Autumn 2018	\$4,625
Winter 2018	\$4,625
Additional standalone copies. 6000 for each edition to be split between CoB & AMR Shire (applies to Summer 2017, Autumn & Winter 2018 editions @ \$800+GST per edition.	\$2,400
TOTAL REQUESTED	\$11,650

Capes Region Organisation of Councils (CapeROC) 7

23 November 2017

CAPEROC DECISION AND OFFICER RECOMMENDATION

CAP1711/009 Moved Councillor McCallum, seconded Councillor Hick

That CapeROC:

1. Approve funding of the Autumn and Winter 2018 editions at a cost of \$9250 + GST; and
2. Approve \$2,400 + GST for the additional stand-alone copies.


CARRIED 6/0

10.27am At this time the Events Coordinator and Marketing and Events Officer left the meeting and did not return.

Capes Region Organisation of Councils (CapeROC) 8

23 November 2017

5.3 Terms Of Reference Review

RESPONSIBLE OFFICER: Strategic Projects Officer - Tracey King, Busselton
ATTACHMENTS: Attachment A Terms Of Reference CapeROC 

IN BRIEF

At its meeting 18 August 2017, CapeROC reviewed its Terms of Reference which have subsequently been endorsed by both Councils. The adopted Terms of Reference is attached for CapeROC information.

BACKGROUND

The Terms of Reference (ToR) for CapeROC last updated 21 October 2013 were reviewed by the CapeROC Committee at its meeting 18 August 2017. The revised ToR were endorsed by CapeROC at this meeting and subsequently adopted by both Councils of the Shire Of Augusta Margaret River and the City of Busselton.

COMMENT

The endorsed Terms Of Reference are attached as information for CapeROC Committee.

CAPEROC DECISION AND OFFICER RECOMMENDATION

CAP1711/010 Moved Councillor Henley, seconded Councillor McCallum
That CapeROC notes the information provided in this report.

CARRIED 6/0

Note: The next Terms of Reference review to take place after the next Local Government Elections (October 2019).

Capes Region Organisation of Councils (CapeROC) 9

23 November 2017

5.4 Budget Update

RESPONSIBLE OFFICER: Strategic Projects Officer - Tracey King, Busselton
ATTACHMENTS: Nil

IN BRIEF

The following information is provided as an update on the current CapeROC budget.

BACKGROUND

Each year, the Shire of Augusta Margaret River and the City of Busselton allocate up to \$50,000 of their respective budgets (up to \$100,000 in total) towards CapeROC approved regional economic development initiatives.

At its meeting held 18 August 2017, CapeROC resolved to make budget allocations towards the following projects as identified in Table 1:

Table 1: 2017/18 Budget Allocation

	2017/18 CapeROC Projects	Approved Allocation \$100,000	AMR Contribution \$50,000	BSN Contribution \$50,000
1.	Joint Trails Strategy	30,000	15,000	15,000
2.	Tourism Directional Signage and Roadside Visitor Information Bays	30,000	15,000	15,000
3.	Margaret River Busselton Tourism Association – 2017 Cabin Fever Event	20,000	10,000	10,000
	Total Approved Allocations	80,000	40,000	40,000
	Total Unallocated	20,000	10,000	10,000

COMMENT

The approved budget had a remaining \$20,000 available to allocate to further projects identified and approved by CapeROC.

Since the budget was approved at the August 2017 meeting, the following has occurred:

- **Recoup of remaining contributions towards funding Public Art Trail - MR Wine Industry Association: \$27,000 recouped**

At its meeting 24 November 2016, CapeROC initially agreed to contribute \$30,000 from the 2016/17 budget towards development of a Public Art Trail as part of the 50th Anniversary celebrations. A design completion was held, of which \$3,000 was allocated towards prize money. With a change in scope for the project, CapeROC resolved at its August 2017 meeting to recoup the remaining \$27,000 (\$13,500 each).

Capes Region Organisation of Councils (CapeROC) 10

23 November 2017

- **Calendar of Events-\$9,250 from 2016/17 approved project**

At its meeting dated 19 August 2016 CapeROC resolved to fund four editions of the Calendar of Events lift out in the quarterly Margaret River Region Magazine, being Autumn 2017, Winter 2017, Spring 2017, Summer 2017.

Autumn and Winter editions were produced and invoiced in the 2016/17 financial year, however as there was no carry overs from the 2016/17 CapeROC budget; the Spring and Summer 2017 editions, being \$4,625 each, have been invoiced and paid from the current 2017/18 budget.

A report is before this meeting with a proposal for CapeROC support towards production of the Autumn and Winter 2018 editions.

Therefore, the budget position is currently as below, Table 2:

Table 2: 2017/18 Current allocations and expenditure

2017/18 CapeROC Projects	Approved Allocation \$100,000	AMR Contribution \$50,000	BSN Contribution \$50,000
Joint Trails Strategy	30,000	15,000	15,000
Tourism Directional Signage and Roadside Visitor Information Bays	30,000	15,000	15,000
Margaret River Busselton Tourism Association – 2017 Cabin Fever Event	20,000	10,000	10,000
Total Approved Allocations	80,000	40,000	40,000
Additional Requests / Funds Recouped			
Public Art Trail - recoup	-27,000	-13,500	-13,500
Calendar of Events – Spring and Summer editions	9,250	4,625	4,625
Total Provisional Expenditure	62,250	31,125	31,125
Remaining Allocation	37,750	18,875	18,875

CAPEROC DECISION AND OFFICER RECOMMENDATION

CAP1711/011 Moved Councillor McCallum, seconded Councillor Smart

That CapeROC receives the information provided in the budget update report.

CARRIED 6/0

Capes Region Organisation of Councils (CapeROC) 11

23 November 2017

6. VERBAL UPDATES OF MAJOR PROJECTS AND GENERAL DISCUSSION ITEMS

6.1 CapeROC Future Meeting Dates in 2018

Meetings of CapeROC are held on a quarterly basis, generally held on a Friday morning in the months of February, May, August and November. Currently, meetings are scheduled to commence at 9.30am with business concluding prior to a member's lunch.

It is proposed that meetings be held on the second Friday of the months of February, May, August and November as below:

9 February 2018 (Busselton)
11 May 2018 (Busselton)
10 August 2018 (Margaret River)
9 November 2018 (Margaret River)

OUTCOME

The proposed dates were supported and meetings will commence at 10.00am.

MAJOR PROJECT UPDATES

The Presiding Member updated members on the Busselton Margaret River Airport & Busselton Foreshore project and the Eastern link construction.

Cr Pam Townshend updated members on the main street upgrade and the Skate Park/ Youth Precinct projects and the progress of the construction of the Perimeter Road.

GENERAL DISCUSSION

CapeROC agreed to participate in a brainstorm session at its next meeting as an opportunity to discuss strategic measures to address issues facing both of our communities.

Capes Region Organisation of Councils (CapeROC) 12

23 November 2017

7. NEXT MEETING DATE

9 February 2018, 10.00am, City of Busselton.

8. CLOSURE

The meeting closed at 11.30am.

THESE MINUTES CONSISTING OF PAGES 1 TO 12 WERE CONFIRMED AS A TRUE AND
CORRECT RECORD ON .

DATE: _____ PRESIDING MEMBER:



**MEETING HELD IN YOGANUP MEETING ROOM
CITY OF BUSSELTON ADMINISTRATION BUILDING
Wednesday 22 November 2017 at 9.00am
Marketing and Events Reference Group**

ATTENDEES

Name	Title
Cr. Grant Henley	Mayor, City of Busselton
Cr. Lyndon Miles	Councillor, City of Busselton
Cr. Kelly Hick	Councillor, City of Busselton (arrived 9.11am)
Jodie Richards	Chief Executive Officer, Busselton Chamber of Commerce and Industry (BCCI)
Peta Tuck	Events Coordinator, City of Busselton
Amanda Carmichael	Margaret River Busselton Tourism Association (MRBTA)
Jennifer May	Manager Commercial Services, City of Busselton
Tanya Gillett	Manager Health Services, City of Busselton
Meredith Dixon	Public Relations Officer, City of Busselton
Tanya Downie	Executive Support Officer, City of Busselton

APOLOGIES

Naomi Searle, Director Community and Commercial Services, City of Busselton
Lisa Shreeve, Chief Executive Officer, Busselton Jetty Inc.
Sharna Kearney, Group Marketing Manager, Margaret River Busselton Tourism Association

1.0 ATTENDANCE AND APOLOGIES

Jenny May opened the meeting at 9.05am and welcomed attendees to the Marketing and Events Reference Group meeting.

2.0 ELECTION OF CHAIRPERSON

Jenny May called for nominations of Chairperson for the Marketing and Events Reference Group Meetings.

Mayor Henley nominated himself as Chairperson. Seconded by Jodie Richards, there were no objections to the nomination.

Mayor Henley chaired the meeting from this point onwards.

Jodie Richards nominated herself as Deputy Chairperson. Seconded by Tanya Gillett, there were no objections to the nomination.

Jodie Richards informed the Group she would be representing both the Busselton and Dunsborough-Yallingup Chamber of Commerce and Industry at future MERG meetings.

3.0 CONFIRMATION OF PREVIOUS MINUTES

Jodie Richards mentioned the terms of reference is not included on the agenda for discussion at this meeting and moved a motion to accept the minutes of the meeting held on 2 May 2017 with this amendment as a true and accurate record of the meeting. Seconded by Mayor Henley.

3.1 BUSINESS ARISING FROM PREVIOUS MINUTES (not covered in item 4.0)

Nil.

4.0 EVENT COORDINATORS REPORT (PETA TUCK)

3.1 BUSINESS ARISING FROM MINUTES

A meeting of MERG was held on the 2 May 2017 and resulted in the following actions;

1. Terms of Reference to be circulated to all members and reviewed at the next meeting.

Terms of Reference to be circulated with agenda.

3.2. FINANCIAL IMPLICATIONS

Two (2) Year Cashflow Forecast to 2017/2018 -2019/2020 was tabled (Attachment 1).

At the 26 July 2017 Council meeting, Council resolved (C1707/163) to include an allocation of \$647,400 in the 2017/18 Differential Rates Events Budget, with a split of \$347,400 for events and \$300k for marketing. At the end of 2016/17 an allocation of \$9,036 was unspent from the Differential Rates Events Budget, and Council resolved to allocate the funds to the 2017/18 Differential Rate Events Budget, bringing the total to \$356,436.

Further, \$250k has been allocated towards events from the 2017/18 municipal budget. This excludes budgetary allocations for the Leavers Week event, administration, and events staffing.

Funds already committed from the 2017/18 Differential Rates Events Budget for Multi-Year Event Agreements and Round 1 of the 2017/18 Events Sponsorship Programme totals \$321,425, leaving a total of \$35,011 to be allocated to Round 2. Funds already committed in the 2017/18 Municipal Events Budget for multi-year agreements and Round 1 of the 2017/18 Events Sponsorship Programme totals \$230k, leaving \$20k to be allocated in Round 2 of the 2017/18 Events Sponsorship Programme, providing a total of \$55,011

As part of the 2017/18 budget process, \$300k was allocated towards marketing to be used as part of the City's \$2m (to be provided over a five (5) year period) commitment to the Busselton-Margaret River Airport Development Project as part of an overall airline incentive program. During the year the \$445k in funding has been committed

over a five (5) year period by neighbouring local governments and government agencies and as such will reduce the level of funding required of the City. Based on this it is recommended that some of these \$300k allocated towards marketing from the 2017/18 Differential Rate budget be used to secure one (1) event that will have direct marketing benefits for the region, and consideration be made towards a regional marketing program as outlined in the Officer Comment section of this report.

1. Funded Events 2017/2018 Financial Year

Event Name	Event Date	Amount Funded
South West Mudfest	1 July 2017	\$7,500
RAC Pedal Prix WA	20 August 2017	\$20,000
CinefestOz	23-27 August 2017	\$95,000
Cape to Cape MTB	19-22 October 2016	\$5,000
Hannay Lane Street Party	10 November 2017	\$2,000
Dunsborough Songfest	10-12 November 2017	\$2,500
Open Water Swimming Series – Busselton	12 November 2017	\$3,000

2. Multi-Year Events Funded from Municipal Funds Update

There are currently six (6) events funded through the Municipal Funds Events Budget:

Event Name	Amount Funded	Contract expiry
Geographe Bay Race Week	\$5,000	2017/18
Ironman WA	\$168,000	2017/18
Busselton Festival of Triathlon	\$45,000	2018/19
Carols by the Jetty	\$2,000	2019/20
Festival of Busselton	\$7,000	2019/20
Australia Day Busselton	\$3,000	2019/20
TOTAL	\$230,000	

2017 Ironman WA

The 2017 Ironman event takes place on 2-3 December 2017, the event organisers are in Busselton. Set up of infrastructure has commenced. The 70.3 event has sold out (923 entries), the full Ironman is 90% sold. Event organisers are expecting 2,500 competitors to compete in this year's event.

Event organisers have indicated that they wish to exercise their option to extend their current contract which expires in 2017 to include events in 2018 and 2019.

Geographe Bay Race Week

The City has received advice from Port Geographe Aquatic Sports that they no longer have capacity to manage the Geographe Bay Race Week, due in part to the Royal Perth Yacht Club no longer assisting with the event. They have advised they will be handing back the organisation of the event to the Geographe Bay Yacht Club.

\$5k is currently allocated to Port Geographe Aquatic Sports for Geographe Bay Race Week 2018 through the 2017/18 Municipal Events Budget. As they have advised that they no longer require this funding,

Officers recommend that the \$5k is allocated to the Geographe Bay Yacht Club for this event.

3. Multi-Year Events Funded from Differential Rates Update

Jetty Swim 2017

Jetty Swim entries have sold out in record time. All adult events are fully subscribed with over 300 people on waiting lists in all categories. The kids swim is selling well with 77 registered as at 19 October 2017.

The format for the weekend will be slightly different to previous years with a stage being set up on the beach with local musicians playing through the weekend.

4. Annual City Events Update

Busselton Fringe Festival

Acting Up has been successful in securing 3 year sponsorship from Healthway for \$10k per year for 2017-2019 events. Planning for the 2018 Fringe Festival has commenced and will be held from 17-24 February 2018.

The Group feel the event program is too long and suggested KPI's for event organisers reflect a review of the format to concentrate on three (3) major days being held in the Cultural Precinct.

Officers recommend that the City allocates an amount of \$20k per year in 2018 and 2019 in line with the Healthway funding agreement, and that this be funded through the 2017/18 Municipal Events (\$10k) and Marketing (\$10k) Budgets, and 2018/19 Municipal Events Budgets. This amount is to be used for the payment of the Event Management Fee of \$12,468.75 to Acting Up!, with the balance of \$7,531.25 to be used towards event costs.

5. Other Events Update.

SuperFoilier Grand Prix

Busselton has been selected to be part of the Australian Series of the SuperFoilier Grand Prix and will host race 5 in the series on 2-4 March 2018.

The event will be televised on Channel 7 as well as live streaming internationally throughout the event. Event organisers are working with Busselton Jetty Inc and will be utilising local providers for marquees, catering etc.

Event organisers have been successful in securing \$50k funding from TWA and have requested \$50k funding from the City. Officers recommend that \$50k (45k cash and \$5k in kind support) be allocated to the event, to be funded from the 2017/2018 Differential Rates Marketing Budget.

Cabin Fever

The inaugural Cabin Fever event was held on 14-23 July 2017, and \$20k in funding was provided via CapeROC. The event was extremely successful in its first year, holding 35 events at 30 different venues over 10 days. 12 out of 30 (40%) event venues were in the City of Busselton, including Arimia, Cullen, Eagle Bay Brewing, Cape Lodge, Piari & Co, Bettanays, Yallingup Cheese Co and Aravina. There were over 6,300 attendances at events, with 51% being overnight visitors with an average stay of 3 nights.

The Shire of Augusta Margaret River has committed to fund the event \$10k in 2018 with the event to be held 13-22 July. Event organisers have requested a further \$10k from the City.

Officers recommend that \$10k is allocated from the 2018/19 Differential Rates Events budget, conditional on the development of further events within Busselton, with 50% of total events to be held within the City of Busselton.

World Surf League Qualifying Events

Surfing WA has contacted the City to discuss the potential of creating a new surf event that will be a World Surf League (WSL) qualifier.

There are currently no events in WA that award WSL points, and many local surfers are disadvantaged due to having to travel to the Eastern States and overseas in order to qualify for WSL competitions.

Surfing WA will look to hold 2-3 events within a short period of time in Mandurah and Yallingup. They expect they will have surfers from within the state, interstate and even international, all vying to receive points towards WSL standings.

This event would be held in September/October 2018 and would provide international exposure.

Busselton Youth and Community Activities Building Official Opening

The City's Youth Services Team is currently planning the official opening of the YCAB building on 12-13 January 2018.

Funding of \$10k is being sought from the City's Youth Services Team to secure a youth recognised band to perform at the Battle of the Bands which is being held on the same weekend. It is estimated over 2000 people will attend the free community event.

The Group requested for the Youth Services team to consider the capacity of the space in the Youth Precinct when choosing a band to perform.

Given the regional importance of the Youth Precinct, officers recommend that \$10k be allocated for this event from the 2017/2018 Municipal Events Budget.

Go Karts Film

The City has been approached by See Pictures, an Australian production company based in Sydney, to shoot a feature film in Busselton. The movie is aimed at families, with the story based around go kart racing.

If successful the film will be produced in and around Busselton with many of the City's local attractions such as the Busselton Jetty, Foreshore, Skate Park and town centre featured.

The film producers are currently preparing a proposal for the City outlining the nature of facilities and services they will require to film in Busselton. They will also be requesting financial and in-kind support. Details of the proposal will be forwarded to MERG members when it has been received.

Regional Marketing Program

A proposal has been received from WIN TV, outlining a 12 month marketing program comprising of a series of 30 second advertisements to be split between WIN, ONE and ELEVEN channels. The content of the advertising campaign would be to encourage buying local. The total cost of the 12 month program is \$40k.

The Group suggested the City obtaining a proposal from GWN to compare with the proposal received from WIN. The Group feel GWN's content and advertising is more local based.

The Group would also like other media options such as Facebook and Radio considered for marketing the 'buy local' message. Further any TV advertising proposals to include scheduling and format of adverts.

Action: **Event Coordinator to meet with MRBTA to discuss best value for marketing options. Event Coordinator to obtain a proposal from GWN to compare with the proposal received from WIN.**

6. Events Development

New events and potential events listed in the Event Coordinators report were tabled.

CEO Busselton Chamber of Commerce and Industry raised two (2) proposed events that the CCI were planning and would be applying for funding in 2018:

- Business Opportunities Expo – based around the Airport
- Business Awards

7. Round 2 Event Sponsorship Programme 2017/2018

Events Sponsorship Programme

Advertising for Round 2 of the 2017/18 Event Sponsorship Programme opened on 1 September 2017, closing 29 September 2017. A total of 16 applications were received,

requesting a total of \$147,500 in funding. Of these, three (3) requests were for multi-year agreements and thirteen (13) were for single year agreements.

The Events team evaluated all funding applications, applying the Strategic Funding Guidelines of economic impact, strategic alliance to off-peak and cultural events, destination tourism, social benefits and environmental impact. An overall score out of 100 was allocated and funding recommendations based on this.

The MERG members discussed each application and recommended the following:

Applications for funding through Differential Rate Budget

Event	Requested	Officer Recommendation
Yallingup Malibu Classic	2017/18 \$3,000 2018/19 \$3,000 2019/20 \$3,000	2017/18 \$2,500 2018/19 \$2,250 2019/20 \$2,000
South West Yoga Fest	2017/18 \$5,000	2017/18 \$2,000
Taj's Small Fries Yallingup	2017/18 \$15,000 2018/19 \$15,000 2019/20 \$15,000	2017/18 \$10,000 2018/19 \$9,000 2019/20 \$8,000
Busselton Junior Open Tennis	2017/18 \$3,000	2017/18 \$1,500
Busselton Open Tennis	2017/18 \$3,000	2017/18 \$1,500
Busselton Pride	2017/18 \$3,000 (+ \$500 in-kind traffic management)	2017/18 \$2,000 (+ \$500 in-kind traffic management)
Yalambi Showjumping Classic	2017/18 \$8,000	2017/18 \$2,000
Wheelbite 2018	2017/18 \$3,500 2018/19 \$3,500 2019/20 \$3,500	2017/18 \$3,000 2018/19 \$2,750 2019/20 \$2,500
British Auto Classic	2017/18 \$500	2017/18 \$0*
Undalup Djeran Youth Week Event	2017/18 \$8,000	2017/18 \$3,000
West Cape Classic Car Rally	2017/18 \$5,000	2017/18 \$0
Margaret River Readers & Writers Festival (Busselton events)	2017/18 \$10,000	2017/18 \$5,000
Cabin Fever 2018	2018/19 \$10,000	2018/19 \$10,000
TOTALS	2017/18 \$67,500 2018/19 \$31,500 2019/20 \$21,500	2017/18 \$33,000 2018/19 \$24,000 2019/20 \$12,500

* Officers to recommend application for funding through the Donations, Contributions and Subsidies Fund.

Officers recommend a total of \$33,000 be allocated in Round 2 to be funded through the 2017/18 Differential Rate Events Budget, leaving a total of \$2,011 remaining in the budget for any further requests.

The following conditions to be included in funding agreements:

- South West Yoga Fest – consider moving outside January school holidays and promote Dunsborough
- Busselton Pride – consider changing the date to incorporate with Fringe Festival
- Undalup Djeran Youth Week Event – more discussion required about location where the event is being held
- Margaret River Readers & Writers Festival (Busselton events) – KPI to reflect including Busselton/Dunsborough/Yallingup when advertising. One (1) signature event and five (5) other events to be held in Busselton, plus school events. Include Busselton/Dunsborough/Yallingup in branding.

Applications for funding through Municipal Budget

Event	Requested	Officer Recommendation
Busselton Fringe Festival	2017/18 \$10,000 2018/19 \$20,000	2017/18 \$10,000 2018/19 \$20,000
Busselton Youth & Community Activities Building Opening Event	2017/18 \$10,000	2017/18 \$10,000
TOTALS	2017/18 \$20,000 2018/19 \$20,000	2017/18 \$20,000 2018/19 \$20,000

MERG recommends a total of \$20,000 to be allocated in Round 2 and funded through the 2017/2018 Municipal Budget.

Applications for funding through the Differential Rates Marketing Budget

Event	Requested	Officer Recommendation
SuperFoil Grand Prix	2017/18 \$50,000	2017/18 \$45,000 (cash) \$5,000 (in kind)
Busselton Fringe Festival	2017/18 \$10,000	2017/18 \$10,000
Regional Marketing campaign	2017/18 40,000	2017/18 \$40,000
TOTALS	2017/18 \$100,000	2017/18 \$95,000 (cash) \$5,000 (in kind)

Officers recommend a total of \$100,000 (\$95k cash, \$5k in kind) be allocated in 2017/18 from the Differential Rates Marketing Budget

MERG Recommendation: That the Marketing and Events Reference Group recommends and considers the following points as formal recommendations to Council:

1. Recommendations for the 2017/18 Round 2 Event Sponsorship Program to Council as per details above with events to be funded from the Differential Rate Events Budget.
2. Recommendations for the Council to enter into a multi-year funding agreement with Acting Up! for \$20k per year for the 2018 and 2019 Busselton Fringe Festivals to be funded from the 2017/18 Municipal Events (\$10k) and Marketing Budget (\$10k), and 2018/19 Municipal Events Budget (\$20k). Condition for the event to be shortened to occur over 3 days/nights.
3. Recommendation for the allocation of \$10k from the 2017/18 Municipal Events Budget for the Busselton Youth & Community Activities Building Opening Event.
4. Recommendations for the allocation of \$100k for the SuperFoiler Grand Prix (\$45k plus \$5k in kind), Busselton Fringe Festival (\$10k) and Regional Marketing Campaign (\$40k) to be funded from the 2017/18 Differential Rates Marketing Budget.
5. Recommendation for the allocation of \$5k from the 2017/18 Municipal Events Budget to the Geographe Bay Yacht Club for the 2018 Geographe Bay Race Week.

5.0 GENERAL BUSINESS

5.1 Event Strategy

A draft of the updated Events Strategies was provided to the Group to review. The review of the Event Strategy will be performed and include identifying gaps in the types of events and seasons which require more focus. A final draft will be provided at the next meeting.

5.2 Events Funded Through MERG

CEO Busselton Chamber of Commerce and Industry would like to see recognition given to the Business Community for events funded through MERG Differential Rates Budget.

Action: Event Coordinator to obtain a quote for feather banners to display at events which recognises the event is sponsored by the Busselton/Dunsborough Business Communities.

CEO Busselton Chamber of Commerce and Industry to consider a logo design for the feather banners.

5.3 Terms of Reference

Review of the Terms of Reference to include one (1) Non Chamber Business Representative.

Action: Event Coordinator to include additional member to the Terms of Reference being one (1) Non Chamber Business Representative.

Event Coordinator to distribute Terms of Reference to all members to be reviewed at the next meeting.

Meeting closed at: 10.57am.

Next Meeting:

Date: TBA
Venue: TBA

Cr. Grant Henley
MAYOR, CITY OF BUSSELTON
CHAIRPERSON

Agenda Item	Action	Responsible Officer
Regional Marketing Proposal	Obtain a proposal from GWN to Compare with the proposal received from WIN.	Event Coordinator
	City to meet with MRBTA to discuss best value for marketing options.	Group Marketing Manager MRBTA, Event Coordinator
Events Funded Through MERG	Obtain quotes for feather banners to display at events which recognises the event is sponsored by Busselton/Dunsborough Business Communities	Event Coordinator
	Consider a logo design for the feather banners	CEO Busselton Chamber of Commerce and Industry
Terms of Reference	Terms of Reference to be circulated to all members to be reviewed at the next meeting.	Event Coordinator
	Include additional member to the Terms of Reference being one (1) Non Chamber Business Representative	Event Coordinator

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

17. CONFIDENTIAL REPORTS

Nil

18. QUESTIONS FROM MEMBERS

19. PUBLIC QUESTION TIME

20. NEXT MEETING DATE

Wednesday 31, January 2018

21. CLOSURE